

# Humboldt Bay Municipal Water District 828 7<sup>th</sup> Street, Eureka



## Agenda for Regular Meeting of the Board of Directors

September 14, 2023

Meeting Start Time: 9:00 AM

### District Mission

*Reliably deliver high-quality drinking water to the communities and customers we serve in the greater Humboldt Bay Area at a reasonable cost. Reliably deliver untreated water to our wholesale industrial customer(s) at a reasonable cost. Protect the long-term water supply and water quality interests of the District in the Mad River watershed.*

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**Members of the public may join the meeting online at:**  
<https://us02web.zoom.us/j/86710296323?pwd=MjZldGxRa08wZ0FWOHJrUjNhZnFLQT09>  
**Or participate by phone: 1-669-900-9128 Enter meeting ID: 867 1029 6323 Enter password: 484138**  
 If you are participating via phone and would like to comment, please press \*9 to raise your hand.

**How to Submit Public Comment:** Members of the public may provide public comments via email until 5 pm the day before the Board Meeting by sending comments to office@hbmwd.com. Email comments must identify the agenda item in the email's subject line. Written comments may also be mailed to 828 7th Street, Eureka, CA 95501. Written comments should identify the agenda item number. Comments may also be made in person at the meeting.

### Time Set Items:

<b>8.2 Continuing Business</b>	<b>McNamara &amp; Peepe</b>	<b>9:15 AM</b>
<b>10.1 Engineering</b>	<b>Engineering</b>	<b>11:00 AM</b>

**The Board will take a scheduled lunch break from 12:00 pm to 1:30 pm.**

**1. ROLL CALL**

**2. FLAG SALUTE**

**3. ACCEPT AGENDA**

**4. PUBLIC COMMENT**

Members of the public are invited to address the Board on items not listed on the agenda that are within the scope and jurisdiction of the District. At the discretion of the President, comments may be limited to three minutes per person. The public will be allowed to address items on the agenda when the Board takes up that item. Under the Brown Act, the Board may not take action on any item that does not appear on the agenda.

**5. MINUTES**

August 17, 2023 Regular Board Meeting Minutes\*- discuss and possibly approve

**6. CONSENT AGENDA \*-These matters are routine in nature and are usually approved by a combined single vote unless an item is pulled for discussion**

Media articles of local/water interest (Articles a-h)\*- discuss and possibly approve

**7. CORRESPONDENCE**

- a. FERC Emergency Action Plan Exercise Design Course\*-discuss
- b. FERC 2023 Dam Safety Inspection Follow-up\* -discuss

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- c. Southern Trinity Health Services Thank You letter\*-discuss
- d. Humboldt County Office of Emergency Services Local Hazard Mitigation Plan (LHMP) letter of commitment\*-discuss
- e. Coastal Development Permit, Dune Maintenance: Possible Remediation Location letters\*-discuss

**8. CONTINUING BUSINESS**

**8.1 Water Resource Planning**– Status report on water use options under consideration\*-discuss

- a. Local Sales
  - i. Nordic Aquafarms-discuss
  - ii. Trinidad Rancheria Mainline Extension-discuss
  - iii. Blue Lake Rancheria Mainline Extension-discuss
  - iv. Offshore Wind Heavy Lift Multipurpose Marine Terminal Project-discuss
  - v. Comments on NOP Wind Heavy Lift letter\*-discuss
- b. Transport-\* discuss
- c. Instream Flow - discuss

**8.2 McNamara & Peepe (Time Set 9:15 am)**

- a. DTSC Monthly Summary Report, August\*- discuss
- b. Email to Senator McGuire RE DTSC\*-discuss
- c. Site maps & historical sampling results (stormwater and well water)\*-reference

**9. NEW BUSINESS**

Employee Handbook Chapter 1\* -discuss

**10. REPORTS**

**10.1 Engineering – (Time set 11:00 am)**

- a. Collector 2 Rehabilitation Project\*-status report
- b. Essex Onsite Sodium Hypochlorite Generation-status report
- c. TRF Generator-status report
- d. Collector Mainline Redundancy Project-status report
- e. 12kV Switchgear Relocation Project-status report
- f. Status report re: other engineering work in progress

**10.2 Legal**

Substitution of Attorney\*-discuss

**10.3 Financial**

- a. August 2023 Financial Statement & Vendor Detail Report\*-discuss and possibly approve
- b. August 2023 Fieldbrook-Glendale contract revenue and Expense Summary\*-discuss

**10.4 Operations**

August Operations Report\*-discuss

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10.5 **Management**

- a. College and Career Expo\*-discuss
- b. Assembly Constitutional Amendment 13 (Ward) support\*- discuss
- c. Resolution 2023-10 Annual California Water Professionals Appreciation Week\*- discuss and possibly approve

**11. DIRECTOR REPORTS & DISCUSSION**

11.1 **General – comments or reports from Directors**

11.2 **ACWA**

Director Report, if any

11.3 **ACWA – JPIA**

Director Report, if any

11.4 **Organizations on which HBMWD Serves**

- a. RCEA\*– report out
- b. RREDC\*– report out

**ADJOURNMENT**

ADA compliance statement: In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact the District office at (707) 443-5018. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting. (Posted and mailed September 8, 2023.)



# HUMBOLDT BAY MUNICIPAL WATER DISTRICT

Board of Directors Meeting

September 14, 2023



FIRE SCOOPER PLANES AT RUTH LAKE

# MINUTES

Humboldt Bay Municipal Water  
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**1. ROLL CALL**

President Latt called the meeting to order at 9:03 AM. Director Rupp conducted the roll call. Directors Lindberg and Rupp were present. Director Fuller was present virtually for a portion of the meeting. Director Woo was absent. General Manager John Friedenbach, Superintendent Dale Davidsen, Business Manager Chris Harris and Board Secretary Contessa Dickson were present. District Engineer Nathan Stevens was present for a portion of the meeting.

**2. FLAG SALUTE**

President Latt led the flag salute.

**3. ACCEPT AGENDA**

On motion by Director Lindberg and seconded by Director Rupp, the Board voted 3-0 to accept the agenda.

**4. PUBLIC COMMENT**

No public comment was received.

**5. MINUTES**

a. July 13, 2023 Regular Board Meeting Minutes

On motion by Director Rupp, seconded by Director Lindberg, the Board voted 3-0 to approve the minutes of July 13, 2023.

b. August 3, 2023 Special Board Meeting Minutes

On motion by Director Rupp, seconded by Director Lindberg, the Board voted 3-0 to approve the minutes of August 3, 2023.

**6. CONSENT AGENDA**

Director Lindberg requested Item B to be pulled from Consent. On motion by Director Rupp, seconded by Lindberg the Board voted 3-0 to approve the Consent Agenda less Item B. The Board discussed item B, Times Standard article "20,000 residents to see water, sewer bills jump 88% over 5 years." General Manager Friedenbach discussed the content of the article. The Board did not agree with the quote made by TK Williams, general manager of HCSO, which implied that HBMWD was responsible for their rate increases. It was noted that their rates are increasing due to other issues such as their capital improvement needs. Mr. Friedenbach did state this was addressed at the recent monthly Municipal Customer meeting where Mr. Williams stated he was misquoted. After discussion, the Board suggested reaching out to Times Standard with a correction letter. Mr. Friedenbach agreed it would be appropriate to send a correction letter to Times Standard. On motion by Director Lindberg, seconded by Director Rupp the Board approved item 6b with a roll call vote of 4-0. Director Fuller was present for this vote.

**7. CORRESPONDENCE**

a. HBMWD letter to California Public Utilities Commission (CPUC)

Mr. Friedenbach sent a letter to CPUC requesting assistance with expediting repairs on the PG&E transformer at Low Gap so that the Ruth hydro plant can get back online and start generating power and revenue. The Ruth hydro plant has been out of commission since April 2023 due to a lightning strike on a PG&E transformer. There has been no response from CPUC as of the date of this meeting. Director Rupp suggested following up with CPUC.

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b. HBMWD Letter to IRWM re Collector 2 grant

Previously the District was successful in acquiring two grants through North Coast Resource Partnership for the Collector 2 lateral rehabilitation project. The District was initially advised on doing this grant project in two phases by the County of Humboldt. After reviewing the second grant, the state suggested combining the project into one phase/one grant. After discussions between DWR and the County, Mr. Friedenbach sent a letter to IRWM asking to authorize the combining of the two grants into one. The Board concurred.

c. HBMWD letter re EAP Face-To-Face meeting

Staff sent a letter to save the date for the joint board meeting with Ruth Lake CSD in Trinity County scheduled for Friday September 22, 2023. Mr. Friedenbach stated we are required to do a face-to-face meeting with all EAP plan holders. The Trinity County EAP Plan holders meeting will immediately follow the joint board meeting.

#### 8. CONTINUING BUSINESS

8.1 Water Resource Planning

a. Local Sales

i. Nordic Aquafarms

Mr. Friedenbach reported no significant updates. Nordic is still working on getting permits.

ii. Trinidad Rancheria Mainline Extension

No significant updates. The Trinidad Rancheria staff are still working with their engineers.

iii. Blue Lake Rancheria Mainline Extension

President Latt recused himself due to a conflict of interest and left the board room. There was no updated communication from Blue Lake Rancheria.

b. Transport

No updates were reported.

c. Instream Flow

The District's water rights attorney is reviewing the 1707 submittal packet.

8.2 McNamara & Peepe

a. Mr. Friedenbach reported out on the quarterly meeting with DTSC. DTSC openly acknowledged their study was flawed. The benchtop study did not address the Dioxins found in the soil. DTSC also acknowledged dioxins need to be tested moving forward, which they had not done previously. The District is advocating to have the contaminated soil removed. This intense scrutiny is moving DTSC in the right direction. There was a public comment via Zoom by Linda Miller. She stated the Board was doing a great job.

b. Site Investigation Work Plan

Mr. Friedenbach included the site investigation work plan for reference.

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- c. Site maps & historical sampling results (stormwater and well water)  
Mr. Friedenbach included these for reference.

#### 9. NEW BUSINESS

- a. Humboldt County Office of Emergency Services Local Hazard Mitigation Plan (LHMP) letter of commitment

Humboldt County OES is in charge of preparing a local jurisdictional Hazard Mitigation Plan. In order to receive federal FEMA, the District must be a plan partner in the LHMP. Humboldt County is on a 5-year renewal plan cycle with FEMA. Their plan is coming up for renewal in 2025. It takes about 2 years to go through the process of renewal. By adopting this plan and being a plan partner, the District will continue to be eligible to qualify for FEMA grants. By participation in this plan the District has received approximately \$20 million in grant funds in the past. Staff recommends continuing participation in the LHMP. On motion by Director Rupp, seconded by Director Lindberg with a roll call vote of 4-0. Motion passed to continue participation. Director Fuller was present for this vote.

- b. Cari McCormick vs. HBMWD

This is a potential class action lawsuit against CALPERS and participating agencies. The District received this via email on August 3, 2023.

- c. Letter to Brent Robinson re: Notice of insufficiency of claim (Cari McCormick) filed with HBMWD

The District responded to Brent Robinson of Aiman-Smith & Marcy, on advice from counsel, stating their claim failed to substantially comply with the California Government Code Sections: 910, 910.2, 910.4, and/or 901.8. They have 15 days after the date of the letter or six months from date of the alleged incident, whichever is later, in which to file an amended claim. There has been no response as of the date of this Board meeting.

#### 10. REPORTS

##### 10.1 Engineering

- a. Collector 2 Rehabilitation Project-Status report

There are two crews onsite at Essex staggering working hours. The crews have gotten the first lateral done. It is out to 180 feet. The target is to get 4 laterals at 150 feet each. The second lateral may be started today.

- i. Change Order #2 (Port Leaks)

Change Order #2 was required due to port leaks as reported last month. The initial request was for \$46,000, but after discussion, GHD was able to reduce it to \$40,125.18. On motion by Director Rupp, seconded by Director Lindberg, the Board voted 3-0 to approve Change Order #2.

- ii. Pay Request #4

This is a pay request in the amount of \$206,582.42 less the change order #2 amount, for work completed through July. Mr. Steven's recommendation is full payment of the pay request. Mr. Friedenbach suggested adding Project pictures to the board packet next month. Mr. Stevens agreed.

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b. Essex Onsite Sodium Hypochlorite Generation-Status Report

The bulk of the new equipment has been delivered from suppliers. Mr. Davidsen has ordered all the tanks needed for this project. The brine tank is the one that will take the longest to arrive. It is hoped it will be received by January 2024. In the meantime, they are pushing forward on the design and bid package for installation and integration of the system. Mr. Stevens touched briefly on his and Mr. Davidsen's trip to Shasta to view a similar project in operation. Mr. Stevens commented it was very educational and helpful.

c. TRF Generator-Status Report

PACE engineering is working on this project. The District has received 30% of the design drawing plans. District and GHD staff are reviewing those plans. After review, comments will be relayed back to PACE and they will incorporate those comments into the 60% remaining design drawings. The 60% drawings along with other environmental studies and tech memos will be sent to Cal OES and FEMA which will conclude phase one of the project. After Cal OES and FEMA do their environmental reviews, Phase Two of the project can begin.

d. Collector Mainline Redundancy Project-Status Report

GEI Consultants, Inc. is working on this project. A revised scope of work for just adding the seismic refraction piece was sent to Cal OES for approval. The proposal was for that piece and to have the work performed under the current phase 1 budget. CAL OES said inserting this rod into the ground is ground disturbing activity and FEMA approval is needed. The whole project may be pushed back until environmental clearance is achieved.

e. Status report re: other engineering work in progress:

No updates were reported.

10.2 **Financial**

a. July 2023 Financial Statement & Vendor Detail Report

Ms. Harris provided the July financial report. July was the first month of the fiscal year. The general account funds balance is \$2.4 million, including about \$1.5 million from Cal Trust funds. The various investments balance is at \$9.4 million. Funds allocated to specific projects (advanced charges) are \$5.9 million. The general reserve is just over \$2 million. Salary & Employee benefits are at 13% which is higher than the expected 8% year to date percentage. This is due to CalPERS expenses which includes the unfunded liability payment. There is the option to pay the unfunded liability payment monthly or pay a lump sum in July which avoids a little over 3% further interest costs. Worker's Comp is paid quarterly and was paid in July. On motion by Director Rupp, seconded by Director Lindberg, the Board voted 3-0 to approve the financial statement and vendor detail report in the amount of \$1,045,70.23.

b. Fieldbrook-Glendale contract revenue and Expense Summary

This is a new summary report for transparency of the contract service funds received and expenses, previously combined in the financial report. This budget year it was decided to pull Fieldbrook Glendale Community Services District expenses out so it can be clearly reviewed. The Board asked several clarifying questions and concurred with the presentation.

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10.3 Operations

Mr. Davidsen provided the July Operations Report. The TRF is still offline for the summer effective June 12. Staff attended multiple trainings including, JPIA defensive driving training, Sexual Harassment Prevention training, a webinar regarding NFPA 70B Electrical code changes and automation training. The quarterly radio test with Trinity County was conducted successfully. Electrical staff installed a new larger electrical service panel in the Chlorine building. Mr. Davidsen and Mr. Stevens visited a facility in Shasta to learn operations on that facilities hypochlorite generator. Mr. Davidsen briefly discussed the other progress on the new onsite hypochlorite generation process. The Board discussed this topic and asked several questions.

10.4 Management

a. USFS symposium November 15-16

Mr. Friedenbach received a save the date for a symposium in November covering silviculture. Mr. Friedenbach feels it would be informational for the District to attend for our long-term reforestation efforts at Ruth Lake and in the Mad River headwaters area. Director Rupp was in support of his attendance and the possibility of taking another employee. The Board concurred and appreciated Mr. Friedenbach's willingness to attend.

b. ACWA Headwaters group report out

Mr. Friedenbach reported on his attendance at the headwaters working group.

11. DIRECTOR REPORTS & DISCUSSION

11.1 General – comments or reports from Directors

Director Rupp attended a Rotary Club meeting where there was a presentation by Mike Cipra, executive Director of Friends of the Dunes. Friends of the Dunes is seeking designation of the dunes as a National Monument. Mr. Friedenbach suggested that Mr. Cipra make a presentation on the topic to our Board. The Board concurred. Mr. Friedenbach also suggested sending a letter to Congressman Huffman expressing our concern about our right of way and maintenance in the dunes if the dunes become designated as a National Monument. Director Rupp agreed.

11.2 ACWA

a. ACWA Fall conference attendance

After a brief discussion, on motion by Director Rupp, seconded by Director Lindberg the Board voted 3-0 to allow all Directors and appropriate staff to attend the conference and authorized the necessary expense if they would like to do so.

b. ACWA resilient headwaters

This is a Policy statement on maintaining what ACWA is doing to improve the headwaters areas of California. Mr. Friedenbach thought it would be a good document to have in case the public has any questions regarding headwaters.

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c. Membership appreciation letter

Director Rupp shared that August is ACWA member appreciation month. The District received a letter from the president and vice president of ACWA expressing their appreciation of participation.

d. ACWA update on priority issues

Director Rupp discussed the water rights legislation, which is at the top of the priority issue list.

e. ACWA Region 1 ballot

Director Rupp recommended voting for the Nominating Committees' recommended slate on the ballot. He noted that he will still be on the Region 1 board, however, he will not be the Region 1 Chair any longer. He will no longer be required to attend all Region 1 board meetings. On motion by Director Rupp, seconded by Director Lindberg the Board voted 3-0 approving voting for the Nominating Committees' recommended slate on the ballot.

11.3 ACWA – JPIA

Director Rupp attended two committee meetings for ACWA JPIA. He shared that the medical plan premiums were increased 12% for the preferred provider program. In order to keep it at 12% they used \$4 million from reserves. The HMO is going up by 5.46%. The pharmacy management group has changed, effective January 1, 2024. That change will save \$4 million. He also noted that ACWA dues will go up 3%. Director Rupp discussed his experience attending the Region 1 event, and visiting the geysers. President Latt thanked Director Rupp for his service.

11.4 Organizations on which HBMWD Serves

a. RCEA

No reports were made since Director Woo was absent.

b. RREDC

Director Lindberg attended the RREDC meeting in President Latt's absence. It was a well-attended meeting. Their funds are in good shape. Matthew Marshall of RCEA was their program speaker and RCEA is organizing a rural region energy network, trying to consolidate their power buying with other agencies.

**ADJOURNMENT**

The meeting adjourned the meeting at 11:57 a.m.

Attest:

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Neal Latt, President

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J. Bruce Rupp, Secretary/Treasurer

**CONSENT**

# **State Proposes Regulation On How To Make Water Conservation A California Way Of Life**

Sierra Sun Times

Last Updated: Monday, 21 August 2023 04:27

Published: Monday, 21 August 2023 05:47

**If adopted, estimated reduction in water use would reach 9% in 2035, saving enough to supply 1.3 million households for a year and help meet Water Supply Strategy goals**

August 21, 2023 - SACRAMENTO – Moving to bolster California's water supplies and resilience to climate change through long-term water conservation practices, the State Water Resources Control Board today released a proposed regulation that would establish water efficiency goals for urban retail water suppliers in California.

