

# HUMBOLDT BAY MUNICIPAL WATER DISTRICT

## Board of Directors Meeting

March 2019



Ruth Lake Spillway 02-27-19

# MINUTES



Minutes for Meeting of Board of Directors

February 12, 2019

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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. Director Hecathorn left the meeting at 2:50 pm. General Manager John Friedenbach, Superintendent Dale Davidsen, Business Manager Chris Harris and Board Secretary Sherrie Sobol were present. Nathan Stevens and John Winzler of GHD were present for a portion of the meeting.

B. **FLAG SALUTE**

President Woo led the flag salute.

C. **ACCEPT AGENDA**

The Board agreed to discuss the Closed Session Item for GM Evaluation as the last item. On motion by Director Latt, seconded by Director Rupp, the Board voted 5-0 to accept the agenda.

D. **MINUTES**

On motion by Director Rupp, seconded by Director Fuller, the Board voted 5-0 to approve the minutes of the January 7, 2019 Special Board Meeting and January 10, 2019 Regular Board Meeting.

E. **PUBLIC COMMENT**

No public comment was received.

F. **CONSENT AGENDA**

On motion by Director Rupp, seconded by Director Hecathorn, the Board voted 5-0 to approve the Consent Agenda.

G. **CORRESPONDENCE**

District letter re: Proposed Changes in Calculation of Annual Dam Fees

Mr. Friedenbach shared the letter opposing the proposed changes in the metrics to calculate the annual dam fees. The Division of Safety of Dams (DSOD) is proposing to use the height of the dam as the sole common metric. Dam height does not correlate to revenue generation from a dam. Under the proposed fee schedule, the District's dam fee will increase from \$28,500 to \$41,000. This is a 44% increase on top of the earlier 58% increase over the last five years. The District is suggesting the DSOD consider utilizing an additional metric of revenue generation over the past five years in conjunction with the height of the dam metric. This would be a fairer way to allocate fees across all dam owners in proportion to their individual abilities to pay for increased fees resulting in more equitable distribution of fees. Mr. Friedenbach added that he met with the representative for Senator McGuire last week and brought up this issue. The California Special Districts representative who organized the meeting stated this a common sentiment with other small dam owners. Director Rupp requested a copy of the letter be sent to the head of the DWR and Director Latt requested involvement by ACWA on this issue.

DWR Post Performance Monitoring Requirement Change

The District received a letter regarding Post-Performance reports required by recipients of Proposition 84 grant funding. The District is a recipient of Proposition 84 grant funding. One of the requirements of Proposition 84 funding was to conduct post-construction project performance monitoring annually and submit an annual Post-Performance Report (PPR) to DWR for a period of ten years. DWR is



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now proposing to reduce the PPR reporting period from ten years to three years. The County administers the Proposition 84 grant funding and concurred with the change, reducing the reporting period. This is retroactive and will apply to previous projects as well. Mr. Friedenbach stated this is very good news.

RLCSD 2018 Quagga Inspection Report

Mr. Friedenbach shared the Ruth Lake CSD Quagga Inspection Report and compared it to the previous five years reports. The Board expressed concerns regarding the quality of the inspections given staff turnover. Mr. Friedenbach stated Mr. Breck Alexander of DFW agreed to conduct staff training, likely in March. President Woo offered to send a letter to Ruth Lake CSD Board stressing the importance of keeping Ruth Lake quagga free and the Board concurred. The Board also discussed developing a response plan if quagga mussels were to occur in Ruth Lake and inquired if grant funding might be available. Staff will research funding options.

District letter to Dept. of Toxic Substances Control re: McNamara & Peepe

The District received notification from the Department of Toxic Substance Control (DTSC) stating they were rescinding the Remedial Action Certification for the McNamara & Peepe Lumber Mill site in Glendale. The District responded expressing support for an updated Remedial Action Plan and requested notification when the new plan is available for review and comment. The District also requested a minimum of quarterly sampling be implemented and that the DTSC move forward to effectively address eliminating the contamination at the site and its plume of migration off site. Director Latt inquired if the Blue Lake Rancheria was tracking this issue as well. Director Fuller stated they are and a letter was prepared very similar to the District's letter.

**H. CONTINUING BUSINESS**

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

Mr. Friedenbach stated last December he was contacted by the Humboldt County Economic Development Department about a potential customer and asked if the District could provide water. He confirmed the District could provide water. There is also another potential customer who is also unknown at this time. The Harbor District announced they are leasing property to a fish farming company called Nordic Aquafarms. It turns out this is the original customer the County of Humboldt was inquiring on behalf of in December when asking if the District could provide water. Mr. Friedenbach stated a meeting is scheduled with Nordic for either late this afternoon or early tomorrow to discuss potential water needs. He inquired if the Local Sales Committee members could attend. Director Rupp stated he would be in attendance.

Mr. Friedenbach stated he and the Instream Flow Committee participated in a conference with David Aladjem, water rights attorney. President Woo stated it was an excellent talk and Mr. Aladjem suggested next steps are to set up a conference call with him, District staff and SWRCB staff who will be handling the water rights requests. The talking points will be what we want-instream flow dedication, and why they want it as well. Mr. Friedenbach added that Mr. Aladjem is very knowledgeable about the process and acquainted with upper level staff at the SWRCB.





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Cannabis Grows affecting Mad River Watershed

Mr. Friedenbach stated the District continues to receive numerous referrals from the County regarding cannabis permit applications. He checked with Mr. Bauer regarding cleanup of the abandoned cannabis sites and there is not much progress yet.

Humboldt County Board of Supervisors re: Zoning Text Amendments and Zone Reclassifications to Implement the General Plan

At their January meeting the Board of Supervisors adopted a strategy to carry out Zoning Text Amendments and Zoning Reclassifications to implement the General Plan. The strategy includes a series of public outreach meetings. Mr. Friedenbach stated the areas of primary concern for our District are the focused community planning in the McKinleyville, Blue Lake and Fieldbrook/Glendale areas as they relate to industrial impacts on the Mad River Watershed and the quality of the District's source water. He shared the GPU Zoning Amendments schedule from the County. In accordance with Board direction, District staff will attend and participate in the meetings as appropriate and will notify Directors.

Ordinance 22 for Public Recreation -Public Hearing

President Woo opened the Public Hearing at 10:05 a.m. and explained the process. Mr. Friedenbach provided the staff report. He shared the two comment letters received and stated the red-lined version of Ordinance 22 incorporates the majority of requests received from the public. District legal counsel has reviewed the red-lined document. He stated it is not the intent for staff to be the ordinance police as it is a burden on their time and personal safety is a priority. The Directors asked several questions and stated they were supportive of the ordinance. Superintendent Davidsen expressed his concerns with regarding the ordinance as did a member of the public. Both felt the ordinance was too restrictive. Another member of the public stated he appreciated the ordinance moving forward and suggested perhaps the ordinance could be reviewed on an annual basis. He also requested that ordinance signage be kept simple as not to clutter the natural environment. Hearing no other public comments, President Woo closed the hearing at 10:50 am and thanked the public for their input. Director Rupp requested staff address the no smoking on District lands portion of the ordinance. Mr. Friedenbach stated the main reason for the rule is concern regarding cigarette butts ending up in the river. He also stated there seems to be some confusion regarding jurisdiction over the river bar. The river is waters of the State of California which is for the beneficial use of the residents of the state. As such, the state has jurisdiction over it. The District does not have jurisdiction over the river bar, only on District property and the river bar is not District property. On motion by Director Fuller, seconded by Director Hecathorn, the Board voted 5-0 by roll call vote to approve Ordinance 22. Director Fuller requested staff provide feedback on the ordinance in six months.

Procedures for Ordinance 22 Enforcement by Employees

Mr. Friedenbach shared the proposed procedure for enforcement of Ordinance 22 by employees. He reiterated that the intent is not for employees to be the ordinance police and understands it is a burden on employee time. The procedure gives latitude to the employee and emphasizes that employee safety is of the utmost importance. Director Latt provided input for an addition to Item 1 Employee Safety. He added that the procedure is well drafted and protective of the employee. After a brief discussion, on motion by Director Fuller, seconded by Director Rupp, the Board voted 4-0 adopt the procedures with the addition of Director Latt's suggestion.



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DWR Sustainable Groundwater Management (SGMA) Final Basin Prioritizations

Last August, Mr. Friedenbach shared the District's letter regarding Mad River SGMA prioritization. DWR used inaccurate data to determine the SGMA prioritization and classified the Mad River Basin as medium priority. Mr. Hank Seemann, Deputy Director of Environmental Services for Humboldt County did the bulk of the work to provide the accurate and correct data showing the Mad River Basin is still low priority and not subject to SGMA along with assistance from Greg Orsini of McKinleyville CSD and Mark Andre of the City of Arcata.

DWR has finalized the Basin Prioritizations under the SGMA and the Mad River groundwater basin is now listed as very low priority. This is excellent news and also means there is no mandatory compliance with SGMA. The Board expressed their appreciation for the efforts by Mr. Seemann, Mr. Orsini and Mr. Andre.

CLOSED SESSION-Public Employee Performance Evaluation for General Manager (pursuant to Section 54957(b)(1)).

The Board entered into Closed Session at 4:35 pm. They returned to Open Session at 4:45 pm. President Woo stated there is no reportable action.

**I. NEW BUSINESS**

Safety Program

Mr. Friedenbach provided background and highlighted the components of the District's Safety Program. The District pays \$200 incentive to each current full-time employee that has been employed for at least six months and meets criteria to be eligible for the award. The District awards a grand prize of \$500 based on a drawing of all eligible employees. The winner this year was Samantha Ryan. President Woo presented Ms. Ryan with her certificate and grand prize check. Ms. Ryan thanked the Board for their support and commitment to safety.

Legislative Advocacy and Priorities Policy and Procedure

Mr. Friedenbach shared the proposed policy and procedures for Legislative Advocacy and Priorities. Director Rupp stated having an organized approach to issues is good, but feels this does not require policy and procedures. He suggested that if a legislative letter is sent out, the Board should receive a copy as soon as possible. After a brief discussion, no action was taken.

Legislative Advocacy Committee and Charter

Director Latt stated he understands the collaborative spirit of committees but feels there is no need for yet another committee. The Board concurred and no action was taken.

Committee Assignments

No changes to committees were made. All assignments remain the same.

Hydro ReMAT Contract

The District has a Hydro ReMAT contract with PG&E for sale of its electrical power from the Gosselin Hydro Electric Power Plant at Ruth. This is a twenty-year contract that sunsets in May 2037. There is a provision in the contract that if either party is declared bankrupt, the other party may terminate the contract. Mr. Friedenbach recommended that the Board not exercise this clause at this time. Mr. Friedenbach has been in communication with Todd Thorner and Mark Henwood of



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JTN Energy given the announcement of PG&E's bankruptcy filing. The consultants feel it is best to wait and see how the bankruptcy proceedings progress. The Board concurred.

Employee Handbook Update

Mr. Friedenbach stated that Operations staff is requesting that Floating Holiday hours banked for Thanksgiving and the Day after Thanksgiving also be extended to expire on February 28 of the new year. It has become apparent that given the short time frame between Thanksgiving and Christmas, requests for vacations during this time and the coverage needed to staff all shifts, it is difficult to provide the floating holiday time off banked at Thanksgiving. This will not result in any additional costs to the District. Benefits of this change will be less scheduling difficulty and happier employees at the end of the year with overall improved morale. Staff recommends the Board update the Employee Handbook Section 4001.2 Holidays to include Thanksgiving Day and the Day after Thanksgiving listed as exceptions to use/lose by end of the year, expiring instead on February 28<sup>th</sup> of the following year. On motion by Director Latt, seconded by Director Fuller, the Board voted 4-0 approve staff's recommendation.

J. REPORTS (from Staff)

1. Engineering

Mad River Cross Sections Annual Survey

Mr. Stevens reported out on the results of the 2018 survey of the Mad River Cross Sections at Essex. The channel against the north bank at Sections 2 and 3 continue to be an area of concern. Dredging is done to keep water flowing into the forebay at pump station 6. Also, erosion along the left bank near pump station 4 is becoming a concern. Director Rupp stated if the District has an industrial customer, it will be important to keep water flowing to pump station 6. Mr. Friedenbach stated NMFS staff provided some suggestions for the next steps in engineering designs. Mr. Stevens also stated that section 7 by pump station 4 is not a major concern for operations, but it could be if access is needed to pump station 4. There is currently construction fencing in place where the river bank is eroding away at Park 4.

Surge Tower Replacement (\$239,900 District Match)

Mr. Stevens stated bid opening occurred at 3 pm today. Four bids were received with bid amounts ranging from \$225,000 to \$56,000. The apparent low bidder is Figas Construction. Director Latt stated he would need to recuse himself as his firm represents Figas. Mr. Stevens stated staff needs time to properly review the responsiveness and responsibility of the low bidder. President Woo inquired if two days would be enough time and Mr. Stevens replied yes. The Board agreed to continue the meeting to a later date to possibly approve the bid.

12kV Switchgear Replacement (\$441,750 District Match)

The project design has started. Staff hopes to be done in the spring, put the project out for bid in June and award in the next fiscal year-July 2019.

Collector Mainline Redundancy Hazard Mitigation Grants (\$763,000 District Match)

The grant is on hold pending availability of funds.

Reservoir Structural Retrofit Hazard Mitigation Grant Application (\$914,250 District Match)

The Request for Information was submitted and staff has not heard back.



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Single Line Industrial Slough Crossing Hazard Mitigation Grant Application (\$679,750 District Match)

Staff responded to two additional requests for information and are awaiting a response.

Matthews Dam Spillway Analysis Hazard Mitigation Grant Application (\$1,666,667 District Match)

This project is also awaiting a response after submitting additional requested information.

Essex Emergency Chlorine Scrubber Hazard Mitigation Grant NOI (\$335,000 District Match)

CalOES approved the NOI and the full application is due by April 18, 2019.

12-Month inspection of 1 MG Reservoir Roofing and Coating Project

Mr. Stevens stated the warranty inspection showed some rust by the overflow tank that will need to be fixed. This was not a surprise, however, the rust on the stainless-steel ladder was a surprise. Staff is scheduling the contractor, Paso Robles Tank, to come back and fix the issues which are still under warranty.

Lazzar Development 27<sup>th</sup> - CLOSED SESSION to discuss real property negotiations at 27<sup>th</sup> and Alliance with concern to price, terms of payment or both with Mr. Lazzar (pursuant to Section 54956.8)

The Board went into closed session at 11:40 am. They returned to open session at 12:10 pm. President Woo stated there was nothing to report out.

Status report re: other engineering work in progress

Mr. Stevens stated that Bennett Trenchless Engineers did the horizontal directional drilling (HDD) for the Blue Lake Fieldbrook Pipeline Crossing project, which was a successful project. Bennett Trenchless will be presenting the HDD project at a conference on February 21 and he was asked to co-present on the presentation.

2. **Financial**

Financial Report

Ms. Harris stated the financial report for January 2019 was not completed as staff is still learning the new accounting software and setting up financial reports. The report will be provided next month. She reviewed the expense by vendor detail with a total of monthly disbursements of \$435,060.38. Director Rupp reviewed bills and did not see any areas of concern. On motion by Director Rupp, seconded by Director Fuller, the Board voted 4-0 to approve the vendor detail report.

Letter from County Treasurer summarizing interest earned report for quarter ending September 2018

The County Treasury earned 1.36% compared to LAIF at 2.16% for the quarter ending in September 2018. The County prefunded the CalPERS annual pension in July rather than making installments throughout the year. This saved the County more than \$680,000 in interest payments. The large payment significantly lowered liquidity and investable funds resulting in the lower apportionment rate.



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GASB 75

Ms. Cathy Macleod of MacLeod Watts participated in the meeting via teleconference and reported out on the Actuarial Valuation and GASB75 Report for the Fiscal Year Ending June 30, 2018. GASB 75 requires a full actuarial report on OPEB be done every two years. Her firm provided the required report for the District. She reviewed terminology changes, discussed the information used in preparing the analysis and assumptions. She provided a comparison of valuation results from 2015 to 2018. The Board asked several questions and thanked Ms. Macleod for the presentation. Director Hecathorn was not feeling well and left immediately after the presentation. On motion by Director Rupp, seconded by Director Latt, the Board voted 4-0 to accept the report.

Xpress Bill Pay Agreement

Ms. Harris stated one of the many benefits of the new utility billing and finance software is the online payment portal that will allow retail customers to make payments at any time by a variety of means including credit cards. Staff recommends using the services of Xpress Bill Pay to handle all the Automated Clearing House (ACH) charges with the .30% Government Utility Rate merchant service fee on all transactions. On motion by Director Latt, seconded by Director Rupp, the Board voted 4-0 to approve entering into an agreement with Xpress Pay at the Government Utility Rate and authorizing the General Manager to execute all necessary contracts.

Proposed Change in Director's Payroll Dates

Ms. Harris stated employees are paid on the 5<sup>th</sup> and 20<sup>th</sup> of the month. She proposed changing the Director's pay date to the 20<sup>th</sup> of each month to coincide with employee payroll dates and reducing the amount of staff time to conduct a third payroll just for the Directors. On motion by Director Rupp, seconded by Director Fuller, the Board voted 4-0 to approve the new pay date for Directors.

**3. Operations**

Monthly report on projects and operations

Mr. Davidsen provided the January Operational Report. The Ruth Bunkhouse Remodel required a change order #6 for the cabinets. The cabinets will be of better quality and will not impact the budget or completion date. Six staff from Essex attend RCAC training in Fortuna on Operations and Maintenance Practices. Topics for the Safety meeting included: WIIP, EAP, Generator Operations and General Emergency response. All full-time staff at Essex and Ruth are working on their 40-hour Hazwoper training. This is a required training by OSHA. Some employees have completed the training.

Surplus Items

Mr. Davidsen stated staff is recommending the Board approve the following items as surplus as they are outdated or no longer needed: 2013 Ford F750 truck drivers side bucket seat; 2" Demco Hydraulic brake actuator assembly and 2 Hyd brake backing plate assemblies 5 bolt; and a commercial 4500 propane generator. On motion by Director Rupp, seconded by Director Fuller, the Board voted 4-0 to declare the above items surplus.



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**K. MANAGEMENT**

**1. CSDA**

Mr. Friedenbach shared the article “Appeals Court Rules Prop 218 Rate Plan Subject to Referendum” provided by CSDA. As noted earlier, the local CSDA representative arranged a meeting with the representative for Senator McGuire. Topics discussed included: Dam fees, T3/D3 water operator certification changes, IRWMP local grant funding and its importance, the proposed water tax and the North Coast Railroad Authority (NCRA) given that our 12kV project is on the NCRA right-of-way.

Mr. Friedenbach stated the local chapter of CSDA would like Director Rupp to be guest speaker on the topic of Rural Development Agencies/Oversight Committees at the June 3<sup>rd</sup> meeting. Director Rupp stated he would be happy to the speaker.

**2. Meeting dates**

Mr. Friedenbach stated he is on the Technical Review Committee for the North Coast Resource Partnership and their meeting is scheduled for April 18<sup>th</sup>, the day of the currently scheduled Board meeting. The Board agreed to move the meeting date to Tuesday, April 16<sup>th</sup> at 9 am so Mr. Friedenbach could participate in both meetings.

**3. Non-Profit Irrigation Program**

Mr. Friedenbach shared a request from Mr. David Hull, general manager of Humboldt Community Services District to provide water for non-profit irrigation at a reduced price. He stated Mr. Hull received a request to provide discounted water to sports fields and parks in their service area. Mr. Hull then requested the District provide the discounted water rate and stated that HCSD legal counsel said it is not an issue for HCSD if the District provided the discount water. The Board discussed the request and expressed concerns regarding Prop 218 and the fact this discounting water to HCSD would not be equitable and all the Ordinance 16 contracts would have to be opened up. The Board unanimously decided against the request.

**4. HBMWD as a polling place for Humboldt County Elections**

Mr. Friedenbach shared the email from Humboldt County Elections inquiring about using the Board room as a polling place. The District has done this in the past, however, it was not favorably received. It was disruptive to staff and some groups that regularly use and previously reserved the room were cancelled do the elections. After a brief discussion and additional concerns were raised, the Board decided not to offer the Board room as a polling place.

**5. Annie and Mary Trail**

Mr. Friedenbach reported out on the Annie and Mary Trail Committee meeting. The City of Arcata would like the interim end destination of the trail be Park 1 at Essex.

**L. DIRECTOR REPORTS & DISCUSSION**

**1. General -comments or reports from Directors**

No reports.



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2. ACWA – JPIA

President’s Special Recognition Award for liability and property program

The District received awards for low ratio of “Paid Claims and Case Reserves” to “Deposit Premiums” in the Liability Program and the Property Program. Director Rupp and the Board conveyed their thanks to staff for a job well done.

3. ACWA

ACWA Spring Conference May 7-10, 2019 in Monterey

On motion by Director Rupp, seconded by Director Latt, the Board voted 4-0 to approve attendance to ACWA Spring Conference for Board members and appropriate staff.

Outreach Alert re: Water Tax

Mr. Friedenbach shared the ACWA Advisory regarding a Water Tax. Governor Newsom included a statewide water tax in his proposed budget. ACWA and the District believe that making access to safe drinking water for all Californians should be a priority but the statewide tax is not the solution when alternative funding solutions exist. ACWA and the California Municipal Utilities Association will be advancing a proposal for a Safe Drinking Water Trust. The state has a large budget surplus making this a good year to create and fund the trust.

Region 1 Board Members 2018-2019 Term

The Region 1 Board met at the end of January and selected a new member to fill the Region 1 vacancy. Director Rupp received a unanimous vote and is now a member of the Region 1 Board for the remainder of the 2018/19 term. The Board and staff congratulated Director Rupp.

4. Organizations on which HBMWD Serves: RCEA, RREDC

President Woo reported out on the RCEA meeting. She stated they are working hard and keeping a close watch on the PG&E bankruptcy.

Director Latt reported out on the RREDC meeting. The program speaker was Scott Adair the Humboldt County Economic Development Director.

ADJOURN and CONTINUE BOARD MEETING

At 4:46 p.m. President Woo stated staff needs time to properly vet Figas Construction, the apparent low bidder for the Surge Tower Project. Is there a motion to adjourn the meeting to a specific date and time? On motion by Director Rupp, seconded by Director Fuller, the Board voted 3-0 to adjourn to meet again on February 14<sup>th</sup> at 1 pm to discuss and possibly accept the Figas Construction as the apparent low bidder. Director Hecathorn was absent and Director Latt recused himself.

Attest:

\_\_\_\_\_  
Sheri Woo, President

\_\_\_\_\_  
J. Bruce Rupp, Secretary/Treasurer



## HUMBOLDT BAY MUNICIPAL WATER DISTRICT



### Minutes of the Adjourned and Continued Meeting

The Board of Directors of the Humboldt Bay Municipal Water District met in an adjourned and continued session on February 15, 2019.

#### A. ROLL CALL

President Woo called the meeting to order at 1:00 pm. Directors Fuller, Hecathorn, Rupp and Woo were present. Director Latt had previously recused himself and was not present. General Manager John Friedenbach, Business Manager Chris Harris, and Board Secretary Sherrie Sobol were also present as well as Nathan Stevens of GHD.

#### B. FLAG SALUTE

President Woo led the flag salute.

The following item was continued from the February 12, 2019 meeting:

#### REPORTS (from Staff)

##### 1. Engineering

###### Surge Tower Replacement (\$239,900 District Match)

Mr. Stevens stated Figas Construction was the low bidder for the Surge Tower Replacement Project at \$56,000. He reviewed the bid package for responsiveness and responsibility. Their bid packet did not include all the requested information. Their packet listed the contract price for previous jobs bid but did not include the original and final contract price. The purpose of requiring this information in the statement of qualifications was to see change orders or other items that increased the original bid price compared to the final contract amount. Mr. Stevens contacted PG&E, Security National and Danco Builders who were listed as references on Figas' bid. All stated that Figas Construction did the job well and at the price quoted in the bid. The information for Bidders contained in the project specifications states that: "The Owner may waive any informalities or minor defects or reject any and all bids. ..."

Mr. Stevens stated he believes the omission should be deemed minor and not a reason for disqualification. Mr. Friedenbach stated legal counsel was consulted and the minor omission has no affect on the contract price. Mr. Stevens stated staff recommends the Board award the project to Figas Construction and direct staff to prepare the notice of award and contract.

On motion by Director Fuller, seconded by Director Hecathorn, the Board voted 4-0 to accept the bid from Figas Construction; and determine that the omissions were minor defects, award the project to Figas Construction and direct staff to prepare contract documents.

The meeting adjourned at 1:10 pm.

Attest:

\_\_\_\_\_  
Sheri Woo, President

\_\_\_\_\_  
J. Bruce Rupp, Secretary/Treasurer



**CONSENT**

## **THIS JUST IN ... McCarthy Introduces Legislation to Repurpose High-Speed Rail Funding to Water Infrastructure Projects**

March 7, 2019 Maven Breaking News

*From Congressman Kevin McCarthy's office:*

Congressman Kevin McCarthy introduced legislation today that would repurpose recovered Federal funding from the California High-Speed Rail project to critical water infrastructure projects in California and the West. McCarthy released the following statement on this legislation, H.R. 1600, the Repurposing Assets to Increase Long-term Water Availability and Yield (RAILWAY) Act:

*"The California High-Speed Rail project is a boondoggle that California and American taxpayers must move on from. Since its inception, the project's costs have ballooned while oversight and accountability within the California High-Speed Rail Authority has been nonexistent. Last month, Governor Newsom in his State of the State rightfully recognized these shortcomings and announced an end to the project as it was put to the voters.*

*"The RAILWAY Act would end the Federal government's involvement in this failed endeavor by repurposing up to \$3.5 billion in recovered Federal funding for the California High-Speed Rail project to water storage infrastructure projects as outlined in the bipartisan WIIN Act. Under the WIIN Act, five storage projects in California are advancing, and when completed, could provide 5 million acre-feet of additional water storage in our state. This is a far better use of taxpayer money that can address more important needs in our state.*

*"California has experienced over five years of drought, and people across the state have felt the consequences with entire communities on the brink of disaster due to lack of water. The RAILWAY Act would address this crisis head-on by providing significant funding for what California really needs – infrastructure projects that help our state capture and store water during wet years for use in dry ones. The RAILWAY Act builds on the success of the WIIN Act by continuing to increase California's drought resiliency and helping ensure our communities, families, and farmers have access to life-sustaining water."*

**Every Republican Member of the California Congressional Delegation joined McCarthy as cosponsors of the RAILWAY Act. Below are their quotes:**

*"California farmers and families need a reliable water supply, not an extravagant high-speed rail line. This bill will redirect crucial funds and resources where they're most needed—particularly in*

*water infrastructure projects—to help ease the burden on Central Valley communities struggling through the water crisis.” –Congressman Devin Nunes (CA-22)*

*“The RAILWAY Act repurposes funding from the most wasteful project in California’s history and invests it into some of our most critical water storage projects. That’s a win for taxpayers and a win for California’s future. We know California experiences periods of draughts followed by periods of significant rainfall. The RAILWAY Act provides a common sense solution to this problem by building storage projects to capture more water in wet years in order to sustain California families and our economy through the dry years. Building water storage is long overdue. It’s time to stop watching water be diverted into the ocean and start acting to capture and store that water.” –Congressman Ken Calvert (CA-42)*

*“Years of drought in California brought entire cities within months of exhausting their water supplies. In extremely wet years, we have watched our dams spilling millions of acre feet of water to the ocean because of lack of storage. The infrastructure funding provided in the RAILWAY Act will begin to turn this tide in support of water abundance.” –Congressman Tom McClintock (CA-04)*

*“California’s high-speed rail project has been a very expensive disaster, with costs ballooning so much that voters are no longer getting anywhere close to what they were sold. I agree that all federal funding given to California for this project should be promptly returned and invested in commonsense projects people need, be it water storage or transportation. I have a bill, the High-Speed Refund Act, with a similar goal of reinvesting these funds into useful transportation infrastructure, such as widening Highway 70, three lanes for I-5, improving Highway 99 or 395, or many other real world projects that are actually useful to people in Northern California. Almost any type of infrastructure will be more beneficial and, one way or another, taxpayers deserve a stop to additional waste for this misguided pipedream of high-speed rail.” —Congressman Doug LaMalfa (CA-01)*

*“The last major reservoir in California was built forty years ago. Since then our population has grown significantly, and we’re ill-prepared to endure droughts. It’s time we take action to increase our water supply and modernize our water infrastructure. This bill makes good use of funds that were already going to be spent in California. I hope that Congress will pass this legislation quickly.” –Congressman Paul Cook (CA-08)*

*“Efficient water storage and management is California’s greatest need. The high-speed rail project is California’s greatest waste of time. The RAILWAY Act corrects this problem by implementing a common-sense plan to address a significant concern in our state by investing significant and*

*critical resources to ensure we have water availability for the future. I am proud to be part of this effort and will continue working with my colleagues to lead on this important ongoing issue.” -*

**Congressman Duncan Hunter (CA-50)**

### **Background**

- The Federal Railway Administration (FRA) made two grant awards to the California High-Speed Rail Authority for the High-Speed Rail (HSR) project totaling approximately \$3.5 billion.
- On February 12, 2019, the Governor of California, in his State of the State address summarized the reality that the HSR project costs too much, will take too long to build, and that “there simply isn’t a path to get from Sacramento to San Diego.”
- On February 19, 2019, the FRA notified the California High-Speed Rail Authority it is de-obligating \$929 million in unspent FRA grant funding for the HSR project after determining that the Authority “has materially failed to comply with the terms of the funding agreement and has failed to make reasonable progress on the HSR Project.” The FRA also indicated it is “exploring all available legal options” to recover approximately \$2.5 billion in Federal funds already expended on the HSR project.

## Great Redwood Trail town hall coming to Humboldt County this summer



Portions of the Great Redwood Trail are already being built, state Sen. Mike McGuire said. (Mike McGuire — Contributed)

By SHOMIK MUKHERJEE | [smukherjee@times-standard.com](mailto:smukherjee@times-standard.com) |

PUBLISHED: February 12, 2019 at 8:02 pm | UPDATED: February 13, 2019 at 10:32 am

Humboldt County residents will get their chance to comment on the Great Redwood Trail this summer as state Sen. Mike McGuire continues his push to get the monumental pathway fully built.

The meeting will be one of a series that includes Mendocino and Sonoma counties. McGuire is working toward developing a “trail master plan” that will comprehensively survey the costs and detail the construction efforts associated with the project.

Stretching 320 miles long, the trail would repurpose much of the long-dormant California rail corridor, which McGuire calls a “dilapidated” path that has the potential to be a “world-class” trail for a variety of uses. Recreational activities such as hiking, backpacking and cycling are fast-growing in popularity, he said.

“Our gut estimate is there will be tens of thousands of visitors who will flock from across the planet to hike this trail,” McGuire said. “Here’s the reason why: No other place on the planet will a hiker be able to traverse through ancient redwoods, the rim of Humboldt Bay, the oak-studded hills of Mendocino County, the Sonoma wine country and the hills of Marin down to the shores of San Francisco Bay.”

As trails take precedent, a public agency associated with rail travel is shifting its sights. Richard Marks, president of the North Coast Rail Authority, said he hopes there will be space for the agency to continue existing as a “usable” source of promotion for McGuire’s trails plan.

In October, Gov. Jerry Brown signed a McGuire-authored bill to dissolve the NCRA in favor of a trails focus.

“There is no standard operating procedure for this type of changing organization,” Marks said. “We’re trying to push forward the best we can with the Great Redwood Trail.”

Marks estimated the NCRA is something close to \$11 million in debt. A judge ruled in December that the agency must pay just under \$2 million to multiple environmental groups that successfully sued the agency over its alleged environmental harms posed to different North Coast regions. Already in debt and on the receiving end of that and other court-ordered settlements, the agency will adopt a new legal counsel at its Wednesday meeting, Marks said.

Meanwhile, the state is auditing the agency for its financial situation, a process McGuire said is just getting started and should be completed by June 2020.

“The NCRA’s finances are a hot mess,” McGuire said. “We’re having to unravel 30 years of shoddy financing within a public agency.”

Precise dates for the Great Redwood Trail town hall in Humboldt County will be announced in the coming months, he said.

*Shomik Mukherjee can be reached at 707-441-0504.*

## Offshore wind industry could mean thousands of jobs, report says

Unified vision important for moving forward



A new report states California's offshore wind industry could support an estimated 17,500 jobs. (Tobias Schwarz/AFP/Getty Images)

By [PHILIP SANTOS](#) | [psantos@times-standard.com](mailto:psantos@times-standard.com) | February 20, 2019 at 12:01 pm

The offshore wind industry could support almost 18,000 new jobs in California, according to a new report. The sector is projected to grow as the cost of production falls overtime with generation efficiency estimates "two to three times that of solar, nearly twice that of land-based wind, and even greater than that of coal."

The report, which focuses on the potential economic impact offshore wind could have on California's economy, was put together by the American Jobs Project along with several other partners including Humboldt State University's Schatz Energy Research Center. The initial phases of offshore wind development are in motion, with two projects proposed off California's coast, the report stated. One of the projects, led by the Redwood Community Energy Authority, is eyeing an area off Humboldt County's coast.

"It's an exciting thing that could be a really great for our harbor and the immediate area," said Lori Biondini, director of business planning and finance at RCEA. "There are a lot of possibilities ... we're definitely focused on maximizing that."

Biondini said it's a bit early to really understand the impacts offshore wind might hold, which underscores the value of studies that explore the industry's potential.

"Lot of things need to be worked out," she said. "There are a lot of examples as to how it could play out."

The report is just the beginning, according to Mary Collins, managing director of the American Jobs Project and lead author of the report.

"It's really the kindling to ignite a broader conversation," she said. "It's up to us as Californians on the local level and on the state level to start having a conversation about what we want this industry to look like."

Offshore wind has the power to provide California with 1.5 times the amount of electricity the state currently uses, the report states, with projected annual growth of 25 percent until 2022. The industry holds the potential to help the state make leaps and bounds towards meeting its goal of 100 percent clean energy by 2045, Collins said, but doing so will require a unified vision if Californians hope to see a full return from the potential of offshore wind. According to the report, if fully utilized, California's "offshore generation potential could exceed New York and New Jersey," which have already made "significant investment in the technology."

Jason Busch, executive director of the Pacific Ocean Energy Trust, one of the partners in the study, emphasized the importance of a focused vision, particularly when it comes to something as complex as the offshore wind industry.

"Engagement early and often is not just a mantra, it's a necessity," he said. "We hope California's government and its leadership will recognize and seriously consider what this opportunity is for California."

The industry would create a massive new sector for California, Busch said, which could include several "supply chain activities," including manufacturing, installation, operation, maintenance, service and decommissioning.

Moving forward, the study goes on to suggest five policy recommendations including a phased approach to offshore wind workforce development, infrastructure upgrades and the appointment of a "California Offshore Wind Czar" to "create and lead a vision for growth that aligns with the values of Californians and to serve as the primary point of contact for California's strategic offshore wind efforts."

"We're not talking about the extractive industries of yesteryear," Busch said. "We're talking about a modern, independent operation in the clean energy sector."

Humboldt Bay Harbor District executive director Larry Oetker said an offshore wind project like the one in development with RCEA could mean big changes for the area.

"It's one of the most exciting projects that we have seen come to Humboldt Bay in years ... probably since the 60s or 70s," he said. "It has the opportunity to completely transform the port of Humboldt and to bring national, state and international investment in for clean high-paying jobs that are really in the forefront of the green energy field."

The state has deep coastal waters with some of the highest wind speeds in the country, the report states. But the winds off of Humboldt County's coast have been described by many as world class, and Oetker believes Humboldt's port is uniquely situated to foot what he hopes will be a booming industry.

"There are no obstructions over the entrance of Humboldt Bay," he said, noting that not even the Golden Gate Bridge is tall enough to pass a wind turbine under. "If you go to all the ports up and down the West Coast, they all have bridges or obstructions with the exception of Humboldt Bay ... and we also have land for this type of activity."

Oetker said the harbor district is working with the local community to begin preparations to host the offshore wind industry, including the development of a multi-purpose dock. If it doesn't happen here, Oetker said, it'll happen somewhere else, so the region should prepare either way.

"This is exactly the type of business Humboldt County should embrace and encourage," he said. "The harbor district will be working on this project diligently."

Mark Severy, who works with the Schatz Energy Research Center, said they primarily provided technical assistance with the report.

In an email to the Times-Standard, Severy said SERC "is beginning work on a feasibility analysis of offshore wind in Northern California," which will be a year-long project commencing in the spring.

"We are studying many of the issues surrounding offshore wind development in Northern California, which includes the environmental impacts, port infrastructure modifications, stakeholder benefits and concerns, and current policy constraints and recommendations," he said. "It's important that we look at all the surrounding issues and consider various stakeholder viewpoints in order to provide policymakers and developers accurate information about the benefits and concerns of offshore wind development in our region."

*Philip Santos can be reached at 707-441-0506.*



## Lake Tahoe snowpack best in western US; resorts shatter February snowfall records

Bill Rozak | [brozak@tahoedailytribune.com](mailto:brozak@tahoedailytribune.com)

February 22, 2019

Lake Tahoe is the place to be this winter.

It holds the best snowpack in the western United States and the crowds are flocking to the world-class slopes.

Traffic has been insane, infuriating and downright miserable at times — all while the snow continues to fly.

February has been a record-breaking month for some Lake Tahoe ski resorts.

The snowfall has been so abundant that California is almost drought free.

"We broke our February snowfall record on Feb. 15," Jaclyn Ream, Diamond Peak's marketing coordinator told the Tribune Thursday. "Our previous record was during the 'Snowmageddon' 2016-17 season."

Diamond Peak's previous record of 134 inches has been destroyed this year with the resort recording 172 inches as of Thursday morning. More snow was falling into the afternoon.

Sierra-at-Tahoe also has crushed its record of 154 inches, previously recorded in 1997-98 and 2016-17. As of Thursday morning, with a week left in the month and snow in the forecast, the resort was sitting at 223 inches.

"We really blew it out of the water," said Sarah Sherman, Sierra's communications and PR manager, who researched snowfall totals back to when the resort was known as Sierra Ski Ranch.

It's the same all over the lake.

Squaw Valley and Homewood have received well over 20 feet of snow this month, 21 and 23, respectively. Squaw's previous record was 196 inches set in 2016-17. Squaw's 513 inches (about 43 feet) for the season sets the standard for basin resorts.

Heavenly and Kirkwood mountain resorts have each received 20 feet of snow this month. Resort officials did not have numbers for the previous monthly records.

Northstar California's previous record was 199 inches. The resort, south of Truckee, has shattered that record by 3 feet.

The entire basin sits at about 175 percent of its average snowpack.

Southern Utah boasts a snowpack 156 percent of average while Idaho and Colorado are mostly above average, according to SNOTEL numbers from the Nevada Resources Conservation Service.

The U.S. Drought Monitor said Thursday that just over 67 percent of California is totally free of any level of dryness.

Just under 33 percent is classified as abnormally dry, and less than 4 percent remains in either moderate or severe drought.

The drought conditions are confined to a far northern area along the California-Oregon border.

Three months ago, more than three-quarters of the state was in moderate to extreme drought and the remainder was abnormally dry.

More snow is in the forecast through the weekend and through the end of the month.

The weather pattern remains active through early March, according to the National Weather Service.

# McKMAC tackling housing needs, park and infrastructure improvements and changes in land-use zoning

Featured News 24 hours ago

**Jack Durham**  
**Mad River Union**

McKINLEYVILLE – McKinleyville's housing needs, park and infrastructure improvements, and changes in land-use zoning will be discussed at upcoming meetings, the first to be held tonight, Feb. 27, from 6 to 8 p.m. at Azalea Hall, 1620 Pickett Rd., McKinleyville.

## Housing Element

The McKinleyville Municipal Advisory Committee (McKMAC) will gather tonight to hear a presentation on the Humboldt County 2019 Housing Element.

The county advisory committee will provide time for public comment and may take positions on the draft document.

The Housing Element, last updated in 2014, is a state-mandated plan which identifies existing and projected housing needs and includes goals and implementation measures. State law requires that the Housing Element be updated by August of this year.



From now through 2027, the draft plan projects that the county will need 3,390 additional housing units throughout the county as a whole.

Of those, 829 would be for people with very low incomes, 532 for people with low incomes, 613 for people with moderate incomes and 1,416 for people with above moderate incomes.

A different agency, the Humboldt County Association of Governments (HCAOG), decided in December how to divide those housing units up between Humboldt's cities and the unincorporated Humboldt County.

Eureka was allocated 952 units, Arcata 610, Fortuna 290, Rio Dell 51, Ferndale 33, Blue Lake 23 and Trinidad 18. Unincorporated Humboldt County, of which McKinleyville is a part, was allocated 1,413 units.

It's estimated that McKinleyville could end up with 900 of those units.

However, it's important to remember that the Housing Element is ultimately a theoretical exercise on paper, and may not necessarily translate into actual housing development.

The county is required to have enough land zoned to meet those housing needs, but whether the properties ever get developed is dictated by private property owners, market forces and the availability of grant funding for low-income housing projects.

Representatives of the Humboldt County Planning and Building Department will be at tonight's meeting to explain the Housing Element, answer questions and discuss other changes to state housing laws.

## Strategic Plan

The McKinleyville Community Services District Board of Directors will hold a public hearing on its Strategic Plan at a meeting on Wednesday, March 6 starting at 7 p.m. at Azalea Hall.

The document provides district staff with a work plan through 2024, and includes a variety of projects, including sewer, water, parks and recreation improvements. The district is working to acquire property on Cochran Road to build a 4.5-million-gallon water tank. The tank would provide the town with additional capacity in the event its main water supply line is cut off in a disaster.

McKinleyville purchases its water from the Humboldt Bay Municipal Water District. A single water line crosses under the Mad River and supplies the entire town.

One of the concerns is that the line could break during an earthquake, and the town wouldn't have enough water to douse the fires that are expected following an earthquake.

The Strategic Plan also includes a proposed community forest, improvements to local parks and replacement of aging sewer and water lines, among other things.

The McKMAC will hold a special meeting on Wednesday, March 13 at 6 p.m. at Azalea Hall to discuss proposed zoning changes.

The County of Humboldt is proposing several zoning changes throughout the county, including McKinleyville.

According to the Humboldt County Planning and Building Department website, "The purpose of the meeting is to discuss the proposed zoning text changes to implement the 2017 Humboldt County General Plan and gather public input, as well as to provide information about the next steps in the rezoning process. In addition, there will be opportunities to review proposed rezones in McKinleyville. Note: Humboldt County will initiate planning for creation of a Town Center District in Summer 2019 that is intended to establish a unique identity for McKinleyville through the development of a viable town center, serving as a community focal point and providing a center for social/community interaction."

More information is available at [humboldt.gov/2429/Implementation](http://humboldt.gov/2429/Implementation).

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**County Administrative Office**

Posted on: March 6, 2019

**Discuss Sea Level Rise and Tsunami Safety for the Humboldt Bay Area****Workshop Announcement****Humboldt Bay Area Plan Update Workshop #3****Discuss Sea Level Rise and Tsunami Safety  
for the Humboldt Bay Area****Tuesday, March 26, 2019, from 6 to 8 PM**

Climate Change, Sea Level Rise and Tsunami awareness affect all of us who live and work along the coast. Humboldt County has previously conducted workshops on this topic, and another one is scheduled. The Humboldt Bay area is viewed as being particularly susceptible to both sea level rise and tsunami impacts. The county will be considering policy changes to address these hazards. It is important for people who live, work, or own property along the coast to be aware of the hazards and participate in the policy development process.

Humboldt Bay is experiencing the highest rate of relative sea level rise on the West Coast. Rising seas could result in recurring flood events affecting large areas of the Humboldt Bay region. Tsunamis also pose a significant threat to people and development around Humboldt Bay. The workshop will provide information on sea level rise and tsunami risks in the Humboldt Bay area, and present draft policies that could be adopted to address those risks. Information on Humboldt Bay sea level rise and tsunami safety planning is available on the County's website.

**The public workshop to discuss Sea Level Rise and Tsunami Safety Planning, and gather public comments, will be held on:**

**Tuesday, March 26, 2019,****6 to 8 PM****Humboldt County Agricultural Center****5630 South Broadway****Eureka, California**

All members of the public are encouraged to attend. For more information regarding the workshop, please contact Lisa D. Shikany at (707) 268-3780, [lshikany@co.humboldt.ca.us](mailto:lshikany@co.humboldt.ca.us).

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## California storms to get a rating from 1 to 5, like hurricanes

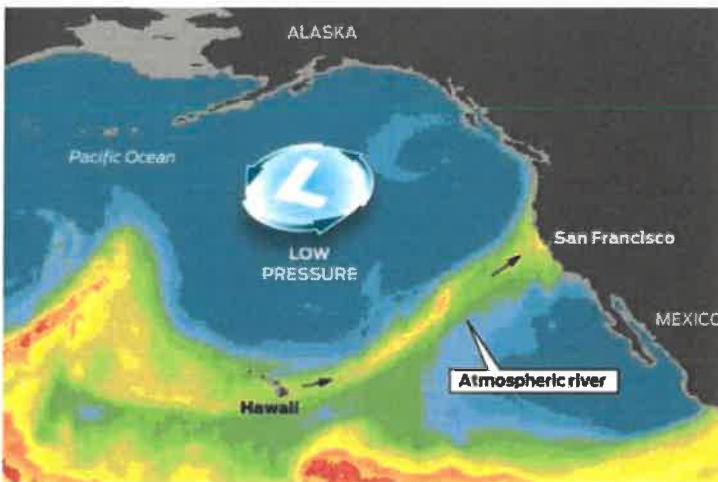
Kurtis Alexander Feb. 5, 2019 Updated: Feb. 5, 2019 6:51 p.m.

