

# MINUTES



**HUMBOLDT BAY MUNICIPAL WATER DISTRICT**  
**828 7<sup>th</sup> Street, Eureka**



**Minutes for Meeting of Board of Directors**

**August 10, 2017**

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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 Latt left the meeting at 2:30 pm. General Manager John Friedenbach, Superintendent Dale Davidsen, Business Manager Chris Harris and Board Secretary Sherrie Sobol were also present. Doug Dove of Bartle Wells, and Nathan Stevens and John Winzler of GHD were also present for a portion of the meeting.

**B. FLAG SALUTE**

President Woo led the flag salute.

**C. ACCEPT AGENDA**

Mr. Friedenbach stated there is a possible addition to the agenda. Staff received a request yesterday for a letter of support for Brent Hastey for the nomination of President of ACWA. The letter of support is due no later than August 30. Since this is a time-sensitive matter, it can be added to the agenda (Item K3e) as long as two-thirds of the members present (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action came to our attention subsequent to the agenda being posted. On motion by Director Rupp seconded by Director Hecathorn, the Board voted 5-0 to accept the agenda as amended to include Item K3e.

**D. MINUTES**

After a brief discussion, on motion by Director Hecathorn, seconded by Director Fuller, the Board voted 5-0 to approve the minutes of July 13, 2017.

**E. PUBLIC COMMENT**

No public comment was received.

**F. CONSENT AGENDA**

Director Fuller requested Item 3, the two articles regarding the Manila CSD rates be pulled.

On motion by Director Rupp, seconded by Director Hecathorn, the Board voted 5-0 approve the Consent Agenda, less Item 3.

Director Fuller noted both articles listed several factors for the rate increase including an increase in charges from Humboldt Bay Municipal Water District. She questioned the validity of the statement since their wholesale charges this year actually decreased compared to last year. Mr. Friedenbach confirmed a decrease in wholesale charges this year, however there will be increases going forward so it is valid in that regard. He took the opportunity to acknowledge his appreciation for the District Board and all the work they put in to ensure the District runs well.

On motion by Director Fuller, seconded by Director Hecathorn, the Board voted 5-0 to approve Item 3.



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**G. CORRESPONDENCE**

1. District letter to Municipal Customers re: Wholesale Charges and Price Factor 2 Reconciliation  
 Mr. Friedenbach shared the annual letter to the wholesale customers which includes the Price Factor 2 reconciliation and estimated wholesale water charges for each customer. Overall, there is an 8.5% decrease in charges. Director Latt inquired how the numbers are arrived at. Mr. Friedenbach explained the different factors used to determine each Municipal Customers portion. Director Rupp added this all ties into the contract terms the Municipal Customers agreed to in their individual contract.

Mr. Friedenbach stated he received correspondence from Mr. Drop, general manager of Manila CSD regarding the wholesale costs. Earlier this year, he and then General Manager Mr. Helliker provided an estimated five-year projection. Mr. Drop noticed a difference in charges between that projection and the recent letter that went out. Mr. Drop had submitted a written request that their Peak Rate be reduced due to the loss of Sierra Pacific. This communication not communicated during the General Manager transition and therefore, not accounted for in the budget model. Staff has since remedied the Peak Rate and adjusted the allocations. These changes will be shared at the upcoming Muni Meeting. All wholesale customers still have a decrease in our costs to them compared to last year.

2. Letter from DWR re: R. W. Matthews Dam and new regulations  
 The Division of Safety of Dams (DSOD) has updated the hazard classification for all dams under State jurisdiction. This classification is based solely on downstream hazard considerations, not the actual condition of the dam or its critical appurtenant structures. R.W. Matthews dam is classified as high hazard dam. Effective July 1, 2017 newly enacted state law requires dam owners to prepare an emergency action plan (EAP). Mr. Friedenbach stated this is part of Governor Brown's Four-Point Plan to Bolster Dam Safety and Flood Protection, which is a result of the Oroville Dam event. The District already has an EAP under the FERC regulations for a dam with a hydro plant. The FERC EAP is updated every five years and staff conducts a plan exercise as well with multiple agencies involved. Staff will provide the current EAP inundation maps to DWR.
3. Letter from DSOD re: Spillway Re-Evaluation Program  
 Mr. Friedenbach stated the District participates in a program with the DSOD where they will notify us of their media releases, including a description of the information released and who requested it. The first media release was for a list of dam owners that received the Spillway Re-Evaluation Program letter. As one of the owners on the list of ninety-three dams, we received the notification.

Mr. Friedenbach shared the letter sent to dam owners that stated a comprehensive assessment of the spillway is required. He informed the Board that a concrete evaluation of the dam and spillway will occur later this month using equipment that allows for non-destructive testing. He will share the testing results with the Board.

4. Letter from USFS re: Access to River for Sacramento Sucker Fish Study  
 Mr. Friedenbach shared the thank you note from the US Forest Service regarding access to the Mad River via District property for studies of the Sacramento Sucker Fish. Mr. Friedenbach



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stated the US Forest Service will share the results of the study and this may be beneficial to instream flow studies.

5. Email from Ruth Lake CSD General Manager re: Resignation

Mr. Friedenbach shared an email he received from Ruth Lake CSD that includes the notice of resignation from current General Manager Donny Stewart. Mr. Stewart stated that all of the HBMWD staff are professional and courteous and that Brian Newell does an exceptional job at Ruth. He stated that Mr. Newell “represents HBMWD and you well above the call of duty”.

The District applied for and received a 16/17 Quagga grant for \$63,500 to assist with quagga mussel prevention. Mr. Friedenbach stated that Mr. Stewart was in the process of putting together a bid packet for converting Old Ruth to a public launch site. He is not sure what the status is now with Mr. Stewart’s departure and will have to look into it.

6. Letter from District to CDFW & Regulatory Agencies re: River Work

Work is planned for after August 21 to install pumps and motors in Ranney Collectors 1 and 2 as part of the routine maintenance operations. Mr. Friedenbach shared the letters sent to regulatory agencies regarding the planned Collector work. The notifications are requirements of the District’s Habitat Conservation Plan and the Long-Term Streambed Alteration Agreement. The District has not received any responses yet, however, the project was previewed on site with California Department of Fish and Wildlife.

**H. CONTINUING BUSINESS**

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

Local Sales

Mr. Friedenbach shared that staff has been receiving calls from Fieldbrook water customers requesting “will serve” letters for cannabis cultivation. Staff did some research and learned that as part of the cannabis permit approval process, the County of Humboldt is requiring applicants to get a “will serve” letter from the applicant’s water supplier if they are on a public water system. According to County staff, some public water agencies have declined to provide water for anything beyond domestic use. Mr. Friedenbach stated the District has not received requests for “will serve” letters however, retail staff would like to be prepared to respond when they do receive a request. He believes that in accordance with the Water Code staff would have to provide a “will serve” letter for cannabis cultivation as we would be required to sell water under retail billing provided that the applicant is within the District boundaries and will use the water within the District boundaries. The account holder would be required to complete the normal application process as a commercial account holder, pay any associated connection fees and billed accordingly per Ordinance 13: Establishing Rates, Rules and Regulations for Retail Water Service by the Humboldt Bay Municipal Water District. Mr. Friedenbach requested input from the Board. Director Hecathorn inquired how would they be affected in the event of another drought. Mr. Friedenbach stated they would have to comply with rules just like any other account holder. After a brief discussion, the Board concurred with Mr. Friedenbach that the District would provide a “will serve” letter if requested contingent upon the applicant’s place of use being within the District boundaries.



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Transport

Mr. Friedenbach stated no significant activity transpired on this topic during the past month. Director Rupp noted this seems to be a regular statement.

Instream Flow

Last month the Board authorized staff to proceed with the application for an instream flow grant from the Wildlife Conservation Board. On August 8<sup>th</sup> the Instream Flow committee met with regulatory agencies to solicit feedback and support for the application to the Wildlife Conservation Board to further advance an instream flow permit dedication. President Woo stated the agency turnout was good and most were supportive of the grant. NMFS is not requiring an estuary study however, we still need to show no harm is caused by instream flows. Mr. Friedenbach concurred and added that transport was brought up and most agency reps were anti-transport however, acknowledged the value of water for transport. Director Fuller stated this meeting was very different than the previous one she attended in that this was much more cohesive. Mr. Friedenbach will prepare a letter of support template for the agencies. The grant is due August 31<sup>st</sup>.

2. Cannabis Grows

Mr. Friedenbach stated there are no additional updates other than what was reported in Water Resource Planning. Director Latt inquired if there are any additional pumps in Ruth Lake. Mr. Friedenbach replied he is not aware of any. He stated that US Forest Service biologists are conducting a fish survey just below the dam and will notify the District of any illegal diversions they come across.

Director Latt stated he is working on a civil action cannabis related case and has been in touch with the multi-agency Wetlands Enforcement Team (WET). During conversations, he brought up the issue of water trucks illegally drawing water in and around Ruth Lake. He learned that there is a checklist of requirements for water trucks to withdraw water, however not much is being done regarding enforcement. He did learn that the District Attorney's office has a deputy assigned to enforcement of environmental violations. He will be meeting with WET team members to come up with an action plan to address violations.

3. Eureka Chamber of Commerce Membership

Last month, the Board discussed whether or not to continue membership with the Eureka Chamber of Commerce. No decisions were made since the item was not on the agenda for action and the full Board was not present. Mr. Friedenbach recapped the highlights of the previous discussion including the Chambers political stance, list of members and annual dues. He also shared Mr. Winzler's comments regarding the historical importance of the Chamber in ensuring the future of the District. Director Rupp stated he appreciated the information and research provided. He inquired if the District belonged to any other organizations locally and Mr. Friedenbach replied no. Director Rupp acknowledged that sometimes the scope of the Eureka Chamber is broader and clearly this bothers some of the Directors. He is surprised we are not members of Arcata Chamber and feels there would be value in the membership and costs are minimal. He stated it is important to look at the overall benefit to the District and not base membership solely on political views. Director Fuller stated she would be in favor of adding other Chamber Memberships such as Arcata and McKinleyville. Director Hecathorn stated the Chamber does support businesses and we are a business. They also provide information about what other business are doing so we are kept informed about the business community. She added



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the District is a member of ACWA and we do not always agree with the stance they take on issues. President Woo disagreed with the statement that the District is a business. She stated we are an agency and therefore do not belong in the Chamber. On motion by Director Latt, seconded by Director Fuller, the Board voted 3-2 to not renew membership in November with the Eureka Chamber of Commerce. President Woo stated she voted to not renew membership because we are not a business. Directors Hecathorn and Rupp voted against the motion.

**I. NEW BUSINESS**

**1. Yellow-Legged Frog**

Mr. Friedenbach stated the District received a letter from CDFW regarding take of Foothill Yellow-Legged Frog since we have a Long-Term Streambed Alteration Agreement. Prior to the recent river work, staff under the direct supervision of CDFW staff and Dennis Halligan of Stillwater Science assisted with the temporary holding of yellow-legged frog tadpoles and western toads to remove them from the area of river work. Once work was completed, the amphibians were released back into the Mad River. Mr. Friedenbach stated he learned from local CDFW staff and Dennis Halligan that the Mad River is actually a good healthy environment for Yellow-Legged Frogs. He proposes speaking with CDFW staff about excluding the Mad River watershed from the area listing the Yellow Legged Frog as endangered. Director Rupp supported this and none were opposed.

**2. Statewide Mercury Control Program for Reservoirs Questionnaire**

Mr. Friedenbach provided background on a 2010 report titled "Contaminants in Fish from California Lakes and Reservoirs". This report was based on studies conducted in 2007-2008. Ruth Lake was identified as one of many lakes where fish were found to have mercury. As a result of the report, the District received a letter from the State Water Resources Control Board requesting technical information on reservoir management practices. One of the questions asked if we would be willing to contribute money towards additional studies or testing. He stated the District would not be willing to contribute money as this should come from a public health fund since it is a public health issue.

**J. REPORTS (from Staff)**

**1. Engineering**

**a) Blue Lake-FG CSD Water Line Replacement over Mad River (funded by Prop 84 NCIRWMP grant and FEMA Hazard Mitigation Grant)**

Mr. Friedenbach stated Nathan Stevens is filling in for Pat Kaspari as District Engineer this month and is familiar with our projects. Mr. Stevens provided the engineering report. In accordance with the California Environmental Quality Act (CEQA), the District prepared a mitigated negative declaration (MND) for the water transmission line project. The MND is in circulation and sent to the State Clearinghouse. Comments are due no later than August 16. Mr. Stevens stated they will respond to comments and bring the MND back for adoption at the September Board meeting. Next week crews will start drilling Geotech borings. The results will provide a better idea of the bedrock location and this will help with finalizing design plans.



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Mr. Friedenbach added that two public outreach meetings were held, one the Arcata side of the of the project and the other on the Blue Lake side. Staff shared visuals of the project site and answered questions. He noted that President Woo, Mr. Davidsen, Mr. Kaspari and Mr. Stevens and he attended both meetings. Director Latt inquired about the questions and comments received. Mr. Friedenbach replied that on the Arcata side there was concern about the impact of traffic on the road and the roots of old growth trees. Mr. Davidsen noted the bigger trucks will be traveling on the Blue Lake side so there should be minimal impact on tree roots.

b) IMG Reservoir Roof Replacement /Painting

Mr. Stevens stated construction is underway and most of the existing roof is removed. Installation of the new roof will take place next week. There were two change orders he shared with the Board. Change Order 1 does not have any monetary changes. It is for an extension of the project completion date. This is needed since staff requested the contractor conduct additional seismic calculations to determine if additional design not in the original scope was needed. It was determined that the contractor would proceed with the original design, however the additional work caused a delay in the project progress. Change Order 2 in the amount of \$3,965.00 is for removal of existing sample lines near the ladder and replacement with two new additional lines to be installed.

c) Surge Tower Replacement-status report

The deadline for Phase I submissions is August 17. The Cultural Resources Report and Lead Assessment report have already been sent to FEMA. The Plan and Specs will be sent out prior to the deadline.

d) Collector Mainline Hazard Mitigation Grant

Mr. Stevens stated staff received notification from Cal OES that the NOI for the project is eligible. Staff will proceed with the full application for grant funding due on November 1<sup>st</sup>. Mr. Friedenbach shared the project visuals that shows the various options for pipeline redundancy. Director Rupp noted one of the options has the redundant pipeline very close to the current one. He questioned how this improves reliability in a catastrophic event. Mr. Stevens stated the pipeline will be constructed of newer materials that are much more durable than the current pipeline.

e) Sheriff's Cove Dredging

Mr. Friedenbach stated this project is 75% funded by a FEMA Disaster Grant. Since the project is federally funded, the District followed its procurement process for federally funded projects. A panel reviewed the request for proposals received and selected GHD. After negotiation, GHD agreed to do the work for approximately \$34,000. Director Woo inquired what happens the sediment removed from Sheriff's Cove. Mr. Friedenbach stated it is moved to a flat area above Sheriff's Cove and is used for gravel sales.

2. Financial

a) Financial Report

Ms. Harris presented the July 2017 financial report. She highlighted the ReMAT and General Fund Reserve accounts. Director Fuller reviewed the bills and did not have any questions.



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She did note there was a charge for paint for the Eureka office. Mr. Friedenbach stated the office is being rearranged and the newest staff member will be located in the front office. The copier and other equipment are being moved to the back room. The back room was painted prior to equipment move and the only costs were paint and supplies since Ms. Harris and Mr. Friedenbach volunteered their time on a weekend to paint the room. On motion by Director Rupp, seconded by Director Latt, the Board voted 5-0 to approve the July 2017 financial statement and vendor detail report in the amount of \$263,947.46.

b) Ordinance 16 Price Factor

Ms. Harris explained Ordinance 16 Price Factors and their impact on the Wholesale Water Customer charge. Price Factors are the term the District uses to allocate expenses, cost and revenues in the fairest and most equitable manner for its wholesale customers. Price Factor 1 is the TRF and Generator debt service. Price Factor 2 is operations/maintenance/capital costs and revenue. Price Factor 3 is pumping power and Price Factor 4 is additions to reserves. There are two calculation terms that are critical when calculating the Price Factors: Moving Five-Year Average and Peak Rate Allocation. The Municipalities are always consulted during the process and nothing comes as a surprise to them when the budget is done. Director Hecathorn thanked Ms. Harris for an excellent job in explaining the process. She stated it clarified the process. The Board concurred.

c) CIP- Financial Plan update by Bartle Wells

Mr. Friedenbach stated staff has been updating the District's Capital Improvement Plan (CIP) for the past year. The CIP was originally prepared and adopted on November 10, 2011. Staff prepared a twenty-year look forward for our capital projects including maintenance repairs annual recurring items. This was presented to the Board in January and February. Today's presentation is focused on the financial component of the CIP. Bartle Wells prepared the original financial plan and we have used their services again to prepare the update. After receiving feedback from the Board, staff will finalize the CIP and present the entire document for consideration and adoption. He then introduced Mr. Doug Dove of Bartle Wells who provided a presentation on the ten-year financial update. Mr. Dove reviewed four CIP scenarios. Scenario 1, the full CIP has a total escalated cost of \$47.9 million over ten years. Scenario 2 excludes the Peninsula 15" domestic water line for \$39.1 million, Scenario 3 excludes Pump Station 6 for \$43.3 million and Scenario 4 excludes the Peninsula 15" domestic line and Pump Station 6 for \$34.6 million. The objective of the financial plan is for predictable, even increases. The mechanisms used to achieve this are advanced capital charges, additions to general reserves and issuance of debt. The estimated average annual increase over the ten years is 4%. The next six years will be a pay as you go with grant funding and revenues with possible debt issuance in 2023/24. Mr. Friedenbach stated the District's current debt will be paid off about that time as well. Director Rupp stated that overall, the plan looks good and should probably be reviewed in five years. He did however question the projected salary increase of 2%. He stated this year the Board approved a 2.5% increase and felt this was conservative. He inquired what the average projected increase is. Mr. Dove stated 3% is the norm and he wasn't sure why the 2% was used instead. He did state that 5% increase on benefits is reasonable given healthcare increases. He will revise the calculations using 3% for salary increases. Mr. Friedenbach stated he sees this document as a long-term planning document. Projects can be off-boarded if needed at a future point. When the final CIP presentation is made, it will have the full project list.





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Mr. Friedenbach believes the CIP discussion will be at least two hours. He suggested a special meeting for CIP discussion or setting aside time at a regular meeting dedicated to discussing the CIP. The CIP will likely be ready for the October meeting. After discussion, the Board decided to time set the discussion for the morning and requested the October meeting be “lighter” to accommodate the CIP discussion.

**3. Operations**

Mr. Davidsen provided the July Operational Report. He met with the contractor for the SCADA project for the 60% design review meeting. The project had a setback when the wrong software arrived, however the correct software is on the way. The maintenance department completed 90-day BIT inspections on larger fleet vehicles. They also completed quarterly crane inspections. Both of these are regulatory requirements. Respirator maintenance and fit testing were discussed at the safety meeting and the SB198 Employee safety committee met. Ruth Dam and the hydroplant were inspected by FERC and we are waiting for the report to come in. The Fieldbrook communications upgrade project is now complete.

**4. Management**

General

Mr. Friedenbach stated he and Ms. Harris attended a regional JPIA Human Resource meeting in Anderson. The topic was “Onboarding” - bringing on new employees to your staff. It was a four-hour course and they found it very beneficial.

California Special Districts Association (CSDA)

Mr. Friedenbach stated that Greg Orsini is the Vice-President of CSDA statewide and is trying to establish a local chapter. Currently there are fifty-two CSDA members in Humboldt County. Mr. Friedenbach will bring back more information as it evolves.

**DIRECTOR REPORTS & DISCUSSION**

**1. General**

Director Latt commented on an email the Directors received from Mr. Friedenbach regarding fire agencies taking water from Ruth Lake to combat the fires in the Ruth area. He expressed concern regarding the District’s liability since we gave consent for fire agencies to scoop water from Ruth Lake. He recommended the District’s legal counsel draft an MOU that holds harmless and indemnifies the District. Having said, that he agreed that giving access to the lake was the right thing to do. Director Rupp added that with JPIA insurance, we are covered unless an item is specifically excluded.

Director Rupp recommended staff contact the JPIA to have one of their staff speak to District employees regarding the Consumer Driven Health Plan. Mr. Friedenbach stated he will arrange this for September since October begins the open enrollment period for health care plans.

**2. ACWA – JPIA**

Article from JPIA Perspectives: Leadership Program Proves Successful Far Beyond Expectations  
The article is from the JPIA Perspectives newsletter and featured alumni from the first Leadership



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Program with Mr. Friedenbach being one of them. Director Hecathorn stated she likes the title of the article- Beyond Expectations! Mr. Friedenbach stated the program is very well done and he plans on sending two Operations Supervisors to the next session then two Maintenance Supervisors to the following one.

**3. ACWA**

Outreach Alert re: SB63 Opposition Letter request and District letter

ACWA sent an Outreach Alert requesting agencies submit a letter opposing a likely amendment to SB623. SB623 is legislation aimed at funding safe drinking water solutions for disadvantaged communities. While the intent of the bill is good, the proposed amendment is not. The amendment being proposed is a “ratepayer assessment” to establish a special fund to assist those who do not have access to safe drinking water. This equates to a tax on drinking water. The District provided a letter opposing the amended version of SB623 with the water tax. Director Rupp suggested staff send a letter to the Board of Supervisors and let them know the District Board supports opposing SB 623 as amended with the water tax.

Fall Conference

The Fall conference preliminary agenda is out and registration is open. Mr. Friedenbach stated at the Spring conference, he won free lodging and conference registration for the fall. On motion by Director Rupp, seconded by Director Hecathorn the Board voted 4-0 to approve the Board and appropriate staff to attend. Directors Woo and Rupp stated they plan to attend as did Mr. Friedenbach.

Outreach Advisory- Region Board Election Ballots

Mr. Friedenbach shared the advisory regarding region board election ballots. The deadline to vote is September 29<sup>th</sup>.

Letter of Support for Brent Haste

The Board discussed the letter received from Brent Haste of Yuba County Water Agency requesting support of his nomination to succeed Kathy Tieg as the President of ACWA. Director Rupp stated he has worked with him and feels he is a capable individual who would do a good job leading ACWA over the next two years. On motion by Director Hecathorn, seconded by Director Fuller, the Board voted 4-0 to support the nomination of Brent Haste for President.

Meet the President

Mr. Friedenbach stated he is working with ACWA staff to schedule a meet and greet with current ACWA President Kathleen Tieg. It will be on September 21 at the District office. ACWA staff is handling the member attendees being invited.

**4. Organizations on which HBMWD Serves: RCEA, RREDC, NCRP \***

President Woo reported out on the RCEA meeting. She stated the CCE program is steadily moving forward. She added that there seems to be a misconception by the public that RCEA suddenly has a large influx of cash. This is not true, the funds coming in just pass through and cover expenses.

The July RREDC meeting was cancelled and there is nothing to report.

**ADJOURNMENT**



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**ADJOURNMENT**

The meeting adjourned at 3:00 p.m.

Attest:

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

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Barbara Hecathorn, Assistant Secretary/Treasurer

**CONSENT**



CSDA



California Water Association



RCRC



Association of California Water Agencies



San Diego County Water Authority



Irvine Ranch WATER DISTRICT



San Francisco Water Power Sewer



Mountain Counties WATER RESOURCES ASSOCIATION



Municipal Water District

DESERT WATER



OTAY



Rincon Water



PCWA



CITRUS HEIGHTS WATER DISTRICT



LAGUNA BEACH COUNTY WATER DISTRICT



Elk Grove Water District



THREE VALLEYS MWD



WESTERN MUNICIPAL WATER DISTRICT



Mesa Water DISTRICT



Elsinore Valley Municipal Water District



VALLEY CENTER MUNICIPAL WATER DISTRICT



SAN JUAN WATER SINCE 1854



Mountain Counties WATER RESOURCES ASSOCIATION



FAIRFIELD



SACRAMENTO SUBURBAN WATER DISTRICT



CALLEGUAS MUNICIPAL WATER DISTRICT



CITY OF HAYWARD



CITY OF HAYWARD



CITY OF HAYWARD



BELLA VISTA WATER DISTRICT

12345 E. STEELWATER RD. - REDDING, CALIFORNIA 96001-9999  
TELEPHONE (916) 241-1000 • FAX (916) 241-0807



Santa Margarita Water District



ROWLAND WATER DISTRICT



PADRE DAM Municipal Water District



Bay Area Water Supply & Conservation Agency



Cucamonga Valley Water District

Service Beyond Expectation



CITY OF REDDING CALIFORNIA



ALameda COUNTY WATER DISTRICT



Dublin San Ramon Services District

Water, wastewater, recycled water



T.U.D.



CalDesal



Regional Water Authority BUILDING ALLIANCES IN NORTHERN CALIFORNIA



emwd EASTERN MUNICIPAL WATER DISTRICT

Senate Bill 606 (Skinner/Hertzberg) – August 28, 2017  
Position: OPPOSE UNLESS AMENDED

August 28, 2017

The Honorable Robert M. Hertzberg  
Chairman, Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento, CA 95814

The Honorable Nancy Skinner  
California State Senate  
State Capitol, Room 2059  
Sacramento, CA 95814

**Re: SB 606 (Skinner/Hertzberg) – OPPOSE UNLESS AMENDED**

Dear Senator Hertzberg and Senator Skinner,

On behalf of the undersigned organizations, we are writing to inform you of our “Oppose Unless Amended” position on SB 606.

Throughout this year, our organizations have been engaged in the development of legislation to implement the vision of the Governor’s framework for “Making Water Conservation a California Way of Life” and its objectives of establishing new water use targets for urban retail water suppliers and enhancing drought planning, preparation, and reporting requirements. While SB 606 includes several provisions consistent with these objectives, we remain far apart on several fundamental policy issues. The issues identified below as well as other important technical changes must be addressed through amendments, which will be provided in a separate document, or our organizations will oppose the bill:

- SB 606 would grant the State Water Resources Control Board the authority to adopt a variety of enforceable water use standards, including standards for outdoor residential use and commercial, industrial, and institutional water use. Giving state agencies unchecked authority to adopt these standards risks impacts to communities and businesses across California, as only the Legislature can balance competing policy goals and priorities related to water use. SB 606 should be amended to clearly define, in statute, any enforceable standards for efficient urban water use, including standards for outdoor residential water use and an adequate standard for indoor residential use as outlined below.
- SB 606 provides only a limited and temporary credit for potable reuse. This provision does not adequately protect and encourage investments in recycled water and potable reuse. SB 606 should be amended to encourage development of these new types of water supplies, including provisions which provide full credit for potable reuse and a sufficient allocation in any water budget for recycled water used for irrigation.
- SB 606 currently includes a “blank space” for a standard for indoor residential use. Any standard for indoor residential use below 55 gallons per capita per day (“GPCD”) would pose significant challenges for many communities, including those with older construction and disadvantaged

Senate Bill 606 (Skinner/Hertzberg) – August 28, 2017  
Position: OPPOSE UNLESS AMENDED

communities that cannot afford to update fixtures and appliances. SB 606 should be amended to include a standard for indoor residential use of no less than 55 GPCD.

- SB 606 includes a one-time requirement for the Department of Water Resources to provide limited elements of the data needed for water suppliers to calculate the required annual water use objective. For urban water suppliers to be able to calculate the water use objective annually, as required by SB 606, suppliers will need regularly updated data. SB 606 should be amended to either remove the annual reporting requirement or ensure that water suppliers will be provided with the resources necessary to calculate accurate water use objectives.
- SB 606 grants state agencies the discretion to decide whether to adopt variances from standards. In a state as diverse as California, calculating retail-level water use efficiency targets using a “one-size fits all” methodology will be challenging for a wide variety of technical, economic and administrative reasons. SB 606 should be amended to require the establishment of variances and implementation processes that account for unique local conditions as well as technical, economic, and administrative feasibility.
- SB 606 grants state agencies expansive new enforcement powers, including the ability to require water suppliers to take punitive enforcement actions on their customers and the authority to deny state grant and loan funds for failure to meet an undefined standard of “compliance.” SB 606’s enforcement provisions should be amended to shift their emphasis away from providing new punitive enforcement authorities to state agencies and toward technical assistance and information-sharing, along with appropriate authorities to ensure that reporting, planning and other requirements are satisfied.

We appreciate your consideration of these key issues. Legislative language necessary to address these and other issues of concern to water suppliers will be made available to you and your colleagues as soon as possible.

The operative provisions of existing law in this area—both the “20% by 2020” water use targets and the 2021 updates to urban water management plans—are still years from full implementation. As noted in a previous Committee analysis of this bill, “[w]hile it makes sense to begin working now on whatever comes next, it also makes sense to take the time to make sure the policy and the language is appropriate and does what is intended.” If we cannot come to consensus this year, we urge you to make SB 606 a two-year bill.

We look forward to working with the Legislature to secure a sustainable and resilient water future that protects local authority and includes sensible approaches to improving water use efficiency and enhancing drought planning and preparation.

Sincerely,

Robert Shaver, General Manager  
Alameda County Water District

Nicole Sandkulla, CEO/General Manager  
Bay Area Water Supply & Conservation Agency

Whitnie Wiley, Senior Legislative Advocate  
Association of California Water Agencies

David Coxey, General Manager  
Bella Vista Water District

Dave Eggerton, General Manager  
Calaveras County Water District

Paul Kelley, Executive Director  
CalDesal

Barry J. Moline, Executive Director  
California Municipal Utilities Association

Rylan Gervase, Legislative Representative  
California Special Districts Association

Jack Hawks, Executive Director  
California Water Association

Susan Mulligan, General Manager  
Calleguas Municipal Water District

Hilary Straus, General Manager  
Citrus Heights Water District

Felix Riesenber, Asst. Public Works Director  
City of Fairfield

Tina White, City Manager  
City of Poway

The Honorable Stanley Cleveland Jr., Mayor  
City of Yuba City

Martin E. Zvirbulis, General Manager/CEO  
Cucamonga Valley Water District

Mark Krause, General Manager  
Desert Water Agency

Dan McIntyre, General Manager  
Dublin San Ramon Services District

Paul D. Jones II, P.E., General Manager  
Eastern Municipal Water District

Jim Abercrombie, General Manager  
El Dorado Irrigation District

Mark J. Madison, General Manager  
Elk Grove Water District

John D. Vega General Manager  
Elsinore Valley Municipal Water District

John Friedenbach, General Manager  
Humboldt Bay Municipal Water District

Paul Cook, General Manager  
Irvine Ranch Water District

Renae Hinchey, General Manager  
Laguna Beach County Water District

Paul E. Shoenberger, P.E., General Manager  
Mesa Water District

John Kingsbury, Executive Director  
Mountain Counties Water Resources Assoc.

Kimberly A. Thorner, General Manager  
Olivenhain Municipal Water District

Michael R. Markus, P.E., General Manager  
Orange County Water District

Mark Watton, General Manager  
Otay Water District

Allen Carlisle, CEO/General Manager  
Padre Dam Municipal Water District

Einar Maisch, General Manager  
Placer County Water Agency

Brian Crane, Director, Public Works Department  
City of Redding

John Woodling, Executive Director  
Regional Water Authority

Greg Thomas, General Manager  
Rincon Del Diablo Municipal Water District



Tom Coleman, General Manager  
Rowland Water District

Paul Helliker, General Manager  
San Juan Water District

Mary-Ann Warmerdam, Legislative Advocate  
Rural County Representatives of California

Dan Ferons, General Manager  
Santa Margarita Water District

Robert Roscoe, P.E., General Manager  
Sacramento Suburban Water District

Richard W. Hansen, P.E., General Manager  
Three Valleys Municipal Water District

Glenn Farrel, Government Relations Manager  
San Diego County Water Authority

Thomas J. Haglund, General Manager  
Tuolumne Utilities District

Harlan L. Kelly, Jr. General Manager  
San Francisco Public Utilities Commission

Gary T. Arant, General Manager  
Valley Center Municipal Water District

John Rossi, General Manager  
Western Municipal Water District

cc: The Honorable Robert M. Hertzberg, Chairman, Senate Committee on Natural Resources and Water  
The Honorable Nancy Skinner, Member, California State Senate  
The Honorable Members, Senate Committee on Natural Resources and Water  
The Honorable Eduardo Garcia, Chairman, Assembly Committee on Water, Parks and Wildlife  
The Honorable Members, Assembly Water Conservation Working Group  
Mr. Dennis O'Connor, Principal Consultant, Senate Natural Resources and Water Committee  
Ms. Catherine Freeman, Chief Consultant, Assembly Committee on Water, Parks, and Wildlife  
Mr. Ryan Ojakian, Senior Consultant, Assembly Committee on Water, Parks, and Wildlife  
Mr. Michael Bedard, Chief of Staff, Office of Senator Robert Hertzberg  
Mr. Jim Metropulos, Legislative Director, Office of Assemblymember Laura Friedman  
Mr. Todd Moffitt, Consultant, Senate Republican Caucus  
Mr. Robert Spiegel, Consultant, Assembly Republican Caucus



August 28, 2017

The Honorable Laura Friedman  
California State Assembly  
State Capitol, Room 2137  
Sacramento, CA 95814

**Re: AB 1668 (Friedman) – OPPOSE UNLESS AMENDED**

Dear Assemblymember Friedman,

On behalf of the undersigned organizations, we are writing to inform you of our “Oppose Unless Amended” position on AB 1668.

Throughout this year, our organizations have been engaged in the development of legislation to implement the vision of the Governor’s framework for “Making Water Conservation a California Way of Life” and its objectives of establishing new water use targets for urban retail water suppliers and enhancing drought planning, preparation, and reporting requirements. While AB 1668 includes several provisions consistent with these objectives, we remain far apart on several fundamental policy issues. The issues identified below as well as other important technical changes must be addressed through amendments, which will be provided in a separate document, or our organizations will oppose the bill:

- AB 1668 would grant the State Water Resources Control Board the authority to adopt a variety of enforceable water use standards, including standards for outdoor residential use and commercial, industrial, and institutional water use. Giving state agencies unchecked authority to adopt these standards risks impacts to communities and businesses across California, as only the Legislature can balance competing policy goals and priorities related to water use. AB 1668 should be amended to clearly define, in statute, any enforceable standards for efficient urban water use, including standards for outdoor residential water use and an adequate standard for indoor residential use as outlined below.
- AB 1668 provides only a limited and temporary credit for potable reuse. This provision does not adequately protect and encourage investments in recycled water and potable reuse. AB 1668 should be amended to encourage development of these new types of water supplies, including provisions which provide full credit for potable reuse and a sufficient allocation in any water budget for recycled water used for irrigation.
- AB 1668 currently includes a “blank space” for a standard for indoor residential use. Any standard for indoor residential use below 55 gallons per capita per day (“GPCD”) would pose significant challenges for many communities, including those with older construction and disadvantaged communities that cannot afford to update fixtures and appliances. AB 1668 should be amended to include a standard for indoor residential use of no less than 55 GPCD.
- AB 1668 includes a one-time requirement for the Department of Water Resources to provide limited elements of the data needed for water suppliers to calculate the required annual water use objective. For urban water suppliers to be able to calculate the water use objective annually, as required by AB 1668, suppliers will need regularly updated data. AB 1668 should be

Assembly Bill 1668 (Friedman) – August 28, 2017

Position: OPPOSE UNLESS AMENDED

amended to either remove the annual reporting requirement or ensure that water suppliers will be provided with the resources necessary to calculate accurate water use objectives.

- AB 1668 grants state agencies the discretion to decide whether to adopt variances from standards. In a state as diverse as California, calculating retail-level water use efficiency targets using a “one-size fits all” methodology will be challenging for a wide variety of technical, economic and administrative reasons. AB 1668 should be amended to require the establishment of variances and implementation processes that account for unique local conditions as well as technical, economic, and administrative feasibility.
- AB 1668 grants state agencies expansive new enforcement powers, including the ability to require water suppliers to take punitive enforcement actions on their customers and the authority to deny state grant and loan funds for failure to meet an undefined standard of “compliance.” AB 1668’s enforcement provisions should be amended to shift their emphasis away from providing new punitive enforcement authorities to state agencies and toward technical assistance and information-sharing, along with appropriate authorities to ensure that reporting, planning and other requirements are satisfied.

We appreciate your consideration of these key issues. Legislative language necessary to address these and other issues of concern to water suppliers will be made available to you and your colleagues as soon as possible.

The operative provisions of existing law in this area—both the “20% by 2020” water use targets and the 2021 updates to urban water management plans—are still years from full implementation. As noted in a previous Committee analysis of this bill, “[w]hile it makes sense to begin working now on whatever comes next, it also makes sense to take the time to make sure the policy and the language is appropriate and does what is intended.” If we cannot come to consensus this year, we urge you to make AB 1668 a two-year bill.

We look forward to working with the Legislature to secure a sustainable and resilient water future that protects local authority and includes sensible approaches to improving water use efficiency and enhancing drought planning and preparation.

Sincerely,

Robert Shaver, General Manager  
Alameda County Water District

Dave Eggerton, General Manager  
Calaveras County Water District

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cc: The Honorable Robert M. Hertzberg, Chairman, Senate Committee on Natural Resources and Water  
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Mr. Ryan Ojakian, Senior Consultant, Assembly Committee on Water, Parks, and Wildlife  
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Mr. Robert Spiegel, Consultant, Assembly Republican Caucus

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# Floating Solar Power: A New Frontier for Green-Leaning Water Utilities

Solar panel installations have primarily been installed on land. Now two California water utilities are building floating solar-power projects at their reservoirs to reap energy savings and other benefits.

WRITTEN BY  
Matt Weiser

PUBLISHED ON  
 Aug. 17, 2017

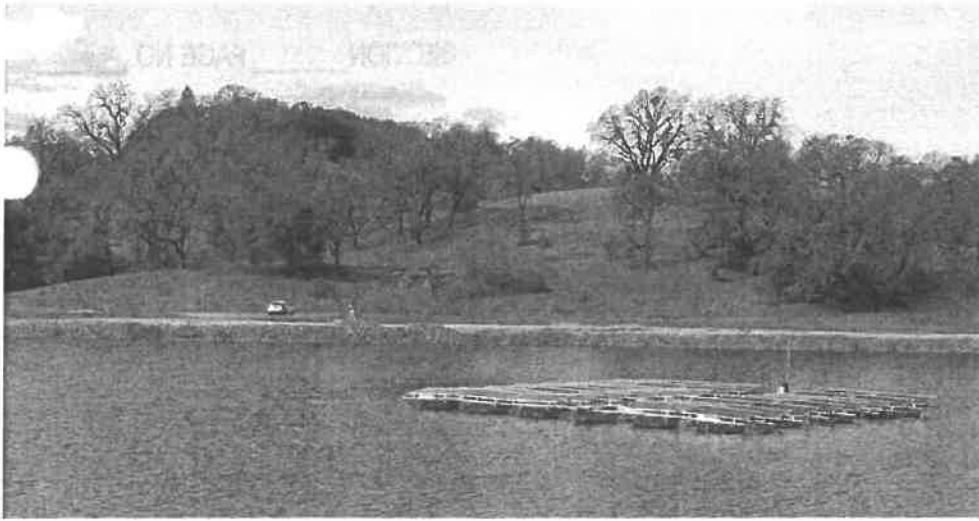
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Sonoma County Water Agency's Oceanview water treatment pond was the test bed for this floating solar panel array last year. A final installation is expected to be complete by the end of 2017, with an output of 1 megawatt of solar electricity. Photo Courtesy Sonoma County Water Agency

**LAKES AND PONDS** used by water utilities have long been viewed with a single purpose: holding water. Now a handful of pioneering water utilities are looking at their aquatic real estate with a new purpose in mind: solar energy generation.

Large-scale floating solar projects have been installed in Japan and China, as well as on ponds at California wineries. But solar energy has remained primarily a terrestrial endeavor because, in most cases, it is simpler and cheaper to mount photovoltaic (solar) panels on land.

That is beginning to change. The floats and other mounting components unique to water-based solar are slightly more expensive, but that difference will evaporate as more projects are built. And as solar has proliferated in some areas, it has become harder to find available land for new installations.

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Now a few water agencies are embracing floating solar to maximize the utility of their storage ponds and reservoirs. Floating solar panels can provide energy that offsets operating costs and reduces greenhouse gas emissions. And there are other benefits: Floating solar panels throw shade on the water surface, which can reduce evaporation and algae growth.

Sonoma County Water Agency will install floating solar panel arrays later this year. The panels will float on its Oceanview treated wastewater pond in Windsor, where shade from the panels will reduce the cost of algae control, and the electricity produced will help power the treatment process.

The agency had already built solar arrays on rooftops and parking lots, said then-general manager Grant Davis. (Davis was recently appointed director of the California Department of Water Resources.) The next choice was ranch land, but that posed a conflict with livestock grazing operations.

“We were looking then for disturbed acreage that was going to be out of sight, out of mind,” Davis said. “And what better place than a wastewater treatment pond?”

The agency was also motivated by a 2008 policy adopted by its board of directors to become “carbon free” by 2015 – meaning it aimed to eliminate

1

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carbon dioxide emissions from its energy demand – SECTION F3, PAGE NO. 4  
a goal that it met.

So about three years ago the agency signed a contract with Pristine Sun, a San Francisco firm, to develop a floating solar panel system for several of its treatment ponds. Pristine had not built a floating solar system before. But after some research and testing, the first system was installed as a pilot project at the Oceanview treatment pond in summer 2016.

The trial was successful, and a permanent installation at the pond is expected to go live by the end of this year. It will produce 1 megawatt of electricity, enough to offset 4 percent of the agency's electrical demand. The panels will be mounted on plastic floats borrowed from the dredge-mining industry.



The team plans five more floating solar projects on other treatment ponds. In total, they'll produce enough electricity to power 3,500 homes.

"We'll see about \$33,000 in annual power savings at build-out," Davis said.

The water agency pays nothing for these projects. Pristine Sun covers all costs for equipment, installation and permitting, and then makes its money selling the energy that's generated.

Troy Helming, Pristine Sun's founder and chief executive, said floating solar is still extremely rare in the U.S. But he said the potential is "enormous."

In California alone, using a very conservative estimate of available inland water surface area, Helming estimates floating solar could produce 20 gigawatts of electricity. That's more than 10 percent of the state's total energy need.

"It seems like there is quite a bit of interest, which is exciting," said Helming. "Now in California and Hawaii and Japan, and other parts of the world, there are challenges sometimes finding new locations where you do have fairly high concentrations of both rooftop and ground-mount solar. It makes a lot of sense to look at these

underutilized assets owned by water agencies and municipalities for this potential application.”

One drawback to such installations is that the floating solar panels and their anchoring systems must not interfere with water system operations. That means preserving access to drains and other plumbing. In some cases, panels may need to be easily removable.

But these are simple “engineering challenges,” Helming said. In many cases, floating solar offers more advantages than drawbacks. One advantage is reducing algae that can rapidly clog filters, requiring more frequent cleaning or replacement. Depending on location and use of the water, algae may also pose a public health concern.

Evaporation control is another potential benefit. For many utilities, water is essentially money. They spend millions of dollars pumping and treating water, which then becomes a commodity that is sold to customers. So any water lost to evaporation is essentially lost revenue.

Water can also enhance solar generation. Ironically, too much heat reduces a solar panel’s energy output. Every panel is rated for certain temperature limits, above which energy output plummets. But a watery surface will always be cooler than the bare ground on which most solar arrays are built.

Dirt is another enemy of solar panels. Wind-blown dust inevitably collects on panels, preventing some of the sun's energy from reaching photovoltaic cells. This can reduce energy output by 20 percent or more. Most ground-mounted solar arrays get cleaned only two or three times a year.

Helming's company has rigged its floating panels with a simple sprinkler system to clean the panels using water drawn from the reservoir underneath. It cleans the panels every day.

"We're curious to look at the data ourselves and see if we actually reap those ancillary benefits," said Kelly Rodgers, energy program manager at the San Diego County Water Authority.

The San Diego agency signed a contract with Pristine Sun to install a 6-megawatt solar array floating on its Olivenhain Reservoir that will cover about 10 percent of the water surface.

Rodgers' agency first sought bids for a floating solar project five years ago and got no "viable results," she said. It tried again about 18 months ago and received several proposals.

The 24,000 acre-feet Olivenhain Reservoir functions purely as an emergency supply for the San Diego region, so water levels don't fluctuate much. Also, recreation is not allowed there. Both factors simplify

the installation, Rodgers said, which they hope to complete by the end of 2018.

“Certainly we wouldn’t cover the entire reservoir,” Rodgers said. “But we may add additional panels if this turns out to be a really good thing for us. We’re always trying to reap revenue and recover costs to stabilize our water bills.”

The Olivenhain project may include battery storage, Rodgers said. This would allow the water authority to maximize revenue by selling electricity during evening and late-afternoon hours, when solar output drops off but energy demand is peaking.

There are some big fish to catch in the floating solar business. One of the biggest of all is the California Aqueduct, owned by the state Department of Water Resources (DWR), which exports vast amounts of water from north to south. The aqueduct offers more than 400 miles of canal surface area that could be covered with solar panels in a region of the state – the San Joaquin Valley – that is relentlessly sunny.

DWR – a huge energy consumer – also faces a state mandate to slash its greenhouse gas emissions to 80 percent below 1990 levels by 2050.

As recently as 2015, DWR investigated covering portions of the canal with solar panels. It concluded this wasn’t feasible because of the need for frequent visual inspections of the canal and the water surface

itself. It also cited challenges in attaching panels to the canal banks.

But it appears DWR's analysis may not have considered the prospect of floating solar panels, which pose a much less intensive installation process. They could also be easier to move temporarily to allow inspections.

A University of California, Davis study in 2015 found that covering the aqueduct with solar panels would more than pay for itself. It could also prevent over 9,000 acre-feet of water evaporation per day. On an annual basis, that's equal to the entire capacity of Lake Oroville, the state's second-largest reservoir.

The study found that mounting solar panels on just a single 80-mile stretch of canal serving the Bay Area would avoid water losses worth \$1 million annually.

Helming said transforming the aqueduct into a solar-energy producer is entirely feasible today.

"There would be a whole bunch of companies that would jump at the chance to cover the aqueduct with solar at no cost to the state," he said. ■

# FLOATING SOLAR # SOLAR

#### *About the Author*

#### **Matt Weiser**

Matt Weiser is a contributing editor at Water Deeply. Contact him at [matt@newsdeeply.org](mailto:matt@newsdeeply.org) or via Twitter at [@matt\\_weiser](https://twitter.com/matt_weiser).

# California Journal In all of California, there is only one all-female city council. You'll never guess where

*From L.A. Times*



From left: Elizabeth Mackay, Jean Lynch, Mayor Adelene Jones, Summer Daugherty and Bobbi Ricca make up the Blue Lake City Council in Humboldt County. (Robin Abcarian / Los Angeles Times)

By **Robin Abcarian**

AUGUST 12, 2017, 11:45 AM

**E**verywhere in Blue Lake, a tiny Humboldt County town nestled between redwood ridges on the Mad River, people had the same reaction when told theirs is the only all-female city council California.

“Wow, that’s amazing,” said Kate Martin, a Brooklyn native and owner of the town’s principal watering hole, the Logger Bar, which has eight vintage chain saws suspended from the ceiling. “I never really thought about that.”

“Woo-hoo,” said Lynne Owens, office manager of Blue Lake’s world-famous Dell’Arte International School of Physical Theatre, which draws students from as far away as Zimbabwe, Greece, India and Israel.



"Hey, that's great," said Dell'Arte's founding artistic director, Joan Schirle, leaning over the balcony of her loft office in the school's surprisingly expansive building, which has a 116-seat theater with walls made of old-growth redwood planks.

"I am ecstatic to have an all-woman council in this time and age," said Blue Lake Councilwoman Summer Daugherty, a project coordinator for the Humboldt County Resource Conservation District, which, among other things, helps dairies stay on the right side of environmental regulations. Last year, Daugherty was elected to a four-year council term, her first. "We're excited and motivated."

California has 482 cities. Only 72 of them have a majority of women on their councils, according to California Women Lead, a nonpartisan group dedicated to increasing the number of elected and appointed female public officials. Fifty-six have no councilwomen at all.

It's not just the all-female city council that makes Blue Lake unusual. Blue Lake's city manager, Amanda Mager, is a woman. So is the town clerk.

"We have some amazing guys who do stuff like fix pipes," said Blue Lake City Clerk April Sousa, as she set out folding chairs for Tuesday evening's council meeting. "The city attorney is a man."

::

No one was willing to come right out and say things work better with women in charge.

"It's very relaxed, which is nice," said Councilwoman Bobbi Ricca, who is a retired Dell'Arte school administrator. "Women just know how to work together in a way that men probably don't."

Among the town's pressing issues: how to slow down the big trucks that whip through town to get to gravel quarries on the Mad River, controlling noise and pollution from the local power plant, luring high-quality business to the local industrial park. And of course, public safety.

The most serious scandal to rock Blue Lake was the result, in my humble opinion, of testosterone poisoning.

In 2008, the Blue Lake police chief was charged with eight felonies, including possessing a machine gun and silencer, and drugging his wife for sex. The spousal rape charge was dropped, but a jury found him guilty of two gun-related felonies, later overturned on appeal. The police department, which had 31 submachine guns, was disbanded, and the town now contracts its policing with the Humboldt County Sheriff's Department. Now, instead of four officers and a chief, Blue Lake is patrolled by a deputy sheriff and a half.

"We don't have as much coverage as we need," said Councilwoman Elizabeth Mackay, who was appointed in June after the only male council member resigned his position to spend more time with his family.

::

People sometimes say, not without reason, that Humboldt County is “behind the Redwood Curtain.” That’s because it’s not especially easy to get to. Flying into the Arcata-Eureka Airport is ridiculously expensive. That usually leaves driving, from the Bay Area, which takes more than five hours, or perhaps Santa Rosa, which takes out three.

The relative remoteness of Humboldt County made it a choice growing region for outlaw cannabis farmers, which helped revitalize an economy that had fallen on hard times as logging companies and mills went out of business.

“Around here, anyone with a storefront benefits from cannabis,” said Martin, who holds monthly “Think and Drink” events at the Logger Bar as a countermeasure to the politics of President Trump. (Recent guest speakers have come from Planned Parenthood, the Green Party, the ACLU. Not all her clientele, many of them retired loggers, appreciate the curriculum.)

I assumed that Blue Lake, which has a new industrial park at the edge of town, would open its arms to the cannabis trade, which will be legal for adult recreational users in January.

The town, it turns out, is not interested. Maybe that has something to do with the city’s nickname “Booze Lake.” Blue Lake is far more interested in encouraging cottage industries that revolve around food and drink.

Tuesday night, the City Council directed its attorney to draft an ordinance that will keep commercial cannabis businesses out of the city, but will comport with the part of the new state law that allows every adult to grow up to six plants at home.

::

Wednesday morning, I decided to tool around Blue Lake. How much could there be to see? The town is all of one square mile.

In front of City Hall, I bumped into Councilwoman Jean Lynch, a retired accountant. She offered a tour, so I hopped into her SUV, which had two huge carrots in the front console where someone else might keep a Mocha Frappuccino. (There are no Starbucks in Blue Lake. Also, no stoplight, movie theater, medical clinic or cannabis dispensary.)

Our first stop was the Dell’Arte school, pretty much the last thing I was expecting to find in a town of 1,200. The school offers a master of fine arts as well as undergraduate courses, and produces theatrical events throughout the year. (The former police chief alienated many Blue Lakers when he decided the theater’s summer festival was a public safety nuisance.)

We visited the town’s small industrial park, which is home to the Mad River Brewing Co., maker of first-rate craft beer, a smoked fish manufacturer and a tomato sauce company. It is also the home of the fledgling Jewell Distillery, owned by Michael and Barbara Jewell. Their craft spirits include moonshine, gin and an assortment of eaux de vie.

I ended the day at Logger Bar, where Martin was setting up for the evening. When she bought the bar five years ago, the entire town pitched in to remodel it. The name of everyone who helped is listed on a wall next to the front door under the words "It takes a village to raise a bar."

As we sat at the bar, chatting before her 6 p.m. opening time, Martin told me she has three rules: "No dogs. No kids. But you *can* take off your shirt if you're a good-looking man."

No question, the ladies are in charge.

