

**GARBERVILLE SANITARY DISTRICT
BOARD OF DIRECTORS MEETING
AGENDA**

**There will be a regular meeting held by the Garberville Sanitary District Board of Directors at the
GSD District Office
919 Redwood DR. Garberville, CA**

Date of Meeting: Tuesday, April 27th, 2021

5:00 p.m. – Open Public Session

Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the District Office located at 919 Redwood Dr. during normal business hours.

I. REGULAR MEETING CALLED TO ORDER

II. ESTABLISHMENT OF QUORUM

Rio Anderson___, Linda Brodersen___, Doug Bryan___, Julie Lyon____, Dan Thomas_____

III. APPROVAL OF AGENDA - Action to add or delete items from any portion of the agenda or to discuss any consent agenda items must be taken prior to adoption of the agenda.

Motion: Second: Vote:

IV. THE BOARD WILL ENTER CLOSED SESSION AT END OF MEETING IF NEEDED

V. OPEN SESSION

VI. COMMENTS AND QUESTIONS FROM THE AUDIENCE

Up to fifteen minutes of this portion of the meeting are reserved for members of the public to address the Board on items not listed on the agenda and within the jurisdiction of the GSD Board. Speakers are limited to 3 minutes. The GSD Board is prohibited by law from taking action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the GSD Board does not respond to public comment at this time.

General Public / Community Groups

VII. ANNOUNCEMENTS AND COMMUNICATIONS

REPORTS AND PRESENTATIONS – Routine report of activities, operations, meetings / conferences held and/or attended by Board members, Staff, and General Manager

Operations Staff-

Office Staff- Update from Mary on Past Due Customers

Board Members-

Correspondence- Pg. 4-8

General Manager—Ralph Emerson Pg. 9

Government Code Section 54954.3 provides that the public will have an opportunity to address the Board on any item described on a regular or special meeting either before or during the consideration of that item. The Board reserves the right to limit the time of presentation by individuals and groups

VIII. REGULAR AGENDA ITEMS

A. CONSENT AGENDA

Notice to the Public

All matters listed under Consent Agenda are considered to be routine and all will be enacted by one motion and voice vote. There will be no separate discussion of these items unless the Board of Directors requests items to be removed from the Consent Agenda for separate action. Any items will be considered after the motion to approve the Consent Agenda.

- A.1 Approve Financials Date February 2021 - Pg. 10-21
- A.2 Approve Date: **March 23rd, 2021** Regular Meeting Minutes - Pg. 22-24
- A.3 Operations Safety Report- Pg. 25-26

Motion: **Second:** **Vote:**

B. GENERAL BUSINESS – Action items

Notice to the Public

The Board of Directors will allow public comment on agenda items although any person who wishes to speak on an agenda item must submit a request prior to the meeting being called to order. You will be given 5 minutes on each agenda item that you wish to comment and then the Board of Directors will discuss the item amongst themselves with no other public comment.

- B.1 Recognition of Linda Brodersen Service to GSD and Community
(information at meeting)
- B.2 Establish Updated Signing Authorization for Accounts with Humboldt County Pg. 27-28
(discussion—action requested) resolution #21-005
Motion: **Second:** **Vote:**
- B.3 Update on Grants and Projects Pg. 29-30
(discussion-possible action) Jennie-Ralph
Motion: **Second:** **Vote:**
- B.4 Update on Southern Humboldt Community Park Pg. 31-53
(discussion-update from Jennie)
- B.5 Water Capacity Report Pg. 54-61
(discussion-no action)
- B.6 Update on Filter Media Replacement
(discussion—possible action) Dan and Ralph
Motion: **Second:** **Vote:**
- B.7 Cannabis Will Serve Application Pg. 62-67
(discussion-possible action)
Motion: **Second:** **Vote:**
- B.8 Update on March-April Repairs and Call-Outs
(discussion-possible action) Update at Meeting
Motion: **Second:** **Vote:**

C. POLICY REVISION / ADOPTION

C.1 Water Ordinance Sec 1.1—4.8
(discussion-no action) 2nd reading

Pg. 68-72

IX. CLOSED SESSION

No Closed Session Items
Pursuant to Government Code Section

X. RETURN TO OPEN SESSION

Report of any actions taken in Closed Session

XI. ITEMS FOR NEXT BOARD MEETING

1. Budget Approval 2021-2022
2. Update on SHCP Water
3. Update on Grants and Projects
4. Drought Planning
5. Acceptance of Linda Brodersen Resignation

XII. ADJOURNMENT

Posting of Notice at the District Office no later than Date: Saturday, April 24th, 2021. Agenda is emailed to the local newspapers and those who have requested an agenda in writing or e-mail.

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Garberville Sanitary District Office at (707)923-9566 at least 48 hours in advance.



GARBERVILLE SANITARY DISTRICT

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

April 9, 2021

Humboldt County Zoning Administrator
Planning and Building Department
3015 H Street
Eureka, CA 95501

SUBJECT: Randall Sand and Gravel SMARA Permit
Record Number PLN-2019-15837
Comments for Public Hearing on April 15, 2021

Dear County Zoning Administrator;

The Garberville Sanitary District (GSD) owns and operates the potable drinking water system for the town of Garberville and surrounding area since November 2004. GSD diverts water from the South Fork of the Eel River at APN 032-211-019 which is immediately adjacent to one of the Randall Sand and Gravel properties. GSD's raw water diversion structures are under the gravel bar in the active channel of the river that crosses both our and Randall's properties. Attached is the map from our water diversion license on file with the State Water Resources Control Board, Division of Water Rights showing the location of the diversion. Also attached is aerial map of the project area notated with the approximate location of GSD's diversion.

While GSD is not opposed to the approval of the SMARA permit, the water supply for the town must be protected and thus conditions must be added to the various permits to provide this protection. This includes the disturbance of the aggregate on top of and surrounding GSD's diversion structure as well as disturbing the river bar area immediately upstream of our diversion because when fall storms dislodge the highly disturbed fine grain gravel surface it creates high turbidity raw water at the surface water treatment plant and disrupts the production of potable water to the town.

GSD requests that the County add as conditions of approval to the permit that

1. the area surrounding the diversion (with a 100 ft setback on all sides) shall not be disturbed in any way as part of the gravel extraction efforts and
2. any areas disturbed immediately upstream of GSD's diversion, in the area that will comprise the active channel once fall rains start, are not left with fine grain gravels on the surface.

The following two sections of the Surface Mining and Reclamation Act of 1975 Statutes and Regulations of the State of California dated July 2018 seem to directly apply to support implementation of our proposed conditions of approval.

§ 3706. Performance Standards for Drainage, Diversion Structures, Waterways, and Erosion Control

(a) Surface mining and reclamation activities shall be conducted to protect on-site and downstream beneficial uses of water in accordance with the Porter-Cologne Water Quality Control Act, Water Code section 13000, et seq., and the Federal Clean Water Act, 33 U.S.C. section 1251, et seq.

(b) The quality of water, recharge potential, and storage capacity of ground water aquifers which are the source of water for domestic, agricultural, or other uses dependent on the water, shall not be diminished, except as allowed in the approved reclamation plan.

(c) Erosion and sedimentation shall be controlled during all phases of construction, operation, reclamation, and closure of a surface mining operation to minimize siltation of lakes and watercourses, as required by the Regional Water Quality Control Board or the State Water Resources Control Board.

(d) Surface runoff and drainage from surface mining activities shall be controlled by berms, silt fences, sediment ponds, revegetation, hay bales, or other erosion control measures, to ensure that surrounding land and water resources are protected from erosion, gullyng, sedimentation and contamination. Erosion control methods shall be designed to handle runoff from not less than the 20 year/1 hour intensity storm event.

(e) Where natural drainages are covered, restricted, rerouted, or otherwise impacted by surface mining activities, mitigating alternatives shall be proposed and specifically approved in the reclamation plan to assure that runoff shall not cause increased erosion or sedimentation.

§ 3710. Performance Standards for Stream Protection, Including Surface and Groundwater

(a) Surface and groundwater shall be protected from siltation and pollutants which may diminish water quality as required by the Federal Clean Water Act, sections 301 et seq. (33 U.S.C. section 1311), 404 et seq. (33 U.S.C. section 1344), the Porter-Cologne Act, section 13000 et seq., County anti-siltation ordinances, the Regional Water Quality Control Board or the State Water Resources Control Board.

(b) In-stream surface mining operations shall be conducted in compliance with Section 16000 et seq. of the California Fish and Game Code, section 404 of the Clean Water Act, and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(c) Extraction of sand and gravel from river channels shall be regulated to control channel degradation in order to prevent undermining of bridge supports, exposure of pipelines or other structures buried within the channel, loss of spawning habitat, lowering of ground water levels, destruction of riparian vegetation, and increased stream bank erosion (exceptions may be specified in the approved reclamation plan). Changes in channel elevations and bank erosion shall be evaluated annually using records of annual extraction quantities and benchmarked annual cross sections and/or sequential aerial photographs to determine appropriate extraction locations and rates.

(d) In accordance with requirements of the California Fish and Game Code section 1600 et seq., in-stream mining activities shall not cause fish to become entrapped in pools or in off-channel pits, nor shall they restrict spawning or migratory activities.

Authority: Sections 2755, 2756 and 2773, Public Resources Code. Reference: Section 2773, Public Resources Code.

GSD would have provided these facts and comments as a referral agency if the County had included us. GSD appreciates the County considering these public comments and requested conditions from a public agency stakeholder. Jennie Short will attend the public hearing via Zoom to discuss GSD's concerns and answer any questions.