Water conservation is an important component of the state's all-of-the-above Water Supply Strategy to address an anticipated 10% reduction in water supply by 2040, which includes expanding storage, recycling, desalination and stormwater capture projects.

The proposed regulation was developed to implement 2018 legislation, known as the "Making Conservation a California Way of Life" framework, which directed the board to adopt standards for more efficient urban water use along with performance measures for commercial, industrial, and institutional water use.

Each goal — called an urban water use objective — would take into consideration unique local conditions and special circumstances. Water suppliers, not individual households or businesses, would be held to the specified water use objectives.

If the State Water Board adopts the proposed regulation, the overall estimated reduction in water use would reach 8% in 2030, saving 414,000 acre-feet of water, and 9% in 2035, saving 446,000 acre-feet of water, enough to supply 1.3 million households for a year.

"We're building on lived and learned experiences from the last drought to prepare for increasing extremes in weather throughout the West," said Eric Oppenheimer, chief deputy director for the State Water Board. "Climate change challenges us to build conservation into how we manage, supply and use water daily going forward. This regulation proposes to do that in a way that's balanced and achievable. It would set unique objectives for each water supplier while allowing significant flexibility to implement locally appropriate ways to meet them."

The proposed regulation reflects and builds upon information that water suppliers and others provided to the Department of Water Resources, which later submitted recommendations to the State Water Board.

Statewide, there are over 400 urban retail water suppliers — publicly and privately run agencies that deliver water to 95% of Californians. The proposed regulation would require suppliers to annually calculate their objective, which is the sum of efficiency budgets for a subset of urban water uses: residential indoor water use, residential outdoor water use, real water loss, and commercial, industrial and institutional landscapes with dedicated irrigation meters. Each efficiency budget will be calculated using a statewide efficiency standard and local service area characteristics, such as population, climate and landscape area.

To meet their objectives, suppliers are encouraged to use a wide variety of tactics to equip their customers with information and resources to foster wise water use, indoors and outdoors. Examples include education and outreach, leak detection, incentives to plant "climate ready" landscapes, and rebates to replace old and inefficient fixtures and appliances. The state's Save Our Water [website](#) offers templates that suppliers can adapt for their needs.

After the Office of Administrative Law publishes the draft regulation, expected on Aug. 18, the rulemaking process officially begins, and the board will consider adoption of the proposed regulation within one year. The rulemaking process includes opportunities for public comment, which the board will consider and may lead to changes to the regulation.

More information, including the [water use objective exploration tool](#), is available on the State Water Board website: [Making Conservation A California Way of Life webpage](#) and in a [Fact Sheet](#) on the regulation.

The State Water Board's mission is to preserve, enhance and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper resource allocation and efficient use for present and future generations.  
Source: CA. State Water Boards

## Shark found on riverbank in landlocked Idaho causes alarm, officials say

Stephen Sorace

Thu, August 24, 2023 at 9:59 AM PDT · 2 min read



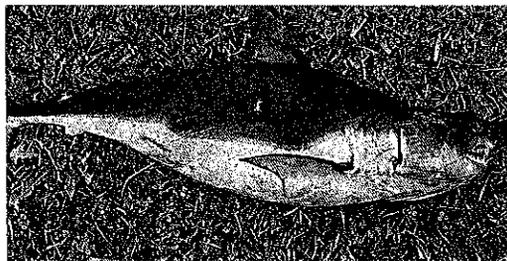
Shark found on riverbank in landlocked Idaho causes alarm, officials say. A salmon shark was found on the shores of the Salmon River near Riggins, Idaho, on August 15, wildlife officials said.

A shark was discovered on a riverbank in Idaho last week, alarming residents of the landlocked state, wildlife officials said.

Calls and emails reporting the unusual discovery on the shores of the Salmon River near Riggins inundated Idaho Fish and Game on August 15, the agency said.

Wildlife officials responded to the area and found what appeared to be a salmon shark. The salmon shark, named for its diet of salmon, can grow up to 10 feet long and weigh up to 1,000 pounds, officials said. While the discovery near the freshwater river left officials scratching their heads, the agency assured the public not to be alarmed.

"They don't live in freshwater. They live in saltwater only," Joe DuPont with Idaho Fish and Game told EastIdahoNews.com. "They don't exist in Idaho unless they are in an aquarium." The salmon shark is typically found in the Pacific Ocean off the coasts of Washington and Alaska to central Baja California, Mexico, and in the Sea of Japan, according to the Alaska Department of Fish and Game. Fish and Game in Idaho said it is believed someone had dropped the shark off on the riverbank as a prank.



The salmon shark does not live in fresh water, and is suspected to have been a prank for a "good laugh," according to Fish and Game.

"Seeing no sharks have been observed swimming up our fish ladders lately, and the only known shark that can live in freshwater is the bull shark, we think it is safe to assume that somebody dropped this on the shore for a good laugh," the agency said. "Our Clearwater regional fisheries manager certainly had a good laugh about it." "This would have been a great April Fool's joke," Fish and Game said.

DAMS AND HYDROPOWER · ISSUES AND CAUSES · YUBA SALMON NOW

## Understanding the Rhythms of Rivers: Exploring Natural Hydrographs and the Impact of Dams on Watersheds

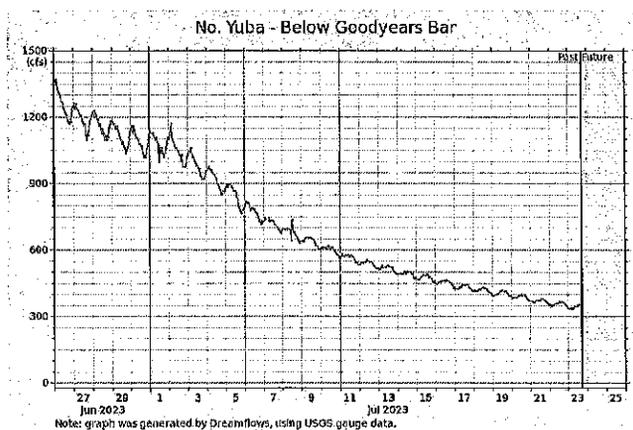
August 23, 2023 August 24, 2023 Article by SYRCL

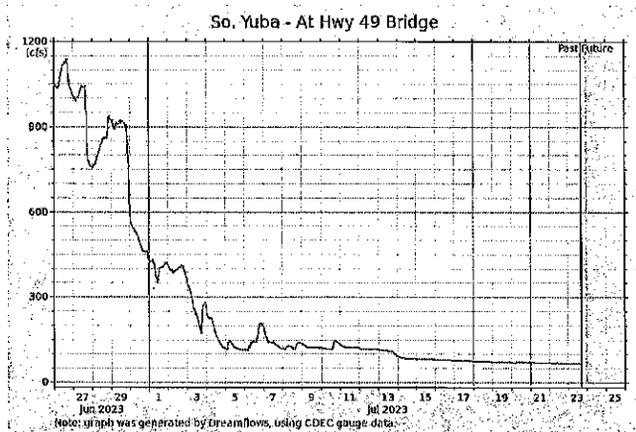
Dams create a number of issues for the overall health of a watershed. One of the primary issues is that they modify the volume (discharge) and timing of when and how water flows in the portion of the river downstream. Dams trap and store water in the wet periods of time, and then release additional water during the dry, hot periods of time to meet human need.

The graph which shows the amount of water flowing past a point over time is called a hydrograph. There are no specific guidelines for how much time a hydrograph has to represent. They can be for a single storm, a calendar year, a water year (October 1 through September 30), or for the entire period of record.

The portion of a hydrograph where the discharge is increasing is called the rising limb, the highest point on the hydrograph is called the peak, and the portion of the hydrograph where discharge is dropping is called the falling limb. Depending on the period represented, this pattern of rising limb, peak, and falling limb can happen multiple times. In natural, snowmelt dominated systems, like the gage on the North Yuba at Goodyear Bar, we see a rising limb, peak, and falling limb every 24 hours. This is called a diurnal. The snow melts during the day and works its way into the river. The discharge peaks in the middle of the night, and the discharge drops back down.

There are a number of characteristics to a natural hydrograph. A diurnal pattern can be one. Another important characteristic is that the falling limb especially is gradual. In a system controlled by dams, operators will release water for power generation, water demands, legal requirements, and in the Spring to make room for melting snow. When water is being released to make room for snow melt, dam operators' goal is to release enough water to have a full reservoir once all the snow has melted. As soon as they feel that they have enough water storage in the reservoir to capture remaining snow melt, they will "turn down" the river below the dam and release as little water as possible. When it comes to dam operations, this is called the ramping rate.





The two pictures show the hydrograph for the end of June and most of July 2023 for the North and South Yuba, respectively. In the North Yuba, we can see the diurnal pattern of daily changes in discharge with a slow decrease in discharge over the entire period. In the South Yuba graph, we see a similar diurnal pattern for the first couple of days in the graph. But on June 29th, operators start “turning the river off” and a few days later, on July 4th the river is at low summer flows.

The rate at which discharge in a river drops – that is the length of the falling limb of the hydrograph – plays an important role in a number of natural processes. A slow ramping rate gives juvenile salmon the signal to move off of floodplains so that they do not get stranded as flows recede. It also allows vegetation recruitment to be more successful because willows and other species have time for roots to develop as the water drops. The lifecycle of bugs and other creatures are also tied to a slow falling limb. When it drops too quickly, plants and animals that need water cannot move or grow fast enough to keep pace with the dropping river levels. In addition to the falling limb, trapping water behind dams during the wet season means that the peak of the hydrograph is “cut off” and stored in the reservoir. This means that water does not flow downstream inundating floodplains, which creates nutrient rich habitat for juvenile salmonids to feed and grow in.

The Yuba River watershed is home to multiple listed species of fish included in the Endangered Species Act (ESA) – including spring-run Chinook salmon (state and federally listed as threatened), fall-run Chinook salmon (federally listed as a species of concern), California Central Valley steelhead (federally listed as threatened), and green sturgeon (listed as threatened on the federal level in the Central Valley). For these fish, the most important dam is Englebright Dam as this is the dam that controls the hydrology of the lower Yuba River

Regulating flow requirements downstream of hydropower dams is controlled by the Federal Energy Regulatory Commission (FERC) which will update hydropower licenses every 30-50 years. Between these relicensing periods, voluntary agreements or other negotiations may occur between dam operators and state and federal agencies.

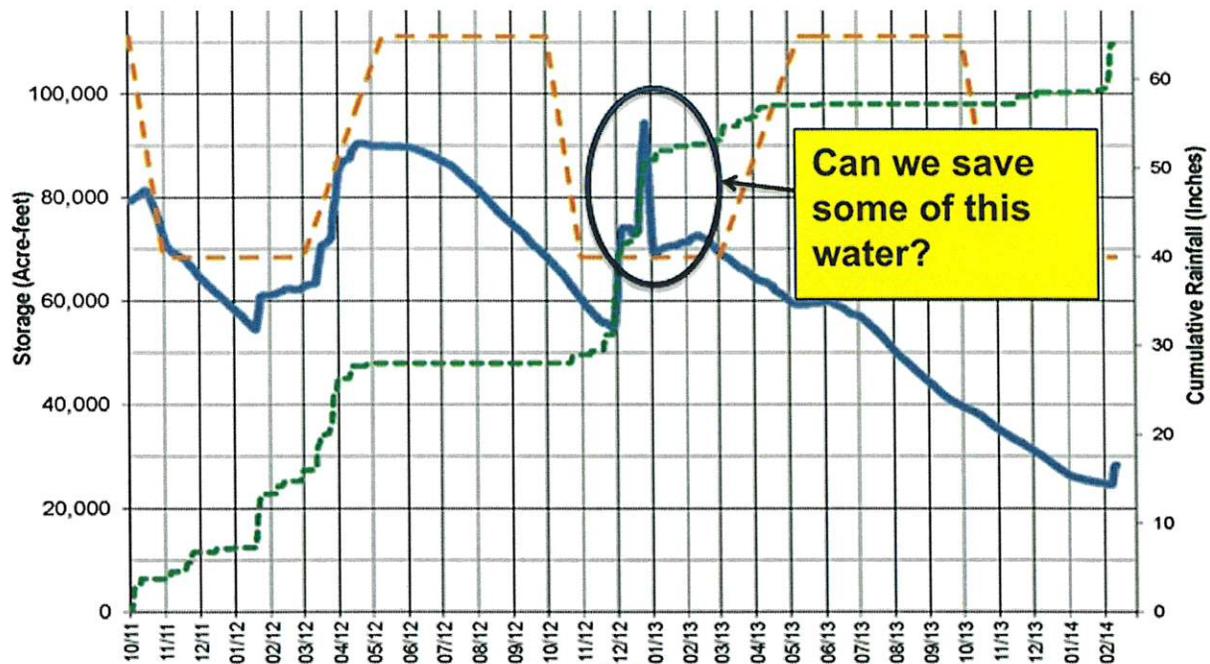
In the Yuba, these negotiations are occurring right now and include the on-going plans for the Nature-like Fish byway at Daguerre Point Dam and salmon reintroduction studies in the North Yuba.

SYRCL is involved in meetings and planning to make sure the reintroduction study provides valuable information that can be used to advocate for the recovery of Chinook salmon. We have also been invited

to participate in some of the Nature-like Fish byway meetings to discuss the technical challenges of that project.

The FERC relicensing process has also been taking place over the last few years for a number of hydropower projects in the Yuba Watershed. This process is typically long and complex with environmental advocates, regulators, and agencies all communicating through formal letters.

SYRCL is tracking and critiquing all communications and working with our environmental partners to ensure that natural ramping rates are required, that winter pulse flows are released, and that the full environmental impact of all dam operations are considered cumulatively rather than individually.



In late December 2012 an Atmospheric River storm greatly increased the amount of water in Lake Mendocino (thick blue line shows reservoir storage; green dashed line shows cumulative rainfall). The “rule curve” (dashed orange line) led to the release of this water. The lack of later rains (to February 2014) led to drought conditions and extremely low lake levels. Graphic courtesy of F. M. Ralph (UC San Diego/ Scripps /CW3E;) and J. Jasperse (Sonoma Water) – FIRO Steering Committee Co-Chairs.

## [New California Law Taps Science to Improve Water Management](#)

September 6, 2023

Legislation signed into law by California Governor Gavin Newsom ensures the state has the [science](#) and weather forecasting tools it needs for more flexible reservoir operations. The bill, AB 30, makes breakthrough water management technology standard for the California Department of Water Resources.

The legislation was introduced by San Diego Assemblymember Chris Ward and co-sponsored by the Sonoma County Water Agency and the San Diego County Water Authority. The bill was supported by the Water Authority’s [partner](#), UC San Diego’s [Scripps Institution of Oceanography](#).

### Forecast-Informed Reservoir Operations strategy will help deal with drought and flood

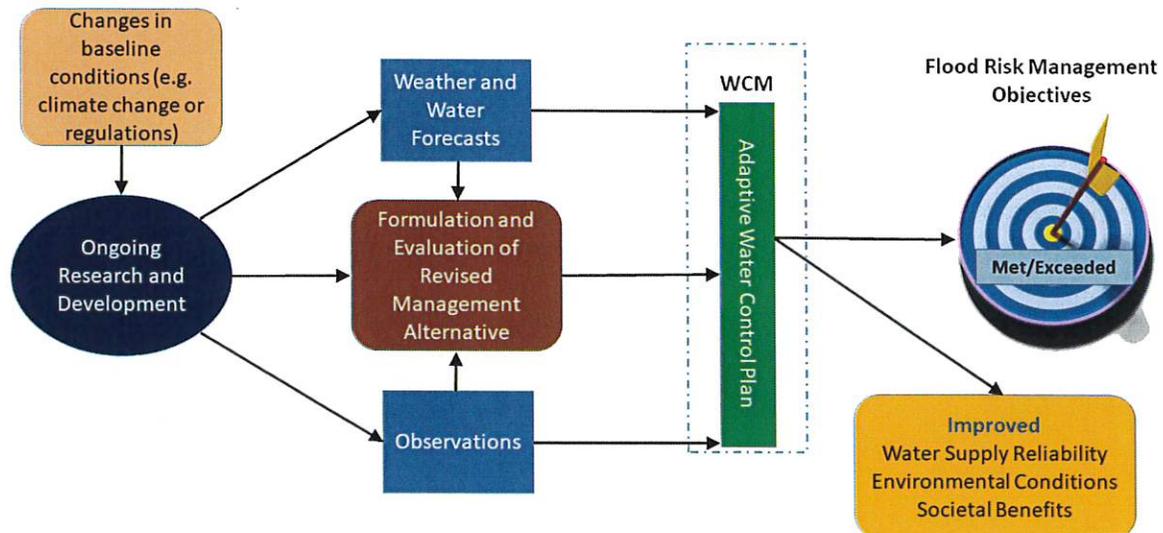
The strategy is called forecast-informed reservoir operations, or [FIRO](#), and it complements Gov. Newsom’s California Water Supply strategy released in August 2022 calling for more reservoir

storage capacity to capture runoff from big storms, often fueled by [atmospheric rivers](#). The governor and Legislature have already provided funding for state water managers to integrate the strategy.

“We thank Assemblymember Chris Ward for his leadership and vision in supporting next-gen water management and flood reduction efforts that will benefit residents statewide,” said Mel Katz, chair of the San Diego County Water Authority Board of Directors. “The legislation provides an innovative approach to help San Diego County and California thrive in the changing climate.”

Forecast-informed reservoir operations use weather predictions to advise dam operators about how much water to retain or release from reservoirs, enhancing their ability to handle whatever nature serves up while retaining as much water as possible in storage.

## FIRO Model for Adaptive Water Control Manuals



*Diagram illustrating the FIRO process to develop an adaptive water control manual. Graphic courtesy Scripps Institution of Oceanography Center for Western Weather and Water Extremes*

Many reservoirs in the West are strictly regulated based on historical averages of winter storms and spring runoff. Under existing rules, the highly variable rainfall from year to year is not directly considered. Complicating the problem, many current guidelines and practices were developed before satellites, radar and advanced numerical models significantly improved weather forecasts.

To address these challenges, researchers at Scripps Institution of Oceanography and elsewhere developed tools that provide weather forecasters with reliable notice of atmospheric rivers a week in advance. Advancing this research could have taken decades, but sophisticated prediction products have evolved in less than 10 years with funding by the San Diego County Water Authority and other water agencies statewide, along with state and federal support.

The Water Authority has [partnered](#) with SIO and the Scripps Center for Western Weather and Water Extremes at UC San Diego, to share and support best practices in FIRO, to increase research around atmospheric rivers and droughts, and develop strategies for mitigating flood risk and increasing water supply reliability.