❖ OUT ON THE PENINSULA

Wed 8/9/2017

# Johnson speaks about future of Samoa

**Andrew George Butler**

MAD RIVER UNION

**SAMOA** – Twenty eight homes in Samoa will go up for sale in the fall of 2019 as part of the township's renovation project, led by the Samoa-Pacific Group, and built by Danco.

Dan Johnson, owner of Danco (one of Humboldt's largest construction contractors) and partner in the Samoa-Pacific Group which bought the entire town of Samoa in 2001, presented a master plan for the town a meeting July 26 at the Samoa Cookhouse.

The plan outlines what is best described as a complete overhaul of almost every existing structure within the old mill town. Twenty eight existing homes will be upgraded and given new water heaters, stripped of their lead paint, and upgraded with other modern amenities.

The town's sewage and water lines will be upgraded and rerouted through Vance Street, one of the town's main thoroughfares. The Samoa Cookhouse will even get a bit of work. The old brothel hiding upstairs in the Cookhouse, which dates back to the heyday of logging in Humboldt, will be converted into a 20-unit hostel.

Johnson said of the plan "Making [Samoa] what it once was is what's best for the community."

Samoa will also receive several new structures. An 80-unit affordable housing complex, grocery store, and a wellness center are in the works. The town's center will be made into more of a community plaza as well.

The only building slated for removal is the time-soaked Fireman's Club. Johnson said there will be a distinct difference in appearance between what will be "old town" and "new town" Samoa.

Samoa's master plan is expected to be completed by the end of 2027. The Samoa-Pacific Group currently owns and operates the town, including all of its utilities and the maintenance that goes along with it. Johnson said the hope is to sell off the town overtime so that it may turn into its own municipality.



**COMPANY TOWN** There are big plans for the salty suburb of Samoa.

UNION FILE PHOTO

Johnson said that in order to keep housing prices low most of the home's will not receive more work than they need. That's not to say they'll be skimped on, but don't expect Samoa to become a million dollar home community. Johnson said the majority of homes will stay at about \$325,000, with the lowest expected value nearing \$150,000 and the highest near \$900,000.

"We are purposely trying to keep prices low, so that the people here can buy them," Johnson said.

Johnson said that hundreds of people have called expressing interest in buying homes; and that about half are local and half are out of the area.

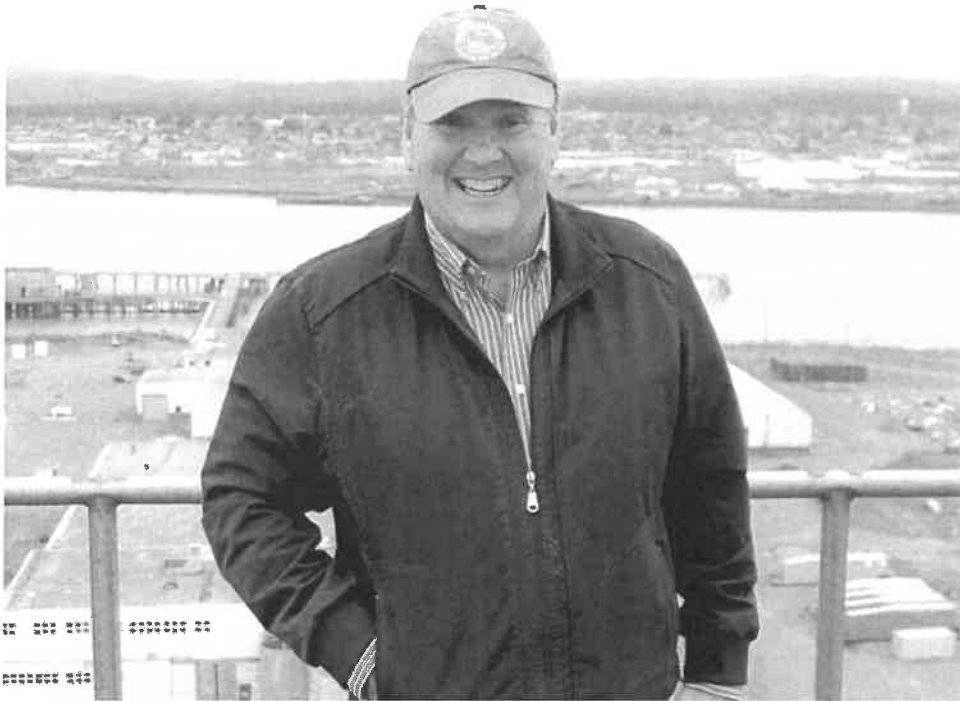
Johnson admitted undertaking Samoa's rebirth hasn't been a stress-free venture.

The master plan took seven years and millions of dollars in reports to matriculate through the California Coastal Commission. Samoa's master plan came out of the process with 196 pages of "conditions of approval." The most any previous project in Humboldt County had earned was a mere 78 pages.

Johnson said that because of the time and money invested in the renovation of Samoa, he views it as a legacy project of sorts. "We are bringing an icon back to life."

RYAN BURNS (/AUTHOR/RYAN-BURNS) / YESTERDAY (/2017/AUG/28/) @ 5:24 P.M. / LOCAL GOVERNMENT (/CATEGORIES/LOCAL-GOVERNMENT/)

## Harbor District Executive Director Jack Crider Resigns



*Crider. | File photo.*

After five years on the job, Jack Crider will be resigning his position as executive director of the Humboldt Bay Harbor, Recreation and Conservation District, according to a press release issued this afternoon.

Crider, who came to our harbor from Astoria, Ore. (<https://lostcoastoutpost.com/2012/apr/10/harbor-district-offer-ceo-position-former-astoria/>), has overseen a politically turbulent period for the Harbor District as the government agency took ownership of the former Samoa pulp mill and found itself in the middle of a debate over railroads and the future of our region's economy (<https://lostcoastoutpost.com/2015/aug/14/meet-challengers-five-new-candidates-pursuing-seat/>).

More recently Crider struggled to appease special interest groups and regulatory agencies over such issues as restrictive zoning surrounding the bay (<https://lostcoastoutpost.com/2017/aug/11/coastal-commission-reverses-course-renews-coast-se/>) and a proposal to expand oyster farming (<https://lostcoastoutpost.com/2015/feb/19/audubon-society-launches-campaign-against-proposed/>) within it.

We attempted to reach Crider on his cell phone after getting the press release below, but he didn't answer and his voicemail box was full.

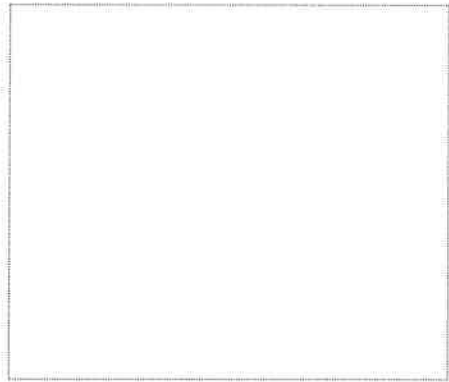
Here's the press release:

Humboldt Bay Harbor, Recreation and Conservation District Executive Director Jack Crider is resigning in October to take another job in New Mexico.

"Jack has been exceptional in completing tasks set forth by the Harbor Commission's vision," stated Board President Richard Marks. "His forward-thinking approach to problem solving has been evident throughout the Commission's purchase and cleanup of the former Evergreen Pulp Mill — eliminating a catastrophic environmental situation waiting to happen."

Marks pointed out other accomplishments during Crider's tenure including improvements made to the Harbor District's Fields Landing boat yard, Shelter Cove improvement projects, Redwood Dock repair and uses, streamlining Woodley Island Marina's office processing, purchase of dredge and various properties around the bay for conservation purposes. He was also instrumental in the Coastal Commission decision to relax Coastal Dependent Industrial zoning around the bay to allow interim use of existing facilities.

"Jack's work ethic and experience with Marine issues will be hard to replace," Marks stated, "but recruitment for a new Executive Director will start immediately. The Humboldt Bay Harbor Commission is moving forward with our strategic goals and direction. We are not changing direction, we are only changing captains."



(WHAT? (<https://lostcoastoutpost.com/2015/jan/6/new-loco-labs-choose-your-own-lost-coast-outpost-c/>))

### CHOOSE YOUR COMMENT EXPERIENCE

<b>Thunderdome</b> (13) (.)
<b>Country Club</b> (0) (.)
<b>Zen</b> (.)

## EXTINCTION RISK

**Inoculations give endangered California frog a shot at life**

**FRESNO** » Endangered California frogs are getting an immunity boost from scientists who are scooping them up from remote Sierra Nevada ponds and sending them to big city zoos for inoculation, giving them a fighting chance to beat extinction, officials said Wednesday.

The experiment aims to rescue the 3-inch mountain yellow-legged frog — named for distinctive coloring under its hind legs. Scientists use nets to capture diseased tadpoles and then fly them by helicopter from their natural range deep within the Sequoia and Kings Canyon National Parks.

They are next driven over 200 miles (322 kilometers) across the state to the San Francisco and Oakland

zoos, where they are inoculated against a ravaging disease partly blamed for wiping them out from 90 percent of their historical range in the Sierra, scientists said.

Roughly 385 frogs have been treated at the zoos and returned after two years as healthy, young adults to their native lakes and ponds.

Aquatic ecologist Danny Boiano of the Sequoia and Kings Canyon National Parks, who has led the three-year project, said it appears to be paying off. Next, his team will study their frogs to determine if it's working.

"It's experimental at this point," he said. "It's going to take several years to find out if it works."

The frog holds a key place in the Sierra Nevada food chain. Scientists say they feed on insects, then snakes and birds eat the frogs.

The species once thrived in such masses that people could not walk the shores of lakes and ponds in the mountain range without stepping on them, according to historical accounts, which add that with each step, dozens more launched into the water.

Their decline began a century ago with the introduction of non-native trout for sport fishing that gobbled up the tadpoles. Starting in the 1960s, the frog suffered a second blow from an invasive disease, called the chytrid fungus.

The fungus is blamed for the decline and extinction of more than 200 amphibians worldwide, scientists say.

Today, the mountain yellow-legged frog is missing from 90 percent of its historical region in the Sierra. Both state and federal wildlife authorities have listed it as endangered.

At neighboring Yosemite National Park, the frog's population has made a significant recovery in part because rangers stopped stocking some lakes with non-native fish, park officials say.

Inoculating the frogs in Sequoia and Kings Canyon National Parks costs roughly \$175,000 a year, which Boiano said mostly goes to pay his team of 10 seasonal biologists doing field work.

"Just like vaccinating people, we are jump-starting their disease-fighting immune systems," said Jessie Bushell, director of con-

servation at the San Francisco Zoo. "Letting the population completely die out is not a good option."

*Times Standard*  
8/31/2017



## Dunes Climate Ready Grant Update

May - July  
2017

### **Eighth Quarterly Update**

The Dunes Climate Ready Grant (Coastal Vulnerability and Adaptation Study) is funded in part by the State Coastal Conservancy's Climate Ready Program. It is designed to further our understanding of how climate change will impact Humboldt's coastal dunes and test the effectiveness of different adaptation strategies. We expect our coastal dunes to be affected by sea level rise as they are forced to adapt and move east, away from the encroaching ocean. As part of the education and outreach component of the grant, quarterly email updates are sent to email subscribers keeping them up to date on the progress of the grant. To learn more about the project, previous updates can be found [here](#).

### **Summer 2017 Survey**

The summer 2017 survey began July 24, following a vegetation training day led by Research Assistant Candace Reynolds. This survey is the first being funded by the BLM. Candace Reynolds and Annie Eicher returned for the summer survey, and we added crewleaders Katelyn Southall and MacKenzie Spencer. For the majority of the survey we will have access to three RTKs: the project RTK and two on loan Dr. Ian Walker at Arizona State University. Thanks are extended to HSU's Lizzie Feucht and Mark Colwell for carrying out Western Snowy Plover surveys in order to give the project a green light, and to the volunteers who have been helping with this season's survey.



Data from winter 2016, summer 2016, and winter 2017 has now been cleaned. We have decided to delay distributing data to landowners until after the summer survey is completed in order to include two complete years.



So far, the transects generally show a resilient response to the 2016 El Niño winter with beaches recovering in summer 2016, excluding sites south of the Eel River mouth. This winter, the high water levels experienced during extreme storm surges caused more extensive scarping than the 2016 El Niño winter, and the extent of dune recovery will not be known until summer 2017 profiles are completed. However, qualitative observations indicate that some incipient foredunes that were scarped in winter 2017 did not fully recover this summer, leaving the established foredune vulnerable if we experience more high water events this upcoming winter. If major erosion occurs during winter 2018, the results could still fall within the range of a resilient response when viewed at a longer time scale. However, profiles south of the Eel River mouth showed such poor recovery from the 2016 El Niño, exacerbated by overwash and foredune breaching in the winter 2017, indicating that this is an area of high vulnerability to sea level rise. The vulnerability of this portion of the littoral cell is further supported by preliminary results for the Historic Shoreline Analysis.

#### **North Spit Adaptation Site**

Monitoring of transplanted vegetation at the adaptation site was carried out by Refuge staff in May. American dunegrass plantings showed high success, while the survival of transplanted dune mat plant species varied. Beach bluegrass, sea thrift, and yarrow were most successful. Plantings of dune goldenrod, beach knotweed, seaside daisy, as well as seeds spread in the Dune mat and Dune mat-Elymus treatments were not as successful. This may have been due to a late planting date, and the fact that many of the seeds were old due to the delay of planting.

In May, there was not a significant difference in total plant cover between the three treatments. Plant cover ranged from 8% in the Dune mat-Elymus and Dune mat treatments, to 12% in the Elymus treatment. Over the summer, vegetation on the site has been increasing in cover since the onset of the growing season. This has been through the growth of American dunegrass and native dune mat plantings, the expansion of dune mat species that were present under the European beachgrass and released from competition, and some newly dispersing plants. Cover will be re-measured at the end of the growing season.



Dune mat treatment just after planting in January



Dune mat treatment in July



Elymus treatment just after planting in January



Elymus treatment in July

A sweep for European beachgrass resprouts was carried out by refuge staff and volunteers in early July. During this time, Arizona State University Professor Ian Walker and Laboratory Coordinator Craig Turner accompanied University of Victoria Master's student Alana Rader on her last visit to the site, where she trained Craig in terrestrial LiDAR scanning. With help from our RAs, a full scan of the adaptation site was completed. In addition, a Kite Aerial Photography survey of the site was conducted by Refuge staff in July 2017.

Alana Rader's thesis, carried out under the direction of ASU Professor Ian Walker, has been covering geomorphic changes to the adaptation site. This includes geomorphic changes that occurred from the time European beachgrass was removed in Summer 2015, through October 2016, which precedes the planting of native vegetation on the site. Beyond her thesis, the site was also monitored in May 2017, and monitoring will be repeated in October 2017. Alana successfully defended her thesis in August at University of Victoria, and interested parties can obtain a copy when available.

European Beachgrass removal has allowed sand from the beach to reach the crest of the foredune and beyond, one of the goals of the experiment. However, full treatment effects will not be observable until the end of the growing season. Over Winter 2017, a high scarp formed following high water levels in January, and this scarp has not yet completely recovered through ramping. This suggests that sediment delivery to the site during

Summer 2017 was likely curtailed, even as vegetation cover increased. This is different than 2016, when the adaptation site experienced net erosion in the beach and net deposition in the foredune as the result of wave action during the El Niño winter. During Summer 2016, the scarp healed and the site experienced significant deposition on the foredune. The effects of winter high water events and summer deposition for 2017 will be evaluated later this year when sand deposition has begun to decrease with changing seasons.

## Eel River Adaptation Site



American dunegrass growing in pots containing sand from Ma-le'l Dunes North and Eel River Estuary Preserve

Project partners are still determining whether further work will occur on the Eel River Adaptation Site. The Humboldt State University sponsored study of American dunegrass transplant success overseen by Professor Erik Jules has continued. The study is investigating whether site-limiting conditions for transplanting of American dunegrass may occur at the Eel River spits. In addition to the two on-site transplant experiments at Eel River and Ma-le'l Dunes North, students Elizabeth Nhu Quynh Nguyen, Sean Thull, and Steven La Pointe transplanted 40 American dunegrass plants into pots in a controlled experiment. Half of the pots contain sand from Ma-le'l, and half contain sand from the Eel River Estuary Preserve. The students have monitored the number of leaves and longest leaf

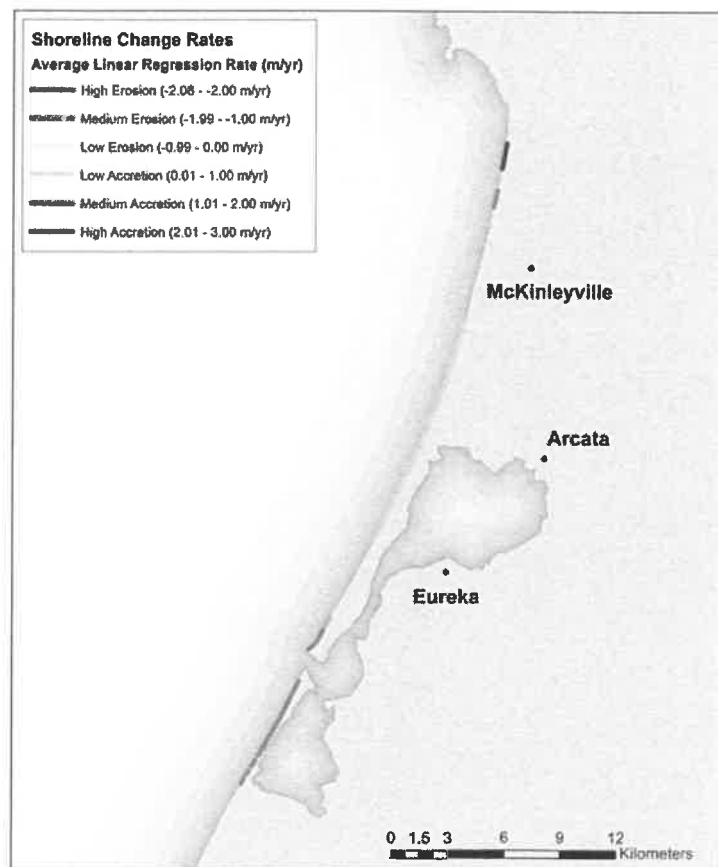
length in the greenhouse plants as well as those planted at the dune sites. Preliminary results continue to show that herbivory is contributing to poor growth of plants at Eel River. Steven La Pointe has also carried out lab testing to compare the sediment characteristics of the two sites. To date, his main observation is a coarser sand size at Eel River. Final results will be available in the next quarterly update.

#### **BLM American dunegrass Propagation Site**

The BLM propagation site will be monitored for survival during the next quarter. Qualitative observations suggest losses from the high water events and wave run-up past the foredune during Winter 2017. Additional planting is planned for Winter 2018.

#### **Historic Shoreline Mapping**

Consultant Kelsey McDonald has submitted a draft report for the northern portions of the study area (Little River to Table Bluff) while the southern area analysis is still in progress by the consulting firm GHD. Final results are expected by the next quarterly report. In the north, the majority of the shoreline was stable or building up sand between 1939 and the present, with the exception of an erosion hot spot north of the North Jetty. This indicates a neutral to positive sediment budget in the majority of the study area, a condition that promotes resilience. Preliminary results from the south suggest a sediment deficit south of the mouth of the Eel River. Final results are expected by the next quarterly



report.

#### Outreach

Dunes Climate Ready Walk at Lanphere

Saturday, September 23, 10 a.m. to 1 p.m.

The Dunes Climate Ready study has been tracking the movement of sediment along a 32 mile stretch of our coastline in order to understand threats of sea level rise and test adaptation strategies. Learn about the Dunes Climate Ready Study, with emphasis on the North Spit adaptation site, with Andrea Pickart, Coastal Ecologist with the Humboldt Bay Wildlife Refuge. Meet at Pacific Union School, 3001 Janes Road in Arcata at 10 a.m. to carpool to the protected site. Please R.S.V.P. by contacting Friends of the Dunes at (707) 444-1397 or [info@friendsofthedunes.org](mailto:info@friendsofthedunes.org).



**For additional background information visit the following websites:**

- \* [Humboldt Bay National Wildlife Refuge](#)
- \* [State Coastal Conservancy](#)
- \* [Friends of the Dunes](#)

Friends of the Dunes, PO Box 186, Arcata, CA 95518

SafeUnsubscribe™ [friedenbach@hbmwd.com](mailto:friedenbach@hbmwd.com)

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Action Filed: July 21, 2017

EXEMPT from filing fees per  
Govt. Code § 6103.

Calendar Preference per CCP § 86.7

CALIFORNIA DEPARTMENT OF WATER RESOURCES,  
Plaintiff,

v.  
ALL PERSONS INTERESTED IN THE MATTER of the Authorization of California WaterFix Revenue Bonds, the Issuance, Sale and Delivery of California WaterFix Revenue Bonds Series A, Series B and Subsequent Series, the Adoption of the California WaterFix Revenue Bond General Bond Resolution and the Supplemental Resolutions Providing for the Issuance of California WaterFix Revenue Bonds, and the Proceedings Related Thereto,  
Defendant.

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND NOT LATER THAN **SEPTEMBER 15, 2017**, WHICH IS TEN (10) DAYS OR MORE AFTER COMPLETION OF THE PUBLICATION OF THIS SUMMONS. READ THE INFORMATION BELOW.

AVISO! USTED HA SIDO DEMANDADO. EL TRIBUNAL PUEDE DECIDIR CONTRA USTED SIN AUDIENCIA A MENOS QUE USTED RESPONDA NO MAS TARDE QUE EL DIA **15 DE SEPTIEMBRE DE 2017**, QUE ES DIEZ (10) DIAS O MAS DESPUES DE TERMINACION DE PUBLICACION DE ESTA CITACION JUDICIAL. LEA LA INFORMACION QUE SIGUE.

ALL PERSONS INTERESTED IN THE MATTER OF THE AUTHORIZATION OF CALIFORNIA WATERFIX REVENUE BONDS, THE ISSUANCE, SALE AND DELIVERY OF CALIFORNIA WATERFIX REVENUE BONDS SERIES A, SERIES B, AND SUBSEQUENT SERIES, THE ADOPTION OF THE CALIFORNIA WATERFIX REVENUE BOND GENERAL BOND RESOLUTION AND THE SUPPLEMENTAL RESOLUTIONS PROVIDING FOR THE ISSUANCE OF CALIFORNIA WATERFIX REVENUE BONDS, AND THE PROCEEDINGS RELATED THERETO:

Plaintiff has filed a civil complaint against you. You may contest the validity of the above matter by appearing and filing with the Court a written responsive pleading to the complaint not later than **September 15, 2017**, which is ten (10) days or more after the completion of the publication of this summons. Your pleading must be in the form required by the California Rules of Court. Your original pleading must be filed in this Court with proper filing fees and proof that a copy thereof was served on Plaintiff's attorney. Unless you so respond, your default will be entered upon Plaintiff's application, and the Plaintiff may apply to the Court for the relief demanded in the complaint. Persons who contest the validity of the matter described below and in the complaint will not be subject to punitive action, such as wage garnishment or seizure of their real or personal property.

DETAILED SUMMARY OF THE MATTER THAT PLAINTIFF SEEKS TO VALIDATE:

The Department constructed and operates and maintains the State Water Project (Project). In recent years, the Department has undertaken to develop a comprehensive plan for the effective delivery of Project water across the Sacramento-San Joaquin Delta in conjunction with the conservation and rehabilitation of the environment and species in and around the Delta. Currently, Project water is conveyed across the Delta through the channels of the river delta formed by the confluence of the Sacramento and San Joaquin Rivers, as those channels have been modified over 150 years by the construction of levees, ship and other canals, flood protection channels, salinity gates and other facilities. The Department has approved the financing of the planning and design and, if and when appropriate, the acquisition and construction of conveyance facilities known as the "California WaterFix." Broadly described, the California WaterFix would transport water from new intake points on the Sacramento River across the Delta by two underground tunnels running below the natural waterways of the Delta to export facilities at the southern edge of the Delta.

The Department is authorized to carry out its various duties and functions in relation to the Project by the Central Valley Project Act (Cal. Water Code §§ 11100 et seq.) (the "CVP Act") and the Burns-Porter Act (Cal. Water Code §§ 12930 et seq.), among other authorities. The Department is authorized to construct units of the "project" as that term is defined by the CVP Act, and to issue revenue bonds to pay the capital costs of those units. Among its authorities, Section 11260 of the CVP Act authorizes the Department to include the California WaterFix as one or more of the units "provided for in this chapter[.]" Section 11454 of the CVP Act authorizes the Department to "do any and all things which in its judgment are necessary, convenient, or expedient for the accomplishment of the purposes and objects of this part[.]" and Section 11700 of the CVP Act authorizes the Department to issue revenue bonds "[f]or the purpose of providing money and funds to pay the cost and expense of carrying out any of the objects and purposes of this part."

On July 21, 2017, the Department adopted resolutions authorizing, among other matters, the issuance of revenue bonds, in multiple series, the proceeds of which would be used to pay the costs of the planning, design, acquisition, and construction of the California WaterFix. On the same date, the Department filed its validation complaint pursuant to Code of Civil Procedure section 860 et seq. In its complaint, the Department alleges, among other things, that it is statutorily authorized to issue revenue bonds to finance the acquisition and construction of the California WaterFix and to pledge California WaterFix revenues to secure the payment of debt service on these bonds in the manner provided by the Department's resolutions. In the authorizing resolutions, the Department found and determined that: (1) the preliminary cost estimate for California WaterFix, not including bond-related costs such as capitalized interest, costs of issuance, and bond reserves, is \$16 billion; (2) the estimated amount of such costs to be raised by the issuance of California WaterFix revenue bonds is \$8.8 billion; (3) the probable amount of money, property, materials or labor, if any, to be contributed from other sources in aid of the California WaterFix is \$7.2 billion; and (4) the principal amount of bonds estimated to be required to be issued by the Department for the California WaterFix is \$11 billion.

The Department seeks in its validation action a judgment from the Court confirming the validity of the Department's authorization of the issuance, sale, and delivery of the California WaterFix revenue bonds, the pledge of California WaterFix revenues to secure the payment of debt service on those bonds in the manner provided by the authorizing resolutions, and the resolutions and proceedings leading and related thereto, all as described in the validation complaint. The actual construction, operation, and maintenance of the California WaterFix is subject to statutory and regulatory requirements not at issue in the validation action, and the Department has not alleged in this action satisfaction of those requirements. The validation complaint, the accompanying exhibits, and a copy of this Summons are available online at <https://www.californiawaterfix.com/resources/planning-process/validation/>.

YOU MAY SEEK THE ADVICE OF AN ATTORNEY IN ANY MATTER CONNECTED WITH THE COMPLAINT OR THIS SUMMONS. SUCH ATTORNEY

SHOULD BE CONSULTED PROMPTLY SO THAT YOUR PLEADING MAY BE FILED OR ENTERED WITHIN THE TIME REQUIRED BY THIS SUMMONS.

SI USTED DESEA SOLICITAR EL CONSEJO DE UN ABOGADO EN ESTE ASUNTO, DEBERIA HACERLO INMEDIATAMENTE. TAL ABOGADO DEBERIA SER CONSULTADO PRONTO PARA QUE SU REPUESTA ESCRITA PUEDA SER REGISTRADA DENTRO DEL TIEMPO REQUERIDO POR ESTA CITACION JUDICIAL.

The name and address of the Court is (el nombre y direccion del Tribunal es):  
Superior Court of the State of California, County of Sacramento  
Gordon D. Schaber Sacramento County Courthouse  
720 9th Street  
Sacramento, CA 95814

CASE NUMBER (Número del Caso): 34-2017-00215965

The name, address, and telephone number of Plaintiff's attorneys is (el nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Michael Weed  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
400 Capitol Mall, Suite 3000  
Sacramento, California 95814  
Telephone: (916) 447-9200  
Facsimile: (916) 329-4900

Superior Court Clerk

Dated: July 26, 2017

Clerk, by: \_\_\_\_\_, Deputy  
(Actuario)  
(Fecha)  
(Delegado)

*Delta Tunnels Project*

# **CORRESPONDENCE**

FEDERAL ENERGY REGULATORY COMMISSION **H.B.M.W.D.** AUG 23 2017  
Office of Energy Projects  
Division of Dam Safety and Inspections – San Francisco Regional Office  
100 First Street, Suite 2300  
San Francisco, CA 94105-3084  
(415) 369-3300 Office – (415) 369-3322 Facsimile

August 21, 2017

In reply refer to:  
Project No. 3430-CA  
NATDAM No. 00833

Mr. John Friedenbach  
General Manager  
Humboldt Bay Municipal Water District  
828 Seventh Street  
P.O. Box 95  
Eureka, CA 95502-0095

Re: 2017 Dam Safety Inspection Follow Up

Dear Mr. Friedenbach:

On July 19, 2017, Mr. Samuel Lee inspected the R.W. Matthews Dam Project, FERC No. 3430. Based on observations made and discussions held during the inspection, there were no dam safety concerns noted and there were no follow-up action items arising from the inspection.

We appreciate the cooperation and assistance that you and your staff provided during the inspection. If you have any questions, please contact Mr. Samuel Lee at (415) 369-3393.

Sincerely,



*fr* Frank L. Blackett, P.E.  
Regional Engineer

**DEPARTMENT OF WATER RESOURCES**

1416 NINTH STREET, P.O. BOX 942836  
SACRAMENTO, CA 94236-0001  
16) 653-5791



August 2017

Mr. John Friedenbach, General Manager  
Humboldt Bay Municipal Water District  
828 Seventh Street  
Eureka, California 95502

Robert W Matthews Dam, No. 1013.000  
Trinity County

In response to requests pursuant to the Public Records Act and the State's effort to bolster transparency in government, the California Division of Safety of Dams (DSOD) will soon publicly release information related to all dams under the State's jurisdiction.

**This letter is to inform you that the following information about your dam will be made available soon on DSOD's website for public viewing ([www.water.ca.gov/damsafety](http://www.water.ca.gov/damsafety)):**

- Downstream hazard classification
- Reservoir restriction status
- Condition assessment

As you have been recently notified, DSOD updated the downstream hazard classification for all State jurisdictional dams in accordance with Sections 6160 and 6161 of the California Water Code. The updated hazard classification for your dam is "high."

As described by the Federal Emergency Management Agency, a dam hazard classification represents the possible adverse incremental consequences that result from the release of water or stored contents due to failure of the dam or mis-operation of the dam or appurtenances. It does not represent the current condition of the dam.

DSOD may order a reservoir to be operated to a specific level that is lower than the maximum design storage level when a dam or its appurtenant structure(s) has a known major deficiency or when repairs are not resolved in a timely manner. Restrictions are lifted once the deficiency is remediated or studies demonstrate that the dam is safe for continued use. The reservoir level of your dam is not currently restricted for a deficiency related to dam safety.



In accordance with the annual data collected by the US Army Corp of Engineers for the National Inventory of Dams, DSOD rates the condition of all jurisdictional dams as satisfactory, fair, poor, unsatisfactory, or not rated. Dams without identified deficiencies are considered satisfactory, whereas dams with unresolved deficiencies will be considered in fair, poor, or unsatisfactory condition depending on the severity of the deficiencies. Your dam has been rated in "satisfactory" condition.

If you have any questions about the ratings assigned to your dam or the release of this information, please contact Area Engineer Lakhbir Singh at (916) 227-4603 or Regional Engineer Russell Bowlus at (916) 227-4604.

Sincerely,

A handwritten signature in cursive script that reads "Sharon K. Tapia".

Sharon K. Tapia, Chief  
Division of Safety of Dams



State of California  
California Natural Resources Agency  
DEPARTMENT OF WATER RESOURCES  
Division of Safety of Dams

## INFORMATIONAL NOTICE EMERGENCY REGULATIONS FOR INUNDATION MAPS

The Division of Safety of Dams is drafting emergency regulations to implement the new statutes contained in Sections 6160 and 6161 of the California Water Code requiring inundation maps and emergency action plans (EAP) for dams and their critical appurtenant structure(s). Dams classified as "low" are exempt from this requirement per Section 6160(c).

The regulations will provide the general framework for preparing and submitting inundation map(s) contained within an EAP. Upon approval, the emergency regulations will be effective until the permanent regulations are established through the regular rulemaking process.

A draft version of the emergency regulations will be posted soon at [www.damsafety.water.ca.gov](http://www.damsafety.water.ca.gov). You may email comments related to these draft regulations to [mapregs@water.ca.gov](mailto:mapregs@water.ca.gov).

Please visit [www.damsafety.water.ca.gov](http://www.damsafety.water.ca.gov) for the status of the regulations and other informational documents, including a link to frequently asked questions.



State of California • Natural Resources Agency

DEPARTMENT OF PARKS AND RECREATION  
Division of Boating and Waterways  
One Capitol Mall, Suite 500  
Sacramento, California 95814

Edmund G. Brown Jr., Governor

Lisa Mangat, Director

SEP 08 2017

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

Attention: Ms. Sherrie Sobol, Administrative Liaison

**RE: Award Letter: 2017/18 Quagga and Zebra Mussel Infestation Prevention Grant**

Agreement No.: C17Q0806  
Fiscal Year: 2017/18  
Term: September 11, 2017 through September 10, 2019  
Amount: \$7,480.00

Thank you for submitting an application for the 2017/18 Quagga and Zebra Mussel Infestation Prevention Grant Program. The California State Parks Division of Boating and Waterways (DBW) is pleased to inform you that your project titled "Cards, Bands, Stickers and Dedicated Phone lines" for \$7,480.00 is eligible for full funding.

The budget amount in each line item is the maximum amount allowed to be reimbursed by DBW and is understood to be an estimate. The Grant Agreement contains standard language; it cannot be altered without prior approval from the DBW Grant Administrator. The next step in the process is to review the Grant Agreement in its entirety, including the Scope of Work, and attached Task Budget and Line Item Budget. Please coordinate with your DBW Grant Administrator, Ms. Leticia Padilla, on any revisions that may be necessary, and return the signed original Grant Agreement, attachments, and signed Resolution to DBW within 60 days to: Ms. Leticia Padilla, One Capitol Mall, Ste. 500, Sacramento, CA 95814. If you have questions or concerns, please contact Ms. Padilla at [Leticia.padilla@parks.ca.gov](mailto:Leticia.padilla@parks.ca.gov), (916) 327-1270 or myself at [Cara.Roderick@parks.ca.gov](mailto:Cara.Roderick@parks.ca.gov), (916) 327-1849.

Congratulations and we look forward to working with you on implementing the project.

Handwritten signature of Cara C. Roderick in cursive.

Cara Roderick  
Senior Environmental Scientist Supervisor  
Quagga and Zebra Mussel Infestation Prevention Grant Program

Enclosures: Grant Agreement with Task Budget and Line Item Budget Attachments

cc: Edward Hard, Chief, Aquatic Invasive Species Branch, DBW  
Elizabeth Brusati, [Elizabeth.Brusati@wildlife.ca.gov](mailto:Elizabeth.Brusati@wildlife.ca.gov), Invasive Species Program, CDFW  
L. Breck McAlexander, [Louis.McAlexander@wildlife.ca.gov](mailto:Louis.McAlexander@wildlife.ca.gov), Region 1 (Northern), CDFW

# **CONTINUING BUSINESS**

**HUMBOLDT BAY MUNICIPAL WATER DISTRICT**

To: Board of Directors

From: John Friedenbach

Date: September 6, 2017

Subject: Water Resource Planning (WRP) – Status Report

.....

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

1) **Top-Tier Water Use Options**

a) **Local Sales**

No significant activity has transpired on this topic during the past month.

b) **Transport**

No significant activity has transpired on this topic during the past month. See article about Sites Reservoir attached.

c) **Instream Flow Dedication**

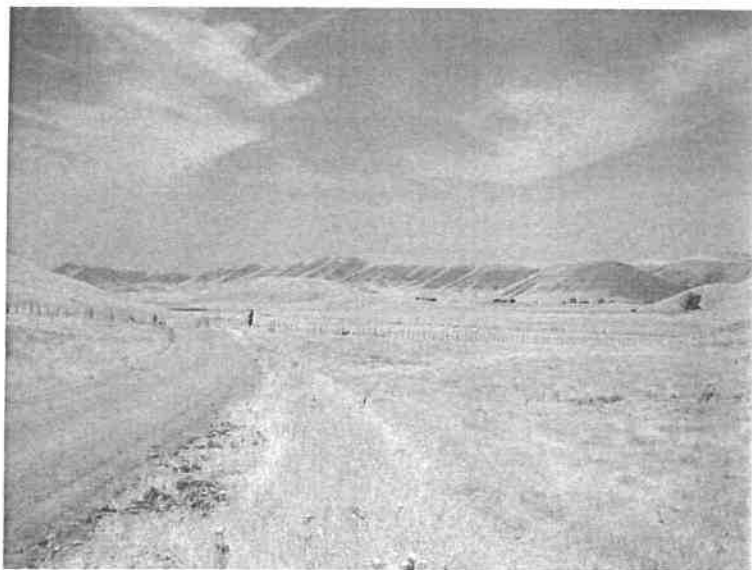
The District's Instream Flow committee, Directors Woo and Fuller, advanced the process for an instream flow permit dedication. A grant application to for the Wildlife Conservation Board in the amount of \$693,408 was submitted on August 31<sup>st</sup>. We should have an answer about the success of the grant application in a few months. See grant Task summary timeline, flow chart and agency support letters attached.

[Environment](#)   [State Government](#)

# Sites Reservoir Supporters Want \$1.6 Billion From Water Bond

 [Amy Quinton](#)

Monday, August 14, 2017 | Sacramento, CA | [Permalink](#)



“If built, Sites Reservoir would flood this 14,000 acre landscape near Maxwell, CA.

This week is the application deadline for projects requesting funding from the \$7.5 billion Proposition 1 water bond that California voters approved in 2014.

Supporters of Sites Reservoir, which would be located an hour northwest of Sacramento, say they are asking for \$1.6 billion from the bond. That's more than half of the money in the bond that is set aside for water storage projects in California.

At a capacity of 1.8 million acre-feet, it would be the largest reservoir built in California since 1979. An acre foot is about enough water for an average California household for a year.

More than two dozen water agencies have signed on to purchase water and build the \$4.7 billion reservoir. Fritz Durst, vice-chair of the Sites Reservoir Joint Powers Authority, says the reservoir would be able to capture high flows in the Sacramento River to help provide more water in dry years.

“This year, if Sites would have been dedicated last fall and empty, it would be full right now, so that’s 1.8 million acre-feet,” says Durst.

Durst says if the state invests in the project, it could provide water for purposes other than agriculture.

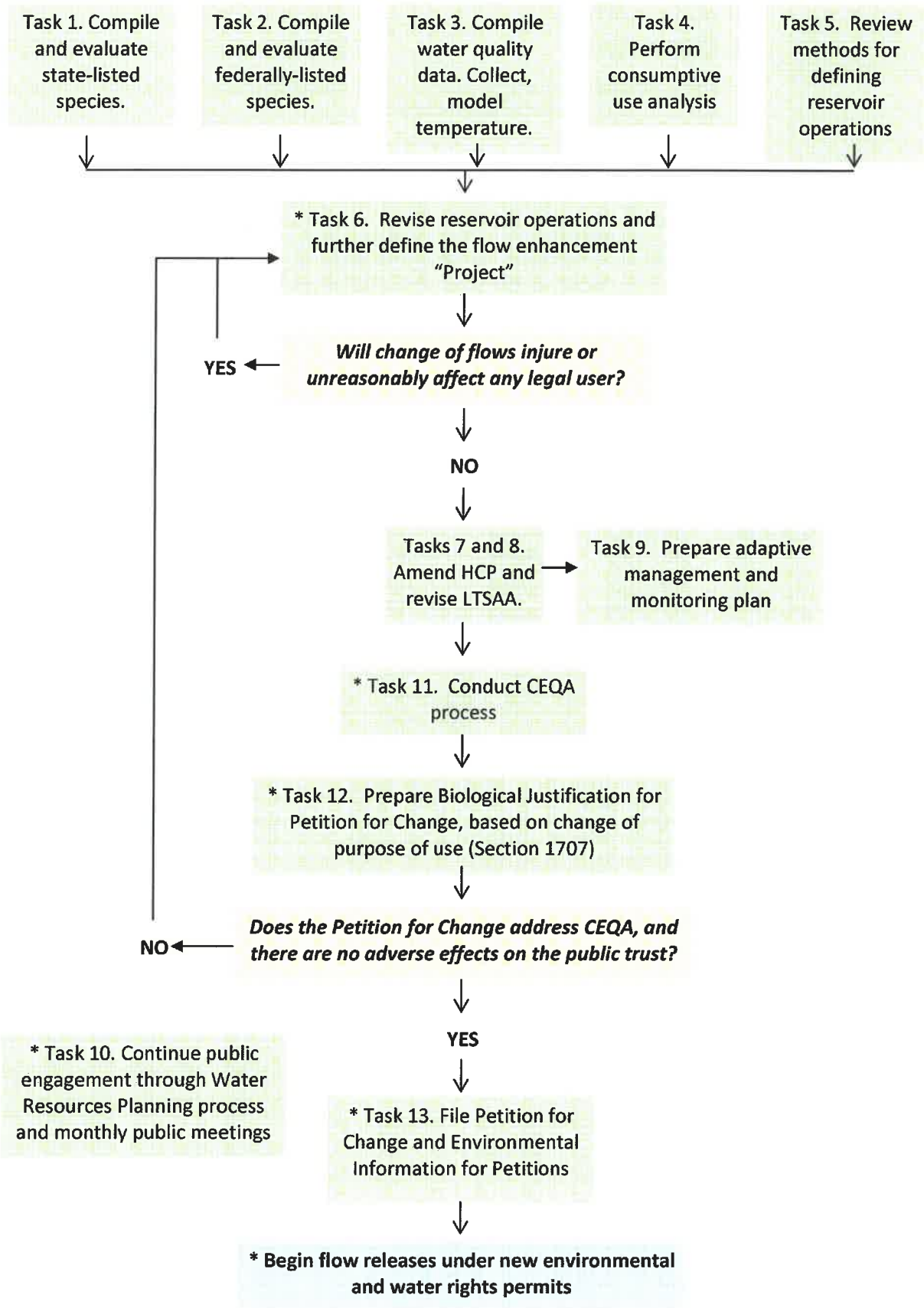
“Some of the water will stay north of the Delta for use for agriculture. But the other big improvement would be for the ecosystem,” he says.

He says the state could provide water to wildlife refuges or to provide cold water for salmon.

Sites Reservoir will have to compete with other storage projects applying for funding. The California Water Commission will make the final decision next year.



### Detailed Project Drawing





August 11, 2017

Mr. John Friedenbach, General Manager  
Humboldt Bay Municipal Water District  
828 7<sup>th</sup> Street  
Eureka, CA 95501-1114



RE: Support for Wildlife Conservation Board Proposition 1 Streamflow Enhancement Program Grant

Dear Mr. Friedenbach,

I am writing on behalf of Mad River Alliance to express our support for your Streamflow Enhancement Program grant application to the Wildlife Conservation Board. As we discussed in our meeting on August 8, 2017, your District is uniquely positioned to provide releases that enhance and improve habitat for salmonids and special status species in the Mad River. There are a variety of species in the watershed that would benefit from your District's proposed Section 1707 instream flow dedication. Moreover, your proposed streamflow enhancements are in alignment with the California Water Action Plan's three components: support anadromous fish, support endangered or at-risk species, and provide resilience to climate change for critical habitat areas in and along the Mad River.

Mad River Alliance worked successfully with your District in the past to develop and conduct several Best Management Practices (BMP) workshops to encourage Mad River watershed landowners to implement BMP's proven to reduce cumulative negative impacts on water quality. These workshops were well received, attended and used as a model for similar workshops across the state.

MRA is pleased to support HBMWD's grant application by providing in-kind support. Our support will include transmitting annual fish and other species data that we collect every summer, and discussing the methods and potential limitations of the data with HBMWD and its consultants. Over the term of WCB's grant, we value our in-kind services at \$6,000.

Mad River Alliance is a community driven group working to protect clean local water and the ecological integrity of the Mad River watershed for the benefit of its human and natural communities. Mad River Alliance is a 501(c)3 (Humboldt County, California). Our mission aligns with habitat enhancement and conservation goals of the District and we encourage the work you are doing to pursue the 1707 instream flow dedication.

We endorse your application to the Wildlife Conservation Board and are willing to provide support once a grant is awarded.

Respectfully,

Dave Feral  
Executive Director,  
Mad River Alliance  
707-382-6162



SECTION H1 PAGE NO. 6  
**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**NATIONAL MARINE FISHERIES SERVICE**  
**West Coast Region**  
**1655 Heindon Road**  
**Arcata, California 95521-4573**

**AUG 22 2017**

In response refer to:  
10012WCR201700173

Mr. John Friedenbach, General Manager  
Humboldt Bay Municipal Water District  
828 7<sup>th</sup> Street  
Eureka, CA 95501-1114

**H.B.M.W.D. AUG 24 2017**

**Subject: Support for Wildlife Conservation Board Proposition 1 Streamflow Enhancement Program Grant**

Dear Mr. Friedenbach:

The National Marine Fisheries Service (NMFS) is expressing our support for your Streamflow Enhancement Program grant application to the Wildlife Conservation Board. The Humboldt Bay Municipal Water District (HBMWD) is uniquely positioned to provide water releases that enhance and improve habitat for salmonids and special status species in the Mad River. There are a variety of species in the watershed that would benefit from the HBMWD's proposed Section 1707 instream flow dedication, including Federal Endangered Species Act (FESA) listed Southern Oregon/Northern California coho salmon, Coastal California Chinook salmon, Northern California steelhead, and Pacific eulachon and their designated critical habitats. In addition, the Mad River is designated essential fish habitat (EFH) for Pacific salmon under the Magnuson-Stevens Fishery and Conservation Act (MSFCA). NMFS believes the HBMWD's proposed Section 1707 instream flow dedication is in alignment with the California Water Action Plan's three components: support anadromous fish, support endangered or at-risk species, and provide resilience to climate change for critical habitat areas in and along the Mad River.

NMFS has worked successfully with the HBMWD in the past, primarily through the development and approval of a FESA section 10(a)(1) habitat conservation plan (HCP) for the HBMWD's operations in the Mad River. Moreover, NMFS has worked closely with the HBMWD to implement the HCP and has provided input in the development of the Section 1707 instream flow dedication. NMFS will continue to work closely with the HBMWD to develop the specific instream flows for the Section 1707 dedication.

NMFS is the Federal agency responsible for managing, conserving, and protecting living marine resources in inland, coastal, and offshore waters of the United States. NMFS is responsible for managing and promoting the conservation of salmon and steelhead and Pacific Eulachon in the Mad River through Federal fishery management plans, MSFCA designated EFH, and the FESA.



NMFS encourages and endorses the HBMWD application to the Wildlife Conservation Board and intends to work closely with the HBMWD once the grant is awarded. Please contact Dan Free at (707)-825-5164 or [Dan.Free@noaa.gov](mailto:Dan.Free@noaa.gov), for questions regarding this letter.

Sincerely,



Justin Ly  
North Coast Branch Chief



## North Coast Regional Water Quality Control Board

August 23, 2017

Mr. John Friedenbach, General Manager  
Humboldt Bay Municipal Water District  
828 7<sup>th</sup> Street  
Eureka, CA 95501-1114  
[friedenbach@hbmwd.com](mailto:friedenbach@hbmwd.com)

Dear Mr. Friedenbach:

**Subject: Support for Wildlife Conservation Board Proposition 1 Streamflow Enhancement Program Grant**

I am writing on behalf of the North Coast Regional Water Quality Control Board (Regional Water Board) to express our support for your Streamflow Enhancement Program grant application to the Wildlife Conservation Board. As we discussed in our meeting on August 8, 2017, the Humboldt Bay Municipal Water District (HBMWD) is uniquely positioned to provide releases that enhance and improve habitat for salmonids and special status species in the Mad River. There are a variety of species in the watershed that would benefit from the HBMWD's proposed Section 1707 instream flow dedication. Moreover, your proposed streamflow enhancements are in alignment with the California Water Action Plan's three components: support anadromous fish, support endangered or at-risk species, and provide resilience to climate change for critical habitat areas in and along the Mad River.

The Regional Water Board continues to work successfully with the HBMWD in our shared efforts to manage aquatic resources. I particularly appreciate the HBMWD's proactive efforts to reach out to the Regional Water Board to ensure water quality considerations have been taken into account in the planning of this project. The Regional Water Board is eager to continue our collaborative working relationship working with the HBMWD.

The Regional Water Board's mission aligns with habitat enhancement and conservation. The Regional Water Board considers the HBMWD an important partner in our efforts to achieve our mission: to protect, preserve, and enhance the quality of California's water

Mr. John Friedenbach

- 2 -

resources. This project, if implemented, will ensure the aquatic resources of the Mad River are supported with adequate instream flows.

We encourage and endorse your application to the Wildlife Conservation Board and are willing to provide support once a grant is awarded.

Sincerely,

 Digitally signed  
by Matthias  
St John  
Date: 2017.08.23  
11:28:17 -07'00'  
Matthias St. John  
Executive Officer

170823\_BCM\_dp\_HBMWD\_SupportLtr

**BLUE LAKE RANCHERIA**

P.O. Box 428  
Blue Lake, CA 95525

Office: (707) 668-5101  
Fax: (707) 668-4272

[www.bluelakerancheria-nsn.gov](http://www.bluelakerancheria-nsn.gov)



August 23, 2017

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

**RE: Support for Wildlife Conservation Board Proposition 1 Streamflow Enhancement Program Grant**

Dear Mr. Friedenbach,

I write on behalf of the Blue Lake Rancheria Tribe to support Humboldt Bay Municipal Water District's Streamflow Enhancement Program grant application to the Wildlife Conservation Board. As we discussed in an 8.8.17 meeting, the Humboldt Bay Municipal Water District ("District") is uniquely positioned to provide releases that enhance and improve habitat for salmonids and special status species in the Mad River.

As co-manager of the Mad River, the Tribe has undertaken multiple initiatives to improve conditions to aid recovery of species – especially endangered and threatened species. The Mad River and its inhabitants have formed a basis of the Tribe's historic, traditional, and present day cultural and economic activities. The Mad River is currently a listed impaired waterway under Section 303(d) of the Clean Water Act for temperature, turbidity, and sediment; and is home to several culturally important aquatic species. There are a variety of species in the Mad River watershed that would benefit from the District's proposed Section 1707 instream flow dedication.

The District's proposed streamflow enhancements are in alignment with the Tribe's goals for the Mad River. The proposal for streamflow enhancement is also in alignment with the California Water Action Plan's three components: support anadromous fish, support endangered or at-risk species, and provide resilience to climate change for critical habitat areas in and along the Mad River.

The Tribe has worked successfully with the District in the past. The Tribe served on the District's long-term water planning advisory committee and dam and flood safety planning committee. In addition, the two entities have worked together to address urgent issues such as toxic blue-green algae blooms (which are another climate change impact). We are confident that the District will carry out the proposed project successfully.

A 2016 White House "Climate Action Champion," the Tribe is widely recognized for greenhouse gas reduction and resilience activities. The Tribe has a long history of monitoring, data gathering, and reporting on Mad River conditions – e.g., water quality, air quality, non-point-source pollution – to provide data to federal, state, and local agencies, and stands ready to provide data to the District for its work under this program. The Tribe has aggressive habitat enhancement and conservation goals, and has successfully completed several fish passage remediation projects and

# BLUE LAKE RANCHERIA

P.O. Box 428  
Blue Lake, CA 95525

Office: (707) 668-5101  
Fax: (707) 668-4272

[www.bluelakerancheria-nsn.gov](http://www.bluelakerancheria-nsn.gov)

SECTION H1 PAGE NO. 11



other Mad River rehabilitation efforts. The District's streamflow enhancement project and its goals align with work the Tribe has already completed, and with anticipated future efforts.

The Tribe encourages and endorses your application to the Wildlife Conservation Board and the Tribe is willing to provide support once a grant is awarded.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jana Ganion", is written over a horizontal line.