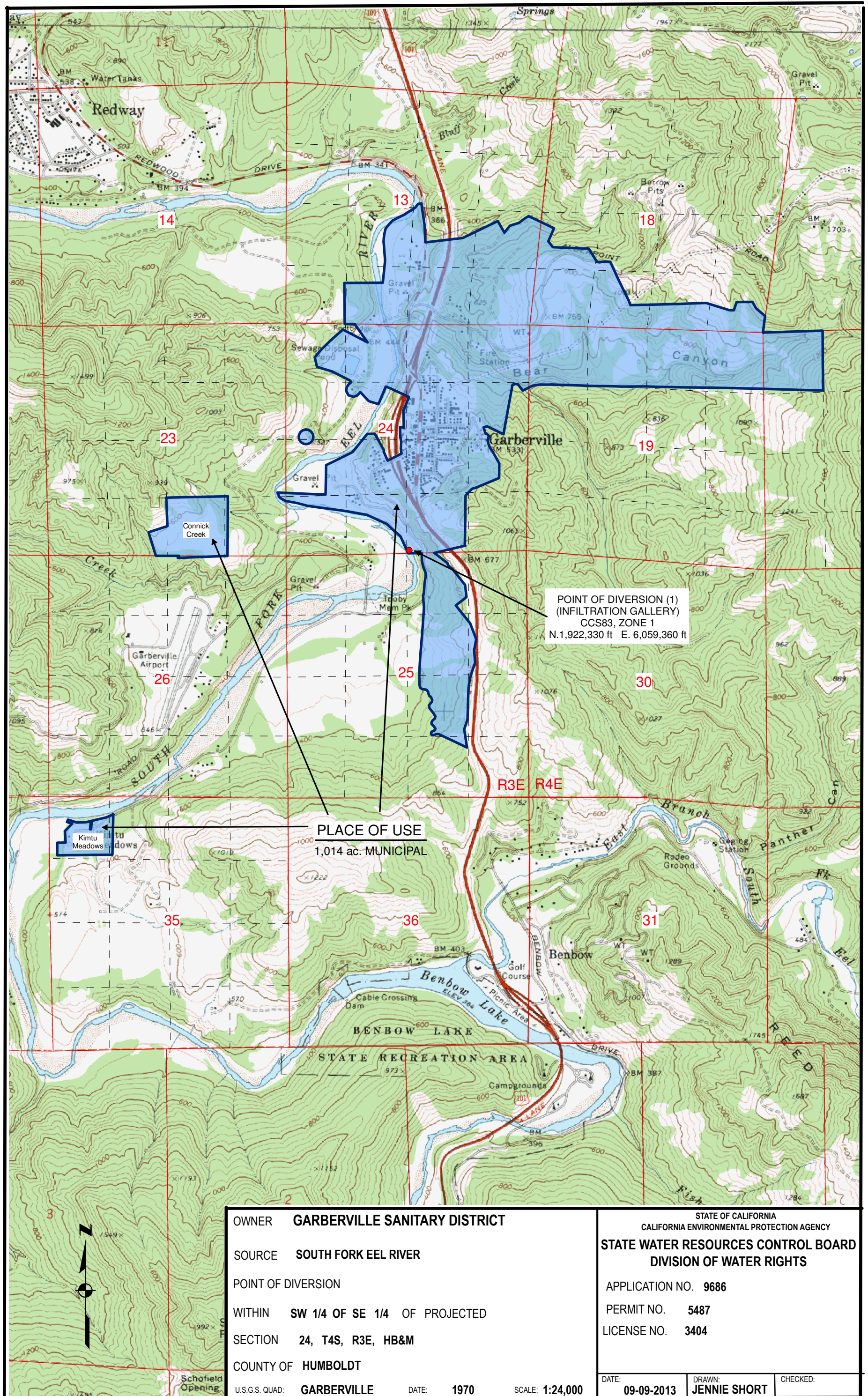
Respectfully,



Ralph Emerson
General Manager

JMS

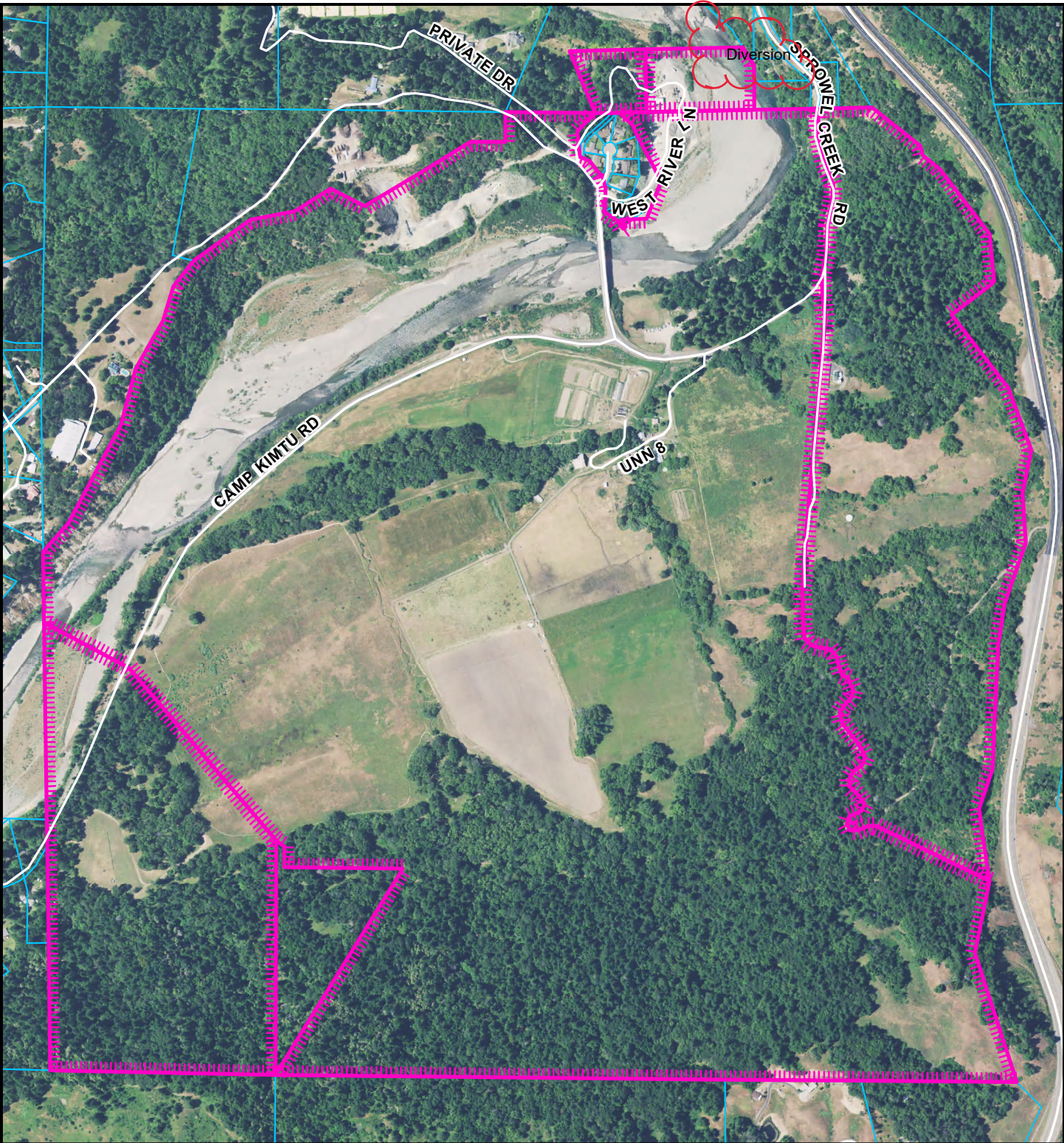
Attachment: GSD POU Map showing Diversion
Aerial map from staff report with diversion marked



OWNER	GARBERVILLE SANITARY DISTRICT		
SOURCE	SOUTH FORK EEL RIVER		
POINT OF DIVERSION	<p>WITHIN SW 1/4 OF SE 1/4 OF PROJECTED SECTION 24, T4S, R3E, HB&M</p>		
COUNTY OF	HUMBOLDT		
U.S.G.S. QUAD:	GARBERVILLE	DATE:	1970
		SCALE:	1:24,000

STATE OF CALIFORNIA CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY		
STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS		
APPLICATION NO.	9686	
PERMIT NO.	5487	
LICENSE NO.	3404	
DATE:	DRAWN:	CHECKED:
09-09-2013	JENNIE SHORT	

Note: This map does not constitute a public land survey as defined by California Business & Professions Code section 8726. It has been prepared for descriptive purposes only.



AERIAL MAP

**PROPOSED RANDALL SAND AND GRAVEL
 CONDITIONAL USE PERMIT,
 SURFACE MINING PERMIT, &
 SURFACE MINING AND RECLAMATION
 GARBERVILLE AREA**

PLN-2019-15837

APN: 222-091-011 et al

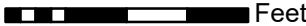
T04S R03E S25 & 26 HB&M (Garberville)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 250 500 750 1,000 Feet



Garberville Sanitary District

PO Box 211

Garberville, CA. 95542

(707)923-9566

remerson@garbervillesd.org

GENERAL MANAGER REPORT

Date: April 27th, 2021

We had a Strategic Planning meeting on March 25th to talk about District needs and collectively provide input about areas of concern and what we want the Mission and Vision to look like.

Some items of discussion were on current and future projects, fiscal obligations, water use limits, staffing and interaction between other Districts.

We have spent a lot of time looking for water tank locations because the State will be requiring repairs or replacement of failing tanks within district boundaries. This process has given us a chance to evaluate the locations which give us the most storage as well as being able to remove some pumping stations if the elevation is sufficient for gravity distribution.

The District has been diligently working over the past few years, to identify all leaks, water use (including for cannabis) and in developing a water use and capacity plan. This process has been evolving as more information is identified but what we do know, is that GSD is far ahead of other Districts on identifying water use from our customers and trying to get cannabis farms to use our application which requires a separate ag meter which can be restricted or turned off in the event of a drought.

There is a real possibility of drought conditions this year based on projections, so we have been looking at the drought contingency plan and developing alternative ways to provide water to our customers in the event we fall to inadequate cfs levels. I will have this item on next agenda.

Respectfully Submitted:

Ralph Emerson



GARBERVILLE SANITARY DISTRICT

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BOARD AGENDA MEMORANDUM - Consent Item

Meeting Date: April 27, 2021
 To: Garberville Sanitary District Board of Directors
 From: Jennie Short, Consultant Project Manager
 Subject: PRELIMINARY February 2021 Financial Statements

GENERAL OVERVIEW AND FINANCIAL CONSIDERATIONS

The attached Financial Statements are for February 2021 and are preliminary until the audit is completed.

Table 1. Overview of the “Combined Revenue & Expense Report for Board”

Description	Annual Budget	YTD Actual	YTD Budget	YTD Difference	😊
Total Revenue (excl. connection fees)	1,065,045.00	684,323.83	656,560.87	27,762.96	😊
Total Expense (excl. Depreciation)	843,336.78	570,877.95	561,357.59	9,520.36	😞
Net Income (excl. Depreciation)	221,708.22	113,445.88	95,203.28	18,242.60	😊
Payroll	423,040.00	281,256.16	282,026.72	(770.56)	😊
Repair & Maintenance + Supplies	102,200.00	77,327.57	68,300.00	9,027.57	😞

As can be seen on the “Statement of Cash Flows Report for Board - February 2021” and the “Balance Sheet Report for Board As of February 2021”:

- Operational revenues are **OVER** the budgeted amount by \$ 28,644.18. Operational expenses are \$9,010.64 **OVER** budget.
- Net cash **DECREASE** for February is \$ (9,100.83) and the year to date is a net cash **DECREASE** of \$ (78,962.69).
- Total payments on loans so far this year total \$ 79,778.19 of a budgeted year-end total of \$125,158.
- Total payroll costs are tracking very close to the budget.
- The repair and maintenance plus supplies expenses are \$ 9,027.57 **OVER** the YTD budgeted amount, but is still \$24,872.43 under the total annual budget amount. Supplies have been combined with R&M because the distinction between parts purchased for inventory and parts purchased for a specific R&M project is grey.

- Expenditures for fixed asset acquisition so far this year total **\$72,855.02** which includes \$65,000 for the backhoe which was offset by the \$60,000 RCAC loan. The projects anticipated were:

Asset Description	Amount Budgeted	Amount Spent
Robertson + Wallen Tank Replacement - SRF Grant App	2,000	4,751.00
Meadows Aerial Waterline SRF Grant/Loan	0	540.00
Bear Canyon Sewer Aerial Preliminary Design	5,000	483.75
Utility Trailer	7,000	0
BS Headworks - pump controls	10,000	0
Sunnybank Telemetry	5,000	0
Unspecified	25,000	0
Backhoe		65,000.00
Backhoe Bucket and Pins	0	1,577.46
Pumps		502.81
Total:	54,000	72,855.02

RECOMMENDED BOARD ACTIONS

Review the preliminary reports and approve them with the consent agenda.

ATTACHMENTS

- Statement of Cash Flows - Current Month and Fiscal Year to Date
- Balance Sheet with Comparison = Current month and Fiscal Year ending June 30, 2020.
- Revenue and Expense Report - Combined Report for Water & Sewer containing current month actual, fiscal year to date actual, and annual budget
- Check Register Report for all checks issued in February

GARBERVILLE SANITARY DISTRICT
Statement of Cash Flows Report for Board
 July 2020 through February 2021

	Feb 21	Jul '20 - Feb 21
OPERATING ACTIVITIES		
Net Income	(33,106.63)	(203,249.40)
Adjustments to reconcile Net Income to net cash provided by operations:		
11000 · Accounts Receivable - Other	612.49	168.91
1100 · Accounts Receivable	(19,542.14)	(29,286.26)
1110 · Accts Receivable Over Payments	(891.47)	1,088.45
1500 · Prepaid Insurance	3,826.86	(14,208.26)
1501 · Prepaid Workers Comp	621.94	(3,860.67)
1510 · Prepaid Licenses and Permits	2,346.25	(9,385.00)
2000 · Accounts Payable	(444.26)	(6,692.53)
20000 · Account Payable		2,100.00
2300 · Service Deposits	100.00	300.00
2238 · SWRCB Settlement		(40,000.00)
Net cash provided by Operating Activities	(46,476.96)	(303,024.76)
INVESTING ACTIVITIES		
Equipment		(66,577.46)
Accumulated Depreciation-Water	25,611.08	204,888.64
Accumulated Depreciation-Sewer	13,975.83	111,806.64
CIP- Bear Canyon Sewerline		(483.75)
CIP - Meadows Aerial Waterline	(140.00)	(540.00)
CIP - Wallan & Robertson Tank	(490.00)	(4,751.00)
WATER:Pumps		(502.81)
Net cash provided by Investing Activities	38,956.91	243,840.26
FINANCING ACTIVITIES		
2500 · N/P - SWRCB		(24,103.28)
2605 · RCAC Loan #6200-GSD-02		(23,296.92)
2700 · SRF Loan - Water		(22,991.18)
2665 · RCAC Loan - #0998 Backhoe	(1,580.78)	50,613.19
Net cash provided by Financing Activities	(1,580.78)	(19,778.19)
Net cash increase for period	(9,100.83)	(78,962.69)
Cash at beginning of period	753,216.90	823,078.76
Cash at end of period	744,116.07	744,116.07

GARBERVILLE SANITARY DISTRICT
Combined Revenue & Expense Report for Board
February 2021

	Current Month Feb 2021	YTD Actual	YTD Budget	Annual Budget	Δ YTD Actual vs. Budget
Ordinary Income/Expense					
Income					
Water Charges					
4100 · Residential	21,225.60	210,734.15	214,370.64	340,125.00	(3,636.49)
4110 · Commercial	21,608.00	175,371.30	147,961.86	234,375.00	27,409.44
4125 · Employee Discounts	(65.00)	(65.00)			(65.00)
Total Water Charges	42,768.60	386,040.45	362,332.50	574,500.00	23,707.95
4200 · Sewer Charges	33,008.80	277,749.79	273,618.37	421,125.00	4,131.42
4300 · Connection Fees	0.00	0.00	0.00	24,000.00	0.00
4650 · Late Charges	180.00	180.00	0.00	4,000.00	180.00
4700 · Other Operating Revenue	140.00	1,624.81	1,000.00	5,000.00	624.81
Total Income	76,097.40	665,595.05	636,950.87	1,028,625.00	28,644.18
Expense					
Administrative and General					
5025 - Discount Program	60.00	345.00	2,400.00	3,600.00	(2,055.00)
5000 · Advertising	0.00	0.00	0.00	350.00	0.00
5005 · Bad Debts	45.00	4,503.45	1,750.00	3,500.00	2,753.45
5010 · Bank Charges					
5012 · Merchant Account Fees	220.96	2,288.61	2,000.00	3,000.00	288.61
5010 · Bank Charges - Other	124.91	1,255.72	1,333.28	2,000.00	(77.56)
Total 5010 · Bank Charges	345.87	3,544.33	3,333.28	5,000.00	211.05
5020 · Directors Fees	0.00	1,250.00	1,500.00	2,000.00	(250.00)
5030 · Dues and Memberships	0.00	4,019.22	2,666.72	4,000.00	1,352.50
5035 · Education and Training	175.00	175.00	2,000.00	3,000.00	(1,825.00)
5036 · Education and Training - B.O.D.	0.00	0.00	200.00	300.00	(200.00)
Insurance					
5040 · Liability	3,826.86	28,746.24	27,976.80	41,965.14	769.44
5050 · Workers' Comp	621.94	5,614.08	6,160.00	9,240.00	(545.92)
5055 · Health					
5055.1 · Employee Portion	(746.24)	(5,145.49)	(4,866.72)	(7,300.00)	(278.77)
5055 · Health - Other	3,778.56	28,533.98	26,956.64	40,435.00	1,577.34
Total 5055 · Health	3,032.32	23,388.49	22,089.92	33,135.00	1,298.57
Total Insurance	7,481.12	57,748.81	56,226.72	84,340.14	1,522.09
5060 · Licenses, Permits, and Fees	2,346.25	19,991.63	16,333.36	24,500.00	3,658.27
5065 · Auto	100.00	1,952.29	2,000.00	2,000.00	(47.71)
5070 · Miscellaneous	0.00	12.44	100.00	100.00	(87.56)
5080 · Office Expense	1,563.10	9,288.25	5,466.72	7,000.00	3,821.53
5085 · Outside Services	508.29	5,433.42	5,766.72	8,650.00	(333.30)
5090 · Payroll Taxes	2,278.28	18,924.48	20,513.36	30,770.00	(1,588.88)
5100 · Postage	0.00	1,942.07	1,866.72	2,800.00	75.35
5110 · Professional Fees					
TA Project	280.00	1,155.00			1,155.00
SWRCB Complaint	0.00	700.50			700.50
5110 · Professional Fees - Other	9,906.50	49,378.25	54,133.28	81,200.00	(4,755.03)
Total 5110 · Professional Fees	10,186.50	51,233.75	54,133.28	81,200.00	(2,899.53)
5120 · Property Taxes	0.00	0.00	50.00	50.00	(50.00)
5125 · Repairs and Maintenance	0.00	13.55	500.00	500.00	(486.45)

