



GARBERVILLE SANITARY DISTRICT

P.O. BOX 211 • GARBERVILLE, CA 95542 • (707) 923-9566

June 1, 2020

State Water Resources Control Board
Division of Water Rights
Attn: Michael Meza
P.O. Box 2000
Sacramento, CA, 95812-2000

SUBJECT: SUMMARY OF PROTEST RESOLUTION – Kristin Vogel
GSD PETITIONS FOR CHANGE IN PLACE OF USE ON LICENSE 3404 AND PERMIT
20789 (APPLICATIONS 9686 and 29981) OF GARBERVILLE SANITARY DISTRICT,
SOUTH FORK EEL RIVER IN HUMBOLDT COUNTY

Dear Mr. Meza:

The Garberville Sanitary District received a protest filed by Kristin Vogel for the petitions on License 3404 and Permit 20789. The District reviewed the protest to determine what the protestant's objections are to the approval of the petition and the basis for these objections. The District provided a letter dated February 10, 2020, responding to the protestant's concerns. Ms. Vogel sent a letter with one protest dismissal condition. That condition was:

Because I reject the addition of commercial public drinking fountains into the SHCP Park without full annexation and consider the service unapproved future development, my condition of dismissal is: If GSD and SHCP will replace the current OAS application with the original offer, exactly as written, that GSD extended to SHCP in 2013 and which is printed out in full on Pages 4-6 in the GSD May 2013 I/S MND, then I will consider my protest resolved.

I followed up with Ms. Vogel to verify what verbiage on pages 4-6 she was specifically referring to, and she indicated that the page numbers from the 2013 IS/MND she meant were 25-26.

GSD's Board of Directors considered the condition put forward by Ms. Vogel at their May 19, 2020 meeting, and did not accept the condition. The reasons are:

1. The District Board of Directors has supported the Park's request to provide potable drinking water via water fountains to existing park users and has applied to HLAFCo and SWRCB accordingly. The 2019 IS/MND Addendum prepared by Humboldt Local Agency Formation Commission (HLAFCo) evaluated the addition of the water fountains using District water while maintaining the 2,000 cubic feet per month limitation. HLAFCo approved the service to the drinking fountains as well as the historic structures in all the areas included in the Petition to Change the Place of Use. The District does not accept any conditions that remove the drinking fountains as acceptable uses of the municipal water within the proposed amended Place of Use.

Ms. Vogel attended the GSD Board meeting via teleconference and provided no input or discussion with the GSD Board as to why the reasons given for not accepting the condition were not valid. The protest has not been resolved and it does not appear that there is a resolution that will be forthcoming.

The District requests that the Waterboard dismiss this protest and move forward with filing a Notice of Determination and preparing the amended water right documents for the Petition for Change in Place of Use.

Respectfully,



Linda Brodersen
Chair of the Board of Directors

JMS

Cc: Kristin Vogel
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