The San Diego Union-Tribune

## **El Niño is coming this winter. The question is, will it be a whopper?**

Pacific Ocean temperatures are rising; National Weather Service says there is a 66 percent of a 'strong' event this winter

BY PHIL DIEHL

SEPT. 6, 2023 6:51 PM PT

San Diego County's fragile shoreline and vulnerable beachfront properties could be in for a rough winter, according to the California Coastal Commission, the National Weather Service and some top San Diego scientists.

"We are looking at an emerging El Niño event," staff geologist Joseph Street told the Coastal Commission at its meeting Wednesday in Eureka.

An El Niño is a meteorological phenomenon that occurs every two to seven years. The water temperature at the surface of the Central Pacific Ocean along the equator warms a few degrees above its long-term average, creating conditions for stronger, more frequent seasonal storms across much of the globe.

"El Niño conditions can generate a triple threat for coastal hazards in California," said Adam Young, an integrative oceanography researcher at Scripps Institution of Oceanography in San Diego.

"Increased rainfall triggers landslides, powerful waves can accelerate erosion of beaches, sea cliffs, and bluffs, and cause coastal flooding, and strong El Niño conditions can raise sea level on the California coast by 6 to 13 inches," Young said. "Combined, these factors increase coastal erosion and flooding ... which can threaten public parks, beaches, critical infrastructure, highways, and homes."

The Coastal Commission's webpage at [www.coastal.ca.gov](http://www.coastal.ca.gov) has been updated with El Niño information and resources, and staffers are working to publicize the situation.

"We are kind of raising the flag on this," said commission Chair Donne Brownsey.

"Every single day there is a new report about the warming ocean, the rising seas, and the accelerated melting of the arctic," Brownsey said. "It just goes on and on. This is a harbinger that is really scary."

Powerful storms can be “a formula for disaster” in coastal communities already subject to seasonal flooding, said Imperial Beach Mayor Paloma Aguirre, who represents San Diego County on the Coastal Commission.

“We see it first-hand in Imperial Beach,” Aguirre said. “We just had the first-ever tropical storm make landfall in San Diego County. It’s extremely concerning to say the least.”

Tropical Storm Hilary dropped more than 2 inches of rain on most parts of San Diego County in August, and as much as 7 inches at the highest elevations. August is normally one of San Diego’s driest months of the year, with an average precipitation of about one-third inch along the coast.

There is a 95 percent chance of an El Niño occurring between December 2023 and February 2024, and a 66 percent that it will be a “strong” El Niño, according to an update issued Tuesday by the National Weather Service. Indicators include above average sea surface temperatures and “atmospheric anomalies” in the Pacific.

Still, predicting the weather is notoriously difficult.

El Niño conditions do not cause individual storms, rather they influence the frequency and characteristics of storms.

“El Niño alone is not a reliable bellwether for a major storm season,” said Street, the commission’s geologist. “We’ve had several fizzles.”

Many variations can take shape for an El Niño, and only time will tell if this winter brings a whopper.

Two of Southern California’s strongest El Niños occurred in the winters of 1982-83 and 1997-98, bringing extensive flooding, landslides, coastal erosion and damage to coastal structures. Statewide storm-related damage in ‘97-98 was estimated at more than \$1 billion, according to the Weather Service.

In January 1993, considered one of the milder El Nino years, Camp Pendleton Marine Corps base shut down after 11 consecutive days of rain to deal with water 15 feet deep on the air station and parts of Vandegrift Boulevard. A Marine general estimated the damage to property and military equipment at \$70 million.

El Niño conditions last occurred in Southern California in 2015-16 and brought powerful waves and coastal erosion. But there was less rainfall than expected and little structural damage simply because the jet stream carried most of the storms to the north.

A year ago, the winter of 2022-23 was unusually wet with powerful storms and some of the biggest ocean waves the area has ever seen. Still, that season did not have the ocean temperatures and atmospheric conditions of an El Niño.

Rail service in Southern California is particularly vulnerable to the landslides and bluff failures brought by winter storms.

Weather-related landslides at two coastal trouble spots in San Clemente forced the suspension of passenger service for months at a time over the past two years. The tracks along the coast through Orange County are the only link between San Diego and Los Angeles for rail passengers and freight.

Emergency bluff repairs in 2021 cost more than \$10 million at Del Mar, where a series of railroad stabilization projects have been underway for more than 20 years.

Any series of strong storms can cause a temporary rise in sea level that increases flooding and erosion, said Jeremy Smith, an engineer on the Coastal Commission staff. That happened in 2016, when ocean waters rose as much as 8 inches along some parts of the California coast.

“Strong storms in quick succession can be damaging,” Smith said. “The worst damage occurs when large swells combine with high tides.”

The highest tides of the year, known as “king tides,” occur on a few days in mid-summer and mid-winter. This winter’s king tides will be Jan. 11 and 12 and Feb. 9 and 10, 2024.

“Widespread coastal damage that occurred during the winter of 1982-83 was due in part to the combination of large storm waves with very high tides,” states a commission staff report.

“Some of the highest tides for the 2023-24 winter will occur close to holidays,” it states. “This highlights the need for early preparation since holidays are times that people tend to travel and go on vacation.”

Preparation includes cleaning out gutters, storm drains and flood control basins, inspecting roofs for leaks, and planting ground cover on bare spots.

Narrow beaches and low sand volumes, an increasing problem along the Southern California coast, also make coastal regions more vulnerable to storm damage.

Even if this year’s El Niño is mild, intense storms are certain to occur in the next few years, staffers said.

In addition to warming the ocean’s surface, the El Niño phenomenon brings warmer temperatures in deep water and the atmosphere that also affect the weather. There’s a related term, La Niña, in which cooler temperatures and drier conditions prevail.

“El Niño and La Niña are the result of complex interactions between the ocean and the atmosphere,” said Shang-Ping Xie, a professor of climate science and physical oceanography at Scripps.

Both conditions originate far from San Diego along the equator in the tropics.

“The tropics are like the engine room of the Pacific,” Xie said. “Heat in the tropics drives global atmospheric circulation. In that sense, variations in the tropical Pacific like El Niño can have huge impacts on global weather patterns.”

The El Niño phenomenon was first noticed by South American fisherman. The name is Spanish for “little boy” or sometimes “the Christ child,” because the conditions usually occur around Christmas.

## Keep off the grass

By CAMILLE VON KAENEL

09/06/2023 07:01 PM EDT

Presented by Connected Commerce Council

**BROWN IS THE NEW GREEN:** Nearly all of California is officially out of the drought, but one emergency rule that targets bright green lawns is on its way to becoming permanent.

A ban on the use of potable water on nonfunctional turf is one floor vote and a governor's signature away from becoming reality. Wait, before you run to your sprinkler: Your yard and sport fields aren't included. The state would ban ornamental grass only on commercial, industrial or institutional properties. Think of those decorative strips of grass at malls or office parks or in common areas controlled by homeowner associations.

The state water board already restricts watering in these areas as part of the drought emergency. That rule, however, is set to expire in June. Assemblymember **Laura Friedman** (D-Glendale)'s AB 1572 would phase in permanent requirements starting in 2027.

Homeowner associations and landscape contractors oppose the bill. But its progress through the Legislature on a mostly party-line vote is a sign the debate about lawns has turned a corner as California faces the reality of long-term water shortage. One of the bill's sponsors is the Metropolitan Water District of Southern California, which supplies water to 19 million people. The district has been recommending that cities and water agencies ban nonfunctional turf since last year to conserve water.

"This legislation takes our efforts one step further — to ensure that we are making the best use of our precious resources," Metropolitan General Manager **Adel Hagekhalil** said in a statement.

Water districts aren't all on board with a related measure. The Association of California Water Agencies and California Municipal Utilities Association oppose Friedman's Assembly Bill 1573, which is intended to restrict the use of nonnative plants in landscaping projects.

The groups say it doesn't like the use of thresholds for specific plants.

Both bills are waiting for a Senate floor vote.

CLIMATE &amp; ENVIRONMENT

## Sweeping California water conservation rules could force big cuts in some areas



The Owens River flows south toward the Los Angeles Aqueduct in June. (Brian van der Brug / Los Angeles Times)

BY HAYLEY SMITH, IAN JAMES, SEAN GREENE

SEPT. 7, 2023 3 AM PT

With California facing a hotter and drier future — punctuated by bouts of extreme weather — state officials are moving forward with a new framework for urban water use that could require some suppliers to make cuts of 20% or more as soon as 2025.

Many of the suppliers facing the harshest cuts are located in the Central Valley and in the southeastern part of the state — large, hot and primarily rural areas that have historically struggled to meet conservation targets.

In Los Angeles, where the Department of Water and Power has reported significant conservation gains over the last decade, new reductions wouldn't take effect until 2030, according to state data. Other

neighboring water suppliers, such as the city of Beverly Hills and the Las Virgenes Municipal Water District, would be required to make cuts of 18% and 13% within two years, respectively.

The proposed regulation, dubbed “[Making Conservation a California Way of Life](#),” would establish tailored goals for each urban retail water supplier in the state, providing them with more flexibility to account for local conditions, according to the State Water Resources Control Board.

The move marks a shift away from the one-size-fits-all approach that has governed California water for years. If adopted, the new rules would require the state’s more than 400 urban water suppliers to come up with a new water-use budget every year beginning in 2025. They could face hefty fines for failing to comply or meet their targets.

The regulation stems from [two landmark 2018 bills](#) that directed the state to adopt new standards, including permanent water-consumption goals.

“That legislation, and the board’s regulation, really mark a turning point and a major improvement in state water conservation policy,” said Eric Oppenheimer, the board’s chief deputy director.



CALIFORNIA

**Californians were asked to cut water use 15% during the drought. How close did they get?**

June 12, 2023

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Past policies often applied uniform reductions across the state, such as the [20 x 2020 plan](#), which called for a 20% per capita reduction by 2020.

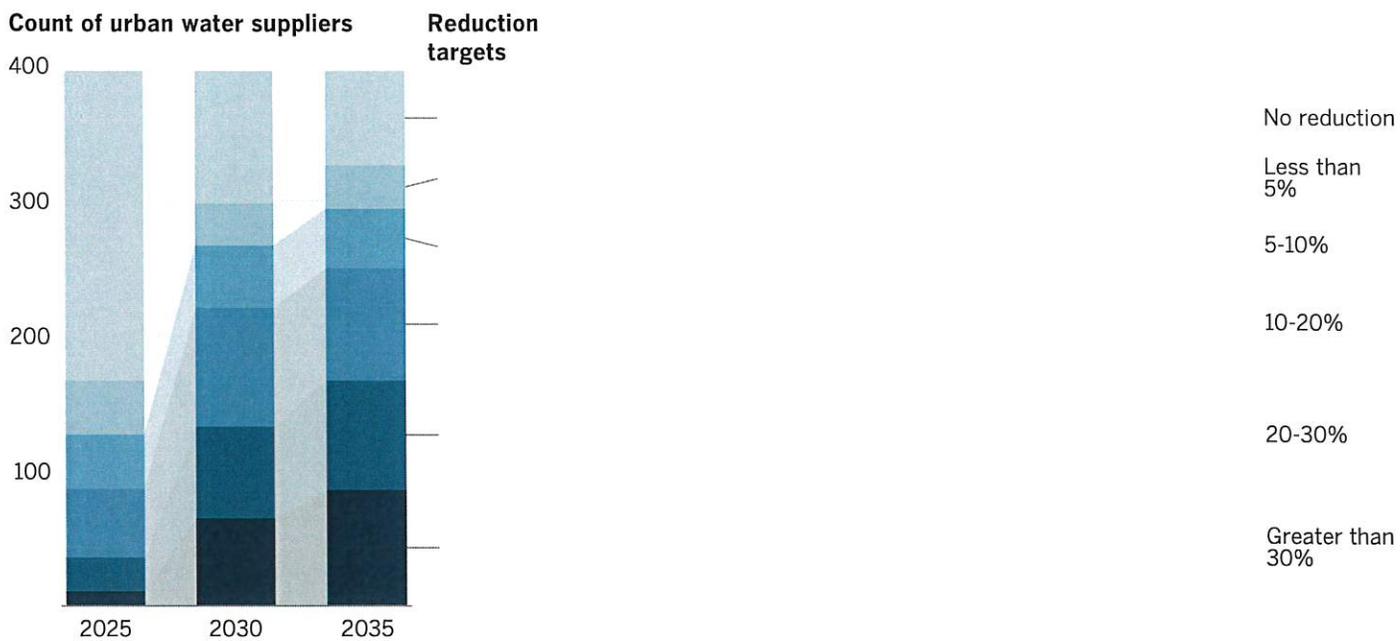
The new approach will enable suppliers to weigh local factors such as climate conditions, population and lot size — and to account for past investments in conservation, Oppenheimer said.

“It incorporates more of a water-budget-based approach, so it does a much better job of accounting for each of these unique characteristics,” he said.

The approach means some regions will face much stronger cuts in order to comply.

Nearly 230 agencies serving 27 million urban water users in the state are already on track to meet 2025 standards, according to [provisional data](#) released by the water board. But at least 36 agencies serving about 1.42 million users will need to make significant reductions of 20% or more to meet the target.

Under new conservation rules, urban water suppliers would face increasingly ambitious use reduction targets in 2025, 2030 and 2035.



State Water Resources Control Board

Sean Greene LOS ANGELES TIMES

The targets are based on a formula that calculates efficient indoor and outdoor water use, leak losses and other factors. Targets may also include variances for unique local conditions — such as areas with high livestock populations — and bonuses for investments in water recycling and other incentives.

The standard for indoor water use will be 47 gallons per person per day by 2025 and drop to 42 gallons per person per day in 2030.

“I think the standards are important for helping communities be better prepared for a hotter, drier climate,” said Heather Cooley, research director at the Pacific Institute, a water think tank in Oakland. “This is an important step in the right direction in helping communities become more resilient.”

Cooley and other researchers [estimated in a report](#) last year that California could shrink total urban water use by 30% or more using existing technologies and practices to improve water efficiency.

She said the efforts that have gone into developing the targets thus far, such as gathering data on differences in local climate conditions and development patterns, have helped to create a customized approach for tracking efficiency, something that will help cities and agencies tailor their policies.

“Certainly, the data aren’t perfect. And I think it’s important to continue improving data collection and our understanding of our urban spaces over time,” Cooley said. “But I think it does provide new tools for

water suppliers to better manage water resources across the state.”

Suppliers facing heavy cuts include the Oildale Mutual Water Co. and the West Kern Water District in the Tulare Lake region, as well as the Central Valley cities of Livingston, Riverbank, Kingsburg and Lemoore, which each face cuts of 30% or more to meet the 2025 standards.

The city of Brawley and the Desert Water Agency in the southeastern Colorado River district both face cuts of 21% by 2025.



CLIMATE & ENVIRONMENT

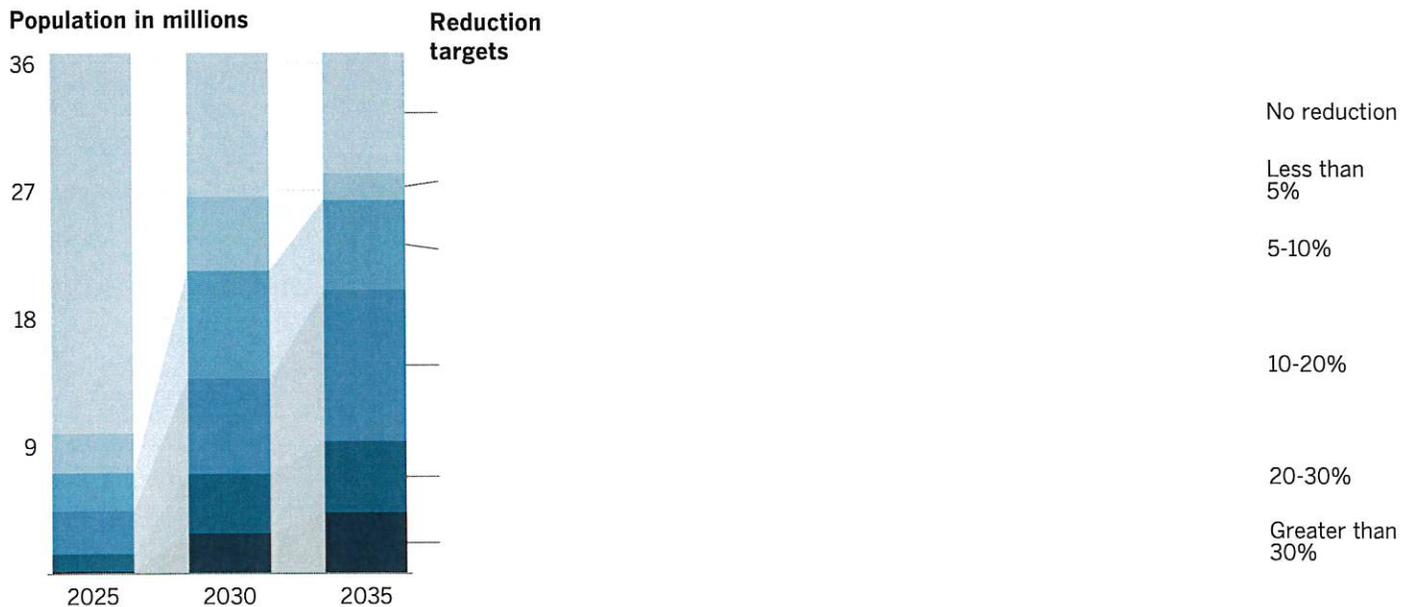
### Tracking California's water supplies

July 8, 2022

The projected reductions would affect an increasing number of Californians as the years go on.

In 2035, 18% of urban water users would live in areas required to reduce by 30% or more. By that time, suppliers serving more than half of urban water users would need to cut back by at least 10%.

### New rules would affect an increasing number of Californians



State Water Resources Control Board

Sean Greene LOS ANGELES TIMES

Suppliers could face fines of up to \$1,000 a day for failing to meet targets, or as much as \$10,000 a day during drought emergencies, according to the board.

“The water-supplier-tailored approach is very important in California,” said Cody Phillips, policy analyst with the California Coastkeeper Alliance. “California is a huge state with tons of different climates, and to say that what is an efficient use of water in a wet coastal area is the same exact efficient use of water in a dry desert area is just not workable, and it doesn’t make sense.”

Much of the Los Angeles area — along with much of the San Francisco Bay Area and portions of wet Northern California — have already made significant conservation gains and will face fewer reductions as the framework rolls out.

The Los Angeles Department of Water and Power, for example, will need no reductions to meet the 2025 standard; a 9% reduction to meet the 2030 standard and a 12% reduction to meet the 2035 standard, the data show.

### Water use reductions needed to meet conservation goals

Under newly proposed rules, urban water suppliers must meet increasingly ambitious conservation goals. Many suppliers are already hitting those targets, but others could face cuts of 20% or more in the coming years.