Jana Ganion  
Sustainability Director



United States  
Department of  
Agriculture

Forest  
Service

Pacific Southwest Region  
Six Rivers National Forest

1330 Bayshore Way  
Eureka, CA 95501  
707-442-1721  
TDD: 707-442-1721  
Fax: 707-442-9242

**File Code:** 3500; 7520; 2620  
**Date:** August 24, 2017

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

Dear Mr. Friedenbach:

The Six Rivers National Forest (SRNF) supports your Streamflow Enhancement Program grant proposal to the Wildlife Conservation Board to address flow-related limiting factors for up- and downstream fish passage and habitat available for salmonids and other species. The Forest Service mission aligns with habitat enhancement and conservation. SRNF administers 45,170 acres of land below Matthews Dam as well as the land upon which the dam sits. Managing flows for aquatic resources in the Mad River is in line with the Aquatic Conservation Strategy objective to maintain and restore in-stream flows sufficient to sustain aquatic habitat and to protect the timing, magnitude, duration and spatial distribution of peak, high and low flows.

As discussed in the meeting on August 8, 2017, the water district is uniquely positioned to provide releases that enhance and improve habitat for salmonids and special status species in the Mad River. There are a variety of species in the watershed that would benefit from the proposed Section 1707 instream flow dedication. Moreover, the proposed streamflow enhancements are in alignment with the California Water Action Plan's three components: support anadromous fish, support endangered or at-risk species, and provide resilience to climate change for critical habitat areas in and along the Mad River.

The Forest Service has worked successfully with HBMWD in the past, through multiple projects with common interest, including collaboration on the Mad River Sediment TMLD (2008), coordination with Special Use Permits with the Mathews Dam, as well as post-fire road remediation associated with the 2015 Ruth Fire Complex. We hope to continue with this productive partnership.

We encourage and endorse your application to the Wildlife Conservation Board and are willing to provide support once a grant is awarded.

Sincerely,

MICHAEL GREEN  
Acting Forest Supervisor





August 25, 2017

Mr. John Friedenbach, General Manager  
Humboldt Bay Municipal Water District  
828 7<sup>th</sup> Street  
Eureka, CA 95501-1114

RE: Support for Wildlife Conservation Board Proposition 1 Streamflow Enhancement Program Grant

Dear Mr. Friedenbach,

I am writing on behalf of California Trout, Inc. to express our support for your Streamflow Enhancement Program grant application to the Wildlife Conservation Board. As we discussed in our meeting on August 8, 2017, your District is uniquely positioned to ensure that Mad River flow stays in the river with the ability to manage streamflow in a manner to benefit salmonids from the upper river to the estuary. The studies of the variety of species that would be undertaken to understand the relationship of the District's proposed Section 1707 instream flow dedication will provide important information to determine the best management for the instream flows. Moreover, your proposed streamflow enhancements are in alignment with the California Water Action Plan's three components: support anadromous fish, support endangered or at-risk species, and provide resilience to climate change for critical habitat areas in and along the Mad River.

Our agency has participated in an HBMWD advisory group and are impressed by the staff and Board's ability to manage the provision of municipal water while also protecting the public trust doctrine and the natural resource benefits of the Mad River.

CalTrout's mission is to solve complex resource issues while balancing the needs of wild fish and people. The Mad River is an example of a water resource that provides municipal water for our communities, a prime access for recreational opportunities, and an important north coast salmonid population.

We encourage and endorse your application to the Wildlife Conservation Board and are willing to continue to participate in an advisory capacity once a grant is awarded.

Sincerely,



**Darren Mierau**  
California Trout  
North Coast Program Director



COUNTY OF HUMBOLDT  
PLANNING AND BUILDING DEPARTMENT SECTION T H1, PAGE NO. 14  
OFFICE OF THE DIRECTOR

3015 H Street Eureka CA 95501  
Phone: (707) 445-7541 Fax: (707) 268-3792

August 25, 2017

H.B.M.W.D. AUG 30 2017

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

RE: Support for Wildlife Conservation Board Proposition 1 Streamflow Enhancement Program Grant

Dear Mr. Friedenbach,

I am writing on behalf of Humboldt County to express support for your Streamflow Enhancement Program grant application to the Wildlife Conservation Board. Your District is uniquely positioned to provide releases that enhance and improve habitat in the Mad River. There are a variety of species in the watershed that would benefit from your District's proposed Section 1707 instream flow dedication. Moreover, your proposed streamflow enhancements are in alignment with the Humboldt County General Plan Update objectives to improve river flows for fish and wildlife within the County.

Humboldt County has worked closely with your District in the past on regional water planning and on the update to the Humboldt County General Plan Update. Your District worked closely with the Board of Supervisors to craft the Humboldt County General Plan Update, which advocates for the restoration of river flows to restore and enhance fisheries, water quality, and other beneficial uses, as well as to provide adequate water to meet current and planned development. The Humboldt County General Plan Update specifically references the potential for your District to allocate a portion of the available water for instream flow in the Mad River for the purpose of preserving or enhancing habitat or fish and wildlife resources.

We encourage and endorse your application to the Wildlife Conservation Board and are willing to provide support once a grant is awarded.

Respectfully,

John Ford, Director  
Humboldt County Planning and Building

**Humboldt Bay Municipal Water District**

To: Board of Directors

From: John Friedenbach

Date: September 5, 2017

Re: Cannabis Grows

The following is a synopsis of **Water Theft Law and Enforcement** informally developed by a Fish and Wildlife employee that presents possible code violations to be considered in these situations. This is provided for information purposes.

**WATER TRUCK DIVERSION INFORMATION**

Below are sections that may apply to a person diverting water from a stream or reservoir into a water truck. Page 1 lists some guidelines and things to look for.

- DFW requires a 1600 for water truck diversions (particularly timber companies). Conditions include no more than a 10% rate of diversion, proper screening (prevent suction of fish up against screen), logs/records of their diversions available onsite, and a cut off of diversion at a low flow cut off so the diversion meets 5901 and 6100 (see below sections). It also must meet ESA and CESA. ESA is take of habitat which occurs at low-flow.
- Because we are in a drought, substantial becomes easier to show.
- If you see a drop in the pools wetted perimeter it is likely the rate of diversion is too high and thus substantial. The rate of diversion not exceeding 10% in the **1600 manual** is based, in part, on the wetted perimeter not changing.
- If they are not using a screen at all, section 6100 applies (salmon or steelhead streams only).
- If they are using a screen but it is not adequate, 1602 and 6100 may apply.
- 5901 can always apply if flows are reduced which "*tends to prevent or impede, the passing of fish up and down stream*". This includes drying up a riffle or pool, disconnecting flow, damming, or if aquatic life is getting sucked onto the foot valve or into the truck. Document a drop in pool depth or dewatering at the upstream or downstream riffle. If you did not see stream flows prior to pumping, verify recovery of flow (can take up to an hour or more for this recovery).
- DFW has documented a steelhead kill from a water truck pumping from a pool....this did not dewater the pool, but did dewater the riffle downstream.
- Consider 5937 if they are using a dam without allowing adequate flow below (landowner).
- The Water Board is interested in receiving these cases, in addition to DFW filing a case or issuing a citation. We can reference their civil charges to assist with our 1602 charge (water board has administration liabilities but needs documentation including photos to file them, see 1052a below).
- Also, you can time how long it takes the truck to fill and then document the gallons in the truck to get the rate of diversion. If the rate is high enough then the diversion is substantial. DFW is currently, under these drought conditions, writing 1600s for diversions at less than 10% of the flow at the site because of cumulative impacts to low-flows from all diversions.
- Collect photos of receipts, logs, or other information about prior sales if feasible. Photograph truck, license plates, side doors, hose/intake for the truck, and the stream where the diversion is (up and down stream). Place a ruler or other object for scale next to the drop in the wetted perimeter if it is observed, then photograph. When we submit complaints to the water board, we allege public trust impacts because the board has to protect public trust resources and the rights of other water right holders (riparian and appropriative). ES can forward your case info to them.
- Rate of diversion = gallons truck holds divided by time to fill (eg 3000 gallons/20min= 150 gallons per minute)

To convert gpms to cfs either do math

$$150 \text{ gpms} / 448.8 \text{ gpms/cfs} = .3 \text{ cfs}$$

Or download convert.exe (it is fine with ITB to download)

<http://en.softonic.com/s/convert-exe-file>

- See **PC 498** below: theft of utility services (includes water). Applies to HBMWD including Ruth Lake and the Mad River below the dam to the pumps in Arcata. HBMWD has water rights in the entire channel. Consider this charge for other reservoirs etc.
- Vehicle Code charges will probably apply: See VC section below and you can also request a CHP officer who has portable scales to assist you in truck weight. KEEP IN MIND A LOADED WATER TRUCK IS ALWAYS OVERWEIGHT IF IT'S FULL -- THEY ARE NEARLY ALWAYS 3-4 THOUSAND POUNDS OVER. (Weight of water is 8 lbs./ gallon: 3000 gallon truck = 24,000 lbs. in water, plus weight of truck). CHP Officer Mark Schmitcke works Humboldt County and can assist with questions or respond if available. See VC sections that may apply below.

**POTENTIALLY APPLICABLE SECTIONS****FISH AND GAME CODE - FGC****DIVISION 2. DEPARTMENT OF FISH AND GAME [700 - 1940]**

( Division 2 enacted by Stats. 1957, Ch. 456. )

**CHAPTER 6. Fish and Wildlife Protection and Conservation [1600 - 1616]**

( Chapter 6 repealed and added by Stats. 2003, Ch. 736, Sec. 2. )

**1602.**

(a) An entity may not substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, unless all of the following occur:

(1) The department receives written notification regarding the activity in the manner prescribed by the department. The notification shall include, but is not limited to, all of the following:

(A) A detailed description of the project's location and a map.

(B) The name, if any, of the river, stream, or lake affected.

(C) A detailed project description, including, but not limited to, construction plans and drawings, if applicable.

(D) A copy of any document prepared pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code.

(E) A copy of any other applicable local, state, or federal permit or agreement already issued.

(F) Any other information required by the department.

(c) It is unlawful for any person to violate this chapter. (use for 1614)

Use Water Code to assist in showing substantial (1052 a-water diversion is trespass)

**FISH AND GAME CODE - FGC****DIVISION 6. FISH [5500 - 9101]**

( Division 6 enacted by Stats. 1957, Ch. 456. )

**PART 1. GENERALLY [5500 - 6956]**

( Part 1 enacted by Stats. 1957, Ch. 456. )

**CHAPTER 3. Dams, Conduits, and Screens [5900 - 6100]**

( Chapter 3 enacted by Stats. 1957, Ch. 456. )

**ARTICLE 1. General Provisions [5900 - 5904]**

( Article 1 enacted by Stats. 1957, Ch. 456. )

**5900.**

As used in this chapter:

(a) "Dam" includes all artificial obstructions.

(b) "Conduit" includes pipe, millrace, ditch, flume, siphon, tunnel, canal, and any other conduit or diversion used for the purpose of taking or receiving water from any river, creek, stream, or lake.

(c) "Owner" includes the United States (except that for the purpose of Sections 5901, 5931, 5933, and 5938, "owner" does not include the United States as to any

dam in the condition the dam existed on September 15, 1945), the State, a person, political subdivision, or district (other than a fish and game district) owning, controlling or operating a dam or pipe.

(d) "United States" means the United States of America, and in relation to any particular matter includes the officers, agents, employees, agencies, or instrumentalities authorized to act in relation thereto.

*(Amended by Stats. 1961, Ch. 867.)*

**5901.**

Except as otherwise provided in this code, it is unlawful to construct or maintain in any stream in Districts 1,  $1\frac{3}{8}$ ,  $1\frac{1}{2}$ ,  $1\frac{7}{8}$ , 2,  $2\frac{1}{4}$ ,  $2\frac{1}{2}$ ,  $2\frac{3}{4}$ , 3,  $3\frac{1}{2}$ , 4,  $4\frac{1}{8}$ ,  $4\frac{1}{2}$ ,  $4\frac{3}{4}$ , 11, 12, 13, 23, and 25, any device or contrivance that prevents, impedes, or tends to prevent or impede, the passing of fish up and down stream.

*(Amended by Stats. 2005, Ch. 589, Sec. 2. Effective January 1, 2006.)*

*Fish means FGC definition of fish (benthic macro inverts and other aquatic life). Tends to impede is a very loose term; most diversions tend to impeded unless they are very small **and** properly screened.*

**5937.**

The owner of any dam shall allow sufficient water at all times to pass through a fishway, or in the absence of a fishway, allow sufficient water to pass over, around or through the dam, to keep in good condition any fish that may be planted or exist below the dam. During the minimum flow of water in any river or stream, permission may be granted by the department to the owner of any dam to allow sufficient water to pass through a culvert, waste gate, or over or around the dam, to keep in good condition any fish that may be planted or exist below the dam, when, in the judgment of the department, it is impracticable or detrimental to the owner to pass the water through the fishway.

*(Enacted by Stats. 1957, Ch. 456.)*

**ARTICLE 5. Diversion of Water From Streams [6100- 6100.]**

*(Article 5 added by Stats. 1971, Ch. 1016.)*

**6100.**

Notwithstanding any provision of Article 3 (commencing with Section 5980) and Article 4 (commencing with Section 6020), on or after the effective date of this article, any new diversion of water from any stream having populations of salmon and steelhead which is determined by the department to be deleterious to salmon and steelhead shall be screened by the owner. The construction, operation, or maintenance costs of any screen required pursuant to this article shall be borne by the owner of the diversion.

The department within 30 days of receipt of a notice of such diversion, or within the time determined by mutual written agreement, shall submit to the owner its proposals as to measures necessary to protect the salmon and steelhead. The department shall notify the owner that it shall make onsite investigation and shall make any other investigation before it shall propose any measure necessary to protect fishlife.

The department, or any agency of the state, shall provide the owner of the diversion any available information which is required by such owner in order to comply with the provisions of this article.

The diversion shall not commence until the department has determined that measures necessary to protect fishlife have been incorporated into the plans and construction of such diversion.

*(Added by Stats. 1971, Ch. 1016.)*

*This section is generally used for diversions occurring on the diverter's property....however; it can apply to the owner of the diversion which in this case is a water truck/hose.*

## **WATER CODE - WAT**

### **DIVISION 2. WATER [1000 - 5976]**

*(Division 2 enacted by Stats. 1943, Ch. 368.)*

#### **PART 1. GENERAL PROVISIONS [1000 - 1126.2]**

*(Part 1 enacted by Stats. 1943, Ch. 368.)*

### **CHAPTER 2. Administrative Provisions Generally [1050 - 1060]**

*(Chapter 2 enacted by Stats. 1943, Ch. 368.)*

#### **1052.**

(a) The diversion or use of water subject to this division other than as authorized in this division is a trespass.

(b) The Attorney General, upon request of the board, shall institute in the superior court in and for any county where the diversion or use is threatened, is occurring, or has occurred an action for the issuance of injunctive relief as may be warranted by way of temporary restraining order, preliminary injunction, or permanent injunction.

(c) Any person or entity committing a trespass as defined in this section may be liable in an amount not to exceed the following:

(1) If the unauthorized diversion or use occurs in a critically dry year immediately preceded by two or more consecutive below normal, dry, or critically dry years or during a period for which the Governor has issued a proclamation of a state of emergency under the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code) based on drought conditions, the sum of the following:

(A) One thousand dollars (\$1,000) for each day in which the trespass occurs.

(B) Two thousand five hundred dollars (\$2,500) for each acre-foot of water diverted or used in excess of that diverter's water rights.

(2) If the unauthorized diversion or use is not described by paragraph (1), five hundred dollars (\$500) for each day in which the unauthorized diversion or use occurs.

(d) Civil liability for a violation of this section may be imposed by the superior court or the board as follows:

(1) The superior court may impose civil liability in an action brought by the Attorney General, upon request of the board, to impose, assess, and recover any sums pursuant to subdivision (c). In determining the appropriate amount, the court shall take into consideration all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the nature and persistence of the

violation, the length of time over which the violation occurs, and the corrective action, if any, taken by the violator.

(2) The board may impose civil liability in accordance with Section 1055.

(e) All funds recovered pursuant to this section shall be deposited in the Water Rights Fund established pursuant to Section 1550.

(f) The remedies prescribed in this section are cumulative and not alternative.

*(Amended by Stats. 2014, Ch. 3, Sec. 9. Effective March 1, 2014.)*

### 1055.

(a) The executive director of the board may issue a complaint to any person or entity on which administrative civil liability may be imposed pursuant to Section 1052, Article 4 (commencing with Section 1845) of Chapter 12 of Part 2 of Division 2, or Section 5107. The complaint shall allege the act or failure to act that constitutes a trespass or violation, the provision of law authorizing civil liability to be imposed, and the proposed civil liability. (Refer case to Water Board for filing of civil charges, in addition to issuing a citation or formal complaint).

(b) The complaint shall be served by personal notice or certified mail, and shall inform the party served that the party may request a hearing not later than 20 days from the date the party was served. The hearing shall be before the board or a member of the board, in accordance with Section 183.

(c) The board, after any necessary hearing, may adopt an order setting administrative civil liability, or determining that a liability shall not be imposed.

(d) Orders setting administrative civil liability shall become effective and final upon issuance thereof and payment shall be made.

*(Amended by Stats. 2010, Ch. 288, Sec. 5. Effective January 1, 2011.)*

### 1055.3.

In determining the amount of civil liability, the board shall take into consideration all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the nature and persistence of the violation, the length of time over which the violation occurs, and the corrective action, if any, taken by the violator.

(Address these as best you can in your report, then forward to Water Board, document with photos)

*(Added by Stats. 1987, Ch. 756, Sec. 5.)*

## **PART 5.1. STATEMENTS OF WATER DIVERSIONS AND USE [5100 - 5107]**

*(Part 5.1 added by Stats. 1965, Ch. 1430.)*

### 5100.

As used in this part:

(a) "Best available technologies" means technologies at the highest technically practical level, using flow totaling devices, and if necessary, data loggers and telemetry.

(b) "Best professional practices" means practices attaining and maintaining the accuracy of measurement and reporting devices and methods.

(c) "Diversion" means taking water by gravity or pumping from a surface stream or subterranean stream flowing through a known and definite channel, or other body



of surface water, into a canal, pipeline, or *other conduit*, and includes impoundment of water in a reservoir.

(d) "Person" means all persons whether natural or artificial, including the United States of America, State of California, and all political subdivisions, districts, municipalities, and public agencies.

*(Amended by Stats. 2009, 7th Ex. Sess., Ch. 2, Sec. 3. Effective February 3, 2010.)*

**5101.**

Each person who, after December 31, 1965, diverts water shall file with the board, prior to July 1 of the succeeding year, a statement of his or her diversion and use, except that a statement is not required to be filed if the diversion is any of the following:

(a) From a spring that does not flow off the property on which it is located and from which the person's aggregate diversions do not exceed 25 acre-feet in any year.

(b) Covered by a registration for small domestic use, small irrigation use, or livestock stockpond use, or permit or license to appropriate water on file with the board.

(c) Included in a notice filed pursuant to Part 5 (commencing with Section 4999).

(d) Regulated by a watermaster appointed by the department and included in annual reports filed with a court or the board by the watermaster, which reports identify the persons who have diverted water and describe the general purposes and the place, the use, and the quantity of water that has been diverted from each source.

(e) Included in annual reports filed with a court or the board by a watermaster appointed by a court or pursuant to statute to administer a final judgment determining rights to water, which reports identify the persons who have diverted water and give the general place of use and the quantity of water that has been diverted from each source.

(f) For use in compliance with Article 2.5 (commencing with Section 1226) or Article 2.7 (commencing with Section 1228) of Chapter 1 of Part 2.

(g) A diversion that occurs before January 1, 2009, if any of the following applies:

(1) The diversion is from a spring that does not flow off the property on which it is located, and the person's aggregate diversions do not exceed 25 acre-feet in any year.

(2) The diversion is covered by an application to appropriate water on file with the board.

(3) The diversion is reported by the department in its hydrologic data bulletins.

(4) The diversion is included in the consumptive use data for the Delta lowlands published by the department in its hydrologic data bulletins.

*(Amended by Stats. 2011, Ch. 579, Sec. 10. Effective January 1, 2012.)*

**PENAL CODE - PEN****PART 1. OF CRIMES AND PUNISHMENTS [25 - 680]**

(Part 1 enacted 1872.)

**TITLE 13. OF CRIMES AGAINST PROPERTY [450 - 593g]**

(Title 13 enacted 1872.)

**CHAPTER 5. Larceny [484 - 502.9]**

(Chapter 5 enacted 1872.)

**498.**

(a) The following definitions govern the construction of this section:

(1) "Person" means any individual, or any partnership, firm, association, corporation, limited liability company, or other legal entity.

(2) "Utility" means any electrical, gas, or water corporation as those terms are defined in the Public Utilities Code, and electrical, gas, or water systems operated by any political subdivision. (HBMWD, Ruth Lake and Mad River from dam to pumps/ any other water utility)

(3) "Customer" means the person in whose name utility service is provided.

(4) "Utility service" means the provision of electricity, gas, water, or any other service provided by the utility for compensation.

(5) "Divert" means to change the intended course or path of electricity, gas, or water without the authorization or consent of the utility.

(6) "Tamper" means to rearrange, injure, alter, interfere with, or otherwise prevent from performing a normal or customary function.

(7) "Reconnection" means the reconnection of utility service by a customer or other person after service has been lawfully disconnected by the utility.

(b) Any person who, with intent to obtain for himself or herself utility services without paying the full lawful charge therefor, or with intent to enable another person to do so, or with intent to deprive any utility of any part of the full lawful charge for utility services it provides, commits, authorizes, solicits, aids, or abets any of the following shall be guilty of a misdemeanor:

(1) Diverts or causes to be diverted utility services, by any means.

(2) Prevents any utility meter, or other device used in determining the charge for utility services, from accurately performing its measuring function by tampering or by any other means.

(3) Tampers with any property owned by or used by the utility to provide utility services.

(4) Makes or causes to be made any connection with or reconnection with property owned or used by the utility to provide utility services without the authorization or consent of the utility.

(5) Uses or receives the direct benefit of all or a portion of utility services with knowledge or reason to believe that the diversion, tampering, or unauthorized connection existed at the time of that use, or that the use or receipt was otherwise without the authorization or consent of the utility.

(c) In any prosecution under this section, the presence of any of the following objects, circumstances, or conditions on premises controlled by the customer or by the person using or receiving the direct benefit of all or a portion of utility services obtained in violation of this section shall permit an inference that the customer or person intended to and did violate this section:

(1) Any instrument, apparatus, or device primarily designed to be used to obtain utility services without paying the full lawful charge therefor.

(2) Any meter that has been altered, tampered with, or bypassed so as to cause no measurement or inaccurate measurement of utility services.

(d) If the value of all utility services obtained in violation of this section totals more than nine hundred fifty dollars (\$950) or if the defendant has previously been

convicted of an offense under this section or any former section which would be an offense under this section, or of an offense under the laws of another state or of the United States which would have been an offense under this section if committed in this state, then the violation is punishable by imprisonment in a county jail for not more than one year, or in the state prison.

(e) This section shall not be construed to preclude the applicability of any other provision of the criminal law of this state.

*(Amended by Stats. 2009, 3rd Ex. Sess., Ch. 28, Sec. 24. Effective January 25, 2010.)*

## California Vehicle Code

Start from the front of the truck and work back:

- 4000(a)(1)VC REGISTRATION
- DRIVER'S LICENSE
- DRIVING OUT OF CLASS 12500(D)VC
  - ABOVE 26,000 POUNDS---GROSS VEHICLE WEIGHT RATING GVWR----- RATING AND WEIGHT OF TRUCK ABOVE--- AT LEAST CLASS B\ THIS RATING IS LOCATED ON INSIDE OF DRIVERS DOOR ON CAB EDGE OR ON THE DOOR NEAR THE LOCK/HANDLE MECHANISM
  - TOWING A TRAILER RATED AT ABOVE 10,000 POUNDS CLASS A LICENSE REQUIRED
  - MEDICAL CARDS FOR DRIVERS ARE NO LONGER TO BE CARRIED BY DRIVER, BUT THEY STILL NEED A VALID MEDICAL SO RUN THEM ---DRIVER'S LICENSE
- 27900 VC --COMPANY NAME TO BE DISPLAYED LEFT AND RIGHT SIDES
- 34507.5A VC CA#/OR DOT NUMBER MUST BE DISPLAYED L/R SIDES—& **MUST ALSO HAVE AN OPERATING AUTHORITY**
  - **OPERATING AUTHORITY**= A MOTOR CARRIER PERMIT WHICH CAN BE VALIDATED BY CALLING (916) 657-7092 - *THIS NUMBER IS 1036 SO DON'T GIVE IT OUT*
  - BASICALLY IF A TRUCK IS BEING USED TO TRANSPORT WATER TO SELL IT TO SOMEONE ELSE THEY MUST HAVE A MOTOR CARRIER PERMIT/OPERATING AUTHORITY
  - WITHOUT A OPERATING PERMIT- IT'S A MISDEMEANOR
- 5200 A VC---2 LICENSE PLATES
- TIRES,LIGHTS, ETC

**Humboldt Bay Municipal Water District**

To: Board of Directors

From: John Friedenbach

Date: September 6, 2017

Re: California Department of Fish and Wildlife Presentation –  
Foothill Yellow-Legged Frog

On June 21, 2017 the California Fish and Game Commission took action to accept a petition for consideration and designate the foothill yellow-legged frog as a candidate species pursuant to FGC Section 2074.2. See attached letter dated July 18, 2017. Local CDFW staff has requested the opportunity to address our Board about the change in listing status of the foothill yellow-legged frog as it relates to District operations in the Mad River watershed. Michael van Hattem, Senior Environmental Scientist Specialist Coastal Conservation Planning – Northern Region of CDFW will be at our September 14, 2017 Board meeting to make an oral presentation.



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Region 1 – Northern  
601 Locust Street  
Redding, CA 96001  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director  
SECTION H3, PAGE NO. 2



July 18, 2017

**Subject: Take of Foothill Yellow-Legged Frog During the California Endangered Species Act Candidacy Period**

Dear Project Manager,

You are receiving this letter because the California Department of Fish and Wildlife (Department) records indicate you have been issued a Lake or Streambed Alteration Agreement that includes protective measures for the foothill yellow-legged frog (*Rana boylei*). Similarly, you may be involved in a project subject to the California Environmental Quality Act (CEQA) that indicates the species may be adversely affected and biological monitors may be used to move the species out of harm's way.

As you may be aware, the Center for Biological Diversity submitted a petition (Petition) to the Fish and Game Commission (Commission) to list the foothill yellow-legged frog as threatened pursuant to the California Endangered Species Act (CESA), Fish and Game Code (FGC) Section 2050 *et seq.* The Department completed its petition evaluation and determined there is sufficient scientific information to indicate that the petitioned action may be warranted. The Department recommended the Commission accept the Petition for further consideration pursuant to CESA.

On April 26, 2017, the Commission received the Department's evaluation report. At its June 21, 2017, meeting, the Commission took action on whether to accept the petition for consideration and designate the foothill yellow-legged frog as a candidate species pursuant to FGC Section 2074.2. The Commission accepted the Petition for consideration and the foothill yellow-legged frog is designated as a candidate species; the Office of Administrative Law published those findings on July 7, 2017. The Department will initiate a one-year status review report to inform the Commission's decision on whether listing as threatened is warranted.

During the candidacy period, it is unlawful to import into California, export out of California or take, possess, purchase, or sell within California, foothill yellow-legged frog and any part of product thereof, or attempt any of those acts, except as authorized pursuant to CESA. Fish and Game Code Section 86, defines "take" as means to hunt, pursue, catch, capture, or kill, or to attempt to hunt, pursue, catch, capture, or kill.

***This letter is to notify you that take of foothill yellow-legged frog is prohibited unless you have authorization pursuant to CESA.***

The Department recognizes there may be circumstances where take of the foothill yellow-legged frog during candidacy may be unavoidable. Pursuant to FGC Section 2081(b), the Department may issue an Incidental Take Permit (ITP) authorizing the take of a candidate species when it is incidental to an otherwise lawful activity, the impacts of the take are minimized and fully mitigated, the applicant ensures there is adequate

funding to implement any required measures, and take is not likely to jeopardize the continued existence of the species.

To apply for an ITP pursuant to FGC Section 2081(b), to take of foothill yellow-legged frog during its candidacy period, please submit an application to the Department describing the activities for which you seek coverage. ITPs must comply with the requirements of California Code of Regulations, Title 14, sections 783.0 – 783.8. An ITP application must include the fee required by FGC Section 2081.2 and contain the following:

- (1) Applicant's full name, mailing address, and telephone number(s). If the applicant is a corporation, firm, partnership, association, institution, or public or private agency, the name and address of the person responsible for the project or activity requiring the permit, the president or principal officer, and the registered agent for the service of process.
- (2) The common and scientific names of the species to be covered by the permit and the species' status under CESA, including whether the species is the subject of rules and guidelines pursuant to Section 2112 and Section 2114 of the FGC.
- (3) A complete description of the project or activity for which the permit is sought.
- (4) The location where the project or activity is to occur or to be conducted.
- (5) An analysis of whether and to what extent the project or activity for which the permit is sought could result in the taking of species to be covered by the permit.
- (6) An analysis of the impacts of the proposed taking on the species.
- (7) An analysis of whether issuance of the ITP would jeopardize the continued existence of a species. This analysis shall include consideration of the species' capability to survive and reproduce, and any adverse impacts of the taking on those abilities in light of (A) known population trends; (B) known threats to the species; and (C) reasonably foreseeable impacts on the species from other related projects and activities.
- (8) Proposed measures to minimize and fully mitigate the impacts of the proposed taking.
- (9) A proposed plan to monitor compliance with the minimization and mitigation measures and the effectiveness of the measures.
- (10) A description of the funding source and the level of funding available for implementation of the minimization and mitigation measures.
- (11) Certification in the following language:

*"I certify that the information submitted in this application is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to suspension or revocation of this permit and to civil and criminal penalties under the laws of the State of California."*

An ITP issued pursuant to Section 2081 (b), will provide take coverage only to those individuals and entities expressly listed in the permit and will not generally apply to partners, collaborators, contractors, and affiliates. Biological monitors who are only complying with the minimization and mitigation terms of an ITP or other similar Department-issued authorization to take foothill yellow-legged frogs must receive authorization from the Department's Regional Office to handle foothill yellow-legged frogs for the purpose of relocating them.

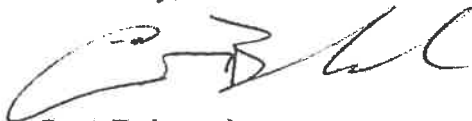
**To avoid disruption in work schedules, an application for FGC Section 2081(b) ITP authorizing take of foothill yellow-legged frog may be submitted to:**

Counties: Eastern Trinity, Shasta, Tehama, Siskiyou, Modoc, Lassen  
Region 1 – Northern  
601 Locust Street  
Redding, CA 96001

Counties: Western Trinity, Del Norte, Humboldt, Mendocino  
Region 1 – Northern  
619 Second Street,  
Eureka, CA 95501

The Department appreciates your cooperation with this process and is committed to expediting your ITP application. If you have any questions or need any additional information related to the CESA listing process or status review, please contact Laura Patterson, Wildlife Branch, at 916-341-6981 or [Laura.Patterson@wildlife.ca.gov](mailto:Laura.Patterson@wildlife.ca.gov).

Sincerely,



**Curt Babcock**  
Habitat Conservation Program Manager

**Humboldt Bay Municipal Water District**

To: Board of Directors  
From: John Friedenbach  
Date: September 6, 2017  
Re: JTN Energy Contract Amendment

The District entered into a contract with JTN Energy, LLC on January 20, 2016 to assist with the conversion of the District's Evergreen contract for purchase of hydro power by PG&E to a 20 year ReMAT contract for hydro power purchase by PG&E. Attached is page one of the Consultant Services Agreement. The payment terms for JTN are \$0.0056 per kilowatt hour over the life of the contract. See page 15 of the original agreement attached. As you may recall, JTN partnered with Henwood Associates, Inc. for the work under the original contract. See page 11 of the original agreement attached. JTN Energy and Henwood Associates have requested that the fee under the original contract be split equally between them over the 20 year life of the original agreement.

JTN Energy has prepared the attached contract amendment to split the original contract fee equally between JTN Energy and Henwood Associates.

The District attorney has reviewed the proposed amendment and has no concerns.

Staff recommends approval of the proposed amendment.



## JTN Energy

August 16, 2017

Humboldt Bay Municipal Water District  
Attn: John Friedenbach, General Manager  
828 Seventh Street  
Eureka, CA 95501

Mr. Friedenbach:

I am writing regarding the Consult Services Agreement between HBMWD and JTN Energy (JTN) dated January 20, 2016 regarding power marketing services for the Matthews Dam Hydro project. JTN has now completed Task B by securing the ReMAT contract for the project (ReMAT was executed 10/24/16) and JTN has completed Task C by helping to complete the required power sales contract transition activities (project achieved ReMAT commercial operations on 5/15/17). Now that HBMWD is receiving ReMAT contract revenues, JTN's fee under the Agreement is payable. Also per the Agreement, JTN will continue to provide HBMWD support without additional charge related to the ReMAT as described in Task D Contract Management for a period of 13 months from ReMAT COD, i.e. until 7/14/18.

The HBMWD-JTN Agreement sets the JTN fee at 0.56 c/kWh of actual project generation over the full 20 year ReMAT contract. The Agreement does not explicitly state the timing of the monthly payment. JTN is fine with waiting for HBMWD to receive PG&E payment for a given month's generation before HBMWD pays JTN its fee for that month. JTN would request HBMWD make payment no later than 15 days after receiving the relevant payment from PG&E.

As for HBMWD payment of the fee, JTN requests that the amount payable each month be split in half with half paid to JTN Energy and the other half paid to Henwood Associates, Inc. (HAI), JTN's subcontractor on the full scope of work with HBMWD. JTN's signature on this letter represents JTN's assent to half the fee being paid directly to HAI. HAI's signature below represents HAI's assent to receiving the fees. And I would request HBMWD's signature to represent HBMWD's assent to splitting of the fee on an ongoing basis. Signatures blocks follow on the next page.

Finally, I would like to provide notice per section 10.01 of the Agreement that the mailing address for JTN Energy has changed, phone and email address remain unchanged. I appreciate if HBMWD would use the following address going forward:

JTN Energy, LLC  
1555 Botelho Dr, #121  
Walnut Creek, CA 94596

The following entities agree to the splitting of the JTN fee as described in this letter agreement:

**JTN Energy, LLC**

A California limited liability company



Signature

Todd Thorner

Name

CEO

Title

8/16/17

Date

**Henwood Associates, Inc.**

A California corporation



Signature

Mark Henwood

Name

CEO

Title

8/16/17

Date

**Humboldt Bay Municipal Water District**

A California public water agency

Signature

John Friedenbach

Name

General Manager

Title

Date

**CONSULTANT SERVICES AGREEMENT**

This Consultant Services Agreement (the "Agreement") is entered into this 20<sup>th</sup> day of January, 2016 by and between JTN Energy, LLC (JTN), a limited liability company (the "Consultant") and Humboldt Bay Municipal Water District, a California Special Use District ("HBMWD"). The Consultant, JTN, and Client, HBMWD, are collectively referred to herein as the "Parties," or individually as a "Party."

**RECITALS**

A. HBMWD owns and operates the 2.0 MW Gosselin Hydroelectric project, the "Project", which has FERC designated ID P-3430. The Project was commissioned in 1983 and is located at R.W. Matthews Dam on Ruth Reservoir in Trinity County, California. Since commissioning, HBMWD has sold project output to PG&E under an evergreen Standard Offer #4 contract.

B. To provide HBMWD with expertise and support to secure a new long-term power sales agreement and to undertake a number of other necessary tasks associated with this objective, HBMWD wishes to engage JTN, as an independent contractor, to provide the services hereinafter set forth.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

**ARTICLE I****SCOPE OF SERVICES**

**1.01. Scope of Services.** The scope of services to be provided by Consultant is set forth in Exhibit "A" and by this reference incorporated herein (the "Scope of Services").

**1.02. Change Orders.** In order to complete the Scope of Services detailed in Exhibit "A", Consultant may be required to adjust, change, or expand the Scope of Services in order to achieve the identified milestones. Given the success contingent nature of the Consultant fees, any such adjustments will not result in any new fees or payment obligations by HBMWD to Consultant. However, to the degree that HBMWD and Consultant identify additional work activities which will result in the addition of milestones not included in the original Scope of Services, HBMWD and Consultant may mutually agree to add to the Scope of Services. Any such addition to the Scope of Services ("Change Orders") must be by written instructions issued by either the General Manager of the HBMWD (the "General Manager"), or his or her designee, and the provisions of this Agreement, other than Fees, shall apply to all such Change Orders. Such written authorization shall either be in the form of a written Change Order or written addendum to this Agreement. The cost of such Change Orders, which may increase the work specified hereunder and require an extension of completion time, shall be based on the hourly fees listed in Exhibit "B" and must be mutually agreed upon in writing by the General Manager, or his or her designee, and Consultant before commencement of the work called for by such Change Order.

*CEC/EIA Reporting*

We believe that HBMWD is already meeting these requirements and no Consultant involvement is required.

## Project Team

Mark Henwood and Todd Thorner comprise the Consultant Project Team. Todd Thorner is the founder and CEO of JTN Energy, LLC (JTN) and Mark Henwood is the CEO of Henwood Associates, Inc. (HAI). For this proposed effort, Todd Thorner will serve as Project Manager and HBMWD's first point-of-contact. Mark Henwood will be integrally involved in leading and managing the work in close coordination with the Todd Thorner, the Project Manager.

The Project Team has over 30 years of experience working with FERC and California's Investor Owned Utilities including Pacific Gas & Electric (PG&E) on topics including hydro project licensing, interconnection, contracting, and project management and operations. Attached as **Appendix B-1 and B-2** are each principal's qualifications. The Project Team also has multiyear experience working with the California Energy Commission (CEC) and Western Regional Energy Generation Information System (WREGIS) regarding Renewable Portfolio Standard (RPS) certification and registration with WREGIS starting in 2007. JTN and HAI are both in good standing and qualified to do business in California.

**Table 1** below identifies Consultant resources and approximate time required to complete each of the work tasks described in Section D 'Scope of Work'. Additional resources may be necessary during the course of this work and, if agreed upon, will be vetted with HBMWD prior to placement on the project.

### ***Location & Contact Info***

The majority of the work will be completed at respective offices of JTN and sub-consultant HAI, full contact information listed below.

JTN Energy, LLC (JTN)  
 Todd Thorner  
 CEO  
 59 Yorkshire Drive  
 Oakland, CA 94618  
 Office: (510) 922-9099  
 Cell: (415) 652-1627

Henwood Associates, Inc. (HAI)  
 Mark Henwood  
 CEO  
 7311 Greenhaven Drive, Ste. 275  
 Sacramento, CA 95831  
 Office: (916) 422-2600, ext 101  
 Cell: (916) 955-6031

### ***Sub-consultants***

Consultant will use HAI as a sub-consultant to manage and complete the work. Consultant will also use sub-consultant to provide CAISO Meter Installation and Meter Testing. A number of companies, such as US-Most and Trimark Associates, are recognized by the CAISO to provide these installation services. Testing service are typically arranged by the installation company and are provided by CAISO certified individuals.

## **Consultant Representations**

### ***Conflicting Projects or Commitments***

Consultant does not have any conflicting projects or commitments.

### ***Facilities and Resources***

Consultant has the facilities and resources to perform the required work.

## Exhibit B Consulting Fee

### *Fee Structure*

Consultant will provide the consulting services described in this Agreement on a success contingent, deferred payment basis. Under this structure, HBMWD will not pay Consultant any upfront or progress payments while Consultant is working to secure the ReMAT contract (Task B) or to complete the contract transition activities (Tasks C1 - C7). Instead, Consultant will defer payment for approximately 12 - 18 months and HBMWD will then pay a small share of revenues HBMWD receives under the ReMAT contract once the Project begins delivering output under that contract, estimated to begin in 2017.

HBMWD has considered two fee options proposed by Consultant and elected Fee Option 1 under which the Consultant will complete the full scope of work and HBMWD will pay for all third party out-of-pocket costs.

For HBMWD's reference, we provide below in **Table 1** an estimate of Consultant's direct costs to complete this scope of work over the estimated 24 - 30 month schedule. These are costs which Consultant is essentially investing in exchange for the deferred share of ReMAT contract revenues so is provided solely for the sake of transparency for HBMWD to understand the level of effort and costs involved to execute on the scope of work.

The table shows time expected to be required of Consultant's principals on each work task and associated costs based on Consultant's fully loaded hourly consulting fee of \$210 per hour. This rate includes the time of Consultant's principals and supporting staff, office, telephone communication, reproduction, shipping, and similar expenses. The Table includes a 10% contingency on these estimates and breaks out travel to Humboldt County as a separate line item. Consultant estimates its total direct soft and hard cost to provide these consulting services is **\$120,453**.

**Table 1: Estimate of Consultant Costs**

Task #	Task Name	Total Hours	Hourly Rate	Multiplier	Loaded Rate	Total
A	Clarify PG&E GIA Costs	36	140	1.5	210 \$	7,560
B	Secure ReMAT Contract	66	140	1.5	210 \$	13,860
C1	Transition Checklist	6	140	1.5	210 \$	1,260
C2	Implement GIA	24	140	1.5	210 \$	5,040
C3	CAISO	82	140	1.5	210 \$	17,220
C4	FERC	4	140	1.5	210 \$	840
C5	CEC	24	140	1.5	210 \$	5,040
C6	WREGIS	16	140	1.5	210 \$	3,360
C7	PG&E ReMAT Coordination	85	140	1.5	210 \$	17,850
D	ReMAT Contract Support	120	140	1.5	210 \$	25,200
					Sub-Total \$	97,230
					Contingency @ 10% \$	9,723
					Estimated Travel Expenses \$	13,500
					<b>TOTAL \$</b>	<b>120,453</b>

Table 2 below provides Consultant's current best estimates of third party hard costs to complete the scope of work including ReMAT bid fees, ReMAT contract collateral, PG&E interconnection facilities, communication circuits and equipment, switchgear modifications and related construction, meters, metering installation and testing, and third party consultants, WREGIS fees, and CAISO fees. The expenses under Task D are hard costs during the first year of project operations under the ReMAT contract. Consultant currently estimates the total cost for these expenses is approximately \$112,344. The parties have already entered a separate contract for the Consultant to complete Task A - Clarify PG&E Costs which may result in line item cost for Task A below changing significantly.

**Table 2: Estimate of Third Party Costs**

Task #	Cost Category	Est. Cost	Note
A	PG&E telemetry	\$ 25,000	Communication hardware and associated engineering
B	ReMAT Appl Fee	\$ 4,000	\$2/kW application fee
B	ReMAT Contract Collateral	\$ 40,000	\$20/kW contract security, refunded after contract expiration
B	Project Inspection	\$ 2,000	ReMAT requires project inspection before COD
C5	Third party meter installation	\$ 33,750	Broadband installation, meter installation contractor, telemetry equip
C5	Meter inspection	\$ 2,500	CAISO certified inspector
D	1st year contract management	\$ 5,094	inspection, WREGIS fee, telecommunication costs
<b>Estimated Total</b>		<b>\$ 112,344</b>	

If HBMWD and Consultant enter a contract for consulting services and Consultant succeeds in having a PG&E ReMAT contract offered for the Project but HBMWD elects in its sole discretion not to sign the contract and move forward, HBMWD will pay Consultant for actual time spent advancing Task A and Task B to this point with a cost cap of an amount not to exceed Fifteen Thousand Dollars (\$15,000.00) for Consultant's Costs and Services. If HBMWD decides at a later stage not to proceed with the ReMAT contract, HBMWD will pay Consultant for 75% of actual

time spent advancing the scope of work up to the date of the decision not to proceed (with Consultant's rights to fees and costs capped at and not to exceed the estimated costs in Table 1 above). Additional consulting services outside the scope of work detailed in Exhibit A can be contracted upon mutual written agreement of the parties at Consultant's fully loaded billable rate of \$210/hour for principals and \$150/hour for senior engineers.

### ***Fee Level***

If Consultant completes the full scope of work proposed in Exhibit A HBMWD will pay a Consultant Fee set at 0.56 cents/kWh to be paid on actual project generation over the full term of a 20 year ReMAT contract. If HBMWD elects a 15 year ReMAT term, HBMWD will pay a Consultant Fee of 0.63 cents/kWh, if HBMWD elects a 10 year ReMAT term, HBMWD will pay a Consultant Fee of 0.70 cents/kWh.

Consultant anticipates securing for HBMWD a ReMAT contract at 8.92 cents/kWh fixed pricing. Adjusting for time of use allocation factors reflecting the project's historical seasonal delivery profile, the ReMAT is anticipated to pay an annual average price of 8.86 cents/kWh. At this pricing level, HBMWD will be paid net of Consultant Fee approximately 8.30 cents/kWh with a 20 year ReMAT. For any contract term and associated Consultant Fee level, HBMWD payments net of Consultant Fee will still be well in excess of two times current pricing under the SO1 contract and far higher than medium and even long-term pricing expectations in the marketplace.

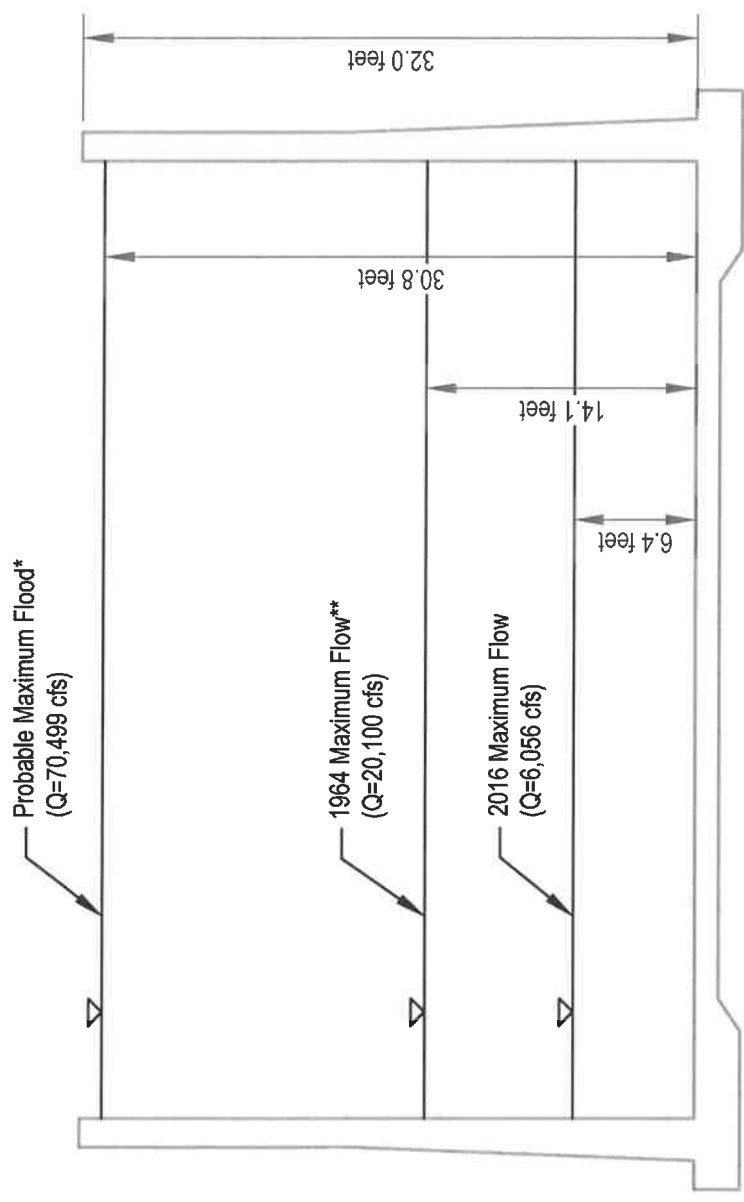
HBMWD will pay the Consultant Fee based on power generated by the Project in a given month, if any. The invoicing will be a simple add on step to monthly settlement and invoicing required by the ReMAT contract. HBMWD will include with each monthly payment to Consultant a copy of the project's meter data for the relevant month and price calculations used to determine the Consultant Fee (electronic documentation is acceptable).

### ***Risks Deferred***

Under this fee structure, HBMWD sheds and Consultant absorbs a number of significant risks HBMWD would otherwise face under a conventional fee-for-service consulting arrangement. HBMWD risks mitigated include:

- **Cost Uncertainty** - Consultant deferred fee is a known and set c/kWh, Consultant absorbs soft cost overruns to complete all transition services to achieve ReMAT COD for the Project,
  - Consultant has already navigated these processes and can provide services at low cost compared with other service providers,
  - Success Contingent Fee - aligns interests, significantly limits HBMWD out-of-pocket payments, ensures highly focused work by Consultant,





\* As calculated in Matthews Dam Probable Maximum Flood Study, GEI, October 2008  
 \*\* Measured at "Mad River near Forest Glen" stream gage, about 9 miles downstream of Matthews Dam

Project No. 11146363  
 Report No.  
 Date 7/17/17

HUMBOLDT BAY MUNICIPAL WATER DISTRICT  
 MATTHEWS DAM SPILLWAY



SPILLWAY CROSS SECTION  
 WITH HIGH WATER INDICATION



**FIGURE 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

September 1, 2017

Sharon K Tapia, Chief  
Division of Safety of Dams  
Department of Water Resources  
PO Box 942836  
Sacramento CA 94236-0001

**RE: Robert W Matthews Dam, No. 1013 Trinity County**

Dear Ms. Tapia,

In response to your letter dated June 14, 2017, a copy of which is attached, we are providing the requested Comprehensive Spillway Condition Assessment Work Plan for our R. W. Matthews dam. Our District takes our responsibility for dam safety very seriously. We have a long history of working with DSOD and FERC on safety compliance at our facility. We appreciate the DWR's request for spillway assessments and look forward to working with your department.

If you have any questions, or need any additional information, please do not hesitate to contact us.

Respectfully

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

John Friedenbach  
General Manager

Cc: Frank Blackett, FERC

Bill Rettberg, GEI

Pat Kaspari, GHD

Certified Mailing Receipt # 7017 0660 0000 1020 6626

**DEPARTMENT OF WATER RESOURCES**1416 NINTH STREET, P.O. BOX 942836  
SACRAMENTO, CA 94236-0001  
(916) 653-5791**COPY****JUN 14 2017**Mr. John Friedenbach, General Manager  
Humboldt Bay Municipal Water District  
828 Seventh Street  
Eureka, California 95502**H.B.M.W.D. JUN 19 2017**Robert W Matthews Dam, No. 1013  
Trinity County

Dear Mr. Friedenbach:

As a result of the recent major incidents at Oroville Dam, which led to significant damage and erosion of the Service and Emergency Spillways, Governor Brown issued a plan to bolster the State's dam safety program. To strengthen the State's inspection program, the Governor has ordered detailed evaluations of dam appurtenant structures, such as spillways. This new review is being expedited for dams that have large spillways and structures similar to Oroville Dam. Based on this directive, the Division of Safety of Dams is immediately conducting detailed re-evaluations of large spillways at high-hazard dams.

We completed a reconnaissance-level assessment of the spillway at Robert W Matthews Dam and have noted that the structure may have potential geologic, structural, or performance issues that could jeopardize its ability to safely pass a flood event. Therefore, we are requesting that you perform a comprehensive condition assessment of the spillway as soon as possible. This spillway may also require a site investigation to provide supporting information for completing this assessment.

Please submit a work plan by September 1, 2017, for our review and approval. The scope of the detailed condition assessment of the spillway should include an evaluation of the concrete lining, the existing drainage system, and the potential for slab undermining and hydraulic jacking. The scope of the site investigation should focus on identifying potential geologic hazards associated with the spillway, including characterization of the foundation materials underlying and adjacent to the spillway structure and their susceptibility to erosion and instability.

My staff is available to discuss with you ways to expedite development of the required assessment. The site investigation and condition assessment report must be completed expeditiously. Additionally, any known damage to the spillways must be repaired before the next flood season.

Mr. John Friedenbach  
JUN 14 2017  
Page 2



**COPY**

If you have any questions or need additional information, please contact Design Engineer Ian Maki at (916) 227-1300 or Project Engineer Daniel Meyersohn at (916) 227-4624.