Pacific storms that bear down on the West Coast are about to get the same deference as hurricanes in the Atlantic and tornadoes in the Midwest: a rating system to attest to their strength.

A group of nationwide weather experts rolled out a scale Tuesday that will rank the giant wet fronts common in California, known as atmospheric rivers, in degrees of force from 1 to 5. The ratings are meant to give communities a more precise sense of what's ahead.

### Ranking atmospheric rivers

A team of scientists has published a first-ever scale that grades the strength of atmospheric rivers. Such storms are large plumes of water vapor that originate over the oceans and move toward land with the potential to drop a lot of rain and snow. The new rating system ranks atmospheric rivers in categories from 1 to 5, similar to the way hurricanes are categorized.



#### RATINGS

##### AR Category 1

Weak, primarily beneficial: like the storm that hit the California coast on Feb. 23, 2017, and lasted 24 hours, producing modest rain.

##### AR Category 2

Moderate, mostly beneficial: like the Nov. 19-20, 2016, California storm that lasted 42 hours and helped replenish rivers and reservoirs.

##### AR Category 3

Strong, beneficial and hazardous: Like the Oct. 14-15, 2016, California storm that lasted 36 hours and brought 5 to 10 inches of rain but also caused some rivers to near flood stage.

##### AR Category 4

Extreme, hazardous, but also beneficial: For example, an atmospheric river on Jan. 8-9, 2017, that persisted for 36 hours produced up to 14 inches of rain in the Sierra Nevada and caused at least a dozen rivers to reach flood stage.

##### AR Category 5

Exceptional, primarily hazardous: like the Dec. 29, 1996, to Jan. 2, 1997, storm that lasted more than 100 hours and caused more than \$1 billion in storm damage.

Sources: *Bulletin of the American Meteorological Society*, *Image*, NOAA

John Blanchard / The Chronicle

Like a monster hurricane, a Category 5 atmospheric river is something to watch out for, a days-long deluge like what threatened to topple Oroville Dam two years ago. Such drenchers can bring as much rain as the strongest of Atlantic storms and cause life-threatening floods, mudslides, downed trees and power outages. A Category 1 atmospheric river, by contrast, means modest rainfall.

The categories are necessary to cut through the hype that has surrounded atmospheric rivers in recent years, say the team of state, federal and university scientists behind the ratings. These long plumes of moisture that move with the jet stream, while a relatively new concept for California households, already have a larger-than-life reputation. After dozens blew through during the winter of 2016-17, the most in decades, many people associated them with disaster.

Wet weather in 2017 not only washed out Oroville Dam's spillways, prompting 180,000 people to evacuate, but also flooded hundreds of homes in San Jose when Coyote Creek overflowed, while burying parts of the Sierra in more than 500 inches of snow.

"I think this scale will help academics, forecasters and water managers, but my ultimate hope is that it will help the public," said Jon Rutz, meteorologist with the National Weather Service and one of the creators of the new ratings. "We as scientists haven't always done a great job of communicating that there's a difference between weaker and stronger atmospheric rivers. Not all of these events are something we need to blast a frightful headline about."

Atmospheric rivers differ from ordinary rain in that they form as distinct masses of water vapor over the ocean that blow quickly to shore, with the potential for a lot of precipitation. Though some cause damage, others are mild and even beneficial. The atmospheric rivers in 2017 helped end California's five-year drought.

With the science of atmospheric rivers having improved over prior decades, when the systems were simply seen as regular rainclouds, Rutz and other researchers figured it was time to introduce a standard for better characterizing the storms.

The new ratings also come as atmospheric rivers are believed to be getting more common, at least the big ones. The federal government's Fourth National Climate Assessment released last year warned of increasing frequency and severity of such events amid a warming climate.

Details of the atmospheric river scale are published in the journal *Bulletin of the American Meteorological Society*. The developers come from leading forecasting and research centers in the West, including the California Department of Water Resources, U.S. Geological Survey and Army Corps of Engineers. They expect the rating system to be gradually embraced by their peers.

"My hope is that over time a wide array of people will be using it," Rutz said. The scale ranks atmospheric rivers based on the amount of water vapor they carry and their duration. The new ratings also reflect whether the weather systems will be constructive, meaning they will help increase water supplies in rivers and reservoirs without causing damage, or be outright violent.

"Most atmospheric rivers are beneficial," said Marty Ralph, director of the Center for Western Weather and Water Extremes at UC San Diego's Scripps Institution of Oceanography, who came up

with the idea of rating the storms. Ralph said he did so with the hope of clarifying that such events aren't as bad as they're cracked up to be. "It's been like crying wolf too often," he said.

A Category 1 storm is defined as an event that lasts at least 24 hours, produces limited rain and creates no major problems. A Category 5 storm is described as primarily hazardous. The system that moved across California over the past week hasn't been officially categorized but was tentatively assigned a rating of 4. The biggest impact has been in Central and Southern California.

A Category 5 atmospheric river occurs about once every three years in the Bay Area, according to the researchers, and about once every 10 years in Los Angeles. Oregon sees one every year, on average, while the state of Washington experiences one every two years.

The storms are typically noticed by forecasters about a week before they make landfall. The developers of the rating system say the atmospheric rivers can be assigned a category with "medium confidence" four to six days out. Within 48 hours of hitting the coast, they can be categorized with "high confidence."

Atmospheric rivers develop over many parts of the world, but they're particularly significant in the Western U.S. The Pacific Ocean, especially tropical regions, can stir up a lot of water vapor in the atmosphere that is easily knocked from the sky in the form of rain or snow when it strikes the rugged hills and mountains of California, Oregon and Washington.

In California, as much as half of the state's precipitation comes from atmospheric rivers — and over a matter of just weeks. Their presence marks the difference between a drought and no drought.

Mike Anderson, state climatologist for the Department of Water Resources and a contributor to the new rating system, said the numbers will help water managers know when to expect to build up their water reserves, as opposed to bracing for flooding.

"As forecasts increase their value to water management in the coming years," he said, "the AR scale provides a sense of situational awareness."

*Kurtis Alexander is a San Francisco Chronicle staff writer.  
Email: [kalexander@sfgchronicle.com](mailto:kalexander@sfgchronicle.com) Twitter: [@kurtisalexander](https://twitter.com/kurtisalexander)*



## CLIMATE AND WEATHER

## West's Active Winter So Far Has Had a Huge Impact on Drought

By [Linda Lam](#) 2/21/19 weather.com

### Drought Reduces Dramatically in West

Meteorologist Domenica Davis looks at the dramatic reduction in the drought monitor for the West.

#### At a Glance

- A wet pattern has brought beneficial moisture to the West this winter
- As a result, drought conditions have improved for much of the region
- This trend in drought reduction is expected to continue into spring.

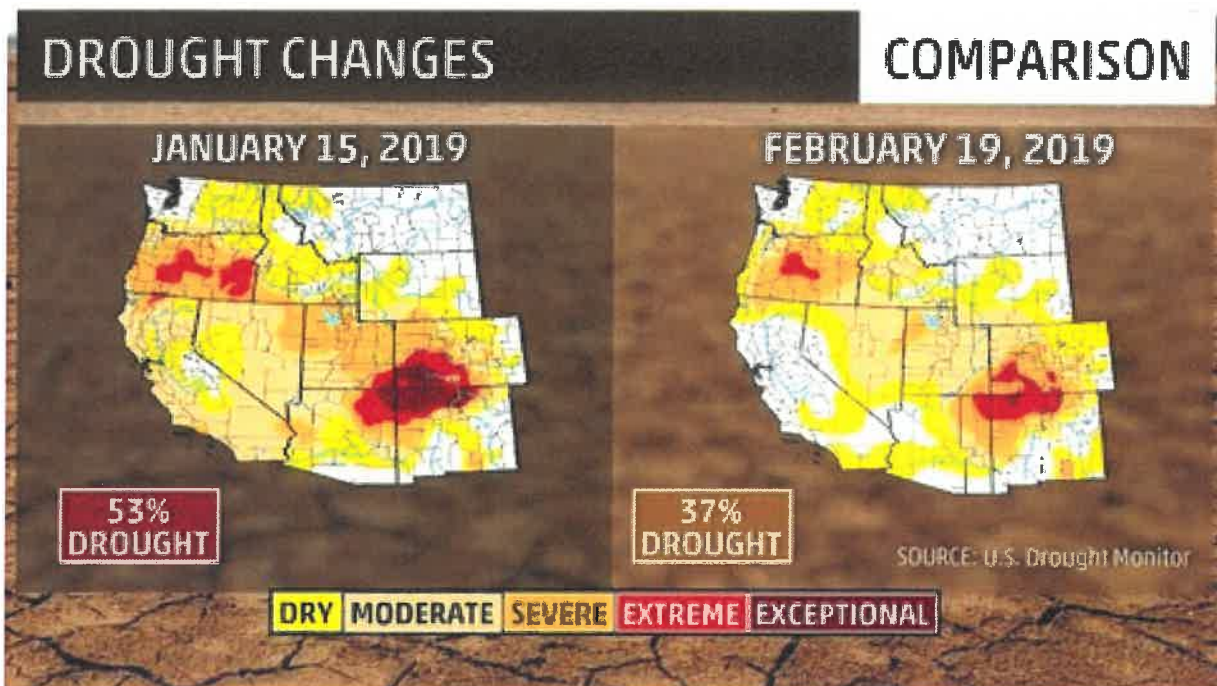
Drought conditions have dramatically improved this winter in the West and this trend is expected to persist into the spring.

A dominate weather pattern featuring a southward dip in the jet stream, or upper-level trough over the western U.S., has allowed a series of precipitation-rich storm systems to track through the region, especially over the last month.

#### Western Drought Improvement

The most recent data from the [U.S. Drought Monitor](#) shows the big changes these storms have brought to the West.

Just over half of the West was experiencing drought conditions on On Jan. 15, but by Feb. 19, just under 37 percent of the region was still in drought.



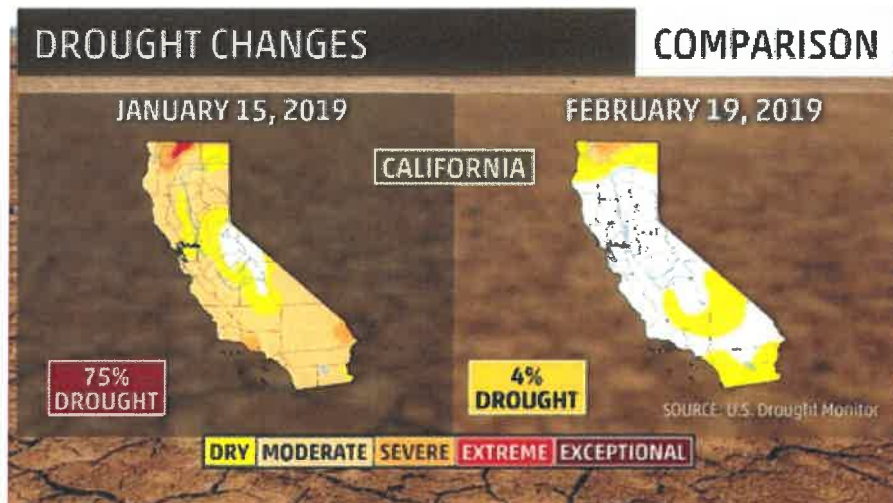
Drought conditions in the West on Feb. 19, 2019, compared to Jan. 15, 2019.  
(Data from U.S. Drought Monitor)

Areas in exceptional drought, the highest category, have decreased from 2.82 percent to 0.16 percent. The percentage of areas in extreme drought have almost been cut in half over the past month.

Much of the Four Corners region has been experiencing extreme and exceptional drought conditions since last spring. The improvement in drought here is quite noticeable and additional improvement is expected with Winter Storm Quiana dumping snow on portions of the Southwest.

Most of California has experienced above-average precipitation over the last 60 days.

As a result, just 4 percent of the Golden State is in drought as of Feb. 19, which is a dramatic improvement from mid-January when 75 percent of the state was experiencing drought conditions.



Drought conditions have improved dramatically in California since January.  
(Data from U.S. Drought Monitor)

Los Angeles and Sacramento have seen almost double their average precipitation month-to-date for February. San Francisco, Fresno and San Diego are all also close to double their averages for the month as well.

San Francisco has measured almost 12 inches of precipitation from Jan. 1 through Feb. 21, which is 4.09 inches above average. Los Angeles has totaled 15.76 inches since the start of the water year on Oct. 1, which is 5.75 inches above average.

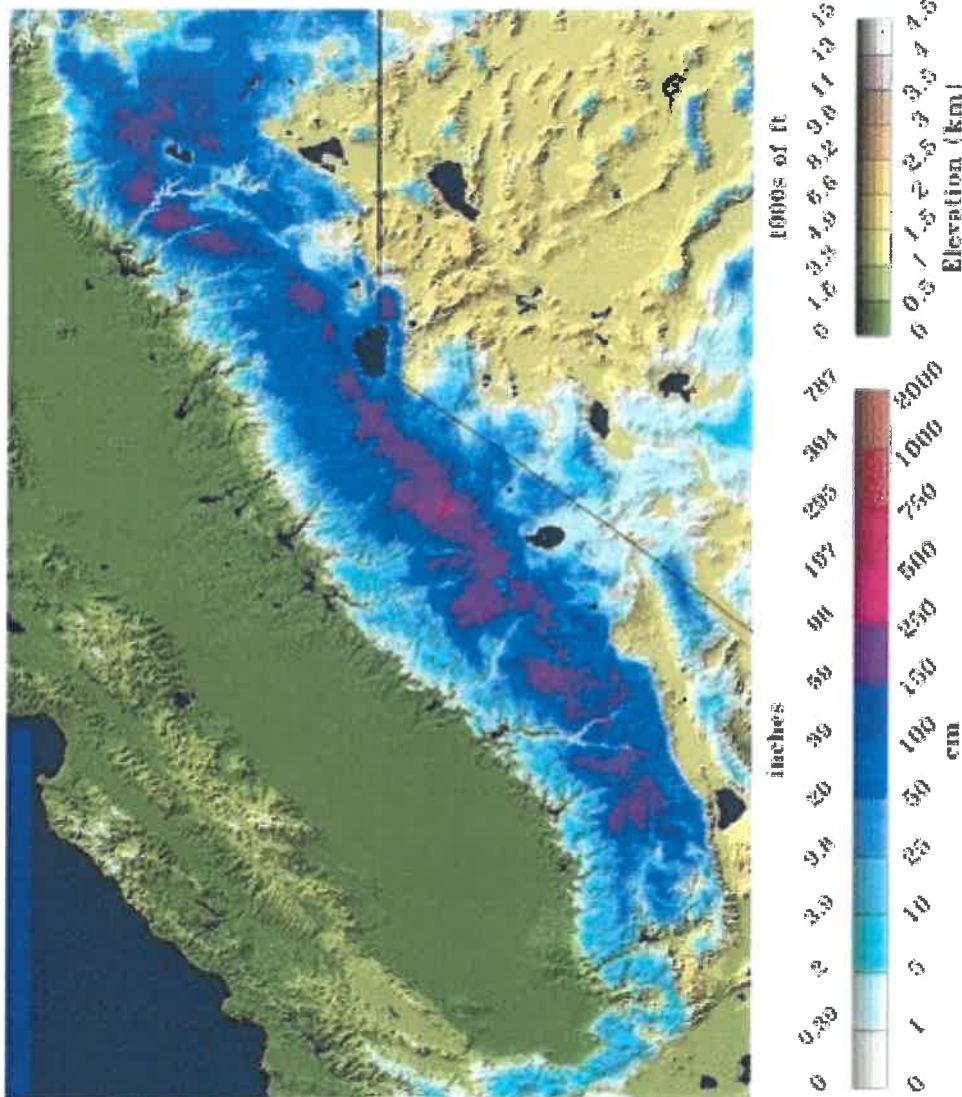
This pattern has also brought colder-than-average temperatures to much of the West, helping to turn wet systems into snowy ones. As of Feb. 20, Seattle has seen its fourth coldest February-to-date and Great Falls, Montana, has seen its second coldest February to date. The chilly conditions have extended farther south as evidenced by the fact that San Jose is tied for its seventh coldest February to date.

The colder temperatures have caused more snow, even in lower elevations like Las Vegas.

Snowier systems are a big change from the 2016-17 water year. Even though it also experienced above-average precipitation, the snowpack in the lower elevations is much higher this water year than last.

## Snow Depth

2013-02-21 06



While the most robust snows were in 2017, it was more confined to the higher elevations. 2013 & 2019 has brought snow into the foothills.

Snowmelt from that snowpack in the spring and summer is crucial to the water supply in the region, so snowpack in the mountains is very important for alleviating drought.

As of Feb. 21, the average snow water equivalent in the Sierra is at 144 percent to average for the date, which is good news heading into spring.



## Current Regional Snowpack from Automated Snow Sensors

% of April 1 Average / % of Normal for This Date



NORTH	
Date as of February 21, 2019	
Number of Stations Reporting	24
Average snow water equivalent (inches)	36.7
Percent of April 1 Average (%)	123
Percent of normal for this date (%)	127

CENTRAL	
Date as of February 21, 2019	
Number of Stations Reporting	48
Average snow water equivalent (inches)	37.0
Percent of April 1 Average (%)	124
Percent of normal for this date (%)	152

SOUTH	
Date as of February 21, 2019	
Number of Stations Reporting	20
Average snow water equivalent (inches)	36.7
Percent of April 1 Average (%)	118
Percent of normal for this date (%)	150

STATE	
Date as of February 21, 2019	
Number of Stations Reporting	101
Average snow water equivalent (inches)	35.5
Percent of April 1 Average (%)	114
Percent of normal for this date (%)	144

Sierra snowpack as of Feb. 21, 2019. (Department of Water Resources )

In fact, much of the West is near or above-average in terms of the snow water content in the snowpack, with a few areas well above 100 percent to average. New Mexico is one notable exception.

Although drought conditions still remain from the Four Corners region into parts of the Great Basin and Northwest, the current wet pattern will likely lead to further improvements.

On top of that, the drought outlook from NOAA shows additional improvement is expected through meteorological spring (March 1 through May 31). This is due in part to El Niño persisting into the spring and spring melting from the abundant snowpack.

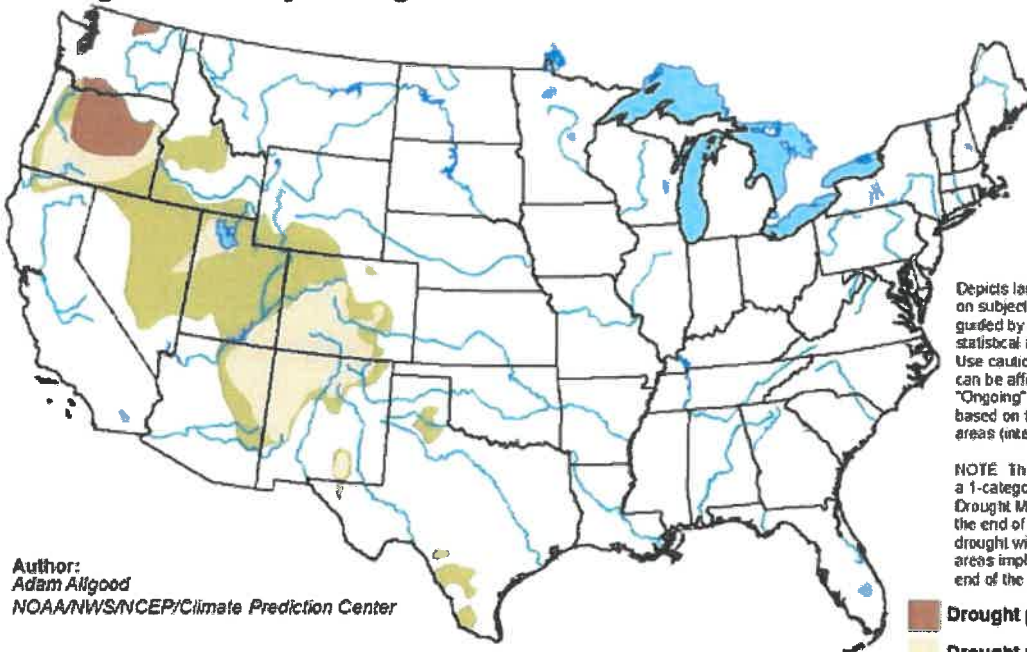
Oregon and Washington are the only areas where drought is currently expected to persist if this prediction holds true.

However, NOAA notes that if the above-average precipitation does not develop as anticipated, drought development will be possible across the southern Rockies and into parts of Texas.

# U.S. Seasonal Drought Outlook

## Drought Tendency During the Valid Period

Valid for February 21 - May 31, 2019  
Released February 21

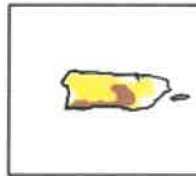


Author:  
Adam Algood  
NOAA/NWS/NCEP/Climate Prediction Center

Depicts large-scale trends based on subjectively derived probabilities guided by short- and long-range statistical and dynamical forecasts. Use caution for applications that can be affected by short-lived events. "Ongoing" drought areas are based on the U.S. Drought Monitor areas (intensities of D1 to D4).

NOTE: The tan areas imply at least a 1-category improvement in the Drought Monitor intensity levels by the end of the period, although drought will remain. The green areas imply drought removal by the end of the period (D0 or none).

- Drought persists
- Drought remains but improves
- Drought removal likely
- Drought development likely



<http://go.usa.gov/3eZ73>



#DroughtMonitor 2/19: New @NWS\_CPC outlook sees #Drought2019 receding to isolated pockets of interior U.S. West -- inland OR, northern UT and the Four Corners -- by Memorial Day. More at <http://drought.gov> #drought

Additional low pressure systems are expected to impact the West over the next couple of weeks, but their exact tracks remain uncertain. Additional precipitation will continue to help improve drought conditions in parts of the region, and as the National Weather Service in Grand Junction noted, every bit of snow helps.

FOX NEWS

Published 03/06/2019

## Despite California's long drought, trillions of gallons of rainwater wastefully flowing into sea

By William La Jeunesse | Fox News

### California rainwater going 'down the drain' instead of being captured for drought season

LOS ANGELES -- California's rainy season could be the wettest in 40 years, but experts say the state is missing a major opportunity by failing to collect the trillions of gallons of storm runoff that currently flows wastefully into the ocean.

"We will never capture it all, but we need to do a better job of capturing what we can," said Peter Gleick of the Pacific Institute.

In February alone, an estimated 18 trillion gallons of water fell on the state. In urban areas and coastal cities, 80 percent ends up diverted into the ocean, as Los Angeles and other cities built long concrete channels for flood control. The Los Angeles River, for example, is a 51-mile-long canal as wide as a football field. Almost none of the water seeps into the underground aquifer.

"The challenge is: How do we capture more of that water to use it so we can use it during dry parts of the year? And cities in California have not historically done a good job of capturing what we call stormwater," said Gleick, who helped author a study showing how San Francisco and Los Angeles could harness nearly as much water as they consume.

### CALIFORNIA WATER BELOW NORMAL IN SEASON'S FIRST SNOW SURVEY

In the past, the state relied on a vast network of nearly 50 dams and reservoirs to capture and bank snowpack from the Sierra Mountains. Snow that melted in the spring and summer was pumped south into the Central Valley for growing and to serve thirsty cities till the rainy season begins in December.

For years, the system worked seamlessly, providing for economic growth and agricultural expansion. However, the population has surged in recent decades.

The state handled previous droughts in 1976 and 1988. But, the last five-year drought, from 2011 to 2015, brought a 25 percent mandatory reduction. Crops died, farmers went out of business and then-Gov. Jerry Brown proposed fining residents \$10,000 a day for wasting water.

Suddenly the state realized it needed a new approach. Voters approved \$2.7 billion in bonds for new water storage projects. The first of those, however, is still five years away from completion – and many won't be done until 2030 or beyond, leaving the state vulnerable to the next drought.

“As Californians, we have to pull together and save water in every way we can,” Brown said at the time.

Two months ago, in his State of the State address, new Gov. Gavin Newsom said: “Our water supply is becoming less reliable because of climate change.”

Experts predict longer droughts and more floods. Yet, the state turned down an offer from the Trump Administration to raise Shasta Dam, providing 14 percent more water for California.

### **WINTER STORMS WASH AWAY CALIFORNIA DROUGHT, BURNISH SNOWPACK**

This past weekend, even former Republican Gov. Pete Wilson weighed in on the debate, telling the Los Angeles Times that he tried to build more dams in the '90s, but “Democratic majorities in the Legislature (and) no growth advocates in Washington and Sacramento (stopped him) given the signal surface collection was not politically in season.”

Now it is. Besides conservation, California and local water departments are planning multiple stormwater-capture plans.

“There is still a debate in California about the value of building new concrete infrastructure like new dams,” Gleick said. “If we can find decent places to build them or raising Shasta, for example, vs. cutting demand or being more efficient.”

Sacramento Bee

## **Skiing in July? Squaw Valley extends season amid record snowfall near Tahoe**

BY MICHAEL MCGOUGH

MARCH 06, 2019 09:28 AM,

UPDATED MARCH 06, 2019 12:03 PM

Ready to hit the slopes in Tahoe? You've got plenty of time.

Squaw Valley Alpine Meadows has announced it will extend its ski season through July 7 this year due to record-setting snow totals. As of Wednesday, the resort had seen 596 inches on the season, with 315 falling in February alone, according to a news release.

As late as July 7 may sound, it's not a record for Squaw Valley. Just two years earlier, the resort stayed open until July 15, which remains the Alpine Meadows record.

Squaw Valley is located on the north side of Tahoe. The resort has already surpassed its annual average of 450 inches, according to the news release, with months still left to go in the season.

Last week, Vail Resorts announced its three Tahoe properties (Heavenly, Northstar and Kirkwood) would extend their seasons by about a week, into late April, as well as "bonus" weekends at each location.





- NEWS

MARCH 6, 2019 7:17 PM

## Meet California's new environment czar, who walked the state to 'reset'



Jared Blumenfeld at a recycling event. Photo via U.S. Environmental Protection Agency

What better way to decompress from a stressful federal government job than by trekking 2,600 miles on foot from Mexico to Canada?

That's what Jared Blumenfeld, the new head of the California Environmental Protection Agency, did three years ago, setting out on the arduous and beloved Pacific Crest Trail that traces California's searing deserts, rugged mountains and sparkling coastline. Turns out the dust on his boots afforded him just the perspective he needed to take on the job Gov. Gavin Newsom gave him in January.

"I had a healthy reset," Blumenfeld said recently about his four months on the trail. "What you realize is the complexity of the environmental issues. We have so many people talking about environmental issues, but we say it in a way that most people don't understand."

People want to be part of the solution to environmental problems, he said. "What I got

from a distance was (the importance of) bringing these messages home in a way that's digestible and actionable."

Blumenfeld's work perspective also shifted, from his job as the regional administrator for the federal EPA during the Obama administration to its mirror agency in Sacramento.

Blumenfeld, who has law degrees from the University of London and UC Berkeley, left his federal job in May 2016, a few months before his appointment was set to expire.

The agency he now manages oversees a half-dozen departments that regulate matters including air and water quality, which are among the state's most contentious issues. Those issues have put California on a collision course with the Trump administration, which is undoing dozens of federal environmental protections, including some that originated in the Golden State.

Perhaps the most consequential battle is over Obama-era rules tightening future car emissions and gas-mileage standards to reduce greenhouse gases and other pollutants; the regulations were crafted by California but adopted nationwide. The federal government announced it would roll back those rules and revoke California's right, first granted by Washington decades ago, to set its own air-pollution standards. Such a move would significantly affect the state's ambitious climate policies.

Blumenfeld, 49, said the state needs the federal government as a partner on these issues, but when it came to hammering out a compromise on the auto standards, it was a one-way conversation. The feds announced last week that they had broken off negotiations with the state.

"They did not negotiate," he said. "It was a little spurious to say they ended negotiations. They never began. The rule that was passed by the Obama administration has been rewritten based on very spurious and kind of junky science by the Trump administration." (Federal officials produced research that they said showed the regulations as set would make cars less safe and be difficult for automakers to meet.)

In a wide-ranging conversation, Blumenfeld also said:

- The state will vigorously defend its right to waive some federal emissions regulations and set its own, stricter standards. He expects the fight to be resolved in court. “We do have law and precedent on our side,” Blumenfeld said. “But we do live in bizarre political times, and that does have an influence on how the highest court may look at this issue.”
- He brought together the state agencies he oversees and provided marching orders to step up enforcement of California’s environmental laws and impose fines when called for. “The regulated community is frustrated that in some cases the enforcement is happening in some parts of the state, but it isn’t in happening in others,” he said. “Consistency, clarity and prioritizing enforcement are important.” He had criticized California for lax enforcement of water laws in an opinion piece published in the San Francisco Chronicle last year.
- Blumenfeld worked for Newsom in San Francisco as environmental director for the city. Then-mayor Newsom took him and other key aides to Hunters Point, a highly polluted former Navy shipyard, and into the community to talk to residents affected by residual problems. Newsom told the aides, “I don’t want you sitting in your offices. I want you to get out and help people.” The nexus of environmental damage and public health will be a focus of the new governor, Blumenfeld said.

The enviro-czar didn’t just spend his time hiking while on hiatus from government service. He founded a green-tech consulting company and started a podcast, Podship Earth. The native of Cambridge, England, who retains a trace of his British accent, said it’s now time to get back to work.

“Previous governors came up with great laws and targets, and the Legislature does the same,” he said. “Our job is to implement those. Let’s not just jump to the next shiny-cool environmental thing that we could do. Our first order of business is to look at what we’re doing and make sure we’re doing it according to the plans that are already there.

“We have politicians in every level of government who care deeply about the environment,” Blumenfeld said. “California offers hope and inspiration on how to solve problems, from an innovation perspective but also politically. It’s exciting to be in California right now.”

## Orange County Register

2/22/19

OPINION

**There is nothing 'fresh' about a new water tax**

FILE – In this Feb. 12, 2019, file photo, Calif., Gov. Gavin Newsom receives applause after delivering his first State of the State address to a joint session of the legislature at the Capitol in Sacramento, Calif. He wants to raise your taxes. (AP Photo/Rich Pedroncelli, File)

By **TYLER DIEP** |

PUBLISHED: February 22, 2019 at 3:39 pm | UPDATED: February 22, 2019 at 3:39 pm

Governor Newsom proudly declared in his State of the State address that we “need a fresh approach when it comes to meeting California’s massive water challenges.” I agree that there are serious water challenges in the state, especially when a significant number of Californians do not have access to safe and reliable drinking water. Some estimate that it’s over 1 million and mostly in the Central Valley, concentrated in poor and disadvantaged communities. As a state with the fifth largest economy, we owe it to those who do not have access to this fundamental necessity.

Not surprisingly, the Governor’s “fresh approach” was nothing close to fresh but the same old Sacramento dance: creating a new tax. He proclaimed that “It’s going to demand political will from each and every one of us [in the State Legislature]” suggesting that a new tax would solve this problem. The Governor is wrong, and I urge that he look beyond the financial elements and evaluate the root cause of why our fellow Californians do not have access to safe

As all of us know, we pay for the water we use. But the water doesn't just miraculously appear on its own when we turn on the tap. The cost of the water we pay includes the people, infrastructure, investments, and technology it takes to get it into our homes and businesses.

Just like any enterprise, there are economies of scale for water delivery. Whether you are served by a public or private water provider, the cost of each gallon of water depends on many factors. The total cost includes how many people the provider serves, how many gallons each consumer uses, among other things.

In November 2017, the State Water Resources Control Board identified 329 water systems throughout the state that were in noncompliance and failed to provide safe drinking water to those they serve. Of those water systems, 83 percent of them serve less than 1,000 people. This translates to over 60 percent of their revenue being used exclusively for overhead, resulting in a very inefficient service-delivery model and very high per-customer overhead. Water delivery is extremely complex and requires significant investments over time. Therefore, it requires larger economies of scale to ensure safe drinking water is delivered to every Californian. A UC Davis study revealed that 60 percent of these failed water systems were less than 500 feet away from a water system that can provide safe drinking water. This is a significant reason why those in the Central Valley do not have access to reliable water.

AB 2050 or the Small System Water Authority Act of 2018 authored by former Assemblywoman Anna Caballero would have consolidated these water systems. This bill would have authorized the creation of small system water authorities that would have powers to absorb, improve, and competently operate noncompliant public water systems. The bill gave the small water systems authority to issue bonds to pay its liabilities. If the issuance of bonds was left to voter approval it could have garnered more support. In the end, former Governor Brown vetoed this bill because he believed it did not provide "a stable funding source to pay for ongoing operations and maintenance costs."

Let's examine if there is a stable funding source to ameliorate this problem. In our state's history, we have had over 16 water bonds go before the voters from 1960 to 2018. Only one failed. The most recently approved California Water Bond of 2018 (Proposition 3) authorized \$8.877 billion in general obligation bonds for safe drinking water. In addition, Proposition 1 and Proposition 68 earmarked over \$4 billion for disadvantaged communities facing water problems. On top of that, we have an unprecedented budget surplus. The Association of California Water Agencies and the California Municipal Utilities Association are sponsoring legislation to create a Safe Drinking Water Trust that would be funded during years where the state budget has a surplus. Isn't this proof that there is enough money to fix this problem?

The Governor's call for a new tax is not fresh at all. If this is his definition of fresh, then fresh is overrated. Before imposing another new tax on already heavily taxed Californians, as policy makers, don't we owe it to them to come up with alternative solutions? Asking Californians to pay another tax and throwing more money at the problem is not a solution. Providing a subsidy to an already failing service-delivery model will not incentivize these systems to change but rather have them continue a failed path.

I am proud that my district is home to the world-renowned Groundwater Replenishment System, a joint partnership with the Orange County Sanitation District and the Orange County Water District, that recycles over 100 million gallons of wastewater per day. In the near future, this will increase to over 130 million gallons of wastewater per day. This is my definition of fresh, not a new tax.

*Assemblyman Tyler Diep was elected in 2018 and represents the 72nd Assembly District.*

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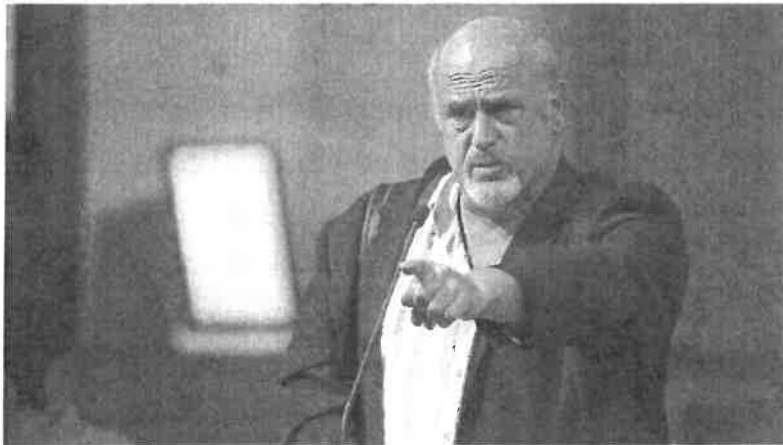
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# Court rules L.A. council members wrongly blocked public testimony at 'special' meetings

By DAVID ZAHNISER  
FEB 25, 2019 | 4:45 PM



A three-judge panel handed a victory last week to Studio City resident Eric Preven, a longtime critic of the L.A. City Council's handling of public comment. Preven, shown at City Hall last year, said he was wrongly denied the right to speak at a council meeting in 2015. (Al Seib / Los Angeles Times) The Los Angeles City Council must allow people to testify on issues considered during their “special” meetings, which are called with just one day of notice, a three-judge panel has ruled.

In a 15-page decision, the 2nd District Court of Appeal said the council improperly prevented Studio City resident Eric Preven from weighing in on a development issue taken up during a special meeting in 2015.

The decision represents a victory for Preven, who has long argued that Los Angeles does not comply with the provisions of the Ralph M. Brown Act, the state’s open meeting law. Preven, who serves on the Studio City Neighborhood

Council, argued in his lawsuit that council members had repeatedly used a faulty legal rationale to shut down public comment.

“It’s not a single incident,” he said. “The city has been engaged in a pattern of abuse on the Brown Act.”

[Read the appeals court ruling here »](#)

The ruling took aim at the city’s practice of prohibiting people from speaking on agenda items that were considered in special meetings when the same items had been discussed at a previous committee meeting. Special meetings can be called just 24 hours in advance, whereas regular council meetings require at least 72 hours’ notice.

Preven said the council has held more than 100 special meetings since the 2015 incident that triggered the lawsuit. It’s not clear how many times public testimony was wrongfully barred during those meetings, he said.

The ruling, which was issued Friday, sends Preven’s case back to the trial court for additional proceedings. A spokesman for City Atty. Mike Feuer said his office is reviewing the decision and declined to comment further.

Preven’s lawsuit focused on a pair of meetings held roughly three years ago about a shopping center project planned at Sportsmen’s Lodge in Studio City, not far from his home.

On Dec. 15, 2015, the council’s five-member Planning and Land Use Management Committee took up the shopping center proposal and Preven weighed in on it. The following day, the 15-member council conducted its own vote on the Sportsmen’s Lodge project during a special meeting.

Preven asked to make public comments on the proposal again at the council’s Dec. 16, 2015, special meeting. He was denied the opportunity on the grounds that the matter had already been heard, with public testimony received, at a council committee the previous day, according to the court’s ruling.

Nine months later, Preven filed a demand letter with the city, saying the council had violated the Brown Act, which spells out the rules for public input at government meetings. He later sued.

Feuer and his lawyers had argued that the council has no obligation to grant members of the public the opportunity to testify a second time on an item already heard in committee. A Superior Court judge agreed, saying Preven did not have the right to make additional public comment.

The appeals court reversed that decision, saying it was made in error. State law does not permit government agencies to prohibit public comment on agenda items considered during special meetings, the court said.

The three-judge panel said state law treats special meetings as being distinctly different from regular meetings, which require more advance warning.

Under state law, city officials can refuse to take public comment on an issue considered during a regular council meeting, if public comment was taken on the same issue at a committee. That exception does not apply to special meetings, the court said in its ruling.

“Given the plain language of the statute ... we find the Brown Act does not permit limiting comment at special city council meetings based on comments at prior, distinct committee meetings,” the ruling said.



## California wildfires: Report names priority projects for thinning vegetation

Matthias Gafni\_March 5, 2019 Updated: March 5, 2019 10:23 p.m.



Sheriff's deputies yell to drivers to evacuate the area off of Pentz Road during the Camp Fire in Paradise, California, on Nov. 8, 2018. Photo: Gabrielle Lurie / The Chronicle

Gov. Gavin Newsom should immediately allow the thinning of vegetation on almost 94,000 acres of state land in a bid to keep more than 200 communities safe, California fire officials said Tuesday as they released a list of the state's 35 most critical fuel-reduction projects.

The priority projects include areas near Orinda, Aptos, Woodside and Los Gatos. To narrow the list, state experts not only assessed fire risk but such factors as whether residents of areas were older or more disabled on average, and whether their communities featured good escape routes in case of emergency.

The 28-page report by the Department of Forestry and Fire Protection, known as Cal Fire, recommended a variety of other steps California should take to reduce risk after two catastrophic years of damage, in which wildfires killed nearly 150 people, destroyed thousands of homes and raised fundamental questions about the safety of hundreds of towns amid a warming climate.

Newsom and other officials are under intense pressure to respond to the growing crisis, and many experts have questioned whether state and federal authorities are doing enough. While the state manages wildlands throughout California, the federal government oversees the majority of areas prone to fire.

"This report's recommendations on priority fuel reduction projects and administrative, regulatory, and policy changes can protect our most vulnerable communities in the short term and place California on a trajectory away from increasingly destructive fires and toward a more a moderate and manageable fire regime," Cal Fire concluded.

Just two days into his term, Newsom signed an executive order requesting the Cal Fire report on how the state should respond to its wildfire disasters. He also proposed \$305 million in new fire funding as part of his first budget.

The new governor asked for solutions that took into account vulnerable populations in high-risk fire areas, as many of the hardest hit residents in recent fires — particularly November's Camp Fire in Butte County — have been the elderly and disabled.

The second-highest-ranked fuel-reduction project was 467 acres near Woodside, along Kings Mountain Road. Cal Fire officials said thinning there could protect more than 271,000 people in 18 vulnerable communities. Ninth on the list was the 1,760-acre North Orinda Fuel Break, which the state said had the potential to protect about 561,000 people in 30 communities.

The list also included projects in or near Aptos, Santa Cruz, El Granada and Big Sur.

Work on those projects has already begun. It includes removing dead trees; digging out fuel breaks that can keep fires from spreading into populated areas; clearing defensible spaces around homes and businesses; and improving routes for people to flee a community and firefighters to access it.

Amy Head, a Cal Fire spokeswoman, said her agency has always created a priority list, but this year is different.

"We're upping the pace and scale," she said. "We'll have more equipment and personnel with more funding."

In its report, Cal Fire recommended suspending some regulatory requirements, such as permitting and licensing, to streamline the effort. The plan also called for the National Guard to assist in creating bases near the fuel-reduction projects, and for state help in finding housing for seasonal fire crew members.

Earlier this year, Cal Fire, for the first time, hired six fire crews — three in Northern California and three in Southern California — that focus on thinning vegetation year-round. In the past, inmate crews and firefighters did the work when they weren't fighting fires.

Cal Fire budgeted for four more of the crews in next year's spending plan as well.

"California needs an all-of-the-above approach," said Cal Fire Director Thom Porter.

The report stressed a new fire reality in California. Fire season has stretched 75 days longer in the Sierra, and climate change is a "force-multiplier" creating drier summers. Battling wildfires has saved lives and property, the report concluded, but it has also "disrupted natural fire cycles and added to the problem."

The state faces a “massive backlog of forest management work,” Cal Fire said. The agency stressed that funding would be needed to maintain the work over time.

Over the next year, Cal Fire said, governments should create new, stricter standards for housing in fire-prone areas. The private sector, officials said, should be incentivized to incorporate fuel reduction into logging on private lands. And the agency said air-quality restrictions should not stand in the way of prescribed burns that clear vegetation.

Experts said Cal Fire faces a daunting challenge to turn around the crisis. As much as 15 million acres of California forests are in poor health because of drought, insect infestation or shoddy forest management and need restoration work to boost fire resiliency, according to state estimates.

Cal Fire oversees less than a third of this troubled area, with the federal government managing most of the balance. In the fiscal year that ended in June, Cal Fire reduced fuels on less than 40,000 acres.

LeRoy Westerling, a climate scientist who studies wildfire at UC Merced, noted that one of the reasons Cal Fire can’t do more is that most of the land the agency manages is privately owned, meaning it only has so much say.

“It’s not like the (U.S.) Forest Service or the Park Service where they can go and do fuel management,” Westerling said. “It’s a much bigger challenge to build relationships and work across communities. And not every landowner has the training, the resources or the will to manage their land.”

Some wildfire experts criticized Cal Fire’s recommendations for not going far enough and, in some cases, advocating practices that offer little or no relief.

Chad Hanson, an ecologist who researches fire recovery with the John Muir Project, said areas near the coast, like Sonoma and Napa counties as well as much of Southern California, would not benefit because the guidance focuses on higher-elevation, forested lands.

“The most vulnerable communities in California are not in forests. They are in grasslands and shrublands,” he said. “This plan explicitly excludes those.”

Hanson also questioned the state’s call for more logging and thinning, referencing a growing body of research that shows certain logging projects can sometimes cause forests to burn hotter and faster because they clear away larger, more fire resistant trees and leave younger, vulnerable ones.

Cal Fire’s recommendations to fortify homes with fire-repelling building materials and create more defensible space around them, he said, were more effective strategies.

*San Francisco Chronicle*  
staff writer Kurtis Alexander contributed to this report.

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WALTER J. CARTER (1949 - 1993)  
R.C. DEDEKAM (1929 - 2011)

January 31, 2019

To our valued clients:

We are delighted to announce that Ryan Plotz has been elevated from associate attorney to partner at our law firm, effective January 1, 2019. Ryan joined our firm over five years ago after obtaining his law degree from UC Davis. As a partner, he will continue to focus his practice on counseling public entities and private individuals in general business and litigation matters.

Please note Ryan's work will be billed at the partnership rate under our existing rate structure as of January 1, 2019.

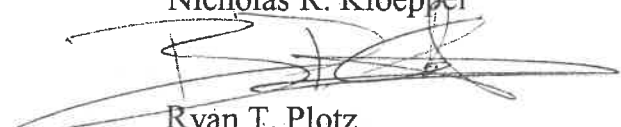
We look forward to continuing to serve you as we begin the next phase in our firm's long history of providing quality legal representation.

Very truly yours,

MITCHELL, BRISSO, DELANEY & VRIEZE, LLP

  
Russell S. Gans

  
Nicholas R. Kloeppe

  
Ryan T. Plotz

## Information to identify the cases:

Debtors PG&E Corporation and Pacific Gas and Electric Company EIN (See below)  
 Name

United States Bankruptcy Court for the: Northern District of California Date cases filed in chapter 11: 01 / 29 / 2019  
 MM / DD / YYYY

Case number: 19-30088 (DM) (Lead Case; Jointly Administered)

## Official Form 309F (For Corporations or Partnerships)

## Notice of Chapter 11 Bankruptcy Case

12/17

For the debtors listed above, cases have been filed under chapter 11 of the Bankruptcy Code and orders for relief have been entered. This notice has important information about the cases for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the cases imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from the debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees.