Agency	2025	2030	2035
City of Adelanto	-9%	-32%	-34%
Alameda County Water District	0%	-4%	-7%
Alco Water Service	-19%	-31%	-33%
City of Alhambra	-6%	-21%	-23%
Amador Water Agency	0%	-4%	-12%
City of American Canyon	0%	-6%	-8%
City of Anaheim	0%	-7%	-11%
City of Anderson	-18%	-36%	-40%
City of Antioch	0%	-12%	-16%
Apple Valley Ranchos Water Co.	0%	-3%	-8%

Your supplier is the utility that bills you for water.  
[State Water Resources Control Board](#)

However some suppliers in the South Coast region do face major cuts, including the city of Glendora in Los Angeles County, which will require a 28.5% reduction just to meet the 2025 target, the data show.

Phillips said he has heard some suppliers express concern that outdoor targets are ~~not feasible — at least~~ not in the immediate term. Outdoor water accounts for the lion’s share of urban use, but achieving significant gains in that category requires big investments, such as replacing lawns with more drought-tolerant landscaping, which can take considerable time and money.

“That’s been one of the main debates that’s been happening at the water board,” Phillips said.

Cooley, of the Pacific Institute, said the targets are achievable, broadly speaking.

“They will require communities to make changes, but they are changes that will make them more resilient and less vulnerable to climate change,” she said. She said she hopes the targets are combined “with capacity building, with incentives, with financial support to be able to achieve them.”

The framework could save more than 400,000 acre-feet of water per year as soon as 2030, according to the board — or enough water for more than a million households.

Suppliers might employ a variety of tools to help meet the targets, including improved leak detection, rate reforms, watering rules, rebates for efficient appliances or incentives for replacing lawns, board officials said.

They noted that the more flexible framework is needed as California continues to experience large swings between drought and flooding due to human-caused climate change — a phenomenon known as [weather whiplash](#).

“The regulation really represents an important opportunity to save the state a substantial amount of water,” said Charlotte Ely, the board’s climate strategy advisor. “And in doing that, it’s just going to help better position California to adapt to the water supply challenges that we know climate change is going to bring.”

Indeed, past calls for uniform conservation efforts have met with mixed results. During the 2012-2016 drought, former Gov. Jerry Brown ordered 25% cuts across the state, and residents largely responded — [reducing water use by 24.5%](#).

But during the most recent drought, which ended after this year’s wet winter, [urban water users fell far short](#) of Gov. Gavin Newsom’s request to voluntarily reduce water use by 15%.

Statewide savings were 7% — less than half of Newsom’s target — and varied widely by region, with the North Coast saving the most, 14%, and the Colorado River region saving the least, 2%.

In a [water-supply strategy](#) released last year, Newsom called for a series of actions to prepare the state for an estimated 10% decrease in California's water supply by 2040 because of higher temperatures and decreased runoff.

The move to boost water efficiency in cities doesn't diminish the importance of also managing water use in agriculture, which accounts for much of California's annual water use, Cooley said.

"This is about all sectors taking action to help make California more resilient," she said. "And it may look different depending on if you're an urban area or an agricultural area. But I think this underscores the importance of efficiency toward helping to meet our goals."

The formal rule-making process for the new framework began in August and will include a public comment period and public hearing. If adopted, the framework would become effective Oct. 1, 2024.



Hayley Smith

Hayley Smith covers breaking news in California with a focus on wildfires, drought and climate change. Originally from Miami, she holds a master's degree in journalism from USC.

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Ian James

Ian James is a reporter who focuses on water in California and the West. Before joining the Los Angeles Times in 2021, he was an environment reporter at the Arizona Republic and the Desert Sun. He previously worked for the Associated Press as a correspondent in the Caribbean and as bureau chief in Venezuela. He is originally from California.

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Sean Greene

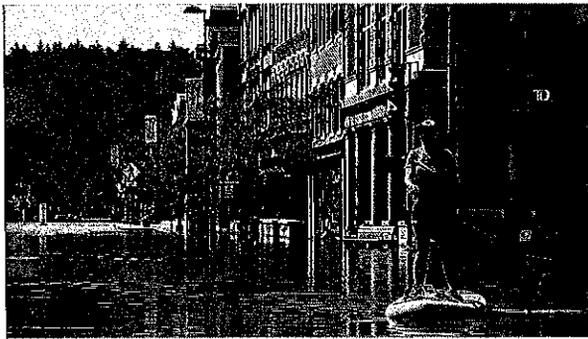
Sean Greene is an assistant data and graphics editor, focused on visual storytelling at the Los Angeles Times.

**OPINION>ENERGY AND ENVIRONMENT**

**THE VIEWS EXPRESSED BY CONTRIBUTORS ARE THEIR OWN AND NOT THE VIEW OF THE HILL**

### Why you should give a damn about America's dams

BY DAN REICHER, TOM KIERNAN AND MALCOLM WOOLF, OPINION CONTRIBUTORS - 09/06/23 3:00 PM ET



Kylie Cooper/Getty Images

*Montpelier resident Lynnea Timpone paddle boards at the intersection of Main Street and East State Street on July 11 in Montpelier, Vt.*

This summer's unprecedented floods across the U.S. highlight how a massive piece of infrastructure — the nation's 90,000-plus dams — can play the role of hero or villain in these climate-enhanced calamities.

In Vermont, the 90-year-old Wrightsville Dam, built in response to the Great Flood of 1927 that killed 84 people, did its job, preventing flooding in the state capitol of Montpelier from getting far worse. But over in New York, the Jennings Pond dam, declared "unsafe" by the Army Corps of Engineers more than 40 years ago, breached, causing flood waters to inundate the Adirondack tourist town of Long Lake. Meanwhile, flash floods resulted in five deaths in southeastern Pennsylvania, closed highways and devastated crops in western Kentucky and southern Illinois, and wreaked havoc in southern California. Three years ago, Michigan saw two dams fail, in the wake of massive rains and a lack of investment in critical upgrades. And in 2017, 200,000 people were evacuated downstream of California's massive Oroville Dam when flood waters, combined with design and construction weaknesses, resulted in a \$1 billion repair bill.

In the arid western states, drought rather than floods often causes dams to make the news. Colorado River reservoirs supply drinking water to 40 million people in seven states but face increasing challenges — and decreasing water levels — with a multi-year drought across the region. And dams serve other roles — navigation, irrigation, recreation and, of course, electricity generation. Just 2,300 U.S. dams — less than 3 percent of the U.S. total — produce about 30 percent of U.S. renewable electricity and provide about 90 percent of the nation's utility-scale electricity storage capacity for wind, solar and nuclear power through the technology known as "pumped storage hydropower."

At the same time, many American dams and their reservoirs have degraded water quality, altered water temperature and blocked fish migration. Significantly reduced fish populations also prevent tribal nations from practicing their fishing and cultural traditions as promised in treaties with the U.S. Critically, some dams have outlived their useful lives and need to be removed, thereby increasing public safety and enhancing the watersheds and floodplains important in managing the increased precipitation driven by climate change.

There is good news on the dam front that could help with the next flood, drought, ecological challenge or renewable energy response to climate change. After more than 100 years of conflict between conservationists and dam builders — going all the way back to the epic battle over damming California's Hetch Hetchy Valley — the parties have launched a historic collaboration that's making headlines (per the New York Times: "Environmentalists and Dam Operators, at War for Years, Start Making Peace.")

The parties, convened by Stanford University's Uncommon Dialogue program and led by American Rivers and the National Hydropower Association, came together to address the "3Rs" of U.S. dams: *rehabilitate* some for safety; *retrofit* some for power; and *remove* some non-powered dams for conservation and safety. The parties developed a detailed \$63 billion 3Rs infrastructure investment plan and secured more than \$2.3 billion in the 2021 bipartisan infrastructure bill, a significant down payment on the 3Rs plan.

Congress now needs to take the next steps to increase dam safety, boost clean energy deployment and enhance ecological systems across the nation. At the top of the list is the bipartisan 21st Century Dams Act, which would invest billions of dollars more in the implementation of the 3Rs plan. Also critical is reforming the hydropower licensing process, which would address the cost and delays that bog down hydropower projects while also speeding up the decommissioning process for removing hydropower dams. With more than thirty percent of all hydropower licenses in the country set to expire by 2030, it's time to reform these processes so we can both maintain this important energy source and improve river health.

We also hope Congress will move the bipartisan National Dam Safety Act to address safety issues through grants, research, training and the National Inventory of Dams. Finally, Congress needs to enact a bipartisan 3Rs infrastructure tax credit, championed by Sen. Cantwell and Sen. Lisa Murkowski, which would help advance environmental improvements, dam safety and the removal of obsolete dams.

This summer's floods are yet another sign that we have to get our act together when it comes to addressing the causes and effects of climate change. River advocates are working collaboratively with the hydropower industry and tribal nations to advance a historic, multifaceted plan to tackle the challenges and opportunities posed by the nation's dams. Now it's time for Congress to act.

*Dan Reicher is a Senior Scholar at Stanford's Doerr School of Sustainability. Tom Kiernan is CEO of American Rivers. Malcolm Woolf is CEO of the National Hydropower Association.*

# **CORRESPONDENCE**

FEDERAL ENERGY REGULATORY COMMISSION  
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

August 17, 2023

In reply refer to:  
Project No. 3430-CA

VIA FERC Service

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

Re: Emergency Action Plan Exercise Design Course

Dear Mr. Friedenbach:

Emergency Action Plans (EAPs) are an integral part of the Federal Energy Regulatory Commission's dam safety program. Since all parties involved during an emergency must understand each other's roles to successfully implement an EAP, periodically a comprehensive test with State and local emergency preparedness agency participation is necessary.

You have been selected to conduct a comprehensive test of the EAP for your R.W. Matthews Dam Project, FERC No. 3430, in 2024. You are requested to conduct a test known as a Functional Exercise. This type of exercise involves gathering representatives and having them "act out" their responsibilities for a simulated emergency in a stressful environment with time constraints. The purpose of the exercise is to test the EAP, ensure the local agencies understand the inundation maps and other information available in the EAP, observe the actions your personnel and the agencies take during a simulated emergency, and discuss possible changes to the EAP to improve its effectiveness.

It will be necessary to coordinate with the appropriate emergency preparedness agencies to develop and schedule the exercise. You will need to develop a number of injects that will be distributed during the exercise to obtain responses from the participants. The injects should elicit responses showing the level of understanding of each participant's role in an actual emergency.

- 2 -

We have developed an "EAP Exercise Design Course" to discuss exercise requirements and the design process. The course covers the FERC requirements of a comprehensive EAP exercise and the steps required to develop, conduct, evaluate, and follow-up an effective exercise. We will present the 2-day EAP Exercise Design Course in San Jose, CA on October 17-18, 2023.

Class size will be limited to approximately 45 participants and will be filled on a "first come first served" basis. We recommend you register early. Prior to making hotel reservations, please visit: [2023 Two-Day Emergency Action Plan \(EAP\) Exercise Design Course | Federal Energy Regulatory Commission \(ferc.gov\)](#) to register for the course. There you will find detailed hotel information, including course dates, room costs, group rate cut-off date, and telephone numbers. A copy of the course agenda is also included. You should plan on staying for two full days for the course when making your reservations. Complete details are also included in this letter for your use.

In addition to the course, you should consider attending one or more functional exercises held by other licensees as they provide practical training on how an exercise is conducted. A schedule of upcoming exercises will be provided at the course. We strongly suggest that you or your staff avail yourselves of these opportunities.

Within ninety days after the date of the course you should provide an estimated date for conducting your functional exercise to this office. The exercise should be scheduled prior to September 30, 2024.

If you have any questions or need additional information about functional exercises, you may call Ms. Jodi Dutta of my staff at (415) 369-3314.

Sincerely,

Frank L Blackett, P.E.

Digitally signed by Frank L

Blackett, P.E.

Date: 2023.08.17 11:34:17 -07'00'

Frank L. Blackett, P.E.

Regional Engineer

Enclosure

## AGENDA

EMERGENCY ACTION PLAN  
EXERCISE DESIGN COURSEDay OneTAB**REGISTRATION**

8:00 - 8:15 REGISTRATION

**INTRODUCTION**

1 8:15 - 8:45 INTRODUCTIONS AND COURSE OVERVIEW

2 8:45 - 9:05 REVIEW OF FERC EAP PROGRAM

3 9:05 - 9:15 PROCEDURES FOR FERC STAFF

9:15 - 9:30 BREAK

**EAP EXERCISE PROGRAM - OVERVIEW AND REQUIREMENTS**

4 9:30 - 10:30 FERC EAP EXERCISE PROGRAM - 5 TYPES OF EXERCISE

5 SEMINAR

6 DRILL

7 TABLETOP EXERCISE

8 FUNCTIONAL EXERCISE

9 FULL SCALE EXERCISE

10 10:30 - 10:45 COMPREHENSIVE EAP EXERCISE

10:45 - 11:00 BREAK

11 11:00 - 11:15 COORDINATION

## AGENDA

EMERGENCY ACTION PLAN  
EXERCISE DESIGN COURSEDAY ONE (CONTINUED)TAB

- |    |               |  |
|----|---------------|--|
| 12 | 11:15 - 11:30 | HOW EMAS OPERATE                       |
| 13 | 11:30 - 11:45 | HOW DAM SAFETY EMERGENCIES ARE HANDLED |
|    | 11:45-1:00    | LUNCH                                  |

**TABLETOP EXERCISE: MOCK DAM**

- |    |             |   |
|----|-------------|---|
| 14 | 1:00 - 2:15 | ASSIGNMENT OF ROLES, ORIENTATION AND<br>TABLETOP EXERCISE |
|    | 2:15 - 2:30 | BREAK   |

**EXERCISE PROCESS - DETAILS FROM CONCEPTION TO COMPLETION**

- |    |             |   |
|----|-------------|---|
| 15 | 2:30 - 2:45 | EXERCISE CONSIDERATIONS   |
| 16 | 2:45 - 3:15 | LICENSEE PERSPECTIVE - PART I - GROUNDWORK  |
|    | 3:15 - 3:30 | BREAK   |
| 17 | 3:30-3:45   | 12-STEP EXERCISE DESIGN PROCESS-OVERVIEW  |
| 18 | 3:45-4:30   | EXERCISE PROCESS: DESIGN PHASE<br><br>STEP 1: SCOPE<br>STEP 2: OBJECTIVES<br>STEP 3: SCENARIO<br>STEP 4: MSEL<br>STEP 5: EXPECTED ACTIONS |
| 19 | 4:30-5:00   | LESSONS LEARNED FROM EAP ACTIVATIONS  |

## AGENDA

EMERGENCY ACTION PLAN  
EXERCISE DESIGN COURSEDAY TWOTAB

8:15 - 8:30 REVIEW AND QUESTIONS

**EXERCISE PROCESS CONTINUED**

18 8:30 - 9:00 EXERCISE PROCESS: DESIGN PHASE (CONTINUED)

STEP 6: INJECTS

20 9:00 - 9:30 LICENSEE PERSPECTIVE - PART II - DEVELOPMENT

9:30 - 9:45 BREAK

21 9:45 - 10:00 EXERCISE PROCESS: CONDUCT PHASE  
STEP 7: SETUP  
STEP 8: BRIEFINGS  
STEP 9: PLAY22 10:00 - 10:15 EXERCISE PROCESS: EVALUATION PHASE  
STEP 10: HOTWASH  
STEP 11: DEBRIEF23 10:15 - 10:20 EXERCISE PROCESS: IMPROVEMENT PHASE  
STEP 12: WRITTEN EVALUATION

24 10:20 - 10:30 EXERCISING SECURITY PLANS

10:30 - 10:45 BREAK

25 10:45 - 11:15 LICENSEE PERSPECTIVE - PART III - CONDUCT AND  
FOLLOW-UP**FERC EXPERIENCE**

26 11:15 - 11:30 LESSONS LEARNED FROM PREVIOUS EXERCISES

AGENDA

EMERGENCY ACTION PLAN  
EXERCISE DESIGN COURSE

DAY TWO (CONTINUED)

TAB

- 27      11:30 - 11:45      SOURCES OF INFORMATION
- 11:45 - 1:00      LUNCH

**FUNCTIONAL EXERCISE: MOCK DAM**

- 28      1:00 - 1:45      EXERCISE OVERVIEW, ORGANIZATION AND INSTRUCTIONS
- 1:45 - 3:30      EXERCISE ACTIVITY
- 3:30 - 3:45      BREAK
- 3:45 - 4:30      EXERCISE EVALUATION AND HOTWASH
- 4:30 - 4:45      QUESTIONS
- 29      4:45 - 5:00      COURSE EVALUATIONS

FEDERAL ENERGY REGULATORY COMMISSION  
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 30, 2023

In reply refer to:  
Project No. 3430-CA

VIA FERC Service

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

Re: 2023 Dam Safety Inspection Follow-up

Dear Mr. Friedenbach:

On August 16, 2023, Ms. Jodi Dutta, P.E. inspected the R.W. Matthews Project, FERC No. 3430. Based on observations made and discussions held during the inspection, we have no follow-up action items that require your attention.

We appreciate your cooperation in this aspect of the Commission's dam safety program. If you have any questions, please contact Ms. Jodi Dutta, P.E. at (415) 369-3314.

Sincerely,

Frank L Blackett, P.E.

Digitally signed by Frank L  
Blackett, P.E.

Date: 2023.08.30 14:16:57 -07'00'

Frank L. Blackett, P.E.  
Regional Engineer

cc:

Ms. Sharon Tapia, Division Manager  
CA Dept. of Water Resources  
Division of Safety of Dams  
P.O. Box 942836  
Sacramento, CA 94236-0001



Southern Trinity Health Services  
Southern Trinity Area Rescue

H.B.M.W.D. AUG 21 2023

*Serving Southern Trinity & Southeastern Humboldt Since 1979*

7-21-2023

Dear HBMWD Board of Directors,

I would like to personally thank you for your generous donation of \$1000.00. These much needed funds will help to provide continuous emergency ambulance coverage in Eastern Humboldt and Southern Trinity Counties.

Since its inception in 1977, STAR has relied heavily on donations to fund major projects such as purchasing ambulances, uniforms, and training supplies. STAR greatly appreciates your willingness to help provide funds and help us continue to serve the community.

Again, thank you for your donation!