GARBERVILLE SANITARY DISTRICT
Combined Revenue & Expense Report for Board
February 2021

	Current Month Feb 2021	YTD Actual	YTD Budget	Annual Budget	Δ YTD Actual vs. Budget
5130 · Rents	835.00	5,865.00	6,680.00	10,020.00	(815.00)
5135 · Retirement	694.95	5,670.69	5,350.08	8,025.00	320.61
5137 · Supplies	143.22	427.15	800.00	1,200.00	(372.85)
5140 · Telephone	897.60	8,296.42	7,416.64	11,125.00	879.78
5145 · Tools	0.00	517.57	1,333.28	2,000.00	(815.71)
5150 · Travel and Meetings	218.50	568.67	1,000.00	1,000.00	(431.33)
5155 · Utilities	52.03	1,657.46	3,666.72	5,500.00	(2,009.26)
5160 · Wages					
5165 · Wages - Overtime	2,271.25	7,030.37	2,333.28	3,500.00	4,697.09
5160 · Wages - Other	11,957.52	109,340.42	111,030.08	166,545.00	(1,689.66)
Total 5160 · Wages	14,228.77	116,370.79	113,363.36	170,045.00	3,007.43
5170 · Vacation Accrual Adjustment	0.00	0.00	0.00	3,000.00	0.00
Total Administrative and General	42,159.48	319,751.44	316,416.96	475,575.14	3,334.48
Sewage Collection					
6010 · Fuel	220.83	1,373.89	2,000.00	3,000.00	(626.11)
6030 · Repairs and Maintenance	3,908.92	17,907.48	10,000.00	15,000.00	7,907.48
6040 · Supplies	5.06	178.36	2,000.00	3,000.00	(1,821.64)
6050 · Utilities	0.00	2,312.11	2,000.00	3,000.00	312.11
6060 · Wages					
6065 · Wages - Overtime Sewer Collecti	87.00	489.00	2,666.64	4,000.00	(2,177.64)
6060 · Wages - Other	2,203.20	22,381.44	22,120.00	33,180.00	261.44
Total 6060 · Wages	2,290.20	22,870.44	24,786.64	37,180.00	(1,916.20)
Total Sewage Collection	6,425.01	44,642.28	40,786.64	61,180.00	3,855.64
Sewage Treatment					
6075 · Fuel	220.83	1,373.89	2,000.00	3,000.00	(626.11)
6080 · Monitoring	550.00	2,595.00	4,666.64	7,000.00	(2,071.64)
6100 · Repairs and Maintenance	687.28	1,027.72	10,000.00	15,000.00	(8,972.28)
6110 · Supplies	5.06	2,909.70	6,000.00	9,000.00	(3,090.30)
6120 · Utilities	0.00	5,452.57	6,133.36	9,200.00	(680.79)
6130 · Wages					
6135 · Wages - Overtime Sewer Treatme	0.00	0.00	666.64	1,000.00	(666.64)
6130 · Wages - Other	4,679.00	28,188.02	24,113.36	36,170.00	4,074.66
Total 6130 · Wages	4,679.00	28,188.02	24,780.00	37,170.00	3,408.02
Total Sewage Treatment	6,142.17	41,546.90	53,580.00	80,370.00	(12,033.10)
Water Trans and Distribution					
7075 · Fuel	220.83	1,373.89	2,000.00	3,000.00	(626.11)
7090 · Repairs and Maintenance	5,157.38	41,191.66	13,333.36	20,000.00	27,858.30
7100 · Supplies	5.08	157.84	6,666.64	10,000.00	(6,508.80)
7110 · Utilities	0.00	6,662.07	4,000.00	6,000.00	2,662.07
7120 · Wages					
7125 · Wages - Overtime Water Trans &	87.00	2,253.00	4,666.64	7,000.00	(2,413.64)
7120 · Wages - Other	3,102.08	28,995.57	27,063.36	40,595.00	1,932.21
Total 7120 · Wages	3,189.08	31,248.57	31,730.00	47,595.00	(481.43)
Total Water Trans and Distribution	8,572.37	80,634.03	57,730.00	86,595.00	22,904.03
Water Treatment					
7020 · Fuel	220.86	1,374.00	2,000.00	3,000.00	(626.00)
7010 · Monitoring	165.00	2,630.00	2,666.64	4,000.00	(36.64)

GARBERVILLE SANITARY DISTRICT
Combined Revenue & Expense Report for Board
February 2021

	Current Month Feb 2021	YTD Actual	YTD Budget	Annual Budget	Δ YTD Actual vs. Budget
7030 · Repairs and Maintenance	0.00	7,939.78	9,666.64	14,500.00	(1,726.86)
7040 · Supplies	5.06	5,574.33	9,333.36	14,000.00	(3,759.03)
7050 · Utilities	2,552.56	32,704.24	31,333.36	47,000.00	1,370.88
7060 · Wages					
7065 · Wages - Overtime Water Treatme	261.00	3,870.25	4,000.00	6,000.00	(129.75)
7060 · Wages - Other	2,898.20	25,110.35	29,253.36	43,880.00	(4,143.01)
Total 7060 · Wages	3,159.20	28,980.60	33,253.36	49,880.00	(4,272.76)
Total Water Treatment	6,102.68	79,202.95	88,253.36	132,380.00	(9,050.41)
Total Expense	69,401.71	565,777.60	556,766.96	836,100.14	9,010.64
Net Ordinary Income	6,695.69	99,817.45	80,183.91	192,524.86	19,633.54
Other Income/Expense					
Other Income					
Property Tax Revenue					
8010 · Secured	0.00	14,307.79	12,750.00	25,500.00	1,557.79
8020 · Unsecured	0.00	1,028.88	950.00	1,900.00	78.88
8025 · Prior Years	0.00	11.37	5.00	10.00	6.37
8030 · Supplemental - Current	0.00	144.06	125.00	250.00	19.06
8035 · Supplemental - Prior Years	0.00	0.00	25.00	50.00	(25.00)
Total Property Tax Revenue	0.00	15,492.10	13,855.00	27,710.00	1,637.10
8060 · Interest Income	2.06	2,830.71	4,000.00	6,000.00	(1,169.29)
8070 · Other Non-Operating Revenue	0.00	253.00	1,600.00	2,400.00	(1,347.00)
9030 · Homeowners' Tax Relief	0.00	152.97	155.00	310.00	(2.03)
Total Other Income	2.06	18,728.78	19,610.00	36,420.00	(881.22)
Other Expense					
9010 · Other Expenses	0.00	669.01	1,333.28	2,000.00	(664.27)
9040 · Depreciation	39,586.91	316,695.28	326,666.72	490,000.00	(9,971.44)
9050 · Interest Expense	217.47	4,431.34	3,257.35	5,236.64	1,173.99
Total Other Expense	39,804.38	321,795.63	331,257.35	497,236.64	(9,461.72)
Net Other Income	(39,802.32)	(303,066.85)	(311,647.35)	(460,816.64)	8,580.50
Net Income	(33,106.63)	(203,249.40)	(231,463.44)	(268,291.78)	28,214.04
Add Back Depreciation	39,586.91	316,695.28	326,666.72	490,000.00	(9,971.44)
Net Income excluding Depreciation	6,480.28	113,445.88	95,203.28	221,708.22	18,242.60

GARBERVILLE SANITARY DISTRICT
Balance Sheet Report for Board
As of February 28, 2021

	Jun 30, 20	Feb 28, 21	Difference
ASSETS			
Current Assets			
Checking/Savings			
1005 · Umpqua Checking - Operating	84,661.03	37,597.86	(47,063.17)
1006 · Umpqua System Reserve - Water	25,806.44	5,808.45	(19,997.99)
1007 · Umpqua System Reserve - Sewer	31,266.46	1,266.97	(29,999.49)
1011 · Water Enterprise Fund	46,804.01	46,819.83	15.82
1030 · County Treasury - Sewer Reserve	444,956.82	462,023.80	17,066.98
1031 · County Treasury - Water Reserve	189,330.09	190,318.05	987.96
1040 · Petty Cash	39.51	39.51	0.00
1050 · Cash Drawer	214.40	241.60	27.20
Total Checking/Savings	823,078.76	744,116.07	(78,962.69)
Accounts Receivable			
11000 · Accounts Receivable - Other	5,423.63	5,254.72	(168.91)
Total Accounts Receivable	5,423.63	5,254.72	(168.91)
Other Current Assets			
1100 · Accounts Receivable			
1110 · Accts Receivable Over Payments	(1,688.68)	(2,777.13)	(1,088.45)
1100 · Accounts Receivable - Other	112,393.96	141,680.22	29,286.26
Total 1100 · Accounts Receivable	110,705.28	138,903.09	28,197.81
1500 · Prepaid Insurance	3,439.66	17,647.92	14,208.26
1501 · Prepaid Workers Comp	0.00	3,860.67	3,860.67
1510 · Prepaid Licenses and Permits	0.00	9,385.00	9,385.00
1550 · Allowance for Doubtful Accounts	(5,000.00)	(5,000.00)	0.00
Total Other Current Assets	109,144.94	164,796.68	55,651.74
Total Current Assets	937,647.33	914,167.47	(23,479.86)
Fixed Assets			
CIP- Bear Canyon Sewerline	280.00	763.75	483.75
CIP - Meadows Aerial Waterline	5,441.76	5,981.76	540.00
CIP - Wallan & Robertson Tank	18,368.48	23,119.48	4,751.00
WATER			
Land - Water	94,594.62	94,594.62	0.00
Water Easements & Intangibles	177,397.11	177,397.11	0.00
Treatment	70,773.43	70,773.43	0.00
Distribution	2,804,484.17	2,804,484.17	0.00
Pumps	2,909.87	3,412.68	502.81
DWTP (Water) 2015	4,968,104.88	4,968,104.88	0.00
Total WATER	8,118,264.08	8,118,766.89	502.81
Water System	142,474.97	142,474.97	0.00
SEWER			
Land - Sewer	129,810.68	129,810.68	0.00
Collection	2,387,355.88	2,387,355.88	0.00
Treatment	507,552.59	507,552.59	0.00
Pumps	16,931.99	16,931.99	0.00

↑ Old A/R

GARBERVILLE SANITARY DISTRICT
Balance Sheet Report for Board
As of February 28, 2021

	Jun 30, 20	Feb 28, 21	Difference	
Sewer Project - 2011	2,792,451.91	2,792,451.91	0.00	
Total SEWER	5,834,103.05	5,834,103.05	0.00	
Office Equipment	38,244.29	38,244.29	0.00	
Equipment	158,306.60	224,884.06	66,577.46	Backhoe
Vehicles	121,205.99	121,205.99	0.00	
MSR/SOI and Annexation Project	157,367.08	157,367.08	0.00	
Accumulated Depreciation-Water	(2,188,691.30)	(2,393,579.94)	(204,888.64)	
Accumulated Depreciation-Sewer	(2,173,303.10)	(2,285,109.74)	(111,806.64)	
Total Fixed Assets	10,232,061.90	9,988,221.64	(243,840.26)	
TOTAL ASSETS	11,169,709.23	10,902,389.11	(267,320.12)	
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable				
2000 · Accounts Payable	34,297.40	27,604.87	(6,692.53)	
Total Accounts Payable	34,297.40	27,604.87	(6,692.53)	
Other Current Liabilities				
2300 · Service Deposits	6,600.00	6,900.00	300.00	
20000 · Account Payable	0.00	2,100.00	2,100.00	
2205 · Accrued Simple	(101.46)	(101.46)	0.00	
2230 · Accrued Vacation	33,096.87	33,096.87	0.00	
2238 · SWRCB Settlement	40,000.00		(40,000.00)	Paid Fine
2250 · Loans Payable - Current Portion	70,391.37	70,391.37	0.00	
Total Other Current Liabilities	149,986.78	112,386.78	(37,600.00)	
Total Current Liabilities	184,284.18	139,991.65	(44,292.53)	
2665 · RCAC Loan - #0998 Backhoe	0.00	50,613.19	50,613.19	\$60k - pmts
2500 · N/P - SWRCB	99,343.91	75,240.63	(24,103.28)	1 of 1 pmts
2605 · RCAC Loan #6200-GSD-02	23,296.92	0.00	(23,296.92)	Paid Off
2700 · SRF Loan - Water	1,172,550.38	1,149,559.20	(22,991.18)	1 of 2 pmts
2900 · Less Current Portion	(70,391.37)	(70,391.37)	0.00	
Total Long Term Liabilities	1,224,799.84	1,205,021.65	(19,778.19)	
Total Liabilities	1,409,084.02	1,345,013.30	(64,070.72)	
Equity				
3000 · Contributed Capital	6,129,491.75	6,129,491.75	0.00	
3100 · Retained Earnings	4,080,715.76	3,631,133.46	(449,582.30)	
Net Income	(449,582.30)	(203,249.40)	246,332.90	
Total Equity	9,760,625.21	9,557,375.81	(203,249.40)	
TOTAL LIABILITIES & EQUITY	11,169,709.23	10,902,389.11	(267,320.12)	