Confirmation of a chapter 11 plan may result in a discharge of debt. A creditor who wants to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadline specified in this notice. (See line 11 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at [www.pacer.gov](http://www.pacer.gov)).

**The staff of the bankruptcy clerk's office cannot give legal advice.**

**Do not file this notice with any proof of claim or other filing in the case.**

## 1. Debtors' full names (Jointly Administered Cases):

Debtor	Address	Case No.	EIN#
PG&E Corporation	77 Beale Street, P.O. Box 77000, San Francisco, California 94177	19-30088 (DM)	94-3234914
Pacific Gas and Electric Company	77 Beale Street, P.O. Box 77000, San Francisco, California 94177	19-30089 (DM)	94-0742640

2. All other names used in the last 8 years: Other names, if any, used by any of the Debtors in the last 8 years may be found in the Debtors' chapter 11 petitions.

3. Address: See above

## 4. Debtors' Attorneys

Tobias S. Keller (#151445)  
 KELLER & BENVENUTTI LLP  
 650 California Street, Suite 1900  
 San Francisco, CA 94108

Stephen Karotkin (*pro hac vice*)  
 WEIL, GOTSHAL & MANGES LLP  
 767 Fifth Avenue  
 New York, NY 10153

## Debtors' Claims and Noticing Agent

If you have questions about this notice,  
 please contact Prime Clerk LLC

Contact Phone: (844) 339-4217 (Toll Free)  
 +1 (929) 333-8977 (Int'l)

Email: [pgeinfo@primeclerk.com](mailto:pgeinfo@primeclerk.com)

Website: <https://restructuring.primeclerk.com/pge>

## 5. Bankruptcy clerk's office:

Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at [www.pacer.com](http://www.pacer.com).

## U.S. Bankruptcy Court

450 Golden Gate Avenue  
 Mail Box 36099  
 San Francisco, CA 94102

Hours open: Monday-Friday, 9 a.m. - 4:30 p.m. (CT)

Contact phone: 888-821-7606

Name

SECTION G2 PAGE NO. 2**6. Meeting of creditors**

The debtors' representative must attend the meeting to be questioned under oath. Creditors may attend, but are not required to do so.

**Date and Time:****Monday March 4, 2019 at 10:00 a.m.**

The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.

**Location:**

Phillip Burton Federal Building and U.S. Courthouse  
450 Golden Gate Avenue, 2nd Floor  
California Conference Room  
San Francisco, CA 94102

**7. Proof of claim deadline****Deadline for filing proof of claim:****To Be Determined**

A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at [www.uscourts.gov](http://www.uscourts.gov) or any bankruptcy clerk's office.

Your claim will be allowed in the amount scheduled unless:

- your claim is designated as *disputed, contingent, or unliquidated*;
- you file a proof of claim in a different amount; or
- you receive another notice.

If your claim is not scheduled or if your claim is designated as *disputed, contingent, or unliquidated*, you must file a proof of claim or you might not be paid on your claim and you might be unable to vote on a plan. You may file a proof of claim even if your claim is scheduled.

You may review the schedules at the bankruptcy clerk's office or online at [www.pacer.gov](http://www.pacer.gov).

Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits a creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.

**8. Exception to discharge deadline**

The bankruptcy clerk's office must receive a complaint and any required filing fee by the following deadline.

You must start a judicial proceeding by filing a complaint if you want to have a debt excepted from discharge under 11 U.S.C. § 1141(d)(6)(A).

**Deadline for filing the complaint: To Be Determined****9. Creditors with a foreign address**

If you are a creditor receiving notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.

**10. Filing a Chapter 11 bankruptcy case**

Chapter 11 allows debtors to reorganize or liquidate according to a plan. A plan is not effective unless the court confirms it. You may receive a copy of the plan and a disclosure statement telling you about the plan, and you may have the opportunity to vote on the plan. You will receive notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the debtors will remain in possession of the property and may continue to operate their business.

**11. Discharge of debts**

Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See 11 U.S.C. § 1141(d). A discharge means that creditors may never try to collect the debt from the debtors except as provided in the plan. If you want to have a particular debt owed to you excepted from the discharge under 11 U.S.C. § 1141(d)(6)(A), you must start a judicial proceeding by filing a complaint and paying the filing fee in the bankruptcy clerk's office by the deadline.

1 WEIL, GOTSHAL & MANGES LLP  
Stephen Karotkin (*pro hac vice*)  
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12 Tel: 415 496 6723  
13 Fax: 650 636 9251

14 *Proposed Attorneys for Debtors  
and Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

17 **In re:**

Bankruptcy Case  
No. 19-30088 (DM)

18 **PG&E CORPORATION,**

Chapter 11

19 **- and -**

(Lead Case)

20 **PACIFIC GAS AND ELECTRIC  
COMPANY,**

(Jointly Administered)

21 **Debtors.**

- 22  Affects PG&E Corporation  
23  Affects Pacific Gas and Electric Company  
24  Affects both Debtors

**NOTICE OF ENTRY OF ORDER  
ESTABLISHING PROCEDURES FOR THE  
ASSERTION, RESOLUTION, AND  
SATISFACTION OF CLAIMS ASSERTED  
PURSUANT TO 11 U.S.C. § 503(b)(9)**

25 *\* All papers shall be filed in the Lead Case,  
No. 19-30088 (DM).*

Weil, Gotshal & Manges LLP  
767 Fifth Avenue  
New York, NY 10153-0119

26  
27  
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1 PLEASE TAKE NOTICE that on January 29, 2019, PG&E Corporation (“PG&E  
 2 Corp.”) and Pacific Gas and Electric Company (the “Utility”), as debtors and debtors in possession  
 3 (collectively, “PG&E” or the “Debtors”) in the above-captioned chapter 11 cases (the “Chapter 11  
 4 Cases”), filed their *Motion of Debtors Pursuant to 11 U.S.C. §§ 503(b)(9) and 105(a) for Entry of Order  
 5 Establishing Procedures for the Assertion, Resolution, and Satisfaction of Claims Asserted Pursuant to  
 6 11 U.S.C. § 503(b)(9)* [Docket No. 31] (the “Motion”), pursuant to which the Debtors proposed certain  
 7 procedures (the “Procedures”) for the assertion, resolution, and satisfaction of claims asserted pursuant  
 8 to section 503(b)(9) of title 11 of the United States Code (the “Bankruptcy Code”).

9 PLEASE TAKE FURTHER NOTICE that on February 27, 2019, the United States  
 10 Bankruptcy Court for the Northern District of California entered an Amended Order granting the relief  
 11 requested in the Motion and approving the Procedures [Docket No. 725] (the “Order”). The Procedures  
 12 set forth herein apply to all 503(b)(9) Claims.<sup>1</sup>

- 13 a. Any Vendor asserting a 503(b)(9) Claim must prepare a proof of claim (a “Proof of  
 14 503(b)(9) Claim”), substantially in the form annexed as Schedule 1 to the Order (the  
 15 “Proof of 503(b)(9) Claim Form”) that sets forth: (i) the value of the Goods the Vendor  
 16 contends the Debtors received within twenty (20) days prior to the Petition Date; (ii)  
 17 documentation, including invoices, receipts, bills of lading, and the like, identifying the  
 18 particular Goods for which the claim is being asserted; (iii) documentation regarding  
 19 which Debtor the Goods were shipped to, the date the Goods were received by such  
 20 Debtor, and the alleged value of such Goods; and (iv) a statement indicating (I) whether  
 21 the value of such Goods listed in the Proof of 503(b)(9) Claim represents a combination  
 22 of services and Goods, (II) the percentage of value related to services and related to  
 23 Goods, and whether the Vendor has filed any other claim against any Debtor regarding  
 24 the Goods underlying its Proof of 503(b)(9) Claim;
- 25 b) All Proofs of 503(b)(9) Claims must be submitted to the Debtors’ claims and noticing  
 26 agent, Prime Clerk LLC (“Prime Clerk”), so as to be received no later than the fiftieth  
 27 (50th) day after the date of the Order (the “503(b)(9) Claim Filing Deadline”), either (i)  
 28 by mail or hand delivery at PG&E Corporation Claims Processing Center c/o Prime Clerk  
 LLC, 850 3rd Avenue, Suite 412, Brooklyn, New York 11232, or (ii) electronically via  
 the interface provided on Prime Clerk’s website at  
<http://restructuring.primeclerk.com/PGE/EPOC-index>. Proofs of 503(b)(9) Claims sent  
 by facsimile or electronic mail will not be accepted;
- c) The Debtors shall have seventy-five (75) days (or such later date as may be approved by  
 the Court) after the 503(b)(9) Claim Filing Deadline to file with the Court and serve any  
 objections (the “Objections”) to timely filed 503(b)(9) Claims (the “Objection  
 Deadline”), without prejudice to the Debtors’ right to set an extension to such Objection  
 Deadline;
- d) All timely filed 503(b)(9) Claims will be deemed allowed unless objected to by the

<sup>1</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

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Debtors on or before the Objection Deadline;

- e) Notwithstanding and without limiting the foregoing, the Debtors are authorized, but not required, to negotiate, in their sole discretion, with any Vendor and to seek an agreement resolving any Objection to such Vendor’s 503(b)(9) Claim without the need for any further order by the Court;
- f) If the Debtors cannot reach agreement with a Vendor regarding a particular Objection to such Vendor’s 503(b)(9) Claim, the Debtors will schedule the matter for a hearing by the Court;
- g) To the extent a 503(b)(9) Claim is allowed, such 503(b)(9) Claim will be satisfied pursuant to, and as set forth in, a chapter 11 plan for the Debtors as confirmed by the Court, or as otherwise ordered by the Court after notice and an opportunity for a hearing; provided, that the Debtors reserve the right to exercise any lawful right of setoff against any 503(b)(9) Claim; and
- h) Vendors shall be forever barred, without further order of the Court, from asserting 503(b)(9) Claims after the expiration of the 503(b)(9) Claim Filing Deadline, but shall not be barred from asserting any related or unrelated general unsecured claims in accordance with any general unsecured claims bar date established in these Chapter 11 Cases.

**PLEASE TAKE FURTHER NOTICE** that Copies of the Motion, the Order, and the Procedures can be accessed for free at Prime Clerk’s website at <https://restructuring.primeclerk.com/PGE/Home-DocketInfo>.

Dated: March 1, 2019

**WEIL, GOTSHAL & MANGES LLP**  
**KELLER & BENVENUTTI LLP**

By: /s/ Jane Kim  
Jane Kim

*Proposed Attorneys for Debtors  
and Debtors in Possession*

**Weil, Gotshal & Manges LLP**  
767 Fifth Avenue  
New York, NY 10153-0119



SECTION 63 PAGE NO. 1  
**HUMBOLDT BAY MUNICIPAL WATER DISTRICT**

828 SEVENTH STREET, PO BOX 95 • EUREKA, CALIFORNIA 95502-0095

OFFICE 707-443-5018 ESSEX 707-822-2918

FAX 707-443-5731 707-822-8245

EMAIL [OFFICE@HBMWD.COM](mailto:OFFICE@HBMWD.COM)

Website: [www.hbmwd.com](http://www.hbmwd.com)

**BOARD OF DIRECTORS**

SHERI WOO, PRESIDENT

NEAL LATT, VICE-PRESIDENT

J. BRUCE RUPP, SECRETARY-TREASURER

BARBARA HECATHORN, DIRECTOR

MICHELLE FULLER, DIRECTOR

**GENERAL MANAGER**

JOHN FRIEDENBACH

February 21, 2019

Mark Andre, City of Arcata  
Mandy Mager, City of Blue Lake  
Brian Gerving and Wendy Howard, City of Eureka  
Rick Hanger, Fieldbrook-Glendale CSD  
Dave Hull, Humboldt CSD  
Chris Drop, Manila CSD  
Greg Orsini, McKinleyville CSD

Dear Municipal Customers:

The purpose of this letter is to transmit information about your domestic water use per the requirements of our Ordinance 16 contracts. The following documents are attached:

- Domestic Water Use Report for CY2018 – Presents total water use and the corresponding Average Daily Water Use for each municipality.
- Moving Five-Year Average Water Use Report for CY2018 – Presents total water use and the corresponding Moving Five-Year Average Water Use for each municipality. It will be used to allocate HBMWD's Drinking Water Treatment Facility costs for fiscal year 2019-20.
- Peak Rate Allocation by Municipality for CY2018 – Presents maximum daily water use by month for each municipality. The contract peak rates will continue to be used to allocate HBMWD's Base Water Facility costs for fiscal year 2018-19. The attached sheet shows that all agencies were within their Peak Rate Allocation (PRA) for CY2018. In addition, attached is a summary of maximum daily water use for the five year period 2014-2018.

Information on daily water use has been sent with monthly billing statements on an ongoing basis.

Sincerely,

A handwritten signature in black ink, appearing to read "John Friedenbach".

John Friedenbach  
General Manager



# HUMBOLDT BAY MUNICIPAL WATER DISTRICT

828 SEVENTH STREET, PO Box 95 • EUREKA, CALIFORNIA 95502-0095

OFFICE 707-443-5018 ESSEX 707-822-2918

FAX 707-443-5731 707-822-8245

EMAIL [OFFICE@HBMWD.COM](mailto:OFFICE@HBMWD.COM)

Website: [www.hbmwd.com](http://www.hbmwd.com)

**BOARD OF DIRECTORS**  
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NEAL LATT, VICE-PRESIDENT  
J. BRUCE RUPP, SECRETARY-TREASURER  
BARBARA HECATHORN, DIRECTOR  
MICHELLE FULLER, DIRECTOR

**GENERAL MANAGER**  
JOHN FRIEDENBACH

VIA FACSIMILE

February 27, 2019

The Honorable Mike McGuire  
State Capitol  
Sacramento, CA 95814

**RE: SB 669 (Caballero): Safe Drinking Water Trust - SUPPORT**

Dear Senator McGuire,

Humboldt Bay Municipal Water District supports SB 669 (Caballero), which would create the Safe Drinking Water Trust (Trust) at the state Treasury. The purpose of the Trust would be to provide a durable funding source to help community water systems in disadvantaged communities provide their customers with access to safe drinking water. The Trust is a better approach than a statewide water tax.

Water districts such as ours are limited by Proposition 218 to charge only their actual cost of service to their ratepayers. A tax imposed by the State on our invoices is not a cost by our District to deliver water to our ratepayers and therefore is not allowable under the provisions of Prop 218. Furthermore, the State has embarked on an initiative to provide low cost water to all California residents. Imposing a tax on every water customer's bill is contradictory to that cause.

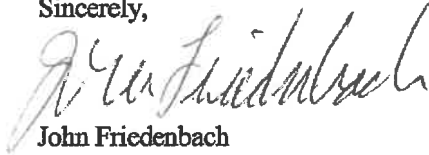
There currently exists a funding gap for operation and maintenance (O&M) costs for the treatment of drinking water by community water systems in disadvantaged communities. O&M costs generally cannot be financed with existing federal and state safe drinking water funding sources that are available for capital costs. In some situations, the consolidation of a failing community water system with one or more systems may be the most effective solution. The Safe Drinking Water Trust proposed in SB 669 would provide a durable funding source to provide financial assistance for replacement water as a short-term solution, consolidation and ongoing O&M costs.

The Trust would be funded with an infusion of General Fund dollars during a budget surplus year. With the record budget surplus for the 2019-20 Fiscal Year, this is the perfect year to create and fund the Trust. The state would invest the Trust's principal, and the net income from the Trust would be transferred on an ongoing basis to a Safe Drinking Water Fund that would be administered by the State Water Resources Control Board.

The Trust is a better approach than a statewide water tax because it is not sound policy to tax a resource that is essential to life. Unlike a regressive water tax and the associated implementation costs at about 3,000 local water systems, the Trust would not drive up water costs and work against the state's Human Right to Water policy of affordable water.

For the above reasons, Humboldt Bay Municipal Water District respectfully asks you to vote "Aye" for SB 669.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Friedenbach".

John Friedenbach  
General Manager

cc: The Honorable Anna Caballero

# SUPPORT THE SAFE DRINKING WATER TRUST



## A STATEWIDE WATER TAX IS NOT THE RIGHT APPROACH

### Why is the Trust a better approach?

- The vast majority of Californians have access to safe drinking water. However, some disadvantaged communities do not. This is a public health issue that the state must address.
- In 2018, the Legislature approved \$3 million for the preparation of a water systems needs analysis, and the State Water Resources Control Board is now determining how it will perform the analysis.
- Key to resolving the issue is addressing the funding gap for operation and maintenance (O&M) costs for community water systems that treat the water. O&M costs generally cannot be financed with existing federal and state safe drinking water funding sources.
- A financial solution is needed for O&M and consolidation costs that can complement existing funding sources for capital costs.
- The Association of California Water Agencies (ACWA) and the California Municipal Utilities Association (CMUA) are sponsoring legislation to create a Safe Drinking Water Trust (Trust).
- The Trust's principal would be initially financed with a one-time infusion of General Fund dollars during a budget surplus year. With the record budget surplus for the 2019-20 Fiscal Year, this is the perfect year to create and fund the Trust.
- Funding this durable Trust via the General Fund, which is based largely on a progressive source of revenue, makes sense because taxpayers with higher incomes would contribute more, and taxpayers with lower incomes would contribute less.
- The Trust's principal would be invested, and the net income would be transferred to a Safe Drinking Water Fund, which the State Water Resources Control Board would administer.

### Why is a proposed statewide water tax not the right approach?

- It is not sound policy to tax a resource that is essential to life.
- State law sets forth a policy of a human right to water for human consumption that is safe, clean, affordable and accessible. Adding a regressive statewide water tax on local water bills would work against keeping water affordable for all Californians.
- It would be highly inefficient to have over 3,000 local water agencies become tax collectors for the state because the resulting combined local administrative costs would exceed the combined state tax revenue collected from the local water bills.

*For more information contact*

*Cindy Tuck, ACWA Deputy Executive Director for Government Relations, at [cindy@acwa.com](mailto:cindy@acwa.com)*

*or Danielle Blacet, CMUA Director for Water, at [dblacet@cmua.org](mailto:dblacet@cmua.org).*

# **CONTINUING BUSINESS**

## Fish-farming company to lease Samoa pulp mill property

Executives promise to bring 80 jobs to Humboldt County



Commissioners on the harbor district praised Nordic Aquafarms for its proposal. (Shomik Mukherjee — The Times-Standard)

By [SHOMIK MUKHERJEE](#) | [smukherjee@times-standard.com](mailto:smukherjee@times-standard.com) |

PUBLISHED: February 11, 2019 at 8:44 pm | UPDATED: February 11, 2019 at 9:13 pm

A Norwegian-based company promising to become a West Coast hub of land-based fish supply will lease about 30 acres of property at the site of the former Samoa pulp mill.

The Humboldt Bay Harbor, Recreation and Conservation District today approved the lease agreement, which will last 30 years after an initial 3-year period set aside for vetting and permitting the company. Between the two periods, the company, Nordic Aquafarms, will have the option of either ducking out of the lease or staying on board.

In front of a capacity turnout at today's special meeting, the district's board of commissioners exchanged excited words about the potential the company brings to the Humboldt Bay economy. But some fishermen and other county residents voiced skepticism about how closely the company has been vetted, as well as criticism of the district's swift decision to sign onto the lease.

"We want to reaffirm that this is the beginning of the due diligence period," said Commissioner Stephen Kullman. "This is not the completion of a project or an



approval of a project. This is a land deal, essentially reserving (part of the pulp mill) for this use.”

Several members of the public said they should have been given the chance to review the lease before the district made its decision.

Nordic Aquafarms wants to invest in aquaculture, or the farming of fish populations in land-based facilities using storage tanks carrying millions of gallons of water. Company CEO Erik Heim pointed to the United States’ high import rates of seafood, along with an unsustainably increasing demand for fish protein, as the major issues his company wants to address.

Heim listed a number of the company’s marketable benefits, including the freshness of the fish it will produce; its omission of antibiotics and GMOs from fish culturing; and the notion that the farming system won’t result in any sea lice or parasites.

The company would discharge 6 million gallons of liquid waste per day through a 30-million-gallon district pipe.

The company is still deciding whether it will culture kingfish, salmon or steelhead, Heim said. He played a video at the meeting showcasing testimony from Jonathan Romano, who was billed as a star international sushi chef who swears by the company’s fresh products.

Marianne Naess, another Nordic Aquafarms executive, said the company aims to be an “active member” of the community.

“We will be a good partner for the existing fish industry,” Naess said. “I see a lot of synergies. I don’t see a lot of competition between us and existing fishermen.”

The company’s new lease won’t displace any of the existing businesses renting on the Samoa peninsula, Commissioner Greg Dale said. And the biggest sell: Both executives promised the company will create 80 jobs for skill levels ranging from vocational to bachelor’s and master’s level educations.



Nordic Aquafarms' new lease won't supplant the existing businesses operating at the Samoa pulp mill site. (Times-Standard file)  
But when it came time for public comment, many who spoke were not quickly convinced.

"How can you have proper (public) consideration of this issue about the lease when, later this afternoon, you have an agenda item regarding signing the lease?" asked one member of the public who argued the district hadn't sufficiently notified the public about the special meeting.

Another speaker, who identified himself as a fisherman named Daniel, pointed out that the company is relatively new, having formed in 2017. Its setup in Maine, the only other Nordic Aquafarms operation in the U.S., is still very much in development, he said.

To that, Heim noted the industry itself is fledgling. Aquaculture is a new venture, he said, and the public's alternative is to rely entirely on imported fish supply.

Others worried aloud about Humboldt Bay's seismic sensitivity and the frequent earthquakes that result from it. Heim responded that his company had already vetted that factor and wouldn't sign onto a "lose-lose" proposition, to which a speaker pointedly asked if the pulp mill is in a tsunami zone. ([It is.](#))

Around and around the discussion went until the district board voted unanimously to approve the lease. After the meeting, Heim stood outside and spoke directly to members of the public for more than a half-hour.

During the initial three-year period, the company's plans will be tested for environmental impacts and subjected to the county's permitting processes. If the company obtains all its permits and still believes the project is feasible after the initial period elapses, it can opt in for the next 30 years, harbor district attorney Ryan Plotz said.

But there's no opt-out clause for the harbor district, Plotz said.

"(Nordic Aquafarms) wouldn't want to make the investment if, at the end of the day, we said, 'Oh no, you can't go forward with the project having made all the investments,'" Plotz said. "If they're satisfied and all the government agencies have given their blessing and approval, then they have the right, at that time, to determine if they want to go forward."

Fishermen at the meeting weren't convinced the company won't compete head-on with the existing industry. Harbor district executive director Larry Oetker said he doesn't anticipate "direct competition" between farmed and wild fish, but that the consumers will ultimately choose.

"In the end, if people prefer a farm fish, then the taste buds will ultimately make the decision," Oetker said. "In government, we don't pick winners and losers ... what happens if (the company) ends up being a winner? Would we then shut them down? That's not our role."

*Shomik Mukherjee can be reached at 707-441-0504.*

*February 14, 2019 - Times Standard*

## **My Word: Risks of Nordic Aquafarms plan remain unknown**

By [NOAH OPPENHEIM](#) |  
February 13, 2019 at 3:35 pm

At a Feb. 11 meeting of the Humboldt Bay Harbor District, the West Coast arm of Norway-based firm Nordic Aquafarms, known as California Marine Investments, announced its intention to establish a half-billion-dollar land-based fish farm at the site of the former Samoa Pulp Mill in Humboldt Bay. At the same meeting, the District approved the signing of a three-year lease with an optional 30- to 50-year extension. This meeting was attended by dozens of local citizens and members of the commercial fishing industry, including several younger members of the Humboldt Fishermen's Marketing Association who are worried about the future of their fisheries. Many attendees expressed concerns about the impacts of the proposal and the lack of transparency in the leasing approval process.

While shoreside aquaculture is generally known to be superior to open ocean net pen fish farms, the impacts that Nordic Aquafarms' proposed Humboldt facility will have to the marine and coastal ecosystems are unknown. They are likely to be significant, because the proposed facility is not a "closed-loop" system. From effluent waste discharge permitting concerns to biocontainment hazards to facilitation of harmful algal blooms inshore and offshore, the proponents of this project have a long road ahead in order to prove their operations will not impact California's commercial fisheries.

One of the most pernicious ocean policy myths being sold to Americans today is that we need aquaculture development. We don't need it to protect ocean fisheries, and we don't need it to protect our food supply. American fisheries are in better shape than they've been in decades. We may import a majority of the seafood we eat, but the fact is we export a majority of the seafood we catch, and much of that is reimported after being processed overseas. Instead of risky new aquaculture development, what we truly need is to invest in our domestic seafood supply chains and market American seafood products to Americans.

California's seafood markets demand only the purest, highest quality product, which can only be obtained in wild-capture fisheries. Our fisheries are among the best managed in the world, and the California seafood supply chain is capable of delivering high-quality local seafood to millions while maintaining the boat-to-table integrity and accountability that consumers deserve. It's hard to accept the uncertainties of a project like this when it could put our sustainable seafood markets, let alone our marine environment at risk.

The proposed Humboldt County site is the second that Nordic Aquafarms has proposed for the U.S. The first is in Belfast, Maine. Both locations share a similar past as environmental disaster sites: Humboldt County for paper mill waste; Belfast (the one-time "Broiler Capital of the World") for its unbridled 20th century poultry production. Humboldt County and Belfast also share a close proximity to large urban centers where farmed fish could be trucked daily. Nordic has registered its U.S. corporate headquarters in Delaware.

The risks may be too great for the region to bear. Nordic Aquafarms has not yet announced which species it might produce in its Humboldt County facility, nor has it yet begun the engineering, permitting, and scoping phases of its planning process. It will likely face a significant and lengthy environmental regulatory and waste discharge permitting processes. PCFFA will be there every step of the way.

*Noah Oppenheim is the executive director of the Pacific Coast Federation of Fishermen's Associations, the largest commercial fishermen's organization on the West Coast, representing 17 local and regional associations from Santa Barbara to Southeast Alaska. As a major commercial fishing industry trade association, PCFFA represents the interests of commercial fishing families who make their living harvesting and delivering high-quality seafood to America's tables.*

# Norwegian aquaculture project gets Samoa lease

SECTION H1 PAGE NO. 7

Featured News 4 hours ago

**Daniel Mintz**  
Mad River Union

SAMOA – Humboldt County is poised to become a hub for aquaculture, as the Harbor District has approved a lease for a Norway-based company that aims to build a fish farm on the Samoa Peninsula.

The district's Board of Commissioners approved a 30-year lease with a subsidiary of Nordic Aquafarms on February 11, in a closed session special meeting followed by a public hearing.



A Google Earth image of the fish farm site.

The company is entering the U.S. aquaculture industry with a facility in Belfast, Maine that is in a permitting phase. In Humboldt, Nordic Aquafarms is eyeing the spring of 2020 for the start of permitting a facility that will have an annual fish production capacity of 33,000 tons.

Part of the district's effort to revamp a shuttered and formerly contaminated pulp mill site into a marine-related business park, the proposed fish farm would serve a West Coast regional market and use an enclosed, terrestrial system.

The company intends to raise Pacific salmon and steelhead, although a press release states that the species produced will be "based on market considerations and further discussions with the local permitting authorities."

The aquaculture facility's annual rent of about \$160,000 will infuse much-needed revenue into the district's budget and additional rates will apply to the use of an outfall pipe. Nordic Aquafarms will also pay the district \$500,000 for ongoing use of an electric substation.

The rent will be \$20,000 per year during pre-operation, when the company is in permitting phases.

Annual rent once the company is in operation could increase by up to \$17,721 per year, depending on the company's scale of land use. The basic plan is to use 33 acres of the district's Redwood Marine Terminal II facility.

The lease also allows access to the district's salt water well and use of bay water.

## 'Turning the corner'

In recent years, the district has risen from being a sluggish agency to one that has gained control of the pulp mill site, facilitated the removal of huge volumes of hazardous waste and transformed the property into a business park with 18 tenants.

"We were in dire straits and we're in the process of turning the corner," said Larry Oetker, the district's executive director. "With this lease, the vast majority of the work we've been doing on the Samoa Peninsula with the old pulp mill will have been completed and then we can start shifting our energies into other port-related operations."

If Nordic Aquafarms opts to expand beyond the basic lease area, the former pulp mill's structural husks, such as its smokestack and associated buildings, would be removed at the company's expense. "Otherwise, those things just sit there and deteriorate," Oetker said.

He said aspects like which fish species will be raised will be under the control of the state's Department of Fish and Wildlife. A combination of the company's market research and the state's regulatory requirements will ultimately determine the facility's production, he continued.

Aquaculture has been on the district's radar as an anchor industry. "We've been targeting this for years," Oetker said, describing it – along with mariculture and commercial fishing -- as a "key economic strategy for us."

## Farmers versus fishers?

The district's relationship with the local commercial fishing industry has been strained at times and last October, the Humboldt Fishermen's Marketing Association filed a lawsuit against the district for failing to adequately maintain its marina and fishing-related facilities.

SECTION H1, PAGE NO. 8

The emergence of a major aquaculture operation – one that would supply the West Coast region – is of concern to fishermen who are wary of fish farming's potential to saturate the market.

Oetker said competition is a concern with any new commercial project but there is an opportunity for synergy with this one, as adding aquaculture to the area's seafood industry will boost the scale of infrastructure.

"The number of fishermen we have right now is not large enough to support some of the larger infrastructure pieces that the industry needs," he continued.

Oetker said Nordic Aquafarms plans to have its own ice plant and trucking capability. Sharing those with the fishing industry is "one of the things that I'm looking at," he continued.

### Public scrutiny

The district has emphasized that the lease approval represents a beginning stage and the company's plans will be shaped by permitting and public input.

The Humboldt Baykeeper advocacy group has indicated that it will monitor the project and comment on it as it takes form. For now, the group has questioned the short timing between the lease's approval and its prior public announcement.

Baykeeper's staff met with Nordic Aquafarms before the lease approval and Jen Kalt, the group's director, said the proposal is formative.

"They've said that they won't grow Atlantic salmon, they won't grow GMO fish and they won't use antibiotics," she continued. "But they're not sure what fish they're going to raise so they can't point to the source of the fish stock or anything like that – there's really nothing specific, it's vague at this point."

Baykeeper's focus of concern will be on ocean discharge but "we haven't had time to go into the details on that because this has come up so suddenly," said Kalt.

Nordic Aquafarms will now work to gain ground on public interaction. The company's representatives were in town for the entire week following the lease approval and Kalt said a meeting with Baykeeper and member groups of the Northcoast Environmental Center was set.



# Norwegian Company Casts Bid for Fish Farm

Question raised about timing and lack of public input

BY KIMBERLY WEAR [KIM@NORTHCOASTJOURNAL.COM](mailto:KIM@NORTHCOASTJOURNAL.COM) @KIMBERLY\_WEAR AND THADEUS GREENSON [THAD@NORTHCOASTJOURNAL.COM](mailto:THAD@NORTHCOASTJOURNAL.COM) @THADEUSGREENSON

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PHOTO BY MARK MCKENNA



• PHOTO BY MARK MCKENNA

- Lawrence Lazio was one of several attendees to comment during the meeting.



If everything goes as planned, fresh fish raised in tanks on the now blighted former pulp mill site will be making its way across the West Coast in four years, opening up new avenues for economic development in a region still reeling from downturns in the once mainstay lumber and fishing industries.

At least that is the realistic best hope of officials with Nordic Aquafarms, the Norwegian company behind the proposed land-based facility that looks to



ultimately produce some 25,000 tons of farmed fish a year here on the North Coast.

The clock was set in motion Feb. 11 with the Humboldt Bay Harbor, Recreation and Conservation District's decision to sign a 30-year lease with Nordic amid concerns that the deal was ushered through without public input.

It is, Nordic Commercial Director Marianne Naess said during the meeting, an opportunity to place "Humboldt and Eureka on the map" as an aquaculture innovator.

While the plan has garnered enthusiastic support from some corners, an air of skepticism also abounds, as evidenced by several speakers who emphasized few specifics have been released — one noting the "devil is in the details" — while others questioned the seeming rush to cement the agreement.

Among the standing-room-only crowd, many identified themselves as members of the local fishing community, noting they wished the harbor district was putting less energy into a fish farm and more effort into maintaining the harbor for those who are still trying to make a living off the sea — the very people who worry they may end up in competition with the proposed endeavor.

Several commissioners said the lease agenda item was just about the land and this was only the start of a long process that will have ample opportunity for public comment.

"This is step one," Commissioner Larry Doss said. "This is the beginning of due diligence."

According to Nordic, the company is looking at raising salmon, yellow tail kingfish (which it does in Denmark) or steelhead using a recirculating aquaculture system, or RAS, which utilizes large tanks and water treatment systems.

The method, the company says, prevents many of the common issues associated with raising fish in offshore pens, including pollution from waste, chemical use and the potential to pass on diseases and parasites to wild fish.

According to the harbor district, the project will include "the removal of all remaining deteriorating buildings and unutilized infrastructure" at the 30-acre property, which was the site of a multi-agency clean-up effort in 2014 to avert a looming catastrophic environmental disaster on the edge of Humboldt Bay.

The lease comes with two automatic 10-year renewals but also includes a three-year option, or "planning period," during which the company will be pursuing the necessary permits before Nordic would have the option of putting the full lease into effect.

During that time, Nordic will pay the harbor district \$20,000 a year. The rent will increase to \$159,128 annually after the three-year mark. Included in the terms is the right for the company to discharge 6 million gallons of wastewater per day using the site's ocean outfall pipe, which extends 1.5 miles offshore.

Nordic would also pay a one-time \$500,000 fee to access the district's electric substation.

According to Naess and Nordic's founder Erik Heim, the company set its sights on the Samoa Peninsula property after searching the entire coastline up to Canada, looking for a place to establish a West Coast hub of operations.

Humboldt, they said, fit the bill for a number of reasons: the availability of clean fresh and sea water, a central location with the markets of Seattle and Los Angeles just a 12-hour drive away, appropriate infrastructure, a nice community for employees to live, a favorable climate for development and a nearby university that happens to have an aquaculture program.

"We have a freshness advantage and a CO2 advantage," Naess said in an interview with the Journal, referring to the company's stated goal of generating a minimal carbon footprint.

She and Heim said this West Coast hub would be a far-more environmentally friendly way to meet the United State's appetite for fresh fish than importing it from other points around the globe.

The region's notoriously fragile road system didn't seem to faze them.

"If there's going to be disruption, obviously we need to account for that," Heim said of the potential for closures due to weather, fire, landslides or other natural disasters, adding that some customers will be unhappy but they don't see it posing enough of an issue to disrupt their business model.

Regarding the size of the proposal, Heim seemed to take issue with the "massive" moniker some have affixed to it, pointing to a facility in Miami produces about 99,000 tons of fish a year, far larger than what's being proposed here.

"This is far from the biggest," Heim said. "We're trying to size this to the local market, we're not trying to build the world's biggest farm."

Touted for the potential to bring millions of dollars to the local economy and employing at least 80 people — the fish farm has its share of supporters, including Fourth District Supervisor Virginia Bass, who said the proposal would be one of the largest economic investments in the county "since the end of the 20th century."

"This opportunity represents, to me, the rebirth of the peninsula," she said.

Others, like Humboldt Baykeeper Executive Director Jennifer Kalt, one of the "stakeholder groups" that Nordic has been talking with in the recent weeks, are taking a measured approach as the process unfolds.

"What the company representatives have said to us, so far, has potential but there's no specifics of what they actually plan to do," she said. "So, we'll be waiting until there is actually something to look at."

Kalt, like others, questioned why the harbor district deemed it necessary to call a special meeting late Friday afternoon for a Monday afternoon closed session discussion on the lease.

"Unfortunately, the harbor district didn't make the lease available until after it was signed," Kalt said. "We would have appreciated an opportunity to review and comment on it before the commissioners approved it."

"I realize the harbor district is desperate to turn the pulp mill into a positive, but it could have waited a few days," she continued. "Why the rush?"

(Harbor district Executive Director Larry Oetker did not immediately return an email asking for comment on the scheduling decision.)

Members of the fishing community also raised concerns about the timing, the lack of specifics on the project and the lease and potential impacts to their industry, with one noting Nordic gave a "great presentation" but "there's a huge amount of unknowns."

"We're going to be selling fish and you're going to be selling fish, so I think there's some conflict there," another said.

Heim said local input is a "key component" for the company and he understood the concerns of local fishermen, saying he would like to "look for opportunities to work together."

That included going out with a group of local fishermen this week to hear them out but Heim also made clear he doesn't see the facility as their competition.

"Wild salmon is its own category. It's a fantastic product," he said, adding that it has a different texture, taste and price point than its farmed counterpart. "The way we think about it is we're not impacting them, we're reducing the imports (of farmed fish) to the U.S."

Naess added that there may be room for collaboration, noting that Nordic will be building an ice plant on the peninsula that could benefit the fishing fleet and there may be opportunities to collaborate on transportation.

The company is also in the process of developing an East Coast equivalent in Belfast, Maine, a city of fewer than 7,000 that fought to transform itself following the demise of a harmful legacy of chicken processing plants and canneries that polluted its bay and once left a lingering odor in the air, much the way Samoa Pulp Mill fumes blanketed Eureka in the past.

Heim and Naess both said the company is big on contributing to the local community, pointing the company's offer to help underwrite the purchase of 80-acres of forest for conservation in Belfast.

Nordic's proposed Maine facility, situated on Penobscot Bay, has not been without controversy, however.

Belfast opponents, according to a December Boston Globe article, "say city officials are being seduced by the project's potential economic benefits into risking the hard-fought environmental improvements that have helped make Penobscot Bay one of the richest fishing grounds in the world."

But the project also has support from what the Globe describes as "major environmental and scientific groups," including the Gulf of Maine Research Institute and the Atlantic Salmon Federation.

"Some of the issues that have created conflict there are kind of out of the equation here," Heim said, citing the lack of neighbors and the availability of an existing outflow pipe.

Meanwhile, Heim and Naess say the outreach in Humboldt will continue as the company pursues the necessary permits for the Samoa site, with the goal of becoming what Naess described as a "serious employer in the community."

But, she acknowledged, there is still "a lot of hard work ahead of us."

RYAN BURNS 2/18/2019

# Let's Take a Closer Look at This Big Fish Farm Proposal for the Samoa Peninsula

There have been lots of ideas in recent years for how to maximize the economic potential of Humboldt Bay. “More cruise ships!” some suggested. “More oysters!” “Less-restrictive zoning!” “How about a new railroad or two?”

But as far as we can tell, no one even dreamed of suggesting that the Samoa peninsula could host one of the world's largest indoor fish farms. No one imagined that Redwood Marine Terminal II, a contaminated brownfield site still littered with the rubble of an abandoned pulp mill, could be chosen to house a 600,000-square-foot, state-of-the-art aquaculture facility capable of supplying the West Coast with nearly 60 million tons pounds of fish per year.

That concept, and the Norwegian company that plans to bring it to fruition, found us.

Last Monday, with only a few days' public notice, the Humboldt Bay Harbor, Recreation and Conservation District, the government agency that took ownership of the marine terminal property in 2013, signed a lease with California Marine Investments, LLC, a subsidiary of a Norwegian company called Nordic Aquafarms.

The lease gives the company rights to 30 of the property's 72 acres for the next three to five decades, as long as the project gets the required permits in the next three years. In exchange, the company will pay the Harbor District \$20,000 per year during the initial three-year option period and then, once the full lease term kicks in, pay half a million dollars up front plus about \$170,000 annually, climbing with the consumer price index. (Read more about the lease here.)

Behind the scenes, Nordic Aquafarms executives have been meeting with local officials since November, exploring the cost and supply of electricity and water, researching permits and infrastructure, etc. And they'd been searching the West Coast for an ideal project location for even longer.

But local residents are still trying to wrap their heads around the concept and its implications. Fishermen and environmentalists are wary of such a large-scale facility — and of the idea of farmed fish, generally. They worry that the factory could pollute our local waters, damaging an ecosystem that teems with life and provides hundreds of jobs.

There's also a lot of excitement, though. At the Harbor District's lease-signing meeting, for example, Fourth District Supervisor Virginia Bass said the Norwegian company is set to make one of the largest outside investments the county has seen this century, a \$400 million project that could bring 80 living-wage jobs and significant tax revenue to the region while potentially attracting other new businesses to create a whole new industry cluster.

"This opportunity actually represents, to me, the rebirth of the peninsula," Bass said.

Last week the *Outpost* sat down with Nordic Aquafarms President and Founder Erik Heim and Commercial Director Marianne Naess, his wife, to learn more about the company and their plans. We also heard from some skeptics and critics, including residents of Belfast, Maine, where Nordic Aquafarms plans to build a similar facility to supply seafood consumers on the East Coast.

Belfast, a harbor city of about 7,000 residents, has some striking similarities to Eureka, historically, ecologically and culturally. A blue collar community with factories along the bay, Belfast saw an influx of back-to-the-landers and organic farmers in the 1970s. And it stank, according to resident Ellie Daniels.

While Eureka was long blanketed in the broccoli-fart stench of the pulp mills, Belfast reeked of poultry factories.

"The harbor was just a mess of blood, feathers and chicken poop," Daniels said. "It was just disgusting."

In the late 1980s, as the timber industry was declining here in Humboldt, Maine's poultry industry also collapsed as industrial chicken farming operations moved to the South. Like our pulp mills, the polluting and poison-riddled chicken factories (asbestos, in their case) were left vacant for years, and the city's economy suffered.

Enter Nordic Aquafarms. The company has spent the past couple years laying the groundwork for a \$500 million land-based recirculating aquaculture system (RAS) near Belfast's Penobscot Bay. Construction is scheduled to begin this summer, with the first harvest of farmed Atlantic salmon planned for 2022. Production will ramp up in phases, Nordic says, eventually reaching 33,000 tons per year.

Daniels and her wife, who live on property right next to the project site, have formed a group called Local Citizens for Smart Growth, one of several community organizations opposing the factory. Their objections are partly about government process. (They're suing the city for changing the property's zoning from residential to commercial.) But they're also concerned about the potential environmental impacts.

"I'm not anti-aquaculture," Daniels said. "I just have big environmental concerns."

Referring to Nordic's plans as a CAFO (concentrated animal farming operation), Daniels said the factory would require logging "50 acres of pristine, mature forest." Construction of a mile-long outfall pipe for plant's discharge will churn up the sediment in Penobscot Bay, which is riddled with toxic mercury from the chicken farms, she said.

Critics in Belfast also worry that the massive volume of water required for the fish farm will deplete local aquifers, and they say the plant's discharge will include nitrogen, phosphorus and other chemicals that could impact local fisheries. (Lobster, as you might imagine, is big business in Belfast.)

"I do believe the technology is very state-of-the-art," Daniels said. "But it's never been tested at these large scales they're talking about. ... It's all theoretical."

###

Before leaving town late last week, after numerous meetings with local stakeholders, Heim and Naess, Nordic's representatives here in the U.S., said that's not true: The company's plans, and the technology underlying them, are well beyond the theoretical stage.

While large-scale RAS systems are an emerging technology, Nordic Aquaculture is the only company with such operations (in various stages of development) in three different countries, Heim said. There's an established facility in Denmark producing yellowtail kingfish. (You can watch [a promotional video about that operation here](#), if you like.) A salmon facility in Norway, double the size of the Denmark fish farm, has been built and is scheduled to start production later this month. So the U.S. facilities represent a logical progression, company representatives say.

"We built them step upon step; they've become larger and larger; and performance has been improved and improved," Heim said. The RAS fish farm design, as explained in [this concept video](#), is modular, making it easy to reproduce.

"What we've done for the design that we've launched in the U.S. now is take it slightly up in scale, with additional performance improvements.... We're just replicating the same thing ... ," Heim said. "Like Legos."

"People call it an experiment; it's not an experiment," Naess agreed. "We have our own [in-house] engineering company. They have designed several dozen of these facilities all over the world."

Heim and Naess said news media have blown criticism of the Belfast project out of proportion, and they noted that after reviewing permit applications and design proposals, some major environmental organizations wrote state representatives to recommend approving the project.



The Atlantic Salmon Federation, a group dedicated to protecting wild Atlantic salmon, wrote in a letter to the Maine Department of Environmental Protection, “We believe Nordic Aquafarms, Inc. is proposing the most advanced technology available to reduce nutrients and the resulting discharge will have no negative impact on the coastal and marine environment.”

The Conservation Law Foundation, an environmental advocacy group, encouraged the state to establish a discharge sampling protocol near the outflow pipe to make sure the plant doesn’t mess with the levels of oxygen, nitrogen and phosphorus in Penobscot Bay, but the group ultimately urged the state to approve the facility, noting Nordic Aquaculture’s successful track record in Europe.

The nonprofit Gulf of Maine Research Institute also recommended permit approval, concluding that “responsible aquaculture is the logical complement to our traditional fishing economy.”

In a presentation to a packed house at last week’s Harbor District meeting, Heim framed large-scale aquaculture as an environmentally sound way to meet the planet’s growing food needs.

“In the next 30 years demand for protein will double,” he said. “Where the heck are we going to get that without harming the environment?” He observed that 90 percent of the seafood consumed in this country is currently imported from as far away as Asia, South America and Scandinavia, creating a carbon footprint that’s “over twice what it would be if it were locally produced in a system like we’re talking about.”

Such a system, he said, is vastly superior to the kind of net-pen fish farm operations that have been criticized for environmental pollution.