Sincerely,

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

Brooke Entsminger, EMT-P  
EMS Manager

Non-profit Tax ID# 94-2507342

**HUMBOLDT BAY MUNICIPAL WATER DISTRICT**

828 Seventh Street • Eureka, California 95501-1114

PO Box 95 • Eureka, California 95502-0095

Office 707-443-5018 Essex 707-822-2918

Fax 707-443-5731 707-822-8245

EMAIL [OFFICE@HBMWD.COM](mailto:OFFICE@HBMWD.COM)Website: [www.hbmwd.com](http://www.hbmwd.com)**BOARD OF DIRECTORS**

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SHERI WOO, DIRECTOR

**GENERAL MANAGER**

JOHN FRIEDENBACH

August 17, 2023

Ryan Derby  
Humboldt County Sheriff's Office of Emergency Services  
826 4<sup>th</sup> Street  
Eureka, CA 95501

Re: Letter of Commitment as a Participating Jurisdiction in the Humboldt County  
Multi-jurisdictional Local Hazard Mitigation Plan

Dear Humboldt County Office of Emergency Services,

As the Federal Emergency Management Agency's (FEMA) Local Hazard Mitigation Plan requirements under 44 CFR §201.6 identify criteria for multi-jurisdictional mitigation plans including the participation and collaboration of regional planning and mitigation partners, this letter of commitment is submitted to confirm Humboldt Bay Municipal Water District's participation in the Humboldt County Multi-jurisdictional Local Hazard Mitigation Plan (LHMP) as a Planning Partner.

As a condition of participation, Humboldt Bay Municipal Water District agrees to meet the requirements for mitigation plans identified in 44 CFR §201.6, and to provide timely cooperation and participation to produce a FEMA-approved LHMP with the County of Humboldt.

Humboldt Bay Municipal Water District understands that it must engage in the following planning processes, as detailed in FEMA's Local Mitigation Planning Policy Guide dated April 19, 2023. Planning processes include, but are not limited to the following:

- Review of existing Humboldt County Multi-jurisdictional Local Hazard Mitigation Plan
- Identification of local hazards, risk assessment, and vulnerability analysis
- Participation in the formulation of mitigation goals and actions
- Participation in community engagement and public outreach in the development of the Plan update
- Timely response to requests for information by the coordinating agency and consultants, and adherence to established deadlines

- Formal adoption of the Multi-jurisdictional Local Hazard Mitigation Plan update by the Planning Partner jurisdiction's governing body
- Tracking and monthly submission of personnel hours spent on the hazard mitigation planning effort, to meet the match requirement for the grant.

*Therefore, with a full understanding of the obligations incurred by participating in the FEMA hazard mitigation planning process as a named Planning Partner in a multi-jurisdictional plan, I John Friedenbach  
John Friedenbach General Manager  
commit Humboldt Bay Municipal Water District to the Humboldt County Multi-jurisdictional Hazard Mitigation Planning effort.*

Executed this 17 day of August, 2023.

*John Friedenbach, General Manager*  
John Friedenbach, General Manager



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SHERI WOO, DIRECTOR

### GENERAL MANAGER

JOHN FRIEDENBACH

August 25, 2023

Mike Cipra, Executive Director

Friends of the Dunes

220 Stamps Lane

Arcata CA, 95521

### RE: REQUEST FOR POSSIBLE REMEDIATION LOCATION

Dear Mike,

The Humboldt Bay Municipal Water District (HBMWD or "District") is a regional wholesale water provider that supplies water to approximately 94,000 people (approx. 66% of Humboldt County residents) in the Humboldt Bay area. HBMWD has two separate and distinct water systems, a domestic system and an industrial system. The industrial and domestic water systems have transmission pipelines buried in the dunes on the Samoa Peninsula.

Dependable access to this infrastructure is essential for the District to provide reliable distribution of water to the community. HBMWD conducts routine inspection, operation, maintenance, modification, and replacement of our infrastructure (pipelines, valves, etc.) along our various rights-of-way (ROWs). To ensure access to this critical infrastructure is readily available, the District carries out routine maintenance activities along our ROWs, which typically include clearing of brush and vegetation and in some cases, earth moving to maintain adequate burial depth of pipes and other infrastructure, which is necessary to protect the pipeline infrastructure.

The District is seeking a Coastal Development Permit (CDP) to perform its maintenance activities along a segment of the Samoa Peninsula where the District has 30 or 50-foot-wide easements along our pipelines.

As part of the process to obtain approval for a CDP, we are anticipating that we will be required to conduct mitigation for disturbed areas of plants and/or designated wetlands. The District is inquiring if you would be amenable to allowing the District to utilize a portion of your property for our required mitigation locations?

If you are interested and/or have any further questions, please contact me.

Respectfully,

John Friedenbach  
General Manager



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SHERI WOO, DIRECTOR

GENERAL MANAGER  
JOHN FRIEDENBACH

August 25, 2023

Jeff Meyer, President  
Mendes Supply  
1030 W Del Norte Street  
Eureka CA, 95501

### RE: REQUEST FOR POSSIBLE REMEDIATION LOCATION

Dear Jeff,

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If you are interested and/or have any further questions, please contact me.

Respectfully,

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

John Friedenbach  
General Manager



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SHERI WOO, DIRECTOR

**GENERAL MANAGER**  
JOHN FRIEDENBACH

August 25, 2023

Chris Doane, Club President  
Redwood Gun Club  
P.O. Box 584 Arcata, Ca. 95518

**RE: REQUEST FOR POSSIBLE REMEDIATION LOCATION**

Dear Mr. Doane,

The Humboldt Bay Municipal Water District (HBMWD or "District") is a regional wholesale water provider that supplies water to approximately 94,000 people (approx. 66% of Humboldt County residents) in the Humboldt Bay area. HBMWD has two separate and distinct water systems, a domestic system and an industrial system. The industrial and domestic water systems have transmission pipelines buried in the dunes on the Samoa Peninsula.

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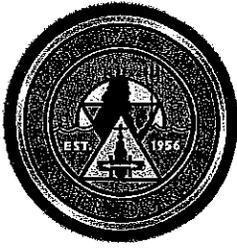
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Respectfully,

  
John Friedenbach  
General Manager



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SHERI WOO, DIRECTOR

**GENERAL MANAGER**  
JOHN FRIEDENBACH

August 25, 2023

Molly Brown, District Director  
Bureau Of Land Management Arcata Field Office  
1695 Heindon Road Arcata, CA 95521

## RE: REQUEST FOR POSSIBLE REMEDIATION LOCATION

Dear Ms. Brown,

The Humboldt Bay Municipal Water District (HBMWD or "District") is a regional wholesale water provider that supplies water to approximately 94,000 people (approx. 66% of Humboldt County residents) in the Humboldt Bay area. HBMWD has two separate and distinct water systems, a domestic system and an industrial system. The industrial and domestic water systems have transmission pipelines buried in the dunes on the Samoa Peninsula.

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Respectfully,

John Friedenbach  
General Manager



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SHERI WOO, DIRECTOR

### GENERAL MANAGER

JOHN FRIEDENBACH

August 25, 2023

Chris Drop, General Manager  
Manilla Community Services District  
1901 Park Street  
Manilla CA, 95521

### RE: REQUEST FOR POSSIBLE REMEDIATION LOCATION

Dear Chris,

The Humboldt Bay Municipal Water District (HBMWD or "District") is a regional wholesale water provider that supplies water to approximately 94,000 people (approx. 66% of Humboldt County residents) in the Humboldt Bay area. HBMWD has two separate and distinct water systems, a domestic system and an industrial system. The industrial and domestic water systems have transmission pipelines buried in the dunes on the Samoa Peninsula.

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John Friedenbach  
General Manager



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SHERI WOO, DIRECTOR

### GENERAL MANAGER

JOHN FRIEDENBACH

August 31, 2023

Andrea Pickart  
 US Fish & Wildlife Department  
 1655 Heindon Road  
 Arcata, CA 95521

### RE: REQUEST FOR POSSIBLE REMEDIATION LOCATION

Dear Andrea,

The Humboldt Bay Municipal Water District (HBMWD or "District") is a regional wholesale water provider that supplies water to approximately 94,000 people (approx. 66% of Humboldt County residents) in the Humboldt Bay area. HBMWD has two separate and distinct water systems, a domestic system and an industrial system. The industrial and domestic water systems have transmission pipelines buried in the dunes on the Samoa Peninsula.

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If you are interested and/or have any further questions, please contact me.

Respectfully,

A handwritten signature in black ink that reads "John Friedenbach". The signature is fluid and cursive.

John Friedenbach  
 General Manager

# **CONTINUING BUSINESS**

**HUMBOLDT BAY MUNICIPAL WATER DISTRICT**

To: Board of Directors  
From: John Friedenbach  
Date: September 14, 2023  
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**

- i) Nordic Aquafarms – The project continues in the permit challenge process.
- ii) Trinidad Rancheria mainline extension. No update.
- iii) Blue Lake Rancheria mainline extension. No update.
- iv) Offshore Wind Heavy Lift Multipurpose Marine Terminal Project. Comment letter submitted on NOP. See copy attached.

**b) Transport – no update. News article regarding Sites reservoir.****c) Instream Flow Dedication**

Draft 1707 permit application was submitted to legal counsel for final review. Draft 1707 is also being sent to Wildlife Conservation Board (grant funding source for the project) for their files. Next step will be to submit draft 1707 to Water Board Staff for their “draft” review.



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SHERI WOO, DIRECTOR

### GENERAL MANAGER

JOHN FRIEDENBACH

August 23, 2023

Rob Holmlund  
Humboldt Bay Harbor, Recreation and Conservation District  
PO Box 1030  
Eureka CA, 95502-1030

### **RE: Comments on Notice of Preparation for the Humboldt Bay Offshore Wind Heavy Lift Multipurpose Marine Terminal Project**

Dear Mr. Holmlund,

We are writing to provide comments on the above referenced project's Notice of Preparation (NOP).

The Humboldt Bay Municipal Water District (Water District) serves both wholesale and retail water customers (approximately 94,000 residents). Current operations of the Water District include Ruth Lake, which provides our reliable year-round water supply; a hydro-electric power house at Ruth Lake; facilities on the Mad River between Arcata and Blue Lake; and storage and treatment facilities at various locations. We have two separate and distinct water pipeline systems. One delivers treated drinking water. The other is an industrial pipeline that provides "raw" water to our industrial customers on the Samoa Peninsula.

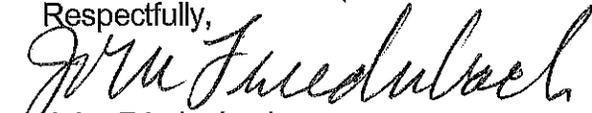
We assume that our Water District will provide water to the Harbor District's project, but as the Harbor District is aware, the water infrastructure will need substantial upgrades to serve the Heavy Lift Terminal project.

The Water District asks that the following questions be addressed so the "public utilities" section of the Draft Environmental Impact Report is comprehensive and complete:

- What is the total water demand and its demand schedule?
- How much water is anticipated to be treated water and industrial "raw" water?
- How will water infrastructure improvements be funded?

What is the schedule and deadlines for Water District and Harbor District staff to work together to design the infrastructure improvements? We look forward to working together on this local, renewable energy project.

Respectfully,

  
John Friedenbach  
General Manager

## Sites Reservoir project is not the water solution California needs

BY GUEST COMMENTARY AUGUST 30, 2023



Stone Corral Creek is the proposed location of the Sites Reservoir in Sites on Feb. 14, 2023. Photo by Julie A. Hotz for CalMatters

### IN SUMMARY

Sites Reservoir is the latest in a long line of proposed dams promising to address California's cycle of water insecurity. Some conservation groups say it will fail to make much of a difference, and will only damage a vulnerable water ecosystem.

GUEST COMMENTARY WRITTEN BY



Keiko Mertz, Keiko Mertz is the Policy Director for Friends of the River, one of California's oldest river conservation organizations.

California is at yet another critical point in its struggle toward a sustainable water future, and yet we're still talking about the wrong solutions.

On Wednesday, the water rights protest period for Sites Reservoir will come to a close.

Sites Reservoir is the latest in a long line of proposed dams promising to end our cycle of water insecurity. However, Sites won't add much to California's water portfolio, and its harm to the Sacramento River, Delta ecosystem and communities that rely on them could be irreversible and ongoing.

Many lamented during this unusually wet year that water was "wasted to sea," and that more dams could have captured enough water to solve California's ongoing water uncertainty. But water that flows to sea is essential for many uses, including salinity control for farming, wastewater treatment and aiding endangered species.

If the Delta ceased to deposit water into the San Francisco Bay, ocean water would further flow into the Delta, making the Delta's water unusable for farming and toxic for the wildlife that depends upon it.

If constructed, Sites Reservoir would only expand overall water availability in California by less than 1% in an average good year, according to an analysis by Friends of the River. During long drought spells, it would not substantially improve the dire conditions in the Delta.



Proponents' own best estimates demonstrate that Sites would provide approximately 276,000 acre-feet of water annually – enough for just 3.9% of California's almonds or just 4% of urban water use, Friends of the River calculated. For such a small yield, beneficiaries would spend billions of taxpayer dollars, while a majority of project benefits are privatized.

Despite the promises that Sites will deliver environmental benefits, many conservation groups remain opposed for one simple reason: taking more water from rivers will damage aquatic ecosystems. Although Sites has acquired funding for waterfowl benefits, it was denied funding for a host of others. In fact, the California Department of Fish and Wildlife critiqued many of these purported benefits, particularly around the impacts to certain species of salmon.

Throughout California's history, reservoir backers have always promised the world every time a new dam is built, and they always fail to deliver. The overall result of the 1,400 dams in California has been salmon and other fish species declining towards extinction, the loss of over 90% of California's wetlands, degraded water quality, and expanding toxic algae blooms in the Bay and Delta.

California leaders cannot continue clinging to this outdated way of thinking.

Instead, we should be pursuing a suite of alternatives to dams – holistic reforms to individual, corporate and agricultural water use, while incentivizing less water-intensive crops, improving water management and efficiency, and recycling the roughly 400 billion gallons of treated water discarded into the Pacific Ocean each year. Groundwater recharge and demand management should also be part of the equation.

California has been locked in a century-long pattern. We use more water than we have, and the oft-proposed solutions sacrifice more of our natural habitat and waterways to quench an agricultural thirst that far outpaces capacity. At some point, we must accept that conservation is now cheaper and more equitable than more dams.

Most water years of the future will not be as generous as the past water year. Failing to acknowledge that is a form of climate denial. California must realistically evaluate how much water will be available in a shifting climate, and allocate it in an equitable way, while preserving environmental and economic values for generations to come.

Californians need enduring solutions, not more empty dams.

**New Patagonia & Friends of the River Study Estimates the Proposed Dam's Annual Emissions**

*Press release from Friends of the River VIA Maven's Notebook*

In the midst of a historic U.S. heatwave, Patagonia, the Ventura-based outdoor apparel company that has supported grassroots groups working to find solutions to the environmental crisis for more than four decades, and Friends of the River (FOR), one of California's most respected conservation organizations, released a damning report on the dire environmental effects Sites Dam and Reservoir Project will have on California.

A new analysis using the comprehensive All-Res Modeling Tool has estimated the greenhouse gas emissions that would be caused by building and operating the Sites Dam and Reservoir Project. Over the 100-year expected life cycle of the Sites Project, it is predicted to emit approximately 362 million metric tons of CO<sub>2</sub>e or 362,000 metric tons of CO<sub>2</sub>e/year, the vast majority of which is methane. That's the equivalent climate emissions of over 80,000 gasoline-powered passenger vehicles per year.

"For all of California's lofty climate change ambitions, it's mind-boggling that so many state leaders are trying to rush us full-bore into a boondoggle that will set us back dramatically in reaching our greenhouse gas goals," said Jann Dorman, Executive Director of Friends of the River. "This report should be an eyeopener for every state leader who wants to be serious about the climate crisis."

"Patagonia wants policymakers to operate with complete information as they make decisions that will determine the health of our planet, and until now, the proposed Sites Reservoir's climate impacts haven't been a major part of the conversation," said Hans Cole, Head of Environmental Grants, Campaigns, and Activism at Patagonia. "Our report is a wake-up call that huge dam projects come with costs that run far beyond their large price tags and regional ecological damage."

The report comes as the state of California invested a historic \$1.3 billion in combating climate change in 2022 alone and has established a stated goal of phasing out new gasoline-powered vehicles by 2035. Sites Reservoir has already secured \$875 million in state funding (through 2014's Proposition 1), money that is being directed into a project that competes against the state's ambitious climate change goals.

Sites Reservoir, if built, is only expected to increase California's overall water availability by less than 1% in good years. Meanwhile, the harm caused by this project's construction will be permanent and practically irreversible, setting back the state even further on its climate goals.

The All-Res Modeling Tool was developed using readily available emissions models that estimate greenhouse gasses from dam and reservoir projects. The tool uses data provided by public sources including the Revised Draft Environmental Impact Report/Supplemental Draft Environmental

Impact Statement for the proposed Sites Reservoir (USBR, 2021) to calculate the total carbon footprint of the Sites Reservoir Project over its entire lifecycle.

Dams and reservoirs produce harmful greenhouse gasses (GHG) through their construction, operation, and maintenance, but most importantly by the decomposition of organic matter under, and flowing into, the reservoir (see 2016 *Washington Post* article). In fact, some hydropower dam and reservoir systems have been estimated to produce as much GHG as a coal-fired powerplant of similar electricity output. A full list of emissions pathways analyzed using the All-Res Model can be found on Tell The Dam Truth's website.

For more than a half-century, Friends of the River (FOR) has been at the forefront of California's environmentalist movement for a sustainable water future. FOR is dedicated to protecting and restoring California's rivers, streams, and watersheds, while advocating for sustainable water management and water solutions that protect the environment. Healthy rivers are a critical component of a sustainable water future in California and FOR rejects the notion that the state must choose between healthy river ecosystems and having enough water. With the state's water crisis approaching a breaking point, FOR is in its toughest fight yet as it works to stop the Sites Reservoir boondoggle while offering more practical and sustainable alternatives to protect and restore California's rivers.

**Department of Toxic Substances Control  
Former McNamara and Peepe Lumber Mill  
Monthly Summary Report**

**August 2023**

This monthly summary report summarizes environmental site investigation and remediation activities conducted by the Department of Toxic Substances Control (DTSC) or by their contractor, SHN Consulting Engineers and Geologists, Inc. (SHN) at the former McNamara and Peepe Lumber Mill Site.

a. Actions during this calendar month (August 2023).

- Field Work. Fieldwork was conducted at the Site on August 16-18, 2023. Activities included: MW-1 surface repair, production well decommissioning, and the installation of a new monitoring well on Doug Daly's property. Sampling for the second annual groundwater monitoring event was conducted on August 22-23, 2023. Samples for this groundwater monitoring event were sent to McCampbell Analytical, Inc. (McCampbell) due to prolonged turnaround times from Enthalpy Analytical (Enthalpy). Detection and reporting limits for McCampbell are comparable to Enthalpy.
- Contract Renewal. The contract with SHN will expire in December of 2023. DTSC is preparing a contract renewal to extend activities with SHN.

b. All planned activities for the next month and beyond (September 2023).