GARBERVILLE SANITARY DISTRICT
Check Register Report for Board
February 2021

Date	Num	Memo	Amount
101 Netlink			
02/25/2021	10891		-180.00
Total 101 Netlink			-180.00
Anderson, Lucas, Somerville & Borges			
02/18/2021	10886		-4,000.00
Total Anderson, Lucas, Somerville & Borges			-4,000.00
Brenntag Pacific, Inc.			
02/04/2021	10868		-3,085.69
Total Brenntag Pacific, Inc.			-3,085.69
Capital Bank & Trust			
02/04/2021	EFT	025158148	-377.34
02/04/2021	EFT	557880519	-853.53
02/18/2021	EFT	557880519	-785.12
02/18/2021	EFT	025158148	-317.61
Total Capital Bank & Trust			-2,333.60
CSDA			
02/21/2021	DBT		-175.00
Total CSDA			-175.00
Dazey's Building Center			
02/17/2021	10885		-467.56
Total Dazey's Building Center			-467.56
Del Rey Penetrating Radar, LLC			
02/16/2021	10884		-650.00
Total Del Rey Penetrating Radar, LLC			-650.00
EDD			
02/04/2021	EFT	499-0538-3	-829.04
02/04/2021	EFT	499-0538-3	-130.40
02/18/2021	EFT	499-0538-3	-669.13
02/18/2021	EFT	499-0538-3	-40.58
Total EDD			-1,669.15
Emerald Technologies			
02/11/2021	10878		-141.80
Total Emerald Technologies			-141.80
Frontier Communications			
02/01/2021	10873		-375.78
02/25/2021	10892		-74.70
Total Frontier Communications			-450.48
Glacier Water Vending			
02/19/2021	DBT		-2.10
02/19/2021	DBT		-2.10
02/19/2021	DBT		-2.10
Total Glacier Water Vending			-6.30
HughesNet			
02/16/2021	DBT		-104.29
Total HughesNet			-104.29

GARBERVILLE SANITARY DISTRICT
Check Register Report for Board
 February 2021

Date	Num	Memo	Amount
IRS			
02/04/2021	EFT	68-0296323	-3,622.54
02/18/2021	EFT	68-0296323	-3,088.06
Total IRS			-6,710.60
Jamie Corsetti, CPA, Inc			
02/11/2021	10879		-806.02
Total Jamie Corsetti, CPA, Inc			-806.02
JAYHAWK SOFTWARE			
02/11/2021	10880		-1,415.00
Total JAYHAWK SOFTWARE			-1,415.00
Just Rent It, LLC			
02/02/2021	10875		-43.10
Total Just Rent It, LLC			-43.10
MCS Meters			
02/25/2021	10893		-2,515.33
Total MCS Meters			-2,515.33
NALCO			
02/01/2021	10847		-2,387.18
Total NALCO			-2,387.18
North Coast Laboratories Ltd.			
02/01/2021	10874		-390.00
02/25/2021	10894		-135.00
Total North Coast Laboratories Ltd.			-525.00
Owsley Electric			
02/25/2021	10895		-85.00
Total Owsley Electric			-85.00
PACE Supply			
02/11/2021	10881		-2,192.86
Total PACE Supply			-2,192.86
PG&E			
02/10/2021	10870		-5,902.82
Total PG&E			-5,902.82
Pitney Bowes Purchase Power			
02/25/2021	10896		-208.99
Total Pitney Bowes Purchase Power			-208.99
Recology Humboldt County			
02/28/2021	10899		-24.00
Total Recology Humboldt County			-24.00
Redwood Merchant Services			
02/01/2021	10967		-124.45
02/28/2021			-118.04
Total Redwood Merchant Services			-242.49
RENNER			
02/10/2021	DBT		-883.35
Total RENNER			-883.35

GARBERVILLE SANITARY DISTRICT
Check Register Report for Board
 February 2021

Date	Num	Memo	Amount
Rural Community Assistance Prog - Backhoe			
02/01/2021	DBT		-1,798.25
Total Rural Community Assistance Prog - Backhoe			-1,798.25
SDRMA			
02/01/2021	10871		-338.36
02/08/2021	10869		-3,440.20
02/28/2021	10900		-338.36
Total SDRMA			-4,116.92
Sentry III Center			
02/02/2021	10876		-835.00
Total Sentry III Center			-835.00
Staples Credit Plan			
02/01/2021	10872		-110.87
Total Staples Credit Plan			-110.87
Streamline Inc			
02/25/2021	10897		-100.00
Total Streamline Inc			-100.00
SWRCB			
02/25/2021	10898		-862.40
Total SWRCB			-862.40
The Mitchell Law Firm, LLP			
02/11/2021	10882		-93.00
Total The Mitchell Law Firm, LLP			-93.00
Umpqua Bank			
02/23/2021	10966		-142.07
Total Umpqua Bank			-142.07
US Cellular			
02/02/2021	10877		-275.16
Total US Cellular			-275.16
Wyatt & Whitchurch, E.A. Inc.			
02/11/2021	10883		-775.00
Total Wyatt & Whitchurch, E.A. Inc.			-775.00
Arreguin, Daniel J			
02/04/2021	10863		-3,828.16
02/18/2021	10887		-2,550.64
Total Arreguin, Daniel J			-6,378.80
Emerson, Ralph K			
02/04/2021	10864		-2,727.47
02/18/2021	10888		-2,727.47
Total Emerson, Ralph K			-5,454.94
Miller, Brian A			
02/04/2021	10865		-1,937.74
02/18/2021	10889		-1,873.07
Total Miller, Brian A			-3,810.81

GARBERVILLE SANITARY DISTRICT
Check Register Report for Board
February 2021

<u>Date</u>	<u>Num</u>	<u>Memo</u>	<u>Amount</u>
Nieto, Mary			
02/04/2021	10866		-1,453.32
02/18/2021	10890		-1,597.42
Total Nieto, Mary			-3,050.74
Ruiz, Ricardo			
02/04/2021	10867		-364.60
Total Ruiz, Ricardo			-364.60
TOTAL			-65,374.17

**GARBERVILLE SANITARY DISTRICT
BOARD OF DIRECTORS MEETING
MINUTES**

Date of Meeting: Tuesday, March 23rd, 2021

5:00 p.m. – Open Public Session

I. REGULAR MEETING CALLED TO ORDER

@ 5:02 p.m.

II. ESTABLISHMENT OF QUORUM

**Rio Anderson- Present
Linda Brodersen- Present
Doug Bryan- Present
Julie Lyon- Present
Dan Thomas- Present**

III. APPROVAL OF AGENDA

Motion: Julie Lyon Second: Dan Thomas Vote: 5-0

IV. THE BOARD WILL ENTER CLOSED SESSION AT END OF MEETING IF NEEDED

V. OPEN SESSION

VI. COMMENTS AND QUESTIONS FROM THE AUDIENCE

**General Public Attendance
-Kristen Vogal
-Greg Swaffer (B.1)**

VII. ANNOUNCEMENTS AND COMMUNICATIONS

REPORTS AND PRESENTATIONS

Operations Staff- 0

Office Staff- 0

Board Members- The Budget meeting was on 3/22/21. Also Linda thanked the cannabis committee for meeting.

Correspondence- 0

General Manager—Ralph Emerson Pg. 4

Ralph thanked the staff for their participation in the cannabis committee meeting.

VIII. REGULAR AGENDA ITEMS

A. CONSENT AGENDA

- A.1 Approve Financials Date—January 2021**
- A.2 Approve Date: February 23rd, 2021-Regular Meeting Minutes**
- A.3 Operations Safety Report- 3/22/21 (Handout at Meeting)**

Motion: Rio Anderson Second: Doug Bryan Vote: 5-0

B. GENERAL BUSINESS – *Action items*

B.1 Hurlbutt Tank Replacement Project – Notice of Exemption
(action requested) Resolution #21-003 and #21-004

Notice of Exemption	Motion: Doug Bryan	Second: Rio Anderson	Vote: 5-0
Resolution 21-003	Motion: Doug Bryan	Second: Julie Lyon	Roll Call Vote: 5-0 Motion Carried
Resolution 21-004	Motion: Doug Bryan	Second: Rio Anderson	Roll Call Vote: 5-0 Motion Carried

Greg Swaffer attended the meeting. He is hoping the district will find a different location for the new tank site.

B.2 Update on Grants and Projects
(discussion-possible action)

B.3 Update on 2021-2022 Budget Meeting
(information only)

B.4 Final Audit 2020—Approval
(discussion--action requested)

Motion: Julie Lyon **Second: Dan Thomas** **Vote: 5-0**

B.5 Cannabis Will Serve Application and Letter of Approval
(discussion-possible action)

Motion: **Second:** **Vote:**

The District needs to limit how much water we obligate for new cannabis permits. Case by case basis. The District staff will work on having attachments that go with the cannabis will serve letter application. This will ensure the District has the information needed for all the ways permitted cannabis is being used within the District boundaries.

B.6 Update on Covid Relief Stimulus Money
(discussion—possible action)

CSDA is fighting for special districts to be eligible for COVID-19 stimulus money.

C. POLICY REVISION / ADOPTION

C.1 Water Ordinance Sec 1.1—4.8
(discussion-no action) 1st reading

**Look into how other districts are dealing with this situation.
Bring back.**

IX. CLOSED SESSION

No Items for Closed Session

X. RETURN TO OPEN SESSION

Report of any actions taken in Closed Session

XI. ITEMS FOR NEXT BOARD MEETING

1. Grant and Project Update
2. Update on SWTP Filter Media Replacement
3. Water Balance Report

Next Board Meeting is April 27, 2021

XII. ADJOURNMENT

@ 6:00 p.m.

Heat Stress Code Red!



Safety Meeting

Code Red

Date of Meeting: 4/20/21 Leader Name: Ralph Emerson

Instructions:

- a. Fill in the date of the meeting and the name of the safety meeting leader.
- b. Have all safety meeting participants sign this roster.
(Copy this form if more pages are needed.)
- c. File this roster and the associated documents as outlined in the Leader Discussion Guide.

Name (print)

Name (signature)

1.	<u>Ralph Emerson</u>	<u>Ralph Emerson</u>
2.	<u>Don Miller</u>	<u>Don Miller</u>
3.	<u>Dan Arreguin</u>	<u>Dan Arreguin</u>
4.	<u>Mary Nieto</u>	<u>Mary Nieto</u>
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

Attachments: 1. Leader Discussion Guide 2. Safety Meeting Booklet



GARBERVILLE SANITARY DISTRICT

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

BOARD OF DIRECTORS MEETING MEMORANDUM

Meeting Date: April 27, 2021
To: Board of Directors
From: Jennie Short, Consultant Project Manager
Subject: Humboldt County Treasury Account Signatories

GENERAL OVERVIEW

The District has two savings accounts with the County of Humboldt Treasury Department. One is for water and one for sewer. The last time the Board set up signatories on these accounts was in October 2015 under resolution 15-008. The attached resolution updates the position titles and removes the restrictions for office staff.

FINANCIAL IMPLICATIONS

The limitations for transfers above \$25,000 to require Board action protects the significant assets of the District. These accounts are all reconciled to the accounting system by our contract accounting firm, Wyatt, Whitchurch, and Anderson. This external reconciliation provides security against potential fraud or embezzlement of these funds.

RECOMMENDATIONS

Adopt Resolution 21-005

ATTACHMENTS

Resolution 21-005: ESTABLISHING UPDATED SIGNING AUTHORIZATIONS FOR THE DISTRICT'S RESERVE ACCOUNTS 2200 AND 2201 HELD WITH THE COUNTY OF HUMBOLDT



GARBERVILLE SANITARY DISTRICT

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

RESOLUTION NO. 21-005

ESTABLISHING UPDATED SIGNING AUTHORIZATIONS FOR THE DISTRICT'S RESERVE ACCOUNTS 2200 AND 2201 HELD WITH THE COUNTY OF HUMBOLDT

WHEREAS, the Board of Directors of the Garberville Sanitary District, (the District) has determined it to be in the best interest of the District to establish updated authorizations for its reserve accounts 2200 and 2201 at County of Humboldt (the Treasury); and

WHEREAS, the District has two reserve accounts - account 2201 for water and 2200 for sewer.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that all requests for transfers or issuance of checks from these accounts for amounts between \$0 and \$25,000 must be signed by the General Manager or Administrative Assistant and a Board Member, and all transfers or issuance of checks in amounts over \$25,001, will require board action and be signed by the Chair of the Board of Directors; and

BE IT FURTHER RESOLVED AND ORDERED, that the Chair of the Board of Directors is hereby authorized and empowered to certify and to execute any written authorizations as needed or required by the Treasury to implement these protocols.