Sincerely,

*Michael Wagner For*

Sharon K. Tapia, Chief  
Division of Safety of Dams

cc: Mr. Frank Blackett, P.E., Regional Engineer  
Federal Energy Regulatory Commission  
100 First Street, Suite 2300  
San Francisco, California 94105-3084

**COMPREHENSIVE SPILLWAY CONDITION ASSESSMENT  
WORK PLAN**

**for**

**R. W. MATTHEWS DAM**

**RUTH LAKE, CALIFORNIA**

**TRINITY COUNTY**

**Federal Energy Regulatory Commission Project No. 3430-CA**

**State Dam No. 1013**

August 2017

**Prepared by:**

Humboldt Bay Municipal Water District

828 Seventh Street

Eureka, CA 95501



## 1. INTRODUCTION

This report outlines Humboldt Bay Municipal Water District's (District) Comprehensive Spillway Condition Assessment Work Plan (Plan) for the R.W. Matthews Dam Spillway at Ruth Lake, California. The spillway is ungated. The Plan is a requirement from the California Department of Water Resources (DWR) as stated in the June 14, 2017 letter. The DWR letter stated; **"The scope of the detailed condition assessment of the spillway should include an evaluation of the concrete lining, the existing drainage system, and the potential for slab undermining and hydraulic jacking. The scope of the site investigation should focus on identifying potential geological hazards associated with the spillway, including characterization of the foundation materials underlying and adjacent to the spillway stature and their susceptibility to erosion and instability."** Our District has a very comprehensive existing spillway condition assessment regimen as part of its FERC Dam Safety Surveillance and Monitoring Plan. In addition, we are enhancing our spillway condition assessment with state of the art non-destructive spillway floor testing and analysis.

In response to DWR's request, we respectfully submit the following Work Plan. For the discussion of the evaluation of the concrete lining and the potential for slab undermining and hydraulic jacking see Section 2.1; for the existing drainage system see Section 2.3; for slab undermining and hydraulic jacking see sections 2.1 through 2.4; for discussion of the geological hazards see Section 3.

This Plan is primarily based on the District's current practices that are documented in the Dam Safety Surveillance and Monitoring Plan (DSSMP) and annual Dam Safety Surveillance and Monitoring Report (DSSMR) for the R.W. Matthews Dam. The Plan is broken into assessment of the spillway itself and of the adjacent geologic hazards.

The District will be reviewing the construction drawings and as-built drawings for details of the spillway and underdrain system.

A comprehensive spillway condition assessment report will be prepared and provided to DWR/DSOD by December 31, 2017.

## 2. SPILLWAY MONITORING

This section contains the current inspections and surveys performed on the spillway. The District further explores, monitors, and, if required, repairs any changes or defects found in the spillway during the following inspections and surveys.

### 2.1 ANNUAL VISUAL INSPECTION AND SOUNDING OF THE SPILLWAY AND NON-DESTRUCTIVE TESTING

The District completes a visual inspection of the spillway concrete lining yearly while traversing the entire extent of the spillway floor. The visual inspection is mapped into a GIS database which facilitates monitoring of past repairs and identification of new items. District Maintenance Staff walk every inch of the spillway, inspecting each of the cracks or repairs in the GIS database and looking for additional cracks, concrete spalling or other defects. For documented defects, Staff will compare the picture taken in previous years with the current status of the defect, note any changes, take a new picture of the defect, and enter any notes on the condition, need for repair or other comments into the comment

field created in the GIS. Any new defects are also photographed, assigned a unique number, described, and entered into the District's GIS database. District Staff will then return and perform the maintenance outlined and recommended based on the inspection results. This year's inspection, and all future annual inspections, also included a sounding of the spillway floor. The floor of the spillway was tapped with a solid metal rod and/or hammer to listen for a change in pitch or a hollow sound of the concrete, indicating potential separation of the concrete from the underlying foundation or from the reinforcement. Areas with noticeable changes in sound were outlined in white paint, and were entered into the District's GIS Database. These areas are being further investigated to determine the cause of the change in sounding.

Non-destructive testing of the spillway floor will be conducted in September 2017. The non-destructive testing will consist of re-bound hammer testing, Slab Impulse Response (SIR) testing, impact echo testing, and surface penetration radar testing of the spillway floor. A half-cell potential survey and corrosion rate survey will also be conducted of the floor reinforcement. After the completion of the investigation, recommended repairs will be reviewed and implemented. A detailed assessment report, including an analysis and discussion of construction details as presented in the As-Built Drawings and a discussion of the design for recommended repairs, if any, will be presented to DWR, DSOD & FERC before the end of the year. Both the visual inspection and sounding will continue to occur yearly and be reported on in the annual DSSMR. The most recent spillway inspection and sounding was on June 28<sup>th</sup>, 2017, and non-destructive testing will occur in September 2017.

In addition to the non-destructive testing, the District is exploring some destructive testing methods to probe some of the areas of drummy concrete and areas and any additional areas identified by the non-destructive testing. These would include drilling small holes to determine thickness of concrete and any potential voids in the subgrade. Or alternatively, sawing or breaking concrete to determine extent of any debonded concrete.

## **2.2 INSPECT SPILLWAY PLUNGE POOL BY DIVER EVERY FIVE YEARS OR AFTER DISCHARGES EXCEEDING 20,000 CFS**

The District completes an underwater inspection of the plunge pool every five years (or after discharges exceeding 20,000 cfs). A diver is hired to swim and video tape the condition of the bottom of the spillway and the plunge pool and to document any changes that have occurred. The video is compared to the previous video and changes described in the DSSMR for that year. Changes of concern are then addressed through required repairs or other measures.

The most recent underwater inspection of the plunge pool, as well as an underwater inspection of the outlet structure, were completed on March 17, 2015. The next underwater plunge pool inspection will be completed by June 30, 2020 (or after discharges exceeding 20,000 cfs if sooner).

## **2.3 PROBE THE SPILLWAY UNDER DRAINS EACH YEAR**

The District inspects, probes, cleans, and vacuums the spillway floor drains every year. The floor drains are cleaned out and the depth after cleaning is measured and recorded.

Inspection results and the depth are reported in the annual DSSMR. The spillway floor drains were cleaned and measured this year on July 14, 2017.

#### **2.4 SPILLWAY SETTLEMENT AND WING WALL MONITORING SURVEY**

The District conducts the Spillway Settlement and Wing Wall Monitoring survey bi-annually. The monitoring survey consists of 14 survey monitoring points (2.5-inch domed brass discs) along the horizontal concrete surface of the spillway. Each monitoring point set in the spillway floor is located directly below the monitoring points (5/8-inch stainless steel studs) set on the top of each wing wall. The elevations and positions from the current survey are then compared to the data from previous and historic surveys, by the District Engineer and the Qualified Dam Safety Engineer Consultant. Any anomalies or fluctuations are then addressed in the DSSMR for that year. The most recent survey occurred on September 17-18, 2015. The next survey of these monitoring points will occur during the fall of 2017.

### **3. GEOLOGIC HAZARD MONITORING**

This section contains the current monitoring plans and surveys performed on the adjacent geologic hazards. The District notes and maintains records of observed conditions, responds to changes, and addresses any recommendations made by the surveys.

#### **3.1 COMPLETE DAILY MONITORING OF THE RIGHT ABUTMENT CUT SLOPE**

During the construction of the dam, a historic landslide was discovered above and to the right (northeast) of the dam's right abutment. The landslide was terraced back at the time of the dam construction and has not exhibited any movement since. The landslide is visually monitored daily, photographed annually (see Item 3.2) and a detailed geological assessment is performed every five years (see Item 3.3). For the daily visual monitoring, the District's on-site Dam Tender and Ruth-area representative visits the hydro-plant every day and visually assesses the cut slope above the right abutment for any changes. If any changes are noted, the District Superintendent is notified. This visual monitoring will continue on a daily basis.

#### **3.2 ANNUAL PHOTOS OF THE RIGHT ABUTMENT CUT SLOPE, AT THE SAME TIME AND FROM THE SAME PLACE EACH YEAR**

The District takes an annual photograph of the right abutment cut slope. The photo is taken by the photographer standing in the same location each year. This occurs in conjunction with the District's major annual maintenance at the hydro-plant (generally in early May). The photo is then compared to the previous year's photo for any noticeable changes. Any changes (none have been observed to date) and proposed actions are then discussed in the annual DSSMR. The photo was last taken on May 11, 2017.

#### **3.3 COMPLETE A FORMAL INSPECTION OF THE RIGHT ABUTMENT CUT SLOPE AND THE LEFT ABUTMENT LANDSLIDE EVERY FIVE YEARS BY AN ENGINEERING GEOLOGIST**

The District hires a Registered Geologist to perform a detailed inspection of the Right Abutment Cut Slope every five years. The inspection corresponds to the District's FERC Part 12D safety inspection, and is reported in the Part 12 Report as well as the annual



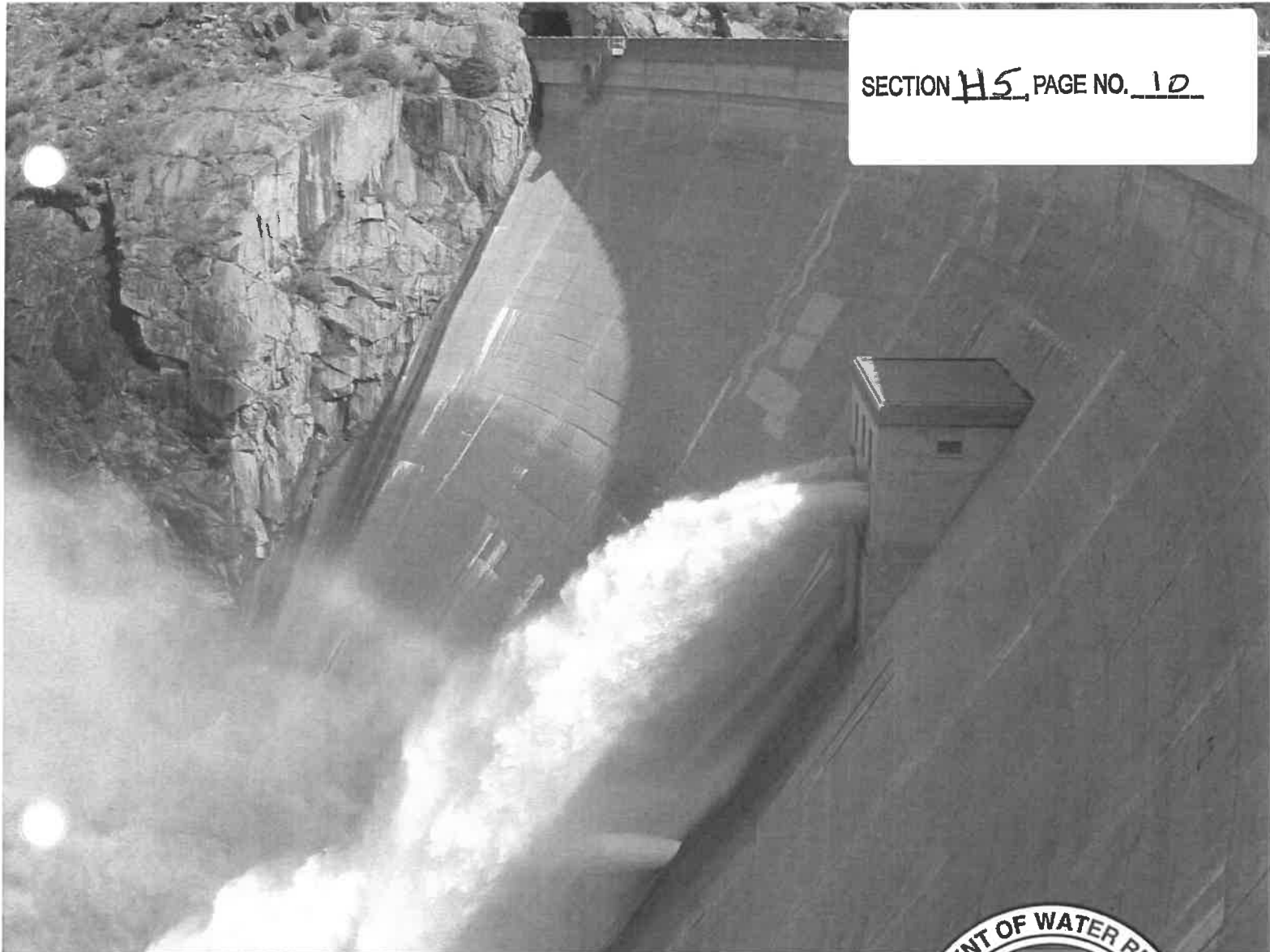
DSSMR. As part of this inspection, an engineering geologist conducts a detailed visual inspection of the right abutment cut slope. The Geologist walks each of the benches of the cut slope and visual inspects the face to monitor for any cracks or other changing conditions. The geologist then prepares a detailed report on the condition of the cut slope. The most recent inspection was on May 19, 2015. The next inspection will take place no later than calendar year 2020.

**3.4 CONTINUE SURVEY MONITORING OF THE LEFT ABUTMENT SLIDE MONUMENTS EVERY TWO YEARS**

A surficial landslide was also discovered above and to the left (northwest) of the Dam's Left Abutment after construction of the dam was completed. A detailed assessment and report were prepared by an Engineering Geologist after the discovery of the landslide in 1998. This report, and subsequent inspections by other geologists, have confirmed that this is a shallow seated landslide that does not endanger the stability of the dam. To confirm this, monitoring points were installed at the base of the landslide to measure any deep-seated movement of the slide. The District has been conducting Slide Monitoring Surveys to monitor movement changes in these points since 1998. The survey is conducted every two years, to coincide with the Dam Settlement Survey and the Spillway Wingwall Survey. The results of the survey are compared to the previous year and historic survey results. Any anomalies or fluctuations are noted in the annual DSSMR for that year. The most recent Slide Monitoring Survey was completed on September 17-18, 2015. The next regularly scheduled survey will be completed in the fall of 2017.

**3.5 CONTINUE MONITORING THE LEFT ABUTMENT PIEZOMETERS AND OTHER OBSERVATION WELLS**

The District maintains and monitors eight observation wells (piezometers) and an under-drain weir at the dam. The piezometers and underdrain weir measure groundwater levels and seepage through the dam and the surrounding bedrock, including the bedrock underlying the spillway. The District's Dam Tender collects groundwater levels and seepage levels on a daily basis. These are reported daily to the District's operations personnel. The data is compared to historic data and correlated with current rainfall and reservoir levels. Any levels above historically high levels are flagged, the reading rechecked, and if they remain high, conditions are more closely monitored until they return to normal levels. Although it has not happened, if the levels do not return to normal, the District's Dam Safety Engineer is notified and further action is determined.



State of California  
California Natural Resources Agency  
Department of Water Resources  
Division of Safety of Dams



# Dams Within Jurisdiction of the State of California

Dams Within  
Jurisdiction of the  
State of California

*Dams Listed Alphabetically*

*By Dam Name*

*September 2017*



Photo used with permission from the  
City and County of San Francisco

# DSOD – Data Definitions – Page i

## **Dam Number**

Unique identification number used for inventorying dams in California based on the jurisdictional status of a dam. This number is assigned and used by the Division of Safety of Dams (DSOD).

## **National Inventory of Dams Identification Number (National ID No.)**

Unique identification number used for inventorying dams in the U.S. Army Corp of Engineers' National Inventory of Dams (NID) database. DSOD is responsible for assigning this number for dams in California.

## **Dam Name**

The dam name as given by the owner, which may not be unique and may differ from the name of the lake.

## **Owner Name**

The entity or person with legal responsibility for the dam.

## **Owner Type**

Owners are organized into the following categories:

- Associations (Home Owners Associations, etc.)
- City, city agency, or city district
- County, county agency, or county district
- Individual owner/Private citizen (Owner Name not provided)
- Park, sanitation, utility, or water district
- Private company, corporation, LLC, or partnership
- Private trusts and estates
- State Agency
- Water agency or authority

## **Dam Height**

Vertical distance from the downstream toe of the dam to the dam crest (measured in feet).

## **Crest Length**

Distance measured along the dam crest from one abutment to the other (measured in feet).

## **Reservoir Capacity**

Maximum amount of water that the dam can impound (measured in acre-feet).

## **Dam Type**

A four letter code describing and categorizing the principal material, style, or construction method of the dam:

- |                                |                                 |
|--------------------------------|---------------------------------|
| • CORA Constant Radius Arch    | • MULA Multiple Arch            |
| • CRIB Crib Wall               | • RECT Reinforced Concrete Tank |
| • ERRK Earth and Rock          | • ROCK Rock Fill                |
| • EARTH Earthen Embankment     | • SLBT Slab and Buttress        |
| • FLBT Flashboard and Buttress | • VARA Variable Radius Arch     |
| • GRAV Gravity                 | • INFL Inflatable               |
| • HYDF Hydraulic Fill          | • RCC Roller Compacted Concrete |

## **Certified Status**

The certified status of a dam is one of three statuses:

Status	Description
Certified	Jurisdictional sized dams that may safely impound water to the elevation specified on the Certificate of Approval.
Certified/Inop	Jurisdictional sized dams without water impounding capabilities under reasonable foreseeable conditions, taking into account the size of the drainage area.
Not Certified	Jurisdictional sized dams that operate without a Certificate of Approval. Generally, these dams are in the process of becoming certified, altered to less than jurisdictional size, or being removed.

## DSOD – Data Definitions – Page ii

### **Downstream Hazard**

The downstream hazard is based solely on potential downstream impacts to life and property should the dam fail when operating with a full reservoir. This hazard is not related to the condition of the dam or its appurtenant structures. The definitions for downstream hazard are borrowed from the Federal Guidelines for Inundation Mapping of Flood Risks Associated with Dam Incidents and Failures (FEMA P-946, July 2013). FEMA categorizes the downstream hazard potential into three categories in increasing severity: Low, Significant, and High. DSOD adds a fourth category of "Extremely High" to identify dams that may impact highly populated areas or critical infrastructure, or have short evacuation warning times.

<b>Downstream Hazard Classification</b>	<b>Loss of Human Life</b>	<b>Economic, Environmental, and Lifeline Losses</b>
Low	None expected	Low and generally limited to owner's property
Significant	None expected	Yes
High	Probable (one or more expected)	Yes, but not necessary for this classification
<i>Extremely High</i>	Considerable	Yes, major impacts to critical infrastructure or property

### **Condition Assessment**

California DSOD uses NID's condition rating definitions, with additional criteria, as a guideline in assigning condition assessments.

<b>Rating</b>	<b>National Inventory of Dams Definitions</b>	<b>California DSOD Additional Criteria</b>
Satisfactory	No existing or potential dam safety deficiencies are recognized. Acceptable performance is expected under all loading conditions (static, hydrologic, seismic) in accordance with the applicable regulatory criteria or tolerable risk guidelines	None
Fair	No existing dam safety deficiencies are recognized for normal loading conditions. Rare or extreme hydrologic and/or seismic events may result in a dam safety deficiency. Risk may be in the range to take further action	<ul style="list-style-type: none"> <li>• Dam has a long-standing deficiency that is not being addressed in a timely manner</li> <li>• Dam is not certified and its safety is under evaluation</li> <li>• Dam is restricted and operation of the reservoir at the lower level does not mitigate the deficiency</li> </ul>
Poor	A dam safety deficiency is recognized for loading conditions that may realistically occur. Remedial action is necessary. A poor rating may also be used when uncertainties exist as to critical analysis parameters that identify a potential dam safety deficiency. Further investigations and studies are necessary	Dam has multiple deficiencies or a significant deficiency that requires extensive remedial work
Unsatisfactory	A dam safety deficiency is recognized that requires immediate or emergency remedial action for problem resolution	None
Not Rated	The dam has not been inspected, is not under State jurisdiction, or has been inspected but, for whatever reason, has not been rated	None

### **Reservoir Restrictions**

DSOD may direct or order an owner to operate the reservoir to a specified water surface elevation level that is lower than the maximum storage level. In addition, owners may self-impose a restriction as a result of an owner-initiated study that identifies a dam safety issue. Reservoir restrictions are typically imposed for deficiencies of the dam, spillway, low-level outlet, or other appurtenances with respect to dam safety.

R

## Jurisdictional Dams

Listed Alphabetically by Dam Name

September 2017  
Page  
77 of 101

R

Dam Number	Dam Name		Owner Name	Dam Height	Reservoir Capacity	Certified Status	Condition Assessment	County
National ID No.	Latitude	Longitude	Owner Type	Crest Length	Dam Type	Downstream Hazard	Reservoir Restrictions	Year Built
80.000 CA00302	Reynolds Weir 36.43	-119.67	Laguna Irrigation District Park, sanitation, utility, or water district	13 130	260 FLBT	Certified Low	Satisfactory No	Fresno 1928
104.041 CA00457	Rhinedollar 37.93	-119.23	Southern California Edison Private company, corporation, LLC, partnership	17 430	490 ROCK	Certified High	Satisfactory No	Mono 1927
274.004 CA00994	Richardson 38.63	-123.19	Soper-Wheeler Company Private company, corporation, LLC, partnership	65 265	520 ERTH	Certified Significant	Satisfactory No	Sonoma 1954
2428.000 CA01142	Richardson 38.68	-123.37	Rips Redwood, LLC Private company, corporation, LLC, partnership	40 137	96 ERTH	Certified Significant	Satisfactory No	Sonoma 1974
1603.000 CA01009	Rickey 37.31	-122.18	Mid-Peninsula Open Space District Park, sanitation, utility, or water district	64 200	47 ERTH	Certified Low	Satisfactory No	San Mateo 1951
382.000 CA00560	Ridgewood 39.32	-123.34	The Walker Lake Association Associations	44 230	185 HYDF	Certified High	Satisfactory No	Mendocino 1929
43.000 CA00725	Righetti 35.25	-120.59	Private Entity Individual owner/Private Citizen	83 1,200	735 ERTH	Certified High	Satisfactory No	San Luis Obispo 1966
72.010 CA00295	Rinconada Reservoir 37.26	-121.99	Santa Clara Valley Water District Park, sanitation, utility, or water district	40 240	46 ERTH	Certified Extremely High	Satisfactory No	Santa Clara 1969
1043.000 CA00876	Riviera Reservoir 34.05	-118.50	City of Santa Monica Department Of Public Works City, city agency, or city district	40 1,280	76 RECT	Certified High	Satisfactory No	Los Angeles 1962
1009.006 CA00819	Robbs Peak Forebay 38.95	-120.39	Sacramento Municipal Utility District Park, sanitation, utility, or water district	44 275	30 GRAV	Certified Low	Satisfactory No	El Dorado 1963
35.012 CA00223	Robert A Skinner 33.60	-117.07	Metropolitan Water District Of Southern California Park, sanitation, utility, or water district	109 5,150	43,800 ERTH	Certified Extremely High	Satisfactory No	Riverside 1973
1413.000 CA00982	Robert L. Matheson 38.51	-122.28	Sage Canyon, LLC Private company, corporation, LLC, partnership	32 390	90 ERTH	Certified Significant	Satisfactory No	Napa 1954
1013.000 CA00833	Robert W Matthews 40.37	-123.43	Humboldt Bay Municipal Water District Park, sanitation, utility, or water district	150 630	51,800 ERTH	Certified High	Satisfactory No	Trinity 1962
157.002 CA00485	Roberts 41.23	-121.14	Big Valley Mutual Water Company Private company, corporation, LLC, partnership	17 700	5,500 ERTH	Certified Significant	Satisfactory No	Modoc 1905

## **Humboldt County water district calls on public to oppose water tax**

### **Legislation seeks to improve drinking water quality**

*By Will Houston, Eureka Times-Standard*

Tuesday, August 22, 2017



Humboldt County's largest water wholesaler is calling on the public to voice their opposition to a state bill that would implement a tax on most water users throughout the state.

"It's a direct impact to every person that is drinking water," Humboldt Bay Municipal Water District General Manager John Friedenbach said. "A basic human need like water should not be a source of tax revenue for the state of California. That is just unconscionable to me."

Friedenbach said while he agrees with the bill's intent to improve drinking water quality, the funding for this goal should come from the state General Fund rather than water users. He said the fee would also make it difficult for local water suppliers to gain public support for infrastructure projects that would likely require increased water rates.

Senate Bill 623, introduced by Sen. Bill Monning (D-Carmel), would create the Safe and Affordable Drinking Water Fund, which could be used to issue grants, contracts, loans and other services to water districts and individuals to improve the quality and prevent contamination of drinking water.

While the water rate fees were not included in a version of the bill passed by the state Senate in May, the bill was amended on Monday to include the fee and is set to go before the Assembly Appropriations Committee on Wednesday morning.

The monthly fee applies to anyone who buys water from a public water system and is assessed based on the size of the person's water meter. The fee prices range from about \$1 to \$10, according to the bill, and can be adjusted by the State Water Resources Control Board after 2020.

Households with incomes equal to or less than 200 percent of the federal poverty level would be exempt from the fee. Water used for fire flows or non-potable water use is also exempt from the fee.

The bill also would increase existing state fees on milk and fertilizer manufacturers.

North Coast Sen. Mike McGuire (D-Healdsburg) voted in favor of the legislation when it did not include the fee. McGuire did not return requests for comment Tuesday.

Cathy Mudge — communications director for North Coast Assemblyman Jim Wood (D-Healdsburg) — wrote in an email to the Times-Standard on Tuesday that Wood is not ready to comment on the bill yet as it was still being amended on Tuesday. Mudge said that Wood has not seen the amendments and has not heard from stakeholders about them yet.

Friedenbach said he planned to reach out to both Wood and McGuire on Tuesday and urged all local residents to do so.

“This is not something that people can wait on,” Friedenbach said.

The bill will require a two-thirds majority vote to pass.

SECTION H6, PAGE NO. 2

*Vill Houston can be reached at 707-441-0504.*

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URL: <http://www.times-standard.com/general-news/20170822/humboldt-county-water-district-calls-on-public-to-oppose-water-tax>

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## California drinking water access bill vote delayed to next week

**senator: Proposal necessary to improve access to safe drinking water for 1 million residents**

*By Will Houston, Eureka Times-Standard*

Wednesday, August 23, 2017

A newly amended bill that would impose a monthly water fee on California water users to fund drinking water quality improvement projects was placed on the suspense file by the California Assembly Appropriations Committee on Wednesday, but is expected to be voted on again next week, according to officials.

Senate Bill 623's author Sen. Bill Monning (D-Carmel) said the fee revenue will fund improvements that will increase Californians' access to safe and affordable drinking water.

"In Flint, Michigan, 100,000 people were exposed to unsafe drinking water, but right here in California more than 1 million Californians are annually exposed to unsafe drinking water," Monning said in a statement Wednesday. "Having access to clean drinking water is a basic human right that should be guaranteed to every person in California, and it is time that we act on this issue. SB 623 represents a historic achievement that will establish a fund to finance projects to ensure clean drinking water for all."

The monthly fee ranges from \$0.95 to \$10 depending on the size of the water meter. The bill would also increase fees for fertilizer mills and dairies. Monning's office states the bill is expected to generate \$140 million annually, which will be used to fund water quality projects throughout the state.

"Approximately 300 water systems in California currently have pollutant violations, such as arsenic, lead, nitrates, and uranium that have been linked to nausea and vomiting, cancer, reduced mental functioning in children, nervous system decline, miscarriages, and numerous other health issues," Monning's office stated in a Wednesday news release.

Water agencies and districts, including the Humboldt Bay Municipal Water District and the Association of California Water Agencies, say they support the intent of the bill, but said the water fee, which they call a "tax," is not the appropriate funding method.

"Water is essential to life and shouldn't be taxed. It works against water affordability," Association of California Water Agencies Deputy Executive Director for Government Relations Cindy Tuck said. "We agree with the intent — we want to solve the problem — but we oppose a regressive tax on water. This is a state social issue and yet local water agencies are being asked to collect money through a tax and send it to Sacramento."

Monning's Communications Director Elizabeth Stitt said Wednesday afternoon that the Assembly Appropriations Committee will either vote next week to move the bill to the Assembly floor or keep it in suspense — it faces a Sept. 1 deadline to move through the appropriations committee. The bill will have to be passed by both the Assembly and Senate before heading to Gov. Jerry Brown's desk.

"It's got a bit of a journey," Stitt said.

*Will Houston can be reached at 707-441-0504.*

URL: <http://www.times-standard.com/general-news/20170823/california-drinking-water-access-bill-vote-delayed-to-next-week>

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# Mercury News

News > Environment & Science

## First-ever water tax proposed to tackle unsafe drinking water in California

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AP Photo/John Locher

In this Sept. 18, 2015 photo, a man loads a truck on farmland near Fresno, Calif. U.S. officials with the Geological Survey's Sacramento office and elsewhere believe the amount of uranium increased in Central Valley drinking-water supplies over the last 150 years with the spread of farming.

By **KATY MURPHY** | [kmurphy@bayareanewsgroup.com](mailto:kmurphy@bayareanewsgroup.com) | Bay Area News Group

PUBLISHED: August 23, 2017 at 10:49 am | UPDATED: August 24, 2017 at 3:50 am

**SACRAMENTO** — For the first time Californians would pay a tax on drinking water — 95 cents per month — under legislation aimed at fixing hundreds of public water systems with unsafe tap water.

Senate Bill 623, backed by a strange-bedfellows coalition of the agricultural lobby and environmental groups but opposed by water districts, would generate \$2 billion over the next 15 years to clean up contaminated groundwater and improve faulty water systems and wells. The problem is most pervasive in rural areas with agricultural runoff.

“My message is short and direct: We are not Flint, Michigan,” co-author Sen. Robert Hertzberg, D-Van Nuys, said at a Wednesday rally outside the Capitol, where demonstrators held signs reading “Clean water is not a luxury” and “Water is a human right.”

Ironically, many Californians are more aware of the crisis in Flint — where state and local officials in 2015 told residents about lead contamination in the drinking water, after claiming it was safe to drink — than about the water problems in their home state, said the measure’s main author, Sen. Bill Monning, D-Monterey. He called this “a pivotal time in our state’s history to do the right thing.”

SB 623 has been moving through the Legislature for months, but was amended Monday to include the tax on water for both homes and businesses. It also imposes fees on farms and dairies, roughly \$30 million annually, to address some of the contamination caused by fertilizers and other chemicals. Because it includes new taxes, the proposal will need a two-thirds vote in each house to pass, which supporters concede will be a battle.

Still, Monning has been able to forge the unusual alliance of farmers and environmental groups, which rarely agree on public policy. He also has the support of at least one Republican lawmaker: Sen. Andy Vidak, a cherry farmer who said his Central Valley district — which includes Hanford and parts of Fresno and Bakersfield — is the epicenter of the drinking-water problem.

“This is very, very important to my constituents,” he said after the rally, as some of them began chanting on the Capitol steps. “This is one of the most important things in my district.”

But water agencies say taxing drinking water sets a dangerous precedent and that the bill would turn them into state tax collectors. “Water is essential to life. Should we tax drinking water? We don’t think so,” said Cindy Tuck, a spokeswoman for the Association of California Water Agencies.

Sue Stephenson, a spokeswoman for the Dublin San Ramon Services District, said she supported the intent of the proposal — potable drinking water for all — but argued that lawmakers should use the money in existing coffers.

“The whole purpose of the general fund is to help take care of disadvantaged communities,” she said. “There’s no reason that they could not also fund communities that need access to drinking water.”

Marie Barajas, of San Jose, had a similar reaction. “That’s not fair. We’re not responsible for that,” she said. “That’s why we pay taxes.”

Monning, however, argues that the general fund isn’t a reliable funding source and that the proposed tax on households, amounting to roughly \$11.40 per year, is negligible. “You’re not going to notice it on your water bill,” he said.

The bill is now relegated with hundreds of others in the “suspense file” of the Assembly Appropriations Committee. The panel must decide by Sept. 1 to move it to the Assembly floor for a vote.

Selerina Chavez took a day off from work to drive from the Kern County city of Arvin for the rally. She said she hoped lawmakers would try to fix the problem posing health risks to her family and her neighbors, many of whom are farm workers or living on fixed incomes.

When she moved from Ventura County more than 20 years ago, she said, it never occurred to her that the water would be unsafe for her family to drink. They drank it for years, she said, before she learned a few years ago that it contained unsafe levels of arsenic.

“I thought about my children,” she said in Spanish. “How many years have we been drinking this water?”

In addition to her regular water bill, she spends \$40 per week buying drinking water. She also buys water for cooking.

Now, she said, “I have three water bills.”

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### SENATE BILL 623

**What is it?** SB 623, by Sen. Bill Monning, D-Monterey, would generate \$2 billion over 15 years for a Safe and Affordable Drinking Water Fund, which would provide emergency water and longer-term system fixes for hundreds of communities whose tap water doesn’t meet safe drinking-water standards.

**Where would the money come from?** The proposal would generate roughly \$110 million per year through a 95-cent monthly fee on home water bills as well as taxes on businesses of up to \$10 per month. Another \$30 million would come from higher fees on agricultural and dairy businesses, industries whose chemicals contribute to the problem of contaminated groundwater.

**Who’s for it? Who’s against it?** The bill is backed by the agriculture and dairy lobbies, as well as by a long list of environmental, social justice and civic groups — an unusual combo. Water districts are against the bill, saying that taxing water users creates a bad precedent and that collecting the money would be burdensome.

**Will it pass?** If the Assembly Appropriations Committee moves the bill to the floor, it needs a two-thirds vote of each house, which is always a challenge. What's more, Assembly Republican Leader Chad Mayes has faced intense blow-back for his bipartisan collaboration to extend California's landmark climate program, called "cap and trade." But SB 623 does have one Republican co-author: Sen. Andy Vidak, of Hanford.

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Tags: California legislature, Taxes, Water

Katy Murphy, higher education reporter for the Bay Area News Group, is photographed for a Wordpress profile in Oakland, Calif., on Wednesday, July 27, 2016. (Anda Chu/Bay Area News Group)

**Katy Murphy** Katy Murphy is based in Sacramento and covers state government for The Mercury News and East Bay Times, a beat she took on in January 2017. Before that, she was the news organization's higher education reporter, writing about UC, CSU, community colleges and private colleges. Long ago, she covered Oakland schools and other K-12 education issues.

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## Proposed Tax For Safe Drinking Water Gets Support From Environmental, Agricultural Groups

- [Daniel Potter](#)

Thursday, August 24, 2017 | Sacramento, CA | [Permalink](#)



State lawmakers are considering a tax to help poor rural communities provide safe drinking water. Agricultural and environmental groups are backing the bill—but water companies, not so much.

More than a million Californians lack safe drinking water, either due to fertilizer runoff from farms or contaminants like arsenic.

The proposal would raise your water bill by around \$10 a year. It could be more than \$1,000 a year for farmers, says Tim Johnson, CEO of the California Rice Commission, which backs the proposal.

"We've combined forces with the environmental justice community folks that we frankly work against almost all the time," Johnson says.

But Cindy Tuck with the Association of California Water Agencies argues a new tax on water sets a precedent for others. She says water companies want clean drinking water for poor communities, but this is the wrong way to fund it.

"The state can solve this," says Tuck. "They can combine general fund money with federal money with bond money and with the ag assessment that's proposed in the bill. They do that, and not have the tax on water, and there can be a good solution for the problem."

The bill faces a deadline next week to pass the Assembly Appropriations Committee, and would require a two-thirds vote in each house.

# ACWA PRESIDENT TIEGS AND VICE PRESIDENT HASTEY OP-ED IN SAC BEE EXPLAINING WHY A TAX ON WATER IS A BAD IDEA

BY EMILY ALLSHOUSE AUG 21, 2017 WATER NEWS

In a new *Sacramento Bee* op-ed, ACWA President Kathleen Tiegs and Vice President Brent Hasty detail why establishing the state's first tax on water, as proposed in SB 623 by Sen. Bill Monning (D-Carmel), is NOT the right approach to funding drinking water solutions for disadvantaged communities – a key social issue for the state and high priority for ACWA.

Tiegs and Hasty emphasize the water community's commitment to developing effective solutions and advancing sensible funding strategies to address drinking water solutions for California's most vulnerable communities. They also express concerns that establishing a new tax on local water bills would turn local water agencies into taxation entities and note that the proposed statewide tax on water was not inserted into SB 623 until the final weeks of the session, despite two previous policy hearings.

Rather than the statewide tax on water proposed in SB 623, Tiegs and Hasty also offer "a better solution."

"As local, public water agency directors committed to safe and reliable water, we absolutely support the intent of the bill. We understand the severity of the problem and the need for solutions. However, a tax on water is NOT the right approach. Taxing Californians for something that is essential to life does not make sense, especially at a time when some are raising concerns about the affordability of water. To impose a statewide tax on Californians' water bills would turn local water agencies into taxation entities that send money to Sacramento. Adding a statewide tax to local water bills is just not sound policy.

"There is a better approach. Dollars from the state's General Fund, packaged together with ongoing federal safe drinking water funds, general obligation bond funds and a new assessment related to nitrates in groundwater, are a far more appropriate way to address this key social issue for the state," the op-ed reads.

The full Aug. 21 op-ed is available [here](#).

**John Friedenbach**

**From:** ACWA <acwabox@acwa.com>  
**Sent:** Friday, September 01, 2017 3:52 PM  
**To:** John Friedenbach  
**Subject:** Outreach Advisory: SB 623 Becomes Two-Year Bill



[Click here to view it in your browser.](#)

## **OUTREACH ADVISORY**

**Sept. 1, 2017**

### **SB 623 Becomes Two-Year Bill, Returns to Assembly Rules Committee**

This morning, the Assembly Appropriations Committee sent SB 623 by Sen. Bill Monning (D-Carmel) – a bill aimed at funding safe drinking water solutions for disadvantaged communities by proposing to establish the state’s first tax on drinking water – to the Assembly Rules Committee as a two-year bill. The Assembly Rules Committee will assign the bill to the appropriate policy committee for future hearings.

While the effort to stop SB 623’s drinking water tax is not over, today’s action represents a significant win for sound public policy. ACWA will continue to work on this bill during the interim and there likely will be talks with the sponsors of SB 623. Work on the bill also will continue next year.

ACWA would like to thank the many member agencies that played an integral role in opposing this bill on both the legislative advocacy and external affairs fronts.

Through a 115 member coalition, ACWA members played a key role in opposing this bill by writing letters, signing on to the coalition letter, and contacting their Assembly Members and Senators. Their work complemented the work of the ACWA-led lobbying team which successfully advocated against the bill at the Legislature.



Through an unparalleled external affairs campaign, ACWA members played an integral role in sharing key opposition messages on social media, through local op-eds and in letters to the editor. ACWA's Communication Committee and Regions also played a vital role in advancing key messages through strategic communications and targeted Legislative contacts.

This two-pronged approach - strong and effective advocacy combined with extraordinary communications - was critical to today's successful outcome.

### Questions

If you have any questions regarding the Committee's action or the bill, please contact Deputy Executive Director for Government Relations Cindy Tuck at (916) 441-4545.

**CONTACT**  
**Cindy Tuck**  
**Deputy Executive Director for Government Relations**  
**(916) 441-4545**

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We hope you enjoy receiving email notices and updates from ACWA. At any time you can click here to unsubscribe or to change your subscription preferences.

**Humboldt Bay Municipal Water District**

To: Board of Directors

From: John Friedenbach

Date: September 5, 2017

Re: Ruth Lake Bathymetry Study

**Background**

Subsequent to the Ruth Area wild fires of 2015, the District was contacted by Desiree Tullos, PhD, PE, D.WRE of Oregon State University to request permission to conduct a bathymetry study of Ruth Lake. Bathymetry is the measurement of the depth of lakes or oceans. The general manager at the time, Paul Helliker, agreed to allow the study. As we have experienced this year with the increased sedimentation loading in the river below the dam and at Sheriff's Cove, there has been a significant impact in the watershed from the wildfires of 2015.

**Summary**

Wildfires are projected to increase in severity and frequency across the American West, which can have important impacts on water supply, flood regulation, and hydropower reservoirs. Sediment yield from hillslopes increases following wildfires, particularly when burned slopes are subject to heavy precipitation, and can lead to a rapid reduction in storage capacity in some reservoirs. This study, funded by the National Science Foundation, investigated the impact of the Mad River Complex fires of 2015 on the capacity of Ruth Reservoir, and projected the impact of increasing frequencies of a similar fire on future reservoir capacity. The sequence of the wildfire followed by the expected wet winter associated with the El Nino weather pattern made Ruth Reservoir an ideal location to investigate the models and expected trends for coastal reservoirs across the West. Methods involved field sampling of suspended sediment concentrations and reservoir bathymetry, modeling of catchment hydrology and sediment yields, enhancements to a model of the relationship between sediment yield and reservoir capacity, digitization of a 1952 reservoir survey, differencing of reservoir surveys to calculate historical sedimentation rates, and simulation of a model to estimate future potential sedimentation rates under different fire frequencies. Field samples of suspended sediment concentrations were inconclusive, and a second reservoir survey will be conducted in 2017 to reflect the heavy precipitation during the 2016-2017 water year. Results indicate that Ruth Reservoir has lost approximately 16% of its capacity (~10,000 m<sup>3</sup>) since 1952 due to sedimentation, and that increasing fire frequency will result in more rapid reduction in reservoir capacity. However, a range of future potential sedimentation rates reflects uncertainty in the models and in the expected fire frequency.

**Next Steps**

Ms. Tullos will be present at our September 14<sup>th</sup> Board meeting to present her findings to date to the Board. No Board action is required at this time.



# Special Districts: Improving Oversight & Transparency

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Report #239, August 2017



**Little Hoover Commission**

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*Vice Chairman*

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Iveta Brigis

Anthony Cannella  
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Janna Sidley

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**Commission Staff**

Carole D'Elia  
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**Former Commission Staff**

Jim Wasserman  
*Deputy Executive Director*

**In Memoriam**

Matthew Gagnon  
*Research Analyst*

## Dedicated to Promoting Economy and Efficiency in California State Government

The Little Hoover Commission, formally known as the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy, is an independent state oversight agency.

By statute, the Commission is a bipartisan board composed of five public members appointed by the governor, four public members appointed by the Legislature, two senators and two assemblymembers.

In creating the Commission in 1962, the Legislature declared its purpose:

*...to secure assistance for the Governor and itself in promoting economy, efficiency and improved services in the transaction of the public business in the various departments, agencies and instrumentalities of the executive branch of the state government, and in making the operation of all state departments, agencies and instrumentalities, and all expenditures of public funds, more directly responsive to the wishes of the people as expressed by their elected representatives...*

The Commission fulfills this charge by listening to the public, consulting with the experts and conferring with the wise. In the course of its investigations, the Commission typically empanels advisory committees, conducts public hearings and visits government operations in action.

Its conclusions are submitted to the Governor and the Legislature for their consideration. Recommendations often take the form of legislation, which the Commission supports through the legislative process.

**Contacting the Commission**

All correspondence should be addressed to the Commission Office:

Little Hoover Commission  
925 L Street, Suite 805,  
Sacramento, CA 95814  
(916) 445-2125  
[littlehoover@lhc.ca.gov](mailto:littlehoover@lhc.ca.gov)

This report is available from the Commission's website at [www.lhc.ca.gov](http://www.lhc.ca.gov).

# Letter From The Chair

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August 30, 2017



The Honorable Kevin de León  
President pro Tempore of the Senate  
and members of the Senate

The Honorable Patricia Bates  
Senate Minority Leader

The Honorable Anthony Rendon  
Speaker of the Assembly  
and members of the Assembly

The Honorable Chad Mayes  
Assembly Minority Leader

Dear Governor and Members of the Legislature:

California's most prevalent form of government – special districts – is often its least visible. In a year-long review, the Commission looked at how California's more than 2,000 independent special districts provide vital services ranging from fire protection to healthcare, cemeteries to sewers. It wanted to better understand if California taxpayers were well-served through this additional layer of specialized bureaucracy and to analyze whether consolidation or dissolution of some special districts could lead to improved efficiency in governance and operations.

The Commission found no one-size-fits-all answer. The districts are as diverse as the geographic locations they serve and the millions of Californians who support them through taxes and fees. What might provide an appropriate pathway for five small water districts in rural Northern California who want to consolidate but need help sorting out water rights, likely would not make sense for their powerhouse counterparts, the Metropolitan Water District or Santa Clara Valley Water District, who serve millions of customers in Southern California and the Bay Area. And water districts are just one of 29 types of independent special districts ranging from airport districts to veterans memorial districts.

As part of this study, the Commission considered the role of the Legislature, which gave life to this form of local government in 1877 and retains the power to create or dissolve districts and amend the practice acts that guide district activities. As California began its rapid growth and urbanization after World War II, the Legislature realized that decision-making over local government growth was best done by local officials. In 1963, the Legislature and Governor Edmund G. "Pat" Brown created a local mechanism for overseeing local boundary decisions – and formed 58 Local Agency Formation Commissions (LAFCOs). LAFCOs have the authority to initiate special district consolidations or dissolutions.

In 2000, the Legislature expanded the authority of LAFCOs to conduct Municipal Service Reviews. These reviews provide information to guide districts in performance improvement and can serve as a catalyst for LAFCOs to initiate consolidations or dissolutions. Like many great ideas in government, particularly in a state as large and diverse as California, these 58 different commissions are not uniformly effective.

The Commission also used this review to assess the progress of its recommendations from a 2000 report, *Special Districts: Relics of the Past or Resources for the Future?* In that study, the Commission found an expansive government sector, largely invisible, serving constituents who know little about them or how the money they provide is used.

The Commission found some progress but also saw a missed opportunity for special districts – many have a great story to tell. Very rarely are taxpayer dollars so closely tied to services provided in the community. And still people do not seem to know much about these local governments and their locally-elected boards.

As much as the Commission wanted to find a magic bullet to ensure these 2,000 districts were performing efficiently and effectively, it didn't. The LAFCO process may not be working as it could and should in every corner of the state, but special districts remain best served by local decision-making. To that end, the Commission recommends the Legislature curtail its practice of bypassing the local process. Additionally, the Commission offers a number of common-sense recommendations to help LAFCOs exercise their authority. Two ideas have already resulted in legislation, AB 979 (Lackey) and SB 448 (Wieckowski). The Commission recommends the Legislature enact SB 448 and requests the Governor's signature on AB 979 and SB 448. This report also includes a rare recommendation to infuse a small one-time grant fund to pay to initiate the most urgent consolidations or dissolutions, which should lead to taxpayer savings in improved government efficiency.

The Commission heard extensive testimony on reserve funding – a thorny issue first raised in its 2000 report. The State Controller's Office has convened a task force to standardize reporting on reserves, a necessary first step before anyone can assess the adequacy of each district's rainy day fund. The Commission also urges special districts to adopt prudent reserve policies and make these policies public.

The Commission found significant improvements since its last review in the way that districts communicate their activities and finances with their constituents although not every district has a website. All districts should have a website with basic information including how to participate in decision-making and an easy guide to revenue sources and expenditures.

The Commission did not evaluate every type of special district, but it did take a deeper look at one type – healthcare districts. Originally formed in the 1940s to build hospitals where none existed, less than half of the current healthcare districts run hospitals today. But even within healthcare districts, the Commission found significant differences. In rural communities, districts largely continue to fulfill their original mission – providing a hospital that otherwise would not exist. Among healthcare districts no longer operating hospitals, the Commission found some districts assessing local needs and filling a void in preventative healthcare service. But this was not consistent and the Commission suspects that in some locations, LAFCOs should do more to assess whether every healthcare district should continue to operate. To guide this work, an essential step for the Legislature is an update to the 1945 practice act to reflect the modern healthcare landscape.

As part of the vigorous discussion on reserves, special districts were asked how they were planning and using their reserves to adapt to climate change, particularly those districts with large infrastructure investments. Building on its 2014 report, *Governing California Through Climate Change*, the Commission in this report recommends special districts and their associations take more active roles in existing state government process and in sharing best practices.

During its study process, the Commission discussed some rather extreme solutions that generated intense interest. Through a very robust public process, however, the Commission ultimately concluded that local institutions are best served by local decision-making. The important recommendations in this report will lead to improved efficiency. The Commission stands ready to assist.



**Pedro Nava**  
Chair, Little Hoover Commission

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# Executive Summary

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Special districts, the workhorses of public service delivery created by the California Legislature during the earliest days of statehood, represent the most common form of local government. They have prevailed through endless upheaval as California morphed from a state of rural open spaces into one of the world's most powerful economic engines and home to nearly 40 million people. Today special districts generate some \$21 billion in annual revenues and employ more than 90,000 local government workers.<sup>1</sup>

In 2016 and 2017, the Little Hoover Commission reviewed and analyzed California's 2,071 independent special districts and the State of California's role and responsibility in overseeing them.<sup>2</sup> The Legislature not only created special districts and enacted the practice acts by which they are governed, but it retained the power to create new districts and also to dissolve them. In the early 1960s, the Legislature had the foresight to develop a local oversight mechanism, Local Agency Formation Commissions (LAFCOs) tasked with bringing more rational planning practices and reining in inappropriate growth by considering local government boundary decisions. LAFCOs have the authority to initiate dissolutions and consolidations of special districts, although ultimately local voters have the final say. The process is slow -- intentionally slow according to some --and occasionally frustrated parties attempt to bypass the local process by taking issues directly to the Legislature. This tension, in part, prompted the Commission to update its 2000 review of special districts to consider whether the local oversight process works as intended or whether a different process or a greater role for the Legislature would be more effective.

The Commission's review broke new ground, but also revisited issues first identified in its May 2000 report, *Special Districts: Relics of the Past or Resources for the Future?* The 2000 report declared that California's expansive special district sector often amounted to a poorly overseen and largely invisible governing sector serving residents who know little about who runs them or

what they pay in taxes to sustain them. The Commission nearly two decades ago questioned the soundness of special districts' financial management and asked if their numbers might be pared back through consolidations. Yet Commissioners also acknowledged in their 2000 analysis that special districts provide Californians valuable services and are "physically closest to their communities." The Commission concluded that despite its range of criticisms, special districts should remain, in the end, local institutions best served by local decision-making.

In its newest review the Commission heard from some who still contend that special districts are ripe for consolidation and represent convoluted, dispersed, under-the-radar government. Frustrated with the local oversight process, various local special district issues percolated up into bills in the 2015-16 legislative session as the Commission began its study, potentially signifying that the current system of oversight fails to work as well as intended.

In this review, the Commission found special districts themselves could do a better job of telling their own story to overcome the stigma that they function as hidden government. During an advisory committee meeting, Chair Pedro Nava encouraged special districts to "tell your story." There are very few government entities in a position to let people know that they work directly for the public and that the taxes and fees they collect fund local services, he said.

In testimony, the Commission also learned that despite the perception that special districts continue to proliferate in California, the number of special districts has declined 5 percent since 1997, while the number nationally increased by 10 percent.<sup>3</sup> Thirty-three states have more special districts per capita than California. Despite frequent calls for dissolving or consolidating these local governments, special districts seem to have pluses that render them tolerable to those they govern and able to forestall movements to purge them or fold their work into city and county governments.

The Commission's 2016-2017 review delved into four primary arenas concerning special districts:

- Oversight of special districts, specifically, opportunities to bolster the effectiveness of Local Agency Formation Commissions (LAFCOs).
- The continued need for districts to improve transparency and public engagement.
- The frequently-controversial evolution of California's healthcare special districts, which in the 1940s and 1950s built a far-ranging system of hospitals that are mostly now gone due to a tremendous transformation in healthcare from hospitalization to preventive care.
- The urgency of climate change adaptation in California and the front-line roles that special districts, particularly water, wastewater treatment and flood control districts, play in preparing their communities and defending them from harm.

## Toward Higher-Quality Local Control

As in 2000, the Commission held fast to the concept that special districts are essentially local institutions. Whether their individual endeavors are praised or panned, special districts seemingly reflect the wishes of local voters. They also reflect the politics of LAFCOs, unique oversight bodies in each county with authority to judge their performances and recommend whether they should continue to exist. The Commission again determined that LAFCOs should be the leading voice on the status of special districts in California – and that they need more tools to do the job well.

Commissioners perplexed by the seemingly slow progress in dissolutions and consolidations at one point during the study asked if a lack of money prevented LAFCOs and special districts from initiating consolidations or conducting the mandated Municipal Service Reviews that can identify opportunities for improved efficiency in service delivery. A chorus of stakeholders suggested a small, one-time infusion of grant funding, tied to specified outcomes to ultimately improve efficiency and save taxpayer dollars, was indeed warranted. They also called for various statutory changes that could bolster the effectiveness of LAFCOs.