- First Semi-Annual 2023 Groundwater Sampling Report. DTSC is currently reviewing the groundwater sampling report.
- Virtual Quarterly Update Meeting. DTSC will be hosting a virtual quarterly update meeting with DTSC, EPA, Humboldt Bay Municipal Water District, and Humboldt Baykeeper in October. A date and an agenda will be sent out in September.

**John Friedenbach**

---

**From:** John Friedenbach <friedenbach@hbmwd.com>  
**Sent:** Tuesday, August 22, 2023 2:57 PM  
**To:** 'senator.mcguire@senate.ca.gov'; 'assemblymember.wood@assembly.ca.gov'  
**Cc:** Nora Mounce (Nora.Mounce@sen.ca.gov); 'Dunn, Erin'; 'fuller hbmwd.com'; Neal Latt  
**Subject:** DTSC Review Hearing - Wed. Aug 23rd at 9:00 am

**Importance:** High

Dear Senator McGuire and Assemblymember Wood,

We just learned there will be a 1-year review of the DTSC this Wednesday, 9am, by the state assembly and senate boards: <https://aesm.assembly.ca.gov/hearings#toggle>

We have communicated to you numerous times over many years our frustrations with the lack of remediation efforts/results by the DTSC at the McNamara & Peepe former lumber mill site on Glendale Drive upstream from our drinking water intake infrastructure. Envirostor site ID: 12240115.

We would appreciate any participation that you or your staff can contribute to the DTSC review on August 23<sup>rd</sup> specifically questioning the decades of ineffective remediation actions for the contaminants PCP and Dioxin removal/treatment at the McNamara & Peepe site given the close proximity to a human drinking water source for nearly 2/3rds of the population of Humboldt County.

Furthermore, in 2008 the DTSC issued an Imminent and Substantial Endangerment Determination, Docket No. I&SED 07/08-009 for this site. Some 15 years later, the site remains unremediated with no approved remediation plan in place.

It is our understanding that at similarly contaminated sites (PCP and Dioxin) located in Humboldt County, that the US EPA has come in, made their site contamination assessment, and draft recommendations for remediation within 2 to 2.5 years.

Thank you for your attention to this important health issue.

Respectfully,

John Friedenbach  
General Manager  
Humboldt Bay Municipal Water District  
[www.hbmwd.com](http://www.hbmwd.com)  
707-443-5018 work  
707-362-7509 cell



# Members

[View the Committee Staff](#)

## Committee Members

Committee Members	District	Office & Contact Information
<u>Alex Lee (Chair)</u>	Dem - 24	<u>Contact Assembly Member Alex Lee</u> <b>Capitol Office, 1021 O Street, Suite 6330</b> P.O. Box 942849-0024; (916) 319-2024
<u>Josh Hoover (Vice Chair)</u>	Rep - 07	<u>Contact Assembly Member Josh Hoover</u> <b>Capitol Office, 1021 O Street, Suite 4540</b> P.O. Box 942849-0007; (916) 319-2007
<u>Dr. Joaquin Arambula</u>	Dem - 31	<u>Contact Assembly Member Dr. Joaquin Arambula</u> <b>Capitol Office, 1021 O Street, Suite 6130</b> P.O. Box 942849-0031; (916) 319-2031
<u>Rebecca Bauer-Kahan</u>	Dem - 16	<u>Contact Assembly Member Rebecca Bauer-Kahan</u> <b>Capitol Office, 1021 O Street, Suite 6320</b> P.O. Box 942849-0016; (916) 319-2016
<u>Damon Connolly</u>	Dem - 12	<u>Contact Assembly Member Damon Connolly</u> <b>Capitol Office, 1021 O Street, Suite 5240</b> P.O. Box 942849-0012; (916) 319-2012
<u>Tina McKinnor</u>	Dem - 61	<u>Contact Assembly Member Tina McKinnor</u> <b>Capitol Office, 1021 O Street, Suite 5520</b> P.O. Box 942849-0061; (916) 319-2061
<u>Blanca Pacheco</u>	Dem - 64	<u>Contact Assembly Member Blanca Pacheco</u> <b>Capitol Office, 1021 O Street, Suite 6240</b> P.O. Box 942849-0064; (916) 319-2064
<u>Tri Ta</u>	Rep - 70	<u>Contact Assembly Member Tri Ta</u> <b>Capitol Office, 1021 O Street, Suite 5540</b> P.O. Box 942849-0070; (916) 319-2070
<u>Rick Chavez Zbur</u>	Dem - 51	<u>Contact Assembly Member Rick Chavez Zbur</u> <b>Capitol Office, 1021 O Street, Suite 4350</b> P.O. Box 942849-0051; (916) 319-2051

DTSC website for McNamara & Peepe Lumber Mill (12240115)

1619 Glendale Drive

Humboldt County

[https://www.envirostor.dtsc.ca.gov/public/profile\\_report?global\\_id=12240115](https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=12240115)

EXPLANATION

-  STORM WATER SAMPLE LOCATION
-  DRAINAGE FLOW
-  STORM WATER CONVEYANCE

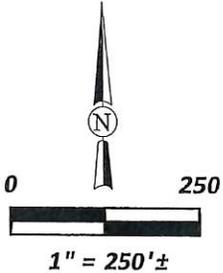
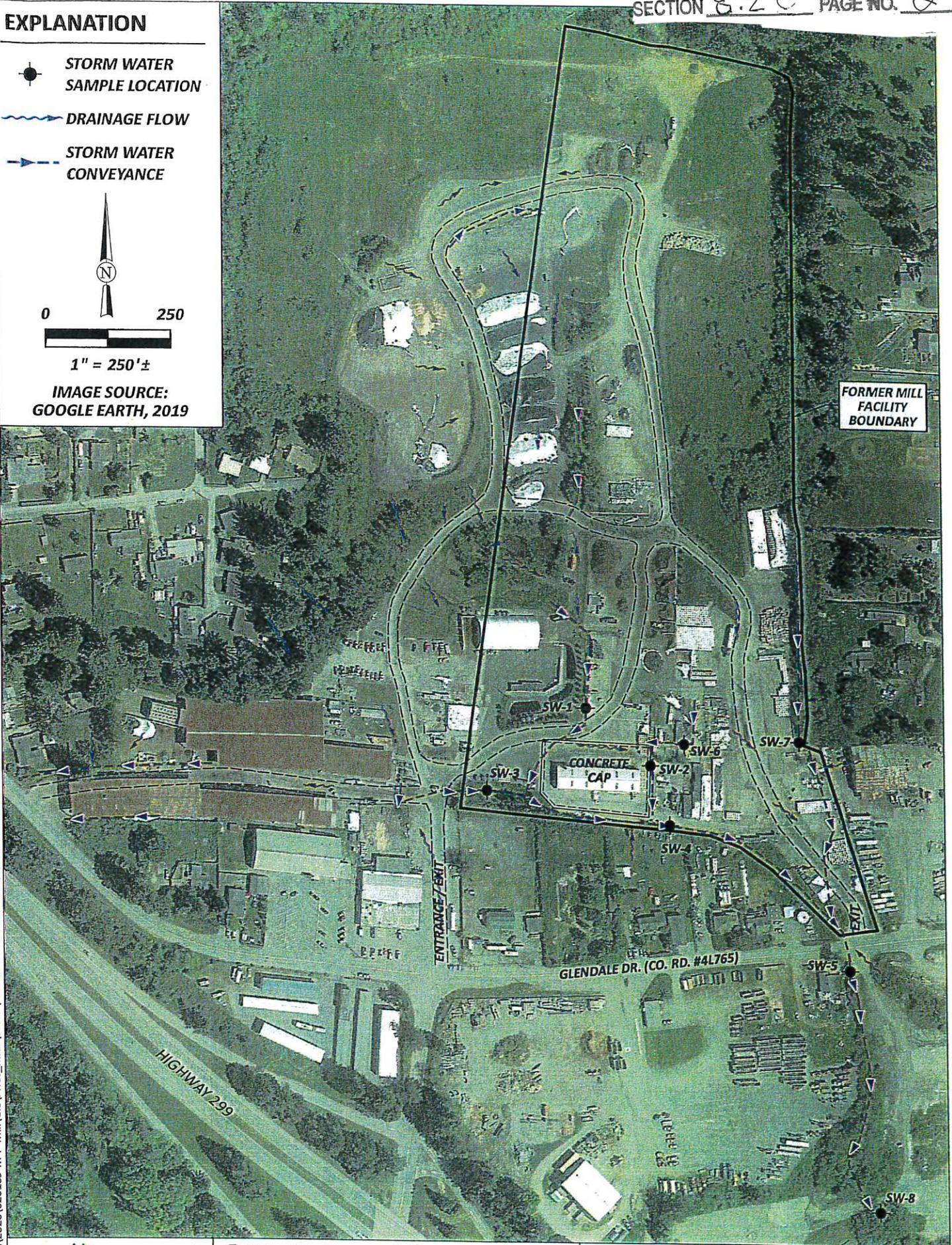


IMAGE SOURCE:  
GOOGLE EARTH, 2019



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Former McNamara & Peepe Lumber Mill  
Storm Water Sampling Plan  
Glendale Drive, Arcata, California

Site Plan with  
Storm Water Sample Locations  
SHN 020189.050

Nicole Yuen

**Stormwater Sample Results, February 2023, Former McNamara and Peepe Lumber Mill, 1619 Glendale Drive, Arcata, California; EnviroStor ID: 12240115**

May 19, 2023

Page 3

labeled, immediately placed in an ice-filled cooler, and submitted to the laboratory for analyses under the appropriate chain-of-custody documentation.

Monitoring and sampling equipment was cleaned prior to arriving onsite and between use at each sampling location. Small equipment that required onsite cleaning was washed in a water solution containing Liquinox® cleaner, followed by two distilled-water rinses. Appendix 1 presents field notes for stormwater sample collection.

### 3.0 Laboratory Analysis

Stormwater samples collected were analyzed for:

- chlorinated phenols (pentachlorophenol [PCP] and tetrachlorophenol [TCP]) by National Council for Air and Stream Improvement, Inc. Method 86.07, and
- chlorinated dibenzodioxins and chlorinated dibenzofurans (dioxins and furans) by U.S. Environmental Protection Agency (EPA) Method 8290A

North Coast Laboratories, Ltd., a state-certified analytical laboratory located in Arcata, California, performed the PCP and TCP analysis. The reporting limit (RL) for each constituent are as follows:

- PCP = 0.3 micrograms per liter (ug/L)
- 2,3,4,6-TCP = 1.0 ug/L

Dioxins were analyzed by Enthalpy Analytical - EDH, a state-certified analytical laboratory located in El Dorado Hills, California. The estimated detection limit (EDL) for 2,3,7,8-tetrachlorobenzene-p-dioxin (TCDD) ranged from 0.466 to 1.36 picograms per liter (pg/L). The method detection limit (MDL) for 2,3,7,8-TCDD analysis for all stormwater samples analyzed was 0.169 pg/L, with the exception of SW-2 and SW-3 with an MDL of 0.170 pg/L.

### 4.0 Stormwater Sampling Results

Table 1 summarizes the February 27, 2023, stormwater analytical results for dioxins, PCP, and TCP.







<b>Sample Location</b>	<b>Date</b>	<b>2,3,7,8-TCDD<sup>a</sup> (pg/L)<sup>b</sup></b>	<b>2005 WHO TEQ<sup>c</sup> (pg/L)</b>	<b>PCP<sup>d</sup> (ug/L)<sup>e</sup></b>	<b>TCP<sup>d</sup> (ug/L)</b>
SW-7	12/15/21	<0.634	4.87 J	0.21 J	<1.0
	12/15/21 (F)	<0.728	0.970 J	--	--
	4/14/22	<0.771	0.317 J	0.15 J	<1.0
	12/08/22	2.59 J	36.8 J	0.12 J	<1.0
	2/27/23	<0.799	1.66 J	<0.30	<1.0
SW-8	12/15/21	<0.797	3.80 J	<0.30	<1.0
	12/15/21 (F)	<0.733	2.38 J	--	--
	4/14/22	<0.715	1.35 J	<0.30	<1.0
<b>MCL<sup>i</sup></b>		<b>30</b>	<b>NR<sup>j</sup></b>	<b>1.0</b>	<b>NR</b>
<b>PHGs<sup>k</sup></b>		<b>0.05</b>	<b>NR</b>	<b>0.3</b>	<b>NR</b>

<sup>a</sup> 2,3,7,8-TCDD: 2,3,7,8-Tetrachlorodibenzodioxin was analyzed in general accordance with EPA Method 8290

<sup>b</sup> pg/L: picograms per liter

<sup>c</sup> 2005 WHO TEQ: 2005 World Health Organization's Toxic Equivalency Quotient, TEF calculations. TEQs are J-flagged as they are calculated from one or more result with a J-flag (Analyte concentration below calibration range).

<sup>d</sup> Pentachlorophenol (PCP) and 2,3,4,6-Tetrachlorophenol (TCP) were analyzed in general accordance with National Council for Air and Stream Improvement, Inc. Method 86.07

<sup>e</sup> ug/L: micrograms per liter

<sup>f</sup> <: "less than" the stated laboratory reporting limit

<sup>g</sup> J: estimated value

<sup>h</sup> (F): Field filtration prior to sample collection using a new 0.45-micron filter

<sup>i</sup> MCL: maximum contaminant level, State Water Resources Control Board, March 13, 2019

<sup>j</sup> NR: no reference

<sup>k</sup> PHGs: California public health goals, Office of Environmental Health Hazard Assessment, March 13, 2019



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**EXPLANATION**

-  MONITORING WELL
  -  GROUNDWATER ELEVATION CONTOUR
  -  CONCRETE CAP AREA
  -  FORMER MILL BOUNDARY
- 0 100  
1" = 100'



Former McNamara & Peepe Lumber Mill  
Groundwater Monitoring  
1619 Glendale Drive, Arcata, California  
October 2022

Groundwater Elevation Contours  
August 23, 2022  
SHN 020189.030  
Figure 3

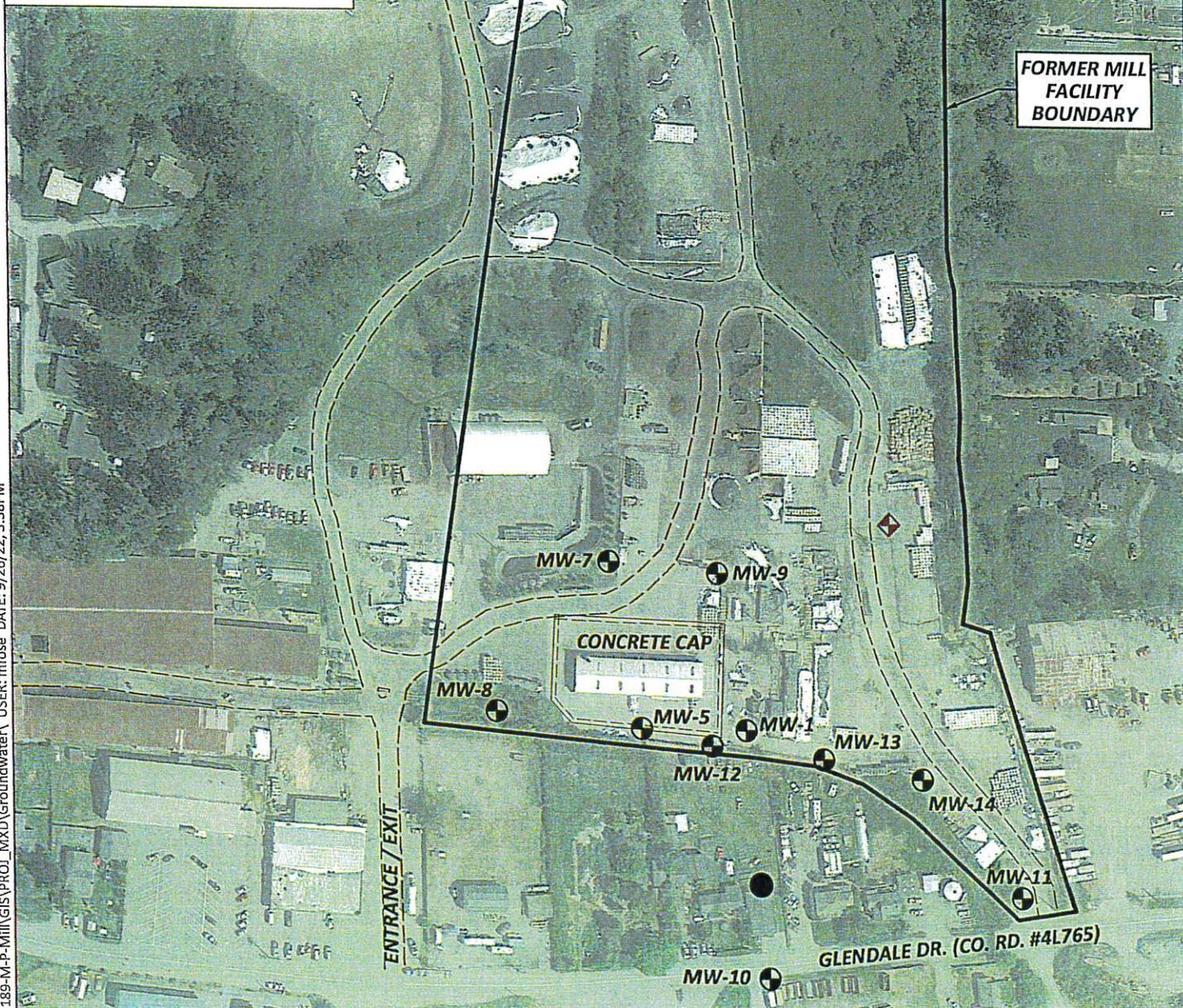
Image Source:  
Google Earth, 2019

**EXPLANATION**

- PRIVATE WELL
- ◆ PRODUCTION WELL
- ⊕ MONITORING WELL
- - - FIRE ACCESS ROAD
- ▭ CONCRETE CAP AREA
- ▭ FORMER MILL BOUNDARY