Passed and adopted by the Garberville Sanitary District's Board of Directors on April 27, 2021 during a regular business meeting, by the following vote:

AYES: Directors _____

NOES: Directors _____

EXCUSED: Directors _____

_____, Chairperson

ATTEST:

Ralph Emerson
Clerk of Board of Directors



GARBERVILLE SANITARY DISTRICT

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

BOARD OF DIRECTORS MEETING MEMORANDUM

Meeting Date: April 27, 2021
To: Board of Directors
From: Jennie Short, Consultant Project Manager
Subject: Planning Projects Update

GENERAL OVERVIEW

Robertson and Wallan Tank Replacement Project SWRCB-SRF Planning Grant

This project continues to move through the funding process. In February the DDW District staff toured the District's major facilities including both of these tanks. After viewing the sites he is much more informed on the topography and geographic limitations at the sites. He is coordinating with DFA staff on the scope of work needed to deal with taking the Robertson Tank offline as soon as possible while still replacing the water storage capacity of the tank. After various discussions, it has been decided to add the scope of work for the storage tank analysis from the Technical Assistance Grant to the Planning Phase of this project. We are also discussing the possibility of combining this project with the Hurlbutt Tank project to expediate and efficiently analyze the system's water storage needs. This would provide opportunities to consolidate the Robertson and Hurlbutt Tank into a single larger storage tank.

Hurlbutt Tank Replacement Project SWRCB-SRF Planning Grant

The NOE has been adopted and was filed with the Humboldt County Recorder and the StateClearinghouse.

Meadows Aerial Waterline Reroute Project SWRCB-SRF Planning Grant

The grant application for planning project funding was submitted in November 2019. The application has two of four clearances completed.

Bear Canyon Aerial Sewerline Repair Project Technical Assistance Grant

This project will have a technical assistance grant application completed in the near future.

District Wide Water System Assessment

Technical Assistance Grant

After much review and negotiation on the scope of work for this project, it has been decided that the water storage tank assessment portion of this project be moved into the Planning Phase of the Robertson and Wallan Tank SRF Replacement Project. The rest of the work will be undertaken once the tank replacements have been finalized.

FINANCIAL IMPLICATIONS

Vary by grant funding source. For SWRCB-SRF Planning Grants, as a small severely disadvantaged community we should be eligible for **100% grant funds (classified as loan forgiveness)** so long as the project funding is approved under the old Intended Use Plan. I have petitioned the State to approve the Wallan and Robertson Tank project under the old IUP because the application had been deemed complete before the new IUP was in place. We will find out in the near future if this request is approved. If it is not, then the projects will be **90% grant and 10% as a loan**. These projects are processed as reimbursements for expenses the District incurs directly.

For the Technical Assistance grants, the state enters into the contract with the consultant and the expenses do not run through the District's financials.

RECOMMENDATIONS

None

ATTACHMENTS

None



GARBERVILLE SANITARY DISTRICT

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

BOARD OF DIRECTORS MEETING MEMORANDUM

Meeting Date: April 27, 2021
To: Garberville Sanitary District Board of Directors
From: Jennie Short, Consultant Project Manager
Subject: SHCP Water Service Update
SWRCB DWR POU Petition Update

GENERAL OVERVIEW

The State Water Resources Control Board Administrative Hearings Office (AHO) evaluated the pending change petitions and protests and related administrative record documents. AHO has issued a NOTICE OF PUBLIC HEARING AND PRE-HEARING CONFERENCE. The Pre-Hearing Conference will begin on May 11, 2021, at 9:30 am. The Public Hearing will begin on June 15, 2021, at 9:00 am, and will continue as needed on June 16, 2021, starting at 9:00 am.

The petitioner Garberville SD and protestants Redway Community Services District, Linda Sutton, Kristen Vogel, and Edward Voice are parties to the AHO proceeding.

The purpose of the hearing is for the AHO hearing officer to receive evidence regarding the following issues:

- 1) Should the State Water Board approve Garberville SD's petitions to change the authorized place of use for License 3404 and Permit 20789?
 - a) Would the State Water Board's approval of these petitions result in injury to any other legal user of water?
 - b) Would the State Water Board's approval of these petitions unreasonably affect any fish, wildlife or other instream beneficial use?
 - c) Would the State Water Board's approval of these petitions be in the public interest?
 - d) Would the State Water Board's approval of these petitions cause the initiation of any new water right?
 - e) What is the status of Garberville SD's actions to comply with the California Environmental Quality Act (CEQA) for these petitions?

- 2) If the State Water Board grants these petitions, what new terms or conditions, if any, should be added to this license and this permit when the petitions are granted?
 - a) Should the AHO hearing officer include the attached Draft Amended License 3404 and Draft Amended Permit 20789 in the draft proposed order the hearing officer will transmit to the Board?
 - b) If so, should the AHO hearing officer make any changes to these drafts before including them in the hearing officer's proposed order?

FINANCIAL CONSIDERATIONS

Financial Amounts as of 03/31/2021

Description	Amount
Total Expenditures	\$16,065.98
SHCP Outstanding Balance	\$ 3,674.91
SHCP Payments made so far	\$ 7,391.07
Current Amount Due	\$ 612.49

The SHCP has made all their payment in a timely manner.

RECOMMENDED BOARD ACTIONS

No action by the Board is recommended at this time.

ATTACHMENTS

State Water Resources Control Board Administrative Hearings Office Notice for a Pre-Hearing Conference and a Public Hearing

State Water Resources Control Board

NOTICE OF PUBLIC HEARING AND PRE-HEARING CONFERENCE

The State Water Resources Control Board
Administrative Hearings Office
will hold a Pre-Hearing Conference
and a Public Hearing on 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.

**The Pre-Hearing Conference will begin on
May 11, 2021, at 9:30 am**
and will be held by Zoom teleconference.

**The Public Hearing will begin on
June 15, 2021, at 9:00 am,
and will continue as needed on June 16, 2021, starting at 9:00 am**
and will be held by Zoom teleconference.

Representatives of parties and other people who want to participate in this pre-hearing conference or this hearing may access these Zoom teleconferences by using the following link or call-in information:

<https://waterboards.zoom.us/j/92881915686?pwd=ZW5SQkZaN2ZhOXQxWHBnUUlFbm9pUT09> with Meeting ID: 928 8191 5686 and Passcode: 449234 or +16699009128,,92881915686#,,,,*449234# US (San Jose)

Interested members of the public who would like to watch this hearing without participating may do so through the Administrative Hearings Office YouTube channel at:

https://www.youtube.com/channel/UCM-gmipRyd7Nw-g8l-C7Nig/videos?view=2&live_view=502&view_as=subscriber

PURPOSE OF HEARING

The purpose of this hearing is to receive evidence that the hearing officer will consider when determining whether the State Water Resources Control Board (State Water Board or Board) should approve the petitions for change in place of use filed by Garberville Sanitary District (Garberville SD) for its water-right License 3404 (Application A009686) and its water-right Permit 20789 (Application A029981), and, if so, what new terms, if any, should be added to this license and this permit, and what existing terms, if any, should be amended.

WATER RIGHT LICENSE 3404 AND WATER RIGHT PERMIT 20789

On February 29, 1952, the California Department of Public Works, Division of Water Resources, State Engineer (a predecessor of the State Water Resources Control Board) issued water-right License 3404 (License 3404), with a priority date of July 31, 1939, to the Garberville Water Company. This license authorized the direct diversion of water at rates up to 0.155 cubic foot per second (cfs) from the South Fork Eel River in Humboldt County between January 1 and December 31 of each year, for municipal uses within the Town of Garberville.

On May 15, 1995, the State Water Board's Division of Water Rights (Division) issued water-right Permit 20789 (Permit 20789), with a priority date of July 22, 1991, to the Garberville Water Company. This permit authorized the direct diversion of water from the same source at the same point of diversion as those specified in License 3404, at rates up to 0.595 cfs between January 1 and December 31 of each year, with total annual diversions not to exceed 430 acre-feet per year (af/yr), for municipal uses within the Town of Garberville. Term 7 of this permit required construction work be completed by December 31, 1996. Term 8 of this permit required that complete application of the water to the authorized use be made by December 31, 1999.

In 2004, Garberville Sanitary District (Garberville SD) purchased the Garberville Water Company. In 2007, Garberville SD notified the Division of this purchase.

On December 27, 2012, the Division issued Order WR 2012-0036-DWR. Among other things, this order directed Garberville SD to file and diligently pursue petitions for change in the authorized place of use for License 3404 and Permit 20789 to add areas that were being served by Garberville SD and that were not within the authorized place of use. In November 2012, Garberville SD filed these petitions.

On October 11, 2013, the Division issued new versions of License 3404 and Permit 20789, which superseded the prior license and prior permit. The attached Figure 2 shows the location of the authorized place of use in blue in the new versions of this license and this permit. (The attached Figure 1 shows the general location of Figure 2.)

Term 5 of the 2013 version of License 3404 specifies an annual diversion limit of 112.2 af/yr. Term 5 of Permit 20789 specifies an annual diversion limit of 430 af/yr. Term 6 of

License 3404 and Term 6 of Permit 20789 specify an overall total annual diversion limit (under the license and the permit) of 542.2 af/yr.

Term 8 of the 2013 version of Permit 20789 provides that construction work and complete application of water to the authorized use shall be prosecuted with diligence and completed by December 31, 1999.

2012 GARBERVILLE SD PETITION FOR EXTENSION OF TIME AND 2013 WITHDRAWAL; POTENTIAL NEW ANNUAL DIVERSION LIMITS

In November 2012, Garberville SD filed a petition for extension of time for Permit 20789, which asked for a 15-year extension of the December 31, 1999 deadline in Term 8 for complete application of water to the authorized use.

On April 24, 2013, Garberville SD filed a letter dated March 28, 2013 with the Division. In this letter, Garberville SD asked to withdraw the November 2012 petition for extension of time. This letter stated that the maximum total annual diversion under License 3404 and Permit 20789 between 1995 and 1999 was 80 million gallons (approximately 245.5 af), which was diverted in 1999. The letter stated that this amount is representative of the maximum amount Garberville SD will divert. Garberville SD requested that Permit 20789 be licensed, with the understanding that the license would be for a combined maximum annual diversion of 80 million gallons under License 3404 and the new license that would replace Permit 20789.

Because the maximum annual diversion under License 3404 is 112.2 af/yr, the maximum annual diversion under Permit 20789 (or the license replacing it) with this 80-million-gallon-per-year limit would be 133.3 af/yr. ($245.5 \text{ af/yr} - 112.2 \text{ af/yr} = 133.3 \text{ af/yr.}$) The combined annual diversion limit would be 245.5 af/yr.

2019 PETITIONS TO CHANGE WATER RIGHT LICENSE 3404 AND PERMIT 20789

On October 7, 2019, Garberville SD filed petitions to change the authorized place of use for License 3404 and Permit 20789 to add 18 acres within the Southern Humboldt Community Park (Park), to allow Garberville SD to supply potable water to two residences, existing out-buildings, and public drinking water fountains. The areas that the petitions ask the Board to add to the authorized place of use are shown in red in the attached Figure 2.

Garberville SD's Resolution No. 19-02, a copy of which was included with the petitions, states that the Park's usage through the new connection to Garberville SD's potable water system would be limited to 2,000 cubic feet per month, that the Park will be notified each time the Park's monthly usage exceeds 2,000 cubic feet, and that the meter at the new connection will be shut off if the monthly usage ever exceeds 3,000 cubic feet. Garberville SD's addendum to its California Environmental Quality Act (CEQA) Initial Study/Mitigated Negative Declaration states that water usage through this connection "would be limited to 2,000 cubic feet per month." (Garberville SD, CEQA

Initial Study/Mitigated Negative Declaration, Garberville Sanitary District Annexation Project: Change in Jurisdictional Boundary & Place of Use (SCH # 2012032025), p. 4 (Sept. 2019).)

On November 11, 2019, the Division issued its public notice of these petitions.

The Division received 27 letters from interested parties supporting the petitions, and letters from four parties protesting the petitions. The protest letters were filed by Redway Community Services District, Linda Sutton, Kristen Vogel, and Edward Voice.

The Division facilitated discussions between Garberville SD and the protestants to attempt to resolve their protests, but the parties did not reach agreement.

ORDER WR 2020-0104-EXEC

In addition to ordering Garberville SD to file the 2012 petitions for changes in the authorized place of use for License 3404 and Permit 20789 discussed above, Order WR 2012-0036-DWR also directed Garberville SD to cease and desist from bulk sales of water for uses outside the authorized place of use in this license and this permit.

In 2018, the Division received a complaint alleging that Garberville SD had violated this provision of Order 2012-0036-DWR. Later in 2018, the Division issued a Notice of Violation and a draft Administrative Civil Liability Complaint (ACLC) to Garberville SD.

In 2020, Garberville SD and the State Water Board's Prosecution Team signed a settlement agreement regarding this draft ACLC. The settlement agreement provided that Garberville SD would pay the Board \$40,000 to resolve the violations alleged in the ACLC and would prohibit its metered customers from purchasing bulk water and transporting it outside the authorized place of use. On August 26, 2020, the Board's Executive Director issued Order WR 2020-0104-EXEC, which approved the settlement agreement and directed Garberville SD to make the payment and take the compliance actions described in the agreement.

This proceeding does not concern the issues addressed in Orders WR 2012-0036-DWR and WR 2020-0104-EXEC.

ASSIGNMENT OF PETITIONS TO ADMINISTRATIVE HEARINGS OFFICE

Water Code section 1110 established the Administrative Hearings Office (AHO) as an independent organizational unit within the State Water Board. Water Code section 1112, subdivision (c)(2), provides that the Board may assign an adjudicative hearing to the AHO. Water Code section 1114 provides that, after the AHO hearing officer holds a hearing and the matter is submitted to the AHO, the hearing officer shall prepare a proposed order and deliver it to the Board for the Board's consideration.