Clearly, special districts can be improved. Given the routine front-line services they provide, the historic climate challenges these districts face in keeping California stable, as well as the need to provide the best possible healthcare to millions of residents, LAFCOs and the state have obligations to see that they succeed. To that end, the Commission offers 20 recommendations to guide the Legislature and Governor going forward. The first eight of those recommendations address the basic structure and governing issues revolving around special districts:

***Recommendation 1: The Legislature and the Governor should curtail a growing practice of enacting bills to override LAFCO deliberative processes and decide local issues regarding special district boundaries and operations.***

The Legislature and Governor have reason to be frustrated with slow and deliberative LAFCO processes. But these are local institutions of city, county and special district members often better attuned to local politics than those in the State Capitol. Exemptions where the Legislature gets involved should be few, and in special cases where the local governing elites are so intransigent or negligent – or so beholden to entrenched power structures – that some higher form of political authority is necessary.

***Recommendation 2: The Legislature should provide one-time grant funding to pay for specified LAFCO activities, to incentivize LAFCOs or smaller special districts to develop and implement dissolution or consolidation plans with timelines for expected outcomes. Funding should be tied to process completion and results, including enforcement authority for corrective action and consolidation.***

The Commission rarely recommends additional funding as a solution. However, a small one-time infusion of \$1 million to \$3 million in grant funding potentially could save California taxpayers additional money if it leads to streamlined local government and improved efficiency in service delivery. This funding could provide an incentive for LAFCOs or smaller districts to start a dissolution or consolidation process. Participants in the Commission's public process suggested the Strategic Growth Council or Department of Conservation could administer this one-time funding.

**Recommendation 3: The Legislature should enact and the Governor should sign SB 448 (Wieckowski) which would provide LAFCOs the statutory authority to conduct reviews of inactive districts and to dissolve them without the action being subject to protest and a costly election process.**

There has been no formal review to determine the number of inactive special districts – those that hold no meetings and conduct no public business. Rough estimates gauge the number to be in the dozens. Simplifying the LAFCOs' legal dissolution process would represent a significant step toward trimming district rolls in California. The Commission supports SB 448 and encourages the Legislature to enact the measure and for the Governor to sign the bill.

**Recommendation 4: The Governor should sign AB 979 (Lackey), co-sponsored by the California Special Districts Association and the California Association of Local Agency Formation Commissions. The bill would strengthen LAFCOs by easing a process to add special district representatives to the 28 county LAFCOs where districts have no voice.**

The Cortese-Knox-Hertzberg Reorganization Act of 2000 (AB 2838, Hertzberg) provided the option to add two special district members to county LAFCOs to broaden local governing perspectives. Nearly two decades later, 30 counties have special district representatives on their LAFCOs alongside city council members and county supervisors. This change provides LAFCOs a more diverse decision-making foundation and stronger finances. But 28 counties, mostly in rural California have not added special district representatives to their LAFCO governing boards, citing scarce resources. Presently, a majority of a county's special districts must pass individual resolutions within one year supporting a change. This has repeatedly proved itself a formidable obstacle to broadening the outlook of local LAFCOs. AB 979 (Lackey) would allow a simple one-time election process where districts could easily – and simultaneously – decide the question.

**Recommendation 5: The Legislature should adopt legislation to give LAFCO members fixed terms, to ease political pressures in controversial votes and enhance the independence of LAFCOs.**

The California Association of Local Agency Formation Commissions (CALAFCO) testified on August 25, 2016, that

individual LAFCO members are expected to exercise their independent judgment on LAFCO issues rather than simply represent the interests of their appointing authority. But this is easier said than done when representatives serve on an at-will basis. The CALAFCO hearing witness said unpopular votes have resulted in LAFCO board members being removed from their positions. Fixed terms would allow voting members to more freely exercise the appropriate independence in decision-making.

**Recommendation 6: The Legislature should convene an advisory committee to review the protest process for consolidations and dissolutions of special districts and to develop legislation to simplify and create consistency in the process.**

Complicated and inconsistent processes potentially impact a LAFCO's ability to initiate a dissolution or consolidation of a district. If 10 percent of district constituents protest a LAFCO's proposed special district consolidation, a public vote is required. If a special district initiates the consolidation, then a public vote is required if 25 percent of the affected constituents protest. Additionally, the LAFCO must pay for all costs for studies and elections if it initiates a consolidation proposal, whereas the district pays these costs if it proposes or requests the consolidation. Various participants in the Commission's public process cautioned against setting yet another arbitrary threshold and advised the issue warranted further study before proposing legislative changes. They called for more consistency in the process.

**Recommendation 7: The Legislature should require every special district to have a published policy for reserve funds, including the size and purpose of reserves and how they are invested.**

The Commission heard a great deal about the need for adequate reserves, particularly from special districts with large infrastructure investments. The Commission also heard concerns that reserves were too large. To better articulate the need for and the size of reserves, special districts should adopt policies for reserve funds and make these policies easily available to the public.

**Recommendation 8: The State Controller's Office should standardize definitions of special district financial reserves for state reporting purposes.**

Presently, it is difficult to assess actual reserve levels held by districts that define their numbers one way and the State Controller's Office which defines them another way. The State Controller's Office is working to standardize numbers following a year-long consultation with a task force of cities, counties and special districts. To improve transparency on reserves, a subject that still eludes effective public scrutiny, they should push this project to the finish line as a high priority.

## Improving Transparency and Public Involvement

Because there are thousands of special districts in California, performing tasks as varied as managing water supply to managing rural cemeteries, the public has little practical ability to ascertain the functionality of special districts, including the scope of services these local districts provide, their funding sources, the use of such funds and their governance structure. Although publicly elected boards manage independent special districts, constituents lack adequate resources to identify their local districts much less the board members who collect and spend their money.

The Commission saw a number of opportunities for special districts to do a better job communicating with the public, primarily through improvements to district websites and more clearly articulating financing policies, including adopting and making publicly available fund reserve policies. Existing law requires special districts with a website to post meeting agendas and to post or provide links to compensation reports and financial transaction reports that are required to be submitted to the State Controller's Office. The State Controller's Office – despite having a software platform from the late 1990s – attempts to make all the information it receives as accessible as possible.

Many special districts already utilize their websites to effectively communicate with their constituents and voluntarily follow the nonprofit Special District Leadership Foundation's transparency guidelines and receive the foundation's District Transparency Certificate of Excellence. But often, these districts are the exception and not the rule. The Commission makes three recommendations to improve special district transparency and to better engage the public served by the districts:

**Recommendation 9: The Legislature should require that every special district have a website.**

**Key components should include:**

- **Name, location, contact information**
- **Services provided**
- **Governance structure of the district, including election information and the process for constituents to run for board positions**
- **Compensation details – total staff compensation, including salary, pensions and benefits, or a link to this information on the State Controller's website**
- **Budget (including annual revenues and the sources of such revenues, including without limitation, fees, property taxes and other assessments, bond debt, expenditures and reserve amounts)**
- **Reserve fund policy**
- **Geographic area served**
- **Most recent Municipal Service Review**
- **Most recent annual financial report provided to the State Controller's Office, or a link to this information on the State Controller's website**
- **Link to the Local Agency Formation Commission and any state agency providing oversight**

Exemptions should be considered for districts that fall under a determined size based on revenue and/or number of employees. For districts in geographic locations without reliable Internet access, this same information should be available at the local library or other public building open and accessible to the public, until reliable Internet access becomes available statewide.

Building on this recommendation, every LAFCO should have a website that includes a list and links to all of the public agencies within each county service area and a copy of all of the most current Municipal Service Reviews. Many LAFCOs currently provide this information and some go further by providing data on revenues from property taxes

and user fees, debt service and fund balance changes for all the local governments within the service area. At a minimum, a link to each agency would enable the public to better understand the local oversight authority of LAFCOs and who to contact when a problem arises.

***Recommendation 10: The State Controller's Office should disaggregate information provided by independent special districts from dependent districts, nonprofits and joint powers authorities.***

Over the course of this study, the Commission utilized data available on the State Controller's website to attempt to draw general conclusions about independent special districts, such as overall revenues, number of employees and employee compensation. Presently, it is difficult to do this without assistance as information for independent districts is mixed with various other entities.

***Recommendation 11: The California Special Districts Association, working with experts in public outreach and engagement, should develop best practices for independent special district outreach to the public on opportunities to serve on boards.***

The Commission heard anecdotally that the public does not understand special district governance, does not often participate or attend special district board meetings and often does not know enough about candidates running to fill board positions. Often, the public fails to cast a vote for down-ballot races. Two county registrars provided the Commission information that showed in many instances those who voted for federal or statewide offices did not vote for local government officials at the same rate, whether they were city council positions, special district positions or local school or community college district positions.

## **What is the Role for Healthcare Districts?**

The Commission found in its review that special districts were as diverse as the services provided and the millions of Californians served. To gain deeper insight on one type of local government service provider, the Commission took a closer look at an often-controversial group: healthcare districts that no longer operate hospitals. These entities struggle to explain their relevance within the rapidly evolving healthcare industry,

which emphasizes preventative care over hospitalization. Amid uncertainty about the future of the Affordable Care Act, many of these districts claim they are carving out new roles in preventative care. Yet the Legislature, local grand juries, LAFCOs and healthcare analysts continue to question their relevance and need to exist. Presently, just 37 of 79 California healthcare districts operate 39 hospitals, mostly in rural areas with few competitors or other alternatives – and few suggest the need to dissolve those districts.

Controversy tends to afflict districts in former rural areas that became suburbanized in recent decades and grew into competitive healthcare markets. The 2015-16 legislative session included a rash of legislation that considered whether to force district dissolutions or modify district boundaries – even though those decisions are the responsibility of LAFCOs. Nonetheless, most healthcare districts officials continue to maintain they are more flexible than counties in defining priorities and are pioneering a new era of preventative care under the umbrella of “wellness.” Officials say their districts are misunderstood by critics who lack understanding about how much the healthcare landscape is changing. They also say that local voters generally support their local missions and how they allocate their share of property taxes in the community.

As part of its special districts review, the Commission convened a two-hour advisory committee with experts to shed light on healthcare districts. During the course of the Commission's study, the Association of Healthcare Districts convened a workgroup to develop recommendations, in part, in response to legislative scrutiny. These recommendations were considered and discussed during the November advisory committee meeting. Participants analyzed whether counties or healthcare districts are best positioned as local and regional healthcare providers and discussed the role of LAFCOs in consolidating, dissolving or steering healthcare districts toward more relevant roles. During the meeting Commissioners also pushed districts to share and adopt best practices and define better metrics to measure what they are accomplishing with their shares of local property taxes. Three Commission recommendations arose from the discussion as well as numerous interviews with experts during the study:

**Recommendation 12: The Legislature should update the 1945 legislative “practice acts” that enabled voters to create local hospital districts, renamed healthcare districts in the early 1990s.**

Experts widely agree that statutory language in the acts no longer reflects the evolution of healthcare during the past seventy years, particularly the shift from hospital-based healthcare to modern preventive care models.

**Recommendation 13: The Legislature, which has been increasingly inclined to override local LAFCO processes and authority to press changes on healthcare districts, should defer these decisions to LAFCOs.**

LAFCOs have shown successes in shaping the healthcare district landscape and should be the primary driver of change. Given the controversies over healthcare districts, the California Association of Local Agency Formation Commissions and LAFCOs should be at the forefront of studying the relevance of healthcare districts, potential consolidations and dissolutions of districts. To repeat a theme of Recommendation 1, the Legislature should retain its authority to dissolve healthcare districts or modify boundaries, but this authority should be limited to cases in which local political elites are so intransigent or negligent – or so beholden to local power structures – that some form of higher political authority is deemed necessary.

**Recommendation 14: The Association of California Healthcare Districts and its member districts should step up efforts to define and share best practices among themselves.**

A Commission advisory committee meeting discussion clearly showed that not enough thought or interest has been assigned to sharing what works best in rural, suburban and urban areas among members. The association should formally survey its members and collectively define their leading best practices and models for healthcare, as well as guidelines to improve the impacts of grantmaking in communities.

## Front-line Roles for Climate Change Adaptation

At the Commission’s August 25, 2016, hearing, Chair Pedro Nava asked a simple question of special district attendees vigorously defending their need for robust reserve funds:

How are they assessing future climate change impacts when amassing reserves for long-range infrastructure spending? That question, rooted in the Commission’s 2014 climate adaptation report *Governing California Through Climate Change*, became the genesis of a deeper exploration of awareness of and preparations for climate change among special districts. In an October 27, 2016, hearing focused on special districts efforts to adapt to climate change, the Commission learned that:

- Special districts, even while vastly outnumbering cities and counties in California, have generally not participated at the levels of cities and counties in the state’s emerging climate adaptation information gathering and strategizing. Often that is because they lack land-use authority. Nonetheless, it is critical that their experienced voices be at the table.
- Many larger infrastructure-intensive water, wastewater and flood control districts stand at the forefront nationally in preparing for the varying, changing precipitation patterns – too much or too little water – at the heart of anticipated climate change impacts.

The Commission found it encouraging that many special districts are reducing the need for imported water by diversifying supplies and producing vastly more recycled water. Districts also are steering more stormwater runoff in wet years into groundwater recharge basins for use in dry years. The actions that all agencies must eventually take are already being done by some. The Commission agreed that these leading-edge actions and infrastructure spending strategies represent models for other districts to follow. Accordingly, the Commission makes six recommendations focused on climate change adaptation:

**Recommendation 15: The Legislature should place a requirement that special districts with infrastructure subject to the effects of climate change should formally consider long-term needs for adaptation in capital infrastructure plans, master plans and other relevant documents.**

Most special districts, especially the legions of small districts throughout California, have their hands full meeting their daily responsibilities. Many have few resources and little staff time to consider long-range issues, particularly those with the heavy uncertainty of

climate change adaptation. Making climate change a consideration in developing capital infrastructure plans and other relevant planning documents would formally and legally elevate issues of adaptation and mitigation, especially for districts where immediate concerns make it too easy to disregard the future.

***Recommendation 16: The California Special Districts Association (CSDA), in conjunction with its member districts, should document and share climate adaptation experiences with the Integrated Climate Adaptation and Resilience Program's adaptation information clearinghouse being established within the Governor's Office of Planning and Research (OPR). Similarly, CSDA and member districts should step up engagement in the state's current Fourth Assessment of climate threats, a state research project designed to support the implementation of local adaptation activities. The CSDA also should promote climate adaptation information sharing among its members to help districts with fewer resources plan for climate impacts and take actions.***

The OPR clearinghouse promises to be the definitive source of climate adaptation planning information for local governments throughout California. At the Commission's October 27, 2016, hearing, an OPR representative invited more district participation in state climate adaptation processes. It is critical that special districts and their associations assume a larger participatory role – both within state government and among their memberships – to expand the knowledge base for local governments statewide.

***Recommendation 17: The state should conduct a study – by either a university or an appropriate state department – to assess the effect of requiring real estate transactions to trigger an inspection of sewer lines on the property and require repairs if broken.***

The responsibility to safeguard California and adequately adapt to climate change impacts falls on every resident of California. This begins at home with maintenance and upgrading of aging sewer laterals. Requiring inspections and repairs during individual property transactions is an optimum way to slowly rebuild a region's collective wastewater infrastructure in the face of climate change. At the community level, repairs will help prevent excess stormwater during major climate events from overwhelming wastewater systems and triggering sewage

spills into public waterways. The Oakland-based East Bay Municipal Utility District has instituted an ordinance that requires property owners to have their private sewer laterals inspected if they buy or sell a property, build or remodel or increase the size of their water meter. If the lateral is found to be leaking or damaged, it must be repaired or replaced. The state should consider implementing this policy statewide.

***Recommendation 18: State regulatory agencies should explore the beginnings of a new regulatory framework that incorporates adaptable baselines when defining a status quo as climate impacts mount.***

With climate change what has happened historically will often be of little help in guiding regulatory actions. State regulations designed to preserve geographical or natural conditions that are no longer possible or no longer exist already are creating problems for special districts. Wastewater agencies, for example, face conflicting regulations as they divert more wastewater flows to water recycling for human needs and less to streams historically home to wildlife that may or may not continue to live there as the climate changes. While it is not easy for regulators to work with moving targets or baselines, climate change is an entirely new kind of status quo that requires an entirely new approach to regulation.

***Recommendation 19: The California Special Districts Association, and special districts, as some of the closest-to-the-ground local governments in California, should step up public engagement on climate adaptation, and inform and support people and businesses to take actions that increase their individual and community-wide defenses.***

Special districts are uniquely suited to communicate with and help prepare millions of Californians for the impacts of climate change. Nearly all have public affairs representatives increasingly skilled at reaching residents through newsletters, social media and public forums. District staff grapple constantly with new ways to increase their visibility. Many will find they can build powerful new levels of public trust by helping to prepare their communities for the uncertainty ahead.

***Recommendation 20: The California Special Districts Association and special districts should lead efforts to seek and form regional partnerships to maximize climate adaptation resources and benefits.***

Water, wastewater and flood control districts are already bringing numerous agencies to the table to pool money, brainpower and resources for big regional projects. The East Bay Municipal Utility District has arrangements with many Bay Area and Central Valley water agencies to identify and steer water to where it is most needed for routine demands and emergencies alike. The Metropolitan Water District and Sanitation Districts of Los Angeles County also increasingly pool their joint resources to steer more recycled water to groundwater recharge basins for dry years. Likewise, the Santa Clara Valley Water district and other state and federal agencies are collectively planning and funding 18 miles of levees to protect the region from sea level rise. These partnerships among special districts and other government agencies clearly hint at what will be increasingly necessary as climate impacts begin to mount.



# **NEW BUSINESS**

**Humboldt Bay Municipal Water District**

To: Board of Directors

From: John Friedenbach

Date: September 5, 2017

Re: Workers Compensation Insurance coverage for Volunteers

**Background**

The District provides workers' compensation insurance through the JPIA for employees and directors who are injured while on the job. The District has an excellent Experience Modification rate of 71%. This is a direct result of the caliber of our employees and our safety culture which begins with the vision and support of our Board.

A former part-time summer employee, currently attending HSU, has requested to return to the District during the school year on a volunteer basis to assist with and learn more about our GIS system. Workers' compensation insurance coverage is not automatic for volunteers of the District. Upon consultation with the JPIA, they advised that they have no concern for bringing volunteers into District operations. However, they do recommend as a risk management practice for the District that the District have a resolution on file covering all volunteers, if in the event they get hurt while volunteering they would be eligible for workers' compensation insurance coverage. This will keep any associated costs of an injury in the workers' compensation insurance arena rather than general liability. When third parties, such as a volunteer, are injured the costs are determined by statute under workers' compensation but not so in the general liability area. Therefore, costs can be better controlled by ensuring the claims qualify as workers' compensation insurance claims.

**Recommendation**

Staff recommends the adoption of the attached Resolution 2017-08 to provide workers' compensation insurance coverage to volunteers of the District.

Resolution 2017-08  
Resolution of the Humboldt Bay Municipal Water District  
Board of Directors  
VOLUNTEER PERSONNEL  
WORKERS' COMPENSATION INSURANCE

WHEREAS, this board desires to provide Workers' Compensation Insurance benefits for persons authorized by the District to perform volunteer services for the District, and;

WHEREAS, the Legislature of the State of California has provided through legislation (Labor Code Section 3363.5) authorization for the inclusion of such coverage in the District's workers' compensation insurance policy.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Humboldt Bay Municipal Water District hereby adopts the policy that an unpaid person authorized to perform volunteer service for the District shall be deemed to be an employee of the District for the purposes of Workers' Compensation Insurance benefits provided for by law for any injury or illness sustained by them while engaged in the performance of services for the District under its direction and control.

Passed, approved and adopted this 14<sup>th</sup> day of September 2017 by the following votes:

Ayes:  
Nays:  
Absent:

Attest:

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

\_\_\_\_\_  
Barbara Hecathorn, Assistant Secretary/Treasurer

# **ENGINEERING**



Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Edmund G. Brown Jr.  
Governor

Ken Alex  
Director

August 16, 2017

John Friedenback  
Humboldt Bay Municipal Water District  
828 Seventh Street  
Eureka, CA 95501

Subject: HBWMD Blue Lake Fieldbrook-Glendale CSD Water Transmission Pipeline Replacement Project  
SCH#: 2017072029

Dear John Friedenback:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on August 15, 2017, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Document Details Report  
State Clearinghouse Data Base

SECTION J1a, PAGE NO. 2

**SCH#** 2017072029  
**Project Title** HBWMD Blue Lake Fieldbrook-Glendale CSD Water Transmission Pipeline Replacement Project  
**Lead Agency** Humboldt Bay Municipal Water District

**Type** MND Mitigated Negative Declaration  
**Description** The HBWMD is proposing construction and operation of a secondary water pipeline under the Mad River via horizontal directional drilling to serve the city of Blue Lake and the Fieldbrook-Glendale CSD.

**Lead Agency Contact**

**Name** John Friedenback  
**Agency** Humboldt Bay Municipal Water District  
**Phone** (707) 443-5018  
**email**  
**Address** 828 Seventh Street  
**City** Eureka **State** CA **Zip** 95501  
**Fax**

**Project Location**

**County** Humboldt  
**City** Blue Lake  
**Region**  
**Lat / Long** 40° 54' 5.5" N / 124° 01' 50.9" W  
**Cross Streets** Glendale Dr and Warren Creek Rd  
**Parcel No.** various  
**Township** 6N **Range** 1E **Section** 14 **Base** HBM

**Proximity to:**

**Highways** 299  
**Airports**  
**Railways** NCRA  
**Waterways** Mad River, Warren Creek, Hall Creek, Noise Creek  
**Schools**  
**Land Use** z: ag general and railroad

**Project Issues** Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Cumulative Effects; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

**Reviewing Agencies** Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 1E; Department of Conservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 1; Native American Heritage Commission; Regional Water Quality Control Board, Region 1; Public Utilities Commission; State Water Resources Control Board, Division of Drinking Water; State Water Resources Control Board, Division of Drinking Water, District 1; State Water Resources Control Board, Division of Financial Assistance

**Date Received** 07/17/2017 **Start of Review** 07/17/2017 **End of Review** 08/15/2017

H.B.M.W.D. AUG 16 2017

8/14/17

To: HBMWD

Re: Water expansion

Although progress has to happen in order for those being in need of water, its important that we consider all that it in compasses.

Warren Creek Rd is a dangerous road at best, one lane roads that have to share with bicyclists and over grown foliage that blocks safety while driving.

With heavy equipment, traffic control and roads that are all ready in terrible shape. I would like to propose that all roads used during this expansion to be rebuilt. The necessary clearing of overgrown foliage to be cleaned up as well as some safety signs be installed. It would be really great to have our streets widen to decrease our danger and to give your heavy equipment room to work on.

This will obviously be an inconvenience for all of the local people who live here, but I do believe its necessary for those who need water.

It would be a considerate thing to do to accommodate all of us who are being effected by this.

Please look at our situation as you start to plan your endeavor,

Respectfully,

The McCasland Family

From: The Residents of Rabbit Hill, 1<sup>st</sup> lane off Warren Creek Road  
To: John Freidenbach, General Manager, HBMWD

RE: The Blue Lake Fieldbrook-Glendale Pipeline Crossing Project

H.B.M.W.D. AUG 16 2017

Dear John,

We are writing with concerns about how the pipeline project will impact the folks on our tiny country lane. We understand that our communities need water, and the RR trestle is inadequate, but the information made available at the public meeting was lacking, such as the amount of material to be trucked out on Warren Creek Road (WCR) and West End Road. These roads are already made dangerous by one-lane sections, overhanging brush and trees, slides, bikes and pedestrians, and drivers returning from the two pump station parks after perhaps too much entertainment on the river. The actual drilling is also of concern as accidents and leakage can happen at discontinuities and inclusions that often occur in Franciscan formations. Bore holes show only a tiny portion in a fractured environment.

Short term road impacts – **road closures and delays**: Hum. Co. often has inadequate/confusing signage and closure warnings for these two roads; **large truck traffic**: always dangerous on small windy roads, especially when the number of loads (with return trips) to be moved on our road is still unknown. Possible solution: better warning and signage, brush road before construction.

Long term road impacts – How many dump trucks will be pounding already problematic roads? The resulting extra **potholes** and slide potentials are unknown, but the feasibility study found a “potential for seismic **slope instability** along existing channel banks due to steep banks and high seismic ground motions.” Many of these steep sections are shored up by **old growth trees** – hemlock, Doug-fir, and California bay at the base of our hill- and the roots are vulnerable under the pavement to heavy truck traffic. If old growth trees are killed, we could lose **bank protection** from floods or slides, and potentially lose the road. Jolting from heavy trucks could undo the rotting RR trestle at the beginning of WCR, and increase the slumping at the numerous creek crossings of both roads. Possible solutions: don't start until rains are over and the ground isn't soggy, repair potholed road AFTER construction, limit weight and quantity of trucks on WCR [what's the weight limit?]

Water/drilling impacts – Questions that need answers: the unknown HDD **subsurface conditions**, the unknown size of the staging/construction area including or in addition to the 40'x30' separation plant with pit, the unknown size of drilling entry pit, and the unknown number of times needed to ream the 1,125' tunnel under the river to install either a 15' or 18' pipe. This all leads to an **unknown number of dump trucks** compacting old growth roots, threatening the alluvial cliff edge and all traffic. Frac-outs are possible with the discontinuities of our riverbed profile, with the Ranney well collectors down about the same level just downstream, and bank disruption can lead to further erosion, now being experienced near the next well downstream.

If the project encounters problems underground requiring more time, equipment, and spoils removal, are we, the WCR residents, to be informed? Who's responsible if the drill bit gets trapped by tunnel **collapse**? A second time? Eureka got sued by a drilling company for this. What if the project runs beyond the approx. 6 weeks? There will be runoff off from this brushed and grubbed construction site the following rainy season, and hay bales around the site will not stop sediment flow from a large veg-cleared area during the heavy rain events that are more common now. How about restoration of the



construction site, river banks and roads when this is finished? Hopefully, the taxpayers and the nearby residents won't be left with a mess.

We will be anxiously awaiting answers. Thank you for your consideration.



- Jeanne McFarland, 220 WCR
- Madeleine, GP Venturi, Dorothy Chisholm, 300 WCR
- Bob & Bev Shole, 212 WCR
- Bob & Patrice Reed, 232 WCR
- Mike & Julie McCasland, 234 WCR
- Tom, Christy, Quentin & Skylar Westfall, 238 WCR
- Mistae, Carlos, & Ryker, 230 WCR
- Richard & KT Thompson, 200 WCR
- Chris & Marissa Kiesselhorst, 210 WCR
- Eric, Jeni, Charlotte, and Elliot Masaki, 190 WCR

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 1, P. O. BOX 3700  
EUREKA, CA 95502-3700  
PHONE (707) 441-4693  
FAX (707) 445-6314  
TTY 711



*Serious drought.  
Making Conservation  
a California Way of Life.*

August 17, 2017

1-HUM-299-3.79  
HBMWD Water Transmission  
Pipeline Replacement Project  
SCH# 2017072029

John Friedenbach, Senior Planner  
Community Development Department  
Humboldt Bay Municipal Water District  
736 F Street  
Arcata, CA 95521

Dear Mr. Friedenbach,

Thank you for giving Caltrans the opportunity to review and comment on the proposed Humboldt Bay Municipal Water District's Water Transmission Pipeline Replacement Project, which proposes to construct and operate a secondary water pipeline under the Mad River via horizontal directional drilling to serve the City of Blue Lake and the Fieldbrook-Glendale Community Services District. The proposed pipeline will cross beneath the Glendale Overhead (Bridge 4-186) on State Route 299 in the unincorporated Glendale area. We offer the following comments:

- Placement of transverse underground utilities within the State right-of-way will require a double encroachment permit from Caltrans. One permit is required for the owner of the pipeline, the other is for the contractor installing the pipeline.
- Permit requirements will include fully encasing the pipeline from right of way line to right of way line as a means to protect the structural fill of the bridge abutments and/or highway from being compromised in the event of a pipeline failure. Future access to the pipeline is to take place outside the State right of way, which will limit the need to obtain additional encroachment permits.
- The permit will also require measures to protect the concrete bridge columns prior to the start of construction, in order to prevent damage resulting from unintentional strikes by equipment working in the vicinity.
- The above conditions are not exhaustive. Other permit conditions may be required following a review of the plans submitted with the permit application.
- Any work within Caltrans Right-of-Way will require an Encroachment Permit from Caltrans. Applications are reviewed for consistency with State standards and are subject to Department approval. To streamline the permit application and review process, we

Mr. John Friedenbach  
August 17, 2017  
Page 2 of 2

encourage the applicant to consult with our Permit staff prior to submitting an application. Requests for permit applications can be sent to: Caltrans District 1 Permits Office, P.O. Box 3700, Eureka, CA 95502-3700, or requested by phone at (707) 445-6389. For additional information, the Caltrans Permit Manual is available online at: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

Please contact me with questions or for further assistance at the number above regarding the above comments.

Sincerely,



Jesse Robertson  
Transportation Planning  
Caltrans District 1



SECTION J1a, PAGE NO. 8  
**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

September 7, 2017

The Residents of Rabbit Hill  
190, 200, 210, 212, 220, 230, 232, 234, 238 and 300 Warren Creek Road  
Arcata, CA 95521

**Re: HBMWD Blue Lake Fieldbrook-Glendale Mad River Pipeline Crossing Replacement Project**

Dear Ms. McFarland, et al.;

The District appreciates your August 16<sup>th</sup> response to our proposed Mad River pipeline crossing replacement project. This project would replace the existing water main located on an aging and unmaintained railroad trestle that provides potable water service to the communities of Blue Lake and Fieldbrook/Glendale. The project will directionally drill a new pipeline under the Mad River. The alternative of directionally drilling under the river was selected because it would have the least environmental impact to the Mad River and the surrounding area. That being said, we fully recognize that there will be minor impacts on the residents of Warren Creek road.

As mentioned during the public meeting, the District is currently working on obtaining a permit from California Department of Fish & Wildlife to allow a geotechnical drill rig to access the Mad River bar for geotechnical borings required to finalize the design for the directional drilling. The directional drilling will occur through solid bedrock. This project has no similarity to the Eureka project that was constructed through sandy soil. We anticipate this permit and the geotechnical investigation will be completed in September, the design largely completed in November/December, and the project let for bid early 2018. The work will then be performed in the spring/summer of 2018. We anticipate approximately 3-months of work, with one month of this taken up by setting up the drilling equipment and taking it down, and a couple months of actual drilling. During the set-up/take down, the drilling equipment will be moved along the road during the middle of the day, and will be moved to/taken from the District property where the actual work will be performed. This will likely require some traffic control to get the equipment off the road and onto the District property. However, we think this will likely be only 15 to 30 minutes of impacts to traffic.

During the actual work, there will likely be one or two dump trucks a day hauling material off site. There may be more trucks during a given day for short durations depending upon drilling conditions, but there is no way for us to reasonably predict that at this time. These trucks will be spread out through an 8-hour day, and most will occur during the middle of the day. We can request that the contractor avoid morning or evening commute times. These trucks will only run on the approximate 0.5-mile section of Warren Creek road, from the intersection of Warren Creek and West End Roads, to where they will drop down to the District's property.

Humboldt County owns and maintains Warren Creek and West End Roads. Any concerns that you have about the condition of these roads should be directed to the County Roads Department and Board of Supervisors. Our project is not designed to nor intended to enhance these roads in any way. The District will obtain an encroachment permit from the County for this project. The District does not anticipate damaging the roads or any of the surrounding trees or other vegetation along the roads. The characterizations contained in your letter misrepresent the extent of anticipated traffic associated with this project and the potential damage, if any, to the existing road. However, provisions of the County Encroachment Permit will require the District to repair any damage to the roads caused by the proposed work, which the District will of course do.

We appreciate your understanding the need for this critical infrastructure project to continue to be able to provide water service to your neighbors in Blue Lake and Fieldbrook/Glendale. This is a \$3.6 million dollar project which is nearly 100% grant funded and therefore very little cost to the local water ratepayers. Again, we apologize for the inconvenience it will cause, and will work with you to mitigate that inconvenience when feasible. The HBMWD Board will be holding another public meeting on September 14<sup>th</sup> at 11:00 a.m. at the District office in Eureka to approve the CEQA document for this project. You are welcome to attend that meeting.

Sincerely,



John Friedenbach  
General Manager

cc: Dale Davidsen, HBMWD  
Pat Kaspari and Nathan Stevens, GHD

**CALIFORNIA ENVIRONMENTAL QUALITY ACT**  
**FINDINGS IN CONNECTION WITH PROJECT APPROVAL OF THE**  
**HBMWD BLUE LAKE FIELDBROOK-GLENDALE COMMUNITY SERVICES DISTRICT WATER**  
**TRANSMISSION PIPELINE REPLACEMENT PROJECT AND**  
**ADOPTION OF THE PROPOSED MITIGATED NEGATIVE DECLARATION**  
**SEPTEMBER 14, 2017**

In accordance with the California Environmental Quality Act (CEQA) as provided for in Public Resources Code Section 21000 et seq. and California Code of Regulations, Title 14, Section 15000 et seq., the Humboldt Bay Municipal Water District (District) hereby finds that the Proposed Mitigated Negative Declaration and Initial Study prepared for the HBMWD Blue Lake Fieldbrook-Glendale CSD Water Transmission Pipeline Replacement Project (the project) have been completed in compliance with CEQA. The District further finds that the Initial Study, Proposed Mitigated Negative Declaration, comments received during the public review process, and responses to these comments, were presented to the District, and that the District reviewed and considered the information contained in these items prior to approving the project. The District hereby finds that the Proposed Mitigated Negative Declaration reflects the independent judgment and analysis of the HBMWD, and the Board of Directors of the HBMWD adopts the Proposed Mitigated Negative Declaration.

**I. FINDINGS**

The following Findings are hereby adopted by the District pursuant to Title 14, California Code of Regulations, Section 15074, in conjunction with the approval of the project.

**A. Project Description (Summary)**

The project includes the construction and operation of a secondary water pipeline under the Mad River via horizontal directional drilling to serve the City of Blue Lake and the Fieldbrook-Glendale CSD.

**B. Environmental Review Process**

An Initial Study and Proposed Mitigated Negative Declaration were prepared for the project in accordance with CEQA. The Initial Study and Proposed Mitigated Negative Declaration were submitted to the State Clearinghouse (SCH# 2017072029) and other applicable agencies for review. The 30-day review period was from July 17, 2017 to August 16, 2017. A public hearing was held at the District office located at 828 Seventh Street in Eureka at their normally scheduled Board meeting on July 13, 2017 at 11:00 am. Three comment letters were received from: 1) the McCasland Family, 2) Residents of Rabbit Hill and 3) Caltrans. Responses to McCasland (who was also a signatory to the Residents of Rabbit Hill) and the Residents of Rabbit Hill were mailed on September 7, 2017. Responses to Caltrans' comments were discussed with Caltrans over the phone and via email. Responses to all comments were discussed at the September 14, 2017 Board meeting.

**C. Mitigation, Monitoring, and Reporting Plan**

CEQA requires the Lead Agency approving a project to adopt a mitigation monitoring and reporting plan to reduce potentially significant impacts to a less than significant level. The Mitigation, Monitoring, and Reporting Plan for the project is bound separately from the Mitigated Negative Declaration. Implementation of mitigation measures incorporated into the project will be monitored pursuant to the Mitigation, Monitoring, and Reporting Plan.

**D. Record of Proceedings**

The documents that constitute the record of proceedings upon which the District bases its findings and decisions contained herein are located at the District office located at 828 Seventh Street in Eureka, California.

**E. Summary**

Based on the foregoing Findings and the information contained in the record, the District has made the following Findings with respect to the project:

1. Changes or alterations have been required in, or incorporated into, the Approval for the project. These changes or alterations mitigate to a less-than-significant level or avoid the potentially significant environmental effects of the project as identified in the Initial Study and Proposed Mitigated Negative Declaration.
2. There is no substantial evidence in the record as a whole that the project as proposed and mitigated may have a significant effect on the environment.

**II. APPROVAL**

The Board of Directors of the HBMWD hereby takes the following actions:

- A. Adopts the Proposed Mitigated Negative Declaration for the project as described in Section I, above.
- B. Approves and incorporates into the project all project elements, project-specific environmental protection actions, and the project-specific mitigation measures in the mitigation, monitoring, and reporting plan.
- C. Adopts the Findings in their entirety as set forth in Section I, above.
- D. Approves the HBMWD Blue Lake Fieldbrook-Glendale CSD Water Transmission Pipeline Replacement Project.
- E. Directs staff to file the Notice of Determination within five days.

## RESOLUTION NO. 2017- 10

**Resolution of the Board of Directors of the Humboldt Bay Municipal Water District  
Adopting a Mitigated Negative Declaration for the District's Blue Lake Fieldbrook-Glendale CSD  
Water Transmission Pipeline Replacement Project**

WHEREAS, the Board of Directors of the Humboldt Bay Municipal Water District hereby finds and determines as follows:

1. The Humboldt Bay Municipal Water District proposes to adopt the Proposed Mitigated Negative Declaration for its Blue Lake Fieldbrook-Glendale CSD Water Transmission Pipeline Replacement Project (project).
2. A Proposed Mitigated Negative Declaration was prepared for this project by a qualified consultant (GHD) under the direction of the General Manager. The Proposed Mitigated Negative Declaration was prepared to meet the requirements of the California Environmental Quality Act (CEQA).
3. A Mitigation, Monitoring, and Reporting Plan was prepared for the project.
4. The Proposed Mitigated Negative Declaration was properly prepared, advertised, and circulated in accordance with the California Environmental Quality Act, having been:
  - a. advertised in newspapers of general circulation in the project area;
  - b. circulated through the State Clearinghouse for the required 30 days (State Clearinghouse Number 2017072029);
  - c. mailed to local and federal public agencies and known interested parties;
  - d. noticed and available for public review for the required 30 days;
  - e. prepared using the current Initial Study checklist (CEQA Appendix G), so as to evaluate the potential for adverse environmental impacts under CEQA.
5. Three written comment letters (McCasland Family, Residents of Rabbit Hill and Caltrans) were received by the District in response to the Proposed Mitigated Negative Declaration. Responses to Caltrans' comments were discussed with Caltrans over the phone and via email. Responses to all comments were discussed at the September 14, 2017 Board meeting.
6. The District held a Board meeting on July 13, 2017 to describe and receive public comment on the project and Proposed Mitigated Negative Declaration. No public comments were received at this meeting.
7. A public hearing was held for the project by the Board of Directors on September 14, 2017 to consider adoption and approval of the Proposed Mitigated Negative Declaration and project, respectively.
8. The Board of Directors has reviewed and considered the Proposed Mitigated Negative Declaration, public notice, correspondence, staff reports, and any comments received at the public hearing or in writing, which together constitute the whole record for this project.
9. Based on the whole record for this project, 1) there is no substantial evidence that the project may have a significant effect on the environment and 2) there is substantial evidence that no new information was added to the record after circulation of the Proposed Mitigated Negative Declaration or the Notice of Intent to Adopt the Proposed Mitigated Negative Declaration that warrants revision and recirculation.
10. The Proposed Mitigated Negative Declaration reflects the independent judgment and analysis of the Board of Directors.



NOW, THEREFORE, the Board of Directors of the Humboldt Bay Municipal Water District hereby resolves as follows:

1. The Board of Directors adopts the Proposed Mitigated Negative Declaration.
2. The Board of Directors adopts the Mitigation, Monitoring, and Reporting Plan. The General Manager is directed to implement the mitigation measures adopted in the Mitigated Negative Declaration. This is to be accomplished by coordinating with the Superintendent and any contractors to ensure that the mitigation measures are implemented.
3. The General Manager is directed to maintain the whole record for this project at the office of the Humboldt Bay Municipal Water District.
4. The project is approved for implementation.
5. The General Manager is directed to file a Notice of Determination for the project with the State Clearinghouse within five (5) days of adoption of this resolution.

On motion of \_\_\_\_\_, and second by \_\_\_\_\_, the foregoing Resolution is duly adopted this 14<sup>th</sup> day of September 2017, by the following votes:

AYES:

NAYS:

ABSENT:

I, Sheri Woo, President to the Board of Directors of the Humboldt Bay Municipal Water District, do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted on the 14<sup>th</sup> day of September 2017.

Witness my hand and seal of the Board of Directors this 14<sup>th</sup> day of September 2017.

\_\_\_\_\_  
Sheri Woo  
President of the Board of Directors of the  
Humboldt Bay Municipal Water District

**ATTEST:**

\_\_\_\_\_  
Barbara Hecathorn  
Assistant Secretary-Treasurer of the Board of Directors

**Notice of Determination****Appendix D****To:**

Office of Planning and Research  
 U.S. Mail: Street Address:  
 P.O. Box 3044 1400 Tenth St., Rm 113  
 Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk  
 County of: Humboldt  
 Address: 825 5th Street, 5th Floor  
 Eureka, CA 95501

**From:**

Public Agency: Humboldt Bay Municipal Water Dist  
 Address: 828 Seventh Street  
 Eureka, CA 95501  
 Contact: John Friedenbach, General Manager  
 Phone: (707) 443-5018

Lead Agency (if different from above):  
 Same as above  
 Address: \_\_\_\_\_

Contact: \_\_\_\_\_  
 Phone: \_\_\_\_\_

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2017072029

Project Title: Blue Lake Fieldbrook-Glendale CSD Water Transmission Pipeline Replacement Project

Project Applicant: Humboldt Bay Municipal Water District

Project Location (include county): Humboldt County, 2.5 miles nw of Blue Lake on both sides of the Mad River.

**Project Description:**

HBMWD is proposing Construction and operation of a secondary water pipeline under the Mad River via horizontal directional drilling to serve the City of Blue Lake and the Fieldbrook-Glendale CSD.

This is to advise that the Humboldt Bay Municipal Water District has approved the above  
 Lead Agency or  Responsible Agency)

described project on September 14, 2017 and has made the following determinations regarding the above  
 (date)  
 described project.

1. The project [ will  will not] have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [ were  were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [ was  was not] adopted for this project.
5. A statement of Overriding Considerations [ was  was not] adopted for this project.
6. Findings [ were  were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Humboldt Bay Municipal Water District, 828 Seventh Street, Eureka, California 95501

Signature (Public Agency): \_\_\_\_\_ Title: General Manager

Date: September 14, 2017 Date Received for filing at OPR: \_\_\_\_\_

**John Friedenbach**

---

**From:** Jason Williams <Jason.Williams@CalOES.ca.gov> on behalf of Governor's Office of Emergency Services <Governor's\_Office\_of\_Emergency\_Services@ops.calema.ca.gov>  
**Sent:** Friday, July 28, 2017 10:54 AM  
**To:** John Friedenbach  
**Subject:** Your HMGP NOI is eligible - Control No. is 0014

The California Governor's Office of Emergency Services (Cal OES) has received the Hazard Mitigation Grant Program (HMGP) Notice of Interest (NOI) submitted by your agency.

Project Number: DR-4308-0014.

Applicant Name: Humboldt Bay Municipal Water District Activity Title: HBMWD Collector Mainline Redundancy Project.

Federal Share Request: \$2,290,500.00.

Required Applicant Match: \$763,500.00.

Your NOI was reviewed by Cal OES staff and determined to represent an eligible HMGP activity.

This email confirms the formal invitation for Humboldt Bay Municipal Water District to develop a full application for consideration of HMGP funding.

Applications documents are available at:

Project Application Instructions

<http://www.caloes.ca.gov/RecoverySite/Documents/HMGP%20Project%20Application%20Instructions.docx>

Project Application

<http://www.caloes.ca.gov/RecoverySite/Documents/HMGP%20Project%20Application.docx>

Planning Application Instructions

<http://www.caloes.ca.gov/RecoverySite/Documents/HMGP%20Planning%20Application%20Instructions%207-26-17.docx>

Planning Application

<http://www.caloes.ca.gov/RecoverySite/Documents/HMGP%20Planning%20Application%207-26-2017.docx>

Applications must be mailed to Cal OES, postmarked by November 1, 2017.

Application Development and Benefit Cost Analysis (BCA) training will be offered at locations throughout the State between August 21, 2017 and September 15, 2017.

We are finalizing details for locations and times and will post them to our webpage by August 4, 2017 with further instructions.

Please visit the Cal OES HMGP webpage for additional information, post obligation documents, and training updates.

Link:

<http://www.caloes.ca.gov/cal-oes-divisions/recovery/disaster-mitigation-technical-support/404-hazard-mitigation-grant->

<http://www.caloes.ca.gov/RecoverySite/Documents/HMGP%20Project%20Cost%20Estimate%20Spreadsheet%2003-10-1.xls>

## Executive summary

The Humboldt Bay Municipal Water District currently has a single pipeline that conveys water from all of its potable water pump stations (Collector 1 through 4) up to the Turbidity Reduction Facility (TRF) for final treatment and storage. If this pipeline fails at a point between the Essex John Winzler Control Facilities and the TRF site, the District would have no way to provide water to its customers, who in turn provide water to approximately 80,000 people in Humboldt County. This Study assessed four alternatives for resolving this single point of failure and providing a redundant means for getting water to the TRF:

Alternative 1: Intertie with the existing City of Blue Lake/Fieldbrook-Glendale CSD waterline

Alternative 2: Installing a redundant waterline along Pipeline Road

Alternative 3: Installing a redundant waterline within the 1-MG Reservoir drain line right of way

Alternative 4: Installing a new waterline within the existing 51-inch industrial line

Section 2 gives a general description of each alternative, as well as a cost estimate and advantages/disadvantages of each alternative. A comparison of the estimated costs for each alternative is given in Table 6.

Table ES-1: Alternatives Cost Comparison

Alternative Number	Alternative Description	Total Opinion of Probable Project Cost
1	Connection to City of Blue Lake/FGCSD Waterline	\$337,000
2	Redundant Waterline along Pipeline Road	\$3,150,000*
3	Redundant Waterline within the 1-MG Reservoir Drain Line Right of Way	\$2,415,000
4	Redundant Waterline within the Industrial Waterline	\$4,008,000

\*Note: For Alt. 2, the Total Construction Cost for a pipeline just up Pipeline Road would be approx. \$2,330,000

As discussed in Section 2.4.2, Alternative 4 would be very difficult to construct and is by far the most expensive alternative. Installing a new waterline within the existing industrial line would also make it extremely difficult for the District to perform any maintenance on the new pipeline. Because of these reasons, it is not recommended that this alternative be considered further.

Alternative 1 is by far the most cost effective option for providing a redundant means for getting water to the TRF. However, as discussed in Section 2.1.2, it is not completely certain at this time whether the California Department of Public Health (CDPH) would allow for the construction of this project, as during the wintertime, there could be unfiltered water distributed to the City of Blue Lake and Fieldbrook/Glendale CSD. However, it is important to remember that this intertie would only be utilized during an emergency, when there was no other means of providing drinking water. This intertie also does not provide an ideal solution to the problem for three key reasons:

- i) The 16-inch Blue Lake/FGCSD line does not have as much capacity as the existing 30/33-inch water line. The 16-inch pipeline can provide approximately 3.5 Million Gallons per Day (MGD) at the same total dynamic head as 10 MGD through the 30/33-inch pipeline. The

pumps on the collectors have steep pump curves and appear to be able to pump 10MG through the 16-inch line, but at a much higher headloss and energy consumption.

- ii) If this intertie were put into use, Blue Lake/FGCSD could not be served while HBMWD was directing water to the TRF and their other customers, and vice versa.
- iii) If the existing main line were to fail catastrophically, it is possible that the event that caused failure of the main water line would also cause failure of the Blue Lake/FGCSD line. If the existing main water line was to fail with the Blue Lake/FGCSD line remaining intact, it is also possible that the discharge of a large volume of water under pressure from the main water line would ultimately wash out the roadway and cause failure of the Blue Lake/FGCSD line. In either of these two scenarios, the District would again have no way to get water to the TRF and serve their customers.

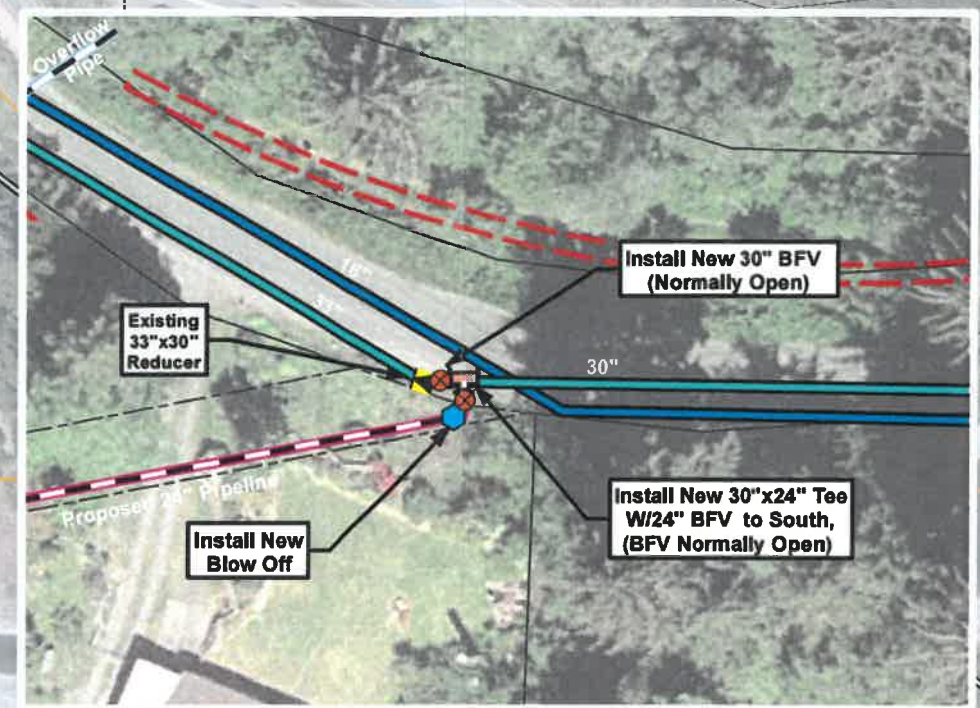
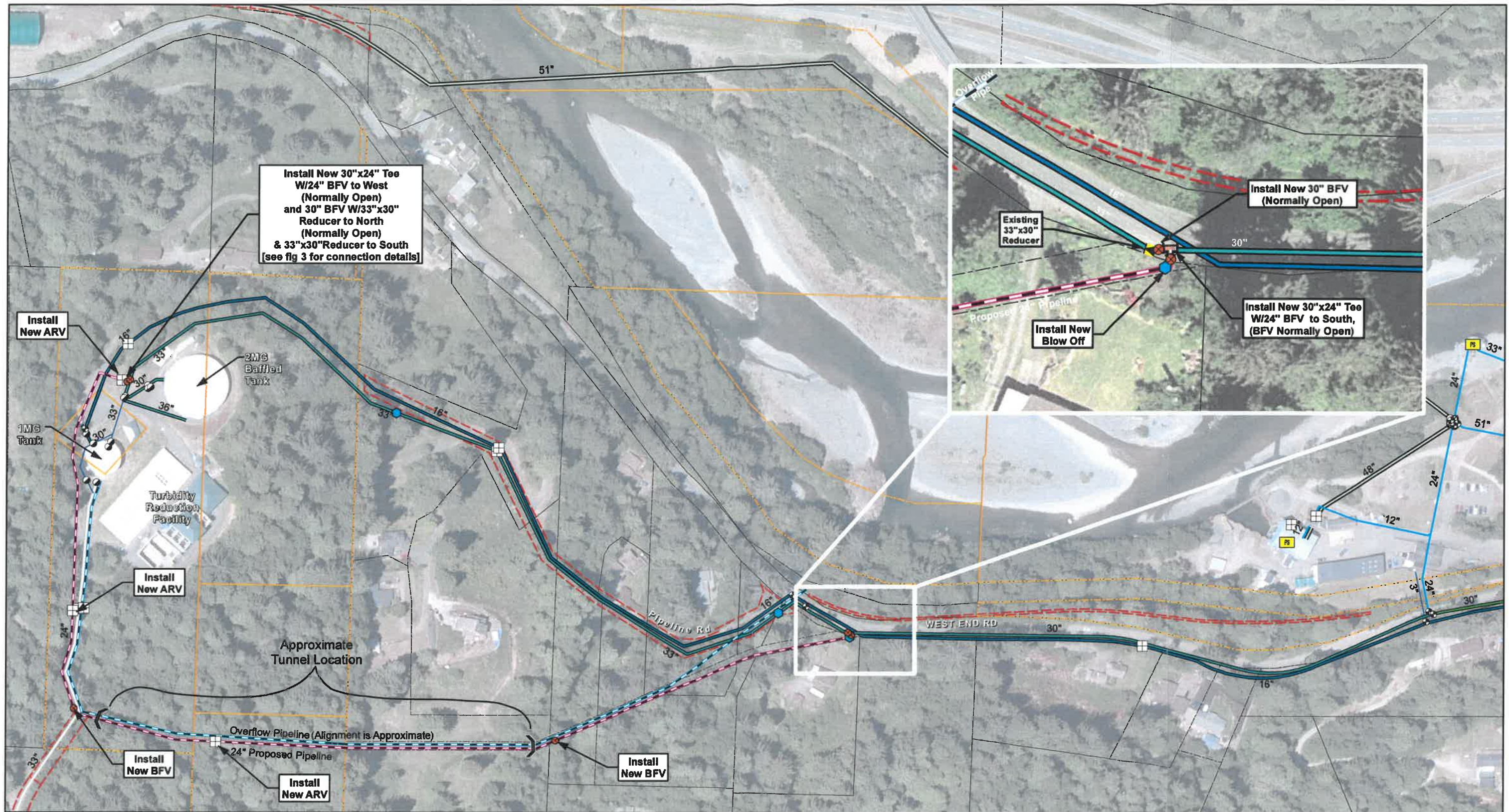
While there are shortfalls with Alternative 1, ultimately if the existing main water line were to fail, this alternative could give the District the ability to serve its customers until the main waterline was repaired. Because of the relatively low cost of this alternative and the potential for the District to pay for this alternative with its General Fund, this alternative should continue to be considered a viable alternative and pursued further.