“Sea lice and parasites cannot get into these tanks because they’re filtered out, meaning we can eliminate medication,” he said. And since the farm is entirely indoors, “there’s no smell or noise, so we’re a good neighbor.” The contained facility also makes fish escapes implausible, he said.

Many of the areas of concern in Maine are non-issues here. Take the water supply, for example. John Friedenbach, general manager of the Humboldt Bay Municipal Water District, said his agency met with Heim and Naess.

“In our discussions, they’ve mentioned needing two-to-four million gallons of water per day,” he said. While that may sound like a lot, it’s a fraction of the agency’s capacity. “The District used to supply both pulp mills 65 million gallons a day, so we’re well within our capability,” Friedenbach said with a chuckle.

The Nordic folks were delighted. “Usually freshwater’s scarce, but here’s it’s like, ‘Is that all you need?’” Heim said.



Furthermore, unlike Maine, the Samoa peninsula has an industrial site that's already zoned for aquaculture, with an outflow pipe that extends a mile-and-a-half into the ocean. The company has vowed not to use GMOs or antibiotics in its production, and Heim said the facility will have a filtration system that removes 99 percent of phosphorus and 85 percent of nitrogen — better filtration than you'll find at any wastewater treatment facility on the West Coast.

Local officials may not have thought up the idea for such a project, but the Redwood Marine Terminal II site proved to be just what Nordic Aquafarms was looking for. Heim said the company researched potential West Coast locations from San Francisco north to the Canadian border, eventually narrowing it down to three spots. The other two were in Washington.

"The other players in the market said, 'California's off limits. You can't do it. The power's too expensive,'" Heim said. "We found a way to make it work, which is pretty cool." The facility will need a continuous supply of electricity, and Heim said they plan to build solar facilities which they can tap into during peak hours. And they've been working with the Redwood Coast Energy Authority to explore renewable options.

"This venture seems very promising to us," Friedenbach said. "Hats off to the Harbor District. I think they deserve a lot of credit."

When the Harbor District acquired the former pulp mill property for a dollar in 2013, many criticized the agency, saying it was being irresponsible and exceeding its mandate. Millions of gallons of toxic pulping liquors had been left behind by the Freshwater Tissue Company, and after declaring an environmental emergency at the site, [the EPA came in](#) to help clean it up.

The site now hosts 18 commercial tenants, including Taylor Shellfish and Coast Seafoods. The Harbor District's current director, Larry Oetker, said the agency is already leveraging Nordic's proposal to pursue more cleanup funds. Last Wednesday the Harbor District [applied for a Targeted Brownfield Assessment grant](#), and Oetker said he got a call back from EPA staff the next day letting him know the application had passed a preliminary review.

This means the Harbor District — and anyone else concerned about pollution around the bay — could benefit regardless of whether Nordic's proposal comes to fruition.

"We really want this project to go through," Oetker said. "We're really focused on that, and we're convinced they'll get all the [required] permits. But in the end there is the possibility they it won't be successful. Our ultimate goal from beginning, when we acquired that site, was to clean it up."

At last Monday's meeting, and in the days since, people have criticized the District for being "secretive," negotiating the lease behind closed doors. But Oetker reasoned that public agencies always discuss real estate deals in closed session — same as litigation and personnel matters.

One interesting aspect of the lease: The Harbor District doesn't get to back out of the deal. If California Marine Investments, the Nordic subsidiary, remains in compliance with the agreement and gets all the necessary permits during the three-year option period, only they retain the right to reject the ensuing 30-year lease term and two automatic 10-year extensions.

The commercial fishermen who attended last week's Harbor District meeting were skeptical.

"There's only one real good solution, and that's wild, sustainable-caught salmon for our population," said one.

"The devil's in the details," said another. "I'd like to see the growth for this area, but I also want to preserve what's left of the historic salmon industry."

Heim insisted that they're not in competition. "When you look at wild salmon, it's a fantastic product," he said. "I personally love it. [But] it's a higher price point; it's a luxury fish as I see it." Plus, the U.S. trade deficit for seafood is so large that there's plenty of room for more domestic supply without harming existing fisheries, Heim said.

"I'm proposing a partnership ... that makes it a win-win for this community," he told the crowd, assuring them that he's listening to their concerns.

The company hasn't yet decided if it will produce salmon or steelhead at its local facility — maybe both in rotation. That decision will be made based on market demand. In their interview with the *Outpost* Heim and Naess said market forces will also hold the company accountable to its pledge to avoid using GMOs and antibiotics.

Watchdogs, including the environmental nonprofit Humboldt Baykeeper and the Pacific Coast Federation of Fishermen's Associations, are vowing to keep a close eye on Nordic Aquafarms as it pursues regulatory approval and discharge permits.

Heim said he's looking forward to more engagement and dialog.

"We want to be a long-term member of this community," he said. Nordic representatives will be back early next month, and once the permitting process gets underway the company plans to have some permanent staff here. "We favor an open and transparent process," Heim said.

Oetker said people shouldn't expect things to move too quickly. The public will have ample time to weigh in on environmental issues. As for whether the local fishing industry can coexist with the largest indoor fish farm on the West Coast, Oetker said that's beyond his agency's ken.

"The Harbor District is not trying to solve the world's problems," he said. "In the end, consumers will make those choices and regulators will say whether fishermen can fish, and which species they can take."

Friedenbach, for one, is rooting for the project's success.

"From what I've seen it seems very environmentally friendly," he said. "We're just hopeful it comes to fruition."

###

home

# Welcome to Enviva

## **ABOUT ENVIVA**

Enviva was founded in 2004 with a clear purpose in mind: We wanted to develop a cleaner energy alternative to fossil fuels. In particular, we wanted to offer electric utilities a fuel to replace coal, enabling them to generate power without interruption while reducing their greenhouse gas emissions. More than a decade later, Enviva has become the world's largest producer of wood pellets – a small and seemingly ordinary product that is addressing these big challenges and delivering real results. Enviva owns and operates seven plants strategically located in the southeastern United States that produce over 3 million metric tons of wood pellets annually. We export our pellets primarily to power plants in the United Kingdom and Europe that previously were fueled by coal, enabling them to reduce their lifetime carbon footprint by about 80%. We make our pellets using sustainable practices that protect Southern forests. And we employ about 700 people and support many other businesses in the rural South, where jobs and economic opportunity are sometimes scarce.

At Enviva, our job is more than making pellets. We work for lower emissions, healthy forests and strong communities.

Enviva conducts its activities primarily through two entities: Enviva Partners, LP, a publicly-traded master limited partnership (NYSE: EVA), and Enviva Development Holdings, LLC, a wholly-owned private company.

### **Enviva Partners, LP**

Enviva Partners, LP (NYSE: EVA) is a publicly traded master limited partnership that aggregates a natural resource, wood fiber, and processes it into a transportable form, wood pellets. The Partnership sells a significant majority of its wood pellets through long-term, take-or-pay agreements with creditworthy customers in the United Kingdom and Europe. The Partnership owns and operates seven plants with a combined production capacity of over 3 million metric tons of wood pellets per year in Virginia, North Carolina, South Carolina, Mississippi, and Florida. In addition, the Partnership exports wood pellets through its owned marine terminal assets at the Port of Chesapeake, Virginia, and Port of Wilmington, North Carolina and from third-party marine terminals in Mobile, Alabama and Panama City, Florida.

### **Enviva Development Holdings, LLC**

Enviva Development Holdings, LLC develops and builds wood pellet production plants and export terminals. It has a pipeline of projects under development to support incremental projected demand for wood pellets.

Through a joint venture with the Hancock Natural Resource Group and other affiliates of the John Hancock Life Insurance Company, Enviva Development Holdings is completing the detailed design work for the permitted plant site in Hamlet, NC. Through a second joint venture with Hancock Natural Resource Group and other affiliates of the John Hancock Life Insurance Company, Enviva Development Holdings acquired an industrial wood pellet production plant in Greenwood, South Carolina.

*For additional information about the individual facilities owned by Enviva Partners, LP and Enviva Development Holdings, LLC, see our facilities*

## THIS JUST IN ... Latest Snow Survey Finds Water-Rich Snowpack

February 28, 2019 [Maven](#) [Breaking News](#)



Snow-covered Sierra Nevada trees to the northwest from the Phillips Station meadow where the California Department of Water Resources conducts its snow surveys. Photo taken February 28, 2019.

### Sierra snowpack statewide at 153% of average



Today, the Department of Water Resources (DWR) conducted the third Phillips Station snow survey of 2019. The manual survey recorded 113 inches of snow depth and a snow water equivalent (SWE) of 43.5 inches, which is more than double what was recorded last month at this location. Statewide, the Sierra Nevada snowpack is 153 percent of average for this date, thanks to several atmospheric rivers during February.

Snow water equivalent is the depth of water that theoretically would result if the entire snowpack melted instantaneously. It is an important tool used by water managers across the state to estimate anticipated spring runoff.

The results show a notable improvement since the last Phillips survey on January 31, when measurements at Phillips Station revealed a SWE of 18 inches compared to today's 43.5 inches.

Current conditions stand in stark contrast to this time last year when the snow depth was only 13.5 inches and the SWE was just 1.5 inches.

“This winter’s snowpack gets better each month and it looks like California storms aren’t done giving yet,” said DWR Director Karla Nemeth. “This is shaping up to be an excellent water year.”

On February 14, the National Weather Service officially confirmed that the Northern Hemisphere is experiencing weak El Niño conditions. As a result of these above-average sea surface temperatures, we are likely to experience more precipitation in the next two months.

“Along with the water supply benefits of the heavy rain and snow, there is also increased flood risk,” said John Paasch, DWR Chief of Flood Operations. “We’ve activated the Flood Operations Center, a joint effort between DWR and the National Weather Service, to closely monitor weather, reservoir, river, and flood conditions. Our goal is to share timely and accurate information about changing conditions to help people and communities respond to flood events and stay safe.”

The state’s largest six reservoirs currently hold between 84 percent (Oroville) and 137 percent (Melones) of their historical averages for this date. Lake Shasta, California’s largest surface reservoir, is 112 percent of its historical average.

Snowpack is an important factor in determining how DWR manages California’s water resources. On average, the Sierra snowpack supplies about 30 percent of California’s water needs as it melts in the spring and early summer to meet water demands in the summer and fall.

DWR conducts up to five snow surveys each winter – near the first of January, February, March, April and, if necessary, May – at Phillips Station in the Sierra Nevada just off Highway 50 near Sierra-at-Tahoe. The Phillips snow course is one of hundreds that will be surveyed manually throughout the winter. Manual measurements augment the electronic readings from about 100 snow pillows in the Sierra Nevada that provide a current snapshot of the water content in the snowpack.



Left to right Dr. Michael Anderson, State Climatologist, Andrew Reising, Water Resource Engineer, with the Snow Survey Section and John King, Water Resource Engineer, also with the Snow Survey Section and all with California Department of Water Resources, at the third media snow survey of the 2019 season for California Department of Water Resources at Phillips Station in the Sierra Nevada Mountains. The survey site is approximately 90 miles east of Sacramento off Highway 50 in El Dorado County. Photo taken February 28, 2019.

Ken James / California Department of Water Resources, FOR EDITORIAL USE ONLY

# Garamendi introduces bill to fund Sites Reservoir

By **NICK SESTANOVICH** | [nsestanovich@thereporter.com](mailto:nsestanovich@thereporter.com) |

PUBLISHED: February 28, 2019 at 5:50 pm | UPDATED: February 28, 2019 at 8:04 pm

Rep. John Garamendi, D-Solano, introduced the Sites Reservoir Protection Act Thursday to provide federal support for the building of Sites Reservoir and other water infrastructures in the Central Valley.

The act, also known as House Resolution 1453, would direct the Bureau of Reclamation to complete a feasibility study for the project Colusa and Glenn counties. The proposed reservoir aims to provide 1.8 million acre-feet of off-stream water storage capacity for California and help local communities prepare for droughts, according to a news release.

The reservoir would be owned and operated by the Sites Joint Powers Authority, a regional consortium of local water agencies and counties formed in 2010. More than \$1.2 billion in public funding has been assigned to the project, including \$816 million in Proposition 1 funding.

If necessary, the act would also authorize additional funding and technical support for the Sites Reservoir project.

“Construction of Sites Reservoir would bring California closer to achieving a drought-resilient water system,” Garamendi said in a statement. “Our state needs to make forward-looking investments to meet its future water supply needs, and Sites will benefit farmers, precious ecosystems, and our communities. I am proud to sponsor the bipartisan Sites Reservoir Project Act, building upon the nearly \$1.2 billion in public funding for the project secured to date.”

Garamendi’s co-sponsor on the act is Rep. Doug LaMalfa, R-Richvale.

“Water storage projects, such as Sites Reservoir, are absolutely critical to securing the future of our state’s water supply,” he said in a statement. “It’s important that we have the infrastructure to save more water during wet years so we can prepare for the dry ones California sees all too often. Sites is the most effective project in the state, providing more storage per dollar invested than any other proposed project. I’m proud of this bipartisan effort and will continue to fight to ensure this much-needed project moves forward.”

More information on the proeject can be found at [sitesproject.org](http://sitesproject.org).



# Garamendi Introduces Sites Reservoir Project Act

February 28, 2019

Press Release

WASHINGTON, DC – Today, Congressman John Garamendi (D-CA) introduced the *Sites Reservoir Project Act* (H.R. 1453) to provide federal support for the construction of Sites Reservoir and related water infrastructure in Colusa and Glenn Counties. Congressman Doug LaMalfa (R-CA) is the bill's original cosponsor.

"Construction of Sites Reservoir would bring California closer to achieving a drought-resilient water system. Our state needs to make forward-looking investments to meet its future water supply needs, and Sites will benefit farmers, precious ecosystems, and our communities." **said Congressman Garamendi (D-CA)**. "I am proud to sponsor the bipartisan *Sites Reservoir Project Act*, building upon the nearly \$1.2 billion in public funding for the project secured to date."

**Congressman Doug LaMalfa (R-CA) said:** "Water storage projects, such as Sites Reservoir, are absolutely critical to securing the future of our state's water supply. It's important that we have the infrastructure to save more water during wet years so we can prepare for the dry ones California sees all too often. Sites is the most effective project in the state, providing more storage per dollar invested than any other proposed project. I'm proud of this bipartisan effort and will continue to fight to ensure this much-needed project moves forward."

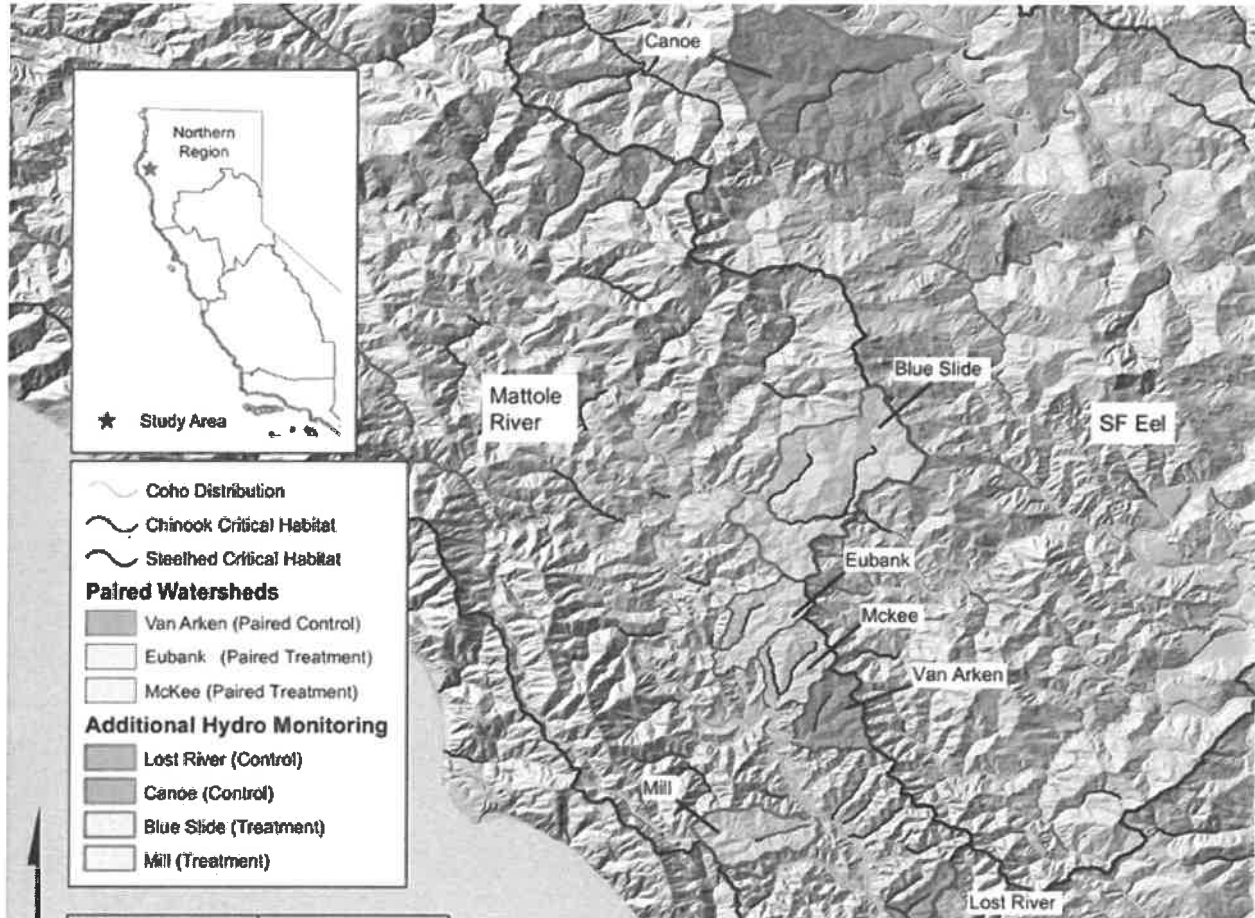
"Congressmen Garamendi and LaMalfa have been tireless champions of Sites Reservoir and today's introduction of the Sites Reservoir Project Act brings us one step closer to realizing our shared goal of building the reservoir. Sites would provide critically needed water supply reliability for the environment, farms and cities and its importance for the future of California cannot be understated," **said Sites Joint Powers Authority Chairman Fritz Durst**.

The *Sites Reservoir Project Act* (H.R. 1453) would direct the Bureau of Reclamation to complete a necessary feasibility study for the project and, if deemed feasible, authorize additional funding and technical support.

Sites Reservoir would provide 1.8 million acre-feet of off-stream water storage capacity for California and help local communities prepare for droughts. The reservoir would be owned and operated by the Sites Joint Powers Authority, a regional consortium of local water agencies and counties formed in 2010. To date, more than \$1.2 billion in public funding has been committed to the Sites Reservoir Project, including \$816 million from the State Water Bond (2014 Proposition 1), \$449 million low-interest financing from the U.S. Department of Agriculture announced in November 2018, and federal funding from the Bureau of Reclamation for the feasibility study and related work.

LOCO STAFF / 2/25/19 @ 12:18 P.M. / ENVIRONMENT

## Weed and Water Diversion: State Fish and Wildlife Service Studying Environmental Effects of Cultivation in the Upper Mattole This Year



*The study area. From "Cultivating Cooperation."*

From the California Department of Fish and Wildlife:

The California Department of Fish and Wildlife (CDFW) is investigating the potential environmental impacts of water diversions associated with cannabis cultivation in three streams in the upper Mattole River watershed in Humboldt County.

The study is comparing hydrological and biological parameters such as stream flow, water temperature, dissolved oxygen levels, aquatic insect community composition, and fish movement in streams with and without cannabis cultivation.

This pilot research project could support efforts to establish sustainable levels of cannabis cultivation in sensitive watersheds on the North Coast and lead to the initiation of similar studies throughout the state.

The study findings are expected to be published on the CDFW website in the fall of 2019

“Research is an important tool in understanding the impacts of cannabis cultivation on the environment,” said Joshua Grover, CDFW Cannabis Program Director. “CDFW supports the legalized cannabis market and works with cultivators to limit environmental impacts. Using a science-based approach will help our staff make informed management decisions on sustainable levels of cannabis cultivation.”

More details on the pilot study can be found in the January/February issue of Outdoor California with an article titled, “Cultivating Cooperation.” To read the article, please visit this page — [www.wildlife.ca.gov/Conservation/Cannabis/News](http://www.wildlife.ca.gov/Conservation/Cannabis/News) — and click on the link. Additional details about the study can be found here.

Cannabis cultivators with questions can email CDFW at [AskCannabis@wildlife.ca.gov](mailto:AskCannabis@wildlife.ca.gov).

CDFW encourages cannabis cultivators to obtain all necessary state licenses and county permits, as well as implement best management practices to reduce environmental impacts. Following these recommended actions can help cultivators avoid common pitfalls that may lead to enforcement actions.

Story and Photographs by Erin Ferguson

# Cultivating Cooperation

Pilot study around headwaters of Mattole River considers the effect of legal cannabis cultivators on northern California watersheds

**A**s the sun rose over Sacramento, four California Department of Fish and Wildlife environmental scientists were busy loading their vehicles. They stacked flow meters, bug-collecting nets and totes full of various equipment needed for a weeklong trip to Humboldt County. They brought several types of equipment to measure stream flow, not knowing what the conditions would be like. The order for packing the equipment was almost routine for the crew, as it was their fourth and final trip to collect samples for a pilot study.

The study, "A Paired Watershed Comparison of Hydrological and Biological Condition in Streams With and Without Cannabis Cultivation, Humboldt County, USA," will be published later this year and will examine the balance between the natural water resources of northern California's rivers and streams with the growing impacts of diversions attributed to the state's legalized commercial cannabis trade.

The scientists are part of CDFW's Cannabis Program and come from the department's Fisheries and Water branches.

They work in collaboration with CDFW's Northern Region staff from Eureka and others to prioritize study locations, organize fieldwork, bring in necessary equipment and secure landowner access.

The study was focusing on three waterways—Eubank, McKee and Van Arken creeks—and some additional tributaries that form the headwaters of the Mattole River. Those waters typically go dry during the summer and one of the challenges the team faced was determining when that might occur.

It was August, and the growing season in Humboldt County was in full swing. They would begin with Eubank Creek, a Mattole River tributary that had ongoing cannabis cultivation in the watershed. The prioritization was based on local knowledge of cultivation sites and verified by aerial photographs.

Once in Humboldt, they navigated the winding dirt road toward the creek, the smell of maturing and drying cannabis hanging thick in the air. Some roads along the way were lined with high fences that blocked the view from the road to anything beyond. Posted onto the fences are state and local

cultivation permits. The tops of water storage tanks and hoop houses flashed in and out of sight as drivers navigated through the hills. Most of the residents in the area are wary of outsiders, evident by the number of gates that had to be opened and then closed on the way to their destination. The scientists had received permission to access the property along Eubank Creek from the landowner, something that was not always given by landowners at other locations.

One member of the team, Fisheries Branch senior environmental scientist Elijah Portugal, grew up in Humboldt County. He recognized early on how difficult it would be to conduct the pilot study without the cooperation of the landowners. He worked with CDFW regional staff and a group called Sanctuary Forest Inc., a land trust organization with a mission to “conserve the Mattole River watershed.” They spent long hours—and often long weeks—building the trust of landowners to gain access to properties.

“I think within the cultivator community there is a general distrust of government agencies, and the cannabis regulatory process, specifically,” Portugal said. “In some tight-knit rural areas, there is a risk of retribution from neighbors who wish to continue growing clandestinely. There is also a concern that allowing us access to collect scientific data exposes them and their neighbors to more risk from county code enforcement or other state agencies about aspects of their property that have nothing to do with cultivation.”

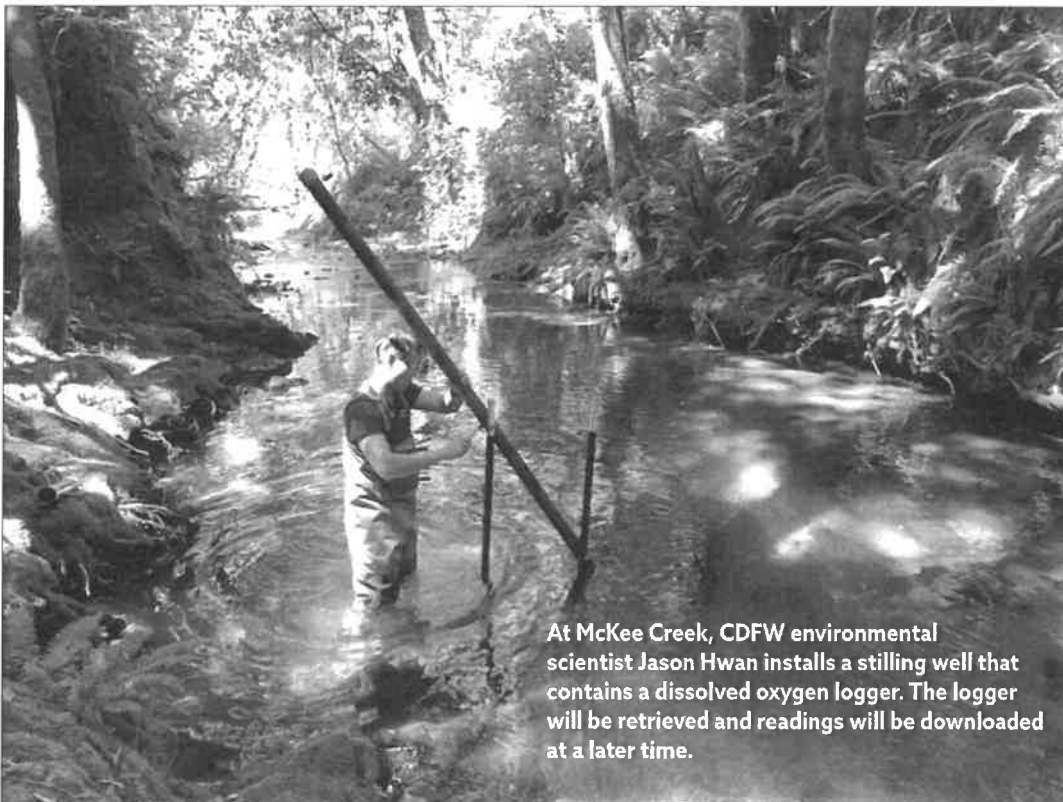
Portugal and others convinced enough landowners to allow the study once they understood how the process actually

works. Working with regulatory agencies to come into compliance does not make a landowner a target for enforcement actions. In fact, if a cultivator is working through the permitting process with CDFW, they are more likely to avoid enforcement actions by avoiding the common pitfalls of cannabis cultivation practices.

What the team found through their research was some cultivators were already using best management practices on their farms prior to legalization. Those cultivators were willing to bring their farms into regulatory compliance. For example, the landowner who had granted the team access in Eubank Creek expressed his willingness to work with CDFW.

“I grew up on this land, and my family has been cultivating here for decades,” said the landowner, who agreed to speak on promise of anonymity. “We have always tried to be good land stewards so that we could continue to cultivate and not degrade our property and the adjacent stream. For this reason, I am willing to allow agencies such as CDFW access through my property so that science can inform regulatory and management decisions. I think that cooperation—and, in a way, collaboration—is the only way that scientists and cultivators can both get what they want, sustainable cultivation.”

The landowner acknowledged some of his neighbors disagreed with his willingness to work with regulatory agencies. He said some were willing to risk enforcement because of the challenges they’d face to come into regulatory compliance. This was not the case for him, he said. “The risk of enforcement is more costly than taking the time to make my property better,”



At McKee Creek, CDFW environmental scientist Jason Hwan installs a stilling well that contains a dissolved oxygen logger. The logger will be retrieved and readings will be downloaded at a later time.



he said. "In the end, this is my business and I have to invest in my business if I want to thrive."

When the crew arrived at the study site, they unloaded equipment and suited up. They wanted to take water samples and stream flow measurements early on and then collect aquatic insects and download data from the monitoring equipment that had been deployed earlier in the summer.

The collection of water samples needed to be done first. Loaded up with equipment, they formed a single-file line along the ridge of a grass field and descended together toward the stream. They wondered if their equipment would still be where they'd deployed it or if it had been stolen. They also hoped water was still flowing in the stream, so they could collect samples. They reminded each other about the order in which sampling would occur. Reviewing the process ensured no one action would violate the strict protocols of another. First, they would take water samples for nutrients, then ambient water chemistry. Later they would separate into two groups—one for aquatic insect collection and the other for flow measurements.

Since the pilot study began in May, the crew had been sampling the same three streams to collect aquatic insects and stream flow data. The August sampling represented the final event and would provide the researchers a full suite of data to assess biological changes over the low-flow period. They added collection of a water sample to the August trip. The sample enables researchers to assess the nutrient concentrations in a stream. However, streams must still be flowing to collect the samples. As a precaution, the trip had been moved up by a

couple weeks to ensure the crew could collect that final suite of aquatic insects and flow measurements.

Cannabis and Instream Flow Unit supervisor Kelly Souza led the crew down to the stream. Normally, there was a large pool where the trail met the channel. But when the crew reached the pool, they found it significantly smaller, and disconnected from the adjacent riffles. Inside the pool, they found young-of-the-year steelhead swimming around. Based on the rate at which the pool habitat had shrunk, it was likely the fish would face inhospitable conditions to survive through the summer.

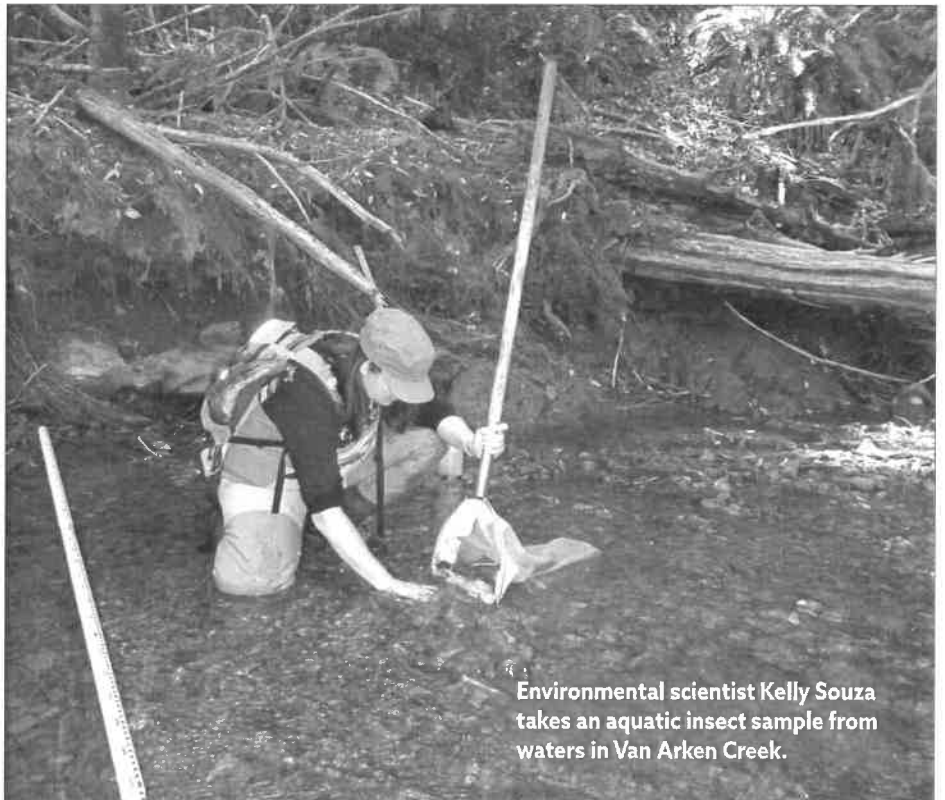
Souza and Jason Hwan, a senior environmental scientist with CDFW's Water Branch, hiked upstream hoping to find that the disconnected pool was an isolated occurrence. Instead, what they found was a mostly dry stream; what had been flowing four weeks earlier had been reduced to a series of small pools separated by large stretches of dry riverbed. They peered into pool after disconnected pool. Inside they found foothill yellow-legged frogs, newts, salamanders and more juvenile steelhead. The steelhead in that region normally rear for one or more years in freshwater before migrating to the ocean. They would utilize the deep portion of pools as a thermal refuge from increasing summer water temperatures and feed on aquatic insects that drift downstream from shallow riffles. But with stream flows dropping, there were no more riffles connecting the pools. Instead, dry caddisfly cases were the only evidence of the once productive riffle habitat.

Souza knelt to examine the desiccated caddisfly cases on

In Eubank Creek on the June 2018 field trip, Hwan records GPS coordinates off a dissolved oxygen logger that had just been installed.



Environmental scientist Kelly Souza takes an aquatic insect sample from waters in Van Arken Creek.





the dry exposed rocks. “It’s like a freezer full of food, just going to waste,” she said. “Think of all the birds, bats and other terrestrial animals that would have feasted on the emergent life stages of these insects, not to mention all the fish food this would be.” A strict protocol developed by the State Water Resources Control Board (SWRCB) for aquatic insect collection stipulates that if more than three of the 21 collection transects are dry, then the sample reach is not a viable collection site. A sense of defeat loomed over the scientists as they realized they would be unable to collect aquatic insects as they had hoped.

The group somberly continued upstream to check their equipment. Three water-depth sensors had been deployed in pools throughout the sampling reach in May and four dissolved oxygen loggers installed in June. Most of the equipment remained underwater except for a single logger that hung above a mostly dry pool. Although upper Mattole headwater streams are naturally intermittent, they face an additional impairment that would continue to alter flow patterns—water diversions for cannabis.

An estimated 60 percent to 70 percent of the cannabis consumed in the U.S.—legal and illegal—is grown in California. Most of the cultivation occurs in the north coastal region known as the Emerald Triangle. This region, composed of Humboldt, Mendocino and Trinity counties, has not only endured decades of land conversion from residential development, logging and cannabis cultivation, but is home to many species that are protected under the state and federal endangered species acts. “The rivers and streams in this region have been impaired by a changing landscape for decades,” said Galen Doherty, the lands program director at Sanctuary Forest. “You combine that with climate change and persistent droughts, and there is less water in the streams overall and for shorter amounts of time throughout the year.”

Doherty said the way people use the water, whether for domestic or agricultural, can exacerbate the problem. Local organizations such as Sanctuary Forest have collaborated with state agencies like CDFW to accomplish common goals, such as conducting hydrological and biological monitoring in the critical systems.



Rivers and streams are complex, dynamic systems that encompass more than water flowing through a channel. Streams are home to fish, amphibians, invertebrates and aquatic plants—some of which depend on cool, clean flowing water to complete their life cycle and reproduce. Cannabis cultivators also rely on these streams to water their thirsty crops. A traditional growing season for cannabis is 150 days throughout the dry summer months. In the Emerald Triangle’s Mediterranean climate, the summer represents a period of little to no precipitation and naturally low stream flows. In a previous CDFW-led study, senior environmental scientist Scott Bauer from the Eureka field office assessed the water demands of cannabis cultivators relative to available streamflow in watersheds that provide critical habitat for threatened and endangered fish and wildlife. Based on a 2010 paper produced by the non-profit medical marijuana advocate Humboldt Growers Association, Bauer and others estimated that, on average, a single cannabis plant could consume six gallons of water per day. During drought years, the water need could accelerate the speed with which streams dry up. With recent innovations in cultivation methods, such as mixed light techniques, farms can produce multiple crop cycles within the growing season, potentially increasing demand for water. An increase in water diversions for cannabis cultivation in watersheds that are already stressed from existing water demands will be detrimental to species like Coho Salmon that are already imperiled.



Researchers found that some cannabis cultivators—like the owners of the southern Humboldt County farm at left—were using best management practices and were willing to bring their operations into regulatory compliance. Above, low stream flows in McKee Creek threatens juvenile steelhead as the creek's deeper holes dry up in summer. Right, in July 2018, scientists at McKee Creek recorded a foothill yellow-legged frog, considered threatened under the California Endangered Species Act.



California voters approved Proposition 64 in 2016, legalizing the recreational use of cannabis as well as its commercial sale. Subsequent legislation directed the SWRCB and CDFW to evaluate water use and environmental impacts from cannabis cultivation. Any significant environmental impact will be reported to the California Department of Food and Agriculture (CDFA).

CDFW's Cannabis Program director Joshua Grover reminds himself often of CDFW's mission to manage the state's diverse resources and the habitats upon which they depend. "The department is working with state and local agencies to permit and license cannabis cultivation in California in a sustainable manner," he said. "Just like any other agricultural industry, cannabis cultivation has the potential to cause environmental impacts. Our responsibility as a natural resource agency is to avoid or minimize those impacts."

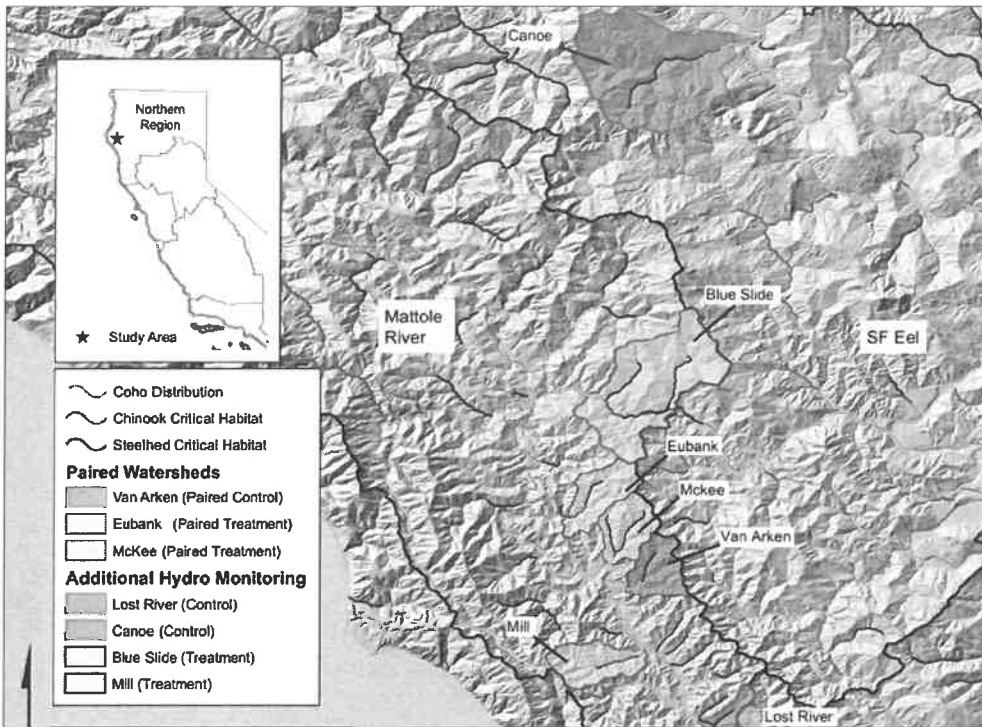
Environmental impacts associated with cannabis cultivation include a laundry list of items that include land clearing and grading, improperly designed roads, undersized culverts, erosion, diversion of surface water, improper water storage devices, nutrient loading, pesticide and rodenticide use, noise pollution, light pollution and poaching of wildlife. Although these impacts are most closely associated with illegal cultivation sites, they occur on farms where cultivators are moving into compliance. With the scale of commercial cultivation expanding rapidly, and pending legislation directing new man-

dates, Grover is building CDFW's Cannabis Program to manage such impacts.

The Cannabis Program began as part of the Enforcement Division. Early efforts focused on eradication of illegal grows on public lands and bringing cultivators on private lands into compliance. After Proposition 64's passage, anyone applying for an annual cannabis cultivation license from CDFA must obtain a Lake and Streambed Alteration (LSA) agreement or written verification from CDFW that their project does not need one. The agreements put a check on water diversions and requires cultivators to manage their sites in a way that lessens adverse environmental impacts and provides protection for California's fish and wildlife resources. In addition to the new regulatory tools, statewide outreach campaigns continue to inform and educate cultivators about guidelines and requirements. The program moved under the Habitat Conservation umbrella with a revamped webpage, [wildlife.ca.gov/Conservation/Cannabis](http://wildlife.ca.gov/Conservation/Cannabis), but still maintains its enforcement orders.

As of September 2018, CDFA had issued approximately 4,800 temporary cultivation licenses statewide. CDFA officials expect the number to increase as more cultivators come into compliance with state regulations. However, even if every cultivator's property was enrolled through the proper licensing and permitting process, a watershed can only support so much cultivation. Determining the status and condition of watersheds statewide and how they may be impacted by cannabis





The pilot study looks at important habitat parameters such as quantity and quality of water and overall stream condition. It focuses on three northern California creeks that form the headwaters of the Mattole River—McKee, Eubank and Van Arken creeks. The region has a long history of cannabis cultivation, even before the state legalized it. Scientists involved in the study hope it allows the development of informed management decisions about the levels of cannabis cultivation in the upper Mattole Region. Complicating any discussion over water privileges is the salmonid habitat as the watershed supports Coho, Steelhead and Chinook Salmon, three populations protected under state and federal environmental laws.

cultivation has suddenly jumped up the priority list for everyone. Expectations that the industry will continue to expand only increases that sense of urgency. The pilot study in the headwaters of the Mattole River is the first step by the Cannabis Program to determine the impact legal cultivators may have on northern California's rivers and streams.

In this area of northern California, the cultivation of cannabis is as historic as it is widespread. Evidence of illegal grow sites extends back decades as aerial photographs capture the forest cutouts. Complicating the matter, the Mattole River and its tributaries are considered a stronghold for steelhead and the watershed supports Coho Salmon and Chinook Salmon populations, both protected by the California Endangered Species Act (ESA) and the federal ESA. The pilot study looks at important habitat parameters such as quantity and quality of water as well as overall stream condition. These parameters are measured in two streams with known cannabis cultivation and one without any cultivation. The studied streams were carefully chosen based on location, size, slope, annual precipitation, orientation and geology. This paired watershed approach allows researchers to compare results between the study streams and attribute measured differences in stream condition to cannabis cultivation as opposed to natural variability.

The tributaries flowing to the Mattole River, like many other streams in this area, are ungauged. This means that it is difficult to accurately estimate the stream flow for these systems without taking time-intensive direct measurements. In May 2018, water depth sensors were installed in the three study streams, Eubank, McKee and Van Arken creeks. Four additional water depth sensors in other Mattole headwater streams and

South Fork Eel River tributaries were deployed to develop a better understanding of flow patterns and water usage throughout the summer low-flow period. Monthly visits to all the streams to record flow measurements were completed so that hydrology patterns could be visually and statistically analyzed. Dissolved oxygen loggers, which also collect water temperature data, were deployed along with the water depth sensors in the three study streams. The data collected from the loggers and aquatic insect samples comprise the water quality portion of the study.

"Oxygen levels are strongly influenced by stream flow, with oxygen levels dropping when stream flows drop," Hwan said. "There is a more pronounced effect in streams where riffle habitats dry completely in the summer because these riffle habitats are a source of oxygen for deep pool habitats. Even if there is plenty of water in some of these deep pools, there is a possibility that salmon and steelhead might not be able to survive if stream flow and oxygen levels drop below a critical level."

In addition to gathering stream flow and water quality data, aquatic insects were collected in each of the three study streams three times over the summer low flow period. Aquatic insects spend some portion, or all, of their life cycle in water. They are often used as an indicator of biological health or water quality because they are relatively stationary and respond predictably to environmental stressors such as changes in stream flow, water temperature, dissolved oxygen levels, nutrient loading, and erosion. An aquatic insect sample could not be taken in Eubank Creek in August because most of the stream, including the sampling reach, was dry. However, researchers agreed the inability to collect an aquatic insect sample didn't mean the

data set for Eubank Creek was incomplete. The rate at which Eubank Creek dried in relation to the other study streams could indicate that water diversions for cannabis cultivation exacerbated already dry conditions and eliminated aquatic habitat sooner than what would happen naturally. The inability to collect an aquatic insect sample in August and the water depth sensor data from Eubank Creek will be important pieces of the hydrology analysis.

“Results from the pilot study will give us a better understanding of the conditions that aquatic organisms like insects, amphibians, and salmonids are experiencing,” Hwan said. “If water diversions for crop irrigation cause stream flow to decrease earlier than what is typically expected, stressful conditions can be prolonged for these aquatic organisms.”

Back in their Sacramento office, Portugal and Hwan analyzed data collected from the headwaters of the Mattole River. Portugal, the Humboldt County native, plotted data from the water depth sensors for the three study streams. Points on the squiggly lines that showed on his computer screen marked water depth, and the decline in the slope of the lines reflected the decrease in stream flows during the summer months. He showed Hwan the results and noted how one stream decreased at a slower rate than the other two. Portugal said, “So far it seems that the two cannabis study streams are drying faster than our control stream, though the differences may be pretty minimal.”