IMAGE SOURCE:  
GOOGLE EARTH, 2019



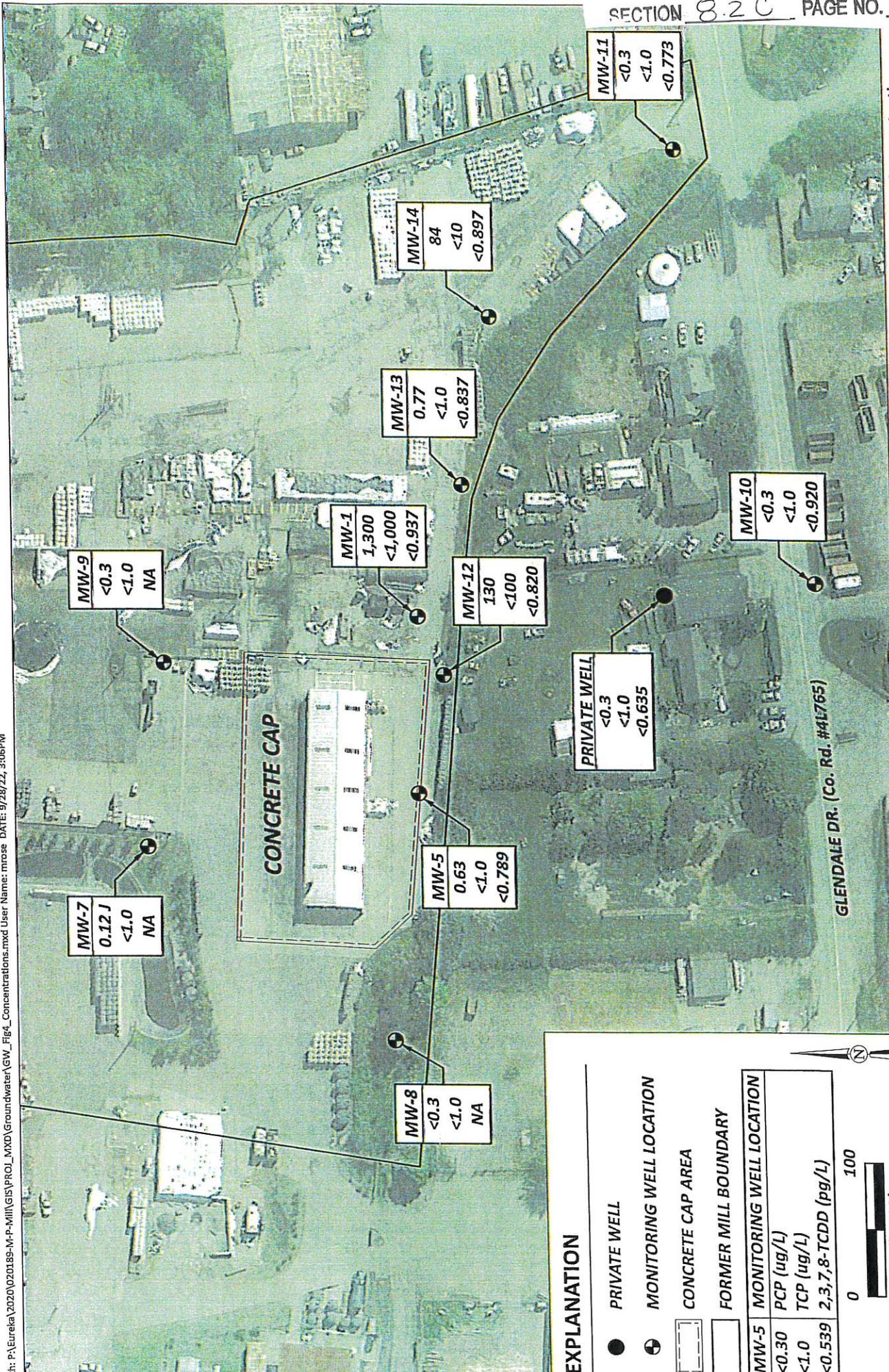
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Former McNamara & Peepe Lumber Mill  
Groundwater Monitoring  
1619 Glendale Drive, Arcata, California

Site Plan  
SHN 020189.030

Path: P:\Eureka\2020\020189-M-P-Mill\GIS\PROJ\_MXD\Groundwater\GW\_Fig4\_Concentrations.mxd User Name: mrose DATE: 9/28/22, 3:06PM



**EXPLANATION**

- PRIVATE WELL
- ⊕ MONITORING WELL LOCATION
- ▭ CONCRETE CAP AREA
- ▭ FORMER MILL BOUNDARY

MW-5	MONITORING WELL LOCATION
<0.30	PCP (ug/L)
<1.0	TCP (ug/L)
<0.539	2,3,7,8-TCDD (pg/L)

0 100  
1" = 100' ±



Former McNamara & Peepe Lumber Mill  
Groundwater Monitoring  
1619 Glendale Drive, Arcata, California  
September 2022  
GW\_Fig4\_Concentrations

Select Groundwater Concentrations  
August 23, 2022  
SHN 020189.030  
Figure 4







# **NEW BUSINESS**

**Humboldt Bay Municipal Water District**

To: Board of Directors  
From: Chris Harris  
Date: September 14, 2023  
Re: Employee Handbook Revision

**Current**

The District Employee Handbook was last revised in 2017, with final Board approval in January 2018.

Based on several employment law changes as well as internal District policy changes, staff has begun the process of revising the Employee Handbook to include these updates. Staff is using the ACWA/JPIA Employee Handbook for additional guidance.

In order to make this process less burdensome for the Directors, staff is using a phased approach over several months (similar to the budget process) for Director review and discussion of the proposed changes in the Handbook.

**Next Steps**

Staff is providing Chapter One for Director review and input this month. Staff will provide additional sections of the Employee Handbook in the coming months. Once staff has received and included Director input in all the sections, the DRAFT Employee Handbook (in entirety) will be provided to both District Counsel and the ACWA/JPIA for final review and input. Suggestions provided by both District Counsel and ACWA/JPIA will then be provided to the Directors for review with possible approval of the entire Employee Handbook (anticipated January 2024).

**Attachments**

Chapter One, HBMWD Employee Handbook

# Employee Handbook

## Humboldt Bay Municipal Water District

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Approved by the Board of Directors  
Effective xxxxx xx, xxxx

## Chapter 1

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### GENERAL PROVISIONS

## 1000 Introduction

This Employee Handbook, which all employees are asked to read and retain for future reference, was prepared to provide guidance and support to all Humboldt Bay Municipal Water District (HBMWD, District) employees. The Handbook is a guide to the policies, practices, and benefits relating to employment at the District. The policies, procedures, and benefits presented herein outline the obligations, rights, privileges, benefits, and prohibitions which are placed on all employees of the District. It may be updated on occasion by the District. Employees will be notified in writing of any amendments and additions to these policies and procedures. Keep this Handbook, additions, and revisions on file for reference.

Communication is the most important aspect of the employment relationship. This Handbook is designed as part of an effort to improve both employee's understanding of what the District expects, as well as outline what the District offers in return.

The General Manager, Superintendent, or Business Manager will be happy to answer any questions employees may have regarding their employment or the contents of this Handbook. Furthermore, the General Manager, Superintendent, and Business Manager have an "open door" policy, and as such, are open to questions, concerns, and any suggestions employees have for improving the District.

This Employee Handbook cannot anticipate every situation or answer every question about employment, nor can it provide information that answers every possible question. Additionally, circumstances will undoubtedly require that guidelines, practices, and benefits described in this Handbook change. Accordingly, the District reserves the right, with Board of Directors approval, to modify, supplement, or rescind any provision of this Employee Handbook as it deems necessary. Employees will be advised of any updates and changes that occur.

## 1001 Overview of District

The District was organized in 1956 under California's Municipal Water District Act. The major function of the District is to provide wholesale municipal and industrial water to the greater Humboldt Bay area. The District also has authority to operate parks and to produce hydroelectric energy. Two authorities not currently being exercised under the Act include fire protection and sewage treatment.

Current operations include the R.W. Matthews Dam/Ruth Reservoir and Gosselin Power House near Ruth in Southern Trinity County; the John R. Winzler Operations and Control Center and the Lloyd L. and Barbara Hecathorn Turbidity Reduction Facility, both located northeast of Arcata in Humboldt County; and various pipelines and appurtenances around the Humboldt Bay area. Present water delivery capabilities total 75 million gallons per day, a portion of which (10-15 MGD) is contracted to municipal customers. The District also provides maintenance and billing services to the Fieldbrook Glendale Community Services District.

The District has defined geographic boundaries and is subdivided into five divisions. The District is governed by a five-person Board of Directors. The Board members are elected to four-year

terms by the voters of the division in which they reside. The Board periodically elects a President and Vice President and is the appointing authority for the General Manager, Attorney, Engineer, Auditor, and Secretary/Treasurer. The General Manager is the Chief Executive Officer and is responsible for the hiring of competent personnel to carry out the various functions and responsibilities of the District. Appendix A is an organization chart reflecting this structure.

## 1002 District's Mission

The District's mission is to: 1) reliably deliver high quality drinking water to the communities and customers we serve in the greater Humboldt Bay Area at a reasonable cost; 2) reliably deliver untreated water to our wholesale industrial customers at a reasonable cost; and 3) protect the environment of the Mad River Watershed to preserve water rights, water supply and water quality interests of the District.

In carrying out this mission, the District is committed to the following values:

- ensuring worker and public safety at all times;
- creating a positive work environment emphasizing teamwork and open communication among employees;
- fostering cooperative work relationships with our customers, and striving to meet their needs to the best of our abilities;
- maintaining and operating our system to high standards, thereby ensuring reliable service over the long-term;
- performing our work in a cost conscience manner to ensure the lowest possible rates to our customers.

District employees are asked to execute their job in a manner that supports the District's mission and values above. Any suggestions employees have for improving the District are always welcome. Employees are encouraged to present ideas for improving operations, customer service, or cost saving opportunities at any time.

## 1003 Positions Covered

The policies and procedures contained in this Handbook shall pertain to all District employees, but they shall not apply to independent contractors working for the District.

The District employs full-time, part-time, and temporary employees, as defined below:

- Regular Full-Time positions are established and/or planned positions at the District and work a regular forty-hour work week, unless an alternate work week schedule is established (as defined in section 2008 - Work Schedules and Appendix C). Regular Full-Time positions are paid a basic monthly salary, which is divided between the two payrolls each month. As applicable, any premium pay is paid based on actual premium hours worked. Unless otherwise specified, only Regular Full-time positions are entitled to all the benefits described in this Handbook, subject to modification by the Board.

- Regular Part-Time positions are regularly established and/or planned positions, but either work less than full-time hours on a regular basis, or work full-time hours for a part-time basis. These positions are paid based on the hours worked, in accordance with an hourly-wage scale established by the General Manager consistent with the approved budget. Except as specifically noted, Regular Part-time positions are not eligible for District benefits described in this Handbook.
  
- Temporary positions have duties assigned that are not expected to become a regular part of the workload. These positions are employed for a temporary period of time and are paid based on the hours worked, in accordance with an hourly- wage scale established by the General Manager consistent with the approved budget. Normally, a temporary position will not exceed six (6) months in duration, unless specifically extended by the General Manager. Summer positions are considered Temporary Part-Time positions. Except as specifically noted, temporary positions are not eligible for benefits described in this Handbook.

In addition to the above, employees whose positions are governed by the Fair Labor Standards Act (FLSA) are either "exempt" or "non-exempt". Non-exempt employees are entitled to overtime pay. Exempt employees are not. Most employees covered by the FLSA are non-exempt. Some jobs are classified as "exempt by definition". For most employees, however, whether they are exempt or non-exempt depends on (a) how much they are paid, (b) how they are paid, and (c) what kind of work they do.

The requirements to determine this status are outlined in the FLSA Regulations (promulgated by the U.S. Department of Labor). See the Business Manager if you have any questions.

#### **1004 At-Will Employment Status**

The personnel policies and procedures contained in this Handbook are not a contract guaranteeing employment for any District employee for any specific duration. With the exception of the General Manager position, employment at the District is employment at-will. Employment at-will may be terminated with or without cause and with or without notice at any time by the employee or the District. Although the District hopes that employee's relationship with the District is long-term, either the employee or the District may terminate this relationship at any time, for any reason, with or without cause or notice.

Nothing in this Handbook or in any document or statement shall limit the right to terminate employment at-will, and nothing in this Handbook or in any other personnel document, creates or is intended to create a promise or representation of continued employment for any employee. No supervisor, or any other employee of the District, has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment other than at-will.

## 1005 Equal Employment Opportunity

It is the continuing policy of the District to provide equal, employment opportunities for all individuals who have the necessary qualifications with respect to recruitment, hiring, performance appraisal, promotion, training, termination, compensation, or other personnel-related activities regardless of the actual or perceived ancestry, race, color, religion, sex, gender, gender identification, gender expression, national origin, disability, medical condition, marital status, age, genetic information, sexual orientation preference, or veteran/military status. All employee hiring decisions will be based upon policies and practices that further the principles of equal employment opportunity.

Every member of management is held responsible for assuring non-discrimination in employment opportunities. In addition, all staff members, regardless of position, share in the responsibility of maintaining a discrimination-free work environment.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the District will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result. Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact his or her supervisor and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. The District will then conduct an investigation to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform his or her job. The District will identify possible accommodations, if any, that will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, the District will make the accommodation.

If an employee believes they have been subjected to any form of unlawful discrimination, they should notify their supervisor, the General Manager, Superintendent, or Business Manager. Supervisors must immediately refer all discrimination complaints to the General Manager. Any employee complaint should be specific and should include the names of the individuals involved and the names of any witnesses. The District will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation. If the District determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action will also be taken to deter any future discrimination. The District will not retaliate against any employee for filing a complaint and will not knowingly permit retaliation by management employees or co-workers.

## 1006 Prohibition of Discrimination

The District is committed to providing a work environment that is free of unlawful discrimination. In keeping with the commitment, the District strictly prohibits unlawful harassment on the basis of an employee's race, sex (including breastfeeding), gender identity, religious creed, color, national origin, ancestry, age (over 40), marital status, sexual orientation, or physical or mental disability, or any other class protected by state or federal law. Discrimination of anyone in or from the District, on any of these bases, is strictly prohibited. This policy prohibits discrimination in any form, including:

- Verbal harassment such as epithets, jokes, derogatory comments, or slurs, based on the person's race, sex, religious creed, color, national origin, ancestry, age (over 40), marital status, sexual orientation, or physical or mental disability;
- Physical harassment such as assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual based on one of the categories above;
- Visual harassment such as derogatory posters, cartoons, or drawings, based on one of the categories above. Also included are emails or text messages that may be inappropriate, offensive, harassing, and/or creating a hostile work environment.

If an employee believes they have been or are being subjected to this kind of discrimination, and are unable to resolve (or are uncomfortable attempting to address) the problem with the individual, the employee should promptly report it to their supervisor, Superintendent, Business Manager, or General Manager. All such claims will be investigated in a manner designed to protect the privacy and confidentiality of all involved and appropriate action will be taken. When appropriate, the District may seek to resolve the matter informally. Any employee found to have discriminated against anyone in or from the District's work environment, based on one of the categories above will be disciplined, from verbal reprimand to dismissal, based on the circumstances.

### **1006.1 Sexual Harassment**

Sexual harassment of District employees, by any person in, or from, the work environment, is strictly prohibited. Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- Submission to such conduct is made either expressly or by implication a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual;
- Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance; creating an intimidating, hostile, threatening, or offensive working environment; or adversely affecting the employee's performance, evaluation, assigned duties, or any other condition of employment or career development.

Sexual harassment also includes any act of retaliation against an employee for reports of violation of this policy or for participating in the investigation of a sexual harassment complaint.

Other examples of sexual harassment include: unwelcome sexual flirtations or propositions; verbal abuse of a sexual nature; graphic verbal comments about an individual's body; sexually degrading words used to describe an individual; emails that may be inappropriate, offensive, harassing, and/or creating a hostile work environment; and

the display in the work environment of sexually suggestive objects or pictures, posters, jokes, cartoons, or calendar illustrations. Sexual harassment conduct need not be motivated by sexual desire.

### 1006.2 Guidelines for the Employee

All employees of Humboldt Bay Municipal Water District have a right to work in an environment free of harassment of any kind. The District prides itself on a culture of respect and expects every employee, vendor or visitor to behave in the highest of standards.

If an employee thinks they are being sexually harassed:

- Say NO! Make it clear to the offender that the behavior is unacceptable. The harasser may not realize the advances or behavior are offensive. Sometimes a simple confrontation will end the situation;
- Do not let confusion and self-doubt stop an employee from speaking out.
- The District wants to know about any disrespectful activity so that it can be addressed appropriately.
- Keep a record of dates, times, places, witnesses, and nature of harassment. Such records will be very helpful if the employee finds it necessary to pursue a formal grievance.
- If the employee feels that they have been or are being sexually harassed or are aware of or suspect the occurrence of sexual harassment, or they desire counseling on coping with sexual harassment, they should immediately contact their supervisor, any other supervisor, a Director or the General Manager.
- Maintain strict confidentiality ensuring the privacy of all parties concerned.

**This procedure is the employee's exclusive remedy for prevention and resolution of any issues of harassment at the District.**

Any and all complaints will be treated with confidentiality to the extent possible. The complaint will be responded to in a timely fashion; investigated promptly and thoroughly by impartial and competent personnel; documented and tracked to ensure reasonable progress; met with appropriate remedial action when misconduct is found; and afforded a timely closure. Be advised that making a complaint will not result in any retaliation against the complainant or any participant in the investigation.

In addition to notifying the District about harassment or retaliation complaints, affected employees may also direct their complaints to the California Civil Rights Department (CA CRD), which has the authority to conduct investigations of the facts. The deadline for filing complaints with the CA CRD is three years from the date of the alleged unlawful conduct. If the CA CRD believes that a complaint is valid and attempts to resolve the dispute fail, the CA CRD may seek an administrative hearing before the California Fair Employment and Housing Commission ("FEHC") or file a lawsuit in court. Both the FEHC

and the courts have the authority to award monetary and nonmonetary relief in meritorious cases. Employees can contact the nearest CA CRD office or the FEHC at the locations listed in the District CA CRD poster or by checking the State Government listings in the local telephone directory.

### **1006.3 Disciplinary and/or Corrective Action**

Any employee found to have sexually harassed anyone in or from the work environment will be disciplined, from verbal reprimand to dismissal, based on the circumstances.

A District representative will advise all parties concerned of the results of the investigation. The District will not retaliate against an employee for filing a complaint and will not tolerate, nor permit, retaliation by management employees or your co-workers.

### **1007 Integration Clause, Right to Revise, and Severability**

This Employee Handbook contains the employment policies and practices of the District in effect at the time of publication. All previously issued handbooks and any inconsistent policy statements or memoranda are superseded. This Handbook sets forth the entire agreement between District employees and the District as to the duration of employment and the circumstances under which employment may be terminated. No oral statements or representations can in any way change or alter the provisions of this Handbook.

The District reserves the right to revise, modify, delete or add to any and all policies, procedures, work rules or benefits stated in this Handbook. No one other than the Board of Directors may add to or modify any of policies contained in the Handbook. Any written changes to this Handbook will be distributed to all employees so that they will be aware of the new policies or procedures. This Handbook will be interpreted consistent with current law.

Should any provision in this Employee Handbook be found to be unenforceable and invalid, such finding does not invalidate the entire Employee Handbook, but only the subject provision.