On September 30, 2020, Erik Ekdahl, Deputy Director of the Division of Water Rights, transmitted a memorandum to Eileen Sobeck, the State Water Board's Executive

Director, which recommended that the Board assign to the AHO for further proceedings the two petitions to change the authorized place of use in License 3404 and Permit 20789. On September 30, 2020, Ms. Sobek transmitted a memorandum to Alan Lilly, the AHO's Presiding Hearing Officer, which assigned the petitions to the AHO.

APPLICABLE STATUTES AND REGULATIONS

Water Code sections 1701 through 1705 apply to these petitions to change the authorized place of use in License 3404 and Permit 20789. Section 1702 provides that, before the Board may grant permission to make the changes requested in a petition, "the petitioner shall establish, to the satisfaction of the board, and it shall find, that the change will not operate to the injury of any legal user of the water involved." Section 1704, subdivision (a), provides that the Board, "after a hearing, may approve with conditions, or deny, a petition."

As part of its proceedings on these petitions, the Board has an independent obligation to consider the effect of approval of the petitions on public trust resources and protect those resources where feasible, and to consider whether the changes are in the public interest. (*National Audubon Society v. Superior Court* (1983) 33 Cal. 3d 419; Revised Decision 1641, pp. 91, 117 (2000).)

DRAFT AMENDED LICENSE 3404 AND DRAFT AMENDED PERMIT 20789

The AHO has prepared Draft Amended License 3404 and Draft Amended Permit 20789, copies of which are attached to this notice as Attachments A and B. The purpose of these drafts is to notify the parties of the new license and permit terms that the AHO may include in its proposed order for Garberville SD's petitions.

The AHO has not decided whether or not its proposed order will approve Garberville SD's petitions or what terms will be in any such order. The AHO welcomes comments from the parties on this issue of whether these petitions should be approved, and, if so, on these drafts.

PURPOSE OF HEARING AND HEARING ISSUES

The purpose of this hearing is for the AHO hearing officer to receive evidence regarding the following issues:

- 1) Should the State Water Board approve Garberville SD's petitions to change the authorized place of use for License 3404 and Permit 20789?
 - a) Would the State Water Board's approval of these petitions result in injury to any other legal user of water?
 - b) Would the State Water Board's approval of these petitions unreasonably affect any fish, wildlife or other instream beneficial use?
 - c) Would the State Water Board's approval of these petitions be in the public interest?

- d) Would the State Water Board's approval of these petitions cause the initiation of any new water right?
 - e) What is the status of Garberville SD's actions to comply with the California Environmental Quality Act (CEQA) for these petitions?
- 2) If the State Water Board grants these petitions, what new terms or conditions, if any, should be added to this license and this permit when the petitions are granted?
- a) Should the AHO hearing officer include the attached Draft Amended License 3404 and Draft Amended Permit 20789 in the draft proposed order the hearing officer will transmit to the Board?
 - b) If so, should the AHO hearing officer make any changes to these drafts before including them in the hearing officer's proposed order?

HEARING OFFICER AND HEARING TEAM

An AHO hearing officer will preside during the pre-hearing conference and the hearing. Other AHO staff members may be present and may assist the hearing officer during the pre-hearing conference and the hearing, and throughout these proceedings. The hearing officer and other AHO staff members may consult with staff of the Division of Water Rights, staff of the Board's Office of Chief Counsel, members of the executive management of the State Water Board, and State Water Board members, to discuss or deliberate on matters relevant to this proceeding.

PRE-HEARING CONFERENCE

The hearing officer will hold a pre-hearing conference on the date and at the time listed on the first page of this notice. To participate in the pre-hearing conference, please use the Zoom teleconference information provided on the first page of this notice. Because of the current COVID-19 pandemic, no in-person appearances will be allowed for this pre-hearing conference.

To facilitate a clear understanding of who is speaking, the hearing officer will ask each person to identify himself or herself as necessary during the conference. The pre-hearing conference will be electronically recorded by Zoom teleconference. The hearing officer will prepare a pre-hearing conference order after the conference.

During the pre-hearing conference, the hearing officer will discuss the following issues with the participants:

1. The proposed hearing issues are listed above. Should the hearing officer amend any of these hearing issues or add any additional hearing issues?
2. The deadlines for submitting exhibits and testimony, and the hearing dates, are listed below. Should the hearing officer change any of these deadlines or hearing dates or make other changes to the hearing schedule?

3. What time limits should apply to policy statements, opening statements, oral summaries of written testimony, cross-examination, and rebuttal testimony during the hearing?
4. Are there any other issues concerning the hearing or applicable procedures that anyone would like to discuss?

Parties do not need to file pre-hearing conference statements. If any party wants to file a pre-hearing conference statement, then the party shall file the pre-hearing conference statement with the AHO, and serve copies of it on the other parties listed in the attached service list, by the deadline listed below. Any pre-hearing conference statement may address any of the issues listed above.

SEPARATION OF FUNCTIONS; PROHIBITION ON EX PARTE COMMUNICATIONS

All parties are prohibited from having any *ex parte* communications with any members of the AHO hearing team. (See Wat. Code, § 1110, subd. (c); Gov. Code, §§ 11430.10-11430.80.) For a discussion of *ex parte* communications regarding State Water Board members, see "Ex Parte Questions and Answers," available on the State Water Board's website at: http://www.waterboards.ca.gov/laws_regulations/docs/exparte.pdf. These rules regarding *ex parte* communications apply to all members of the AHO hearing team.

If any party wants to communicate with the AHO at any time regarding any procedural or substantive issue regarding these proceedings, including any issue regarding the pre-hearing conference, hearing procedures or filing of documents, then that party shall make such communication to the AHO in writing (by e-mail or letter) and serve all other parties with copies of the communication and include a proof of service demonstrating such service with the written communication to the AHO. A party may provide this proof of service through a formal proof of service or by other verification. For e-mails, the verification shall be a list of the e-mail addresses of the parties or their representatives in an electronic-mail "cc" (carbon copy) list. For letters, the verification shall be a list of the names and mailing addresses of the other parties or their representatives in the cc portion of the letter.

Before the AHO circulates the list of parties described below, any party submitting any document to the AHO for this proceeding (including the party's NOI, described below) shall transmit copies of the document to all of the other parties listed in the attached service list. After the AHO circulates the list of parties that have filed NOIs, any party submitting any document to the AHO shall transmit copies of the document to all of the other parties on the NOI list. Whenever any party files any document with the AHO for this proceeding, the party shall include a proof of service using one of the methods described above that confirms that the party has transmitted copies of the document to all other parties and that describes the method of service.

Please do not attempt to communicate by telephone or in person with any AHO hearing team member regarding any procedural or substantive issue concerning this hearing, because other parties would not be able to participate in such communications. If oral communications with any members of the AHO hearing team are necessary to discuss any procedural or substantive issue, then the AHO will set up a conference call in which representatives of all parties may participate. Any party may request such a conference call at any time using the written communications protocols described above.

HEARING PARTICIPATION PROCEDURES; NOTICES OF INTENT TO APPEAR

Any person or entity who wants to participate in the hearing in this matter must file a Notice of Intent to Appear (NOI) with the AHO, using the form in this notice, before the deadline listed below. The AHO encourages parties to agree to accept electronic service (by e-mail) of all documents regarding this hearing. If a party is not willing to do this, then the party may check the appropriate box on the NOI form. Parties not agreeing to accept electronic service of documents will experience delays as paper copies of documents are transmitted by U.S. Mail. If this box is not checked, then the AHO will assume that the party agrees to accept electronic service.

After the deadline to submit NOIs, the AHO will post the NOIs and an updated service list on the AHO’s FTP site.

NOI and Exhibit Filing Deadlines
Pre-Hearing Conference Call and Hearing Schedule

Deadlines / Schedule	Date and Time
Deadline for any party who wants to participate in the hearing to file an NOI.	April 30, 2021, 4:00 p.m.
Deadline for filing optional pre-hearing conference statements.	May 3, 2021, 4:00 p.m.
Pre-hearing conference.	May 11, 2021, 9:30 a.m.
Deadline for all parties to file exhibits and exhibit identification indices with AHO and serve copies on all other parties	June 2, 2021, 4:00 p.m.
Hearing begins.	June 15, 2021, 9:00 a.m.
Additional hearing days (as necessary)	June 16, 2021, 9:00 a.m., and additional dates as necessary.

SUBMITTALS OF EXHIBITS TO AHO AND OTHER PARTIES

Parties may file their NOIs and pre-hearing conference statements by any of the following methods:

Method	Address
By Uploading to AHO-FTP2 (preferred method)	https://ftp.waterboards.ca.gov Username: AHO-FTP2 Password: Please send an email to AdminHrgOffice@Waterboards.ca.gov with “Request for AHO ftp password” in the subject line. The AHO will reply with the password.
By Mail:	State Water Resources Control Board Administrative Hearings Office P. O. Box 100 Sacramento, CA 95812-0100
By Hand Delivery (see note below):	Joe Serna Jr. CalEPA Building Administrative Hearings Office c/o Water Rights Records Unit 1001 I Street, 2 nd Floor, Room 114 Sacramento, CA 95814

Service of documents by hand-delivery may be more difficult or delayed due to closures of the CalEPA Building during the COVID-19 pandemic. Please plan ahead if you wish to hand deliver documents. Any hand-delivered submittals must be date- and time-stamped by the Division of Water Rights Records Unit personnel before the submittal deadline. Please check in with CalEPA Building lobby security personnel on the first floor of the CalEPA Building and obtain authorization to go to the Water Rights Records Unit on the second floor.

Please see the part of this notice below titled “PROCEDURES FOR THIS WATER-RIGHT HEARING” for information regarding hearing procedures and submittals of exhibits.

DIVISION OF WATER RIGHTS PUBLIC RECORDS

The AHO has copied documents from the public records maintained by the State Water Board’s Division of Water Rights that may be relevant to this proceeding and has included them in the initial administrative record for this hearing. The AHO has posted files of these documents on its FTP site. Instructions on how to access the FTP site are listed in Section 8 below. The parties may review the Division of Water Rights Records Unit’s public files and may submit as exhibits copies of other relevant documents in these files.

AHO WEBPAGE AND NOTICES

Subject to legal limitations, including the requirements for Internet website accessibility in Government Code section 11546.7, the AHO will post all notices and other documents regarding these proceedings on the AHO’s Internet webpage at [https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_offi ce/](https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/)

HEARING LIVE-STREAM AND RECORDING

The pre-hearing conference and hearing will be live-streamed through the Administrative Hearings Office YouTube channel, accessible by clicking on the link provided below. The live-stream will consist of a morning session and an afternoon session. Each session may be accessed through the appropriate link on the Administrative Hearings Office YouTube channel. To view the morning session, click the link identified as “morning.” The morning session will conclude at the lunch break. To view the afternoon session, click the link identified as “afternoon.” The afternoon session will begin after the lunch break.

After the conclusion of the hearing, a recording of the morning and afternoon YouTube live-stream sessions will be available on the Administrative Hearings Office YouTube channel. These recordings will include automatic captions for accessibility.

The live-stream and recordings may be accessed at the following link: https://www.youtube.com/channel/UCM-gmipRyd7Nw-g8lC7Nig/videos?view=2&live_view=502&view_as=subscriber.

PROCEDURES FOR THIS WATER-RIGHT HEARING

The following procedures apply to this hearing. The hearing officer may amend these procedures before, during or after the hearing as he or she deems appropriate.

- 1. HEARING PROCEDURES:** The Administrative Hearings Office (AHO) will conduct this hearing according to the procedures for hearings set forth in California Code of Regulations, title 23, sections 648-648.8, 649.6 and 760. Copies of these regulations are posted on the State Water Resources Control Board’s website: http://www.waterboards.ca.gov/laws_regulations. If there is any conflict between any provision of this notice and any provision of these regulations or any applicable statute, then the provision of the regulation or statute shall apply to this proceeding.

Consistent with California Code of Regulations, title 23, section 648.5, unless the hearing officer determines otherwise before or during the hearing, each party may make an opening statement, present witnesses and exhibits, cross-examine opposing parties’ witnesses, impeach any witness, rebut adverse evidence, and subpoena, call and examine an adverse party or witness as if that witness were under cross-examination. The hearing officer may allow parties to present closing arguments or submit closing briefs. These procedures are described in more detail in section 10. The hearing officer may issue rulings regarding these procedures before or during the hearing.

The AHO encourages parties with common interests to work together to make unified presentations and to take other actions to make the hearing process more efficient.

Parties may file any requests for exceptions to these hearing procedures in writing with the AHO and must serve any such requests on the other parties. To provide time for parties to respond, the hearing officer normally will not rule on procedural requests filed in writing until at least five days after receiving the request, unless the hearing schedule requires an earlier ruling.

2. **SETTLEMENTS.** In water-right permitting matters, the parties normally include the petitioner and protestants. The petitioner and protestants may engage in private settlement discussions, and may, or may not, include any other persons in those discussions.

No representative of the AHO will participate in such settlement discussions. If the parties or their representatives sign a written settlement agreement, then they shall promptly file a copy of the signed agreement with the AHO.

Although the AHO may authorize other persons to participate in the hearing as parties, such authorizations do not necessarily allow those persons to participate in any settlement discussions between the prosecution team and the respondent in water-right enforcement matters, between the applicant or petitioner and protestants in water-right permitting matters, and between the complaining party and respondent in water-right complaint matters.

The State Water Board, or the Executive Director under State Water Board Resolution No. 2012-0061, may approve a settlement agreement between the petitioner and some or all of the protestants in water-right permitting matters, even if other parties to the proceeding have not approved the settlement agreement. The hearing officer normally will give all parties opportunities to comment on any settlement agreement submitted to the State Water Board or the Executive Director for approval before the State Water Board or Executive Director acts on the request, unless all parties to the hearing or their representatives have signed the settlement agreement.