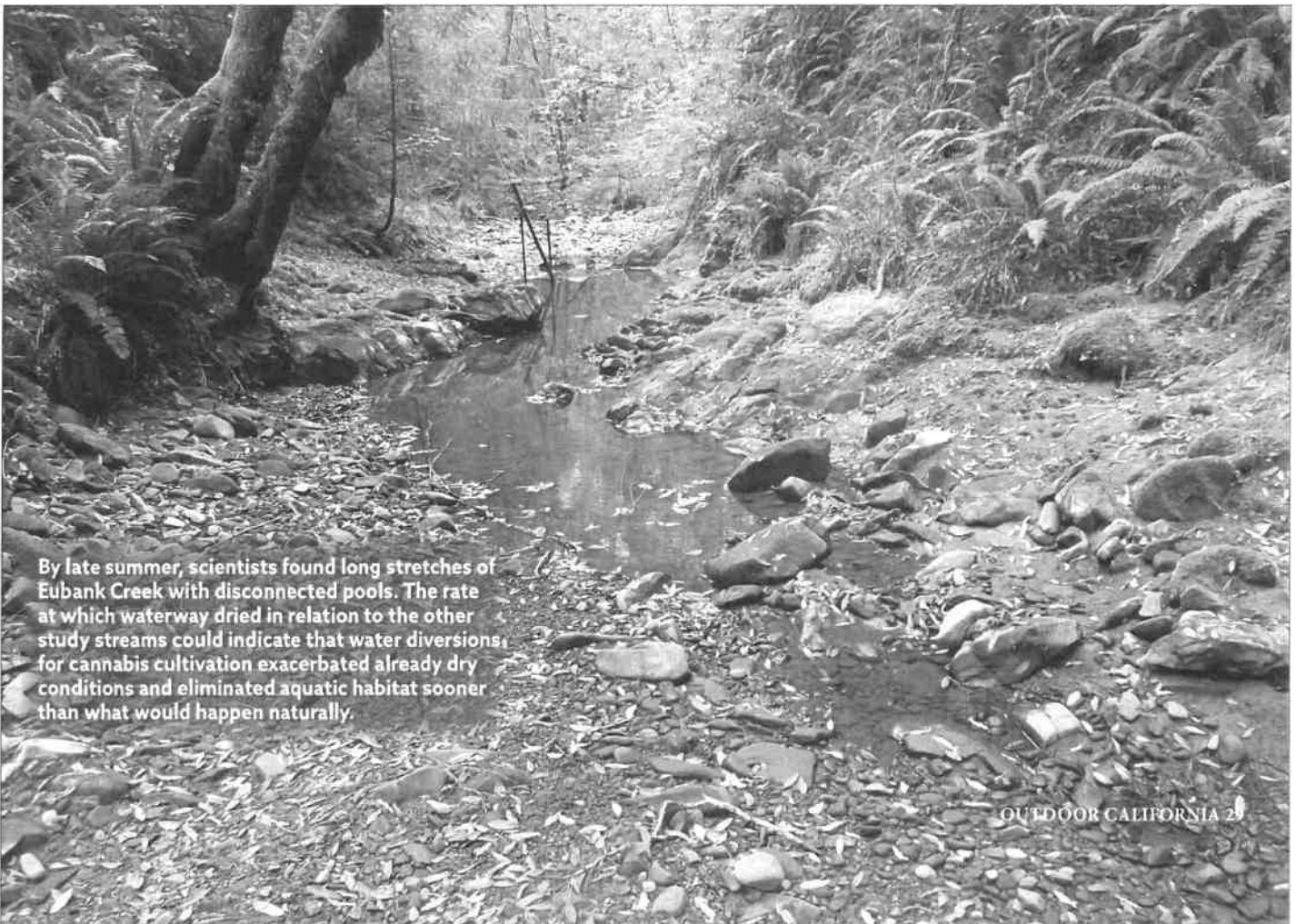
Members of the crew say they believe more work needs to

be done. A manual mapping component is already underway. Analysis of aerial photographs of the study region will improve the overall estimation of cultivation sites, which would help when estimating plant counts and water usage.

Just before the pilot study publishes, researchers should have a season’s worth of data on the three study streams—stream flow, water temperature, dissolved oxygen levels, water usage and aquatic insect community structure and composition. The components can be compared between the streams with cannabis to the one without. Moreover, the scientists will understand the variability in base flows from the additional four study streams.

Until results from the study can be produced, the four scientists involved remain hopeful what they’ve done will advance the necessary science to make informed management decisions about the levels of cannabis cultivation in the upper Mattole region. Any number of outcomes may emerge, from the possibility of establishing a regionally specific flow threshold, changing procedures for gauge installations, doubling outreach efforts to reach the cultivators before they violate the law or whatever else may be learned that can bring cooperative agreements. 🐻

*Erin Ferguson is a senior environmental scientist (specialist) with CDFW's Fisheries Branch and is part of the Cannabis Program. This is the first time she has published in Outdoor California.*



By late summer, scientists found long stretches of Eubank Creek with disconnected pools. The rate at which waterway dried in relation to the other study streams could indicate that water diversions for cannabis cultivation exacerbated already dry conditions and eliminated aquatic habitat sooner than what would happen naturally.



# PAIRED WATERSHED COMPARISON

## 2018 CANNABIS PROGRAM FACT SHEET

### A Paired Watershed Comparison of Hydrological and Biological Condition in Streams With and Without Cannabis Cultivation, Humboldt County, CA

#### PROJECT PURPOSE

Using a paired watershed design approach, this study investigates whether there are biological and hydrological impacts to sensitive aquatic habitat from water diversions for cannabis cultivation. Biologically relevant aquatic habitat quality parameters (water temperature, dissolved oxygen concentration, benthic macroinvertebrate community composition and fish passage) will be analyzed in relation to stream flow in watersheds with and without current cannabis cultivation.

#### HOW WILL THIS INFORMATION BE USED?

The results from this study will provide quantitative hydrological and biological data that could support efforts to establish sustainable levels of cannabis cultivation in sensitive watersheds on the North Coast and inform similar studies throughout the State, where applicable. If surface water diversions for cannabis cultivation are found to result in significant or adverse impacts to sensitive fish species, the results of this study may inform regionally specific flow thresholds, gage installations, local authorizations, regional forbearance periods, outreach efforts, or future voluntary/cooperative agreements.



#### SCHEDULE OF MILESTONES

- > Study plan developed and circulated for review, land-owner access obtained (May 2018)
- > Field infrastructure installed and passive collection of data begins (June 2018)
- > Hydrological and biological collections complete (Nov 2018)
- > Draft hydrological report circulated for review (Jan 2019)
- > Benthic Macroinvertebrate samples processed (March 2019)
- > Draft hydrologic and biologic report circulated (May 2019)
- > 1 Presentation, Salmonid Restoration Federation (April 2019)
- > Final Admin Report & Publication (July 2019)
- > 3 Presentations, American Fisheries Society (Oct 2019)



# RESEARCH QUESTIONS

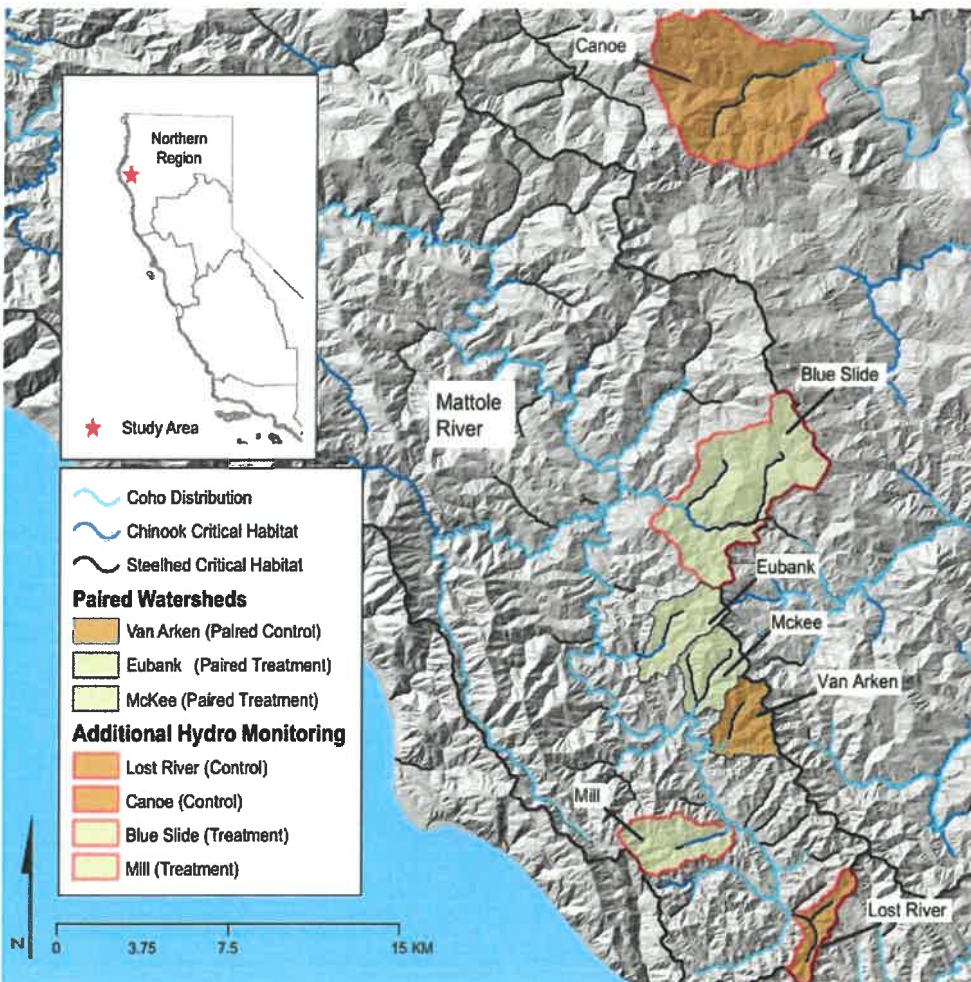
- Assuming all other watershed parameters are similar, is stream flow significantly different between watersheds with and without substantial cannabis cultivation?
- What is the predicted amount of water consumption for cannabis cultivation and other human uses in the study watersheds?
- If stream flow is impaired due to diversions to support cannabis cultivation, how does this impact fish passage?
- Are temperature, dissolved oxygen and benthic macroinvertebrate community structure and composition significantly different between study streams, and if so, how do these parameters vary within streams at different flow levels and among streams with similar flow levels?
- How does temperature, benthic macroinvertebrate, and dissolved oxygen composition compare to published thresholds?

**\$360,800**

**Funding Sources:**

- Medical Marijuana
- Control Fund

- Regulatory and Permitting
- Enforcement Activities
- Research and Monitoring
- Outreach
- Program Implementation or Oversight
- Novel Tool Development



**RELEVANCE TO CLIMATE CHANGE**

Stream temperatures are projected to increase and summer baseflows have been decreasing in most rivers in this region. Drought conditions are anticipated to intensify in magnitude, frequency and duration, which can exacerbate poor instream habitat conditions. Therefore, it is imperative that we understand the potential impacts of cannabis cultivation to vulnerable salmonid populations, in a way that can be replicated and scaled in other watersheds of the state.

**RELATED DOCUMENTS:**

Study plan:



Humboldt County Paired Watershed St

Principal Investigators: Elijah Portugal (Elijah.Portugal@wildlife.ca.gov), Erin Ferguson and Kelly Souza (Fisheries Branch); Jason Hwan (Water Branch); Joe Kermish-Wells (Region 3); and David Manthorne (Region 1)

**John Friedenbach**

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**From:** Uri Driscoll <>  
**Sent:** Wednesday, March 06, 2019 11:54 AM  
**To:** John Friedenbach  
**Cc:** Joan Clark; carol polasic; Emily Sinkhorn; james biteman.com  
**Subject:** Humboldt Bay Municipal Water District

Humboldt Bay Municipal Water District  
Board of Directors

This letter is meant to address the recently passed Ordinance 22. The ordinance as written indicated the intention to ban horse use from the West End Rd park and other property managed by the Water District.

Our understanding is that the district did not have a current use ordinance in place and was directed to develop one for lands under their management. We support enforceable and comprehensive ordinances that consider appropriate uses.

We would like to request the Board direct the removal of restrictions related to horse use from the passed ordinance at the upcoming review. The reason for this request is simply that there were no identified problems associated with horse use even though horse use was historical albeit recently limited. However, with the development of the long awaited Annie Mary Trail which would link the multi use Arcata Ridge Trail to the Annie Mary Trail, equestrians would utilize that contiguous link and the park would be a valuable destination and allow access to the river bar.

By enacting the ordinance as written the District would prevent the use of this location by a valuable segment of the recreational community and reduce the desirability and long standing intention of the Annie Mary Trail.

It should be noted that many equestrians use their horses to travel along trails that they may be unable to otherwise. Walking long distances and riding bicycles are not an option for many people of lesser abilities where riding a horse is. The Arcata Community Forest and other locations including the developing McKay Tract encourage multi use activities and conflicts are minor and easily resolved.

Equestrian groups including Northern California Horseman's Association have a long history of contributing to trail and trail head amenities and would like to be able to partner with the District toward the betterment of the park as plans are developed. Some simple ideas for such amenities have been already discussed with Mr. Friedenbach during a site visit last month.

Please consider changing the language of Ordinance 22 so that families and individuals can enjoy a beneficial and historic activity that is compatible with other recreational opportunities and is consistent with the stated intention of the Annie Mary Trail.

Thank you

Uri Driscoll  
Trail Chairman  
Northern California Horseman's Association est. 1938

# New Business

**Humboldt Bay Municipal Water District**

To: Board of Directors

From: John Friedenbach

Date: March 7, 2019

Re: Employee Disability Insurance, Life Insurance, and Accidental Death & Dismemberment Policies

**Background**

As part of our current comprehensive benefits package for employees, the District pays for long term disability (LTD) insurance; employee life insurance; and accidental death and dismemberment (AD&D) with Unum. The life insurance benefit is \$50,000 and the AD&D benefit is \$50,000 for accidental death, and 25% to 100% for dismemberment depending upon body part(s) or function lost.

In 2015 staff initiated a price and coverage comparison through our then current provider Assurant Benefits Group. This led to a switch to Unum with increased benefits and an annual premium decrease of approximately \$13,500. The rates from Unum have remained constant for the past 4 years resulting in a cumulative savings to the District of \$54,000 in reduced benefit costs.

The policies with Unum renew on May 1<sup>st</sup>. The proposed renewal rates are attached on the next page. They show a 5% increase in the rates for LTD and Life Insurance. AD&D rates remain the same. The total increase would be \$85.83 per month or \$1,029.96 annually.

**Recommendation and Action**

Staff recommends the Board remain with Unum for these employee benefits for the next policy year beginning May 1, 2019.



**Important news about your 2019 benefit rates**  
**HUMBOLDT BAY MUNICIPAL WATER DISTRICT** Policy  
 409220

As another plan year comes to a close, we'd like to thank you for being a Unum customer since 2015.

Next year, you'll pay just \$85.83 more per month for the Unum benefits you offer. Here are your renewal rates for 2019.

	Current rate	Renewal rate	Current premium*	New premium	Effective date	Guaranteed through
<b>Long Term Disability Insurance</b>	0.830	<b>0.872</b>	\$1410.11	\$1480.62	5/1/2019	5/1/2020
<b>Life Insurance</b>	0.230	<b>0.242</b>	\$306.48	\$321.80	5/1/2019	5/1/2020
<b>AD&amp;D Insurance</b>	0.015	<b>0.015</b>	\$19.99	\$19.99	5/1/2019	5/1/2020

\*Monthly premium based on current enrollment as of 9/30/18.  
 Your Lifestyle Life rate will not increase at this time — your current rate is guaranteed for 12 months.

### Our continued commitment

Your rates are changing, but the benefits of choosing Unum stay the same.

- **Industry leading benefits.** We've been the leading U.S. provider of group disability benefits for over 40 years.<sup>1</sup> So we're expert at offering a range of benefits to help your employees stay protected —*including dental and vision.*
- **Ease of doing business.** With a company culture built on service, 91% of our customers say we're easy to do business with.<sup>2</sup>
- **Value-added services.** You'll continue to receive services that make life easier for you and your employees, including Worldwide Emergency Travel Assistance and Employee Assistance Program.
- **Compassionate customer care.** Whether you have a question or your employee has a claim, you'll both talk to a warm and friendly service representative who can get things done.

If you have questions about your rate change, or need any other assistance, please contact me.

Sincerely,

Ethan Ward  
 925-316-3935  
 EWard@unum.com

1 Employee Benefit Plan Review, Group Accident & Health Surveys 1976-1990 (1977-1991); Gen Re, U.S. Group Disability Market Surveys 1991-2013 (1992-2014); LIMRA, U.S. Group Disability Insurance 2014-2016 Annual Sales and In Force (2015-2017).

2 Harris Insights & Analytics, 2017 Employer Loyalty Study, 2018. Percent of Classic Group customers with 11-1,999 lives rating us 6-9 on a 9-point scale where 1=Poor and 9=Excellent.

Please refer to your existing contract(s) for details of coverage including exclusions, limitations, renewability and termination provisions.

Group insurance is underwritten by Unum Life Insurance Company of America, Portland, ME. Individual insurance is underwritten by Provident Life and Accident Insurance Company, Chattanooga, TN. In New York, insurance products are underwritten by First Unum Life Insurance Company, New York, NY or Provident Life and Casualty Insurance Company, Chattanooga, TN. unum.com

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NS16-086 (8-18) **FOR BROKERS AND EMPLOYERS**





# H.R. LaBounty Safety Awards

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## Nomination Deadlines:

**Fall Awards: September 30, 2018**

**Spring Awards: February 28, 2019**

**Agency:** Humboldt Bay Municipal Water District

**Project/Initiative Title:** Purchase of Portable Gantry Hoist

**Employee/Department/Committee Nominated:**

Name(s): HBMWD Staff/Supervisors

Job Title/Department: Maintenance

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## Nomination Summary

*Write a brief summary of your project/initiative. Clearly state the problem/hazard recognized by the nominee and the specific reasons that they initiated corrective action.*

While performing various challenging installations of equipment in confined work areas, it was recognized by staff and management that the purchase of a portable gantry hoist would be a clear benefit to the District's Maintenance Department by reducing ergonomic and strain injuries. For operations in confined areas where an overhead crane could not be utilized to access the equipment being maintained, repaired or replaced, a series of chains and come-alongs would be used to remove or install heavy equipment. These practices were cumbersome and inefficient and were challenging to perform. It was suggested that a compact rollable gantry system would make these tasks easier and also eliminate exposing staff to ergonomically challenging situations. After some research, the decision to purchase a 1/2 ton capacity aluminum collapsible gantry hoist was made. Since acquiring this piece of equipment, multiple limited spaced jobs have been completed with ease and this engineered solution has reduced the potential to exposing staff to unwanted and unnecessary injuries on the job.

*Describe the specific actions taken to resolve the problem(s) or challenge(s). Share the best practices that made this initiative successful for the agency and its impact.*

The actions taken to resolve this problem were to: 1) recognize the problem; and 2) assess what type of equipment or device that would aid in eliminating any potential for an ergonomic injury in these situations. This was accomplished by researching various products that would fit in tight spaces but would also have the ability to lift and travel with heavy components. The purchase of this gantry has been a success for the District because it has reduced the chance of a potential injury and has made complicated lifting tasks safe and efficient.

*State whether the hazard was reduced with engineering controls, introduced a new administrative or work procedure, or relied on personal protective equipment to solve the problem.*

The hazard was reduced by purchasing a piece of equipment that operates in a more ergonomically friendly way to help reduce risk of injury. This purchase would fall into the category of engineering controls and work procedures.

*Describe any extraordinary circumstances that made this nominee's safety accomplishments significant. Describe whether the nominee influenced safety in the workplace, encouraged employee participation in safety efforts, obtained organizational "buy in" to implement the solution.*

There isn't a specific nominee to be recognized for this submittal. This was a joint effort from all individuals working at HBMWD who know the importance of safety and how that corresponds to any task that is assigned to them in their duties within the Maintenance Department.

*Describe whether the project/initiative addressed a hazard or exposure included in the JPIA Commitment to Excellence Program.*

*I believe that this initiative did address a couple of hazards/exposures listed in the JPIA Commitment to Excellence Program. The categories would be construction safety and field ergonomics.*

- Office/Field Ergonomics
- Vehicle Operations
- Slip/trip/falls – falls from heights
- Other: Strains

*List and attach any supporting materials that you feel are important for the reviewers to gain a complete picture of the nomination. Digital photos, supporting documentation, sample forms, etc.*

See photos attached:

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**Nominated by:** Chris Merz

**Signature:** Chris Merz  
(Type Name)

Date:2-25-19

**General Manager:** John Friedenbach  
(Type Name)

Date:2-25-19

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Working on water treatment plant chemical feed system.

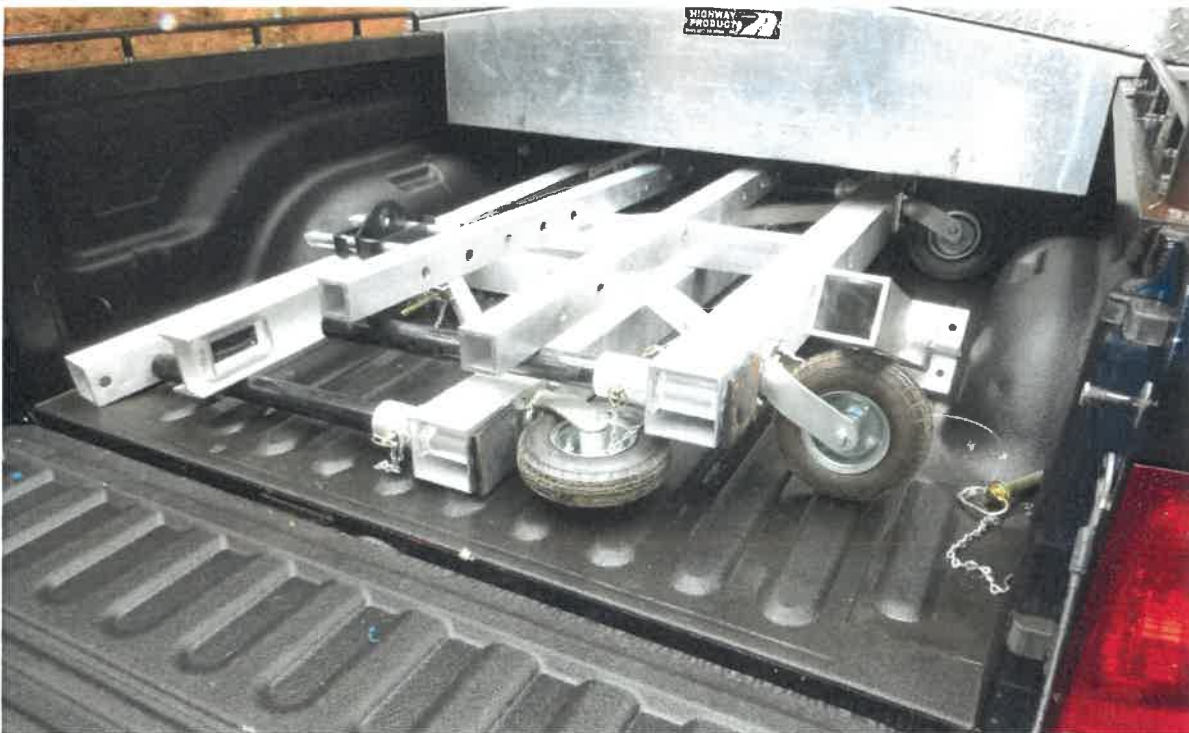


Replacing pump station isolation gate valves and check valves with limited space.





Gantry shown disassembled and ready for transport. Pieces are lightweight and manageable.



Fits easily in the back of a conventional pickup.

**HUMBOLDT BAY MUNICIPAL WATER DISTRICT**

To: Board of Directors

Date: March 7, 2019

From: John Friedenbach

RE: HBMWD Fees Related to Ruth Lake

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Humboldt Bay Municipal Water District charges fees for various services/items that take place in or around Ruth Lake. Those fees include the use of the HBMWD Cabin/Bunkhouse, the purchase of surplus gravel from Sheriff's Cove, permits to withdraw water from the lake and recording fees for utility easements on the buffer strip or adjacent property. Each of these fees is briefly described below.

**HBMWD Cabin/Bunkhouse**

On June 11, 1981 General Manager Art Bolli recommended that the employees and their families, as well as board members, be allowed to use the Ruth Bunkhouse facilities, when not being used for District purposes. Additionally, guidelines would be adopted by management for use of the bunkhouse and a fee of \$8.00 per night would be charged for its use. The recommendation was approved. The current fee for cabin use is \$15 per night. ~~A current list of the rules for reserving the cabin and cabin use is attached.~~ Source document: *6/11/1981 minutes with Board approval of employee and director use of cabin. Ruth Cabin rental agreement with rules.*

**Sheriff's Cove Excess Gravel**

Surplus gravel at Sheriff's Cove landing is offered for sale at \$.50 per yard in where is/as is condition. Approval conditions include description of use for gravel as well as insurance requirements for gravel extractor and hauler if separate. Authorization is for 90 days. Source document: *Sheriff's Cove Gravel Use Application with conditions.*

**Permit to withdraw water from Ruth Lake (for use at lease site)**

Leaseholders may apply for a Water Use Permit to use surplus water from Ruth Lake reservoir for connection with the lease. It is the lease holder's responsibility to install a delivery system for bringing water to the leased lot. The permit limits them to a maximum of 240 gallons of water per day. The permit may be terminated at any time in the event that surplus water is not available from HBMWD. The current cost is \$50 per year, paid to RLCSD. RLCSD sends an annual check to HBMWD for the full amount due. There are currently 41 lease holders that have a permit to withdraw water from Ruth Lake. Source document: *List of (41) lessees permitted to withdraw water from Ruth Lake and Application for Water Use Permit.*

**Policy for Water Sales Outside the Buffer Strip**

HBMWD Board of Directors established the policy for the sale of Ruth Lake water to include agencies, their contractors, and private parties (*not private property owners*) using water outside the buffer strip for specified short term, intermittent purposes. The water is intended for use in road construction, maintenance and dust control. Firefighting and related training are NOT charged for water use. Historical uses include using the water to control dust on roads during logging and to water the rodeo arena during the Ruth Lake Rodeo. Cost is \$100 for first 100,000 gallons of water and \$.05 per 100 gallons for any water in excess of the first 100,000 gallons. Basis for this fee can be found in the September 6, 2002 document titled Water Sales at Ruth Lake - Calculations. Source documents: *Ap for Permit, Policy as posted on website, water sales calculations 9/6/2002, excerpt from 9/13/2002 minutes regarding water sales, full policy of Water Sales at Ruth Lake.*

**PG&E Application for utility easement**

Ruth Lake CSD and HBMWD have established a policy for easement and utility installation for new utilities to either buffer strip leases or private property adjacent to the buffer strip. A fee of \$100 is collected for HBMWD to partially offset the costs of recording or modifying a utility easement. Source document: *Ruth Lake CSD Policy 6300 Easement and Utility Installation Approved by RLCSO Board of Directors 10/11/1996.*

**Don Bridge Lease**

The Ruth Mutual Water Company (commonly referred to as the Don Bridge Lease) leases HBMWD property where a well that supplies water to their small subdivision is located. There are currently 10 connections. They are billed at a rate of \$6.40 per month or \$76.80 per year, multiplied by 10 connections for an annual total of \$768. The cost is adjusted annually by the CPI. Source document: *Annual letters requesting confirmation on the number of connections, 2/23/2010 letter regarding extension of lease.*

**Merchantable Timber**

If a leaseholder is approved to have trees removed from their lease site and if the trees are determined to be merchantable by HBMWD Ruth Area Representative, then the lease holder must pay HBMWD the value of the tree as determined by the District Licensed Timber Operator.

**Staff Request**

All of these fees have been in place for a number of years and not adjusted for current market conditions/prices. Staff requests direction from the Board whether to: 1) leave these fees at their current rates; or 2) analyze their value under current market conditions and bring a proposal for consideration to the Board for new fees for these items/activities.

# Engineering









Park 4 looking west



ARTICLE V. INSURANCE AND LIABILITYB-60 Insurance

- a) Neither the Contractor nor any Subcontractors shall commence any work until all required insurance has been obtained at their own expense. Such insurance must have the approval of the DISTRICT as to limit, form, and amount, and shall be placed with insurers with a current A.M. Best's rating of no less than A:VII.
- b) Any insurance bearing on adequacy of performance shall be maintained after completion of the project for the full guarantee period.
- c) Prior to execution of the Contract, the Contractor shall furnish the DISTRICT with original endorsements effecting coverage for all policies required by the Contract. The Contractor shall not permit any Subcontractor identified in the Designation of Subcontractors form to commence work on this project until such Subcontractor has furnished the DISTRICT with original endorsements effecting coverage for all insurance policies required by the Contract. The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. The endorsements are to be on forms provided by the DISTRICT. As an alternative to the DISTRICT's forms, the Contractor's insurer may, subject to the approval of the DISTRICT, provide complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by this paragraph. The Contractor agrees to furnish one copy of each policy to the DISTRICT, and additional copies as requested in writing, certified by an authorized representative of the insurer.
- d) All of the Contractor's policies shall contain an endorsement providing that written notice shall be given to the DISTRICT at least sixty (60) calendar days prior to termination, cancellation, or reduction of coverage in the policy.
- e) Any policy or policies of insurance that the Contractor elects to carry as insurance against loss or damage to its construction equipment and tools shall include a provision therein providing a waiver of the insurer's right to subrogation against the DISTRICT and the Engineer.
- f) The requirements as to the types, limits, and the DISTRICT's approval of insurance coverage to be maintained by the Contractor are not intended to and shall not in any manner limit or qualify the liabilities and obligations assumed by the Contractor under the Contract.
- g) In addition to any other remedy the DISTRICT may have, if the Contractor or any of the Subcontractors fails to maintain the insurance coverage as required in this Section, the DISTRICT may obtain such insurance coverage as is not being maintained, in form and amount substantially the same as required herein, and the DISTRICT may deduct the cost of such insurance from any amounts due or which may become due the Contractor under this Contract.
- h) The Contractor and all Subcontractors shall, at their expense, maintain in effect at all times during the performance or work under the Contract not less than the following coverage and limits of insurance, which shall be maintained with insurers and under forms of policy satisfactory to the DISTRICT. The maintenance by the Contractor and all Subcontractors of the following coverage and limits of insurance is a material element of this Contract. The failure of the Contractor or any Subcontractor to maintain or renew coverage or to provide evidence of renewal may be treated by the DISTRICT as a material breach of this Contract.
  - (i) Worker's Compensation and Employer's Liability Insurance.
    - a. Worker's Compensation – The Contractor shall Provide, during the life of this Contract, workers' compensation insurance for all of the employees engaged in Work under this Contract, on or at the Project site, and, in case any of sublet Work, the Contractor shall require each subcontractor similarly to provide workers' compensation insurance for all the latter's employees as prescribed by State law. Any class of employee or employees not covered by a subcontractor's insurance shall be covered by the Contractor's insurance. In

**Humboldt Bay Municipal Water District**  
Surge Tower Demolition Project

- case any class of employees engaged in work under this Contract, on or at the Project site, is not protected under the Workers' Compensation Statutes, the Contractor shall provide or shall cause a subcontractor to provide, adequate insurance coverage for the protection of such employees not otherwise protected. The Contractor is required to secure payment of compensation to his employees in accordance with the provisions of Section 3700 of the Labor Code. The Contractor shall file with the DISTRICT certificates of its insurance protecting workers and shall provide certificates at any time upon request. Company or companies providing insurance coverage shall be acceptable to the DISTRICT, if in the form and coverage as set forth in the Contract Documents.
- b. Contractor shall assume the immediate defense of and indemnify and save harmless the DISTRICT and its officers and employees, agents, and consultants from all claims, loss, damage, injury, and liability of every kind, nature, and description brought by any person employed or used by Contractor, or any subcontractor, to perform the Work under this contract regardless of responsibility or negligence. Contractor hereby agrees to waive rights of subrogation which any insurer of Contractor may acquire from Contractor by virtue of the payment of any loss. Contractor agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation. The Workers' Compensation Policy shall be endorsed with a waiver of subrogation in the favor of the DISTRICT for all work performed by the Contractor, its employees, agents and subcontractors.
  - c. The Contractor and all Subcontractors shall maintain insurance to protect the Contractor or Subcontractor from all claims under Worker's Compensation and Employer's Liability Acts, including Longshoremen's and Harbor Worker's Act. Such coverage shall be maintained, in type and amount, in strict compliance with all applicable State and Federal statutes and regulations. The Contractor shall execute a certificate in compliance with Labor Code Section 1861.
- (ii) Claims Against DISTRICT - If an injury occurs to any employee of the Contractor or any of the Subcontractors for which the employee or its dependents, in the event of its death, may be entitled to compensation from the DISTRICT under the provisions of the said Acts, or for which compensation is claimed from the DISTRICT, there will be retained out of the sums due the Contractor under this Contract, an amount sufficient to cover such compensation as fixed by said Acts, until such compensation is paid or it is determined that no compensation is due. If the DISTRICT is required to pay such compensation, the amount so paid will be deducted and retained from such sums due, or to become due the Contractor.
- (iii) Commercial General Liability and Automobile Liability Insurance - the Contractor shall provide and maintain the following commercial general liability and automobile liability insurance:
- a. Coverage – coverage for commercial general liability and automobile liability insurance shall be at least as broad as the following:
    - i. Insurance Services Office (ISO) Commercial General Liability Coverage (Occurrence Form CG 0001)
    - ii. Insurance Services Office (ISO) Business Auto Coverage (Form CA 0001), covering Symbol 1 (any auto)
  - b. Limits – the Contractor shall maintain limits no less than the following:
    - i. General Liability - Five million dollars (\$5,000,000) per occurrence or the full per occurrence limits of the policies available, whichever is greater for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit or products-completed operations aggregate limit is used, either the general aggregate limit shall apply separately to the project/location (with the ISO CG 2503, or ISO CG 2504, or insurer's equivalent endorsement provided to DISTRICT) or the general aggregate limit and products-completed operations aggregate limit shall be twice the required occurrence limit.
    - ii. Automobile Liability - One million dollars (\$1,000,000) for bodily injury and property damage each accident limit.
  - c. Required Provisions - the general liability, auto liability and excess liability policies are to contain, or be endorsed to contain, the following provisions:
    - i. The DISTRICT, its directors, officers, employees, and authorized volunteers are

Humboldt Bay Municipal Water District  
Surge Tower Demolition Project

- to be given insured status at least as broad as ISO endorsement CG 2010 11 85; or both CG 20 10 10 01 and CG 20 37 04 13 (or the CG 20 10 04 13 (or earlier edition date) specifically naming all of the DISTRICT parties required in this agreement, or using language that states "as required by contract"). All Subcontractors hired by Contractor must also have the same forms or coverage at least as broad; as respects (via CG 20 38 04 13): liability arising out of activities performed by or on behalf of the Contractor; products and completed operations of the Contractor; premises owned, occupied or used by the Contractor; and automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of protection afforded to the DISTRICT, its directors, officers, employees, or authorized volunteers.
- ii. It is understood and agreed to by the parties hereto and the insurance company(s), that the Certificate(s) of Insurance and policies shall so covenant and shall be construed as primary, and the DISTRICT insurance and/or deductibles and/or self-insured retentions or self-insured programs shall not be construed as contributory using the ISO endorsement CG 20 01 04 13 or coverage at least as broad.
  - iii. Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the DISTRICT, its directors, officers, employees, or authorized volunteers.
  - iv. The Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
  - v. Each insurance policy required above shall provide that coverage shall not be canceled, except with notice to the DISTRICT.
- d. Such liability insurance shall indemnify the Contractor and his/her sub-contractors against loss from liability imposed by law upon, or assumed under contract by, the Contractor or his/her sub-contractors for damages on account of such bodily injury (including death), property damage, personal injury, completed operations, and products liability.
- e. The general liability policy shall cover bodily injury and property damage liability, owned and non-owned equipment, blanket contractual liability, completed operations liability, explosion, collapse, underground excavation, and removal of lateral support.
- f. The automobile liability policy shall cover all owned, non-owned, and hired automobiles.
- g. All of the insurance shall be provided on policy forms and through companies satisfactory to the DISTRICT.
- h. The comprehensive general and automobile liability insurance coverage shall also include the following:
- i. Provision or endorsement naming the DISTRICT, the Engineer and its consultants, and each of their officers, employees, and agents, each as additional insureds in regards to liability arising out of the performance of any work under the Contract and providing that such insurance is primary insurance as respects the interest of the DISTRICT and Engineer and that any other insurance maintained by the DISTRICT and Engineer is excess and not contributing insurance with the insurance required hereunder.
  - ii. "Cross Liability" or "Severability of Interest" clause.
  - iii. Provision or endorsement stating that such insurance, subject to all of its other terms and conditions, applies to the liability assumed by the Contractor under the Contract, including, without limitation, that set forth in Section B-61, Indemnity and Litigation Costs.
  - iv. Provision or endorsement stating that any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the DISTRICT, its officers, officials, employees, or volunteers.

i) Deductibles and Self-Insured Retentions - Insurance deductibles or self-insured retentions must be

declared by the Contractor, and such deductibles and retentions shall have the prior written consent from the DISTRICT. At the election of the DISTRICT the Contractor shall either 1) reduce or eliminate such deductibles or self-insured retentions, or 2) procure a bond which guarantees payment of losses and related investigations, claims administration, and defense costs and expenses. Policies containing any self-insured retention (SIR) provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named or additional insureds, co-insurers, and/or insureds other than the First Named Insured.

- j) Acceptability of Insurers - Any insurance carrier providing insurance coverage required by the Contract Documents shall be admitted to and authorized to do business in the State of California unless waived, in writing, by the DISTRICT Risk Manager. Carrier(s) shall have an A.M. Best rating of not less than an A-: VII or better.
- k) Responsibility for Work - Until the completion and final acceptance by the DISTRICT of all the work under and implied by this agreement, the work shall be under the Contractor's responsible care and charge. The Contractor shall rebuild, repair, restore and make good all injuries, damages, re-erections, and repairs occasioned or rendered necessary by causes of any nature whatsoever.
- a. The Contractor shall provide and maintain builder's risk insurance (or installation floater) covering all risks of direct physical loss, damage or destruction to the work in the amount specified in the General Conditions, to insure against such losses until final acceptance of the work by the DISTRICT. Such insurance shall insure at least against the perils of fire and extended coverage, theft, vandalism and malicious mischief, and collapse. The DISTRICT, its directors, officers, employees, and authorized volunteers shall be named insureds on any such policy. The making of progress payments to the Contractor shall not be construed as creating an insurable interest by or for the DISTRICT or be construed as relieving the Contractor or his/her subcontractors of responsibility for loss from any direct physical loss, damage or destruction occurring prior to final acceptance of the work by the DISTRICT.
  - b. The Contractor shall waive all rights of subrogation against the DISTRICT, its directors, officers, employees, or authorized volunteers.
- l) Evidences of Insurance - Prior to execution of the agreement, the Contractor shall file with the DISTRICT a certificate of insurance (Acord Form 25 or equivalent) signed by the insurer's representative evidencing the coverage required by this agreement. Such evidence shall include an additional insured endorsement signed by the insurer's representative and evidence of waiver of rights of subrogation against the DISTRICT (if builder's risk insurance is applicable). Such evidence shall also include (1) attached additional insured endorsements with primary & non-contributory wording, (2) Workers' Compensation waiver of subrogation, and (3) a copy of the CGL declarations or endorsement page listing all policy endorsements, and confirmation that coverage includes or has been modified to include Required Provisions 1-5 above. The DISTRICT reserves the right to obtain complete, certified copies of all required insurance policies, at any time. Failure to continually satisfy the Insurance requirements is a material breach of contract.
- m) Continuation of Coverage - The Contractor shall, upon demand of the DISTRICT deliver evidence of coverage showing continuation of coverage for at least (10) years after completion of the project. Contractor further waives all rights of subrogation under this agreement. When any of the required coverages expire during the term of this agreement, the Contractor shall deliver the renewal certificate(s) including the general liability additional insured endorsement and evidence of waiver of rights of subrogation against the DISTRICT (if builder's risk insurance is applicable) to the DISTRICT at least ten (10) days prior to the expiration date.
- n) Subcontractors - In the event that the Contractor employs other contractors (Subcontractors) as part of the work covered by this agreement, it shall be the Contractor's responsibility to require and confirm that each sub-contractor meets the minimum insurance requirements specified above. The Contractor shall, upon demand of the DISTRICT, deliver to the DISTRICT copies such policy or policies of insurance and the receipts for payment of premiums thereon.

Humboldt Bay Municipal Water District  
Surge Tower Demolition Project

- o) The Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
- p) The DISTRICT reserves the right to modify these insurance requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage or other circumstances.

**B-61** Indemnity and Litigation Cost

- a) Promptly upon execution of the Contract, the Contractor specifically obligates itself and hereby agrees to protect, hold free and harmless, defend and indemnify the DISTRICT, the Engineer and its consultants, and each of their officers, officials, employees and agents, from and against any and all liability, penalties, costs, losses, damages, expenses, causes of action, claims or judgments, including without limitation attorneys' fees and other costs of litigation, which arise out of or are in any way connected with the Contractor's, or its Subcontractors' or suppliers' performance of Work under this Contract or failure to comply with any of the obligations contained in the Contract. This indemnity shall not extend, however, to attorney fees and costs incurred by the DISTRICT in prosecuting or defending against the Contractor in any proceeding under Section B-8, and shall imply no reciprocal right of the Contractor in any action on the contract pursuant to California Civil Code section 1717 or section 1717.5. To the extent legally permissible, this indemnity and hold harmless agreement by the Contractor shall apply to any acts or omissions, whether active or passive, on the part of the Contractor or its agents, employees, representatives, or Subcontractor's agents, employees and representatives, resulting in liability, irrespective of whether or not any acts or omissions of the parties to be indemnified hereunder may also have been a contributing factor to the liability, except such loss or damage which was caused by the active negligence, sole negligence or willful misconduct of the DISTRICT.
- b) In any and all claims against the DISTRICT or the Engineer and its consultants, and each of their officers, employees and agents by any employee of the Contractor, any Subcontractor, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the indemnification obligation under this Section shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor or any Subcontractor under Worker's Compensation statutes, disability benefit statutes or other employee benefit statutes.
- c) Each party to this Contract has been represented by counsel in the negotiation and execution of this Contract.

**B-62** Protection of Work

- a) The Contractor shall be responsible for the care of all work until completion and final acceptance; and the Contractor shall, at its own expense replace damaged or lost material and repair damaged parts of the Work or the same may be done at the Contractor's expense by the DISTRICT and the Contractor and its sureties shall be liable therefore. The Contractor shall make its own provisions for properly storing and protecting all material and equipment against theft, injury, or damage from any and all causes. Damaged material and equipment shall not be used in the Work. The Contractor shall take all risks from floods and casualties except as provided by law, and shall make no charge for the restoration of such portions of the Work as may be destroyed or damaged by flood or other casualties or because of danger from flood or other casualties or for delays from such causes. The Contractor may, however, be allowed a reasonable extension of time on account of such delays, subject to the conditions hereinbefore specified. The Contractor shall not be responsible for the cost, in excess of five percent (5%) of the contracted amount, of repairing or restoring damage to the Work, if the damage was proximately caused by an earthquake in excess of a magnitude of 3.5 on the Richter Scale or by tidal waves; provided that the Work damaged was built in accordance with accepted and applicable building standards, and the Plans and Specifications of the DISTRICT.
- b) The Contractor shall effectively secure and protect adjacent property and structures, livestock, crops,



SECTION Jli PAGE NO. 1  
**HUMBOLDT BAY MUNICIPAL WATER DISTRICT**

828 SEVENTH STREET, PO BOX 95 • EUREKA, CALIFORNIA 95502-0095

OFFICE 707-443-5018 ESSEX 707-822-2918

FAX 707-443-5731 707-822-8245

EMAIL [OFFICE@HBMWD.COM](mailto:OFFICE@HBMWD.COM)

Website: [www.hbmwd.com](http://www.hbmwd.com)

**BOARD OF DIRECTORS**

SHERI WOO, PRESIDENT

NEAL LATT, VICE-PRESIDENT

J. BRUCE RUPP, SECRETARY-TREASURER

BARBARA HECATHORN, DIRECTOR

MICHELLE FULLER, DIRECTOR

**GENERAL MANAGER**

JOHN FRIEDENBACH

**Project Maintenance Letter**

March 14, 2019

California Governor's Office of Emergency Services  
Hazard Mitigation Grants Program Unit  
3650 Schriever Avenue  
Mather, CA 95655

**RE: DR-4382-0115 Project Subapplication**

Dear State Hazard Mitigation Officer,

This is to confirm that Humboldt Bay Municipal Water District (HBMWD) is committed to perform the necessary maintenance for the entire useful life of this project (50 years). The HBMWD already allocates funds to regularly maintain the emergency chlorine gas leak system in good repair and operation.

<b>Entity Responsible for Maintenance:</b>	Humboldt Bay Municipal Water District
<b>Past Maintenance Tasks Involved:</b>	Annual inspections and testing of emergency shut-off valves
<b>Future Maintenance Tasks Involved:</b>	Annual inspections and testing of emergency shut-off valves and the emergency chlorine gas scrubber system
<b>Future Maintenance Schedule:</b>	Annually
<b>Future Cost of Maintenance:</b>	\$5,000
<b>Source of Future Maintenance Funds:</b>	HBMWD Municipal Customer Water Rates

Please contact me or Chris Harris at 707-443-5018 via phone or via email at either [friedenbach@hbmwd.com](mailto:friedenbach@hbmwd.com) or [harris@hbmwd.com](mailto:harris@hbmwd.com) with any questions you may have.