Alternatives 2 and 3 would each provide a new completely redundant pipeline that conveyed water from Pump Stations 1 through 4 to the TRF. While these alternatives each accomplish the same goal and have similar estimated costs (with Alternative 3 being the lower cost option), there are two key differences between the two alternatives. Under Alternative 2, the new pipeline would be installed parallel to the existing main water line, within the existing right-of-way. This would present the same problem as described above for Alternative 1, in that a failure of the existing main line could mean that the new redundant line would also fail, and the District would again have no way to get to water to the TRF. This gives Alternative 3 a significant advantage over Alternative 2, since the new pipeline under Alternative 3 would not be near the existing main line, and failure of the existing main line would not affect the new line. However, the main disadvantage of Alternative 3 is that, although it could likely be located within an existing City of Eureka right-of-way for the section coming off the hill from the Turbidity Reduction Facility site, this right-of-way runs through several other parcels and extensive surveying and outreach to these landowners would be required.

## Recommended Next Steps

While the single point failure issue is a problem that needs to be addressed by the District, it is not necessarily urgent to address in the next few years. The District has a maintenance program that keeps the main water line and associated valves in good working order, and there are no imminent signs of failure.

It is recommended that the District move forward with planning and pursuing funding for Alternatives 1 and 3 for solving the single point of failure problem. While Alternative 3 would be the ideal alternative to construct, it is sensible to pursue Alternative 1 as well due to the cost effectiveness of this alternative. Each of these alternatives would likely be eligible for grant funding under programs such as the Federal Emergency Management Agency's Hazard Mitigation Grant and Pre-Disaster Mitigation grant programs, and there is potential to fund one of these alternatives through other grant programs as well. If conditions change and the need for addressing this issue becomes more urgent before grant funds can be obtained, it is recommended that the District budget for paying for Alternative 1 with their General Fund revenues.



Paper Size 11" x 17" (ANSI B)



Map Projection: Lambert Conformal Conic  
 Horizontal Datum: North American 1983  
 Grid: NAD 1983 StatePlane California 1 FIPS 0401 Feet



- Industrial Raw Water
- Raw Water from PS #1, 3, and 4
- 24" Proposed Pipeline in 1MG Tank Overflow Pipe ROW
- 1MG Tank Overflow Pipe
- 30" Raw Water from PS #2

- 30"/33" Raw Water from All Pump Stations
- 33" Arcata/Eureka
- 16" Blue Lake/FGCSD
- Yard Piping

- ROW
- HBMWD Parcels
- Approx Parcel Boundaries
- Existing Gate Valve
- Existing Butterfly Valve
- Pump Station

- Air Release Valve (ARV)
- Blow Off Valve
- Reducer
- Proposed Tee
- Proposed Butterfly Valve (BFV)



Humboldt Bay Municipal Water District  
 Collector Raw Water Line  
 Single Point of Failure FES

Alt. 3: Proposed 24" Main  
 Within Overflow Pipe ROW

Job Number 11121558  
 Revision C  
 Date 01 Aug 2016

Figure 4

G:\11111121558 HBMWD-Collector Raw Water Line Single08-GIS\Map\Figures\F4\_AR\_3\_OverflowROW.mxd  
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 Data source: HBMWD GIS: pipelines and appurtenances; Humboldt County GIS: parcels and roads; ESRT: aerial. Created by: gldavidson

**FINANCIAL**

HUMBOLDT BAY MUNICIPAL WATER DISTRICT  
Statement of Fund Balances at August 31, 2017

Account Fund Balance at Month End	AT 8-31-17	AT 8-31-16
<u>U.S. BANK ACCOUNTS</u>		
- Commercial Account - General Fund Account	515,241.56	88,286.64
- Money Market Account (DWR Contract for SRF Loan) ①	161,604.38	160,261.41
- Certificate of Deposit (DWR Contract for SRF Reserve) ②	547,336.94	547,519.42
Subtotal	1,224,182.88	796,067.47
<u>HUMBOLDT COUNTY:</u>		
- Investment Account	2,787,560.40	3,172,837.93
- DWFP Reserve (in accordance with Ordinance 16) ④	230,074.69	467,104.13
- MSRA Reserve (Municipal Supplemental Reserve Account) ⑤	422,976.28	418,322.64
- SRF Loan Payment ⑥	140,067.93	139,486.53
- ReMat Account ⑦	31,158.13	0.00
- 1% Tax Account ③	42,475.53	216.42
Subtotal	3,654,312.96	4,197,967.65
<u>L.A.I.F.</u>	1,614.51	1,602.56
Cash on Hand	650.00	650.00
<b>TOTAL CASH</b>	<b>\$ 4,880,760.35</b>	<b>\$ 4,996,287.68</b>
<b>Less: Encumbrances &amp; Reserves (Funds Dedicated for Specific Purposes and Projects)</b>		
<u>RESTRICTED</u>		
Municipal Customers PF2 Prior Year Reconciliation	(362,074.17)	(509,706.58)
1% Tax Account ③	(42,475.53)	(216.42)
Municipal Customer Adv. Chrg. - Ranney Collector 1 & 1A Rehabilitation	0.00	(1,736,882.17)
Municipal Customer Adv. Chrg. - Collector 1 Pump Motors	(100,000.00)	0.00
Municipal Customer Adv. Chrg. - 1MG Domestic Reservoir Roof	(450,022.78)	(25,192.00)
Municipal Customer Adv. Chrg. - Replace Ruth Bunkhouse	(403,500.00)	(195,000.00)
Municipal Customer Adv. Chrg. - SCADA System Upgrade	(400,098.00)	0.00
Municipal Customer Adv. Chrg. - Blue Lake/FGCSD River Crossing	(157,897.43)	0.00
Municipal Customer Adv. Chrg. - Surge Tower Replacement	(8,836.56)	0.00
DWR Reserve Fund for SRF Loan ②	(547,336.94)	(547,519.42)
DWR Contract Payment for SRF Loan for DWFP (Drinking Water Filtration Plant-PF1 Charges from Munis) ①	(161,604.38)	(160,261.41)
<b>SUBTOTAL RESTRICTED RESERVES (Net Position)</b>	<b>(2,633,845.79)</b>	<b>(3,174,778.00)</b>
<u>UNRESTRICTED:</u>		
<u>Board Restricted:</u>		
Paik-Nicely Development	(4,158.00)	(4,158.00)
Sequoia Investments X, LLC (Hog Island Project)	0.00	1,104.75
DWFP Reserve * ④	(230,074.69)	(467,104.13)
MSRA Reserve (Municipal Supplemental Reserve Account) ⑤	(422,976.28)	(418,322.64)
PG&E REMAT Deposit	(27,000.00)	0.00
PG&E REMAT Reserve (County Fund) ⑦	(31,158.13)	0.00
<u>Unrestricted Reserves</u>		
SRF Loan Payment ⑥	(140,067.93)	(139,486.53)
Municipal Customer Accumulation for Debt Service for US Bank	72,583.19	72,397.90
Ranney & Techite Project Loan Payment	(1,464,062.72)	(865,941.03)
<b>General Fund Reserve</b>	<b>(2,246,914.56)</b>	<b>(1,821,509.68)</b>
<b>SUBTOTAL UNRESTRICTED RESERVES (Net Position)</b>	<b>(4,880,760.35)</b>	<b>(4,996,287.68)</b>
<b>Total Net Position</b>	<b>(4,880,760.35)</b>	<b>(4,996,287.68)</b>



HUMBOLDT BAY MUNICIPAL WATER DISTRICT  
AT AUGUST 31, 2017 (2 MONTH - 16.67%)

	AUGUST RECEIPTS	YTD TOTAL AT 8-31-17	BUDGET	% OF BUDGET	YTD TOTAL AT 8-31-16
<b>MISCELLANEOUS RECEIPTS (RETURNED TO CUSTOMERS VIA PF2)</b>					
RETAIL WATER SALES	\$ 21,322.56	\$ 42,349.48	\$312,151	14%	\$ 68,095.03
SUBTOTAL RETAIL WATER SALES	\$ 21,322.56	\$ 42,349.48	\$312,151	14%	\$ 68,095.03
GENERAL REVENUES					
INTEREST	0.00	3.71	\$12,000	0%	7,324.61
FCSD CONTRACT FOR MAINT. & OPERATIONS	0.00	54,137.14	175,000	31%	53,064.05
POWER SALES NET REMAT	4,465.87	14,300.95	197,000	7%	14,387.61
MISCELLANEOUS (SEE NEXT PAGE)					
SUBTOTAL GENERAL REVENUES	\$ 9,833.13	\$ 78,367.70	\$434,000	18%	\$ 81,333.27
<b>TAX RECEIPTS</b>					
1% TAXES	42,475.53	42,475.53	775,000	5%	216.42
<b>TOTAL PF 2 CREDIT</b>	<b>\$ 73,631.22</b>	<b>\$ 163,192.71</b>	<b>\$1,521,151</b>	<b>11%</b>	<b>\$ 149,644.72</b>
<b>WHOLESALE CONTRACT RECEIPTS</b>					
INDUSTRIAL / HARBOR DISTRICT	\$0.00	\$0.00	\$10	0%	\$642.77
<b>TOTAL INDUSTRIAL</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$10</b>	<b>0%</b>	<b>\$642.77</b>
CITY OF ARCATA	\$ 91,028.62	\$ 186,314.32	\$1,162,728	16%	\$ 184,693.25
CITY OF EUREKA	0.00	226,858.08	2,758,065	8%	212,294.59
HUMBOLDT CSD	70,913.44	147,682.81	923,496	16%	149,357.19
MANILA CSD	5,873.66	12,065.14	74,513	16%	12,060.12
MCKINLEYVILLE CSD	72,666.39	149,001.92	935,846	16%	150,432.98
FIELDBROOK CSD	11,961.59	24,505.95	151,117	16%	24,509.75
BLUE LAKE	12,846.73	26,293.12	164,116	16%	26,113.64
<b>TOTAL MUNIS</b>	<b>\$ 265,290.43</b>	<b>\$ 772,721.34</b>	<b>\$6,169,881</b>	<b>13%</b>	<b>\$ 759,461.52</b>
REMAT REVENUE less Consultant fee	8,830.78	23,245.14	300,000	8%	0
<b>TOTAL RECEIPTS</b>	<b>\$ 347,752.43</b>	<b>\$ 959,159.19</b>	<b>\$7,691,042</b>	<b>12%</b>	<b>\$ 909,749.01</b>

## MISCELLANEOUS RECEIPTS

	AUGUST	YEAR TO DATE
<b>Administrative</b>		
<i>Parking Lot Rent</i>	\$25.00	\$50.00
<i>Employee Telephone</i>	22.96	22.96
<i>Employee Gas</i>	29.30	77.12
<i>Retirees' Reimbursement of Health Insurance Premium</i>	0.00	3,897.36
<i>COBRA Vision Ins &amp; Admin Fee - Retiree</i>	0.00	18.93
<i>COBRA Dental Ins &amp; Admin Fee - Retiree</i>	0.00	108.24
<i>Water Processing Fees</i>	60.00	120.00
<i>Hydrant Rental Deposit</i>	0.00	0.00
<i>Meter Installations</i>	0.00	0.00
<i>Retail Connection Charge</i>	0.00	0.00
<i>Mainline Connection Charge</i>	0.00	0.00
<i>Right of Way Fees</i>	0.00	0.00
<i>Special Event Liability Insurance</i>	0.00	0.00
<i>ACWA/JPIA Retrospective Premium Adjustment</i>	0.00	0.00
<i>ACWA/JPIA Insurance Claim</i>	0.00	0.00
<i>Dividend Check (Principal Life)</i>	0.00	245.64
<i>Bad Debt Recovery</i>	0.00	0.00
<i>Miscellaneous Payments for Copies &amp;/or Postage Costs</i>	30.00	30.65
<i>Diesel Fuel Tax Refund</i>	0.00	0.00
<i>Park Use Fees</i>	0.00	25.00
<i>Sale of Surplus Equipment</i>	4,950.00	4,950.00
<b>Ruth Area</b>		
<i>Use of Ruth Cabin</i>	150.00	180.00
<i>RLCSD-Water System Permit Fees</i>	0.00	0.00
<i>Ruth Area Water Use Permit</i>	0.00	100.00
<i>Buffer Strip Right of Way License Fee</i>	0.00	0.00
<i>Ruth Buffer Strip PG&amp;E Right of Way Fees</i>	100.00	100.00
<i>Ruth Sale of Merchantable Timber</i>	0.00	0.00
<i>Ruth Sale of Surplus Gravel</i>	0.00	0.00
<i>Don Bridge Lease</i>	0.00	0.00
<b>Miscellaneous</b>		
<i>Other</i>	0.00	0.00
<b>Total Miscellaneous Receipts</b>	<b>\$5,367.26</b>	<b>\$9,925.90</b>
<b>OTHER RECEIPTS or GRANTS</b>		
<i>Prop 84 - Ranney Collector 1</i>	0.00	0.00
<i>CalEMA Blue Lake/Fieldbrook Pipeline Crossing</i>	0.00	0.00
<i>Quagga Grant 2015/16 on behalf of RLCSD*</i>	915.00	915.00

\* Not included in PF2 Credits. No charges were expended by HBMWD.  
Claim for expenditures was submitted by HBMWD on behalf of RLCSD.

HUMBOLDT BAY MUNICIPAL WATER DISTRICT  
TOTAL EXPENDITURES  
AT AUGUST 31, 2017 (2 MONTHS - 16.67%)

	AUGUST EXPENSES	YTD TOTAL 8/31/2017	BUDGET	% OF BUDGET	TOTAL 8/31/2016
<b>PAYROLL: See next page for detail</b>					
Total Compensation	\$192,977.23	\$369,802.29	\$ 2,273,365	16%	\$345,406.40
Taxes/Benefits	111,779.08	228,592.65	1,468,911	16%	342,401.60
<b>TOTAL PAYROLL</b>	<b>\$304,756.31</b>	<b>\$598,394.94</b>	<b>\$ 3,742,276</b>	<b>16%</b>	<b>\$687,808.00</b>
<b>SERVICE &amp; SUPPLY</b>					
<b>O &amp; M</b>					
Engineering	\$7,305.50	\$11,526.00	\$ 75,000	15%	\$5,786.75
Maint., Repairs, Supplies	6,022.20	15,281.02	115,000	13%	19,265.57
TRF Maint, Repairs, Supplies	632.06	727.06	62,000	1%	260.94
Lab	670.00	670.00	13,000	5%	620.00
Auto Maintenance	2,754.01	4,350.38	46,000	9%	4,393.92
Radio Maintenance	512.65	1,025.30	10,500	10%	1,015.26
USGS Meter Station	0.00	0.00	7,800	0%	0.00
Ruth Lake License	1,500.00	1,500.00	1,500	100%	1,500.00
<b>A&amp;G</b>					
Accounting Services	0.00	0.00	\$ 25,000	0%	0.00
Legal	0.00	139.50	28,000	0%	558.00
Professional Services	532.99	982.99	20,000	5%	933.47
Insurance	0.00	0.00	105,000	0%	0.00
Telephone/Internet	4,860.37	9,722.73	51,000	19%	8,128.14
Office Building Maintenance	2,750.12	4,051.28	18,500	22%	2,332.65
Office Expense	4,144.97	7,559.17	54,000	14%	15,186.96
Travel & Conference	0.00	36.25	22,000	0%	793.77
Dues & Subscriptions	294.49	959.78	11,300	8%	564.40
CSDA Dues	0.00	5,188.00	5,200	100%	0.00
Technical Training	300.00	510.00	14,500	4%	976.40
General Manager Training	917.08	917.08	5,000	18%	0.00
Safety Apparel	0.00	0.00	3,000	0%	0.00
County Tax Fee	0.00	0.00	21,000	0%	0.00
County Property Taxes	0.00	0.00	1,100	0%	0.00
LAFCO	0.00	0.00	7,000	0%	0.00
Regulatory Agency Fees	2,670.00	5,632.80	76,000	7%	4,194.29
Ruth Lake Programs	0.00	0.00	5,000	0%	0.00
Miscellaneous	461.28	625.65	11,500	5%	2,210.60
<b>TOTAL SERVICE/SUPPLIES W/OUT POWER</b>	<b>\$36,327.72</b>	<b>\$71,404.99</b>	<b>\$814,900</b>	<b>9%</b>	<b>\$68,721.12</b>
<b>POWER</b>					
Essex Pacific Gas & Electric	\$56,766.07	\$111,355.82			\$108,216.08
Fuel For 2 MW Generator	0.00	0.00			0.00
<b>Subtotal Essex Pumping</b>	<b>\$56,766.07</b>	<b>\$111,355.82</b>	<b>\$595,803</b>	<b>19%</b>	<b>\$108,216.08</b>
All Other Pacific Gas & Electric	3,952.52	9,300.58	71,662		13,041.48
<b>POWER EXPENSE SUBTOTAL</b>	<b>\$60,718.59</b>	<b>\$120,656.40</b>	<b>\$667,465</b>	<b>18%</b>	<b>\$121,257.56</b>
<b>TOTAL SERVICE/SUPPLIES WITH POWER</b>	<b>\$97,046.31</b>	<b>\$192,061.39</b>	<b>\$1,482,365.00</b>	<b>13%</b>	<b>\$189,978.68</b>
<b>PROJECTS, FIXED ASSETS &amp; CONSULTING SERVICES</b>					
	\$205,179.95	\$275,467.23	\$7,563,490.00	4%	\$219,602.74
<b>TOTAL OPERATING</b>	<b>\$606,982.57</b>	<b>\$1,065,923.56</b>	<b>\$12,788,131.00</b>	<b>8%</b>	<b>\$1,097,389.42</b>
<b>DEBT SERVICE - SRF LOAN (1)</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$547,337.00</b>	<b>0%</b>	<b>\$0.00</b>
<b>TOTAL EXPENDITURES</b>	<b>\$606,982.57</b>	<b>\$1,065,923.56</b>	<b>\$13,335,468.00</b>	<b>8%</b>	<b>\$1,097,389.42</b>
<b>DEBT SERVICE - US Bank</b>	<b>\$81,094.05</b>	<b>\$81,094.05</b>	<b>\$162,200.00</b>	<b>50%</b>	<b>\$81,094.05</b>

**Humboldt Bay Municipal Water District**  
*Salary & Employee Benefit Expenditures*  
 August 2017

Ordinary Income/Expense	Aug 17	Budget	% of Budget	Jul - Aug 17	YTD Budget	% of Budget	Annual Budget
<b>SALARIES &amp; EMPLOYEE BENEFITS</b>							
00 - PAYROLL EXPENSE							
11 - Salaries & Wages							
01 - Wages-Regular	162,984.22	165,993.50	98.2%	320,765.24	331,987.00	96.6%	1,991,922.00
02 - Wages-Part-time	5,194.99	5,150.00	100.9%	10,216.05	10,300.00	99.2%	53,600.00
03 - Wages-Overtime	1,505.48	2,916.67	51.6%	4,737.08	4,833.30	98.0%	24,000.00
04 - Wages-Standby	6,782.55	7,500.00	90.4%	13,457.67	15,000.00	89.7%	90,000.00
05 - Wages-Holiday	0.00	0.00	0.0%	854.72	1,000.00	85.5%	11,000.00
07 - Shift Differential	800.24	1,000.00	80.0%	1,559.28	2,000.00	78.0%	12,000.00
08 - Director Compensation	1,440.00	2,170.83	66.3%	3,680.00	4,341.70	84.8%	26,050.00
09 - Secretarial Fees	262.50	262.50	100.0%	525.00	525.00	100.0%	3,150.00
<b>Total 11 - Salaries &amp; Wages</b>	<b>178,969.98</b>	<b>184,993.50</b>	<b>96.7%</b>	<b>355,795.04</b>	<b>369,987.00</b>	<b>96.2%</b>	<b>2,211,722.00</b>
220 - Employer P/R Tax Expense	14,007.25	14,825.59	94.5%	27,701.50	29,551.10	93.7%	177,137.00
<b>Total 00 - PAYROLL EXPENSE</b>	<b>192,977.23</b>	<b>199,819.09</b>	<b>96.6%</b>	<b>383,496.54</b>	<b>399,538.10</b>	<b>96.0%</b>	<b>2,388,859.00</b>
<b>158 - EMPLOYEE BENEFITS</b>							
E. B. - Medical & Life							
162 - Employee Medical & Life	46,569.36	56,231.33	82.8%	100,897.62	112,462.70	89.7%	674,776.00
173 - HSA	5.90	416.67	1.4%	152.86	833.30	18.3%	5,000.00
162a - Retiree Medical	8,881.06	5,825.67	152.4%	13,864.76	11,651.30	119.0%	69,908.00
<b>Total E.B. - Medical &amp; Life</b>	<b>55,456.32</b>	<b>62,473.67</b>	<b>88.8%</b>	<b>114,915.24</b>	<b>124,947.30</b>	<b>92.0%</b>	<b>749,684.00</b>
E. B. - Dental	2,535.16	3,370.50	75.2%	5,280.45	6,741.00	78.3%	40,446.00
E. B. - Vision	556.80	631.00	88.2%	1,150.34	1,262.00	91.2%	7,572.00
E. B. - Retirement Benefits							
164 - 457b District Contribution	2,500.00	2,550.00	98.0%	4,950.00	5,100.00	97.1%	30,600.00
164a - PERS Expenses							
161 - Emp Ben - PERS	22,153.48	22,090.83	100.3%	43,800.13	44,181.70	99.1%	265,090.00
161a - PERS-Unfunded Lia.	28,509.18	14,255.00	200.0%	28,509.18	28,510.00	100.0%	171,060.00
<b>Total 164a - PERS Expenses</b>	<b>50,662.66</b>	<b>36,345.83</b>	<b>139.4%</b>	<b>72,309.31</b>	<b>72,691.70</b>	<b>99.5%</b>	<b>436,150.00</b>
<b>Total E. B. - Retirement Benefits</b>	<b>53,162.66</b>	<b>38,895.83</b>	<b>136.7%</b>	<b>77,259.31</b>	<b>77,791.70</b>	<b>99.3%</b>	<b>466,750.00</b>

**Humboldt Bay Municipal Water District**  
**Salary & Employee Benefit Expenditures**

August 2017

	Aug 17	Budget	% of Budget	Jul - Aug 17	YTD Budget	% of Budget	Annual Budget
E. B. - Other Benefits							
159 · Workers' Comp. Ins.	0.00	0.00	0.0%	10,911.92	17,643.00	61.8%	70,572.00
168 · Long-Term Disability Ins.	0.00	1,442.92	0.0%	1,337.95	2,885.80	46.4%	17,315.00
172 · Employee EAP	68.14	89.83	75.9%	143.34	179.70	79.8%	1,078.00
Total E. B. - Other Benefits	68.14	1,532.75	4.4%	12,393.21	20,708.50	59.8%	88,965.00
Total 158 · EMPLOYEE BENEFITS	111,779.08	106,903.75	104.6%	210,998.55	231,450.50	91.2%	1,353,417.00
Total SALARIES & EMPLOYEE BENEFITS	304,756.31	306,722.84	99.4%	594,495.09	630,988.60	94.2%	3,742,276.00
Total Expense	304,756.31	306,722.84	99.4%	594,495.09	630,988.60	94.2%	3,742,276.00
Net Ordinary Income	-304,756.31	-306,722.84	99.4%	-594,495.09	-630,988.60	94.2%	-3,742,276.00



I. CAPITAL PROJECTS	AUGUST EXPENSES	YTD TOTAL 8/31/2017	BUDGET	% OF BUDGET
<b>A. Projects Charged to All Customers via Price Factor 2 (BWF)</b>				
Ranney Collectors Communication Upgrade	\$0.00	\$0.00	\$3,250	0%
Collector 1, Pump 3 & 4 Isolation Valve & Expansion Joint Replacement	0.00	0.00	7,750	0%
Collector 1, Replacement of Pressure Relief Valve	0.00	0.00	6,000	0%
Replace Collector 1 - Pump 1.1 Funded by Current Budget	0.00	0.00	134,000	0%
Collector 1 - Pump 1.4 Funded by Current Budget	0.00	0.00	110,000	0%
Collector 4 Replacement of Check Valves for 4-1, 4-2	0.00	0.00	30,250	0%
Purchase Vehicle Lift	0.00	0.00	17,250	0%
Superintendent Office Remodel	0.00	0.00	6,000	0%
Ruth Hydro Protective Relay Replacement - Phase 1	0.00	0.00	42,000	0%
Ruth Dam Access Road Culvert System	0.00	0.00	4,750	0%
<b>SUBTOTAL A:</b>	\$0.00	\$0.00	\$361,250	0%
<b>B. Projects Charged to Municipal Customers via Price Factor 2 (DWTF)</b>				
TRF Video Surveillance System	\$0.00	\$0.00	\$23,000	0%
TRF Work Area - Phase 2	0.00	0.00	5,500	0%
TRF Storage Area Slab & Drainage System	0.00	0.00	7,500	0%
<b>SUBTOTAL B:</b>	\$0.00	\$0.00	\$36,000	0%
<b>C. Projects Funded by Other Sources (BWF)</b>				
Blue Lake/FGCSD River Crossing   Funded by Prop 84 & FEMA Grants & Adv. Charges	\$752.11	\$42,102.57	\$3,579,750	1%
Surge Tower Replacement - CEQA, Bidding & Construction Assistance ] Funded by FEMA Grant & Adv. Charges	18,430.94	27,508.44	960,000	3%
1 Mg Domestic Water Reservoir Roof & Painting ] Funded by Advanced Charges	170,509.72	174,977.22	625,000	28%
Replace Collector 1 - Pump 1.1 Funded by Advanced Charges	0.00	0.00	50,000	0%
Replace Collector 1 - Pump 1.4 Funded by Advanced Charges	0.00	0.00	50,000	0%
<b>SUBTOTAL C:</b>	\$189,692.77	\$244,588.23	\$5,264,750	5%
<b>TOTAL CAPITAL PROJECTS:</b>	<b>\$189,692.77</b>	<b>\$244,588.23</b>	<b>\$5,662,000</b>	<b>4%</b>

While the total projects expenditures are budgeted at \$7,563,490, the actual customer charges are \$1,550,945. Capital Projects C, Professional & Consulting Services C and Industrial System Projects C is the listing of Projects Funded by Other Sources. In addition the Ranney Collector 3 and Techite Pipeline Replacement projects have been partially funded with financing over 10 years. Only the annual debt service for these financed projects are being charged to the wholesale customers.

I. FIXED ASSETS		AUGUST	YTD TOTAL	% OF
A. Projects Charged to All Customers via Price Factor 2 (BWF)		EXPENSES	8/31/2017	BUDGET
Essex- Replace Two Administrative Computers		\$0.00	\$0.00	0%
Spare Bottles for SCBAs		0.00	0.00	0%
Wall Mounted EyeWash Station		0.00	0.00	0%
Fall Protection Equipment		0.00	0.00	0%
Electrical Safety Equipment		0.00	0.00	0%
Control System Computer Backup Devices		0.00	0.00	0%
Customer Service - Metal Detector		0.00	0.00	0%
Customer Service - Dewatering Equipment		0.00	0.00	0%
Replace Unit 7		0.00	0.00	0%
Replace Unit 9		0.00	0.00	0%
Replace District Portable Radios		0.00	0.00	0%
Parts Cleaner - NonToxic Environmentall Safe		0.00	0.00	0%
Purchase Drone		0.00	0.00	0%
Chlorine System PLC		0.00	0.00	0%
AED Ruth Hydro		0.00	0.00	0%
Eureka - Replace Computer		0.00	0.00	0%
Replace Business Manager Desk		0.00	0.00	0%
Replace/Upgrade Eureka Computer Main Server		0.00	0.00	0%
Screens for Board of Directors		0.00	0.00	0%
<b>SUBTOTAL A:</b>		\$0.00	\$0.00	0%
<b>B. Projects Charged to Municipal Customers via Price Factor 2 (DWTF)</b>				
TRF Spare Parts Inventory		\$0.00	\$0.00	0%
Chemical Transfer Pump		0.00	0.00	0%
<b>SUBTOTAL B:</b>		\$0.00	\$0.00	0%
<b>TOTAL FIXED ASSETS PROJECTS:</b>		\$0.00	\$0.00	0%



II. MAINTENANCE PROJECTS		AUGUST	YTD TOTAL	% OF
A. Charged to All Customers via Price Factor 2 (BWF)		EXPENSES	8/31/2017	BUDGET
Collector 2 Meter Calibration		\$0.00	\$0.00	0%
Pipeline Maintenance		0.00	0.00	0%
12KV Electric System Maintenance		0.00	0.00	0%
Mainline Meter Flow Calibration		0.00	0.00	0%
Replace HCSD Meter		0.00	0.00	0%
Technical Support & Software Updates to Include Control System		5,247.13	5,247.13	25%
Generator Service		0.00	0.00	0%
Hazard & Diseased Tree Removal		0.00	0.00	0%
Catholic Protection		0.00	0.00	0%
Maintenance Emergency Repair		4,248.76	4,248.76	8%
Fleet Paint Repairs		0.00	0.00	0%
Lead Free Brass Inventory		0.00	0.00	0%
Essex Fire Alarm System Upgrade		0.00	0.00	0%
Essex Office Single Pane Windows Replacement		0.00	0.00	0%
Samoa Booster Pump Station Expansion Joint Replacement		0.00	0.00	0%
Construction Equipment Tire Replacement		0.00	0.00	0%
Asphalt Repair		0.00	0.00	0%
Ruth Lake - Brush Abatement		0.00	0.00	0%
Licensed Timber Operator		0.00	0.00	0%
Picketts Peak Radio System Modifications		0.00	3,102.45	62%
Ruth Spillway Review & Improvement		0.00	0.00	0%
Ruth Hydro - Repair PRV Discharge Pipe		0.00	0.00	0%
<b>SUBTOTAL A:</b>		<b>\$9,495.89</b>	<b>\$12,598.34</b>	<b>5%</b>
<b>B. Projects Charged to Municipal Customers via Price Factor 2 (DWTF)</b>				
TRF - Generator Service		\$0.00	\$0.00	0%
TRF Limitorque Valve Retrofit Supplies - Phase 1		0.00	0.00	0%
TRF- Removal of Sodium Hydroxide and waste Aluminum Sulfate		0.00	0.00	0%
<b>SUBTOTAL B:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>0%</b>
<b>TOTAL MAINTENANCE PROJECTS:</b>		<b>\$9,495.89</b>	<b>\$12,598.34</b>	<b>5%</b>

III. PROFESSIONAL & CONSULTING SERVICES		AUGUST	YTD TOTAL	% OF
A. Charged to All Customers via Price Factor 2 (BWF)		EXPENSES	8/31/2017	BUDGET
Collector 2 Underground Power & Fiber Optic Line		\$0.00	\$0.00	\$24,000
Collector 1 Transformer & Electrical Evaluation		0.00	0.00	5,000
Collector 1 Pump & Motor Upgrades		0.00	0.00	6,000
Essex Control Building Expansion Plans & Specifications		0.00	0.00	44,000
Crane Testing/Certification		0.00	0.00	7,500
Control/SCADA Software Training		1,404.29	3,097.63	30,250
Technical Training		0.00	1,898.00	7,500
Backflow Tester Training		0.00	0.00	2,000
HazMat Training		0.00	0.00	5,500
Transformer Oil Testing		0.00	0.00	4,500
GIS/Facilities Information System		0.00	0.00	12,000
GIS/Facilities Information System - Ruth		0.00	0.00	4,750
Essex Mad River Cross-Sectional Survey		0.00	0.00	10,000
Essex Protective Relay Testing		0.00	0.00	12,000
Mad River Watershed Regulatory Compliance		0.00	500.00	50,000
Dune Monitoring Program - Component of Coastal Conservancy Climate Ready Grant		0.00	2,000.00	2,000
Grant Applications		0.00	3,085.50	20,000
Public Education		0.00	0.00	5,000
Water Resources Planning		117.00	340.50	5,000
Ruth Protective Relay Testing		0.00	0.00	12,000
FERC Dam Safety Surveillance & Monitoring Report(DSSMR)/FERC Dam Safety Review (Part 12)		0.00	0.00	3,000
FERC Chief Dam Safety Engineer		0.00	0.00	10,000
FERC Matthews Dam Monument Survey		0.00	0.00	9,000
FERC Matthews Dam Spillway Wall Survey		0.00	0.00	11,000
FERC Matthews Dam Left Abutment Monitoring Survey		0.00	0.00	11,000
Matthews Dam River Cross-Sectional Survey		0.00	0.00	5,000
<b>SUBTOTAL A:</b>		<b>\$1,521.29</b>	<b>\$10,921.63</b>	<b>\$ 318,000</b>
				<b>3%</b>
<b>B. Projects Charged to Municipal Customers via Price Factor 2 (DWTF)</b>				
Chlorine System Maintenance		\$0.00	\$0.00	\$16,100
<b>SUBTOTAL B:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$ 16,100</b>
				<b>0%</b>
<b>C. Projects Funded by Other Sources (BWF)</b>				
Quagga Grant/RLCSD] CA Dept of Boating & Waterways		\$0.00	\$0.00	9,150
Industrial System Single Line Mad River Slough Assessment ] District Reserves		0.00	0.00	24,000
Industrial & Domestic System Intertie ] District Reserves		0.00	0.00	11,000
<b>SUBTOTAL C:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>44,150</b>
				<b>0%</b>
<b>TOTAL PROFESSIONAL &amp; CONSULTING SERVICES</b>		<b>\$1,521.29</b>	<b>\$10,921.63</b>	<b>\$ 378,250</b>
				<b>3%</b>

IV. INDUSTRIAL SYSTEM PROJECTS			
A. Charged to All Customers via Price Factor 2 (BWF)			
	AUGUST EXPENSES	YTD TOTAL 8/31/2017	% OF BUDGET
- Maintain Water Supply to Industrial Pump Station (Pump Station 6) During Low-Flow Months	\$0.00	\$0.00	0%
<b>SUBTOTAL A.</b>	\$0.00	\$0.00	0%
<b>B. Projects Charged to Municipal Customers via Price Factor 2 (DWTF)</b>			
<b>SUBTOTAL B.</b>	\$0.00	\$0.00	0%
<b>C. Projects Funded by Other Sources (BWF)</b>			
Industrial Reservoir Painting, Specs, Bidding & Construction Management	\$0.00	\$0.00	0%
<b>SUBTOTAL C:</b>	\$0.00	\$0.00	0%
<b>TOTAL INDUSTRIAL SYSTEM PROJECTS:</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0%</b>

CARRY-OVER PROJECTS FROM 2016/17			
I. CAPITAL PROJECTS			
	AUGUST EXPENSES	YTD TOTAL 8/31/2017	% OF BUDGET
<b>A. Charged to All Customers via Price Factor 2 (BWF)</b>			
Mainline Valve Replacement	\$0.00	\$0.00	0%
New Valve below 1 Mg Domestic Reservoir	0.00	0.00	0%
<b>SUBTOTAL A:</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0%</b>
<b>B. Projects Charged to Municipal Customers via Price Factor 2 (DWTF)</b>			
<b>SUBTOTAL B:</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0%</b>
<b>C. Projects Funded by Other Sources (BWF)</b>			
SCADA System Upgrade - Phase 2 ] Advanced Charges	\$792.00	\$792.00	0%
Replace Ruth Bunkhouse ] Advanced Charges	0.00	0.00	0%
<b>SUBTOTAL C:</b>	<b>\$792.00</b>	<b>\$792.00</b>	<b>0%</b>
<b>C. Projects Funded by Other Sources (DWTF)</b>			
TRF SCADA System Upgrade - Phase 2 ] Advanced Charges	\$0.00	\$110.00	0%
<b>SUBTOTAL C:</b>	<b>\$0.00</b>	<b>\$110.00</b>	<b>0%</b>
<b>TOTAL CAPITAL PROJECTS</b>	<b>\$792.00</b>	<b>\$902.00</b>	<b>0%</b>

Carryover Projects continued				
<b>I. FIXED ASSETS</b>				
<b>A. Projects Charged to All Customers via Price Factor 2 (BWF)</b>				
Purchase Shop Manual & Diagnostic Equipment to service Heavy Fleet Vehicles	\$0.00	\$0.00	\$5,000	0%
<b>SUBTOTAL A:</b>	\$0.00	\$0.00	5,000	0%
<b>B. Projects Charged to Municipal Customers via Price Factor 2 (DWTF)</b>				
<b>SUBTOTAL B:</b>	\$0.00	\$0.00	0	0%
<b>TOTAL FIXED ASSETS</b>	\$0.00	\$0.00	5,000	0%
<b>II. MAINTENANCE PROJECTS</b>				
<b>A. Charged to All Customers via Price Factor 2 (BWF)</b>				
Repair/Upgrade Line Shed 6	\$2,933.00	\$3,154.28	\$15,000	21%
<b>SUBTOTAL A:</b>	\$2,933.00	\$3,154.28	15,000	21%
<b>B. Projects Charged to Municipal Customers via Price Factor 2 (DWTF)</b>				
<b>SUBTOTAL B:</b>	\$0.00	\$0.00	0	0%
<b>TOTAL MAINTENANCE PROJECTS</b>	\$2,933.00	\$3,154.28	15,000	21%
<b>III. PROFESSIONAL &amp; CONSULTING SERVICES</b>				
<b>A. Charged to All Customers via Price Factor 2 (BWF)</b>				
CIP Financial Plan Update	\$0.00	\$1,477.50	\$7,500	20%
<b>SUBTOTAL A:</b>	\$0.00	\$1,477.50	7,500	20%
<b>B. Projects Charged to Municipal Customers via Price Factor 2 (DWTF)</b>				
<b>SUBTOTAL B:</b>	\$0.00	\$0.00	0	0%
<b>TOTAL PROFESSIONAL &amp; CONSULTING SERVICES</b>	\$0.00	\$1,477.50	7,500	20%
<b>IV. INDUSTRIAL SYSTEM PROJECTS</b>				
<b>A. Charged to All Customers via Price Factor 2 (BWF)</b>				
- Maintain Water Supply to Industrial Pump Station (Pump Station 6) During Low-Flow Months	\$745.00	\$1,825.25	\$5,200	35%
<b>SUBTOTAL A:</b>	\$745.00	\$1,825.25	5,200	35%
<b>B. Projects Charged to Municipal Customers via Price Factor 2 (DWTF)</b>				
<b>SUBTOTAL B:</b>	\$0.00	\$0.00	0	0%
<b>TOTAL INDUSTRIAL SYSTEM PROJECTS:</b>	\$745.00	\$1,825.25	5,200	35%
<b>2015/16 CARRYOVER PROJECTS TOTAL</b>	\$4,470.00	\$7,359.03	967,200	1%
<b>PROJECTS GRAND TOTAL:</b>	\$205,179.95	\$275,467.23	\$7,563,490	4%
<b>Less Projects Funded from Other Sources (Grants/Loans/Advanced Charges/Reserves)</b>	\$190,484.77	\$245,490.23	\$6,174,745	4%
<b>PF2 Project Total Charged to Customers excluding Debt Service (US Bank)</b>	\$14,695.18	\$29,977.00	\$1,388,745	2%

Calculation of PG&E ReMat & Muni Funds FY2017/18  
 July 1-31, 2017

PERIOD	KWH	\$/KWH	ReMat Payment Received	Muni PG&E Base Rate	Rebate To Muni's	JTN Energy	Professional Services related to ReMat Contract \$0.0056 Contract is split 50/50*	Balance To ReMat Fund (County)
DAY/PEAK	37,839.90	0.13197117	4,993.78	0.02943	\$ 4,465.87	\$ 424.89	\$ 424.89	\$ 8,830.78
SHOULDER/MID-DAY	43,978.60	0.05389492	2,370.22					
NIGHT	69,926.90	0.09699301	6,782.42					
	151,745.40		\$ 14,146.42					

Verify

Current Blended Rate Per Kwh \$ 0.09

Humboldt Bay Municipal Water District  
Expenses by Vendor Detail

09/05/17

August 2017

Memo	Amount
101Netlink	
Ruth Data Link/Internet	-172.00
Total 101Netlink	-172.00
Advanced Display & Signs	
Ruth Hydro danger sign	-186.10
Blue Lake - FieldbrookGlendale CSD River crossing Grant funding sign	-236.86
Total Advanced Display & Signs	-422.96
Advanced Security Systems	
Emergency light - Eureka office	-34.83
Total Advanced Security Systems	-34.83
AirGas NCN	
purchase new step ladder	-193.43
welding supplies	-77.41
Total AirGas NCN	-270.84
Almquist Lumber	
rebuild Eureka office work station/	-357.04
collector motor base maintenance	-50.13
Total Almquist Lumber	-407.17
AT & T	
Ruth HQ	
TRF	
Essex office	
Eureka office	-127.44
Ruth Hydro	
Valve Building Samoa	
Ruth HQ	-20.56
TRF	-7.20
Essex office	-413.38
Eureka office	-6.34
Ruth Hydro	-367.70
Valve Building Samoa	-95.36
Total AT & T	-1,037.98
AT&T	
Eureka/Essex Landline	-34.95
Arcata/Essex Landline	-34.95
Samoa/Essex Landline	-234.36
Blue Lake Meter Signal	-60.34
Eureka Office Modem	-134.61
Eureka Office Alarm	-40.08
Samoa Booster Pump	-80.58
Valve Building	-134.61
Eureka Office	-332.03
Essex Office	-898.81
TRF	-135.67
Ruth Dataline	-130.42
Total AT&T	-2,251.41
AT&T Advertising Solutions	
white page listing	-21.00
Total AT&T Advertising Solutions	-21.00
ATS Communications	
Control System Technical Support	-275.00
Total ATS Communications	-275.00
B&B Portable Toilets	

Humboldt Bay Municipal Water District  
Expenses by Vendor Detail

09/05/17

August 2017

Memo	Amount
Park 1 Restroom rental	-195.00
Total B&B Portable Toilets	-195.00
Calif Dept of Fish & Wildlife Sheriffs Cove LSAA Application	-2,670.00
Total Calif Dept of Fish & Wildlife	-2,670.00
Campton Electric Supply Park 1 BBQ area repair	-30.75
Total Campton Electric Supply	-30.75
Citi Cards Eureka office folding tables	-108.48
Total Citi Cards	-108.48
City of Eureka Eureka office water/sewer	-66.98
Total City of Eureka	-66.98
Coastal Business Systems Inc. Eureka office copy and fax machine	-879.00
Total Coastal Business Systems Inc.	-879.00
Dave Perkins auto mileage reimbursement	-108.98
Total Dave Perkins	-108.98
ESRI, Inc Annual GIS Software Maintenance Support for Essex Office	-3,853.62
Annual GIS Software Maintenance Support for Eureka Office	-520.76
Total ESRI, Inc	-4,374.38
Eureka Glass Co. replace broken Eureka office window	-857.35
Total Eureka Glass Co.	-857.35
Eureka Overhead Door Company, Inc repairs and upgrade to Line Shed 6	-2,933.00
Total Eureka Overhead Door Company, Inc	-2,933.00
Eureka Oxygen cylinder rental	-107.30
Total Eureka Oxygen	-107.30
Eureka Rubber Stamp Eureka office name plate	-22.19
Total Eureka Rubber Stamp	-22.19
Fastenal Company Ruth lake log boom repairs	-10.39
Ruth lake log boom repairs	-20.78
Total Fastenal Company	-31.17
FEDEX return ACWA/JPIA training tape	-7.92
ship particle counter for repair/maintenance	-218.81
Total FEDEX	-226.73
FleetPride	

Humboldt Bay Municipal Water District  
Expenses by Vendor Detail

09/05/17

August 2017

Memo	Amount
Essex fuel pump maintenance	-21.95
Total FleetPride	-21.95
Frontier Communications	
Ruth HQ	-50.89
Ruth Hydro/Ruth Dataline	-160.02
Total Frontier Communications	-210.91
GEI Consultants, Inc	
Ruth Dam Spillway Inspection	-532.99
Total GEI Consultants, Inc	-532.99
Genesis Computer Systems, Inc	
Technical Support and Software Updates	-597.75
SCADA System Upgrade	-792.00
Total Genesis Computer Systems, Inc	-1,389.75
GHD	
(86130) 1 MG Reservoir Roof Replacement Design, Bidding & Construction Mana...	-8,059.72
(86135) Ruth Spillway Assessment	-722.00
(86131) Ruth Storm Damage - Sheriff's Cove Dredging	-5,521.00
(85912) Surge Tower Replacement	-18,430.94
(86133) General Engineering - Eureka	-312.00
(86133) General Engineering - Water Resources Planning	-117.00
(86133) General Engineering - Essex	-252.50
(86133) General Engineering - Ruth Dam	-498.00
Total GHD	-33,913.16
Harbor Freight Tools	
maintenance supplies	-61.78
Total Harbor Freight Tools	-61.78
Hensel Hardware	
safety repair to Collectors	-125.82
safety repair to Collectors	-119.56
shop supplies	-241.68
TRF maintenance	-30.36
Fieldbrook-Glendale pump station maintenance	-10.84
wasp/hornet repellent	-2.16
Total Hensel Hardware	-530.42
Hensell Materials	
Spillway repairs	-136.47
Total Hensell Materials	-136.47
Henwood Associates, Inc	
Consultant Services Agreement	-935.72
Total Henwood Associates, Inc	-935.72
Humboldt Fasteners	
line marking paint for Fieldbrook-Glendale CSD	-38.08
Total Humboldt Fasteners	-38.08
Humboldt Redwood Company, LLC	
Mt Pierce Lease site	-262.65
Total Humboldt Redwood Company, LLC	-262.65
Industrial Electric	
TRF sump pump maintenance	-117.35
Total Industrial Electric	-117.35



Humboldt Bay Municipal Water District  
Expenses by Vendor Detail

09/05/17

August 2017

Memo	Amount
JTN Energy, LLC	
Consultant Services Agreement	-2,026.33
Total JTN Energy, LLC	-2,026.33
Lui Ahmad	
expense reimbursement for SCADA/Control Software Training	-471.27
Total Lui Ahmad	-471.27
Mario Palmero	
expense reimbursement for Rockwell SCADA training in Eugene, OR	-441.28
Ice for Board Project Budget meeting and BBQ	-16.28
Essex office supplies	-88.71
Ruth Dam spillway repair	-19.05
repair backflow testing wrench	-16.24
Essex building key maintenance	-8.69
Total Mario Palmero	-590.25
McMaster-Carr Supply	
Collector oil valve maintenance	-103.89
maintenance supplies	-30.51
Total McMaster-Carr Supply	-134.40
Miller Farms Nursery	
replace TRF keypad	-446.61
Total Miller Farms Nursery	-446.61
Mission Linen	
maintenance supplies	-80.29
Uniform Rental	-488.08
Total Mission Linen	-568.37
Napa Auto Parts	
Unit 9 repair	-13.66
Unit 11 service	-14.43
Work Shop 5 electrical repairs	-29.21
Total Napa Auto Parts	-57.30
Network Management Services	
Essential Care Computer Support Service for Eureka office	-342.00
Guard-IT Security Service for Eureka office	-139.99
Recover-IT Backup Solution	-124.99
Domain Management	-3.00
Umbrella Security	-30.00
Total Network Management Services	-639.98
North Bay Auto	
Unit 9 repair	-453.54
Total North Bay Auto	-453.54
North Coast Cleaning Services, Inc	
Eureka office building maintenance	-545.00
Total North Coast Cleaning Services, Inc	-545.00
North Coast Laboratories	
lab tests	-670.00
Total North Coast Laboratories	-670.00
Northern California Safety Consortium	
membership fee	-50.00
Total Northern California Safety Consortium	-50.00

Humboldt Bay Municipal Water District  
Expenses by Vendor Detail

09/05/17

August 2017

Memo	Amount
Occupational Health Services of Mad River Pre-Employment Physical	-400.00
Total Occupational Health Services of Mad River	-400.00
Pacific Gas & Electric Co.	
Eureka Office	-469.30
Jackson Ranch Rectifier	-18.75
299 Rectifier	-103.99
West End Rd. Rectifier	-123.02
TRF	-3,103.88
Ruth Valve Control	-25.40
Ruth Hydro	-17.61
Samoa Dial Station	-23.35
Ruth Bunkhouse	-67.22
Essex Pumping 7/1/2017 to 7/31/2017	-56,766.07
Total Pacific Gas & Electric Co.	-60,718.59
Pacific Paper Co.	
Eureka office supplies	-214.26
Eureka office rolling file cabinet	-360.13
Total Pacific Paper Co.	-574.39
PasoRoblesTank-Brown-Minneapolis Tank, Inc	
1 MG D/W Reservoir Roof & Painting - Progress Payment 1	-162,450.00
Total PasoRoblesTank-Brown-Minneapolis Tank, Inc	-162,450.00
Paul Jorgensen	
expense reimbursement for Stratix Ethernet Switch training in Eugene OR	-491.74
Total Paul Jorgensen	-491.74
Pitney Bowes	
refill postage meter	-500.00
Total Pitney Bowes	-500.00
PPG Architectural Coatings	
Essex fuel tank maintenance	-227.72
Total PPG Architectural Coatings	-227.72
Rebecca J. Moyle	
Blue Lake/Fieldbrook-Glendale CSD River Crossing Public Meeting	-85.86
Essex Employee meeting	-20.00
Employee Recognition	-25.00
Mail Sheriff's Cove Storm Damage Repair CEQA NOIs to Trinity County	-13.39
Total Rebecca J. Moyle	-144.25
Recology Arcata	
Essex Garbage Service (2 months)	-910.85
Total Recology Arcata	-910.85
Recology Humboldt County	
Eureka office garbage/recycling service	-82.30
Total Recology Humboldt County	-82.30
Renner Petroleum	
cardlock fuel - pumping & control	-401.70
cardlock fuel - water quality	-401.70
cardlock fuel - maintenance	-401.69
cardlock fuel - customer service	-401.69
Ruth HQ - bulk fuel	-278.31
Ruth Hydro - bulk fuel	-278.31
Essex fuel pump maintenance	-214.83

Humboldt Bay Municipal Water District  
Expenses by Vendor Detail

09/05/17

August 2017

Memo	Amount
Total Renner Petroleum	-2,378.23
Roto-Rooter Plumbers pump Essex septic tank	-495.00
Total Roto-Rooter Plumbers	-495.00
Ruth Lake C.S.D. patio boat rental for log boom repairs Ruth Lake License Fee	-129.00 -1,500.00
Total Ruth Lake C.S.D.	-1,629.00
Seth Stone expense reimbursement for safety shoes	-168.16
Total Seth Stone	-168.16
Sitestar Nationwide Internet Essex Internet	-52.90
Total Sitestar Nationwide Internet	-52.90
Springville Safety/Supply employee safety supplies employee safety supplies-respirator fit testing employee safety supplies-hard hats, safety vests and rain gear	-240.92 -97.65 -458.95
Total Springville Safety/Supply	-797.52
Stewart Telecommunications relocate fax line and phone line for office reconfiguration	-110.00
Total Stewart Telecommunications	-110.00
Stillwater Sciences professional assistance - Fish habitat/biologist consultation regarding channel con...	-745.00
Total Stillwater Sciences	-745.00
Streamline Website maintenance membership fee	-450.00
Total Streamline	-450.00
Sudden Link TRF Internet Eureka office Internet Essex Internet Fieldbrook-Glendale CSD internet	-105.38 -204.95 -124.95 -271.02
Total Sudden Link	-706.30
SWRCB-DWOCP Water Treatment Certification Renewal T2 - Keith M Daggs Water Treatment Certification Renewal T2 - Timothy P. Farrell Water Treatment Certification Exam Application T4 - Larry D. Raschein Water Treatment Certification Exam Application T1 - Joseph David Corral	-60.00 -60.00 -130.00 -50.00
Total SWRCB-DWOCP	-300.00
TechnoFlo Systems Blue Lake meter replacement	-3,348.57
Total TechnoFlo Systems	-3,348.57
The Mill Yard Blue Lake/Fieldbrook-Glendale CSD River Crossing shop supplies Ruth HQ window replacement Line Shed 6 door maintenance Essex sewer line tie-in Line Shed 6 repairs/upgrades	-113.79 -8.45 -145.39 -5.41 -9.09 -166.52

Humboldt Bay Municipal Water District  
Expenses by Vendor Detail

09/05/17

August 2017

Memo	Amount
Essex battery room door maintenance	-29.94
Total The Mill Yard	-478.59
The Times-Standard	
CEQA Notice Blue Lake/Fieldbrook-Glendale CSD River Crossing	-243.00
Annual Subscription - Essex Office	-294.49
Total The Times-Standard	-537.49
Three G's	
Essex septic system replacement	-42.78
Total Three G's	-42.78
Thrifty Supply	
Essexseptic system	-76.90
Blue Lake meter replacement	-900.19
TRF sump pump repair	-37.74
Total Thrifty Supply	-1,014.83
Times Printing	
HBMWD envelopes	-193.92
Fieldbrook-Glendale CSD envelopes	-96.97
Total Times Printing	-290.89
Trinity County General Services	
Pickett Peak site lease	-250.00
Total Trinity County General Services	-250.00
Trinity County Solid Waste	
Ruth HQ dump fees	-12.62
Ruth Hydro dump fees	-12.63
Ruth HQ dump fees	-21.87
Ruth Hydro dump fees	-21.88
Total Trinity County Solid Waste	-69.00
U.S. Bank Corporate Payment System	
CSDA General Manager Training	-917.08
Eureka office supplies	-121.40
Essex office supplies	-179.11
Ruth Spillway Bridge Inspection	-8.87
Blue Lake/Fieldbrook-Glendale CSD River Crossing meeting	-72.60
Total U.S. Bank Corporate Payment System	-1,299.06
U.S. Bank Corporate Trust Services	
SRF Quarterly Account Maint Fee (Apr - Jun 2017)	-150.00
Total U.S. Bank Corporate Trust Services	-150.00
USA Blue Book	
restock meter service locks	-161.50
Total USA Blue Book	-161.50
USTI, Inc	
Humboldt Bay eBilling Utility Billing System	-2.96
Fieldbrook-Glendale CSD eBilling Utility Billing System	-6.64
Total USTI, Inc	-9.60
Verizon Wireless	
Operations 1	-1.98
Superintendent	-122.38
Unit 3	-13.06
Electrician	-0.22
Operations 2	-1.23
Water Operations Supervisor - Unit 11	-33.70

Humboldt Bay Municipal Water District  
Expenses by Vendor Detail

August 2017

09/05/17

Memo	Amount
Maintenance Supervisor	-43.57
Electrician	-5.89
Unit 6	-5.74
Unit 6	-5.74
Assistant Water Operations Supervisor	-46.60
Spare Operations	-0.22
General Manager	-38.54
Total Verizon Wireless	-318.87
Wes Green Landscaping	
Essex septic system replacement	-474.10
Total Wes Green Landscaping	-474.10
TOTAL	-305,086.01

# **OPERATIONS**

Memo to: HBMWD Board of Directors  
From: Dale Davidsen, Superintendent  
Date: September 2017  
Subject: Essex/Ruth August 2017 Operational Report

SECTION J3a PAGE NO. 1

### **Upper Mad River, Ruth Lake, and Hydro Plant**

1. The high flow at Mad River above Ruth Reservoir (Zenia Bridge) was 0.2 cfs on August 1 and zero flow from August 3 to August 31.
2. The conditions at Ruth Lake for the month of July were as follows:
  - a. The lake level on August 31<sup>st</sup> was 2642.78 feet which is:
    1. 3.12 feet lower than July 30<sup>th</sup>, 2017
    2. 1.59 feet lower than August 31<sup>st</sup>, 2016
    3. 2.01 feet lower than the ten year average
    4. 11.22 feet below the spillway
3. There was 1.24 inches of recorded rainfall for August 2017 at Ruth Headquarters.
4. Ruth hydro power production was 153,600 kWh for the month of August with 0 shutdowns and 0 kWh lost power.
5. The high discharge flow from the lake for the month was 47.9 cfs on August 27 and the low release flow from the lake was 38.5 cfs on August 5.