3. **PARTIES:** As provided in California Code of Regulations, title 23, section 648.1, subdivision (b), petitioner Garberville SD and protestants Redway Community Services District, Linda Sutton, Kristen Vogel, and Edward Voice are parties to this proceeding.

The hearing officer may allow any other person or entity that timely files a Notice of Intent to Appear to participate in the hearing as a party, and not just to present a policy statement. (See Cal. Code Regs., tit. 23, § 648.1, subd. (a) & (b).) A person or entity that has not been identified as a party in this notice that wants to participate as a party in this hearing shall file a Notice of Intent to Appear with the AHO no later than the deadline specified in this notice. The person or entity shall include in the Notice of Intent to Appear information demonstrating good cause as to why the hearing officer should allow the person or entity to participate in the hearing as a party rather than as an interested person presenting a policy statement.

The hearing officer may impose limitations on any party's participation in the hearing. (See Gov. Code, § 11440.50, subd. (c).) The hearing officer also may designate persons or entities that do not file timely Notices of Intent to Appear as parties, for good cause shown and subject to appropriate conditions. Except as specifically provided in this notice or by ruling of the hearing officer, only parties will be allowed to present evidence, make objections, and examine witnesses.

- 4. POLICY STATEMENTS BY INTERESTED PERSONS:** As provided in California Code of Regulations, title 23, section 648.1, subdivision (d), the hearing officer normally will allow interested persons who are not designated as parties to present or submit non-evidentiary policy statements. Policy statements may be submitted in writing in advance of the hearing or presented orally during the hearing. The hearing officer will not permit a person or entity that appears and presents only a policy statement to make objections, offer evidence, conduct cross-examination, make legal arguments, or otherwise participate in the evidentiary hearing. The AHO will not add such persons or entities to the service list.

Policy statements are not subject to the pre-hearing requirements for testimony or exhibits, except that interested persons who want to make oral policy statements during the hearing are requested to file a Notice of Intent to Appear indicating an intent to make only a policy statement. The hearing officer may impose time limits on presentations of oral policy statements or oral summaries of written policy statements.

The AHO requests that interested persons and entities who file written policy statements with the AHO serve copies of their statements on all parties before the person or entity presents such statements or summaries of them during the hearing. See section 8 for details regarding electronic submittals of documents.

- 5. NOTICES OF INTENT TO APPEAR:** As provided in California Code of Regulations, title 23, section 648.4, all people and entities that intend to participate in the hearing as parties must file either an electronic copy or a paper copy of a Notice of Intent to Appear with the AHO no later than the deadline specified in this notice. The AHO may interpret a failure to file a Notice of Intent to Appear by this deadline as a decision not to appear. In matters regarding water-right petitions, the requirement to file a Notice of Intent to Appear by the deadline is a request for additional information pursuant to Water Code section 1703.5. In such matters, the Board may cancel a petition or protest if the petitioner or protestant does not file an NOI by the deadline.

The AHO requests that any interested person who will not be participating as a party, but will be presenting only a non-evidentiary policy statement, file a Notice of Intent to Appear by the deadline and specify in the notice that the person only will be presenting a policy statement.

As provided in California Code of Regulations section 648.4, subdivision (b), the Notice of Intent to Appear for parties (but not for people only presenting policy statements) must state the name and address of the participant. For parties, the Notice of Intent to Appear also must state: (1) the name of each witness whom the party intends to call at the hearing; (2) a brief description of the subject of each witness's proposed testimony; and (3) an estimate of the time that the party requests for each of its witnesses to present an oral summary of his or her written testimony. (See section 6 for requirements that apply to written testimony.) The total time requested for summaries of all of each party's witnesses shall not to exceed the total time limit for oral summaries of written testimony described in section 10, part b.ii. If a party intends to call any expert witnesses, the party shall designate each expert witness in the party's Notice of Intent to Appear.

Parties that do not intend to present cases-in-chief but wish to cross-examine witnesses or present rebuttal testimony should so indicate on their Notices of Intent to Appear.¹ A party that decides not to present a case-in-chief after having submitted a Notice of Intent to Appear should notify the AHO and the other parties as soon as possible.

Parties that are not willing to accept electronic service of hearing documents must check the appropriate box on the Notice of Intent to Appear. Because service of documents to such parties normally will be by U.S. Mail, such parties will experience delays in receiving hearing documents.

The AHO will e-mail or mail a service list with the names of parties and their contact information to each person or entity that has submitted a Notice of Intent to Appear. The service list will indicate if any party is not willing to accept electronic service. If there is any change in the hearing schedule, the hearing officer will send a notice of such change to the parties on the service list and interested persons who have filed Notices of Intent to Appear expressing their intentions to present only policy statements.

6. WRITTEN TESTIMONY AND OTHER EXHIBITS: Exhibits include all written testimony, statements of qualifications of expert witnesses, and other documents to be submitted as evidence. As provided in California Code of Regulations, title 23, section 648.4, subdivision (c), each party that wants to offer testimony into evidence shall submit proposed direct testimony of each witness in writing by the deadline for filing exhibits. The hearing officer will not permit a witness to give oral testimony that goes beyond the scope of the witness's written testimony absent good cause. Each party shall designate each of its witness's written testimony as a separate exhibit.

¹ A party is not required to present evidence as part of a case-in-chief. The hearing officer will allow parties not presenting evidence as cases-in-chief to participate through opening statements, cross-examination, and rebuttal, and to present closing statements or briefs, if the hearing officer allows other parties to present such closing statements or briefs.

Each party must submit all of its witnesses' written testimony with the party's other exhibits by the exhibit filing deadline. A party who offers expert testimony must submit an exhibit containing a statement of each expert witness's qualifications, in addition to a separate exhibit with the expert witness's written testimony.

The AHO encourages all parties to prepare and submit as a separate exhibit for each witness a set of slides that summarize each witness's testimony. During the hearing, the party may use the exhibit with the slides to facilitate each of the party's witness's oral summary of his or her written testimony. The parties must label the slides for each witness as a separate exhibit and submit it by the exhibit submittal deadline.

Parties do not need to submit rebuttal testimony or exhibits before the hearing. See section 10, part c. for more information about rebuttal evidence.

7. EXHIBIT FORMATTING AND ORGANIZATION: A party submitting evidence must file with the AHO both the exhibits and an Exhibit Identification Index, which is a list of exhibits in Word or Excel format.

Each party should label exhibits with a short version of the party's name and sequential numbers. For example, Garberville SD's exhibits should be numbered Garberville-1, Garberville-2, etc. Do not use any sub-letters like 1a, 1b, etc. for exhibit numbers.

Each party should number each paragraph of each witness's written testimony sequentially, 1, 2, 3, etc. (This paragraph numbering will make it easier for the hearing officer and representatives of other parties to ask each witness questions about his or her written testimony.) Witnesses should not use any sub-paragraph letters like 1a, 1b, etc. in their written testimony. A witness may include headings like "Background," "Introduction," etc. for different sections of the witness's proposed written testimony, but should not number or letter these headings and should not re-start the paragraph numbering in each section.

Each party must submit to the AHO the exhibits and exhibit indices for this hearing no later than the deadline specified in the Hearing Notice. The AHO may treat a party's failure to timely submit exhibits as a waiver of the party's right to submit exhibits for the hearing and a waiver of the party's status as a party.

- a. Parties submitting exhibits based on complex technical analyses also must submit sufficient information so that a qualified independent expert could reproduce the results.

Parties submitting exhibits based on models or technical studies (such as reports, recommendations, or requirements) also must submit sufficient information to clearly identify and explain the logic, assumptions, development, and operation of the models or studies so that a qualified independent expert

could reproduce the model or technical study and use it to obtain the same results.

- b. Consistent with California Code of Regulations, title 23, section 648.3, the hearing officer has discretion to decide whether to receive into evidence by reference any relevant, otherwise admissible, public records of the State Water Board and any documents or other evidence that a public agency has prepared or published, provided that the original or a copy was in the possession of the State Water Board before the hearing officer issued this notice. A party offering such an exhibit by reference shall advise the other parties and the AHO of the title of the document, the particular portions of the document, including page and paragraph numbers, that the party will ask the hearing officer to consider, the purpose for which the party will use the portions of the exhibit if it is accepted into evidence, and the specific file folder or other exact location in the State Water Board's files where the document may be found.
- c. The hearing officer normally will exclude exhibits that rely on unpublished technical documents unless the unpublished technical documents also are admitted as exhibits.
- d. Parties submitting large-format exhibits such as maps, charts, and other graphics shall provide the originals for the hearing record in a form that can be folded to 8 ½ x 11 inches. Parties also shall file, for the hearing record, a reduced copy of a large-format original exhibit. The hearing officer will determine whether both the large-format version and reduced copy will be admitted into evidence.

8. SUBMISSIONS OF DOCUMENTS: To expedite the exchange of documents, reduce paper use, and lower the cost of participating in the hearing, all participants must submit hearing documents to the AHO in electronic form (in addition to two paper copies) unless the hearing officer authorizes submission of exhibits in different formats.

The following AHO FTP sites may be accessed at <https://ftp.waterboards.ca.gov/>:

a. Username: AHO-FTP

Anyone may download from the AHO-FTP site the administrative record documents the AHO has uploaded for this proceeding. Only AHO personnel may upload files to this FTP site. The administrative record documents include documents that AHO personnel have copied from the Division of Water Rights Records Unit's public files and may include other documents. The AHO will post exhibits and indices to this FTP site promptly after each filing deadline. The AHO may add other documents to the administrative record during this proceeding (including recordings of hearings) by posting them to this FTP site. The documents posted to this FTP site for this matter will be the AHO's administrative record for this proceeding.

If any party believes that the AHO should add any additional documents to this FTP site, or remove any documents from this FTP site, for this matter, then the party shall file a request to the hearing officer for such action, and transmit copies of the request to all other parties on the service list. The hearing officer will issue rulings on such requests.

b. Username: AHO-FTP2

Any party to this proceeding may upload documents for this proceeding (primarily exhibits and Exhibit Identification Indices) to the AHO-FTP2 site. No one besides AHO personnel may download or delete any files from this FTP site. After the deadline for submitting exhibits, AHO staff will move the documents the parties have uploaded to the AHO-FTP2 site to the AHO-FTP site, so all other parties may download them.

To obtain authorization to access either of these FTP sites, please submit an email request to the AHO at AdminHrgOffice@Waterboards.ca.gov with "Request for AHO ftp password" in the subject line. After receiving an e-mail request, AHO staff will provide a password to access these FTP sites. It is not necessary to include other parties in the cc line for these email requests.

Documents that parties upload to the AHO-FTP2 site normally must be in Adobe Portable Document Format (PDF), except that spreadsheets may be submitted in Microsoft Excel, slide presentations may be submitted in Microsoft PowerPoint, and Exhibit Identification Indices shall be submitted in Microsoft Excel or Word.

If a party wants to submit an exhibit in any other format, then the party shall submit a written request to the hearing officer, and serve copies of the request on all other parties on the service list, at least 14 days before the deadline for submitting exhibits. The request shall describe the other format, explain what software is necessary for the hearing officer and other parties to be able to review the exhibit in that format, and explain why the party believes it is appropriate for the party to submit the exhibit in that format. The hearing officer normally will rule on such requests before the exhibit submittal deadline.

Each party shall upload its exhibits and Exhibit Identification Index to the AHO-FTP2 site before the exhibit filing deadline specified in this notice. A party that uploads hearing documents to the AHO-FTP2 site does not need to serve copies of the documents on the other parties, except that, if another party has not agreed to accept electronic service of documents, then the party uploading hearing documents to the AHO's FTP site also shall serve paper copies of all such documents on that other party and shall file a proof of this service with the AHO. When a party has uploaded all of the party's exhibits to the AHO-FTP2 site, the party or party's representative shall send an email the AHO at AdminHrgOffice@Waterboards.ca.gov, with copies to the other parties on the

service list, notifying the AHO that the party has uploaded the documents.

Each party also shall mail or hand-deliver two paper copies of its exhibits and Exhibit Identification Index to one of the AHO's two addresses listed below, with a proof of service of these paper copies. A party may provide this proof of service of these paper copies by sending an e-mail or letter to the AHO, with the transmittal of copies of the e-mail or letter to the other parties shown in the e-mail "cc" (carbon copy) list or the cc portion of the letter. The party shall make this mailing of the paper copies of the party's exhibits by the exhibit filing deadline, but the AHO does not need to receive the mailed paper copies of the exhibits by this deadline.

After the exhibit filing deadline, the AHO will move all filed exhibits and Exhibit Identification Indices from the AHO-FTP2 site to the AHO-FTP site and advise the parties that these documents are available for downloading from that site. The AHO may rename or renumber exhibits that do not have proper exhibit names or numbers. If the AHO does this, then the AHO will create an electronic folder of documents that the party has submitted, and a separate electronic folder of any documents the AHO has renamed or renumbered, and the AHO will post both folders on the AHO-FTP site.

If a party cannot upload exhibits to the AHO-FTP2 site, then the party may mail paper copies of its exhibits to the AHO at:

State Water Resources Control Board
Administrative Hearings Office
P. O. Box 100
Sacramento, CA 95812-0100

Alternatively, a party may send paper copies of its exhibits to the AHO by overnight delivery to:

Joe Serna Jr. CalEPA Building
State Water Resources Control Board
Administrative Hearings Office
c/o Water Rights Records Unit
1001 I Street, 2nd Floor, Room 114
Sacramento, CA 95814

If a party uses either of these alternative means of filing paper copies of its exhibits with the AHO in lieu of electronically filing the exhibits, then the party shall complete the filing of the paper copies by the exhibit filing deadline specified in this notice.