Sincerely,

John Friedenbach  
General Manager





SECTION Jli, PAGE NO. 2  
**HUMBOLDT BAY MUNICIPAL WATER DISTRICT**

828 SEVENTH STREET, PO BOX 95 • EUREKA, CALIFORNIA 95502-0095

OFFICE 707-443-5018 ESSEX 707-822-2918

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EMAIL [OFFICE@HBMWD.COM](mailto:OFFICE@HBMWD.COM)

Website:

[www.hbmwd.com](http://www.hbmwd.com)

**BOARD OF DIRECTORS**

SHERI WOO, PRESIDENT

NEAL LATT, VICE-PRESIDENT

J. BRUCE RUPP, SECRETARY-TREASURER

BARBARA HECATHORN, DIRECTOR

MICHELLE FULLER, DIRECTOR

**GENERAL MANAGER**

JOHN FRIEDENBACH

**Local Match Fund Commitment Letter**

March 14, 2019

California Governor's Office of Emergency Services  
Hazard Mitigation Grants Program Unit  
3650 Schriever Avenue  
Mather, CA 95655

**RE: DR-4382-0115 Project Subapplication**

Dear State Hazard Mitigation Officer,

As part of the Hazard Mitigation Grant Program process, a local funding match of at least 25% is required. This letter serves as Humboldt Bay Municipal Water District's commitment to meet the local match fund requirements for the Hazard Mitigation Grant Program.

<b>Source of Non-Federal Funds:</b>	Local Agency Funding
<b>Funds Availability Date:</b>	March 14, 2019
<b>Federal Share Amount Requested:</b>	\$1,005,000.00
<b>Local Share Amount Match:</b>	\$335,000.00
<b>Funding Type:</b>	Cash from multiple customer water rates

I understand that if additional federal funds are requested, an additional local match fund commitment letter will be required.

Please contact me or Chris Harris at 707-443-5018 via phone or via email at either [friedenbach@hbmwd.com](mailto:friedenbach@hbmwd.com) or [harris@hbmwd.com](mailto:harris@hbmwd.com) with any questions you may have.

Sincerely,

John Friedenbach  
General Manager

**FINANCIAL**

HUMBOLDT BAY MUNICIPAL WATER DISTRICT  
STATEMENT OF FUND BALANCES

SECTION J2a PAGE NO. 1

<u>ACCOUNT BALANCES AT MONTH-END</u>	February 28, 2019	February 28, 2018
<b>US BANK ACCOUNTS</b>		
General Fund Account	1,291,779.37	276,503.86
Money Markey Account (DWR/SRF Account)	164,546.75	162,396.77
CD Account (DWR/SRF Reserve)	547,336.94	547,336.94
Trust Account (PARS/UAL CalPERS)	658,150.68	-
<i>Subtotal</i>	<i>2,661,813.74</i>	<i>986,237.57</i>
<b>HUMBOLDT COUNTY INVESTMENT ACCOUNTS</b>		
Investment Account	1,386,076.47	2,384,465.11
DWFP Reserve Account	235,996.76	232,592.83
MSRA Reserve Account	431,932.99	425,702.95
SRF Loan Payment Account	141,198.36	140,405.07
ReMat Account	350,311.34	108,563.33
1% Tax Account	489,961.08	-
<i>Subtotal</i>	<i>3,035,477.00</i>	<i>3,291,729.29</i>
<b>OTHER ACCOUNTS</b>		
L. A. I. F Account	1,656.41	1,623.79
ReMat Deposit - Mellon Bank	27,000.00	27,000.00
Principle Investment Account	28,125.78	33,284.22
Cash on Hand	650.00	650.00
<i>Subtotal</i>	<i>57,432.19</i>	<i>62,558.01</i>
<b>TOTAL CASH</b>	<b>5,754,722.93</b>	<b>4,340,524.87</b>
<hr style="border-top: 1px dashed black;"/>		
<b>ENCUMBRANCES AND RESERVES</b>		
Prior-Year Price Factor 2 Rebate	(12,629.61)	(144,829.67)
Prior-Year Restricted AP Encumbrances	-	-
1% Tax Credit to Muni's	(489,961.08)	-
Advanced Charges - IMG Domestic Reservoir Roof	-	(88,661.37)
Advanced Charges - Bunkhouse	(41,051.00)	(403,500.00)
Advanced Charges - SCADA System Upgrade	-	(86,634.41)
Advanced Charges - Blue Lake/FGCSD River Crossing	-	-
Advanced Charges - Redundant Pipeline	(260,245.00)	-
Advanced Charges - Three Tank Seismic	(255,000.00)	-
DWR Reserve for SRF Loan	(547,336.94)	(547,336.94)
DWR Reserve for SRF Payment	(164,546.75)	(162,396.77)
Pension Trust Reserves	(658,150.68)	-
<i>Subtotal</i>	<i>(2,428,921.06)</i>	<i>(1,433,359.16)</i>
<b>BOARD RESTRICTED</b>		
Paik-Nicely Development	(4,158.00)	(4,158.00)
DWFP Reserves	(235,996.76)	(232,592.83)
MSRA Reserves	(431,932.99)	(425,702.95)
ReMat Deposit	(27,000.00)	(27,000.00)
ReMat Reserves	(350,311.34)	(108,563.33)
<b>UNRESTRICTED RESERVES</b>		
Accumulation for SRF Payment	(141,198.36)	(140,405.07)
Accumulation for Ranney/Techite Payment	(21,652.16)	59,321.08
Principle Investment Reserves	(28,125.78)	(33,284.22)
General Fund Reserves	(2,085,426.48)	(1,994,780.39)
<i>Subtotal</i>	<i>(3,325,801.87)</i>	<i>(2,907,165.71)</i>
<b>TOTAL NET POSITION</b>	<b>(5,754,722.93)</b>	<b>(4,340,524.87)</b>

Humboldt Bay Municipal Water District

--Monthly Expenses by Vendor Detail Report--  
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Vendor Name	Date Paid	Description	Amount Paid
<b>101NETLINK</b>			
101NETLINK	02/08/2019	Ruth Data Link/Internet	160.00
Total 101NETLINK:			160.00
<b>ACWA/JPIA</b>			
ACWA/JPIA	02/21/2019	RETIREE MEDICAL March 2019	11,353.02
ACWA/JPIA	02/21/2019	COBRA Dental March 2019	164.12
ACWA/JPIA	02/21/2019	COBRA Vision March 2019	55.68
Total ACWA/JPIA:			11,572.82
<b>Allied Electronics Inc</b>			
Allied Electronics Inc	02/27/2019	Emergency Repair TRF Generator Instal	48.05
Allied Electronics Inc	02/27/2019	Emergency Repair TRF Generator Instal	122.68
Total Allied Electronics Inc:			170.73
<b>Almquist Lumber</b>			
Almquist Lumber	02/08/2019		41.98
Almquist Lumber	02/28/2019	Essex Server Room Window Trim	5.59
Total Almquist Lumber:			47.57
<b>Arcata Stationers</b>			
Arcata Stationers	02/28/2019	Essex office supplies	8.08
Arcata Stationers	02/28/2019	Essex office supplies	6.05
Total Arcata Stationers:			14.13
<b>AT &amp; T</b>			
AT & T	02/22/2019	Eureka/Essex Land Line	35.04
AT & T	02/22/2019	Arcata/Essex Land Line	35.04
AT & T	02/22/2019	Samoa/Essex Land Line	234.99
AT & T	02/22/2019	Blue Lake Meter Signal Line	60.57
AT & T	02/22/2019	Eureka Office Modem Line	200.49
AT & T	02/22/2019	Eureka Office Alarm Line	99.42
AT & T	02/22/2019	Samoa Booster Pump Station	100.35
AT & T	02/22/2019	Valve Building Samoa	200.49
AT & T	02/22/2019	Eureka Office	406.61
AT & T	02/22/2019	Essex office	1,131.28
AT & T	02/22/2019	TRF	198.73
AT & T	02/22/2019	Ruth Hydro/Dataline	194.63
Total AT & T:			2,897.64
<b>AT&amp;T Advertising Solutions</b>			
AT&T Advertising Solutions	02/27/2019	white page listing	21.00
Total AT&T Advertising Solutions:			21.00
<b>AT&amp;T Long Distance</b>			
AT&T Long Distance	02/15/2019	Essex Control Long Distance	109.76
AT&T Long Distance	02/15/2019	TRF Long Distance	6.90
AT&T Long Distance	02/15/2019	Essex Office Long Distance	319.01
AT&T Long Distance	02/15/2019	Eureka Office Long Distance	6.70
AT&T Long Distance	02/15/2019	Ruth Hydro/Dataline Long Distance	255.02

Humboldt Bay Municipal Water District

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Vendor Name	Date Paid	Description	Amount Paid
Total AT&T Long Distance:			697.39
<b>ATS Communications</b>			
ATS Communications	02/27/2019	Technical Support & Software Updates f	899.00
Total ATS Communications:			899.00
<b>Biovir Laboratories, Inc</b>			
Biovir Laboratories, Inc	02/28/2019	State Mandated MPA testing	870.00
Biovir Laboratories, Inc	02/28/2019	State Mandated MPA testing	445.00
Total Biovir Laboratories, Inc:			1,315.00
<b>Bruce Brashear</b>			
Bruce Brashear	02/11/2019	Safe Work Practice Award 2018	200.00
Total Bruce Brashear:			200.00
<b>Buckles-Smith</b>			
Buckles-Smith	02/27/2019	Emergency Repairs Storm Damage TRF	4,626.40
Total Buckles-Smith:			4,626.40
<b>Caselle, Inc</b>			
Caselle, Inc	02/28/2019	Monthly Support and Maintenance	1,003.00
Total Caselle, Inc:			1,003.00
<b>Chris Harris</b>			
Chris Harris	02/11/2019	Safe Work Practice Award 2018	200.00
Total Chris Harris:			200.00
<b>Chris Merz</b>			
Chris Merz	02/11/2019	Safe Work Practice Award 2018	200.00
Total Chris Merz:			200.00
<b>City of Eureka</b>			
City of Eureka	02/08/2019	Eureka office water/sewer	73.88
Total City of Eureka:			73.88
<b>ClickSafety</b>			
ClickSafety	02/27/2019	Hazwoper Refresher Course	1,191.30
Total ClickSafety:			1,191.30
<b>Coastal Business Systems Inc.</b>			
Coastal Business Systems Inc.	02/14/2019	Eureka office copy and fax machine	1,129.46
Total Coastal Business Systems Inc.:			1,129.46
<b>Corey Borghino</b>			
Corey Borghino	02/11/2019	Safe Work Practice Award 2018	200.00

Humboldt Bay Municipal Water District

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Vendor Name	Date Paid	Description	Amount Paid
Total Corey Borghino:			200.00
<b>Dale H. Davidsen</b>			
Dale H. Davidsen	02/11/2019	Safe Work Practice Award 2018	200.00
Total Dale H. Davidsen:			200.00
<b>Daniel Jones</b>			
Daniel Jones	02/28/2019	Reissue Lost Pay Check	71.25
Total Daniel Jones:			71.25
<b>David J. Corral</b>			
David J. Corral	02/11/2019	Safe Work Practice Award 2018	200.00
Total David J. Corral:			200.00
<b>Dee Dee Simpson-Glenn</b>			
Dee Dee Simpson-Glenn	02/11/2019	Safe Work Practice Award 2018	200.00
Total Dee Dee Simpson-Glenn:			200.00
<b>Denco Controls, Inc</b>			
Denco Controls, Inc	02/27/2019	Collector Oiler System	578.57
Total Denco Controls, Inc:			578.57
<b>Eureka Oxygen</b>			
Eureka Oxygen	02/14/2019	cylinder rental	111.64
Total Eureka Oxygen:			111.64
<b>Fastenal Company</b>			
Fastenal Company	02/08/2019	safety supplies	175.68
Fastenal Company	02/08/2019	safety supplies	33.43
Total Fastenal Company:			209.11
<b>FEDEX</b>			
FEDEX	02/27/2019	ship lab samples	421.17
FEDEX	02/27/2019	BlueLake Fieldbrook River Crossing gra	67.20
Total FEDEX:			488.37
<b>Ferguson Waterworks</b>			
Ferguson Waterworks	02/14/2019	Humboldt Bay Retail radio read meter	482.72
Total Ferguson Waterworks:			482.72
<b>Franklin's Service</b>			
Franklin's Service	02/27/2019	Smog Certificate - Surplus Vehicle	85.00
Total Franklin's Service:			85.00
<b>Frontier Communications</b>			
Frontier Communications	02/27/2019	Ruth HQ Phone	51.36

Humboldt Bay Municipal Water District

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Vendor Name	Date Paid	Description	Amount Paid
Frontier Communications	02/27/2019	<i>Ruth Hydro/Ruth Dataline</i>	162.14
Total Frontier Communications:			213.50
<b>GEI Consultants, Inc</b>			
GEI Consultants, Inc	02/27/2019	<i>FERC DSSMR review and ODSP Review</i>	515.50
Total GEI Consultants, Inc:			515.50
<b>GFS Chemicals, Inc</b>			
GFS Chemicals, Inc	02/28/2019	<i>Turbidity calibration standards</i>	941.55
Total GFS Chemicals, Inc:			941.55
<b>GHD</b>			
GHD	02/27/2019	<i>Surge Tower Replacement</i>	6,249.25
GHD	02/27/2019	<i>Grant - 12KV Switchgear Replacement</i>	15,152.75
GHD	02/27/2019	<i>General Engineering - Essex</i>	289.16
GHD	02/27/2019	<i>General Engineering - IMG Reservoir In</i>	346.80
GHD	02/27/2019	<i>General Engineering - Erueka Office</i>	1,174.05
GHD	02/27/2019	<i>Mad River Cross Section Survey</i>	1,478.25
GHD	02/27/2019	<i>Wildlife Conservation Brd SRP Streambe</i>	6,256.50
GHD	02/27/2019	<i>Grant - Essex Chlorine Scrubber</i>	2,721.25
GHD	02/27/2019	<i>Dam Break Inundation Mapping Update</i>	1,856.00
GHD	02/27/2019	<i>Grant Application - IRWM Proposition 1</i>	64.50
Total GHD:			35,588.51
<b>H.T. Harvey &amp; Associates</b>			
H.T. Harvey & Associates	02/27/2019	<i>Assistance with Streambed Flow Enhanc</i>	7,558.25
Total H.T. Harvey & Associates:			7,558.25
<b>Hach Company</b>			
Hach Company	02/28/2019	<i>Water quality pH buffers for HACH equi</i>	451.46
Total Hach Company:			451.46
<b>Health Equity Inc</b>			
Health Equity Inc	02/08/2019	<i>HSA Admin Fee 9 employees</i>	26.55
Health Equity Inc	02/08/2019	<i>HSA Admin Fee - 2 employees</i>	5.90
Total Health Equity Inc:			32.45
<b>Hensel Hardware</b>			
Hensel Hardware	02/28/2019	<i>Temporary Tank Installation Fieldbrook-</i>	43.36
Total Hensel Hardware:			43.36
<b>Humboldt County Treasurer</b>			
Humboldt County Treasurer	02/28/2019	<i>PF1 Municipalities SRF Payment Fund 3</i>	45,611.43
Total Humboldt County Treasurer:			45,611.43
<b>Humboldt Fasteners</b>			
Humboldt Fasteners	02/28/2019	<i>Replace maintenance shop hole saw</i>	21.58

Humboldt Bay Municipal Water District

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Vendor Name	Date Paid	Description	Amount Paid
Total Humboldt Fasteners:			21.58
<b>Humboldt Redwood Company, LLC</b>			
Humboldt Redwood Company, LLC	02/08/2019	<i>Mt Pierce Lease site</i>	274.28
Total Humboldt Redwood Company, LLC:			274.28
<b>Humboldt Waste Management Authority</b>			
Humboldt Waste Management Authority	02/28/2019	<i>dispose of Essex waste</i>	9.35
Humboldt Waste Management Authority	02/28/2019	<i>dispose of Essex oil and paint shed waste</i>	124.00
Total Humboldt Waste Management Authority:			133.35
<b>Ian Ivey</b>			
Ian Ivey	02/11/2019	<i>Safe Work Practice Award 2018</i>	200.00
Total Ian Ivey:			200.00
<b>Industrial Electric</b>			
Industrial Electric	02/28/2019	<i>TRF Rapid Mix Pump Repair</i>	28.06
Total Industrial Electric:			28.06
<b>Jasson Klingonsmith</b>			
Jasson Klingonsmith	02/11/2019	<i>Safe Work Practice Award 2018</i>	200.00
Total Jasson Klingonsmith:			200.00
<b>John Friedenbach</b>			
John Friedenbach	02/11/2019	<i>Safe Work Practice Award 2018</i>	200.00
Total John Friedenbach:			200.00
<b>Keith Daggs</b>			
Keith Daggs	02/11/2019	<i>Safe Work Practice Award 2018</i>	200.00
Total Keith Daggs:			200.00
<b>Ken Davis</b>			
Ken Davis	02/11/2019	<i>Safe Work Practice Award 2018</i>	200.00
Total Ken Davis:			200.00
<b>Larry Raschein</b>			
Larry Raschein	02/11/2019	<i>Safe Work Practice Award 2018</i>	200.00
Larry Raschein	02/27/2019	<i>Expense reimbursement for safety boots</i>	161.61
Total Larry Raschein:			361.61
<b>Lui Ahmad</b>			
Lui Ahmad	02/11/2019	<i>Safe Work Practice Award 2018</i>	200.00
Lui Ahmad	02/22/2019	<i>Expense Reimbursement - Safety Boots</i>	123.90
Total Lui Ahmad:			323.90



Humboldt Bay Municipal Water District

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Vendor Name	Date Paid	Description	Amount Paid
MacLeod Watts Inc.			
MacLeod Watts Inc.	02/27/2019	<i>GASB 75 Actuarial Valuation</i>	3,900.00
Total MacLeod Watts Inc.:			3,900.00
<b>Mario Palmero</b>			
Mario Palmero	02/11/2019	<i>Safe Work Practice Award 2018</i>	200.00
Total Mario Palmero:			200.00
<b>McMaster-Carr Supply</b>			
McMaster-Carr Supply	02/08/2019	<i>Replace Blow off Valve Fieldbrook-Glen</i>	284.05
Total McMaster-Carr Supply:			284.05
<b>MCS Inspection</b>			
MCS Inspection	02/08/2019	<i>1 MG Reservoir - Paint Inspection</i>	2,250.00
Total MCS Inspection:			2,250.00
<b>Miller Farms Nursery</b>			
Miller Farms Nursery	02/28/2019	<i>repair TRF entry gate</i>	58.17
Miller Farms Nursery	02/28/2019	<i>equipment maintenance</i>	81.41
Miller Farms Nursery	02/28/2019	<i>repair Park 4 gate</i>	53.85
Miller Farms Nursery	02/28/2019	<i>repair Stihl Cut-off Saw</i>	5.33
Miller Farms Nursery	02/28/2019	<i>repair Stihl Cut-off Saw</i>	6.51
Total Miller Farms Nursery:			205.27
<b>Mission Linen</b>			
Mission Linen	02/08/2019	<i>maintenance supplies</i>	11.50
Mission Linen	02/08/2019	<i>Uniform Rental</i>	120.14
Mission Linen	02/08/2019	<i>Uniform Rental</i>	107.09
Mission Linen	02/08/2019	<i>maintenance supplies</i>	11.50
Mission Linen	02/08/2019	<i>Uniform Rental</i>	129.98
Mission Linen	02/08/2019	<i>maintenance supplies</i>	85.11
Mission Linen	02/08/2019	<i>maintenance supplies</i>	39.85
Mission Linen	02/08/2019	<i>Uniform Rental</i>	116.91
Mission Linen	02/08/2019	<i>Uniform Rental</i>	110.31
Total Mission Linen:			732.39
<b>Mitchell, Brisso, Delaney &amp; Vrieze</b>			
Mitchell, Brisso, Delaney & Vrieze	02/08/2019	<i>Legal services - January 2019</i>	782.00
Total Mitchell, Brisso, Delaney & Vrieze:			782.00
<b>Napa Auto Parts</b>			
Napa Auto Parts	02/28/2019	<i>TRailer safety hooks</i>	26.52
Napa Auto Parts	02/28/2019	<i>vehicle maintenance</i>	46.52
Napa Auto Parts	02/28/2019	<i>maintenance shop supplies</i>	30.75
Napa Auto Parts	02/28/2019	<i>Unit 1 service</i>	62.45
Napa Auto Parts	02/28/2019	<i>air compressor maintenance</i>	62.89
Napa Auto Parts	02/28/2019	<i>air compressor maintenance</i>	26.86
Napa Auto Parts	02/28/2019	<i>Unit 1 service</i>	123.18
Napa Auto Parts	02/28/2019	<i>Unit 1 service</i>	35.02
Napa Auto Parts	02/28/2019	<i>air compressor maintenance</i>	46.01-

Humboldt Bay Municipal Water District

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Vendor Name	Date Paid	Description	Amount Paid
Napa Auto Parts	02/28/2019	air compressor maintenance	47.76-
Napa Auto Parts	02/28/2019	maintenance shop tools	279.53
Napa Auto Parts	02/28/2019	equipment maintenance	108.63
Napa Auto Parts	02/28/2019	maintenance shop supplies	20.14
Total Napa Auto Parts:			728.72
<b>Network Management Services</b>			
Network Management Services	02/27/2019	Computer Assistance - Eureka office	453.54
Network Management Services	02/27/2019	Essential Care Computer Service for Eur	1,086.19
Total Network Management Services:			1,539.73
<b>Nilsen Co.</b>			
Nilsen Co.	02/28/2019	temporary fencing at Axel property	21.68
Nilsen Co.	02/28/2019	sand bags	28.19
Total Nilsen Co.:			49.87
<b>North Coast Laboratories</b>			
North Coast Laboratories	02/08/2019	lab tests - Fieldbrook-Glendale CSD	70.00
North Coast Laboratories	02/08/2019	lab tests	270.00
North Coast Laboratories	02/08/2019	lab tests	70.00
North Coast Laboratories	02/08/2019	lab tests - Fieldbrook-Glendale CSD	70.00
North Coast Laboratories	02/08/2019	lab tests	70.00
Total North Coast Laboratories:			550.00
<b>Northcoast Awning Company</b>			
Northcoast Awning Company	02/27/2019	Reservoir winch cover	189.87
Northcoast Awning Company	02/27/2019	TRF winch cover	189.87
Total Northcoast Awning Company:			379.74
<b>Northern California Safety Consortium</b>			
Northern California Safety Consortium	02/15/2019	monthly membership fee	50.00
Total Northern California Safety Consortium:			50.00
<b>Pacific Gas &amp; Electric Co.</b>			
Pacific Gas & Electric Co.	02/14/2019	Ruth Bunkhouse	40.95
Pacific Gas & Electric Co.	02/14/2019	Eureka office	535.65
Pacific Gas & Electric Co.	02/14/2019	Jackson Ranch Rectifier	16.46
Pacific Gas & Electric Co.	02/14/2019	299 Rectifier	92.17
Pacific Gas & Electric Co.	02/14/2019	West End Road Rectifier	122.22
Pacific Gas & Electric Co.	02/14/2019	TRF	8,127.99
Pacific Gas & Electric Co.	02/14/2019	Ruth Hydro	27.21
Pacific Gas & Electric Co.	02/14/2019	Ruth Hydro Valve Control	22.42
Pacific Gas & Electric Co.	02/14/2019	Samoa Booster Pump Station	460.41
Pacific Gas & Electric Co.	02/14/2019	Samoa Dial Station	62.36
Pacific Gas & Electric Co.	02/14/2019	Essex Pumping 1/1 - 1/31/2019	50,214.57
Total Pacific Gas & Electric Co.:			59,722.41
<b>Pacific Paper Co.</b>			
Pacific Paper Co.	02/08/2019	Eureka office supplies	35.27
Pacific Paper Co.	02/28/2019	File cabinet for Business Manager	396.19

Humboldt Bay Municipal Water District

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Vendor Name	Date Paid	Description	Amount Paid
Total Pacific Paper Co.:			431.46
<b>Pape Material Handling</b>			
Pape Material Handling	02/14/2019	<i>equipment maintenance</i>	12.00
Total Pape Material Handling:			12.00
<b>Paul Helliker</b>			
Paul Helliker	02/28/2019	<i>Reimbursement of PERS Repayment</i>	655.62
Total Paul Helliker:			655.62
<b>Paul Jorgensen</b>			
Paul Jorgensen	02/11/2019	<i>Safe Work Practice Award 2018</i>	200.00
Total Paul Jorgensen:			200.00
<b>Peterson Tractor Co.</b>			
Peterson Tractor Co.	02/27/2019	<i>Cat 420 backhoe repair</i>	19.36
Total Peterson Tractor Co.:			19.36
<b>Pierson Building Center</b>			
Pierson Building Center	02/08/2019	<i>Superintendent's office remodel</i>	71.60
Total Pierson Building Center:			71.60
<b>Pitney Bowes</b>			
Pitney Bowes	02/22/2019	<i>refill postage meter</i>	1,005.00
Total Pitney Bowes:			1,005.00
<b>Platt Electric Supply</b>			
Platt Electric Supply	02/08/2019	<i>Chlorine System Maintenance</i>	1,345.17
Total Platt Electric Supply:			1,345.17
<b>R.J. Ricciardi, Inc, CPAs</b>			
R.J. Ricciardi, Inc, CPAs	02/27/2019	<i>Annual Financial Audit FY18/19</i>	968.00
Total R.J. Ricciardi, Inc, CPAs:			968.00
<b>Rebecca J. Moyle</b>			
Rebecca J. Moyle	02/11/2019	<i>Safe Work Practice Award 2018</i>	200.00
Total Rebecca J. Moyle:			200.00
<b>Recology Arcata</b>			
Recology Arcata	02/22/2019	<i>Essex Garbage Service</i>	421.05
Total Recology Arcata:			421.05
<b>Recology Humboldt County</b>			
Recology Humboldt County	02/08/2019	<i>Eureka office garbage/recycling service</i>	90.72

Humboldt Bay Municipal Water District

--Monthly Expenses by Vendor Detail Report--  
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Vendor Name	Date Paid	Description	Amount Paid
Total Recology Humboldt County:			90.72
<b>Redwood Electrical Services</b>			
Redwood Electrical Services	02/27/2019	Emergency repair District's 12KB Electri	1,690.00
Total Redwood Electrical Services:			1,690.00
<b>Renner Petroleum</b>			
Renner Petroleum	02/27/2019	Sorbent pads and booms	186.67
Renner Petroleum	02/08/2019	cardlock fuel - pumping & control	332.27
Renner Petroleum	02/08/2019	cardlock fuel - water quality	332.27
Renner Petroleum	02/08/2019	cardlock fuel - maintenance	332.27
Renner Petroleum	02/08/2019	cardlock fuel - customer service (Humbol	86.39
Renner Petroleum	02/08/2019	cardlock fuel - customer service (Fieldbr	245.87
Total Renner Petroleum:			1,515.74
<b>Russell Roberts</b>			
Russell Roberts	02/11/2019	Safe Work Practice Award 2018	200.00
Russell Roberts	02/22/2019	expense reimbursement - Safety Boots	170.88
Total Russell Roberts:			370.88
<b>Ryan Chairez</b>			
Ryan Chairez	02/11/2019	Safe Work Practice Award 2018	200.00
Total Ryan Chairez:			200.00
<b>Ryan Schneider</b>			
Ryan Schneider	02/11/2019	Safe Work Practice Award 2018	200.00
Total Ryan Schneider:			200.00
<b>Samantha Ryan</b>			
Samantha Ryan	02/11/2019	Safe Work Practice Award 2018 - Grand	500.00
Total Samantha Ryan:			500.00
<b>Seth Stone</b>			
Seth Stone	02/11/2019	Safe Work Practice Award 2018	200.00
Total Seth Stone:			200.00
<b>Sherrie Sobol</b>			
Sherrie Sobol	02/11/2019	Safe Work Practice Award 2018	200.00
Total Sherrie Sobol:			200.00
<b>Staples</b>			
Staples	02/27/2019	Eureka office supplies	131.98
Staples	02/27/2019	Replace Eureka offic computer monitor	108.49
Staples	02/27/2019	Eureka office supplies	17.59
Staples	02/27/2019	Essex office supplies	61.58
Total Staples:			319.64

Humboldt Bay Municipal Water District

--Monthly Expenses by Vendor Detail Report--  
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Vendor Name	Date Paid	Description	Amount Paid
Steven A. Marshall			
Steven A. Marshall	02/11/2019	Safe Work Practice Award 2018	200.00
Total Steven A. Marshall:			200.00
<b>Stillwater Sciences</b>			
Stillwater Sciences	02/14/2019	professional assistance - Channel Contro	943.75
Stillwater Sciences	02/27/2019	professional assistance -Streambed Flow	1,619.50
Total Stillwater Sciences:			2,563.25
<b>Streamline</b>			
Streamline	02/28/2019	Website maintenance membership fee	450.00
Total Streamline:			450.00
<b>Sudden Link</b>			
Sudden Link	02/08/2019	TRF Internet	107.33
Sudden Link	02/08/2019	Eureka Internet	206.94
Sudden Link	02/27/2019	Fieldbrook-Glendale CSD Internet	276.99
Total Sudden Link:			591.26
<b>Thatcher Company, Inc</b>			
Thatcher Company, Inc	02/08/2019	replenish chlorine	4,406.45
Thatcher Company, Inc	02/08/2019	replenish chlorine	2,000.00-
Total Thatcher Company, Inc:			2,406.45
<b>The Mill Yard</b>			
The Mill Yard	02/08/2019	Maintenance supplies	78.39
The Mill Yard	02/08/2019	Maintenance supplies	85.24
The Mill Yard	02/08/2019	Collector 4 weather proofing	59.39
Total The Mill Yard:			223.02
<b>The Times-Standard</b>			
The Times-Standard	02/14/2019	Advertisement for bid - Surge Tower Rem	1,057.60
Total The Times-Standard:			1,057.60
<b>Thomas Law Group</b>			
Thomas Law Group	02/08/2019	Legal Services - January 2019	3,462.50
Total Thomas Law Group:			3,462.50
<b>Thrifty Supply</b>			
Thrifty Supply	02/08/2019	Repairs to Fieldbrook-glendale CSD Mo	33.47
Thrifty Supply	02/08/2019	Chlorine system maintenance	200.61
Thrifty Supply	02/08/2019	Chlorine system maintenance	534.49
Thrifty Supply	02/08/2019	TRF maintenance supplies	270.69
Thrifty Supply	02/28/2019	Fieldbrook-Glendale CSD Morris Subdiv	131.12
Total Thrifty Supply:			1,170.38
<b>Tim Farrell</b>			
Tim Farrell	02/11/2019	Safe Work Practice Award 2018	200.00

Humboldt Bay Municipal Water District

--Monthly Expenses by Vendor Detail Report--  
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Vendor Name	Date Paid	Description	Amount Paid
Total Tim Farrell:			200.00
<b>Trinity County General Services</b>			
Trinity County General Services	02/27/2019	Pickett Peak site lease	250.00
Total Trinity County General Services:			250.00
<b>Trinity County Solid Waste</b>			
Trinity County Solid Waste	02/14/2019	Ruth HQ dump fees	18.67
Trinity County Solid Waste	02/14/2019	Ruth Hydro dump fees	18.68
Total Trinity County Solid Waste:			37.35
<b>True North Constructors, Inc</b>			
True North Constructors, Inc	02/27/2019	Ruth Bunkhouse Remodel - Progress Pay	17,404.28
Total True North Constructors, Inc:			17,404.28
<b>U.S. Bank Corporate Payment System</b>			
U.S. Bank Corporate Payment System	02/15/2019	Essex Fleet Servicing Equipment	608.97
U.S. Bank Corporate Payment System	02/15/2019	TRF Lab Heater Repair	161.63
U.S. Bank Corporate Payment System	02/15/2019	Replace 1/2" Hammer Drill	179.68
U.S. Bank Corporate Payment System	02/15/2019	Refund - Ruth Hydro office supplies	48.48-
U.S. Bank Corporate Payment System	02/15/2019	Essex Control System Computers	378.73
U.S. Bank Corporate Payment System	02/15/2019	Essex office supplies	141.62
U.S. Bank Corporate Payment System	02/15/2019	Position Advertisement-Operations & M	185.00
U.S. Bank Corporate Payment System	02/15/2019	Position Advertisement - Operations &	125.00
U.S. Bank Corporate Payment System	02/15/2019	Position Advertisement - Operations &	145.00
U.S. Bank Corporate Payment System	02/15/2019	Position Advertisement - Operations &	105.00
U.S. Bank Corporate Payment System	02/15/2019	Position Advertisement - Operations &	285.00
U.S. Bank Corporate Payment System	02/15/2019	Eureka office supplies - checks	412.71
U.S. Bank Corporate Payment System	02/15/2019	Position Advertisement - Operations &	200.00
U.S. Bank Corporate Payment System	02/15/2019	General Manager Training - CSDA GM	41.72
U.S. Bank Corporate Payment System	02/15/2019	General Manager Training - CSDA GM	625.00
U.S. Bank Corporate Payment System	02/15/2019	General Manager Training - CSDA GM	641.90
U.S. Bank Corporate Payment System	02/15/2019	Park 4 Hazard signs	29.90
U.S. Bank Corporate Payment System	02/15/2019	Office Wise Purchase Order Software	39.95
U.S. Bank Corporate Payment System	02/15/2019	Position Advertisement - Operations &	15.00
U.S. Bank Corporate Payment System	02/15/2019	Position Advertisement - Operations &	15.00
U.S. Bank Corporate Payment System	02/15/2019	Position Advertisement - Operations &	15.00
U.S. Bank Corporate Payment System	02/15/2019	Position Advertisement - Operations &	15.00
U.S. Bank Corporate Payment System	02/15/2019	Accounting System Upgrade	180.00
U.S. Bank Corporate Payment System	02/15/2019	Accounting System Upgrade	22.74
U.S. Bank Corporate Payment System	02/15/2019	Accounting System Upgrade	1,507.50
U.S. Bank Corporate Payment System	02/15/2019	Essex office supplies	172.38
U.S. Bank Corporate Payment System	02/15/2019	TRF NPoly System repair	21.69
U.S. Bank Corporate Payment System	02/15/2019	Control System Software Updates 7 Tech	66.00
U.S. Bank Corporate Payment System	02/15/2019	Essex office supplies	111.89
U.S. Bank Corporate Payment System	02/15/2019	Office expense - Late charge	41.41
Total U.S. Bank Corporate Payment System:			6,441.94
<b>U.S. Bank Corporate Trust Services</b>			
U.S. Bank Corporate Trust Services	02/26/2019	Raney/Techite Project Loan Payment	74,968.32
U.S. Bank Corporate Trust Services	02/26/2019	Raney/Techite Project Loan Interest	6,125.73
U.S. Bank Corporate Trust Services	02/28/2019	SRF Quarterly Account Maint Fee (Oct -	175.00

Humboldt Bay Municipal Water District

--Monthly Expenses by Vendor Detail Report--  
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Vendor Name	Date Paid	Description	Amount Paid
Total U.S. Bank Corporate Trust Services:			81,269.05
<b>United Rentals, Inc</b>			
United Rentals, Inc	02/08/2019	Park 4 parking lot safety fencing	46.32
United Rentals, Inc	02/28/2019	Temporary fencing at Axel Property	92.64
Total United Rentals, Inc:			138.96
<b>Unum Life Insurance Company of America</b>			
Unum Life Insurance Company of America	02/26/2019	LIFE INSURANCE	13.11
Unum Life Insurance Company of America	02/26/2019	LIFE INSURANCE	84.94
Unum Life Insurance Company of America	02/26/2019	LIFE INSURANCE	4.46
Unum Life Insurance Company of America	02/26/2019	LIFE INSURANCE	79.51
Unum Life Insurance Company of America	02/26/2019	LIFE INSURANCE	49.97
Unum Life Insurance Company of America	02/26/2019	LIFE INSURANCE	37.22
Unum Life Insurance Company of America	02/26/2019	LIFE INSURANCE	146.44
Unum Life Insurance Company of America	02/26/2019	LIFE INSURANCE	25.83
Unum Life Insurance Company of America	02/26/2019	LTD Insurance	42.11
Unum Life Insurance Company of America	02/26/2019	LTD Insurance	272.82
Unum Life Insurance Company of America	02/26/2019	LTD Insurance	14.32
Unum Life Insurance Company of America	02/26/2019	LTD Insurance	255.37
Unum Life Insurance Company of America	02/26/2019	LTD Insurance	160.51
Unum Life Insurance Company of America	02/26/2019	LTD Insurance	119.53
Unum Life Insurance Company of America	02/26/2019	LTD Insurance	470.34
Unum Life Insurance Company of America	02/26/2019	LTD Insurance	82.95
Total Unum Life Insurance Company of America:			1,859.43
<b>USTI, Inc</b>			
USTI, Inc	02/27/2019	ePay and eBill Annual Maintenance Fees	73.79
USTI, Inc	02/27/2019	eBill and ePay Annual Maintenance Fiel	210.01
Total USTI, Inc:			283.80
<b>Valley Pacific Petroleum Servi, Inc</b>			
Valley Pacific Petroleum Servi, Inc	02/27/2019	Ruth HQ Bulk Fuel	265.37
Valley Pacific Petroleum Servi, Inc	02/27/2019	Ruth Hydro bulk fuel	265.38
Valley Pacific Petroleum Servi, Inc	02/27/2019	Refill Essex Bulk Diesel	1,529.99
Total Valley Pacific Petroleum Servi, Inc:			2,060.74
<b>Verizon Wireless</b>			
Verizon Wireless	02/14/2019	General Manager	37.24
Verizon Wireless	02/14/2019	Customer Service-Humboldt Bay	12.99
Verizon Wireless	02/14/2019	Customer Service - Fieldbrook-Glendale	36.96
Verizon Wireless	02/14/2019	Operations 2	.42
Verizon Wireless	02/14/2019	Electrician	.18
Verizon Wireless	02/14/2019	Unit 6 - Ruth Area	52.38
Verizon Wireless	02/14/2019	Unit 6 - Ruth Hydro	52.39
Verizon Wireless	02/14/2019	Operations 1	.18
Total Verizon Wireless:			192.74
<b>West Group</b>			
West Group	02/22/2019	California Water Code 2019	98.19

Humboldt Bay Municipal Water District

--Monthly Expenses by Vendor Detail Report--  
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Vendor Name	Date Paid	Description	Amount Paid
Total West Group:			98.19
<b>William B. Newell</b>			
William B. Newell	02/11/2019	Safe Work Practice Award 2018	100.00
William B. Newell	02/11/2019	Safe Work Practice Award 2018	100.00
Total William B. Newell:			200.00
<b>William Wardrip</b>			
William Wardrip	02/11/2019	Safe Work Practice Award 2018	200.00
Total William Wardrip:			200.00
<b>ZEP Manufacturing Company</b>			
ZEP Manufacturing Company	02/22/2019	Essex Maintenance supplies	205.08
Total ZEP Manufacturing Company:			205.08
Grand Totals:			327,301.21



Humboldt Bay Municipal Water District

--Monthly Overtime Report--  
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Position Title	2-01 Overtime Emp Hrs	2-01 Overtime Emp Amt	2-02 Doubletime Emp Hrs	2-02 Doubletime Emp Amt
Customer Srvc	1.25	\$35	.00	\$0
Actg/HR Spec	6.75	\$454	.00	\$0
Actg/HR Assit	2.00	\$29	.00	\$0
<b>Total ADMIN:</b>	<b>10.00</b>	<b>\$519</b>	<b>.00</b>	<b>\$0</b>
Elec & Ins Tech	11.25	\$561	.00	\$0
Oper & Mnt Tech	2.00	\$114	.00	\$0
Oper & Mnt Tech	5.00	\$255	.00	\$0
<b>Total ESSEX:</b>	<b>18.25</b>	<b>\$930</b>	<b>.00</b>	<b>\$0</b>
Hydro Oper Ruth	5.50	\$326	.00	\$0
<b>Total RUTH:</b>	<b>5.50</b>	<b>\$326</b>	<b>.00</b>	<b>\$0</b>
<b>Grand Totals:</b>	<b>33.75</b>	<b>\$1,776</b>	<b>.00</b>	<b>\$0</b>

To: Board of Directors  
From: Chris Harris  
Date: March 14, 2019  
Re: FY 2019/2020 Budget Schedule

**Information**

As in the past budget discussions, staff will present the FY2019/2020 budget over four separate Board Meetings. This allows for flexibility and revisions between meetings as the board reviews and discusses the various aspects of the budget.

Staff proposes the following:

- May 16<sup>th</sup> Initial Introduction to the FY19/20 Budget
  - Review and discussion of proposed Service and Supply Budget
  - Review and discussion of proposed Salary and Employee Benefits Budget
- May 30<sup>th</sup> Review of FY19/20 proposed Project Budget
  - Employee BBQ following Board Meeting
- June 13<sup>th</sup> Review and discussion of complete proposed FY19/20 Budget
- July 11<sup>th</sup> Potential Approval of proposed FY19/20 Budget

To: Board of Directors  
From: Chris Harris  
Date: March 14, 2019  
Re: Industrial Water System Special Projects

**Background**

Increased local sales are one of the top tier Water Resource Planning efforts of the District. Recently, the District has received several inquiries concerning availability of industrial water availability on the Samoa Peninsula. As the Board is aware, the industrial system has been essentially idle since the last pulp mill closed in 2009. That said, the system has been periodically exercised to provide intermittent industrial water primarily for fire protection to the former pulp mill sites and to the Harbor District. With the increased activity regarding the potential use of the industrial system, further analysis of the system including costs for refurbishment are warranted at this time.

**Discussion**

For the current FY 2018/19 Project Budget, the Board approved several Industrial Water System projects:

1. *I/W Pipeline Evaluation Project (\$26,000)*
2. *Industrial and Domestic System Intertie Project (\$11,000)*

Based on the recent discussions regarding potential future industrial water customers on the Samoa Peninsula, staff is proposing slight modifications of two already approved projects.

1. The I/W Pipeline Evaluation Project was intended for GHD to complete *"...an overview of the Industrial System, including: general assessment of the assets; level of deferred maintenance needed; expected lifetime of the asset without continued maintenance; suggestions for potential alternative use of the asset; and suggestions for procedures to lengthen the lifetime of the assets at minimum expense."*
2. The Industrial and Domestic System Intertie Project was intended to begin the planning for upgrading the intertie between the Industrial and Domestic systems *"in the event the Harbor District has a client that needs enough water to warrant re-establishing the Industrial /Domestic connection but not enough to warrant using Pump Station 6."*

**Staff Recommendation**

Regarding (1) The I/W Pipeline Evaluation Project, staff proposes to request GHD to complete: *"an overview of the Industrial System, including: assessment of the assets; anticipated cost to refurbish the assets; and prioritized suggestions for most cost effective manner in which to accomplish this."*

Regarding (2) The Industrial and Domestic System Intertie Project, based on the current potential Industrial needs for the Samoa Peninsula (as the staff understands them), staff proposes the change of: *"to begin the planning for repairing the Industrial System, since the Harbor District has a client that needs enough water to warrant refurbishing Pump Station 6."*

# **OPERATIONS**

Memo to: HBMWD Board of Directors  
From: Dale Davidsen, Superintendent  
Date: March 5, 2019  
Subject: Essex/Ruth February 2019 Operational Report

### **Upper Mad River, Ruth Lake, and Hydro Plant**

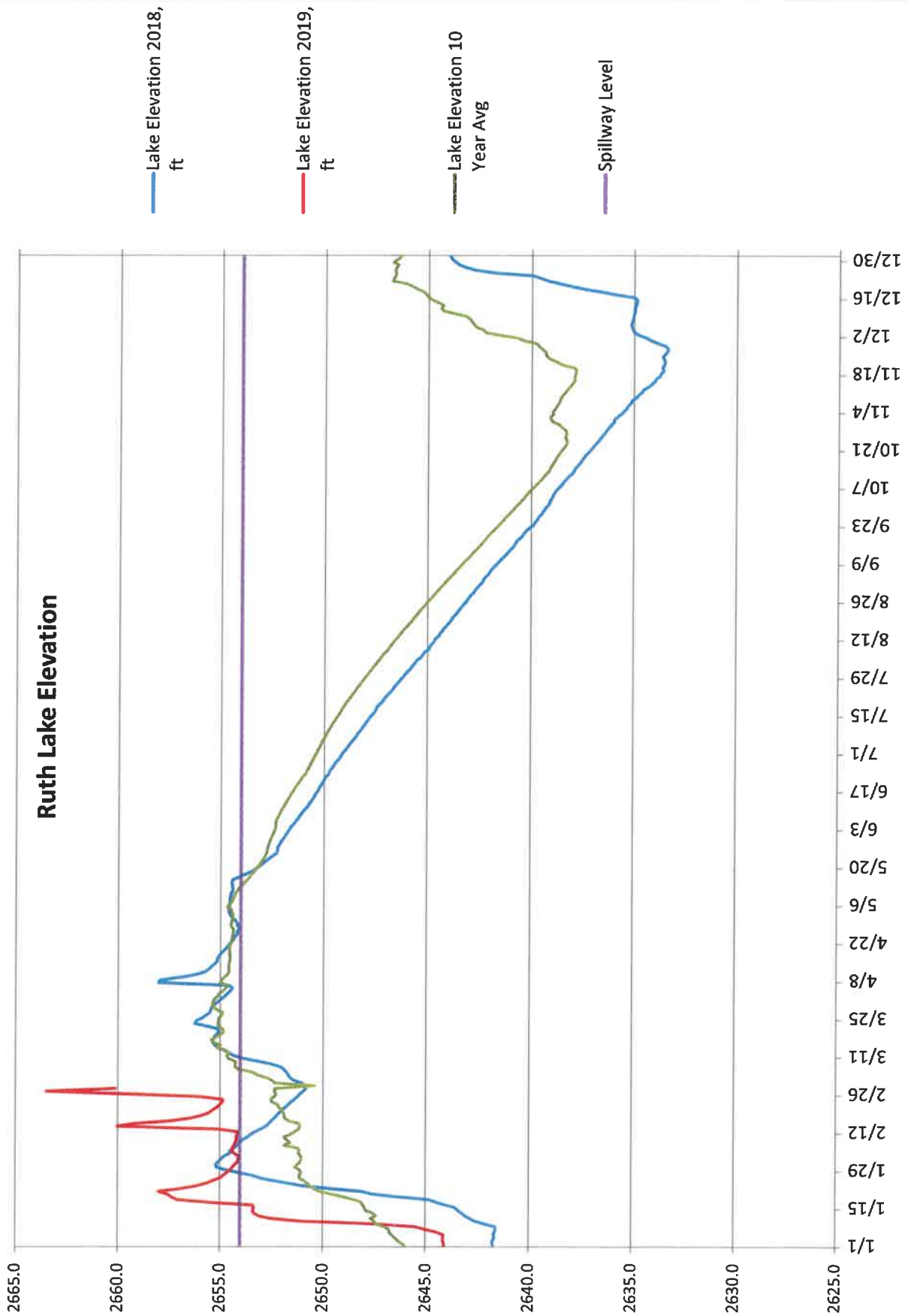
1. The flow at Mad River above Ruth Reservoir (Zenita Bridge) averaged 1,045cfs. The low flow of 106cfs on February 3 and the high flow of 6,820cfs on February 27.
2. The conditions at Ruth Lake for the month of February were as follows:
  - a. The lake level on February 28th was 2660.12 feet which is:
    1. 5.88 feet higher than January 31st, 2019
    2. 9.31 feet higher than February 28th, 2018
    3. 7.54 feet higher than the ten year average
    4. 6.12 feet above the spillway
3. There was 25.32 inches of recorded rainfall for February 2019 at Ruth Headquarters.
4. Ruth Hydro produced 792,000 KWh in February. The hydro plant had 5 shutdowns due to severe weather power outages with 91,813 KWh lost.
5. In February the discharge from the lake averaged 1,571 cfs with a high of 10,985 cfs on the 27th.