# ENGINEERING



**LEGAL**



**FINANCIAL**

HUMBOLDT BAY MUNICIPAL WATER DISTRICT  
STATEMENT OF FUND BALANCES - PAGE 1 OF 2



<u>BANK ACCOUNT BALANCES AT MONTH-END</u>	August 31, 2023	August 31, 2022
<b>GENERAL ACCOUNTS</b>		
1. US Bank - General Account	32,514.70	3,608,303.92
2. US Bank - Xpress BillPay/Electronic Payments Account	7,519.60	3,838.21
<i>Subtotal</i>	40,034.30	3,612,142.13
<b>INVESTMENT &amp; INTEREST BEARING ACCOUNTS</b>		
3. US Bank - DWR/SRF Money Markey Acct	166,610.78	166,573.99
4. US Bank - DWR/SRF Reserve CD Account	547,336.94	547,336.94
5. US Bank - PARS Investment Account	871,634.62	948,718.63
<i>Contributions = \$800,000 Disbursements = \$116,619</i>		
6. L. A. I. F Account - MSRA Reserve Account	456,011.16	445,577.91
7. CalTRUST - Restricted Inv. Account (Medium Term)	1,329,638.18	1,329,638.18
8. CalTRUST - Unrestricted Inv. Account (Medium Term)	386,232.40	357,775.05
9. CalTRUST - DWFP Reserve Account (FedFund)	-	241,850.10
10. CalTRUST - ReMat Account (LEAF Fund)	-	1,117,124.89
11. CalTRUST - General Reserve Account (Short-Term)	5,510,594.78	2,373,525.47
<i>Total CalTRUST Accounts</i>	<i>7,226,465.36</i>	<i>5,419,913.69</i>
12. California CLASS - DWFP Reserve Account	250,065.32	-
13. California CLASS - ReMat Reserve Account	1,358,703.96	-
<i>Total California CLASS Accounts</i>	<i>1,608,769.28</i>	<i>-</i>
14. Humboldt County - SRF Loan Payment Account	144,027.61	372,084.76
15. Humboldt County - 1% Tax Account	-	(18,048.38)
16. Principle Investment Account	41,497.14	39,921.81
<i>Subtotal</i>	11,062,352.89	7,922,079.35
<b>OTHER ACCOUNTS</b>		
17. ReMat Deposit - Mellon Bank	27,000.00	27,000.00
18. Cash on Hand	650.00	650.00
<i>Subtotal</i>	27,650.00	27,650.00
<b>TOTAL CASH</b>	<b>11,130,037.19</b>	<b>11,561,871.48</b>





HUMBOLDT BAY MUNICIPAL WATER DISTRICT  
 MISCELANEOUS REVENUE - DETAIL REPORT  
 August 31, 2023

**B. MISCELLANEOUS RECEIPTS (RETURNED TO CUSTOMERS VIA PF2)**

	MTD RECEIPTS	YTD RECEIPTS
<u>Miscellaneous Revenue</u>		
Dividend - Principal Life	-	342
Fees - Park Use	-	-
Rebate - CALCard	-	-
Refund - Diesel Fuel Tax	-	200
Refunds - Miscellaneous	101	101
Reimb - Blue Lake SCADA/Internet Monthly Fees	-	59
Reimb. - Copies & Postage	29	29
Reimb. - Gas	-	-
Reimb. - Misc. Employee	-	-
Reimb. - Telephone	-	-
UB - Water Processing Fees	60	120
UB - Hydrant Rental Deposit/Use	-	-
 <u>Ruth Area</u>		
Lease - Don Bridge	-	-
Rent - Ruth Cabin	640	1,040
Ruth Annual Lessee Water Fees	-	100
<hr/>		
<b>TOTAL MISCELANEOUS REVENUE</b>	<b>830</b>	<b>1,991</b>







































Humboldt Bay Municipal Water District

--Monthly Expenses by Vendor Detail Report--  
Report dates: 8/1/2023-8/31/2023

Page: 11  
Sep 08, 2023 08:45AM

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Vendor Name	Date Paid	Description	Amount Paid
Grand Totals:			<u>1,577,297.49</u>

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# **OPERATIONS**

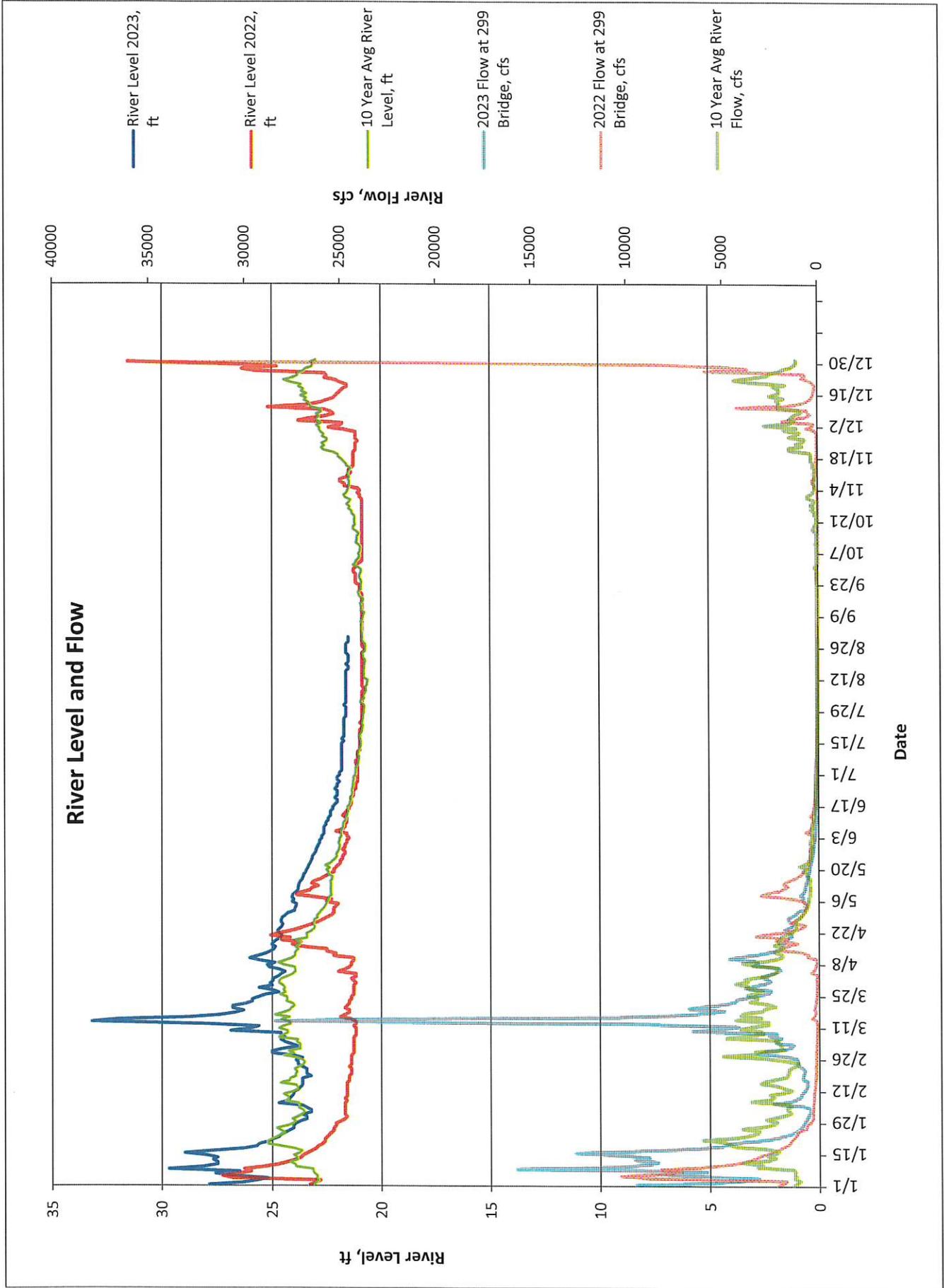


9. August 2<sup>nd</sup> – Collector 2 lateral rehabilitation project coordination meeting
10. August 3<sup>rd</sup> – Safety meeting – Traffic Control
11. August 8<sup>th</sup>
  - a. Load banked Hydro Plant Standby generator
  - b. Maintenance staff did minor repairs to Spillway
  - c. Met with JPIA Property appraiser
12. August 9<sup>th</sup>
  - a. Nate and I went to Shasta City to look at their OSHG system
  - b. Load banked Essex generator and Eureka office generator
13. August 14<sup>th</sup>
  - a. Tesla, Teams meeting Re: SCADA
  - b. Worked with vendor on Batch tank design changes
  - c. Teams meeting for Arc Flash Study
14. August 16<sup>th</sup>
  - a. FREC inspection at Ruth Dam
  - b. Marked Quagga bollard locations
15. August 23<sup>rd</sup> – Cal-Trans did the Spillway bridge inspection.
16. August 30<sup>th</sup> - Collector 2 lateral rehabilitation project coordination meeting
17. August 31<sup>st</sup>
  - a. Teams meeting with PSI regarding dosing pump design
  - b. Maintenance swept spillway for mapping flight
18. Current and Ongoing Projects
  - a. Installation of Quagga bollards
  - b. TRF off season maintenance and inspections – Cleaning wash water basins, chemical systems maintenance, etc.
  - c. Collector 2 underground power and communications project – In Progress
  - d. Tesla battery bank projects
    - i. Essex project in progress, operational programming in process, waiting for PG&E PTO
  - e. OSHG – Equipment procurement and planning in progress
  - f. Working on I/W system meter building power issue
  - g. Working on Samoa Peninsula Communication issues as time allows
  - h. Routine annual equipment maintenance and services

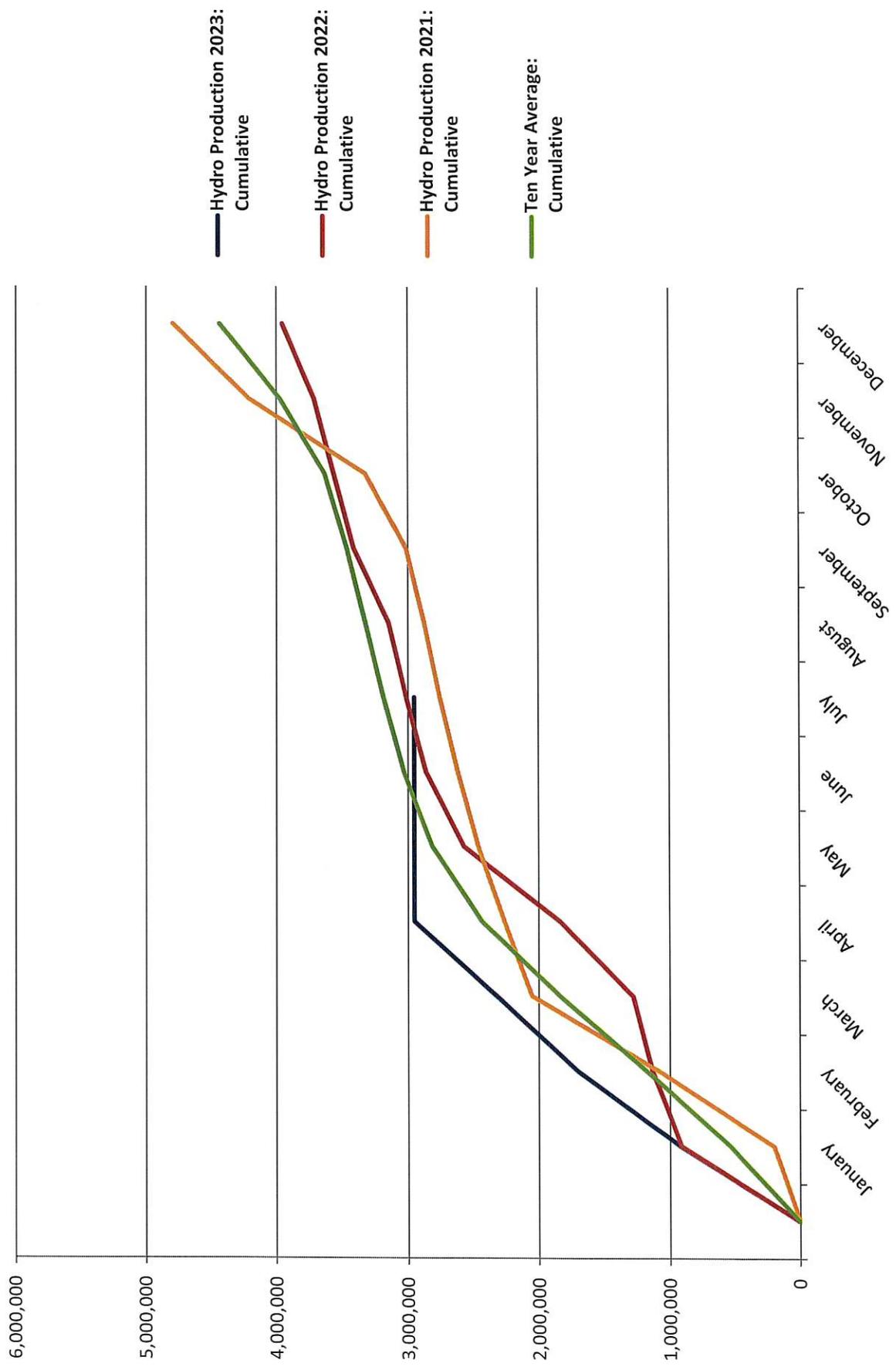








### Ruth Hydro Production: Cumulative kWh



# MANAGEMENT





## CSDA September 7, 2023

### Protect and Retain the Majority Vote Act (ACA 13)

#### Background

If Assembly Constitutional Amendment 13 (Ward) is approved by two-thirds of the California Legislature, California voters would be asked to decide whether an initiative constitutional amendment containing provisions that increase vote thresholds should be required to attain the same proportion of votes in favor of the amendment that the proposed increased vote thresholds would demand.

- i.e., if an initiative constitutional amendment includes a provision that would impose a supermajority (e.g., three-fifths, two-thirds, four-fifths, etc.) voter approval threshold, then that initiative would be required to gain the approval of the same super majority (three-fifths, two-thirds, four-fifths, etc.; whatever threshold the initiative proposes) of California voters in order to pass
- if the initiative constitutional amendment includes provisions that impose a supermajority vote threshold and fails to gain the corresponding supermajority of voters in support of the underlying amendment, the initiative constitutional amendment would not be considered approved, thereby failing in its entirety

Because ACA 13 protects the democratic process in local communities by ensuring that a simple majority of statewide voters cannot restrict the will of a supermajority of voters in a local community, CSDA adopted its support position and provided the author's office with a letter of support. CSDA is also encouraging its members to submit letters of support, and has drafted a sample letter of support to better facilitate this process.



**CHRISTOPHER M. WARD**  
ASSEMBLYMEMBER FOR THE 78TH DISTRICT

PHONE: (916) 319-2078 WEBSITE: <https://a78.asmdc.org/> EMAIL: [Assemblymember.Ward@assembly.ca.gov](mailto:Assemblymember.Ward@assembly.ca.gov)

**Fact Sheet: ACA 13**  
Protect and Retain the Majority Vote Act

**PROPOSED BILL**

The Protect and Retain the Majority Vote Act, Assembly Constitutional Amendment (ACA) 13, would retain the majority vote requirement for passage of state and local initiatives. ACA 13 will require proposed initiatives that seek to increase vote thresholds on future ballot measures to pass with that same proportional higher vote threshold.

ACA 13 would also preserve the right of cities to place advisory questions on the ballot to ask voters their opinion on issues.

**BACKGROUND**

Under current law, a ballot measure approved by a simple majority of voters can selectively change the law so that a future measure would require a supermajority to pass.

If passed by voters, ACA 13 would retain the majority vote while also requiring any statewide initiative measure seeking to increase the vote threshold on future state or local ballot measures to also be approved by that same proportional higher vote threshold.

For example, a measure that would impose a two-thirds vote threshold on future measures should also pass with a two-thirds vote.

Cities and counties also often place non-binding advisory measures on the ballot to allow voters to weigh in on various issues. This is a critical tool that allows voters to advise local government. However, the ability for local governments to ask voters to weigh in on advisory questions is now under threat.

**SOLUTION**

ACA 13 will retain the will of the majority of voters to make their voices heard on constitutional amendments proposed by initiative and protect voters' ability to advise their elected officials via local advisory questions.

**FOR MORE INFORMATION**

Contact: Eric Warmoth  
Phone: (916) 319-2078  
Email: [Eric.Warmoth@asm.ca.gov](mailto:Eric.Warmoth@asm.ca.gov)

*Bill Version: Amended August 17, 2023*



ACA 13 protects the democratic process in local communities by ensuring that a simple majority of statewide voters cannot restrict the will of a supermajority of voters in a local community. For these reasons, HBMWD is pleased to support Assembly Constitutional Amendment 13. Please feel free to contact me with any questions

Sincerely,

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

John Friedenbach  
General Manager

CC: The Honorable Jim Wood, Assemblymember  
The Honorable Mike McGuire, Senator  
Marcus Detwiler, Legislative Representative, California Special Districts Association



**RCEA/RREDC**



**OPEN SESSION Call to Order**

**1. ROLL CALL - REMOTE DIRECTOR PARTICIPATION**

- 1.1. Approve teleconference participation request for this meeting by Director pursuant to Brown Act revisions of AB 2449 due to an emergency circumstance to be briefly described.

**2. REPORTS FROM MEMBER ENTITIES**

**3. 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 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.

**4. CONSENT CALENDAR**

All matters on the Consent Calendar are considered to be routine by the Board and are enacted in 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.

- 4.1 Approve Minutes of July 27, 2023, Board Meeting.
- 4.2 Approve Disbursements Report.
- 4.3 Accept Financial Reports.
- 4.4 Approve:
- The Analyst Job Description as Provided.
  - Adding the Analyst Job Description to the Salary Schedule at the Technician Position Classification.
  - Reclassifying the Rural REN Technician Position to Analyst.
  - The Revised Organizational Chart.
- 4.5 Authorize Staff to Prepare and Release Solicitations for RuralREN Administrative, Marketing, Legal, and Database Support Services Following Review and Approval by RCEA Administrative Staff and Legal Counsel.
- 4.6 Approve Memorandum of Understanding Between Redwood Coast Energy Authority and the County of Humboldt to Investigate Microgrid Development at County Airport Facilities and Authorize the Executive Director to Execute Said Memorandum of Understanding.

**5. REMOVED FROM CONSENT CALENDAR ITEMS**

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

**6. NEW BUSINESS**

- 6.1 Fiscal Year 2022-2023 Fourth Quarter Budget Report

Accept Quarterly Budget Report (Q4).



## 12. CLOSED SESSION

- 12.1 Public Employee Performance Evaluation, pursuant to Government Code Section 54957(b)(1): Executive Director.

## 13. ADJOURNMENT

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### **NEXT REGULAR MEETING**

Thursday, September 28, 2023, 3:30 p.m.

Jefferson Community Center Auditorium, 1000 B Street, Eureka, CA 95501.

Online and phone participation will also be possible via Zoom.