### **Lower Mad River, Winzler Control, and TRF**

6. The river at Winzler Control Center reached a high recorded flow of 66.2 cfs and a level of 21.1 feet on August 1. The low river flow was on August 30 with a flow of 51.0 cfs and a level of 21.0 feet.
7. The domestic water conditions were as follows:
  - a. The monthly turbidity average was 0.13 NTU, which meets Public Health Secondary Standards.
  - b. We metered 308.767 million gallons at an average of 9.960 MGD.
  - c. The maximum metered daily municipal customer use was 11.665 MGD on August 5.
8. The Turbidity Reduction Facility was offline in August.
9. August 7-11 – 3 employees attended Rockwell training for SCADA system in Eugene Oregon.
10. August 15<sup>th</sup> – 4 employees attended Defensive Driver training with JPIA at HCSD.
11. August 16<sup>th</sup> - I went to Ruth to look at vertical face of spillway with Brian and looked for illegal water diversions from the lake.

12. August 17<sup>th</sup> – I met with Scott Wood from JPIA. Scott was up for his annual visit and looked at our safety program and record keeping regarding safety training and toured the plant and TRF.
13. August 24<sup>th</sup> – I attended the Arcata Flood Planning meeting and helped with planning for them regarding our EAP for a dam break.
14. Current Projects
  - a. SCADA upgrade – We have migrated from the old SCADA system to the new System. There are a lot of small items to clean up and corrections to make and bugs to work out, but we are controlling operations on the new system. See invoice attached.
  - b. Collector 1 pump replacement – pumps are onsite, and scheduled to be installed the last 2 weeks of September.



**Humboldt Bay Municipal Water District  
SCADA System Upgrade Project  
Date: August 2017  
Telstar Instruments Inc., Invoice # 91125  
Payment Request # 5**

**INVOICE TO:**  
Humboldt Bay Municipal Water District  
828 Seventh Street, PO Box 95  
Eureka, Ca. 95502-0095

**FROM:**  
Telstar Instruments Inc.  
1217 Solano Way #34  
Concord, CA 94520  
Phone 925-671-2888  
E-Mail ar@telstarinc.com

**Mailing Address:** Telstar Instruments Inc.  
(Regular U.S. Postal Service)  
N/A Use Physical Address

**Shipping Address:** Bank  
(Counter, UPS, FedEx) C/O Telstar Inc.  
N/A

**Wire Transfer/ACH Info:**

Bank	
ABA	
Swift	
Account Name	
Account Number	

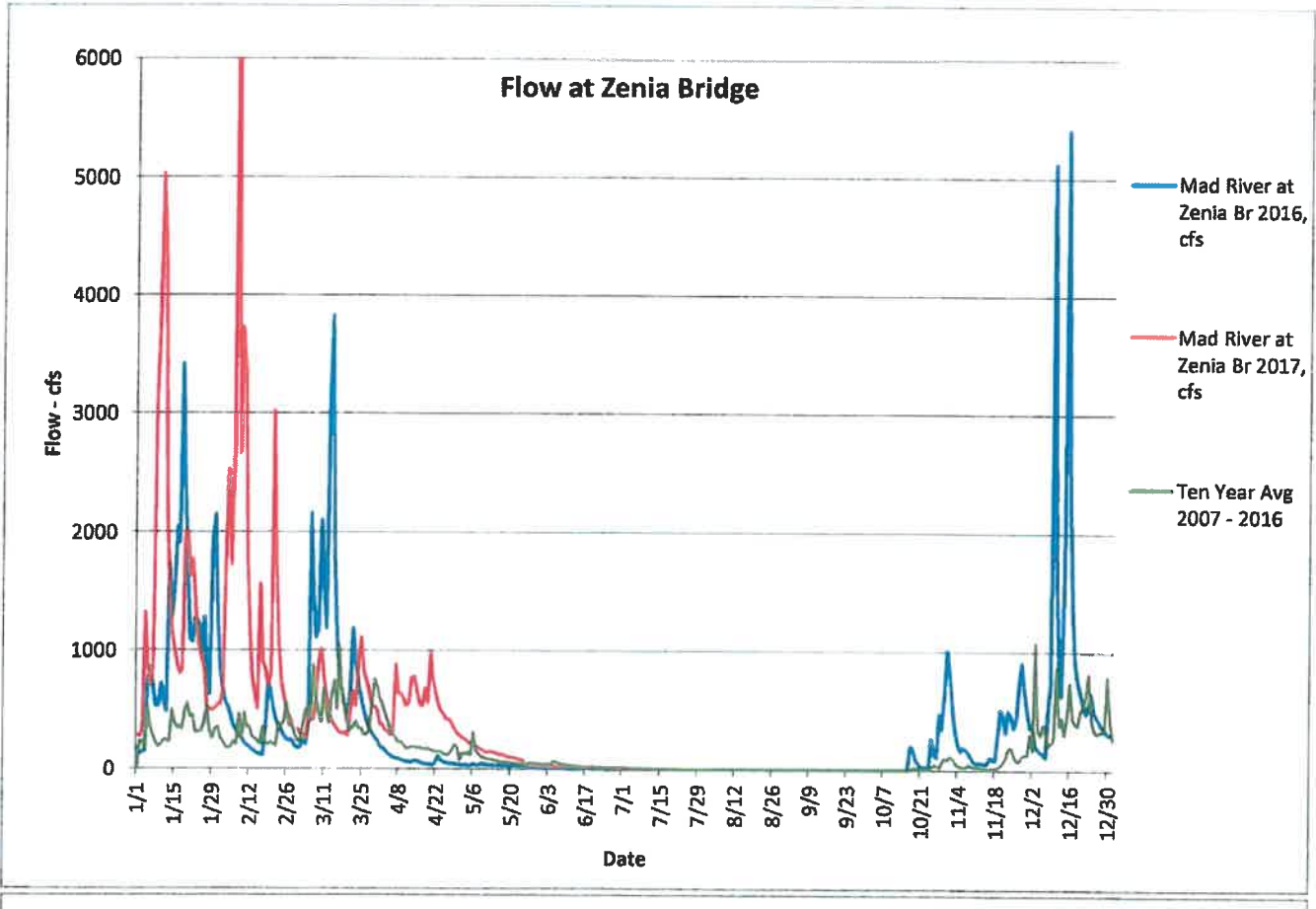
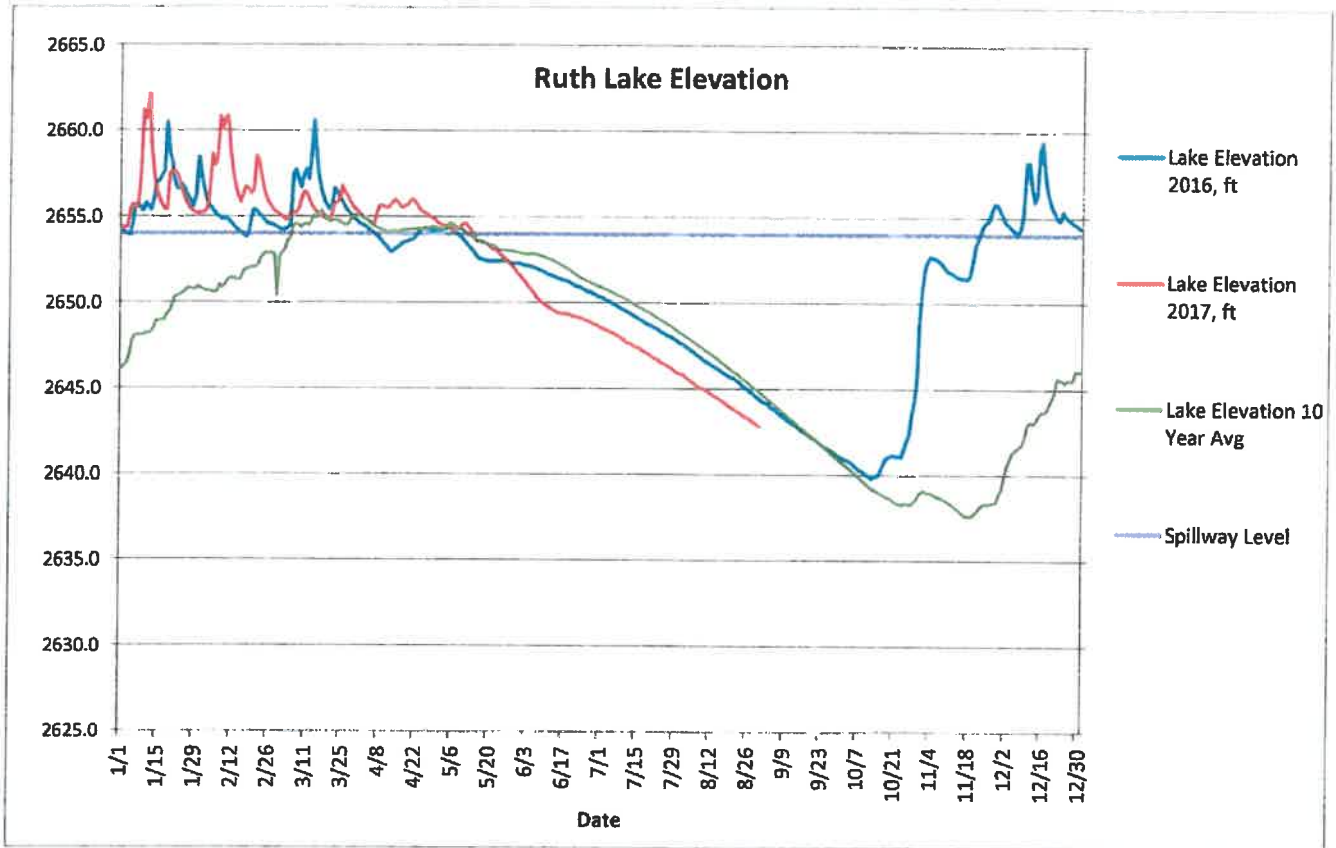
Item	Original Contract			This Period			Previous Periods			Total Completed		
	Quantity	Unit	Total Cost	Quantity	Unit	Total Cost	%	Amount	%	Amount	%	Amount
Bonds & Insurance	1	Lot	\$ 5,558.00	0%	\$	5,558.00	0%	\$	100%	\$	100%	\$ 5,558.00
Site Mobilization	1	Lot	\$ 5,175.00	100%	\$	5,175.00	0%	\$	0%	\$	100%	\$ 5,175.00
PLC Equipment	1	Lot	\$ 6,050.00	60%	\$	3,630.00	40%	\$	40%	\$	100%	\$ 6,050.00
ESSEX	1	Lot	\$ 1,038.00	60%	\$	622.80	40%	\$	40%	\$	100%	\$ 1,038.00
HUNGEN	1	Lot	\$ 1,407.00	60%	\$	844.20	40%	\$	40%	\$	100%	\$ 1,407.00
PLC's & RIO	1	Lot	\$ 87,890.00	60%	\$	52,734.00	40%	\$	40%	\$	100%	\$ 87,890.00
PLC's & RIO	1	Lot	\$ 43,963.00	60%	\$	26,378.00	40%	\$	40%	\$	100%	\$ 43,963.00
PLC Spare Parts	1	Lot	\$ 32,935.00	60%	\$	19,751.00	40%	\$	40%	\$	100%	\$ 32,935.00
Panel Hardware	1	Lot	\$ 15,561.00	60%	\$	9,336.60	40%	\$	40%	\$	100%	\$ 15,561.00
PC & Server Hardware & Peripherals	1	Lot	\$ 36,398.00	60%	\$	21,838.80	40%	\$	40%	\$	100%	\$ 36,398.00
Network Equipment	1	Lot	\$ 15,696.00	60%	\$	9,417.60	40%	\$	40%	\$	100%	\$ 15,696.00
Rockwell (SCADA) Software	1	Lot	\$ 65,179.00	60%	\$	39,107.40	40%	\$	40%	\$	100%	\$ 65,179.00
Computer Software	1	Lot	\$ 6,669.00	60%	\$	4,001.40	40%	\$	40%	\$	100%	\$ 6,669.00
PLC Software	1	Lot	\$ 13,191.00	60%	\$	7,914.60	40%	\$	40%	\$	100%	\$ 13,191.00
<b>Total Material Estimates</b>			<b>\$ 336,735.00</b>									
Labor Estimates												
Construction Scheduling	1	Lot	\$ 2,640.00	10%	\$	264.00	90%	\$	90%	\$	100%	\$ 2,640.00
Construction Meeting and Workshops	1	Lot	\$ 8,760.00	25%	\$	2,190.00	75%	\$	75%	\$	100%	\$ 8,760.00
Construction Submittals	1	Lot	\$ 10,880.00	0%	\$	-	100%	\$	100%	\$	100%	\$ 10,880.00
Drafting	1	Lot	\$ 3,600.00	0%	\$	-	100%	\$	100%	\$	100%	\$ 3,600.00
Training Plan	1	Lot	\$ 2,560.00	0%	\$	-	0%	\$	0%	\$	0%	\$ -
Mount & Wire control panels	1	Lot	\$ 15,900.00	0%	\$	-	0%	\$	0%	\$	0%	\$ -
Setup and configuration of Servers & PC's	1	Lot	\$ 4,800.00	0%	\$	-	0%	\$	0%	\$	0%	\$ -
PLC program migration	1	Lot	\$ 12,000.00	20%	\$	2,400.00	80%	\$	80%	\$	100%	\$ 12,000.00
SCADA migration	1	Lot	\$ 12,000.00	20%	\$	2,400.00	80%	\$	80%	\$	100%	\$ 12,000.00
Historian and report programming	1	Lot	\$ 12,000.00	0%	\$	-	0%	\$	0%	\$	0%	\$ -
Developer Test plans	1	Lot	\$ 3,000.00	0%	\$	-	0%	\$	0%	\$	0%	\$ -
FAT Testing	1	Lot	\$ 4,800.00	0%	\$	-	0%	\$	0%	\$	0%	\$ -
Start Up and Field Testing	1	Lot	\$ 4,800.00	0%	\$	-	0%	\$	0%	\$	0%	\$ -
Test Report Preparation	1	Lot	\$ 41,805.00	0%	\$	-	0%	\$	0%	\$	0%	\$ -
O&M Parts lists and as built Documents	1	Lot	\$ 3,000.00	0%	\$	-	0%	\$	0%	\$	0%	\$ -
Operator Training for PLC and SCADA	1	Lot	\$ 2,160.00	0%	\$	-	0%	\$	0%	\$	0%	\$ -
<b>Total labor</b>			<b>\$ 158,265.00</b>			<b>\$ 224,470.20</b>						<b>\$ 182,184.80</b>
<b>Original Total Project</b>			<b>\$ 495,000.00</b>			<b>\$ (11,273.51)</b>						<b>\$ (9,109.24)</b>
<b>Retainage 5%</b>												<b>\$ 173,075.56</b>
<b>Total Completed</b>												<b>\$ 213,246.69</b>

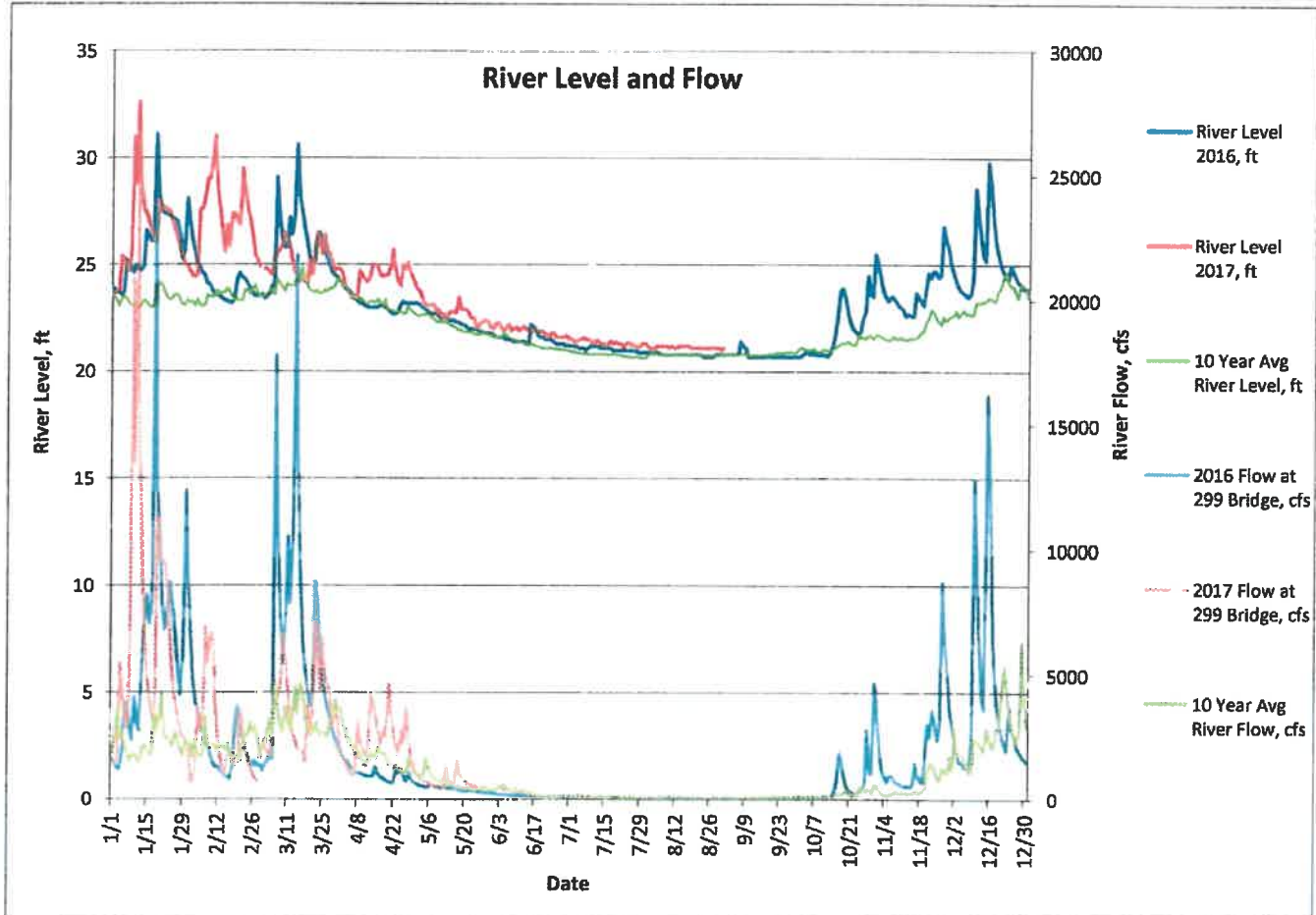
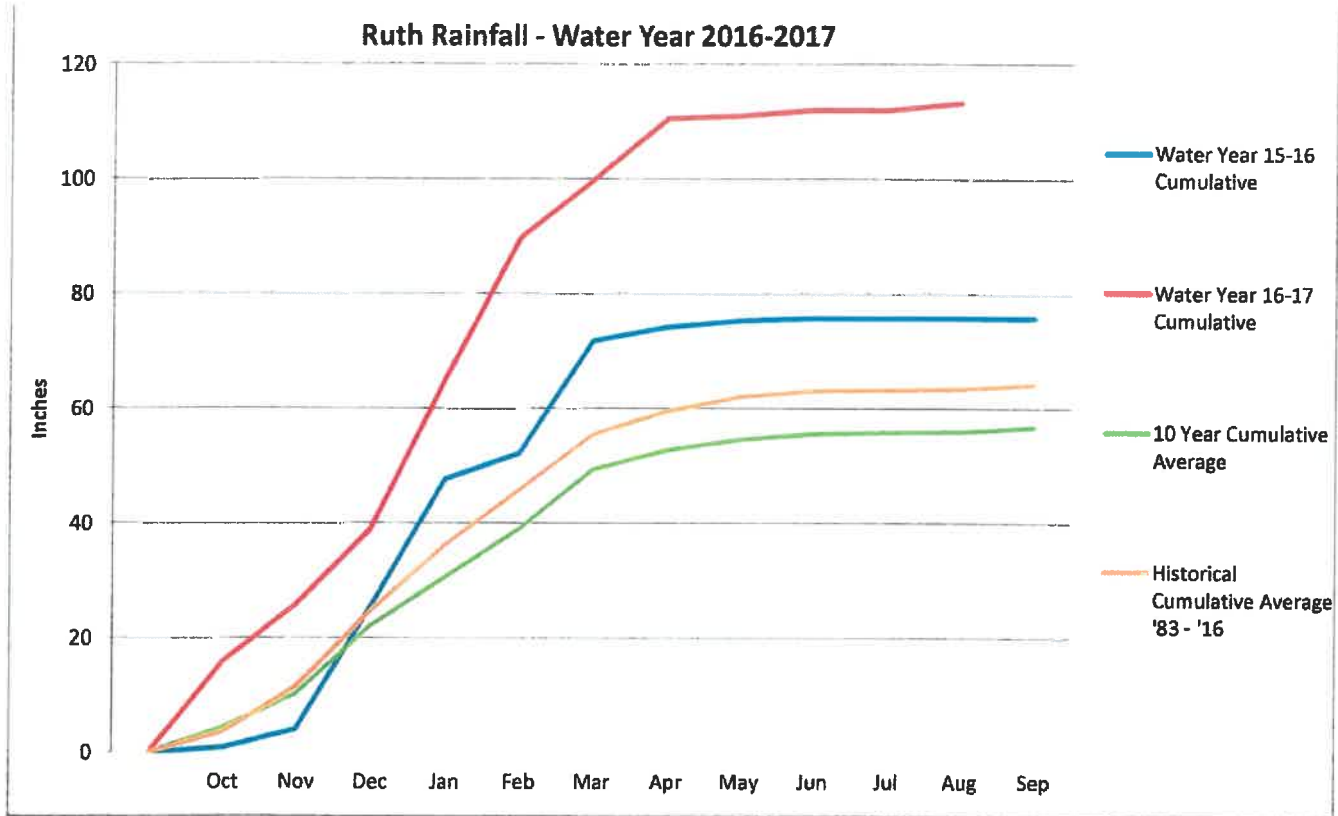
Change Orders  
CO #1  
CO #2  
CO #3  
CO #4

Respectfully Submitted, *Benjamin R. ...*  
Telstar Instruments Inc.

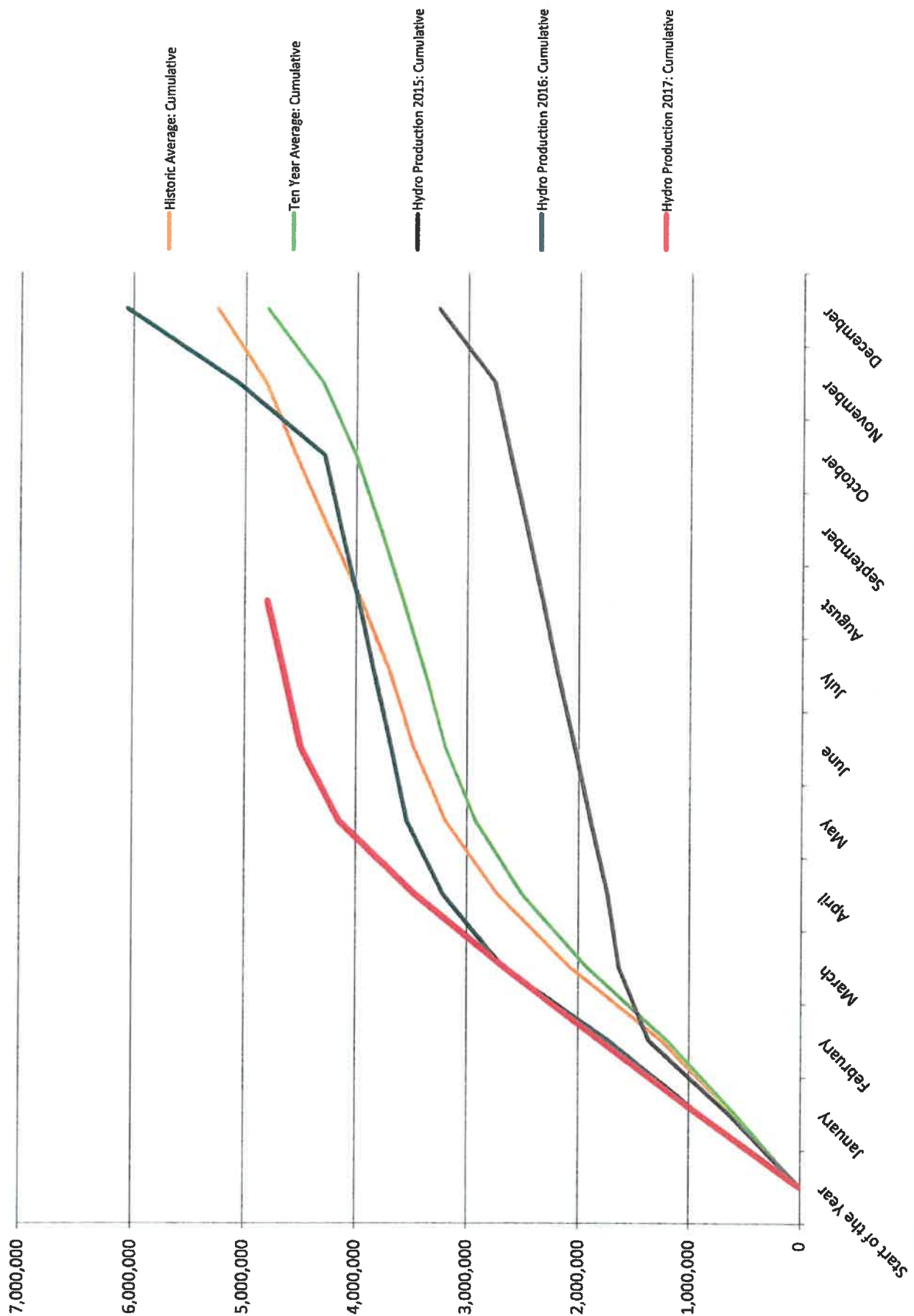
Reviewed By: *Dalton ...* Date: 8-24-17  
Superintendent, Humboldt Bay Municipal Water District

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Humboldt Bay Municipal Water District





**Ruth Hydro Production: kW per Month**





## Humboldt Bay Municipal Water District Ruth Hydro Production Report - Since June 1983


	<b>Total Kwh Production</b>	<b>Production for Period Ending 7/31/2017</b>	<b>Average Monthly Kwh Production</b>
On Peak	11,749,461	37,840	28,727
Part Peak	58,715,852	43,979	143,560
Off Peak	84,082,153	69,927	205,580
Super Off Peak	26,796,680		65,518
<b>Grand Total</b>	<b>181,344,147</b>	<b>151,745</b>	<b>443,384</b>

Grand Total Revenues      \$9,124,563.43

No. of Months of Operation      409

Average \$/Kwh      \$0.0503

Confidential: Documents submitted under General Order 66-C, §§2.8 and PU Code §583

 <p><b>Pacific Gas and Electric Company</b>  <b>Purchase / Sales Invoice</b>                  Invoice Number: 100090</p> <p>Delivery Period Start: 07/01/2017                  Delivery Period End: 07/31/2017                  Invoice Date: 08/08/2017                  Due Date: 08/31/2017</p> <p>Log Number: 33R403RM                  Account Code: 2320311                  Meter Channel: R403RT                  Contract Start: 05/15/2017</p>	<p><b>From:</b>                  Pacific Gas and Electric Company                  77 Beale Street                  San Francisco, CA 94105</p> <p>Contract Manager: Kristy Leung                  Phone: 415-973-7657                  Email: kell@pge.com</p> <p>Settlement Analyst: Denise Chan                  Phone: 415-973-4230                  Fax: 415-973-9505                  Email: D6Ce@pge.com</p>	<p><b>To:</b>                  HUMBOLDT BAY MUNICIPAL WATER DISTRICT                  P. O. Box 95                  Eureka, CA 95501</p> <p>Project Name: MATTHEWS DAM HYDRO                  Payment Method: CHECK                  Vendor Number: 1024538</p> <p>Contact: Steve Marshall                  Phone: 707-822-2918                  Fax:                  Email: ops@hbmwd.com</p>
--	---	---

Payment Name	Quantity	Unit	Amount
Energy Payment 07/01/2017 - 07/31/2017	151.745	MWh	\$-14,146.41
Deemed Delivered Energy Payment	0.000	MWh	\$0.00
Annual Excess Energy Payment	0.000	MWh	\$0.00
Forecast Penalty	0.000	MWh	\$0.00
GEP Penalty	0.000	MWh	\$0.00
<b>Net Total</b>			<b>\$-14,146.41</b>

**Total Amount Due to HUMBOLDT BAY MUNICIPAL WATER DISTRICT on Due Date: 08/31/2017** **USD \$ 14,146.41**

Confidential: Documents submitted under General Order 66-C, §52.8 and PU Code §583

**Energy Payment 07/01/2017 - 07/31/2017**

Time of Day	MWh	Contract Price	TOD Factor	TOD Price	Amount
Peak	37.839871	\$89.23	1.479000	\$131.971170	\$4,993.77
Mid-Day	43.978597	\$89.23	0.604000	\$53.894920	\$2,370.22
Night	69.926887	\$89.23	1.087000	\$96.993010	\$6,782.42
<b>Energy Total</b>	<b>151.745355</b>				<b>\$14,146.41</b>

**Deemed Delivered Energy Payment 07/01/2017 - 07/31/2017**

Time of Day	MWh	Contract Price	TOD Factor	TOD Price	Amount
Peak	0.000000	\$89.23	1.479000	\$131.971170	\$0.00
Mid-Day	0.000000	\$89.23	0.604000	\$53.894920	\$0.00
Night	0.000000	\$89.23	1.087000	\$96.993010	\$0.00
<b>Deemed Total</b>	<b>0.000000</b>				<b>\$0.00</b>

**Annual Excess Quantity Not Reached**

Time of Day	MWh	Contract Price	TOD Factor	TOD Price	Annual Excess Price	Amount
Peak	0.000000	\$89.23	1.479000	\$131.971170	\$98.978378	\$0.00
Mid-Day	0.000000	\$89.23	0.604000	\$53.894920	\$40.421190	\$0.00
Night	0.000000	\$89.23	1.087000	\$96.993010	\$72.744758	\$0.00
<b>Excess Total</b>	<b>0.000000</b>					<b>\$0.00</b>

**Forecast Penalty 07/01/2017 - 07/31/2017**

Time of Day	MWh	Contract Price	TOD Price	Adjusted Price	Amount
None	0.000000	\$0.00	\$0.000000	\$0.000	\$0.00
<b>Total</b>	<b>0.000000</b>				<b>\$0.00</b>

Confidential: Documents submitted under General Order 66-C, §§2.8 and PU Code §583

**PG&E Calculation Information****Unpaid Delivered Energy**

Hourly Excess 07/01/2017 - 07/31/2017	0.000000	MWh
Buyer Excuses	0.000000	MWh
<b>Total Unpaid Delivered Energy</b>	<b>0.000000</b>	<b>MWh</b>

**Delivery Amounts for a Rolling 12 Months**

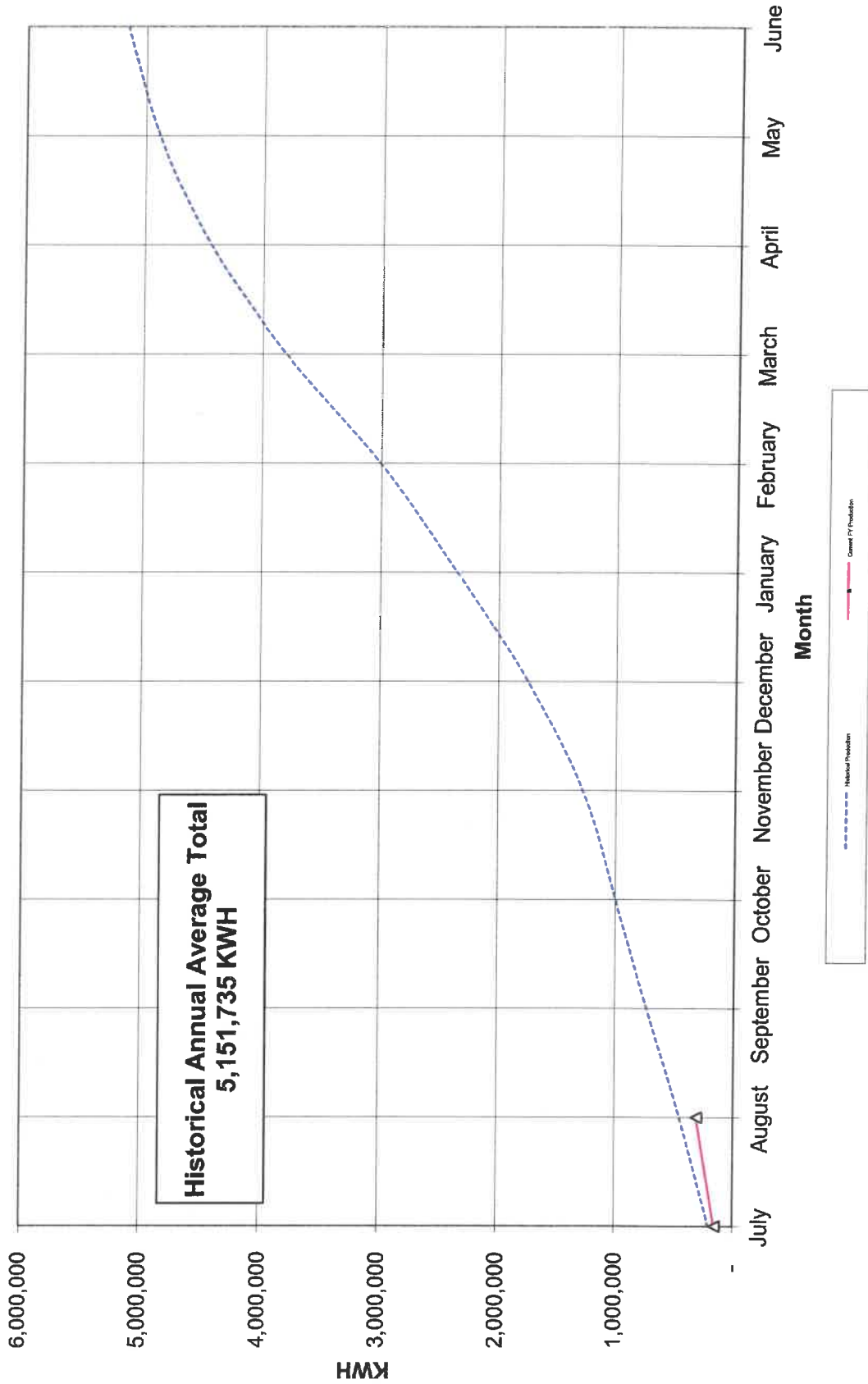
Minimum Delivery Amount	132.493151	MWh
Actual Delivery Amount	875.434062	MWh

**Guaranteed Energy Production (GEP) Tracking To-Date**

Current Settlement Period	July-2017	
Contract Date (COD)	05/15/2017	
GEP Calculation To	07/31/2017	
Total Seller Excuse Hours	0.00	
GEP Target Quantity	3,038.000000	MWh
Delivered Energy to Date	875.434000	MWh
Performance Measurement Period Elapsed	10.68%	
Percent of Delivered Energy to Contract	28.82%	

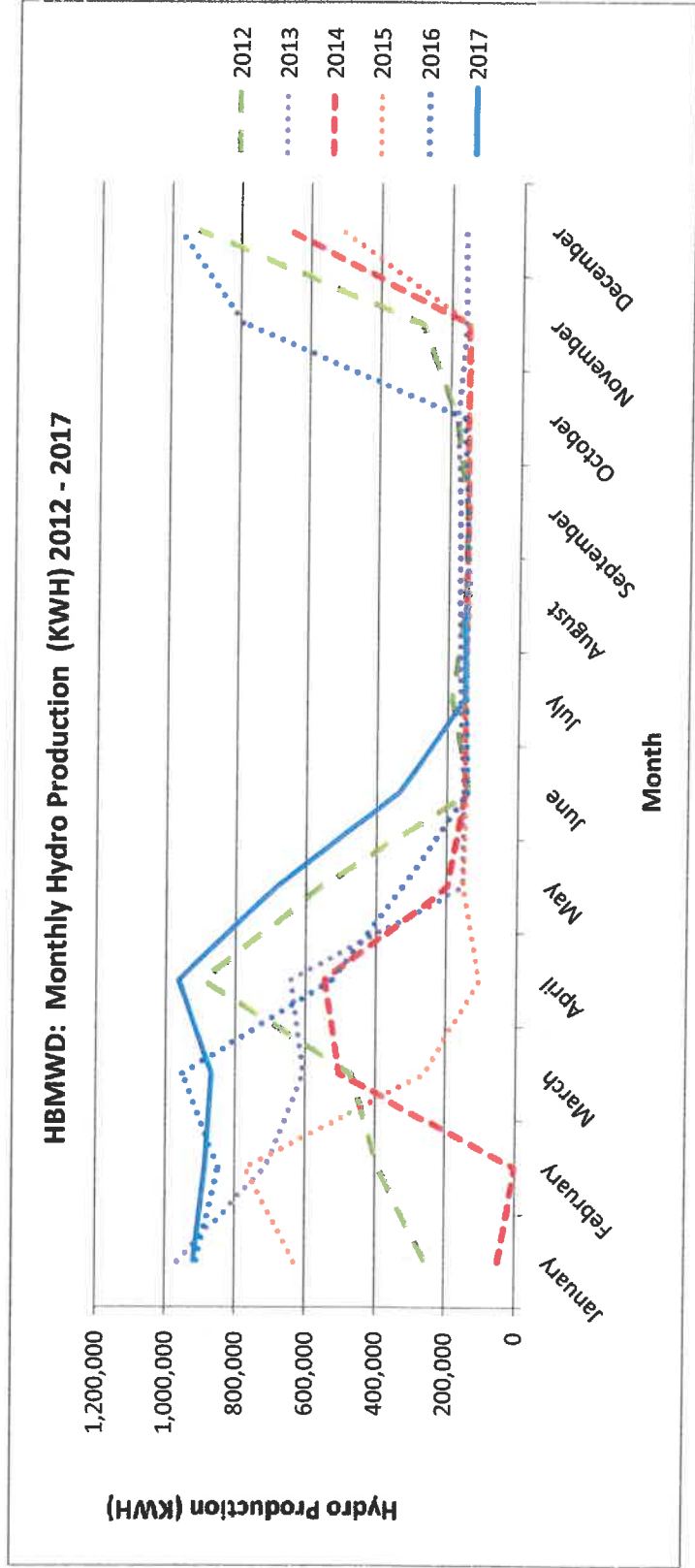


**Historical vs. Actual Cumulative Production  
Gosselin Hydroelectric Plant @ Ruth Lake  
All Data In Kilowatt Hours**



Humboldt Bay Municipal Water District  
 Monthly Hydro Electric Production (KWH) for CY2012 - 2017

Month	2012	2013	2014	2015	2016	2017
January	255,300	962,724	47,002	632,611	907,103	916,562
February	390,898	713,055	0	769,170	848,575	884,477
March	470,351	605,327	501,812	261,555	950,250	866,400
April	892,452	642,402	545,893	106,258	523,573	962,033
May	553,888	152,795	196,968	151,803	323,636	682,547
June	138,181	152,044	147,630	143,055	142,248	334,185
July	186,027	164,775	149,503	150,599	147,564	151,745
August	151,424	168,428	148,220	140,977	147,531	
September	147,850	169,768	145,020	145,468	148,770	
October	179,706	178,812	148,715	147,574	159,930	
November	282,768	157,195	148,816	145,196	793,097	
December	923,766	160,936	665,823	510,915	978,889	
<b>Total Annual</b>	<b>4,572,611</b>	<b>4,228,261</b>	<b>2,845,402</b>	<b>3,305,181</b>	<b>6,071,166</b>	<b>1,801,039</b>



**Electric Statement**

**SELLER:**  
 Humboldt Bay Municipal Water District  
 828 7th Street  
 Eureka, CA 95501  
 Attention: General Manager

**PURCHASER:**  
 Pacific Gas and Electric Company  
 P.O. Box 770000  
 Mail Code N12E  
 San Francisco, CA 94177  
 Attention: Azmat Mukhtar  
 (ASM3@pge.com), Mgr. Bilateral  
 Settlements

Invoice prepared	2017-08-04 22:04:18
<b>Invoice period</b>	<b>2017-07</b>
Contract reference	33R403RM
Executed	2016-10-16
Payment due	2017-08-30
Meter id	LOWGAP_7_QFUNTS
Channel	WH3_REC
Project	Matthews Dam Hydro

**Summary Invoice**

Charge	Gen (kWh)	Sold (kWh)	TOD factor	TOD \$/kWh	Energy (\$)
Day	37,839.9	37,839.9	1.479	0.13197117	4,993.77
Shoulder	43,978.6	43,978.6	0.604	0.05389492	2,370.23
Night	69,926.9	69,926.9	1.087	0.09699301	6,782.42
Totals	151,745.4	151,745.4	1.045	0.09322468	14,146.42

Calculation of PG&E ReMat & Muni Funds FY2017/18  
 July 1-31, 2017

PERIOD	KWH	\$/KWH	ReMat Payment Received	Muni PG&E Base Rate	Rebate To Muni's	JTN Energy	Professional Services related to ReMat Contract \$0.0056 Contract is split 50/50*	Balance To ReMat Fund (County)
DAY/PEAK	37,839.90	0.13197117	4,993.78	0.02943	\$ 4,465.87	\$ 424.89	\$ 424.89	\$ 8,830.78
SHOULDER/MID-DAY	43,978.60	0.05389492	2,370.22					
NIGHT	69,926.90	0.09699301	6,782.42					
	151,745.40		<b>\$ 14,146.42</b>					

Verify

Current Blended Rate Per Kwh \$ 0.09

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

# MANAGEMENT

**Humboldt Bay Municipal Water District**

To: Board of Directors

From: John Friedenbach

Date: September 6, 2017

Re: California Special Districts Association Local Chapter Participation

**Background**

Our District is currently a member of the California Special Districts Association (CSDA). The CSDA is a 501c(6), not-for-profit association that was formed in 1969 to promote good governance and improved core local services through professional development, advocacy, and other services for all types of independent special districts.

For over 40 years, CSDA has been offering its members cost-efficient programs and representation at the State Capitol and boasts a membership of over 1,000 organizations throughout California. It is the only statewide association representing all types of independent special districts including irrigation, water, park and recreation, cemetery, fire, police protection, library, utility, harbor, healthcare and community services districts...just to name a few.

CSDA provides education and training, insurance programs, legal advice, industry-wide litigation and public relations support, legislative advocacy, capital improvement and equipment funding, collateral design services, and, most importantly, current information that is crucial to a special districts management and operational effectiveness.

**CSDA Mission**

CSDA is the voice for all special districts, providing members with the resources necessary to best serve their communities.

**CSDA Vision**

CSDA is the essential statewide network of all special districts.

There are currently in excess of 50 local CSDA members within Humboldt County. A group of these members are forming a Local Chapter (Humboldt Area Chapter) of the CSDA. The purpose of this Local Chapter is to propose and advocate constructive means for the improvement and functioning of Independent Special Districts within the Humboldt Area and to assist such Independent Special Districts and their governing bodies to provide an effective and efficient government that will result in benefits to the public and to cooperate with and support CSDA in fulfilling its mission.

Per the proposed bylaws, the objectives of the Humboldt Area Chapter (HAC) shall be:

- A. To provide a local forum for member districts to discuss and consider issues of importance to special districts.
- B. To establish a communication network among member districts, other chapters, and other local governmental agencies.
- C. To carry out workshops, educational seminars and programs of mutual interest and benefits to member districts.
- D. To make recommendations regarding policy, programs, services and legislation to the Board of Directors of the California Special Districts Association.
- E. To inform the public about the purpose and benefits of local special district government.
- F. To carry out joint studies which benefit the special districts in the Chapter.
- G. To serve as the forum for LAFCO Special District Selection Committee.

HAC dues are anticipated to be nominal and will be determined once the Chapter is officially formed. It is anticipated that the annual dues will be approximately \$50.00.

#### **Insurance Requirement**

In accordance with the HAC bylaws Section 2.6 C:

- i. Each member district shall provide proof of insurance that covers the member district's employees while engaged in Chapter business. There shall be no liability assumed by the agency hosting any meetings.
- ii. Each Humboldt Area Chapter member shall name Humboldt Area Chapter as additionally insured.

It was determined by the HAC formation committee that securing and funding its own insurance was an unnecessary use of funds since all members would have their own district insurance.

#### **Recommendation**

Staff recommends that the Board adopt the attached Resolution and become a participating member of the Humboldt Area Chapter of the California Special Districts Association. Staff further recommends that the General Manager, and Business Manager be the District's representative and alternate representative respectively to the HAC.

Attachments:

1. Resolution 2017-09 authorizing membership in the Humboldt Area Chapter of CSDA
2. CSDA Humboldt Area Chapter bylaws
3. CSDA Local Chapter Affiliation Agreement

Resolution 2017-09  
Resolution of the Humboldt Bay Municipal Water District  
Board of Directors

Approving Membership in the Humboldt Area Chapter of  
the California Special Districts Association

WHEREAS, the Humboldt Bay Municipal Water District (The District) is a member of the California Special Districts Association (CSDA) in good standing and;

WHEREAS, the District obtains value and benefit from its membership in the CSDA and;

WHEREAS, a local chapter is being formed named Humboldt Area Chapter of CSDA and;

WHEREAS, the District meets the qualifications for membership in the Humboldt Area Chapter and;

WHEREAS, the District has the liability insurance to cover staff activity within the Humboldt Area Chapter of CSDA.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Humboldt Bay Municipal Water District hereby approve District membership, support participation by staff, and payment of annual dues in the local Humboldt Area Chapter of CSDA.

Passed, approved and adopted this 14<sup>th</sup> day of September 2017 by the following votes:

Ayes:

Nays:

Absent:


Attest:

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

\_\_\_\_\_  
Barbara Hecathorn, Assistant Secretary/Treasurer



**Chapter Bylaws**  
**For The**  
**Humboldt Area Chapter of CSDA**  
  
**A Chapter of the**  
**California Special Districts Association**

Approved:   
Amended: \_\_\_\_\_  
Amended: \_\_\_\_\_

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**ARTICLE 1: NAME, PURPOSE and OBJECTIVES****Section 1.1 Name**

The name of this Chapter shall be the Humboldt Area Chapter of CSDA (HAC).

This Chapter is a member of the State office of the California Special Districts Association (CSDA) and hereinafter is referred to as the "Humboldt Area Chapter."

These Chapter bylaws are intended to supplement and be consistent with the California Special Districts Association bylaws, and shall serve to guide the local activities of this Chapter.

**Section 1.2 Purpose**

It is the purpose of this Chapter to propose and advocate constructive means for the improvement and functioning of Independent Special Districts within the Humboldt Area and to assist such Independent Special Districts and their governing bodies to provide an effective and efficient government that will result in benefits to the public and to cooperate with and support CSDA in fulfilling its mission.