### **Lower Mad River, Winzler Control, and TRF**

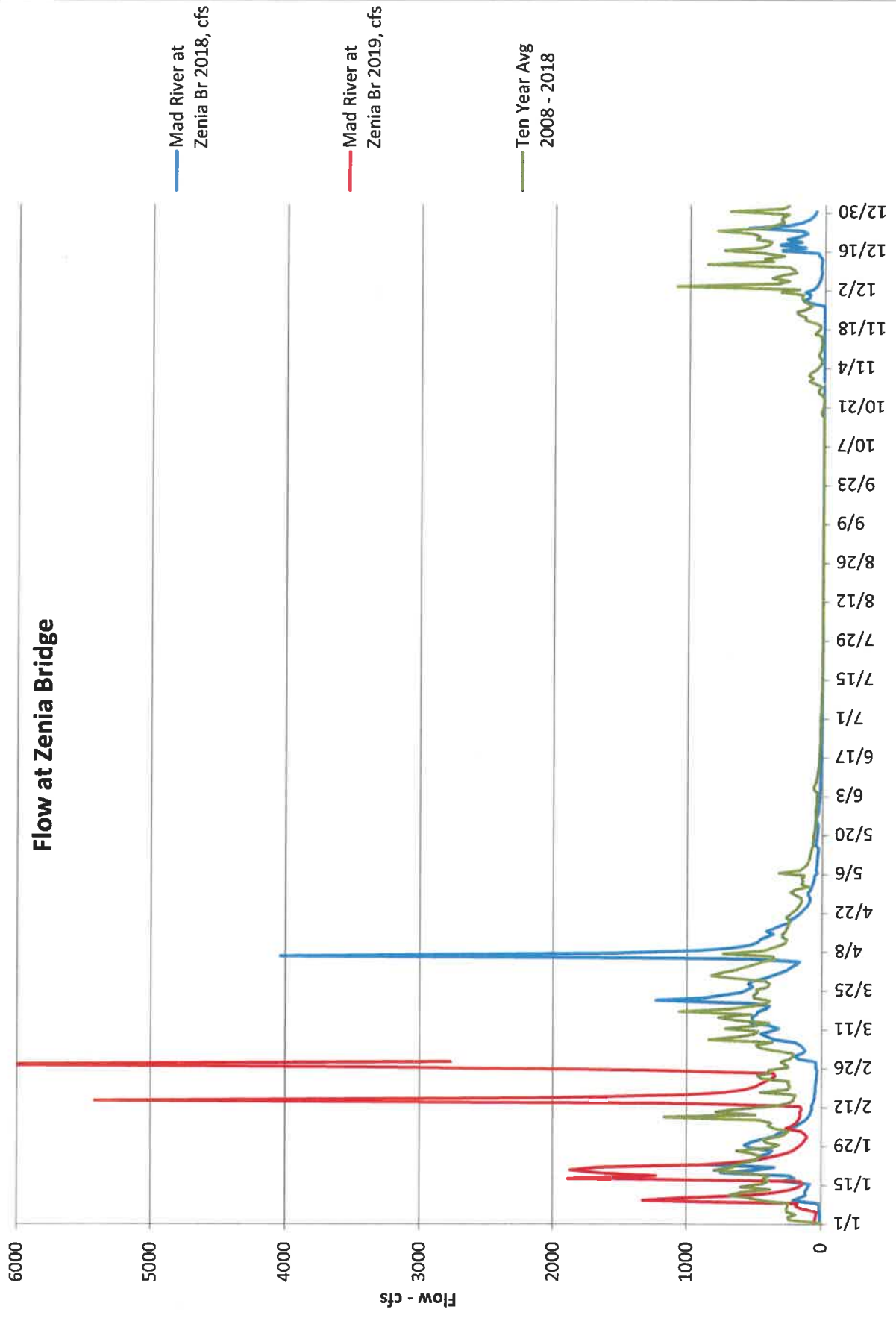
6. The river at Winzler Control Center for February had an average flow of 6,658cfs. The river flow reached a high flow of 42,200 cfs on February 27<sup>th</sup>.
7. The domestic water conditions were as follows:
  - a. The monthly turbidity average was 0.12 NTU, which meets Public Health Secondary Standards.
  - b. For the month of February, we pumped 201.158 million gallons at an average of 7.059 MGD.
  - c. The maximum metered daily municipal customer use was 8.532 MGD on February 13<sup>th</sup>.
8. The Turbidity Reduction Facility ran 28 days in February. The conditions were as follows:
  - a. Average monthly source water turbidity was 2.45 NTU.
  - b. Average monthly filtered water turbidity was 0.12 NTU.
  - c. We did 78 backwashes on the TRF filters in the month of February.

9. February 1st – Interviews for O&M Tech position
10. February 9<sup>th</sup>, 10<sup>th</sup> & 11<sup>th</sup> – Winter Storm damage - Lost power to collectors 2, 3 and 4, and TRF. Communication fails to all collectors. Got power and communications back to collectors by 1530 on the 10<sup>th</sup>. TRF did not get power restored until 1300 on Monday the 11<sup>th</sup>. Our new 100 kW generator at the TRF failed on Monday the 11<sup>th</sup> at about 0300 causing all treatment systems to shut down. This turned out to be a warranty repair. This storm also caused a lot of tree damage in the parks.
11. February 11<sup>th</sup> & 25<sup>th</sup> – Hearing and Respiratory exams for Essex and Ruth staff. This is a regulatory requirement for all personnel that use respirators.
12. February 12<sup>th</sup> – 14<sup>th</sup> – Operations Supervisor attended EOC and Emergency operations training at Blue Lake Casino.
13. February 13<sup>th</sup> – Safety training – Chlorine leak response and leak repair training.
14. February 25<sup>th</sup> -28<sup>th</sup> - Winter storm – This caused major operational challenges with the TRF treating source water turbidity which was higher than we have seen in many years. This storm also caused serious erosion at Park 4. The river course appears to have changed and is continuing to erode the bank both upstream and downstream of Collector 4.
15. February 28<sup>th</sup> - Found Collector 2 Cable car shed had slid down the hill.
16. Current and Ongoing Projects
  - a. Work on FY 19/20 budget
  - b. Ruth Bunkhouse remodel – Continues to move along. There have been some setbacks due to weather conditions and the man lift broke down and had to be taken into Redding for repairs.

### Ruth Lake Elevation

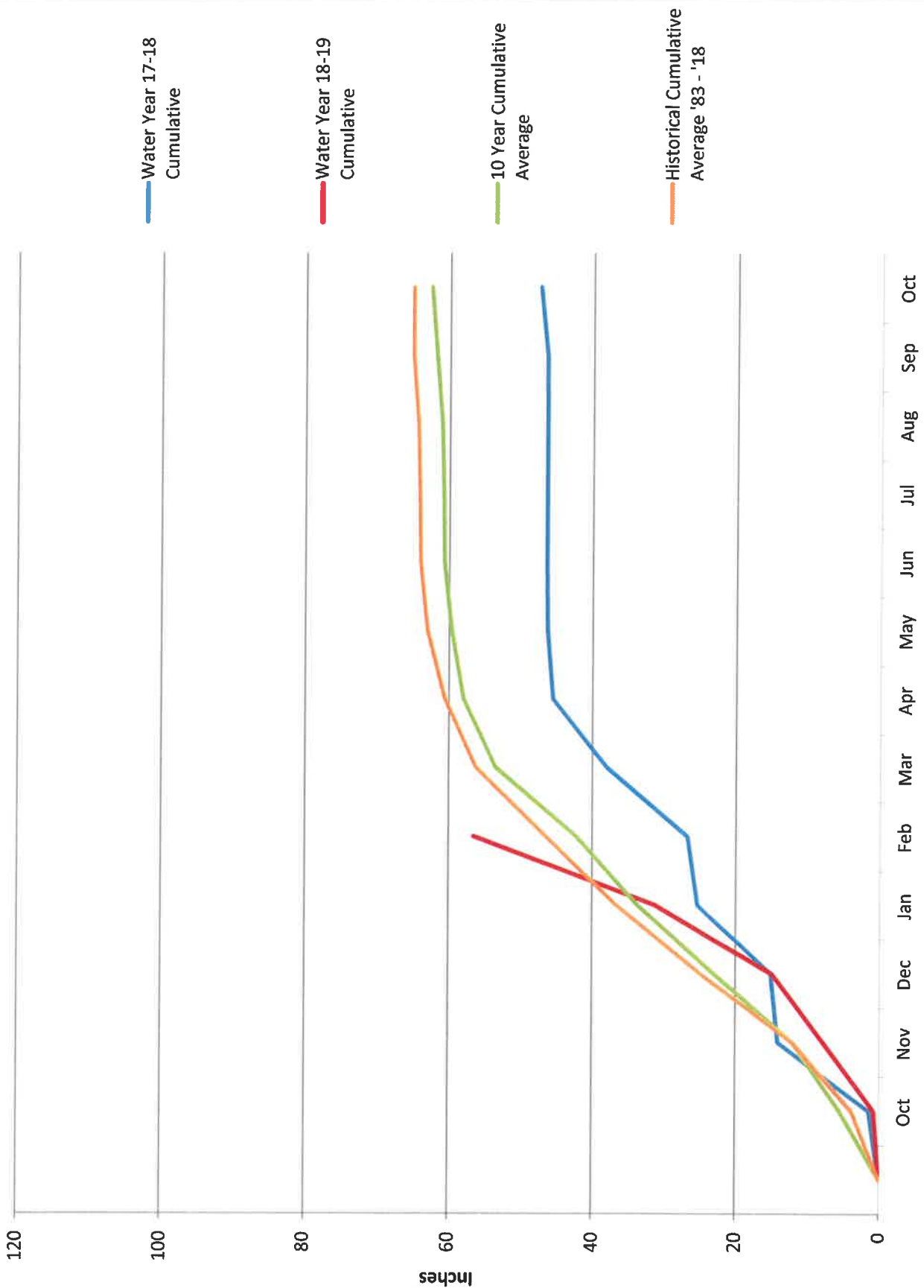


### Flow at Zenia Bridge

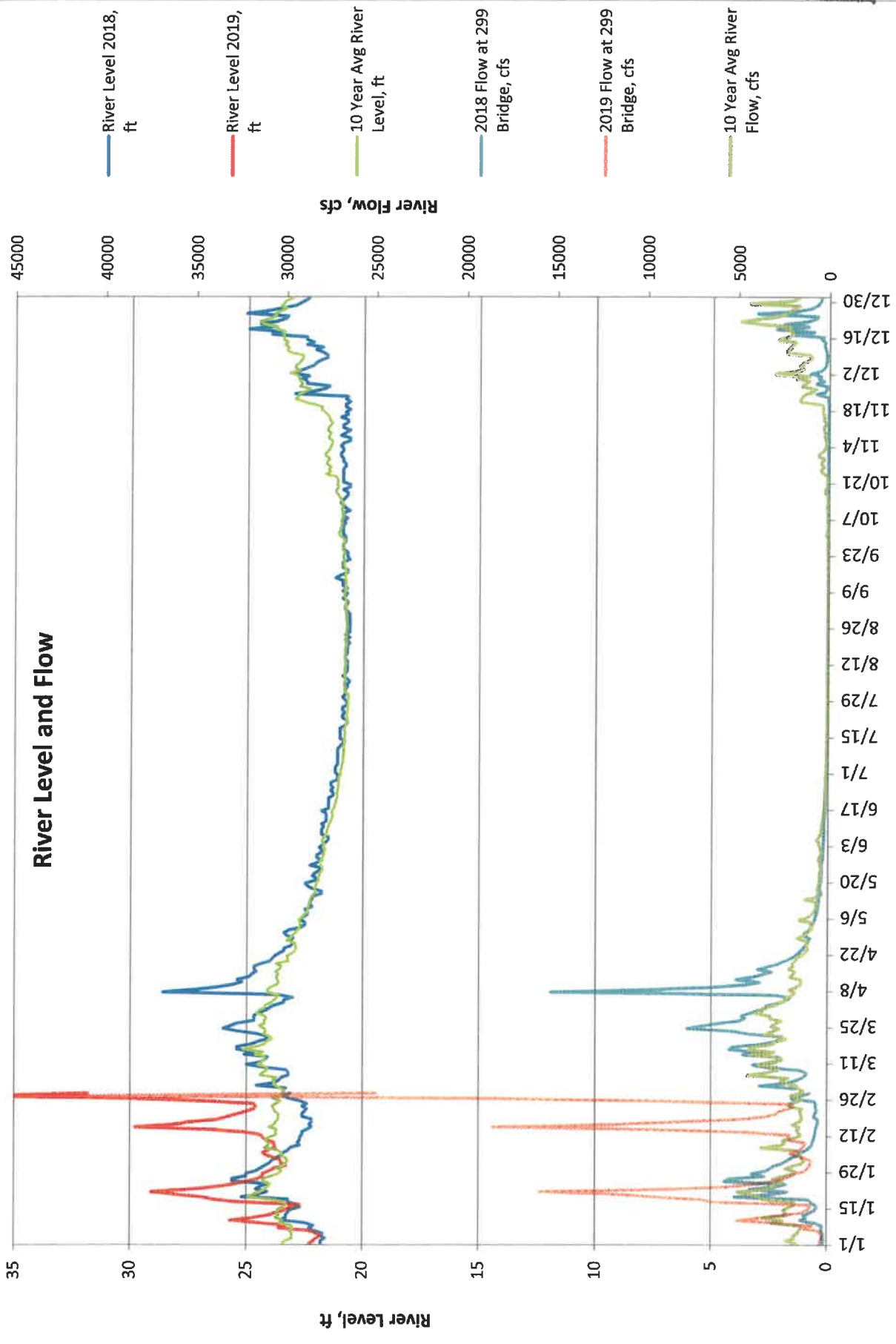




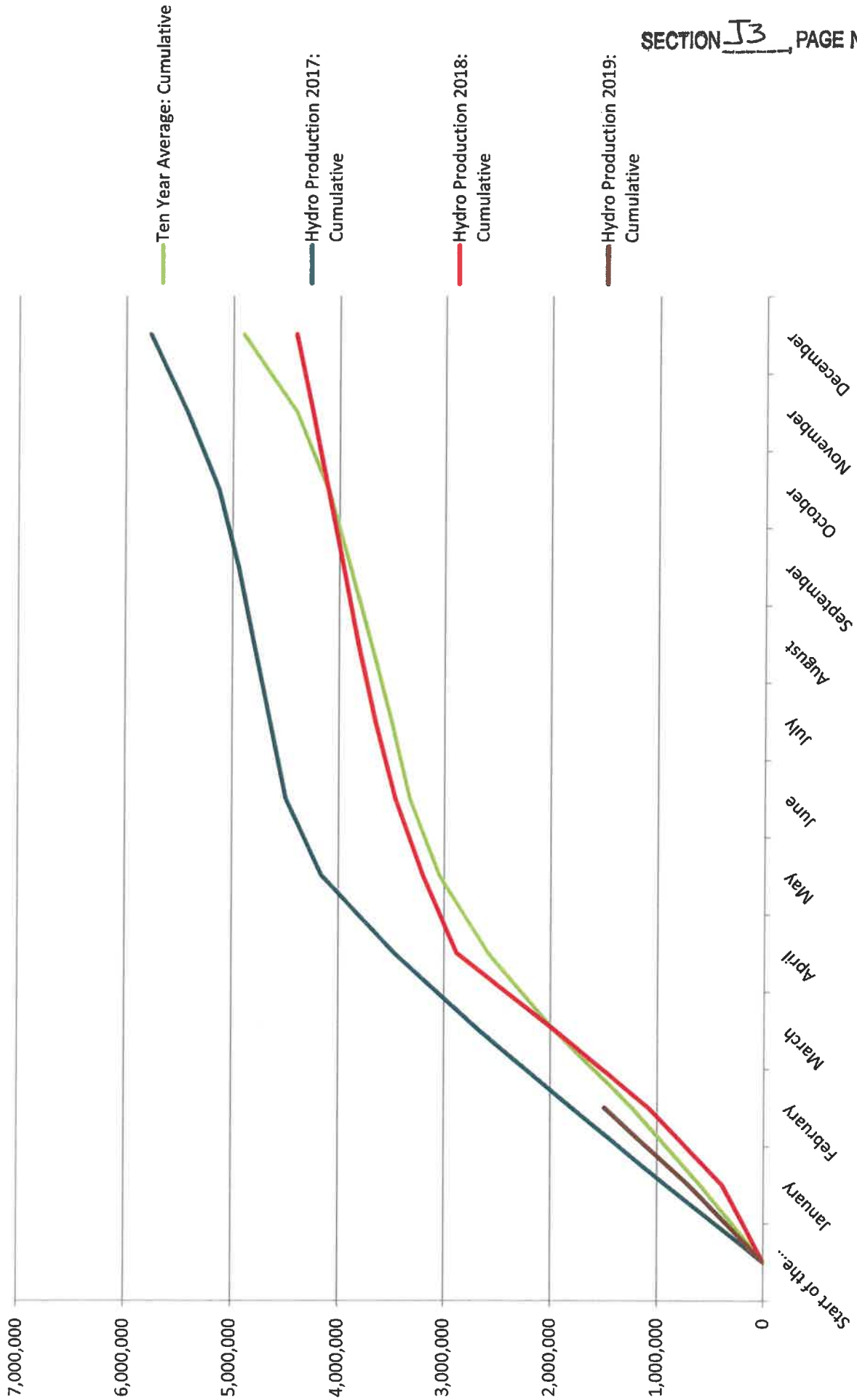
Ruth Rainfall - Water Year 2018-2019



### River Level and Flow



# Ruth Hydro Production: kW per Month



# MANAGEMENT

## Proposal for Extension of Annie & Mary Trail Planning

### Arcata City Limits to HBMWD Park 1

March 5, 2019

**Purpose:** To collaborate among local jurisdictions to further the planning of the Annie & Mary Trail between Arcata city limits and the Humboldt Bay Municipal Water District's Park 1 on the Mad River.

The Annie & Mary Trail has been envisioned since 1997 as a regional trail connecting Arcata to Blue Lake along the Annie & Mary rail line or other public rights-of-way, and is being developed in phases with collaboration across local jurisdictions. The City of Arcata currently has funding from the Caltrans Sustainable Transportation Planning grant program to plan the Annie & Mary Trail through Arcata city limits (northern extent of city limits is at West End Road near West Green Landscaping). On the eastern end, the City of Blue Lake is constructing the first phase of the Annie & Mary Trail through Blue Lake this summer, and the County has been collaborating with the City of Blue Lake and Caltrans to pursue the next phase of the trail from Blue Lake to Glendale.

While the current Arcata Annie & Mary Trail Connectivity Project will help to improve safety and access for walking and biking between northern Arcata neighborhoods and downtown/Larson Park, there is not a clear destination at its northern terminus at West End Road. The City of Arcata has found that trail projects with a clear, family-friendly destination are often better utilized and encourage positive use of the trail along its entirety. Many community members have also voiced during the city's outreach efforts for the Annie & Mary Trail that they would like to see the trail connect to the Mad River and have a clear destination. The current grant funding for the city is limited in scope to within city limits, but the city and County are interested in collaborating with the Humboldt Bay Municipal Water District to plan an extension of this segment of the Annie & Mary Trail from Arcata city limits to Park 1 – a distance of about one mile.

HBMWD has a long history of providing public access to parks, and Park 1 is well utilized by the public for river access, group events, and other recreation between roughly sunrise and sunset. The Annie & Mary rail corridor lies between HBMWD property and West End Road and crosses the entrance to Park 1 at West End Road. The Annie & Mary rail corridor is currently controlled by the North Coast Railroad Authority which in 2008 passed a resolution supporting multi-modal transportation use of Annie & Mary line.

This proposed trail planning effort would result in engagement with HBMWD and adjacent landowners and 30% trail designs to help the city pursue design and construction funding for the trail from Larson Park to HBMWD's Park 1. The planning effort would also explore the potential operation and maintenance needs and arrangements for the Annie & Mary Trail and the opportunity for trailhead improvements at Park 1.

The County of Humboldt has committed \$10,000 for this effort, the City of Arcata \$5,000, and it is hoped the HBMWD Board would consider a \$5,000 contribution. A consultant team of TrailPeople and SHN along with the non-profit Redwood Community Action Agency are

currently leading the planning effort for the city's Annie & Mary Trail project and would be able to provide similar services for this trail extension with efficiency and cost savings. The City of Arcata has offered to manage the project and consultant team.

Below please find the proposed scope of work for planning an extension of the Annie & Mary Trail from Arcata city limits to Park 1.

### **Proposed Scope of Work for Annie & Mary Trail Extension**

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#### **Task 1 Assess Existing Conditions and Potential Constraints**

- Assemble GIS database including LiDAR topography, public infrastructure, parcel lines, and public rights-of-way
- Conduct field reconnaissance along rail corridor and West End Road focusing on any potential constraints such as the need for bridges and retaining walls
- Identify potential conflicts with adjacent land uses
- Examine the potential integration of the Annie & Mary Trail with Park 1 as a trail destination/trailhead/end point

#### **Task 2 Outreach to Adjacent Landowners**

- Conduct outreach to adjacent landowners along the rail corridor between city limits and Park 1
- Integrate outreach about extension to Park 1 into Arcata Annie & Mary Trail Connectivity Project outreach events

#### **Task 3 Preliminary Trail Design**

- Develop a preliminary trail concept along the rail corridor including the opportunity for trailhead improvements and potential integration of the trail with the management priorities at Park 1
- Develop cost estimates for design & permitting and construction phases

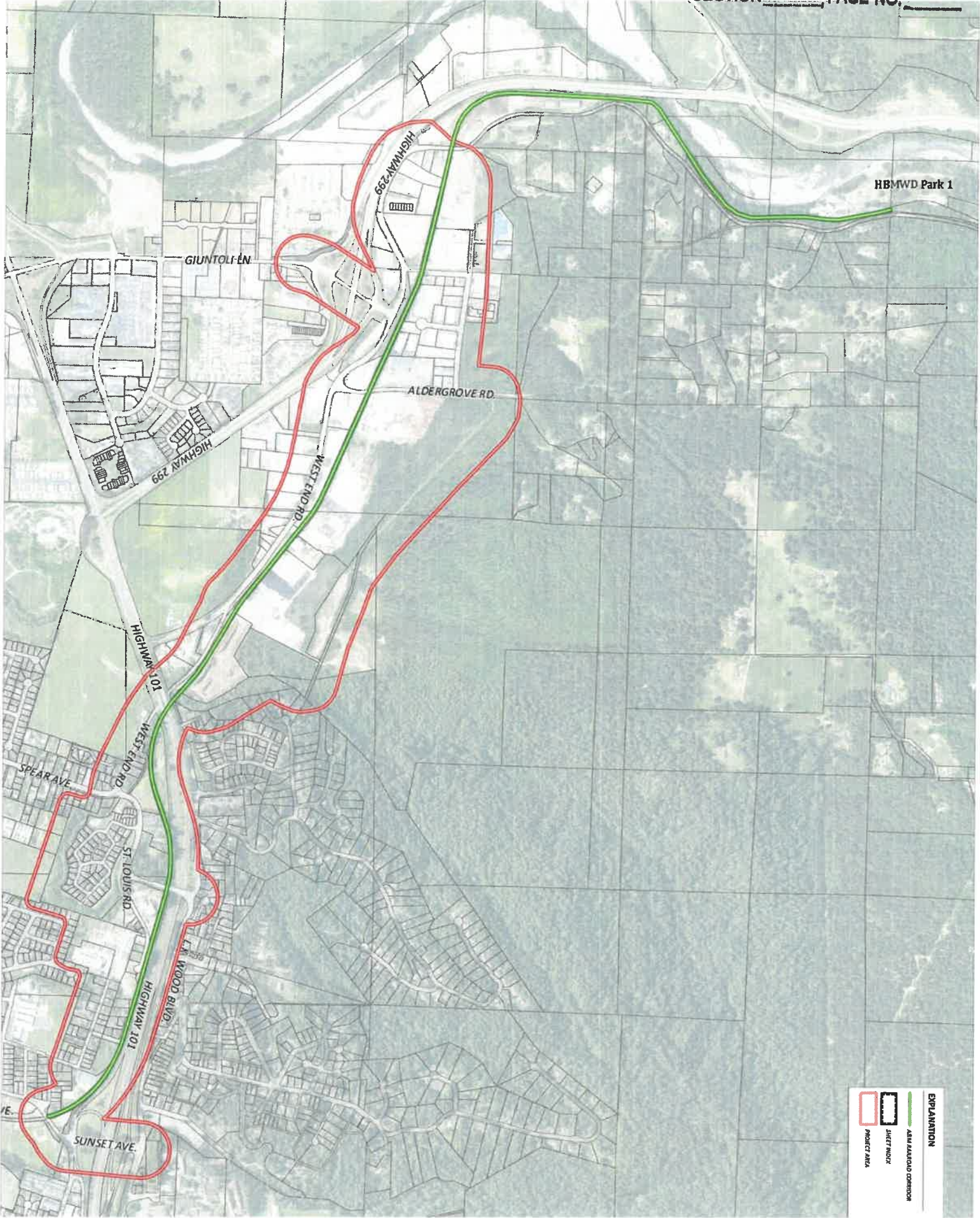
#### **Deliverables:**

Task 1: Maps detailing existing constraints and opportunities

Task 2: Outreach results memo

Task 3: Preliminary trail design including potential trailhead considerations and cost estimates





**EXPLANATION**

- ALIGNMENT
- SHEET INDEX
- PROJECT AREA



**California Special  
Districts Association**  
*Districts Stronger Together*

H.B.M.W.D. FEB 14 2019

**DATE:** February 15, 2019  
**TO:** CSDA Voting Member Presidents and General Managers  
**FROM:** CSDA Elections and Bylaws Committee  
**SUBJECT: CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS  
SEAT B**

---

The Elections and Bylaws Committee is looking for Independent Special District Board Members or their General Managers who are interested in leading the direction of the California Special Districts Association for the 2020 - 2022 term.

The leadership of CSDA is elected from its six geographical networks. Each of the six networks has three seats on the Board with staggered 3-year terms. Candidates must be affiliated with an independent special district that is a CSDA Regular Member in good standing and located within the geographic network that they seek to represent. (See attached CSDA Network Map)

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services, legislative advocacy, education and resources. The Board of Directors is crucial to the operation of the Association and to the representation of the common interests of all California's special districts before the Legislature and the State Administration. Serving on the Board requires one's interest in the issues confronting special districts statewide.

**Commitment and Expectations:**

- Attend all Board meetings, usually 4-5 meetings annually, at the CSDA office in Sacramento.
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento.  
*(CSDA reimburses Directors for their related expenses for Board and committee meetings as outlined in Board policy).*
- Attend, at minimum, the following CSDA annual events: Special Districts Legislative Days - held in the spring, and the CSDA Annual Conference - held in the fall.  
*(CSDA does **not** reimburse expenses for the two conferences even if a Board or committee meeting is held in conjunction with the event)*
- Complete all four modules of CSDA's Special District Leadership Academy within 2 years of being elected.  
*(CSDA does **not** reimburse expenses for the Academy classes even if a Board or committee meeting is held in conjunction with the event).*



**Nomination Procedures:** Any Regular Member in good standing is eligible to nominate one person, a board member or managerial employee (as defined by that district's Board of Directors), for election to the CSDA Board of Directors. **A copy of the member district's resolution or minute action and Candidate Information Sheet must accompany the nomination. The deadline for receiving nominations is April 17, 2019. Nominations and supporting documentation may be mailed, faxed, or emailed.**

Mail: 1112 I Street, Suite 200, Sacramento, CA 95814  
 Fax: 916.442.7889  
 E-mail: [amberp@csda.net](mailto:amberp@csda.net)

Once received, nominees will receive a candidate's letter in the mail. The letter will serve as confirmation that CSDA has received the nomination and will also include campaign guidelines.

CSDA will begin electronic voting on June 17, 2019. All votes must be received through the system no later than 5:00 p.m. August 9, 2019. The successful candidates will be notified no later than August 13, 2019. All selected Board Members will be introduced at the Annual Conference in Anaheim, CA in September 2018.

#### **Expiring Terms**

(See enclosed map for Network breakdown)

**Northern Network** Seat B-Greg Orsini, GM, McKinleyville Community Services District\*  
**Sierra Network** Seat B-Ginger Root, GM, Lincoln Rural County Fire Protection District \*  
**Bay Area Network** Seat B-Ryan Clausnitzer, SDA, GM, Alameda County Mosquito Abatement District\*  
**Central Network** Seat B-Tim Ruiz, GM, West Niles Community Services District  
**Coastal Network** Seat B-Jeff Hodge, SDA, GM, Santa Ynez Community Services District\*  
**Southern Network** Seat B-Bill Nelson, Director, Orange County Cemetery District  
 (\* = Incumbent is running for re-election)

#### **AGAIN, THIS YEAR!**

**This year we will be using a web-based online voting system, allowing your district to cast your vote easily and securely.** *Electronic Ballots will be emailed to the main contact in your district June 17, 2019. All votes must be received through the system no later than 5:00 p.m. August 9, 2019.*

*Districts can opt to cast a paper ballot instead; but you must contact Amber Phelen by e-mail [Amberp@csda.net](mailto:Amberp@csda.net) by April 17, 2019 in order to ensure that you will receive a paper ballot on time.*

CSDA will mail paper ballots on June 17 per district request only. ALL ballots must be received by CSDA no later than 5:00 p.m. August 9, 2019.

The successful candidates will be notified no later than August 14, 2019. All selected Board Members will be introduced at the Annual Conference in Anaheim, CA in September 2019.

If you have any questions, please contact Amber Phelen at [amberp@csda.net](mailto:amberp@csda.net).



**California Special  
Districts Association**  
*Districts Stronger Together*

**2019 BOARD OF DIRECTORS NOMINATION FORM**

**Name of Candidate:** \_\_\_\_\_

**District:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

\_\_\_\_\_

**Network:** \_\_\_\_\_ (see map)

**Telephone:** \_\_\_\_\_

(PLEASE BE SURE THE PHONE NUMBER IS ONE WHERE WE CAN REACH THE CANDIDATE)

**Fax:** \_\_\_\_\_

**E-mail:** \_\_\_\_\_

**Nominated by (optional):** \_\_\_\_\_

**Return this form and a Board resolution/minute action supporting the candidate and Candidate Information Sheet by fax, mail, or email to:**

CSDA  
Attn: Amber Phelen  
1112 I Street, Suite 200  
Sacramento, CA 95814  
(877) 924-2732 (916) 442-7889 fax

amberp@csda.net

***DEADLINE FOR RECEIVING NOMINATIONS – April 17, 2019***



**California Special  
Districts Association**  
*Districts Stronger Together*

**2019 CSDA BOARD CANDIDATE INFORMATION SHEET**

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: \_\_\_\_\_

District/Company: \_\_\_\_\_

Title: \_\_\_\_\_

Elected/Appointed/Staff: \_\_\_\_\_

Length of Service with District: \_\_\_\_\_

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

\_\_\_\_\_  
\_\_\_\_\_

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

\_\_\_\_\_  
\_\_\_\_\_

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

\_\_\_\_\_  
\_\_\_\_\_

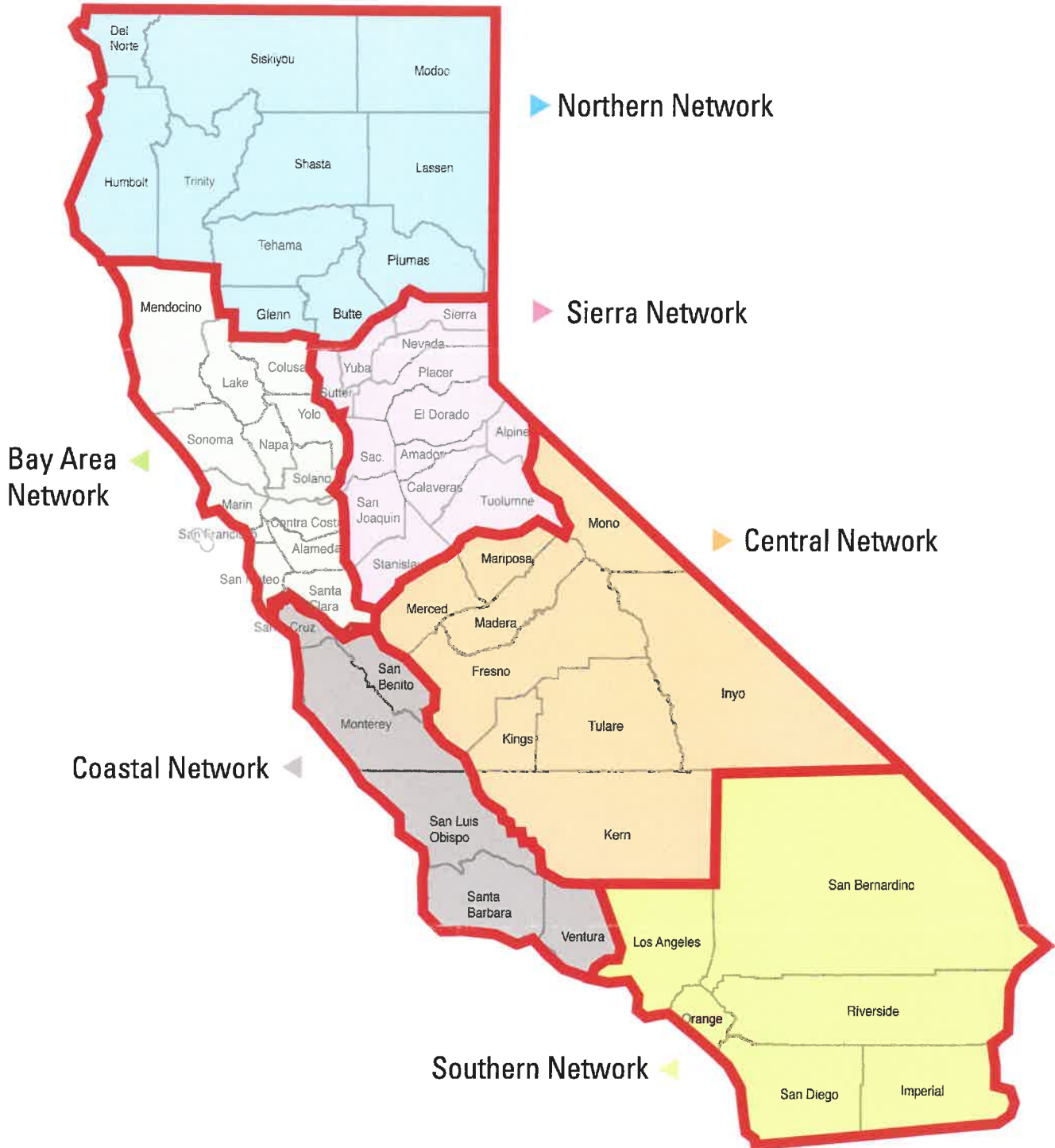
4. List civic organization involvement:

\_\_\_\_\_  
\_\_\_\_\_

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after April 17, 2019 will not be included with the ballot.**



California Special Districts Association  
**DISTRICT NETWORKS**





## ➤ GOVERNANCE AND ACCOUNTABILITY

*CSDA's long range policy priority on governance and accountability is to enhance special districts' ability to govern as independent, local government bodies in an open and accessible manner. Encourage best practices that avoid burdensome, costly, redundant, or one-size-fits all approaches. Protect meaningful public participation in local agency formations, dissolutions, and reorganizations, and ensure local services meet the unique needs, priorities, and preference of each community*

### Bill Aimed at Reducing Public Records Act Lawsuits

CSDA is supporting the efforts of Senator Ben Hueso (D-San Diego), who has introduced [SB 615](#) to reduce the number of serial lawsuits associated with the California Public Records Act (CPRA). According to the author, and as we've heard from some of our own members, public agencies are increasingly becoming the targets of serial litigants that are abusing the CPRA. SB 615 addresses this issue by requiring potential litigants to meet-and-confer with public agencies regarding their CPRA request denials prior to filing litigation.

The CPRA was created in 1968 to ensure the public can access information concerning the conduct of state and local agencies. The public has a right to publicly held documents. However, the CPRA also properly recognizes that there are some instances when the public good is better served by not disclosing certain documents, such as the private information of residents, details of critical infrastructure, or details of ongoing litigation.

When records are not disclosed, the CPRA grants records requesters the ability to sue public agencies to ensure the public's right to records. Should an agency have improperly withheld any documents requested, the public agency must pay the court and attorney's fees of the plaintiff. The attorney's fees penalty can be quite costly and has been an effective tool in encouraging agencies to comply with CPRA requests.

Unfortunately, this penalty has been used by unscrupulous individuals to shake down public agencies for public dollars. Some CPRA requesters ask for voluminous amounts of records and, if any of the records requested were denied, they immediately file suit rather than work with the public agency to determine if records were improperly withheld from disclosure.

SB 615 looks to end this abusive practice by requiring a CPRA requester to meet and confer in good faith with the agency in an attempt to informally resolve each issue before instituting any proceeding for injunctive or declarative relief or writ of mandate.

If you believe your agency has been the victim of this type of serial litigation, or if you are aware of another district that has been, please share your story with CSDA Senior Legislative Representative Dillon Gibbons at [dillong@csda.net](mailto:dillong@csda.net).

### CSDA is Sponsoring Important Governance Legislation:

#### **AB 510 (Cooley) Video Monitoring records Retention Modernization - SPONSOR**

This CSDA sponsored bill will allow special districts, cities, and counties to adopt record retention policies for routine video monitoring recordings as well as radio and telephone recordings that differ from the current standard of one-year for video recordings and 100-days for radio and telephone recordings. If an agency does not adopt their own policies, then the current standard applies. This change in law will allow agencies to save money on unnecessary data storage costs.

#### **SB 287 (Nielsen) Commission on State Mandates: Test Claim Filing Deadline - SPONSOR**

A CSDA sponsored bill, this would align the test claim filing period at the Commission on State Mandates (COSM) with the fiscal year rather than the calendar year. Recent regulatory changes at the COSM were changed to have the test claim filing deadline to track with the calendar year to align with the Government



# TAKE ACTION BRIEF

Code, even though the filing time that tracked with the fiscal year had been out of compliance with the Government code for over a decade. The change resulted in a six-month reduction in filing time for agencies to submit an accurate claim to the COSM. This bill aligns the Government Code with the previous fiscal year deadline so that claims can be filed no later than 12 months following the effective date of a statute or executive order, or within 12 months of incurring increased costs as a result of a statute or executive order, whichever is later. For purposes of filing a test claim based on the date of incurring increased costs, "within 12 months" would mean by June 30 of the fiscal year following the fiscal year in which increased costs were first incurred by the test claimant.



## ➤ INFRASTRUCTURE, INNOVATION, AND INVESTMENT

CSDA's long range policy principal regarding infrastructure, innovation, and investment is to encourage prudent planning for investment and maintenance of innovative long-term infrastructure. CSDA supports the development of fiscal tools and incentives to assist special districts in their efforts to meet California's changing demands, ensuring the efficient and effective delivery of core local services.

### Multiple Accessory Dwelling Unit Bills Introduced Before Deadline

The Legislature is taking a hard look at local policies on land use and accessory dwelling units (ADUs) in 2019. Developers and housing advocates have pushed ADU construction as an answer to California's affordable housing crisis. ADUs can be considered infill development and do not require opening new land for housing, an advantage for policy makers confronting local "NIMBY" (not in my backyard) movements.

This year, there are seven bills on ADU policy that impact special districts. The bills focus on promoting ADU construction with a combination of slashing local development fees on ADUs, reducing timeframes for ministerial approval of new units, and restricting local agencies' ability to place requirements on ADUs for parking and other considerations.

A further three bills were introduced that would open up surplus public land for affordable housing development. This legislation would make it harder for local agencies to lease land reserved for their future needs.

**[SB 4 \(McGuire and Beall\)](#) – WATCH** – Contains a package of laws aimed to reduce local discretion for permitting infill housing development. Relevant to special districts, the bill includes a ban on impact fees, except connection and capacity charges for sewer, water, and electrical infrastructure, for "neighborhood multifamily" developments. The bill defines neighborhood multifamily developments to include up to a four-unit building in urban communities or up to a duplex in non-urban communities. SB 4 would prevent park and fire districts from collecting impact fees on these developments.

**[SB 13 \(Wieckowski\)](#) – WATCH** – A spot bill that declares the intent of the Legislature to remove obstacles to construction of accessory dwelling units (ADUs), including developer impact fees. This bill will likely be similar to SB 831 (Wieckowski, 2018) which would have banned developer impact fees on ADUs. SB 831 died in Assembly Local Government Committee. CSDA opposed SB 831.

**[AB 68 \(Ting\)](#) – WATCH** – Establishes restrictions on what limitations local agencies can place in an ordinance on accessory dwelling units (ADUs), including limitations on minimum lot size, lot coverage, and floor area ratio. Requires local agencies to ministerially approve permits for new ADUs within 60 days instead of 120 days. Prohibits capacity and connection fees on ADUs or junior ADUs that are substantially within the existing space of a single-family dwelling or accessory structure, including reconstruction of an existing space with substantially the same physical dimensions as the existing accessory structure. This bill is substantially similar to AB 2890 (2018, Ting), which died in Senate Appropriations. CSDA removed opposition to AB 2890 after amendments were taken to remove language banning developer impact fees on ADUs. AB 68 contains language that prohibits capacity and connection fees on ADUs or junior ADUs that are "substantially" within the existing space of a single-family dwelling or accessory structure, including, but not limited to, reconstruction of an existing space with "substantially" the same physical dimensions as the existing accessory structure. This is an expansion of the exemption previously established in 2016 under SB 1069 (Wieckowski).

**[AB 670 \(Friedman\)](#) – WATCH** – A spot bill related to ADU ordinances.

**[AB 671 \(Friedman\)](#) – WATCH** – A spot bill related to ADU ordinances.

**[AB 1074 \(Diep\)](#) – WATCH** – Creates a \$4 billion bond for ADU construction.





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[AB 1585 \(Boerner Horvath\)](#) – **WATCH** – A spot bill related to ADU ordinances.

[AB 1164 \(Gloria\)](#) – **WATCH** – AB 1164 is a spot bill related to the disposal of surplus land.

[AB 1290 \(Gloria\)](#) – **WATCH** – AB 1290 is a spot bill related to the disposal of surplus land.

[AB 1486 \(Ting\)](#) – **OPPOSE UNLESS AMENDED** – Requires special districts to offer a right of first refusal to affordable housing developers, school agencies, and park agencies before putting their land out to lease. These provisions leave special districts unable to enter leases to protect their land from development or preserve it for future use. The bill also requires agencies to offer the right of first refusal before conducting any formal or informal negotiations. Additionally, the definition of surplus land is expanded to include any land held by a public agency, rather than land designated as surplus by the agency. AB 1486 is substantially similar to AB 2065 (Ting, 2018), which CSDA opposed. AB 2065 was held in Assembly Appropriations Committee.

For more information, please contact CSDA Legislative Representative Rylan Gervase at [rylang@csda.net](mailto:rylang@csda.net).





## ➤ REVENUE, FINANCES, AND TAXATION

*CSDA's long range policy priority on revenue, finances, and taxation is to ensure adequate funding for special districts' safe and reliable core local service delivery. Protect special districts' resources from the shift or diversion of revenues without the consent of the affected districts. Promote the financial independence of special districts and afford them access to revenue opportunities equal to that of other types of local agencies.*

### Redevelopment Revival with a Twist

Confronting California's housing and homelessness issues has taken center stage in Sacramento. While the state budget is sound, including billions in new monies statewide to tackle these issues, there is an interest in renewing the redevelopment agencies (RDAs) that were dissolved in 2012.

