

NOTICE OF DRAFT PROPOSED ORDER 12/01/2021

The State Water Resources Control Board Administrative Hearings Office held a hearing regarding the pending petitions of Garberville Sanitary District to change water-right License 3404 and Permit 20789 (Applications A009686 and A029981), which authorize diversions of water from the South Fork Eel River in Humboldt County.

To: State Water Resources Control Board Administrative Hearings Office

From: Kristin Vogel (Protestant against the GSD Petition)

Re: **My Public Comments to the Draft Proposed Order**

Thank you to the AHO for the public process and hearing that you administered for the above petition.

My comments concern the Public Interest.

During the hearing Ms. Short and Ms. Cochrane claimed that the public “is extremely supportive of the SHCP overall” and supports this statement referring to the over 400 signatures of support and almost 600 letters of support in the County’s processing of the SHCP EIR, General Plan Amendment, and Rezone project.”

What they failed to mention is that 600 members of the community signed petitions that rejected the rezone of the Southern Humboldt Community Park because of unacceptable impacts to them. The new zoning would open up the property to activities that would adversely affect the neighborhoods and town of Garberville itself. Their concerns were instigated by extremely loud unpermitted amplified concerts in the Park from 2006 to 2008. Complaints were filed and code enforcement was alerted. The Park had to stop and get permits and then an EIR. Besides high decibel noise, there was the unsolvable location problem of the Park for future traffic and parking congestion for large commercial events which would block the single narrow road between it and the town of Garberville.

I collected these petitions at the post office in Garberville over two year’s time and submitted them to Humboldt County Planning in 2016. I examined the petitions submitted by the Park and found numerous duplications. Mine

had no duplications. These petitions are on file with the County. I wish to counter the impression of major public support for the Park because there has been just as much resistance to it because of their heavy plans to commercialize it. The controversy engendered by the Park's disrespect for the public input remains divisive in our community to this day. The Park Board does not open their board meetings to the public and has not held a board meeting open to the public since August, 2010.

I find that there is no binding written document available to the public about how the GSD water will be kept clean and healthy for public consumption. Though there were discussions initially in 2019 about whether GSD water would be allowed to circulate through the Park's old contaminated piping (which ranges throughout all areas of the 400 acres) these are not happening any more. I would like to see a commitment to new pipelines in the Park dedicated only to GSD water and restricted to the new 18 acre POU. When will this plan be made public? I believe it would be in the Public Interest to have this before public water is approved on the Park property.

During the June 15, 2021 SWRCB-AHO change petition hearing, the person representing Garberville Sanitary District, Ms. Jennie Short, was asked by hearing judge, Mr. Alan Lilly, if she was an employee of the Garberville Sanitary District. It surprised me to hear this since I have attended nearly every Board meeting of GSD for the last 11 years and understood she is their contract Consultant. So I asked the question in GSD's Sept. 2021 meeting if Ms. Short is an employee of GSD? The Board Chairman of GSD, after reading me section n. of her contract being re-negotiated at that meeting, emphatically stated, "She is not an employee of GSD". Mr. Lilly asked her this question and Ms. Short gave an answer that misleads the public about her work status with GSD. The General Manager of GSD was in attendance at the AHO meeting and said nothing to correct Ms. Short's statement. How does their conduct support the public interest?

Thank you for your attention,

Kristin Vogel, Garberville, CA Dec.01, 2021

