

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



**Minutes for the Special Meeting of Board of Directors**  
**May 29, 2020**

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**1. ROLL CALL**

The Board meeting was conducted via Zoom due to COVID-19 Shelter In Place Orders. President Woo called the meeting to order at 8:32 am. Director Rupp conducted the roll call. Directors Fuller, Latt, Lindberg, Rupp and Woo were present. General Manager John Friedenbach, Superintendent Dale Davidsen, Business Manager Chris Harris, Tech Manager Dee Simpson-Glenn, and Board Secretary Sherrie Sobol were present. Legal Counsel David Aladjem was present for a portion of the meeting.

**2. FLAG SALUTE**

The flag salute was conducted.

**3. ACCEPT AGENDA**

On motion by Director Latt, seconded by Director Lindberg, the Board voted 5-0 by roll call vote to accept the agenda.

**4. PUBLIC COMMENT**

No public comment was received.

**5. CONTINUING BUSINESS**

**1. FY 2020/21 Project Budget**

Staff presented and the Board discussed the proposed Project Budget in line-item detail. Given the numerous line items to discuss, the Board suggested only reviewing projects budgeted for \$10,000 and up, unless any smaller projects are specifically called out for discussion.

The Directors asked several questions about various proposed projects which staff responded to. During discussion regarding industrial system costs, Mr. Friedenbach stated staff will negotiate with an industrial customer to reimburse the District or use ReMAT funds to cover the cost for industrial system projects. Director Latt stated these are two very different paths and he is opposed to using ratepayer funds for industrial items, i.e. subsidizing Nordic Aquafarms. Mr. Friedenbach explained that ReMAT funds are not ratepayer funds. These funds are intended for projects with no revenue source. Each of the Municipal Customers are aware of and agreed to this through a specific contract amendment. Additionally, the District does not have any industrial customers under contract at this point. When an industrial customer is ready to sign a contract with the District this can be part of the negotiations. Staff finished the project budget presentation and no additional concerns were expressed. The Board thanked everyone for the work that went into the project budget process.

**2. Water Resource Planning-Instream Flow Draft Petition for Change Narrative Summary**

President Woo stated the Instream Flow Draft Petition for Change Narrative Summary is before the Board for possible approval. Once approved, the committee will take the document to regulatory agencies such as Dept. of Fish and Wildlife and National Marine Fisheries Service for their input.

Legal Counsel David Aladjem participated in the discussion. He provided a synopsis of the summary and how it might be viewed by the State Water Resources Control Board (SWRCB). The purpose of the document is to make it as easy as possible for the SWRCB to approve the District's petition for change to allow water releases for instream flow for environmental benefit. Without this change, the District would be required to cease releasing the additional water over and above its municipal and industrial demands, which would be detrimental to aquatic organisms and habitat. He drew the Board's attention to Table 1 of the report. This table summarizes the different parameters of water rights.

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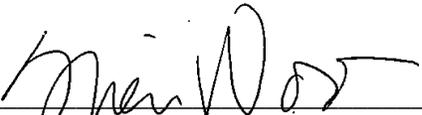
These are the criteria the SWRCB will use in their decision-making process. There are no proposed changes except for the “authorized purposes and place of use” section. This is the easiest section to change. The District is demonstrating they are being as environmentally responsible as possible and not impeding on the rights of any legal water rights user. This looks very promising for approval. Mr. Aladjem answered several questions from the Board and Director Rupp thanked the President Woo, Director Fuller, Mr. Aladjem and the consultants for all their hard work on the document. Director Latt requested confirmation that this dedication does not preclude intake at Station 6. Mr. Aladjem confirmed this in that the dedication is from the release point of Matthews Dam to the point of diversion at Essex. He noted that 20 mgd for Municipal customers is locked in and separate from the 20 mgd for instream flow. On motion by Director Rupp seconded by Director Latt, the Board voted 5-0 by roll call vote to approve the document, with any refinement needed by staff and submit it to the SWRCB.

President Woo stated next steps are to discuss the draft petition with the Dept. of Fish and Wildlife, NMFS, Water Task Force and Water Resource Planning Advisory Committee as well as the Municipal Customers. Director Rupp stated he and Director Latt would speak with Humboldt CSD. Mr. Aladjem suggested the meetings be scheduled in the next few weeks to month. The Board thanked Mr. Aladjem and he in turn stated he appreciates the time and detail put into the report.

**ADJOURNMENT**

President Woo adjourned the meeting at 11:52 am.

Attest:

  
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Sheri Woo, President

  
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J. Bruce Rupp, Secretary/Treasurer