With Governor Jerry Brown, who dissolved RDA, retired and a Governor Gavin Newsom taking the reins, legislators are floating many variations on this theme. Most bills stop just short of traditional redevelopment. But, in a new twist, many of this year's measures attempt to spend the proceeds of the former RDAs on redevelopment rather than pay off the debts of the RDA successor agencies. Since RDAs were dissolved, it has been up to the RDA successor agencies to manage the obligation and outstanding debt until it is resolved. Many still owe from bonds passed prior to the dissolution of RDAs. Some would argue this only prolongs the loss of tax increment available to local government.

Some of the measures we are currently tracking on this topic include:

**AB 11 (Chiu) Community Redevelopment Law of 2019** - Picks up where AB 3037 (Chiu, 2018) left off. This measure would reconstitute RDA's but contemplates a "pass-through" provision to make special districts whole. CSDA is still working with stakeholders and the author to make sure that should such a measure pass that its pass-through provision provides accountability and the mechanics and timelines to be useful.

**AB 411 (Stone) Redevelopment: City of Santa Cruz: bond proceeds: affordable housing** - Allows the city of Santa Cruz RDA Successor agency to spend bond proceeds on housing, rescheduling the eventual payoff of existing debts.

**AB 1437 (Chen) Community redevelopment: paramedic tax funds** – Spot bill introduced "to enact legislation that would revert tax revenues collected to fund paramedics that are currently being used for redevelopment."

**AB 1701 (Cervantes) California Infrastructure and Economic Development Bank: economic development facilities: redevelopment agencies** - Envisions financing through the existing California Infrastructure and Economic Development Bank (I-Bank) by agreement with a redevelopment agency, should RDAs be revived.

**SB 532 (Portantino) Redevelopment: bond proceeds: affordable housing** - Allows RDA successor agencies to use bond proceeds for housing rather than the cancellation of existing debt on the open market.

CSDA will continue to monitor and engage on these measures to ensure that special districts voices are heard. If you have any feedback, questions, or comments please contact Legislative Representative Anthony Tannehill at [anthonyt@csda.net](mailto:anthonyt@csda.net)



# TAKE ACTION BRIEF

## ➤ HUMAN RESOURCES AND PERSONNEL

CSDA's long range policy priority on human resources and personnel is to promote policies related to hiring, management, and benefits and retirement that afford flexibility, contain costs, and enhance the ability to recruit and retain highly qualified, career-minded employees to public service. As public agency employers, support policies that foster productive relationships between management and employees, both represented and non-represented.

### Bill Introduced to Update Sexual Harassment Prevention Training Requirements

Last year Governor Jerry Brown sign [SB 1343 \(Mitchell, 2018\)](#) into law which established new requirements for providing sexual harassment prevention training to all employees. The intent of the law is to require all employers, public or private, with 25 or more employees to provide, at a minimum, one-hour of sexual harassment prevention training to all employees and at least two-hours of training for supervisory employees at least every two years. The bill requires employers to provide this training by 2020 and at least every other year after that. New employees hired after January 1, 2020 would need to receive the training within six months of being hired.

However, because of the specific language in the legislation, a [California Department of Fair Employment and Housing FAQ](#) states that the bill requires training both by January 1, 2020 and in 2020. That means all employees must be trained by 2020, either in 2018 or 2019, but for those employees trained in 2019, they would receive back-to-back years of training in 2019 and 2020 instead of in 2019 and again in 2021 and every other year after that. This back-to-back years of training was not the intended result of SB 1343, so the Legislature has introduced [AB 778](#) to this issue.

[AB 778](#) authored by the Senate Labor Public Employment and Retirement Committee is intended to allow all employees that receive sexual harassment prevention training in 2019 to not be required to take the training again until 2021. This will allow our special districts to save money on training while still ensuring employees receive proper sexual harassment prevention training.

### Important Governance Legislation to Follow:

#### [SB 142 \(Wiener\)](#) Employees: lactation accommodation - **OPPOSE**

Requires all employers, including public agencies, to install lactation facilities in newly constructed workplaces and in tenant upgrades that cost more than \$1 million and are larger than 15,000 square feet. The lactation facilities need to be at least 50 square feet, contain an electrical outlet, with an additional outlet for a refrigerator where possible, provide access to a sink with hot and cold water, have a door with a lock that can be locked from the inside and contain a place to sit as well as an area to place lactation equipment.

The number of lactation facilities prescribed by the legislation is based on the number of employees, starting at one facility for employers with 50 or more employees and ranging up to 11 facilities for employers with 4,000 employees at a workplace, with an additional facility required for every 999 additional employees. The facilities must be within close proximity to employees' workstations and no more than two floors away from employees at multilevel workplaces. While the bill applies to all employers, those employers with fewer than 50 employees may be exempt from the requirements if they can demonstrate that the requirements pose an undue hardship.

#### [AB 589 \(Gonzalez\)](#) Employment: unfair immigration-related practices – **OPPOSE UNLESS AMENDED**

This bill, similar to AB 2732 (Gonzalez Fletcher, 2018) vetoed by Governor Brown, requires employers to provide all new hires with a copy of the "workers' bill of rights," which will be 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 3 years. A failure to comply with the requirements of the bill is a misdemeanor and may result in a fine of up to \$10,000. CSDA would like the bill amended to exempt public agencies from the requirements of the bill.



## ➤ LEGAL ADVOCACY

*CSDA is the leading legal advocacy voice for all special districts regarding public policy in California and actively tracks and reviews cases of significance affecting special districts in state and federal courts. Under the guidance of CSDA's Legal Advisory Working Group, CSDA files amicus briefs and opines on court cases when appropriate.*

### California Supreme Court Leaves Pension Rule Undisturbed

In a much-anticipated decision, the Supreme Court of California held that the opportunity to purchase additional retirement service (ARS) credit by current members of the California Public Employees' Retirement System (CalPERS) is not a constitutionally protected vested right. The case, *Cal Fire Local 2881 et al. v. CalPERS*, was considered to have the potential to address the key question of whether employers can alter "core pension rights" in their contracts.

Ultimately, the court declined to tangle with the "California Rule," which are past court decisions that have protected public worker pensions from being reduced without new benefits in exchange for the loss of income. It held that the right to purchase ARS (or "air time") is not a right protected by the contract clause of the constitution, and therefore the opportunity to purchase ARS credit could be altered or eliminated at the discretion of the Legislature.

**It is important to note that this decision does not alter the rights of employees that have already purchased air time credit.**

Beginning in 2003, many public employees were granted the opportunity to purchase up to five years of air time by making appropriate payments to their pension fund. Participating employees could therefore receive pension benefits calculated on the basis of up to five years' more public employment than they actually worked. In 2012, PEPR (the Public Employee Pension Reform Act) effectively repealed the statute granting public employees the opportunity to purchase ARS credit, although it did not alter the rights of employees who had already purchased such credit.

Cal Fire Local 2881 joined other parties to sue in an effort to reinstate the perk, arguing that the right to purchase air time could not be withdrawn without breaking the California Rule. Two issues were presented to the California Supreme Court: the first was whether the opportunity to purchase ARS credit was a "vested right" — a right protected by the constitutional contract clause. The second issue, which would arise only if the opportunity to purchase ARS credit is entitled to constitutional protection, is whether the Legislature's elimination of that benefit in PEPR constituted an unconstitutional impairment of public employees' vested rights. The court affirmed the decisions of the trial court and the Court of Appeal, concluding that the opportunity to purchase ARS credit was not a right protected by the contract clause.

The court found no indication in the statute conferring the opportunity to purchase ARS credit that the Legislature intended to create contractual rights, and said "[f]urther, unlike core pension rights, the opportunity to purchase ARS credit was not granted to public employees as deferred compensation for their work, and here we find no other basis for concluding that the opportunity to purchase ARS credit is protected by the contract clause."

The court made clear its intention to steer clear of addressing the California Rule, stating in the opinion authored by Chief Justice Tani Cantil-Sakauye, "...we have no occasion in this decision to address, let alone to alter, the continued application of the California Rule."

For more information about this decision, contact Legislative Analyst – Attorney Mustafa Hessabi at [mustafah@csda.net](mailto:mustafah@csda.net).

**I) HBMWD Relationship**

- a. History
- b. Mission, approach and philosophy
- c. Forums to conduct business
  - i. monthly Muni meeting
    - 1. third Wednesday each month 2:00 – 4:00 pm
    - 2. if not enough for agenda do not hold
    - 3. make that call the week before; if meeting on, agenda sent
  - ii. as-needed Water Task Force meetings

**II) Wholesale Water Contract**

- a. Ordinance 16 and companion contract
  - i. overview of cost allocation methodology
  - ii. overview of cost allocation factors and process to change
  - iii. annual water-use report
- b. Process when nearing end of term

**III) Water Rights**

- a. Included in original contract and important provision remains
- b. Annual reporting

**IV) Operations**

- a. System overview (map and TRF brochure)
- b. Essex Control and key contact info
- c. Recommend tour/meet-and-greet at Essex (for you and new Water Ops supervisor) and recommend our staff meet your water department staff at “your place”
- d. Mutual Aid – WARN and HBMWD-Muni MOU
- e. Radio Interoperability agreement

**V) Budget and Billings**

- a. Budget
  - i. initial estimate (generally March)
  - ii. confirmation in July (via formal correspondence)
- b. Monthly Billing Statement
- c. Input for retail water rates studies – use wholesale cost of service we provide not accounts payable from your accounting system (which includes annual Price Factor 2 credit)

**VI) Strategic Initiates**

- a. Water Resource Planning
- b. Capital Improvement Plan

**VII) Other**

- a. Drink Local Water Campaign

**ACWA**

**Resolution 2019-01**

**A Resolution of the Board of Directors of the Humboldt Bay Municipal Water District  
Nominating Its ACWA/JPIA Board Member, J. Bruce Rupp, to the Executive Committee  
of the Association of California Water Agencies Joint Powers Insurance Authority  
(ACWA/JPIA)**

*BE IT RESOLVED* BY THE BOARD OF DIRECTORS OF HUMBOLDT BAY MUNICIPAL WATER DISTRICT AS FOLLOWS:

**WHEREAS**, this District is a member district of the ACWA/JPIA that participates in all four of its Programs: Liability, Property, Workers' Compensation, and Employee Benefits; and

**WHEREAS**, the Bylaws of the ACWA/JPIA provide that in order for a nomination to be made to ACWA/JPIA's **Executive Committee**, the member district must place into nomination its member of the ACWA/JPIA Board of Directors for such open position;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of Humboldt Bay Municipal Water District that its member of the ACWA/JPIA Board of Directors, **J. Bruce Rupp** be nominated as a candidate for the **Executive Committee** for the election to be held on May 6, 2019.

**BE IT FURTHER RESOLVED**, that the ACWA/JPIA staff is hereby requested, upon receipt of the formal concurrence of three other member districts to effect such nomination.

**BE IT FURTHER RESOLVED**, that the District Board Secretary is hereby directed to transmit a certified copy of this resolution to the ACWA/JPIA at PO Box 619082, Roseville, CA 95661-9082, forthwith.

**PASSED and ADOPTED at a Regular Meeting of the Board of Directors** of the Humboldt Bay Municipal Water District this 14th day of March 2019, by the following roll call vote:

AYES:

NOES:

ABSENT:

Attest:

---

Sheri Woo, Board President

---

J. Bruce Rupp, Board Secretary





H.B.M.W.D. FEB 19 2019

February 13, 2019

Re: Election to ACWA/JPIA's Executive Committee

Dear JPIA Director:

Jerry Gladbach is up for reelection to JPIA's Executive Committee. As you know Jerry is President of the ACWA/JPIA Board of Directors and has served on this Committee from 2002 to 2003, as ACWA's Vice President and since 2006 as an elected member of the Executive Committee. Jerry is a member of the Santa Clarita Valley Water Agency's Board of Directors, formerly the Castaic Lake Water Agency and is our JPIA Director.

Jerry has a lifetime of experience in the water arena. He has been affiliated with ACWA since 1973, has served as ACWA Vice President and President, and has served as a JPIA Director since 2002. His many years of public service have contributed to his great knowledge of water and insurance issues facing member agencies throughout all of California.

Jerry is one who is always looking forward and is an independent thinker. As a result of his tenure as President and additional time on the Executive Committee, he has the knowledge and experience to continue doing an excellent job for the benefit of all JPIA members.

As President of the Board of Directors of the Santa Clarita Valley Water Agency, I ask that you review the attached list of Jerry's extensive qualifications and urge you to vote for him on May 6, 2019.

Sincerely,

William Cooper  
President

P.S.: Please remember to vote for Jerry on May 6<sup>th</sup>!!!!

Attachment





## E.G. "Jerry" Gladbach

27491 Hillcrest Place / Valencia, CA 91354  
Phone: (661) 297-2200 / Email: [ejglad@aol.com](mailto:ejglad@aol.com)

### EXPERIENCE / COMMITMENT / DEDICATION

*It has been an honor to serve you as the President of ACWA/JPIA's Board of Directors. I welcome the opportunity to continue in a leadership role to further develop better ways to serve the member agencies. I ask for your vote to continue being on the Executive Committee which is the prerequisite to being selected as the President of your Board of Directors. I would be honored to continue serving you again in this position in order to go forward with the captive insurance company and continue with the positive enhancements that have been implemented during the last few years.*

*A few of our most significant accomplishments have been:*

- *Board approval for the formation of a captive insurance company. The captive is part of a long-term strategy that is expected to provide significant savings for JPIA members on their insurance.*
- *With Executive Committee oversight, successfully transitioned nearly half of the JPIA Management Team, due to retirements of long term employees.*
- *Expanded the number of training opportunities for our members' employees and, new in 2018, we began providing additional training opportunities for Board members.*
- *In recent years, rates have decreased 15% in the Liability Program, 20% in Property, and 10% in Workers' Comp. Employee Benefits Program rates for the current year remained unchanged in all but the Kaiser Plans, which increased 2.5%.*
- *In the last five years, the JPIA refunded nearly \$19 million in premiums to the members.*

*My experience as Vice President and President of ACWA, my years of service as a member of the Executive Committee and the ACWA/JPIA President has given me the opportunity to go up and down the state and meet with member agencies. **My desire to understand and represent all agencies is my goal, and my renewed interest to serve with knowledge and dedication remains the foundation of my commitment to you.***

### PROFESSIONAL / COMMUNITY EXPERIENCE

#### ACWA – Joint Powers Insurance Authority

President	2010 – present
Executive Committee	2002 – 2003, 2006 – present
Chair, Building and Property Ad Hoc Committee	2008 – 2010
Chair, Liability Sub-Committee	2007 – 2010
Board of Directors	2002 – present

#### Association of California Water Agencies (ACWA)

ACWA's Rep. to NWRAs Board of Directors	2009 – Present
President	2004 – 2005
Vice President	2002 – 2003
Chair, Region 8	1998 – 2001
Board of Directors	1998 – present
Chair, Energy Committee	1982 – 1989, 2006 – 2007

#### Santa Clarita Valley Water Agency (formerly Castaic Lake WA)

Board of Directors	1985 – present
President	1987 – 1990
Committee Chair	1991 – 2015

#### LAFCO – Los Angeles

Chair	2006 – present
Commissioner	2002 – present

#### Water Education Foundation, Board of Directors

1987 – 2009

#### L.A. Department of Water and Power /retired after 35 years of Leadership

#### Past Member, United States EPA Groundwater Task Force

#### Professional Engineer, Reg. in CA – Life Member, American Society of Civil Engineers

#### Master of Science Degree in Civil Engineering / Water Resources

### PERSONAL

*Married with 3 children, and 6 grandchildren, I have lived in the Santa Clarita Valley over 45 years and have been devoted to community service for that entire period.*

**A Resolution of the Board of Directors of the Humboldt Bay Municipal Water District  
Concurring In Nomination of E.G. "Jerry" Gladbach to the Executive Committee of the  
Association of California Water Agencies Joint Powers Insurance Authority (ACWA/JPIA)**

**WHEREAS**, this district is a member district of the ACWA JPIA; and

**WHEREAS**, the Bylaws of the ACWA JPIA provide that in order for a nomination to be made to ACWA JPIA's **Executive Committee**, three member districts must concur with the nominating district, and

**WHEREAS**, another ACWA JPIA member district, the Santa Clarita Valley Water Agency, has requested that this district concur in its nomination of its member of the ACWA JPIA Board of Directors to the **Executive Committee** of the ACWA JPIA;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the **Humboldt Bay Municipal Water District** that this district concur with the nomination of Jerry Gladbach of Santa Clarita Valley Water Agency to the **Executive Committee** of the ACWA JPIA.

**BE IT FURTHER RESOLVED** that the District Secretary is hereby directed to transmit a certified copy of this resolution to the ACWA JPIA at P.O. Box 619082, Roseville, CA 95661-9082, forthwith.

**PASSED and ADOPTED at a Regular Meeting of the Board of Directors** of the Humboldt Bay Municipal Water District this 14th day of March 2019, by the following roll call vote:

AYES:

NOES:

ABSENT:

Attest:

\_\_\_\_\_  
Sheri Woo, Board President

\_\_\_\_\_  
J. Bruce Rupp, Board Secretary

**Subject:** FW: Nomination of Brent Hastey to the ACWA JPIA Executive Committee  
**Attachments:** resolution\_concurring\_2019.docx; B.Hastey Bio.docx

**Subject:** Nomination of Brent Hastey to the ACWA JPIA Executive Committee

***On behalf of Curt Aikens:***

Greetings!

On behalf of the Yuba Water Agency and our Board of Directors, I ask that you consider offering your organization's support for the nomination of Brent Hastey, our chairman and the President of the Association of California Water Agencies, to the ACWA JPIA Executive Committee.

When Brent was the vice president of ACWA from 2016-2017, he served on the Executive Committee, and during that time, he was instrumental in the decision for our agency to join JPIA, and we are so glad we did. We have saved a significant amount of money and enjoyed a remarkably higher level of service as a result of that decision.

Brent found the experience invaluable, and would love the opportunity to serve a full term on the committee.

We have included a sample resolution you could use to show your board's support for Brent's nomination. Please consider having your board approve this resolution and submitting it to JPIA before March 22, 2019.

Sincerely,

**Curt Aikens**  
General Manager  
(530) 741-5000 office  
[caikens@yubawater.org](mailto:caikens@yubawater.org)  
[yubawater.org](http://yubawater.org)





Brent Hastey was elected to a two-year term as president of the Association of California Water Agencies on Nov. 29, 2017.

He is a member and chairperson of the Yuba Water Agency Board of Directors and a former member of the Yuba County Board of Supervisors. He also has served on the boards of Reclamation District 784, Yuba County LAFCO, Regional Council of Rural Counties and the Sacramento Area Council of Governments.

In addition to his service in the water management arena, Hastey has worked in higher education both locally and on a statewide level. In 2010, he was elected to the Yuba Community College District, which serves eight counties and spans nearly 4,200 square miles of rural Northern California. He is a member of the California Community College Trustee Board, which represents the state's 72 community college districts. Hastey also serves as a Director of Bank of Feather River, a community bank in Yuba City, CA.

Hastey previously served as vice president of the ACWA for the 2016-'17 term and on the ACWA JPIA executive committee 2016-2017.

**Resolution 2019-03**

**A Resolution of the Board of Directors of the Humboldt Bay Municipal Water District  
Concurring In Nomination of Brent Hastey to the Executive Committee  
of the Association of California Water Agencies Joint Powers Insurance Authority (ACWA/JPIA)**

**WHEREAS**, this district is a member district of the ACWA JPIA; and

**WHEREAS**, the Bylaws of the ACWA JPIA provide that in order for a nomination to be made to ACWA JPIA's **Executive Committee**, three member districts must concur with the nominating district, and

**WHEREAS**, another ACWA JPIA member district, the Yuba Water Agency, has requested that this district concur in its nomination of its member of the ACWA JPIA Board of Directors to the **Executive Committee** of the ACWA JPIA;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the **Humboldt Bay Municipal Water District** that this district concur with the nomination of **Brent Hastey** of the Yuba Water Agency to the **Executive Committee** of the ACWA JPIA.

**BE IT FURTHER RESOLVED** that the District Secretary is hereby directed to transmit a certified copy of this resolution to the ACWA JPIA at P.O. Box 619082, Roseville, CA 95661-9082, forthwith.

**PASSED and ADOPTED at a Regular Meeting of the Board of Directors** of the Humboldt Bay Municipal Water District this 14th day of March 2019, by the following roll call vote:

AYES:

NOES:

ABSENT:

Attest:

\_\_\_\_\_  
Sheri Woo, Board President

\_\_\_\_\_  
J. Bruce Rupp, Board Secretary



**Federal Regulatory Issues  
 January 2019 Update**

<b>Environmental Protection Agency</b>		
<b>Issue</b>	<b>Summary</b>	<b>Status</b>
<b>Clean Water Act rule on new definition of "waters of the United States"</b>	EPA and the Army Corps of Engineers propose excluding ephemeral streams from the definition of "waters of United States" for the first time. This change will mean that water agencies no longer need Clean Water Act permits to conduct work in ephemeral streams. Additionally, the proposed definition excludes wastewater recycling structures constructed in uplands, such as detention, retention and infiltration basins and ponds, and groundwater recharge basins. Stormwater control features constructed in uplands to convey, treat, infiltrate, or store stormwater runoff, including green infrastructure, are also excluded from the new definition. Ditches would only be regulated if they meet certain criteria such as functioning as traditional navigable water or constructed in a tributary or adjacent wetland. Man-made infrastructure (including water supply facilities) will remain within the definition of "waters of the United States" if they were originally constructed on a water body that would otherwise qualify as jurisdictional.	Agency announced the new proposed rule on Dec. 11, 2018. Publication in the Federal Register delayed by the government shutdown. Once published, there will be a sixty day comment period.
<b>Subsurface/ groundwater connection and NPDES permits</b>	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.



Environmental Protection Agency		
Issue	Summary	Status
<b>Revised Lead and Copper Rule</b>	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.
<b>Perchlorate</b>	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 under a consent decree to issue proposed standard for perchlorate by 10/31/2018 and a final standard by 12/19/2019. EPA failed to meet the court ordered deadline and all parties agreed to an extension until April 30, 2019.

Army Corps of Engineers		
Issue	Summary	Status
<b>WRDA Implementation</b>	The Corps is seeking public input on the development of implementation guidance for 37 specific provisions of WRDA 2018, three provisions of WRDA 2016, and two provisions of WRDA 2014. Provisions open for comment include the surplus water contracts and water storage agreements (section 1138 of WRDA 2018) and a study of water resource development projects by non-federal interests (section 1152 of WRDA 2018). The public is asked to share input and recommendations for implementing these specific provisions, as well as any factors seen as critical for consideration during the development of implementation guidance for these provisions.	The Corps issued the request for comments on 12/14/2018 and all input is due 2/12/2019. ACWA is working with NWRA to provide comment.
<b>Clean Water Act Rule</b>	See information under EPA.	Agency announced the new proposed rule on Dec. 11, 2018. Publication in the Federal Register delayed by the government shutdown. Once published, there will be a sixty day comment period.





Bringing  
Water  
Together

<b>Endangered Species Act Implementation</b>		
<b>Issue</b>	<b>Summary</b>	<b>Status</b>
<b>Revisions to FWS Mitigation Policy</b>	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."
<b>FWS/NMFS Notice of Proposed Rulemaking: Revisions to Section 7 Consultation Requirements</b>	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.
<b>FWS/NMFS Notice of Proposed Rulemaking: Revisions to Section 4 Critical Habitat Designations</b>	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.
<b>FWS Notice of Proposed Rulemaking: Rescind the blanket 4(d) Rule</b>	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.



# LITTLE HOOVER COMMISSION RELEASES 2017-2018 REPORT

BY HEATHER ENGEL FEB 8, 2019 WATER NEWS

The Little Hoover Commission on Feb. 7 released the 2017-2018 edition of its biennial Economy and Efficiency Report, which includes a summary of past recommendations, implementation progress during the past two years and follow-up recommendations.

In the category of Natural Resources and Water, the commission reiterates its recommendation from 2010 that California remove the State Water Project from the Department of Water Resources and state government control. It further recommends that DWR be converted into a broader-scale Department of Water Management that retains all functions of DWR, plus oversees water rights.

The 13-page report also recommends more investment in forest management, noting some recent progress, including Gov. Jerry Brown's formation of the Forest Management Task Force in 2018.

In 2017, the commission called for improved oversight of special districts, including improved transparency. The report notes the recent enactment of SB 929 (McGuire), which requires all special districts to maintain a website to help the public understand the services available to them.

The commission recommends the state require additional transparency by requiring all special district websites to include standardized information, such as governance structure, compensation details and pertinent financial information.

Founded in 1962, the Commission is charged with assisting the Governor and Legislature in promoting economy, efficiency, and improved services in state government.

**RREDC/RCEA**



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## **BOARD OF DIRECTORS MEETING AGENDA**

**Humboldt Bay Municipal Water District Office**  
**828 7<sup>th</sup> Street, Eureka, CA 95501**

**February 28, 2019**  
**Thursday, 3:30 p.m.**

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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.

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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](http://www.redwoodenergy.org).

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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.

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### **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. CLOSED SESSION**

**3.1** Public Employee Performance Evaluation, pursuant to Government Code Section 54957(b)(1): Executive Director

**3.2** Conference with labor negotiator pursuant to Government Code Section 54957.6:  
RCEA representative: Director Sheri Woo.  
Unrepresented employee: Executive Director

#### **4. RECONVENE TO OPEN SESSION**

#### **5. REPORT FROM CLOSED SESSION**

#### **6. 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.

**6.1** Approve Minutes of January 28, 2019, Board Meeting.

- 6.2 Approve Disbursements Report.
- 6.3 Accept Financial Reports.
- 6.4 Receive the 2017 Power Source Disclosure Audit.
- 6.5 Approve Amendment No. 4 to Agreement for Employment of Executive Director with Matthew Marshall.
- 6.6 Authorize the Executive Director to execute an amendment to the power purchase agreement with Humboldt Sawmill Company with the following key contract adjustments:
  - Extend contract end date to 2024.
  - Reduce unit price for the period March 1, 2019-December 31, 2019 to \$65/MWh, thereafter increasing to a price of \$67/MWh, subject to an annual consumer price index adjustment beginning on the anniversary of the contract amendment in 2021.

## 7. REMOVED FROM CONSENT CALENDAR ITEMS

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

## 8. OLD BUSINESS

8.1 FY 16-17 Fiscal Audit – Independent Auditor’s Report (Information only)

8.2 ACV Microgrid Updates, Construction Agreement, MOU and Lease

Authorize the Executive Director to develop and execute, upon approval by the RCEA General Counsel, an agreement with Tesla Inc. for engineering, procurement, and construction services for the Redwood Coast Airport Renewable Energy Microgrid Project and any other associated documents as necessary.

Authorize the Executive Director to execute the Redwood Coast Airport Renewable Energy Microgrid Memorandum of Understanding based on pending mutual agreement of all parties.

8.3 Finance Subcommittee Membership

Appoint up to two more directors to the Finance Subcommittee for one-year terms ending on the first regular Board meeting of 2020.

## 9. NEW BUSINESS – None.

## 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.

## 10. OLD CCE BUSINESS

10.1. Offshore Wind Project Update (Information only)

## **11. NEW CCE BUSINESS**

- 11.1 Community Advisory Committee 100% Clean and Renewable 2025 Goal Recommendation

Discuss and direct staff on next steps.

- 11.2 PG&E Bankruptcy Update (Information only)

## **END OF COMMUNITY CHOICE ENERGY (CCE) BUSINESS**

## **12. STAFF REPORTS**

- 12.1 Update by Demand Side Management Director Lou Jacobson on RCEA's Energy Efficiency programs.

- 12.2 Report from Acting Executive Director Dana Boudreau.

## **13. FUTURE AGENDA ITEMS**

## **14. CLOSED SESSION**

- 14.1 Closed Session to meet with legal counsel per Government Code Section 54956.9(c), In re PG&E, Bankruptcy Court, 19-30088, Northern District of California.

## **15. RECONVENE TO OPEN SESSION**

## **16. REPORT FROM CLOSED SESSION**

## **17. ADJOURNMENT**

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**NEXT REGULAR MEETING – NEW DAY AND TIME**  
Thursday, March 28, 2019, 3:30 p.m.  
Humboldt Bay Municipal Water District Office  
828 7<sup>th</sup> Street, Eureka, CA 95501



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## **DRAFT BOARD OF DIRECTORS MEETING MINUTES**

Humboldt Bay Municipal Water District Office  
828 7<sup>th</sup> Street, Eureka, CA 95501

January 28, 2019  
Monday, 3:15 p.m.

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Chair Sheri Woo called a regular meeting of the Board of Directors of the Redwood Coast Energy Authority to order on the above date at 3:16 p.m. Notice of this meeting was posted on January 24, 2019. PRESENT: Estelle Fennell (arrived at 3:23 p.m.), Dean Glaser, Dwight Miller, Robin Smith, Frank Wilson, Vice Chair Michael Winkler, Chair Sheri Woo. ABSENT: Austin Allison, Summer Daugherty. STAFF PRESENT: Director of Business Development and Planning Lori Biondini, Director of Operations Dana Boudreau, The Energy Authority Consultant Jeff Fuller, Executive Director Matthew Marshall, Power Resources Account Services Manager Mahayla Slackerelli, Clerk of the Board Lori Taketa.

Chair Woo requested addressing agenda item 6.1, New Business - Election of Officers, as the first order of business.

### **NEW BUSINESS - Election of Officers**

Vice Chair Winkler expressed interest in serving as the Board Chair. Chair Woo stated that Director Allison had confirmed his interest in serving as Vice Chair.

Chair Woo invited public comment. No one came forward to speak. Chair Woo closed public comment.

**M/S: Glaser, Miller: Appoint Michael Winkler as Chair and Austin Allison as Vice Chair of the Redwood Coast Energy Authority Board of Directors for terms ending at the first regular meeting in 2020.**

**The motion passed on a unanimous voice vote. Ayes: Fennell, Glaser, Miller, Smith, Wilson, Winkler, Woo. Noes: None. Absent: Allison, Daugherty. Abstentions: None.**

### **REPORTS FROM MEMBER ENTITIES**

Director Miller reported the City of Trinidad is hiring a new City Manager. They hope to have one in place in next month.

Director Wilson reported that he will remain on the Board. Rio Dell Mayor Debra Garnes will be the alternate director.

Director Woo reported that Ruth Lake is full and both generators are running at full capacity.

Chair Winkler thanked Director Woo for her service as Board Chair. Chair Winkler stated that he is discussing reach codes or requiring greater energy efficiency requirements for new

buildings than the State code requires, with the Local Government Commission. The City of Arcata recently adopted a reach code and Chair Winkler may request RCEA to draft a model reach code for other jurisdictions to consider.

## ORAL COMMUNICATIONS

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

## CONSENT CALENDAR

- 3.1 Approve Minutes of:
  - 3.1.1 December 10, 2018, Special Board Meeting; and
  - 3.1.2 December 17, 2018, Regular Board Meeting.
- 3.2 Approve Disbursements Report.
- 3.3 Accept Financial Reports.
- 3.4 Approve the Updated Terms and Conditions for the Community Choice Energy Program.
- 3.5 Approve the 2019 RCEA Board Meeting Calendar.

Director Woo requested agenda item 3.1.2 be pulled for discussion.

Director Fennell arrived at 3:23 p.m.

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

**M/S: Glaser, Woo: Approve Consent Calendar items with the exception of item 3.1.2**

**The motion passed on a unanimous voice vote. Ayes: Fennell, Glaser, Miller, Smith, Wilson, Winkler, Woo. Noes: None. Absent: Allison, Daugherty. Abstentions: None.**

## REMOVED FROM CONSENT CALENDAR ITEMS

Director Woo made a correction to the December 17, 2018 Board meeting minutes. The vote supporting RCEA's staff reorganization was not unanimous. Director Woo placed the sole dissenting vote.

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

**M/S: Miller, Glaser: Approve Consent Calendar item 3.1.2 as amended.**

**The motion passed on a unanimous voice vote. Ayes: Fennell, Glaser, Miller, Smith, Wilson, Winkler, Woo. Noes: None. Absent: Allison, Daugherty. Abstentions: None.**

**OLD BUSINESS - FY 16-17 Fiscal Audit – Independent Auditor's Report**

Executive Director Marshall reported that the auditor's presentation will be postponed due to illness.

## NEW BUSINESS

### 6.2 Finance Subcommittee

Executive Director Marshall reported that the Directors requested the creation of a standing, publicly-noticed Board Finance Subcommittee as a means to increase organizational transparency and Board understanding of the agency's finances.

Director Woo and Chair Winkler expressed interest in serving on the subcommittee. The directors requested that additional subcommittee members be appointed in February.

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

**M/S: Woo, Fennell: Disband the FY19-20 Ad Hoc Finance Subcommittee, create a standing Finance Subcommittee to meet as needed to work with staff and advise the Board of Directors on matters relating to audit, finance and budget, and to appoint Director Woo and Chair Winkler to the Finance Subcommittee for one-year terms ending on the first regular Board meeting of each year.**

**The motion passed on a unanimous voice vote. Ayes: Fennell, Glaser, Miller, Smith, Wilson, Winkler, Woo. Noes: None. Absent: Allison, Daugherty. Abstentions: None.**

### 6.3 Community Advisory Committee

Executive Director Marshall reported that former Director Michael Sweeney, who stepped down from the Board after the December 2018 meeting, served as the non-voting Board liaison to the Community Advisory Committee (CAC). At least one director is needed to attend the CAC's quarterly meetings. Six CAC members' terms end in April and all expressed willingness to serve another term. All involved directors recommend reappointment. Executive Director Marshall stated that at the last quarterly meeting, the CAC requested that RCEA set a goal to reach a 100% clean and renewable electricity mix by 2025, similar to goals adopted by the County, Eureka, Arcata and Blue Lake. The CAC further requested that RCEA lead a community discussion on the definition of 100% clean and renewable electricity. Staff will present recommendations for Board consideration at the February meeting.

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

**M/S: Glaser, Miller: Appoint Robin Smith to serve as liaison, and Estelle Fennell to serve as alternate liaison, to the Community Advisory Committee through December 2019.**

**The motion passed on a unanimous voice vote. Ayes: Fennell, Glaser, Miller, Smith, Wilson, Winkler, Woo. Noes: None. Absent: Allison, Daugherty. Abstentions: None.**



**M/S: Fennell, Woo: Reappoint Norman Bell, Kit Mann, Kathy Srabian, Richard Johnson, Luna Latimer and Matty Tittman to the Community Advisory Committee for terms expiring April 13, 2021.**

**The motion passed on a unanimous voice vote. Ayes: Fennell, Glaser, Miller, Smith, Wilson, Winkler, Woo. Noes: None. Absent: Allison, Daugherty. Abstentions: None.**

#### 6.4 PG&E Update (Information only)

Executive Director Marshall reported that PG&E was expected to file for bankruptcy on the following day and expressed optimism that customer payments collected by PG&E on behalf of CCAs would continue to be paid to the CCAs. Mr. Marshall stated that the status of PG&E energy efficiency funding was less clear and that reorganization may be in PG&E's future. He and General Counsel Diamond are speaking with CalCCA to determine how the changes may affect RCEA. Mr. Marshall is also monitoring PG&E's discontinuation of their effort to sell the Potter Valley Project.

The directors expressed a desire to ensure local issues such as the Potter Valley Project and the decommissioned nuclear power plant are a priority during the bankruptcy proceedings, a concern about PG&E's opportunity to divest itself of liabilities, the importance of early involvement in the bankruptcy process and collaboration with other CCAs and the possibility of retaining separate bankruptcy counsel.

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

### **COMMUNITY CHOICE ENERGY (CCE) BUSINESS**

Chair Winkler determined a quorum was present to conduct CCE business.

### **OLD CCE BUSINESS**

#### 7.1. CCE Weighted Voting Revision (Information only)

Executive Director Marshall described the process outlined in the RCEA Joint Powers Agreement where CCE weighted voting shares are recalculated every two years. The number of votes allocated to each jurisdiction is based on the number of CCE customer accounts. The voting shares were recalculated on January 1, 2019. One vote moved from the County to Arcata.

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

#### 7.2. Energy Risk Management Quarterly Report

Jeff Fuller of The Energy Authority presented a quarterly energy risk management report that incorporated information resulting from the CPUC exit fee (PCIA) decision. Mr. Fuller presented a range of recommendations that adjusted program goals such as renewable energy portfolio percentages, carbon free energy percentages and customer rate discount

relative to PG&E, and corresponding effects on the agency's revenues and reserves. He recommended the Board determine the amount of customer rate savings at this meeting and decide on renewable and carbon free energy portfolio content after PG&E determines their content in March.

The directors and Mr. Fuller discussed the effect of the different scenarios on maintaining the agency's reserves, loan repayment status, the importance of offering lower rates than PG&E's to retain customers, whether it was more important to lower rates to keep customers or to prioritize environmentally-friendly power mix goals, the need for outreach to explain rate savings decreases to customers, the effect of approving the DG Fairhaven contract on cash flow, and the need for higher reserves to maintain rate stability in a volatile market.

Mr. Fuller reported that the CCE program is well procured for 2019 to hedge market price risks and the Risk Management team is working on 2020 and 2021 procurement. The team is finalizing large hydropower and out-of-state renewable purchases.

Chair Winkler invited public comment. An unidentified member of the public stated that 350.org Humboldt members would oppose reductions in renewable or greenhouse gas free energy procurement. She stated that people may not accept a rate savings reduction if \$250,000 was budgeted for DG Fairhaven power purchases.

Upon inquiry by member of the public Ellen Golla about whether biomass was counted as carbon free energy in this report, Executive Director Marshall stated that it was not. RCEA's carbon free energy portfolio includes large hydropower which does not qualify for the renewable portfolio standard, he added, and PG&E's carbon free portfolio includes large hydropower and nuclear power.

Chair Winkler closed public comment.

**M/S: Miller, Fennell: Accept Energy Risk Management quarterly report.**

**The motion passed on a unanimous voice vote. Ayes: Fennell, Glaser, Miller, Smith, Wilson, Winkler. Noes: None. Absent: Allison, Daugherty. Abstentions: Woo (non-voting).**

### 7.3. Customer Rate Setting

Executive Director Marshall reported that PG&E's rate setting is delayed until March. Staff recommended adopting rates as other CCAs do, by selecting a fixed discount percentage from PG&E's rate. PG&E's average generation rates are expected to decrease.

The directors discussed: the difficulty of achieving 100% renewable energy if PG&E lowers their rates as RCEA's base energy costs are locked in; the desire to increase green energy portfolio content; the community's expressed desire for rate discounts; possible switching to cost-of-service pricing in the future; and the possibility that more people will opt-out given the required 60-day notification period.

The directors further discussed: the need to increase RCEA's financial reserves; that about 1% of RCEA customers have opted up to 100% renewable energy; the risks of committing to

power purchasing agreements before knowing PG&E's rates; and the very small (less than \$1) average bill difference between a 1% and 1.5% discount rate. The directors requested public education to focus on why rate discounts are changing, the increasing transmission costs, and available programs to reduce bills and increase energy efficiency. Director Glaser expressed support for Jeff Fuller's 1.5% rate discount recommendation.

Chair Winkler invited public comment. An unidentified member of the public stated that the small bill reductions make little difference to individual customers but make a big difference in RCEA's ability to create renewable energy projects that people want.

Member of the public Ellen Golla stated that she manages a Facebook page with 700 likes and many people are against biomass energy and want clean energy. Many of these community members work during the day, she stated, and cannot testify at meetings.

Chair Winkler closed public comment.

**M/S: Miller, Smith: Approve 2019 RCEA customer electricity rates at 1% below PG&E generation rates, inclusive of all PG&E charges to CCA customers.**

**The motion passed. Ayes: Fennell, Miller, Smith, Wilson, Winkler. Noes: Glaser. Absent: Allison, Daugherty. Abstentions: Woo (non-voting).**

#### 7.4 Renewable Energy Request for Proposals

Executive Director Marshall presented request for proposal documents for potential local and regional renewable energy producers. The CCE program is seeking to enter 10-year minimum duration contracts with wind, solar and small-hydro projects located within a two-county radius of Humboldt County.

The directors discussed the method for selecting review panel members, the balance of expertise on the review panel, the potential for future rounds of proposal solicitation and the Board's role in guiding local resource development. The directors also discussed the possibility of lowering the minimum solar project size to 1 MW so projects don't fall through a gap between RCEA's upcoming feed-in tariff and renewable energy procurement programs.

It was clarified that final project selection will be made by the Board directors, that applicants would be responsible for project permitting, and that RCEA would be a power purchaser and not a partner on these projects.

Chair Winkler invited public comment. Member of the public and GHD civil engineer Jordan King supported a smaller minimum size solar project to increase local participation.

Chair Winkler closed public comment.

**M/S: Fennell, Miller: Authorize staff to issue the RCEA 2019 Renewable Energy Request for Proposals subject to final review by general counsel and lowering the minimum contract capacity for solar projects to 1 MW, and approve membership for the request for proposals review team.**

The motion passed on a unanimous voice vote. Ayes: Fennell, Glaser, Miller, Smith, Wilson, Winkler. Noes: None. Absent: Allison, Daugherty. Abstentions: Woo (non-voting).

## 7.5 DG Fairhaven Contract Renewal

Director Woo recused herself because of a remote conflict of interest. DG Fairhaven is a client of Director Woo's employer, SHN. Director Woo is also an SHN shareholder, although the Board's decision will not affect SHN's share price. Director Woo does not supervise any SHN employee working on the DG Fairhaven project. Director Woo left the dais at 5:15 p.m.

Executive Director Marshall reported that RCEA is paying \$65/MWh in its current 1-year DG Fairhaven agreement. Power Resources Director Engel negotiated a 1-year extension at \$59/MWh without resource adequacy. While the agreement extension will reduce the agency's budget headroom, it helps meet 2019 Category 1 renewable resources requirements.

The directors discussed how RCEA procures resource adequacy; the desire for a presentation on non-CO2 producing wood waste use, the need to engage the community and experts on future CCE direction; and the importance of biomass in RCEA's energy mix as a local, renewable energy that also provides dispatchable, consistent baseload.

Chair Winkler invited public comment. An unidentified member of the public spoke against the agreement renewal, stating that it did not seem fiscally responsible as RCEA will lose money. The speaker added that as enough power had been procured for the year, power purchased from DG Fairhaven would need to be sold, which made no sense.

Member of the public Ellen Golla opposed the agreement extension, stating that ratepayers should not be responsible for subsidizing timber industry waste disposal. Many people would oppose lowering ratepayer savings while subsidizing expensive biomass, Ms. Golla stated.

Chair Winkler closed public comment.

M/S: Fennell, Wilson: Authorize the Executive Director to develop and execute, after review and approval by the RCEA General Counsel, an amendment to the power purchase agreement with DG Fairhaven Power LLC renewing the agreement for a 12-month period beginning March 1, 2019, and any other associated documents as necessary.

The motion passed on a unanimous voice vote. Ayes: Fennell, Glaser, Miller, Smith, Wilson, Winkler. Noes: None. Absent: Allison, Daugherty. Abstentions: Woo (non-voting and recused).

## END OF COMMUNITY CHOICE ENERGY (CCE) BUSINESS

The Board adjourned for a break at 5:27 p.m. Director Woo returned to dais and the Board reconvened at 5:35 p.m.

## **CLOSED SESSION**

Chair Winkler invited public comment on the closed session item. No one came forward to speak. Chair Winkler closed public comment.

The RCEA Board convened in closed session at 5:35 p.m. to consider the following items:

- 11.1** Public Employee Performance Evaluation, pursuant to Government Code Section 54957(b)(1): Executive Director
- 11.2** Conference with labor negotiator pursuant to Government Code Section 54957.6:  
RCEA representative: Director Sheri Woo.  
Unrepresented employee: Executive Director

The Board reconvened to open session at 7:23 p.m.

Director Woo stated there was nothing to report out, and that discussion of this item would be continued to the February 28, 2019 meeting.

## **ADJOURNMENT**

Chair Winkler adjourned the meeting at 7:24 p.m.

Respectfully Submitted,

Lori Taketa  
Clerk of the Board



**REDWOOD REGION ECONOMIC DEVELOPMENT COMMISSION**  
**Regular meeting of the Board of Directors**  
At the Prosperity Center 520 E Street, Eureka  
**February 25, 2019 at 6:30 pm**  
**AGENDA**

- I. Call to Order & Flag Salute**
- II. Approval of Agenda and Minutes**
  - A. Approval of Agenda for February 25, 2019
  - B. Approval of Minutes of the Board of Directors Meeting January 28, 2019
- III. Public Input for non-agenda items**
- IV. Program – Legalization Plus One Year: A Status Report –** Terra Carver, Executive Director & Natalynne DeLapp, Operations Director, of Humboldt County Growers Alliance, hcga.co
- V. Consent Calendar**
  - A. Acceptance of Agency-wide Financial Reports: January 31, 2019
- VI. Reports – No Action Required**
  - A. Loan Portfolio Reports: January 2019
  - B. Executive Director’s Report
- VII. Old Business**
  - A. None
- VIII. New Business**
  - A. Acceptance of audit for FY 2017-2018
  - B. Appointing Financial Professional Alternate to Loan Committee
  - C. Nominations for SDRMA Board of Directors
- IX. Member Reports**
- X. Agenda/Program Requests for future Board of Directors Meetings**
- XI. Adjourn**

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