**Section 1.3 Objectives**

The objectives of the Humboldt Area Chapter shall be:

- A. To provide a local forum for member districts to discuss and consider issues of importance to special districts.
- B. To establish a communication network among member districts, other chapters, and other local governmental agencies.
- C. To carry out workshops, educational seminars and programs of mutual interest and benefits to member districts.
- D. To make recommendations regarding policy, programs, services and legislation to the Board of Directors of the California Special Districts Association.
- E. To inform the public about the purpose and benefits of local special district government.
- F. To carry out joint studies which benefit the special districts in the Chapter.
- G. To serve as the forum for LAFCO Special District Selection Committee.

**Section 1.4 Administrative Office**

The administrative office for the transaction of the business of the (name) Humboldt Area Chapter is to be the office of the President of the Chapter. The Chapter Executive Committee is granted full power and authority to change the administrative office from one location to another within Humboldt County and such change shall not require an amendment of these bylaws.

**ARTICLE 2: MEMBERSHIP****Section 2.1 Types of Membership**

The two types of memberships available in the Humboldt Area Chapter are Regular Memberships and Partner Memberships. Business Affiliates shall be eligible for Partner Membership.

**Section 2.2 Qualifications for Membership****A. Regular Members:**

**Any independent special district whose boundaries, in whole or in part, are within Humboldt County and adjoining counties, may become a regular member of the Chapter upon a majority vote of the regular membership and upon payment of annual Chapter dues.**

Independent special districts are defined to mean districts, exclusive of school districts, which are organized and exist under and by virtue of the laws of the State of California to perform authorized local government services. A special district does not include State, County, City or School District governmental entities.

**A regular member may attend and participate in all meetings and activities of the Chapter. Regular members shall have voting rights and shall be eligible to hold office in the Chapter.**

**B. Partner Members:**

**Any dependent special district whose boundaries, in whole or in part, are within Humboldt County and adjoining counties may become a partner member upon majority vote of the regular membership and payment of Chapter dues.**

**In addition, any person, government agency or organization that has evidenced interest in the purposes and goals of the Chapter, but is not a special district as defined above, may also become a partner member upon approval of membership and payment of Chapter dues.**

**Partner members shall not have the right to vote, nor shall they serve as officers or members of the Chapter Executive Committee, except when appointed by a majority vote of the Chapter's regular members to serve in that capacity. Partner members may attend and participate in meetings and activities of the Chapter.**

**C. Business Affiliates:**

“Business Affiliate members shall be those persons or organizations that provide services to special districts and/or have evidenced interest in the purposes and goals of CSDA. Business Affiliates have no voting privileges, except as approved members on a CSDA committee, and may not hold a seat on the Board of Directors.”

**Section 2.3 Application for Membership**

Application for membership in the Humboldt Area Chapter shall be by letter and payment of annual dues. The letter shall include:

- A. Type of membership requested.
- B. Name, address, telephone number, email, or fax of the applicant.
- C. Name of individual who will serve as representative and alternate from the applicant.
- D. Special districts must provide its primary functions and its enabling legislation under state law.
- E. Special districts must provide names of the current governing board members and manager.
- F. Special districts must provide a resolution by the governing board requesting membership.
- G. If applicant is from a non-special district, they must submit a statement of interests and purposes in common with the Chapter.

The application for membership and dues should be sent to the Administrative Office as stated in Article I, Section 4 of these bylaws. The Executive Committee of the Chapter may appoint a Membership Committee to review requests for membership. The Membership Committee may request additional information from the applicant. Upon completion of review, the Membership Committee shall make a recommendation to the general membership. A quorum of the regular membership will approve or disapprove the application upon a majority vote.

**Section 2.4 Termination of Membership**

Any member owing payment of dues for a period of three (3) months after due date shall be notified in writing by the Treasurer of delinquent dues. If such dues continue to be unpaid for an additional three (3) months, the member shall automatically cease to be a member of the Chapter. The member shall not be restored to Chapter membership without making written application for reinstatement and payment of delinquent dues to the Board of Directors.

A member district may withdraw membership in the Chapter at any time. A written notice should be sent to the Administrative Office. No refund of dues will be made.

**Section 2.5 Meetings of Membership**

The membership shall meet on an established basis at a time and place to be determined by the membership or the Chapter President, unless specified otherwise by the Executive Committee.

**A. Regular Meetings**

Regular meetings of Chapter members shall be Monthly on the first Monday at a place which has been designated by the members. Written notice of regular meetings providing the time, place and agenda shall be faxed, or emailed to each member of the Chapter no less than seven (7) days prior to the meeting.

**B. Annual Meeting**

The annual meeting of Chapter membership shall be held in December of each year at such place determined by the members for the purpose of electing Officers. Written notice of the annual meeting, providing the time, place and agenda, shall be, faxed or emailed to Chapter members no less than seven (7) days prior to the date of the meeting.

**C. Special Meetings**

Special meetings of the Chapter membership may be called at any time by the President upon request of 40% of the Chapter members. Written notice of a special meeting, providing the time, place and agenda, shall be, faxed or emailed to each member of the Chapter at least 48 hours before the time set for the meeting.

**Section 2.6 Rules Governing Membership Meetings****A. Rules of Order**

The Chapter may adopt Rules of Order to govern the meetings of the members insofar as such rules are not inconsistent or in conflict with these Bylaws or the Articles of Incorporation for the State office of the California Special Districts Association.

**B. Agenda Items**

Any active member of the Chapter may place an item on the agenda for future meetings. The item must be submitted in writing to the President at least two weeks prior to the meeting. Emergency items may be added to the agenda with less notice when approved by the President prior to the meeting.

**C. Insurance Liability**

- i. Each member district shall provide proof of insurance that covers the member district's employees while engaged in Chapter business. There shall be no liability assumed by the agency hosting any meetings.
- ii. Each Humboldt Area Chapter member shall name Humboldt Area Chapter as additionally insured.

**ARTICLE 3: VOTING RIGHTS****Section 3.1 Quorum of Membership**

A quorum for all meetings of the membership shall consist of fifty (50) percent plus one (1) of the Chapter's regular membership who are in good standing present at any meeting.

- a. A quorum for all policy changes shall consist of fifty (50) percent plus one (1) of the Chapter's regular membership who are in good standing.

**Section 3.2 Regular Membership Voting Rights****A. One Vote Per Member District**

Each regular member district shall be entitled to one (1) vote on all matters brought before the Chapter membership.

**B. Official Voting Representative**

The governing body of each regular member district shall designate, in writing, to the Chapter Secretary, one representative who shall exercise the district's right to vote, and one alternate who shall have the right to vote in the absence of the assigned voting representative. The vote of the district shall be cast by the designated representative of the district or the alternate member of the district.

If several members of a special district are in attendance, and no designated voting representative has been selected, they shall select one representative for voting purposes which may include a member of a Board of Directors or an administrator from a member district.

**C. Proxy Votes**

Proxy votes shall not be permitted.

**D. Business Affiliates**

**Business Affiliates shall not have the right to vote on any matter before the Humboldt Area Chapter.**

**Section 3.3 Member in Good Standing**

**Any independent special district member that has paid their annual dues to the Chapter and statewide CSDA shall be entitled to vote as a regular member in good standing. Likewise, any member district that has not paid their annual dues shall not be in good standing and shall not be entitled to vote on matters before the Humboldt Area Chapter.**

**Business Affiliates that have paid their annual dues to the Chapter are in good standing and, while not allowed to vote on any issues, are able to participate the activities of the Chapter.**



**Section 3.4 Written Ballots**

The Chapter Executive Committee may, in its discretion, authorize the voting upon any item by written ballot. The ballot must be emailed to each regular member fifteen (15) days in advance of the voting deadline. The ballot must specify the item, the time and the date when such written ballot must be returned to the President of the Chapter.

**ARTICLE 4: CHAPTER FINANCES****Section 4.1 Annual Dues**

Annual dues shall be established following a recommendation from the Executive Committee at any regular meeting by a majority vote of eligible regular members present and shall become effective January of the following year.

All members shall pay dues established annually by the membership.

The annual dues shall be due and payable on the first day of July of each calendar year.

New members shall pay their annual dues at the same time they are approved for membership into the Chapter.

**Section 4.2 Budget**

The Executive Committee shall determine and recommend the annual budget, upon which the annual dues shall be based.

**Section 4.3 Additional Funds**

Any additional funds required by the Chapter in the conduct of its routine business shall be raised on a vote by a majority of regular members at a regular and properly noticed meeting.

Assessments for specified and approved purposes may be levied on the members, and members shall be subject to or liable for the payment of any assessment or levy, in addition to the payment of regular dues, upon approval of such assessment by 2/3 of the Regular Membership at a regular and properly noticed meeting.

**Section 4.4 Chapter Liability**

Neither CSDA nor a member of the Humboldt Area Chapter is not individually or personally liable for the debt, liabilities or obligations of the Humboldt Area Chapter.

**Section 4.5 Annual Financial Report**

An annual summary of all receipts and disbursements during the previous year showing the opening and closing balances shall be prepared by the Treasurer or a designee. Copies of the review shall be available to all Chapter members and filed with the President of the Chapter.

**ARTICLE 5: CHAPTER ADMINISTRATION****Section 5.1 Officers**

The officers of the Chapter shall be: President; Vice President; Treasurer; Secretary; Immediate Past President.

**Section 5.2 Term of Office**

Each officer shall serve for a term of one (1) year.

Any officer may be re-elected.

Each officer can hold only one office at a time but may rotate from office to office if elected by the regular membership.

Each officer shall hold office until resignation, disqualification, or until successor shall be elected or appointed.

**Section 5.3 Qualification for Office**

Each officer shall, at the time of elections, at the time of office and throughout the term of office, be a representative of a member district.

Each officer must represent a district deemed to be in good standing.

No member district shall have more than one representative from the district serve as an officer of the Chapter at the same time.

**Section 5.4 Nomination and Election of Officers**

The Executive Committee shall present their nominations at the December meeting. The Executive Committee shall also accept nominations from the floor at that time.

At the November membership meeting, any member district through its designated representative may nominate a qualified member from the floor for office to be filled at the election. If such a nominee is elected, the individual shall be eligible to take office only after filing with the Chapter a copy of a motion or resolution adopted by the Board of Directors of the individual's district supporting such an election.

After accepting any further nominations from the floor, the Executive Committee will conduct the election. The candidates receiving a majority of votes shall be considered elected.

The newly elected officers shall take office on January 1st.

**Section 5.5 Vacancies**

In the event that any officer at the time of taking office, or during the term of office, is no longer qualified to serve as an officer of the Chapter, the office shall become vacant

and said vacancy shall be filled in a manner provided in Section 5.4 or at the point in time when a vacancy occurs.

In the event of a vacancy in the office of President, the Vice President shall assume all presidential duties.

The assumption of the office of President by the Vice President shall constitute a vacancy in the office of the Vice President. The new vacancy shall in turn be filled by a nomination and vote of the membership present at the next regular Chapter meeting.

The Vice President moving into the office of President or elected to complete an unexpired term of Vice President may be elected by the membership to a subsequent full term.

A vacancy in the office of Secretary or Treasurer shall be filled by nomination and election at the next regular meeting.

#### **Section 5.6 Removal of Officers**

Officers of the Humboldt Area Chapter may be removed, with or without cause, at any meeting of the general membership by the affirmative vote of a majority of the membership.

### **ARTICLE 6: DUTIES OF CHAPTER OFFICERS**

#### **Section 6.1 President**

The President shall preside at all Chapter and Executive Committee meetings. The President shall have the power to appoint any Committee and Committee Chairman deemed advisable or authorized by a vote of the Executive Committee or the membership. The President shall provide a meeting agenda to the Secretary or their designee for mailing to the membership and shall perform any other duties as may be required of the office. The President shall be an ex-officio member of all Chapter committees. The President shall be the official spokesperson for the Chapter and the official Chapter representative to all California Special Districts Association meetings.

#### **Section 6.2 Vice President**

The Vice President shall perform all the duties of President in the absence of the President. It shall be the Vice President's responsibility to assist the President in every way possible to further the goals of the Chapter. The Vice President shall be elevated to the office of President at the end of their term and shall also be an ex-officio member of all Chapter Committees.

#### **Section 6.3 Secretary**

The Secretary shall keep or caused to be kept at the principal office of the Chapter a complete record of all membership and all meetings. The Secretary will prepare or

caused to be prepared and mail, email or fax an agenda to the membership prior to the next meeting and the minutes of the previous meetings

**Section 6.4 Treasurer**

The Treasurer shall collect and keep an accurate accounting of all Chapter funds and financial transactions. The Treasurer shall disburse funds as directed by the Executive Committee. The Treasurer will prepare a financial report for every Chapter meeting.

Two (2) signatures shall be required from any member of the Executive Committee to disburse Chapter funds. It shall be the responsibility of the Treasurer to obtain and maintain the authorized signatories' cards required on the Chapter bank account(s) whenever there is a change in Chapter officers.

Prior to leaving office, all financial records and a complete statement of receipts and disbursements shall be submitted to the President.

**Section 6.5 Immediate Past President**

The Immediate Past President shall serve as the Parliamentarian of the Chapter and shall make final decision on all matters of parliamentary procedure when called upon to do so by the President.

**Section 6.6 Executive Committee**

The Executive Committee shall consist of the President, Vice President, Secretary, Treasurer and Immediate Past President.

It is the purpose of the Executive Committee to meet and provide leadership to the Chapter on issues requiring policy decisions. The Executive Committee may take positions on behalf of Humboldt Area Chapter under certain emergency circumstances such as a request from the State office of the California Special Districts Association or if five (5) Chapter members make a recommendation for a Chapter position and time is of the essence. If the Executive Committee takes a position on behalf of the Chapter, a notice of said position will be distributed to Chapter members within 72 hours and be presented for ratification at the next regularly scheduled Chapter meeting.

Each member of the Executive Committee shall have one vote.

The Executive Committee shall conduct and oversee the Chapter elections.

At the annual meeting of each year, the Executive Committee shall present a summary of fund expenditures. The Executive Committee shall also recommend the annual budget and Chapter goals and objectives. The President may convene the Executive Committee as Committee as necessary. Minutes of any Executive Committee meeting will be presented to the Chapter membership at the next regular meeting.

**ARTICLE 7: CHAPTER COMMITTEES****Section 7.1 Standing Committees**

The following committees are established as permanent standing committees of the Humboldt Area Chapter. The chairperson and members shall hold office until replaced or changed by the Chapter President.

**A. Legislation Committee**

The Legislation Committee shall receive, review and make recommendations on all legislation of interest to the Chapter membership that is presented for enactment during the state legislative sessions.

**The Humboldt Area Chapter shall not publish a legislative position that is in opposition to one taken by the State office of the California Special Districts Association, but may approve such a position at the Chapter level and recommend the position to the Statewide Association.**

**B. Local Government Committee**

The Local Government Committee shall maintain liaison with city governments, county government and other organizations by tracking and reporting to the Chapter related issues and activities. This committee shall further be responsible to facilitate the special district selection process for the purpose of LAFCo.

**Section 7.2 Other Chapter Committees**

The Chapter President shall appoint other committees and committee chairmen as determined necessary to carry out the work of the Chapter.

Committees shall not commit Chapter funds without prior approval from the Executive Committee.

**ARTICLE 8: AFFILIATIONS****Section 8.1 State Office of California Special Districts Association**

**The Humboldt Area Chapter of CSDA shall be a separate legal entity in Humboldt County and /or adjoining counties in support of the purposes and in cooperation with the activities of the State office of the California Special Districts Association.**

**The Chapter will encourage each of its members to become a member of the California Special Districts Association.**

**ARTICLE 9: AMENDMENTS TO CHAPTER BYLAWS**

**Section 9.1 Notification of Change**

The Humboldt Area Chapter shall have the power at any time to alter, amend or revise these Bylaws.

The requested change must be submitted in writing to the Secretary who shall notify all members of the proposed amendment change not less than sixty (60) days before the next regular membership meeting at which the proposed amendment will be voted upon.

**Chapter bylaws and amendments to Chapter bylaws are subject to approval by the board of directors of the State office of the California Special Districts Association.**

**Section 9.2 Voting Requirements**

Voting by the general membership is required for changes to the bylaws.

Any alteration, amendment or revision to the bylaws require a two thirds (2/3) vote of the Chapter membership at a duly noticed meeting to implement any proposed bylaw change.

Unless otherwise stipulated, all amendments to the bylaws shall become effective immediately following approval by the State office of the California Special Districts Association Chapter and the Chapter membership.

**Section 9.3 Certificate of Chapter Secretary**

I, the undersigned, do hereby certify:

(1) That I am the duly elected Secretary of the Humboldt Area Chapter of CSDA,  
and

(2) That the foregoing Bylaws, comprising of (number) \_\_\_\_\_  
pages, constitute the Bylaws of said Chapter as duly adopted at a  
meeting of its membership.

In Witness whereof, I hereunto subscribe my name this (date) \_\_\_\_\_ of  
(month) \_\_\_\_\_, (year) \_\_\_\_\_.

(Signature of Secretary) \_\_\_\_\_  
(Typed Name of Chapter Secretary)

Therefore, any conflict between Chapter bylaws and California Special District Association bylaws shall be resolved in favor of the CSDA bylaws. Any article or section not expressly cited herein shall be read as the CSDA articles or section without modification.

**CHAPTER AFFILIATION AGREEMENT**

THIS AGREEMENT (the "Agreement") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between **California Special Districts Association**, a 501(c)(6) California nonprofit corporation, with its principal place of business at 1112 I Street, Suite 200, Sacramento, CA 95814 ("CSDA"), and \_\_\_\_\_, an unincorporated business association, with its principal place of business at \_\_\_\_\_, CA (hereinafter "Chapter").

**RECITALS**

A. CSDA is a California nonprofit public benefit corporation representing different types of special districts which provide a wide variety of public services to California communities. The purposes and objectives of the CSDA are to advance the vital public interest in effective, efficient and responsive local government, specifically by providing educational, legislative advocacy, financing, and insurance services to California special districts;

B. Chapter desires to obtain the right to use CSDA's name, logo, membership mailing list, endorsement, technical assistance and staff support and other CSDA Intellectual Property in connection with Chapter's activities including conducting programs for the continuing education of special district officials and employees, research projects on local special district issues of concern to Chapter's member special districts, legislative outreach on legislative issues of importance to individual chapters and their members, and supporting chapter outreach programs to educate the public about the operations of special districts within the jurisdictional boundaries of the Chapter (hereinafter the "Chapter Program");

C. CSDA is willing to provide its endorsement and technical support services to Chapter and permit Chapter to use its name, logo, membership list and other Intellectual Property in connection with the operation of the Chapter Program, on the terms and conditions specified in this Agreement.

D. The Boards of Directors of CSDA and Chapter hereby reaffirm that the relationship of CSDA and Chapter to each other is that of Licensee and Licensor. This agreement is not intended by the parties to create any association, joint venture, partnership, or agency relationship of any kind between CSDA and Chapter. Neither CSDA nor Chapter is authorized to incur any liability, obligation or expense on behalf of the other, to use the other's monetary credit in conducting any activities under this Agreement, or to represent that CSDA is in the business of providing services comprising the Chapter Program, other than CSDA's endorsement and technical support of the Chapter Program. It is the intent of both CSDA and Chapter that the terms and conditions of this Agreement be interpreted to advance the stated intent of the parties to remain autonomous organizations, each seeking to fulfill its respective stated mission and offer programs that accomplish each party's business goals and objectives.

**AGREEMENT**

NOW THEREFORE, in consideration of the foregoing and the mutual covenants and agreements set forth herein, the parties hereby agree as follows:

I. License of Intellectual Property.

A. Definition of Intellectual Property.

1. "Intellectual Property" of CSDA includes, but is not limited to use of its name (to include both "California Special Districts Association" and the "CSDA" acronym), logo, and membership mailing and electronic mail list with respect to past, current or prospective members of CSDA located within Chapter's



geographic area; copyrighted, trademarked or proprietary information and materials prepared by CSDA and provided by CSDA to Chapter pursuant to the provisions of this Agreement; and all other Intellectual Property rights including the know-how, licenses, trade secrets, proprietary programs and processes of CSDA.

B. Limited License of Name, Logo, Membership Mailing List and Intellectual Property.

1. CSDA hereby grants a conditional, revocable, nonexclusive license to Chapter to use its name, acronym, logo, membership mailing list, and other Intellectual Property in connection with Chapter's operation of the Chapter Program. In addition, CSDA hereby agrees to provide its public endorsement of the Chapter Program. Chapter hereby accepts the grant of such license and the endorsement of its Chapter Program.

2. Chapter agrees that the license granted hereunder, the promotion and endorsement of the Chapter Program, and the usage of CSDA's name, logo, membership mailing list, and other Intellectual Property shall be restricted to the operation and promotion of the Chapter Program to existing and potential members of the Chapter. Chapter further agrees to protect the name and goodwill of CSDA throughout the term of this agreement.

3. Chapter agrees that it shall not use, or permit any person or entity other than Chapter members to use, CSDA's name, logo, membership mailing list, and other Intellectual Property, for any purpose without the prior written consent of CSDA. Chapter further agrees to keep CSDA's membership mailing list in strict confidence and to not sell or disclose such mailing list or its contents to any third party in any manner, except with the prior written consent of CSDA.

4. Upon termination or expiration of this Agreement, Chapter shall: (i) immediately cease utilization of CSDA's name, logo, membership mailing list, and other Intellectual Property in connection with the Chapter Program or for any other purpose; (ii) immediately return to CSDA all originals and copies of CSDA's name, logo, membership mailing list, and other Intellectual Property (whether in printed, electronic, recorded, or other tangible form); and (iii) discard or destroy all copies thereof.

C. Review and Approval. In order to protect the reputation and goodwill of CSDA, Chapter shall provide CSDA with the right to review and pre-approve all uses of CSDA's name, logo, membership mailing list, and other Intellectual Property or any portion thereof, by chapter and its member districts and agents. Chapter shall submit to CSDA a copy of the intended use of CSDA's name, logo, membership mailing list, and other Intellectual Property or proposed endorsement materials to CSDA. CSDA shall have ten (10) days to approve or disapprove such use by the Chapter of the proposed materials. If CSDA fails to respond within ten (10) days of receipt of such materials, their silence shall be deemed approval of the Chapter's proposed use.

D. Conditions to Limited License of Intellectual Property.

This Limited License of Intellectual Property is granted by CSDA to Chapter subject to satisfaction of each and all of the following conditions.

1. Chapter must provide copies of its bylaws to CSDA for review and approval for consistency with the Articles of Incorporation and bylaws of CSDA. Receipt and approval of the Chapter's bylaws CSDA is confirmed by execution of this Agreement. Chapter agrees to provide copies of all amendments to the bylaws of the Chapter to CSDA during the term of this Agreement.

2. Chapter agrees to comply with those requirements specified in CSDA bylaws regarding Chapters.

3. Chapter shall comply with all federal, state and local laws, regulations and ordinances.

4. Chapter will establish membership requirements that are based on guidelines established by the CSDA bylaws. (Exhibit A)

5. Chapter agrees to appoint a Communications Liaison to facilitate communication between Chapter and CSDA. The Communications Liaison shall be a member district of both the Chapter and CSDA.

II. Description of Services.

CSDA shall provide the following services to Chapter pursuant to the terms and conditions of this Agreement: (1) provide training and assistance in issues regarding governance and operations of the Chapter and its member districts including but not limited to leadership training, district training certification, and legislative updates. In addition, CSDA shall provide the Chapter access to services of its endorsed business affiliates for supplemental services which may be of value to individual special district Chapter members; (2) CSDA agrees to promote Chapter activities in its regular communications to all CSDA members.

Chapter agrees to provide the following services pursuant to the terms and conditions of this Agreement: (1) conduct educational, outreach and other programs and activities the purposes of which do not conflict with the stated purposes of CSDA; (2) agrees to periodically inform its members of CSDA programs, activities, services and legislative alerts; (3) Chapter agrees to maintain regular communication with CSDA and share general information of interest to both parties; and (4) Chapter agrees that it will not, during the term of this Agreement, represent itself as a Chapter of CSDA and publish a legislative position or a position on a valid initiative that is in opposition to one taken by CSDA. This representation does not preclude individual special district members of the Chapter from taking their own respective positions on pending legislation and/or ballot initiatives affecting special districts.

III. Confidential Information.

A. Both CSDA and Chapter may disclose certain confidential information and trade secrets ("Confidential Information") concerning the operations of their respective businesses in connection with entering into this Agreement and performing their obligations herein. Such Confidential Information includes, but is not limited to the manner and terms under which services are provided or will be provided to their respective members. Each party agrees, on behalf of itself and its members, and other persons to whom disclosure of the Confidential Information is permitted hereunder, to keep confidential, and not use, disclose or publish the Confidential Information other than as permitted under the terms of this Agreement.

B. Each party acknowledges and agrees that the Confidential Information of the other parties is confidential and proprietary, and that any and all Confidential Information shall remain strictly confidential among the parties, and shall not be disclosed, used or published except as specifically permitted under the terms of this Agreement

C. The parties' obligations under this Article shall survive the termination of this Agreement. In addition, upon termination or revocation of the license contemplated hereunder, or upon expiration or earlier termination of this Agreement, all Confidential Information transmitted to the receiving party by the disclosing party and any copies thereof made by the receiving party will be destroyed or, at the disclosing party's written request, promptly returned to the disclosing party.

IV Term and Termination. This Agreement shall be effective as of the date and year first above written and shall remain in full force and effect until terminated at any time by either party, without cause, upon giving to the other party not less than sixty (60) working days' prior written notice of an election to terminate this Agreement. Failure by Chapter to comply with the conditions for issuance of the limited license specified in

Sections 1B, 1C and 1D hereof may lead to suspension or revocation of this license by CSDA. Upon termination of this Agreement, the license granted hereby shall be deemed to have been revoked by CSDA.

V. Indemnification and Insurance.

A. Indemnification.

1. Except as otherwise provided in this Agreement, each party shall indemnify, defend, and hold harmless the other party, and its governing board, officers, employees, agents and representatives, from and against any and all liabilities, obligations, losses, damages, penalties, fines, claims, actions, suits, costs and expenses, (including legal fees and expenses) of any kind whatsoever, asserted against, incurred or suffered by the other party, or its governing board, officers, employees, agents or representatives, by reason of personal injury or property damage resulting in any way from: (a) any negligent or intentional act by it or any of its officers, employees, agents or representatives in the performance of services or obligations hereunder; or (b) any negligent omission or failure to act when under a duty to act on its part or the part of any of its officers, employees, agents or representatives in the performance of services or obligations hereunder.

B. Insurance. In order to assure the indemnity described in this Section both CSDA and Chapter shall, at its sole expense, carry and keep in full force and effect at all times during the Term of this Agreement a liability insurance policy with a single limit of at least 1 million dollars (\$1,000,000) to cover potential liability to third parties arising from the operation of the Chapter Program. Each party shall name the other party as an additional insured on such insurance policy, and such insurance policy shall contain a provision by which the insurer agrees that such policy shall not be cancelled except after thirty (30) days written notice to Association. Each party shall provide to the other, within thirty (30) days of the commencement of the initial Term of this Agreement, a copy of the certificate evidencing such insurance policy. The indemnification under this Agreement shall in no way be limited by the extent of insurance coverage. The provisions of this Section shall survive any termination or expiration of this Agreement.

1. As an alternative to providing an insurance policy pursuant to Section V.B., Chapter may assure the indemnity obligations specified in Section V.A. by providing a written certificate from each member district of Chapter certifying that all employees of such Chapter member district participating in Chapter activities as part of the Chapter Program, are acting within the course and scope of their duties for the individual Chapter member, and that the individual Chapter member's insurance policies provide general liability coverage for all such member district employees participating in Chapter activities. (Exhibit B)

VI. MEDIATION.

(a). The Parties agree to mediate any dispute or claim arising between them out of this Agreement, or any resulting transaction, before resorting to arbitration or court action. Mediation fees, if any, shall be divided equally among the parties involved. If, for any dispute or claim to which this paragraph applies, any party commences an action without first attempting to resolve the matter through mediation, or refuses to mediate after a request has been made, then that party shall not be entitled to recover attorney fees, even if they would otherwise be available to the party in any such action.

VII. Warranties. Each party covenants, warrants and represents that it shall comply with all laws and regulations applicable to this Agreement, and that it shall exercise due care and act in good faith at all times in performance of its obligations under this Agreement. The provisions of this Section shall survive any termination or expiration of this Agreement.

VIII. Waiver. Either party's waiver of, or failure to exercise, any right provided for in this Agreement shall not be deemed a waiver of any further or future right under this Agreement.

IX. Governing Law. All questions with respect to the construction, performance and enforcement of this Agreement, and the rights and liabilities of the parties hereunder, shall be determined in accordance with the laws of the State of California. Any legal action taken or to be taken by either party regarding this Agreement or the rights and liabilities of parties hereunder shall be brought only before a federal, state or local court of competent jurisdiction located within the State of California. Each party hereby consents to, and agrees not to contest, the jurisdiction of the federal, state and local courts located within the State of California.

X. Headings. The headings of the various paragraphs hereof are intended solely for the convenience of reference and are not intended for any purpose whatsoever to explain, modify or place any construction upon any of the provisions of this Agreement.

XI. Assignment. This Agreement may not be assigned, or the rights granted hereunder transferred or sub-licensed, by either party without the express prior written consent of the other party.

XII. Heirs, Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of each party, its subsidiaries, affiliates, related entities, partners, agents, officers, directors, employees, heirs, successors, and assigns, without regard to whether it is expressly acknowledged in any instrument of succession or assignment.

XIII. Counterparts. This Agreement may be executed in one (1) or more counterparts, each of which shall be deemed an original and all of which taken together shall constitute one (1) and the same instrument.

XIV. Entire Agreement. This Agreement: (i) constitutes the entire agreement between the parties hereto with respect to the subject matter hereof; (ii) supersedes and replaces all prior agreements, oral and written, between the parties relating to the subject matter hereof; and (iii) may be amended only by a written instrument clearly setting forth the amendment(s) and executed by both parties.

XV. Independent Agreement. This Agreement is an independent agreement which is not in any way contingent upon or related to any other contractual obligations of the parties. The royalties and price discounts provided by Company herein are solely in consideration for the license of Association's name, logo and membership mailing list.

XVI. Severability. All provisions of this Agreement are severable. If any provision or portion hereof is determined to be unenforceable in arbitration or by a court of competent jurisdiction, then the remaining portion of the Agreement shall remain in full effect.

XVII. Notice. All notices and demands of any kind or nature that either party to this Agreement may be required or may desire to serve upon the other in connection with this Agreement shall be in writing and may be served personally, by certified mail, or by commercial overnight courier (e.g., Federal Express), with constructive receipt deemed to have occurred 3 calendar days after the mailing or sending of such notice, to the following addresses:

If to CSDA:                    California Special Districts Association  
    1112 I Street, Suite 200  
    Sacramento, CA 95814  
    Attn.: Neil McCormick, Executive Director

If to Chapter:

\* \* \* \* \*  
IN WITNESS WHEREOF, the parties hereto have caused duplicate originals of this Agreement to be executed by their respective duly authorized representatives as of the date and year first above written.

**California Special Districts Association**  
**Contact: Neil McCormick, Executive Director**  
1112 I Street, Suite 200  
Sacramento, CA 95814  
T – 916.442.7887

By: \_\_\_\_\_  
Neil McCormick  
Executive Director  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Date: \_\_\_\_\_

Exhibit A**ARTICLE VIII – LOCAL CHAPTERS****Section 1. Purpose:**

The purpose of local chapters is to provide a local forum of members for the discussion, consideration and interchange of ideas concerning matters relating to the purposes and powers of special districts and the CSDA.

The local chapters may meet to discuss issues bearing upon special districts and the CSDA. The chapters may make recommendations to the CSDA's Board of Directors.

**Section 2. Organization:**

The regular voting members of the CSDA are encouraged to create and establish local chapters. Each of the following existing chapters must have at least one (1) CSDA member in their membership at all times: Alameda, Butte, Contra Costa, Kern, Marin, Monterey, Orange (ISDOC), Placer, Sacramento, San Bernardino, San Diego, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara and Ventura. These existing chapters are strongly encouraged to have all district members as CSDA members, however the existing local chapter may include members of local organizations, districts and professionals who are not members of the CSDA.

New chapters formed after August 1, 2011 are required to have 100 percent of their district members as CSDA members in order to be a chapter affiliate of CSDA. The existing local chapter may include members of local organizations and professionals who are not members of CSDA.

Local chapters shall be determined to be affiliates of the CSDA upon approval and ratification by the Board of Directors of the CSDA. The chapters shall be required to provide updated membership lists to the CSDA at least annually.

CSDA and its local chapters shall not become or deem to be partners or joint ventures with each other by reason of the provisions of these Bylaws.

**Section 3. Rules, Regulations and Meetings:**

Each local chapter shall adopt such rules and regulations, meeting place and times as the membership of such local chapter may decide by majority vote. Rules and regulations of the local chapter shall not be inconsistent with the Articles of Incorporation or Bylaws of the CSDA.

**Section 4. Financing of Local Chapters:**

No part of the CSDA's funds shall be used for the operation of the local chapter affiliates. The CSDA is not responsible for the debts, obligations, acts or omissions of its local chapters.

**Section 5. Legislative Program Participation:**

Local chapters may function as a forum in regard to federal, state and local legislative issues. The chapters may assist the CSDA in the distribution of information to their members.

Exhibit B

**Sample Certificate for Liability Coverage**

The undersigned, being duly authorized to execute this Certificate on behalf of the Board of Directors of \_\_\_\_\_ (name of special district) (hereinafter the "District") hereby affirm the following:

1. That the participation by employees and members of the Board of Directors of District in the meetings and activities conducted by the \_\_\_\_\_ Chapter of the California Special Districts Association have been authorized by the District's Board of Directors; and that the Board of Directors has found such activities constitute activities in the course and scope of such individual's employment with or position of director with the District.

**Humboldt Bay Municipal Water District**

To: Board of Directors  
From: Samantha Ryan  
Date: September 14, 2017  
Re: Emergency Action Plan

**Background**

The Federal Energy Regulatory Commission (FERC) has required hydroelectric dam owners to maintain an Emergency Action Plan (EAP) since January 21, 1981. In accordance, HBMWD has an EAP for R. W. Matthews Dam that was most recently submitted February 28, 2014.

The purpose of the EAP is to safeguard the lives and property of citizens of southern Trinity County and Humboldt County along the Mad River, in the unlikely event of failure of R. W. Matthews Dam at Ruth Lake. The EAP specifies the District's notification responsibilities in the event of actual or potential dam failure. The EAP is intended to facilitate a timely reaction to an actual or threatened dam failure, and timely notification to the counties of Trinity and Humboldt Offices of Emergency Services which have responsibility for emergency preparedness and response.

The main components of an EAP are notification flowcharts, inundation maps, and observation point maps. There are two notification flowcharts; one for when dam **failure is imminent or has occurred** and one for when a **potentially hazardous situation is developing**. These flowcharts outline which agencies need to be contacted and the order in which to contact them. In the unlikely scenario that the dam should fail, the inundation maps show which areas of Trinity and Humboldt Counties would be submerged depending on whether it is a "sunny day" or "rainy day" event. The observation point maps have detailed directions for emergency responders to guide them to pre-determined vantage points that look over the Mad River. These points are used to truth the flood wave time in the EAP to the actual time of travel of the flood wave during a failure event.

Due to recent events at the Oroville Dam, The California Department of Water Resources (DWR) was tasked with classifying the hazard levels (low, significant, high, extremely high) of all dams within the state by July 1, 2017. DWR classified dams based on the probable outcome if a dam were to fail;

- **Low** No probable loss of human life and low economic and/or environmental loss
- **Significant** No probable loss of human life but economic and/or environmental loss expected
- **High** Probable loss of human life (1 or more), may or may not cause economic and/or environmental loss
- **Extremely High** Considerable loss to human life and major economic and/or environmental loss



Dams that are classified as significant, high, or extremely high hazard are being required by DWR to submit inundation maps and an EAP<sup>1</sup>.

R. W. Matthews Dam has been categorized as a high hazard dam, under the unlikely event that the dam were to fail. To be in compliance with the new requirements by DWR, HBMWD must have inundation maps approved by the Division of Safety of Dams (DSOD) and an EAP approved by California Office of Emergency Services (Cal OES) by January 1, 2019. Inundation maps from HBMWD's existing EAP were submitted to DSOD for approval in August 2017. Upon approval by DSOD, the EAP will then be approved by Cal OES. Both DSOD and Cal OES have been receiving our current EAP. However, due to the new requirement, the district must submit its existing EAP for official approval under the new state regulations.

### **Discussion**

Staff will use a PowerPoint presentation during the board meeting to discuss the following and provide samples of the contents of our EAP to the Board.

#### Purpose of EAP

Agencies that require HBMWD to have an EAP

- FERC-since 1981
- DWR-declared in 2017, comply by 2019

#### District Responsibilities

- Maintain EAP
- Contact

#### Components of EAP

- Distribution List
- Notification flowcharts
- HBMWD's response plan
- Inundation maps
- Observation points
- Plans for training, exercising, updating and posting the EAP

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<sup>1</sup> Division 3, Part 1, Chapter 3, Article 6, Section 6160 and 6161 of the CA Water Code

**ACWA**

## ACWA Tracks Water-Related Bond Proposals Eyed for 2018

ACWA is tracking several water-related bond proposals that could go before voters in 2018. Here is a quick look at what the proposed park/water bond measures would do and where the proposals stand as of August 2017.

### Legislative Proposals

SB 5 by Senate President pro Tem Kevin De León (D-Los Angeles) and AB 18 by Assembly Member Eduardo Garcia (D-Coachella) are currently being considered by the Legislature. Both proposals would authorize the state to issue general obligation bonds, but for differing amounts and purposes.

SB 5 would authorize the issuance of \$3.8 billion in state general obligation bonds, while AB 18 proposes \$3.1 billion in bonds. A key difference between the proposals is how much of that funding would be dedicated to water-related projects. SB 5, in its current form, would provide \$550 million in funding for water projects for four Proposition 1 funding purposes, while AB 18 would not. The four categories are: 1) safe drinking water and clean water; 2) integrated regional water management; 3) recycling and

advanced treatment; and 4) groundwater cleanup and sustainability planning. SB 5 also would include \$750 million for flood protection and repair.

SB 5 is awaiting action in the Assembly Water, Parks and Wildlife Committee, and AB 18 is awaiting action in the Senate Natural Resources and Water Committee. However, it is likely that the two authors will try to reach an agreement on a single bill that, if passed by the Legislature, could be signed by Gov. Jerry Brown.

ACWA has a favor-and-amend position on both bills. ACWA's State Legislative Committee will consider the July amendments to SB 5 at its next meeting on Aug. 25.

### Ballot Initiatives

In addition to the above-mentioned legislative proposals, two ballot initiatives also could be considered by voters in 2018. The initiatives include an \$8.9 billion proposal by Gerald Meral of the Natural Heritage Institute and an \$7.9 billion proposal filed by environmental advocate Joe Caves. Both proposed

initiatives have been submitted to the Attorney General's Office for title and summary. The proponents have recently amended the originally-filed versions and filed amended versions with the Attorney General's Office. ACWA is now reviewing the amended versions. Both bonds include significant funding for water projects and ecosystem protection.

In order to appear on the November 2018 ballot, proponents would have to qualify the measures by obtaining at least 365,880 verified signatures from voters.

ACWA takes positions on water-related bonds after they have qualified, so the association does not have a position on either measure at this time. If the Legislature passes a bond measure and the governor signs it, that outcome could affect future activity on the ballot initiatives.

### Questions

Members with questions about these bond proposals should contact ACWA Deputy Executive Director for Government Relations Cindy Tuck at [cindyt@acwa.com](mailto:cindyt@acwa.com). ♦

## Past President Paul Kelley Steps in as ACWA Acting ED While Executive Director Timothy Quinn is on Medical Leave



ACWA Past President Paul Kelley, who also is the current CalDesal executive director, has stepped in as acting executive

director at ACWA for two months while ACWA Executive Director Timothy Quinn is on medical leave. Quinn is expected to return to ACWA at the end of September.

Kelley assumed the acting role on Aug. 7. He served as ACWA President from 2010-'11 and actively participated in many ACWA activities while he was a

director of the Sonoma County Water Agency. He also served as ACWA Vice President from 2008-'09 and chair of ACWA Region 1.

You may reach Paul Kelley at [paulk@acwa.com](mailto:paulk@acwa.com) or through the ACWA Executive Director's office, attention Executive Assistant Lili Vogelsang at [liliv@acwa.com](mailto:liliv@acwa.com) or (916) 441-4545. ♦

Sept. 1 Deadline Approaches to Nominate Leaders for the 2017 Emissary Award and to Submit Communications Programs for Huell Howser Best in Blue Award. Details at [www.acwa.com/about/awards](http://www.acwa.com/about/awards).



best in blue  
achieving communications excellence



Grant Davis

### SCWA's Grant Davis Tapped to Lead Department of Water Resources

Gov. Jerry Brown appointed Sonoma County Water Agency General Manager **Grant Davis** to serve as director of the California Department of Water Resources, effective Aug. 1.

The appointment, which is subject to Senate confirmation, fills the vacancy initially created when former Director Mark Cowin retired at the end of 2016. Acting Director William R. Croyle retired on July 1.

Davis joined SCWA in 2007 as assistant general manager and became general manager in 2010. As general manager, he worked with more than 280 employees and oversaw the core functions of providing drinking water and wastewater management services, flood protection, and

habitat restoration in the Russian River.

He has served as executive director of the Bay Institute, as the senior district representative in the Office of U.S. Rep. Lynn Woolsey and principal of Impact Consulting.

In a statement, Davis said it was an honor to be appointed by the governor and expressed appreciation to SCWA's board and staff. ACWA Executive Director Timothy Quinn called Davis's appointment an excellent choice at a critical time.

"There is important work to be done to implement Governor Brown's California Water Action Plan, and Grant's proven leadership and out-of-the-box thinking will be extremely valuable to that mission," Quinn said in a statement. ♦



Lisa Lien-Mager

### ACWA Director of Communications Lien-Mager Appointed to Resources Agency

Gov. Jerry Brown on Aug. 8 announced the appointment of ACWA Director of Communications **Lisa Lien-Mager** as deputy secretary for communication at the California Natural Resources Agency. Lien-Mager started her new appointment Aug. 14.

Lien-Mager had been with ACWA for over two decades, having started in 1990 as a public affairs specialist. She also served as a legislative analyst, communications supervisor and was promoted to director of communications in 2012 as part of ACWA's reorganization. From

2001 to 2005 she worked as a public affairs specialist at the California Bay-Delta Authority, and from 1987 to 1990 she worked as a reporter at the Milwaukee Sentinel.

Lien-Mager is credited with playing a key role in helping to position ACWA as a consistent, leading voice on water.

"Lisa's contributions to ACWA's award-winning communications efforts have been significant over more than two decades. Her ability to clearly communicate complicated water issues in written form is unmatched," said ACWA Deputy Executive Director, External Affairs, Jennifer Persike. ♦



Michael Thompson

### Sonoma County Water Agency Names Thompson Interim GM

The Sonoma County Water Agency Board of Directors on Aug. 1 named its Assistant General Manager **Michael Thompson** as the agency's interim general manager while a national search is conducted to replace outgoing General Manager Grant Davis.

In July, Davis was appointed by Gov. Jerry Brown to serve as the director of the California Department of Water Resources. The board estimates that the search for a permanent replacement will take four to six months.

Thompson, who has worked for SCWA for 22

years, has served as assistant general manager for the past four years. His responsibilities include managing the budgets for SCWA's water supply, sanitation and flood protection systems, directing SCWA's infrastructure maintenance program, and leading strategic planning efforts. Thompson also serves on the Power and Water Resources Pooling Authority Board of Directors and is co-chair of the Sonoma County Administrative Management Council.

"Mike is a terrific choice to serve as interim director. He understands all aspects of the water agency... and has the respect of staff at all levels," said SCWA Board Director James Gore in a statement. ♦

**From:** ACWA <acwabox@acwa.com>  
**Sent:** Thursday, August 10, 2017 1:49 PM  
**To:** Sherrie Sobol  
**Subject:** Outreach Advisory: Senate Resolution Establishing Annual Water Professionals Appreciation Week to be Introduced Soon



[Click here to view it in your browser.](#)

## **OUTREACH ADVISORY**

**Aug. 10, 2017**

### **Senate Resolution Establishing Annual Water Professionals Appreciation Week to be Introduced Soon**

#### *ACWA-Sponsored Measure Highlights Important Role of Water Industry*

A resolution that would designate an annual Water Professionals Appreciation Week during the month of October will be introduced in the Senate in the coming weeks.

The resolution, which will be authored by Sen. Bill Dodd (D-Napa), is sponsored by an ACWA-led coalition that includes WateReuse California, California Municipal Utilities Association, California Association of Sanitation Agencies and California Water Association.

Water Professionals Appreciation Week would provide a platform to highlight the important role of water industry professionals and local public water agencies in ensuring safe and reliable water, wastewater, and recycled water in California. As part of the designated week, ACWA members are encouraged to organize programs and events to educate their customers, local elected leaders, state and federal lawmakers and other key audiences on the value of water, wastewater, and recycled water services and their importance to public health and the economy in California.

ACWA has developed a toolkit for ACWA members with suggested steps and activities as well as social media content to carry out and use at the local level. Members are encouraged to start planning events now so they will be ready to go in October.

Once the resolution is formally introduced in the Senate, ACWA will notify its members and encourage them to send letters to their Senate and Assembly representatives asking them to support the resolution and become a coauthor.

## **Background**

Authored by Sen. Bill Dodd (D-Napa) and coauthored by Assembly Member Bill Quirk (D-Hayward), the Senate Concurrent Resolution would establish an annual Water Professionals Appreciation Week that would begin on the first Saturday of October and end on the Sunday of the following weekend each year.

During Water Professionals Appreciation Week, local water agencies would be encouraged to organize programs and events to educate their customers and other audiences and highlight the valuable role played by the water industry. It will also be an opportunity to promote jobs in the water industry as part of ACWA's Next Generation Initiative.

The timing of the week is planned for the month of October specifically because Oct. 1 marks the start of each new Water Year. It also allows members of the state Legislature to attend associated events while on interim recess.

The idea for an annual Water Professionals Appreciation Week in California originated with ACWA's Communications Committee in 2016. The committee formally recommended the concept to the ACWA Board of Directors earlier this year, and the Board authorized staff to work with a coalition of organizations to pursue the designation.

Other states, including the Commonwealth of Virginia, have formally designated similar days.

## **Next Steps**

ACWA will distribute an Outreach Advisory once the Senate Concurrent Resolution is introduced in late August or early September. A sample letter will be provided for ACWA members to use to request that their Senate and Assembly representatives support the measure and sign on as a coauthor.

The Legislature returns from its summer recess on Aug. 21 and adjourns for the session on Sept. 15.

## **Questions**

Questions about the Senate Concurrent Resolution should be directed to ACWA Senior Legislative Advocate Whitnie Wiley at (916) 441-4545.

Questions about Water Professionals Appreciation Week activities should be directed to ACWA Communications Specialist Emily Allshouse at (916) 441-4545.

**CONTACT**  
**Emily Allshouse**  
**Communications Specialist**  
**(916) 441-4545**

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<a href="#">STATE LEG COMMITTEE</a>	<a href="#">REGULATORY ISSUES</a>	<a href="#">ACWA POLICY PRINCIPLES</a>



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910 K Street, Suite 100, Sacramento, CA 95814

We hope you enjoy receiving email notices and updates from ACWA. At any time you can click here to unsubscribe or to change your subscription preferences.

# WATER PROFESSIONALS APPRECIATION WEEK TOOLKIT

AUG 10, 2017 MEMBER TOOLS

A Senate Concurrent Resolution that would designate an annual Water Professionals Appreciation Week will be introduced in the Senate in the coming weeks.

The resolution, which will be authored by Sen. Bill Dodd (D-Napa), is sponsored by an ACWA-led coalition that includes WaterReuse California, California Municipal Utilities Association, California Association of Sanitation Agencies and California Water Association.

If approved by the Legislature, Water Professionals Appreciation Week would occur during the month of October, beginning on the first Saturday of the month and ending on the Sunday of the following weekend, each year.

Water Professionals Appreciation Week provides a valuable opportunity to highlight the important role of water industry professionals and local public water agencies in ensuring safe and reliable water, wastewater, and recycled water in California.

As part of the designated week, local water agencies would be encouraged to organize programs and events that educate California water customers, local elected leaders, state and federal legislators, and other key audiences on the value of water and wastewater services and their importance to public health and the economy in California.

ACWA members who wish to participate in Water Professionals Appreciation Week may choose from the following suggested activities and tools.

## Suggested Activities

Ask the cities and counties in your service area to pass resolutions in support of your agency and Water Professionals Appreciation Week.

Organize a tour of your agency's water facilities, infrastructure or projects, such as a water treatment plant, or recycled water project. Be sure to invite your customers, local officials, legislators and media.

Host an Open House at your district office.

Work with local high schools, colleges and universities to promote careers or internships at your district. Remember to use ACWA's NextGen Toolkit.



**RREDC/RCEA**



# Redwood Coast Energy Authority

633 3<sup>rd</sup> Street, Eureka, CA 95501

Phone: (707) 269-1700 Toll-Free (800) 931-RCEA Fax: (707) 269-1777

E-mail: [info@redwoodenergy.org](mailto:info@redwoodenergy.org) Web: [www.redwoodenergy.org](http://www.redwoodenergy.org)

SECTION k4a PAGE NO. 1

## MEETING AGENDA

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

**August 21, 2017**  
**Monday, 3:15 p.m.**

RCEA will accommodate those with special needs. Arrangements for people with disabilities who attend RCEA meetings can be made in advance by contacting Barbara Garcia at 269-1700 by noon the day of the meeting.

### **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 & written communications, the Board may respond to statements. Any request that requires Board action will be set by the Board for a future agenda or referred to staff.

### **3. CONSENT CALENDAR**

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

**3.1 Approve Minutes of July 17, 2017 Board Meeting.**

**3.2 Approve attached Warrants.**

**3.3 Accept attached Financial Reports.**

### **4. REMOVED FROM CONSENT CALENDAR ITEMS**

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

### **5. OLD BUSINESS**

**5.1 SDRMA Board Elections**

**Consider Adoption of Resolution 2017-5 for the Election of Directors to the Special District Risk Management Authority Board of Directors.**

### **6. NEW BUSINESS**

**6.1 Community Advisory Committee**

**Provide input and direction on next steps for the Community Advisory Committee.**

**6.2 RCEA Financial Reporting**

**Provide input and direction on methods to communicate status of RCEA finances to public.**

### **7. STAFF REPORTS**

**7.1 Director of Power Resources**

- CCE Program update

**7.2 Executive Director**

- Staffing update
- California Community Choice Association (CalCCA) update

### **8. ADJOURNMENT**



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

**REDWOOD REGION ECONOMIC DEVELOPMENT COMMISSION**  
**Regular meeting of the Board of Directors**  
 At the Prosperity Center 520 E Street, Eureka  
**August 28, 2017 at 6:30 pm**  
**AGENDA**

- I. **Call to Order & Flag Salute**
- II. **Approval of Agenda and Minutes**
  - A. Approval of Agenda for August 28, 2017
  - B. Approval of Minutes of the Board of Directors for June 26, 2017
- III. **Public Input for non-agenda items**
- IV. **Program – Matthew Marshall, Executive Director, Redwood Coast Energy Authority – Update on the Implementation of the Community Choice Energy Program**
- V. **Consent Calendar**
  - A. Acceptance of Agency-wide Financial Reports: June 30, 2017 and July 31, 2017
- VI. **Reports – No Action Required**
  - A. Loan Portfolio Reports: June 2017 and July 2017
  - B. Executive Director's Report
- VII. **Old Business**
  - A. Update and Discussion on Providing Support for Digital 299 Broadband Project via California iBank Program
- VIII. **New Business**
  - A. Consideration of Letter of Opposition to AB 1250 (Jones-Sawyer) Counties: Contracts for Personal Services
  - B. Election of Vice-Chair to Replace Sofia Pereira, City of Arcata
- IX. **Member Reports**
- X. **Agenda/Program Requests for future Board of Directors Meetings**
- XI. **Adjourn**

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

/