9. PRE-HEARING CONFERENCE: The hearing officer will conduct a pre-hearing conference before the hearing to discuss the pre-hearing and hearing schedules, the scope of the hearing, the status of any protests, the formats of exhibits, opening statements and policy statements, methods of service, and any other appropriate procedural issues. This notice states the date and time of the pre-hearing conference. The hearing officer may issue additional notices of subsequent pre-hearing conferences. The hearing officer may issue a pre-hearing conference order after each pre-hearing conference.

10. ORDER OF PROCEEDING: The hearing officer will follow the order of proceedings specified in California Code of Regulations, title 23, section 648.5, unless the hearing officer decides to modify the order of proceeding before or during the hearing. The hearing officer will set time limits for each element of the proceeding specified below before or during the hearing.

- a. **Policy Statements:** The hearing officer will allow interested persons to present policy statements at the start of the hearing before the presentations of cases-in-chief. **Oral policy statements and oral summaries of written policy statements will be limited to 5 minutes.**
- b. **Presentation of Cases-In-Chief:** Each party that so indicates in its Notice of Intent to Appear may present a case-in-chief addressing the key issues in the hearing notice. Each case-in-chief will consist of an opening statement, if the party decides to make one, and oral summaries of the witnesses' written testimony. The hearing officer then will allow other parties to cross-examine the witnesses who have presented written testimony or oral summaries of their written testimony. The hearing officer may allow re-direct examination and re-cross examination. The hearing officer will decide whether to accept the party's exhibits into evidence upon a request or motion by the party after completion of all examination of the party's witnesses.
 - i. **Opening Statements:** At the beginning of each party's case-in-chief, the party or the party's attorney or other representative may make an opening statement that briefly and concisely states the objectives of the case-in-chief, the major points that the proposed evidence is intended to establish, and the relationship between the major points and the key issues. **Oral opening statements will be limited to 5 minutes per party.** A party may submit a written opening statement before the hearing or during the hearing before the party's case-in-chief and then, if desired, may provide an oral summary of the written opening statement. A party should include any policy-oriented statements in the party's opening statement.
 - ii. **Oral Summaries of Written Testimony:** All witnesses presenting testimony shall appear at the hearing. Before testifying, all witnesses shall swear or affirm that the written and oral testimony they will present will be true and correct. A witness shall not read written testimony into the record. A witness provides his or her direct testimony when he or she confirms that a

designated exhibit or exhibits is or are his or her written testimony. **Each party will be allowed a maximum of 30 minutes total for its witnesses to summarize all of their written testimony.** The hearing officer may allow additional time for oral summaries or clarifying testimony, and the parties may discuss the need for additional time for such summaries or clarifications during the pre-hearing conference, if one is held, or during the party's presentation of the party's witnesses.

- iii. **Cross-Examination:** The hearing officer will permit other parties to cross-examine a party's witnesses on the witnesses' written submittals, oral summaries and clarifying testimony, and other relevant matters not covered in the direct testimony. (Gov. Code, § 11513, subd. (b).) If a party presents multiple witnesses, the hearing officer will decide whether the party's witnesses will be cross-examined individually or as a panel or panels. **Cross-examinations initially will be limited to 30 minutes per witness or panel of witnesses.** The hearing officer may allow additional time for cross-examination if the cross-examining party demonstrates in an offer of proof good cause to take additional time for cross-examination. Ordinarily, only a party or the party's representative will be permitted to cross-examine a witness, but the hearing officer may allow a party to designate a person technically qualified in the subject being considered to cross-examine a witness.
- iv. **Re-Direct and Re-Cross Examination:** The hearing officer may allow re-direct and re-cross examination of each party's witnesses. Any re-direct examination and re-cross examination permitted may not exceed the scope of the cross-examination and the re-direct examination, respectively. The hearing officer may establish time limits for any permitted re-direct and re-cross examination.
- v. **Questions by Hearing Officer:** Consistent with California Code of Regulations, title 23, section 648.5, subdivision (b), the hearing officer may ask any witness questions and may cross-examine any witness at any time.
- c. **Rebuttal:** After all parties have presented their cases-in-chief and their witnesses have been cross-examined, the hearing officer may allow parties to present rebuttal evidence. Rebuttal evidence is new evidence used to rebut evidence another party has presented in its case-in-chief.

Unless the hearing officer orders otherwise, parties do not need to submit rebuttal testimony or exhibits before the hearing. The hearing officer may set a schedule for submittal of written rebuttal testimony or exhibits after the parties have presented their cases-in-chief. The hearing officer may require written rebuttal testimony to specify the previously submitted testimony that is being rebutted. Cross-examination of witnesses offering rebuttal evidence normally will be limited to the scope of the rebuttal evidence.

- d. **Closing Statements and Legal Arguments:** The hearing officer may allow oral closing arguments or may set a schedule for the parties to file written closing briefs. The parties shall follow the procedures described above for uploading exhibits to the AHO-FTP2 site when they upload their closing briefs, and shall file two paper copies with the AHO. Each party shall mail a paper copy of its closing brief to any party that has not agreed to accept electronic service of documents and shall indicate this service in a proof of service filed with the AHO. No party may attach any documents of an evidentiary nature to the party's closing brief unless the hearing officer already has admitted the document into evidence or the document is the subject of an offer of proof made during the hearing. After the deadline for filing closing briefs, the AHO will post all closing briefs to the AHO-FTP site.

11. RULES OF EVIDENCE: Government Code section 11513 shall apply to all evidence offered during the hearing. Consistent with Government Code section 11513, subdivision (d), a party may use hearsay evidence to supplement or explain other evidence, but over timely objection such evidence will not be sufficient by itself to support a finding unless the evidence would be admissible over objection in a civil action.

12. TELECONFERENCE HEARING: Due to the on-going COVID-19 pandemic and the associated closure of the Joe Serna Jr. CalEPA Building to the public, the AHO currently is conducting all hearings and conferences by Zoom teleconference. The AHO may continue to conduct some or all of its hearings by Zoom teleconference after this pandemic and associated closure end. The hearing notice specifies the method by which this hearing will be conducted.

Before the hearing, the AHO will provide a Zoom meeting link for people who want to participate in the hearing or pre-hearing conference to all parties and interested persons who have filed NOIs. To facilitate a clear understanding of who is speaking, the hearing officer will ask each person to identify himself or herself as necessary during the teleconference hearing. The hearing officer prefers that parties participate by both audio and video through the Zoom meeting link. If this is not possible, then the hearing officer will accept audio-only participations.

The AHO will not order a court reporter for videoconference the pre-hearing conference or the hearing. Any interested party may order a court reporter at the party's own expense. The AHO will record the pre-hearing conference and the hearing and will post a file of the hearing on the AHO-FTP site as part of the administrative record for this matter.

Parties should test their devices' video and audio functions before the start of the hearing or pre-hearing conference. At the lower left-hand side of the Zoom window is a microphone and a video camera symbol. If there is a red line across the symbols, your microphone is on mute and video camera is off.

Please plan to call into the video conference at least 10 minutes before the scheduled hearing or pre-hearing conference time to ensure you can resolve any technical issues before the hearing or pre-hearing conference begins. You will initially be in a virtual waiting room and will be admitted to the hearing by a member of the AHO office. When you speak, please turn your video on and unmute your microphone by clicking on the symbols in the lower left-hand side of the Zoom window. During the hearing, please be respectful and patient, raising your hand on-screen to get the hearing officer's attention. To reduce acoustic background noise, please remain on mute if you are not speaking. If you have other devices that are tuned into the meeting, please turn off the speaker volume of those devices. Other participants will be able to see your name, depending on your Zoom account settings. Other participants may also see the last three digits of your phone number unless you have called in anonymously. During the hearing, AHO staff may add designations of participants' names to the Zoom display.

If the device you are using freezes, please notify staff at AdminHrgOffice@Waterboards.ca.gov or by calling (916) 341-6940 and leaving a voicemail message and restart the device. AHO staff will be monitoring the e-mail inbox and voicemail and will notify the hearing officer. If restarting the device does not work, try calling into the hearing using the phone number provided to you with the Zoom meeting information.

In lieu of participating in the Zoom hearing, anyone may watch past or present AHO hearings by clicking "Watch AHO Hearings" on https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office. People watching AHO hearings by this method will not be able to participate in the hearing, and will not be identified to anyone else.

Date: March 30, 2021

SIGNATURE ON FILE
Alan B. Lilly, Presiding Hearing Officer

Attachments:

- Notice of Intent to Appear form
- Exhibit Identification Index
- Service List (copies of notice sent by U.S. Mail)



GARBERVILLE SANITARY DISTRICT

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

BOARD AGENDA MEMORANDUM

Meeting Date: April 27, 2021
 To: Garberville Sanitary District Board of Directors
 From: Jennie Short, Consultant Project Manager
 Subject: 2020 Annual Water Source Capacity Report

The 2020 Annual Water Source Capacity Analysis Report will be presented at the April 27th Board meeting.

The analysis provides an overview of the various water sources, infrastructure at those sources, treatment infrastructure, and historical water diversions from the sources. It identifies the different uses for the water diverted by calendar year.

The following table lists various projects that have been approved by GSD within the last few years and were connected to the system during 2020. It details the type of development and the annual water consumed by those customers in 2020. These consumption amounts are already included in the total water sold and diverted for 2020.

Table 1. Approved and Connected Projects

APN	Description	Actual 2020 Water Consumption (Gallon/year)	Conn Fee Paid?	In IS/MND?
222-156-018	Ag meter - Diem	2,244	Yes	Y
032-171-027	Ag meter - Schaible	241,604	N	Y
222-156-019	SFR - Connolly	76,296	N/A	Y
223-171-001	Ag Meter - Kahn (not fully constructed)	83,776	Yes	Y
223-191-008	Ag Meter - Clary (Lost Coast)	157,828	Yes	Existing
222-156-016	Ag Meter - Schmitz	64,328	N/A	Y
	Total for Table 1	626,076		

The table below lists the projects that do or could have an effect on the water consumption. They have been approved by the District but have yet to be connected to the District's water system.

Table 2. Projects Approved by District with potential water use increase - unconnected as of December 31, 2020

APN	Development Description	Estimated Future Water Consumption (gallon/year)	Conn Fee Paid?	In IS/MND?
032-011-010	Cannabis + SFR - Trent	EXPIRED	No	Y
032-011-029	Humboldt County Mini-Complex	No Change	N/A	Existing
032-012-007	Rehabilitate apartments	193,358	No	Existing
032-034-001	Remodel kitchen for new restaurant	89,012	N/A	Existing
032-044-008 & 09	Bank Remodel + 3 connections	211,500	Partial	Existing
223-191-002	Ag meter - Alban	59,840	Yes	Existing
	Total for Table 2	553,710		

The following table lists some projects that are still in the planning phases for their total development type, needed off-site infrastructure, and associated water consumption estimates. Some are still in the preliminary stages of development, so the specific amount of water consumption is not listed in the table if it has yet to be determined or a very rough estimate is included that may end up changing before the project is fully approved by the Board. These projects have yet to be approved with a specific water consumption amount from GSD.

Table 3. Projects Under Consideration

APN	Potential Development Description	Estimated Future Water Consumption (gallon/year)	Conn Fee Paid?	In IS/MND?
032-051-032	Emerald Triangle Group (Bilandzija)	24,000	No	Existing
222-091-015	SHCP	180,000	N/A	Y/Add
032-091-014	New Hospital at CR site	4,763,250	No	Existing
032-141-010	SoHum Inn: 17 Unit Hotel with Cannabis Dispensary	448,800	No	Y
223-191-005	Ag Meter - J Clary	72,000	No	Existing
223-191-010	Ag Meter - A Clary	72,000	No	Existing
222-156-019	Ag Meter - Connolly	200,000	N	Y
222-156-015	Ag Meter - Jacobsen	499,000	N	Y
223-183-010	Ag Meter - Cohn (Exist)	No Change 5 unit	Y	Y

APN	Potential Development Description	Estimated Future Water Consumption (gallon/year)	Conn Fee Paid?	In IS/MND?
223-183-009	Ag/SFR - Cohn (Exist)	No Change 57 units	No	Y
223-183-008	Ag/SFR - Cohn (Exist)	No Change 98 units	No	Y
223-183-007	Ag/SFR - Cohn (Exist)	No Change 126 units	No	Existing
Total for Table 3		6,259,050		

The table below lists those APNs and estimates the future potential water consumption for each parcel and a brief description of the type of development anticipated on the parcel. None of these parcels have any indication that this potential development will actually occur in the near future, or ever, but the water is allocated so that their right to develop in this manner and have water service is generally reserved.

Table 4. Potential Future Development within POU - Unconnected as of 12/31/20

APN	Potential Development Description	Estimated Future Water Consumption (gallon/year)	Conn Fee Paid?	In IS/MND?
032-042-017	Commercial	177,500	N	Y
032-011-010	SFR	70,500	N	Y
032-102-028	SFR	70,500	N	Y
032-121-019	Commercial	177,500	N	Y
032-121-020	Commercial	177,500	N	Y
032-171-022	SFR	70,500	N	Y
032-171-023	SFR	70,500	N	Y
032-171-024	SFR	70,500	N	Y
032-211-003	HOZ/Second Dwellings	65,465	N	Y
032-211-010	HOZ/Second Dwellings	65,465	N	Y
032-211-012	HOZ/Second Dwellings	65,465	N	Y
032-211-034	SFR + HOZ/Second Dwellings Was 032-211-014	135,965	N	Y
032-211-015	HOZ/Second Dwellings	65,465	N	Y
032-211-018	SFR + HOZ/Second Dwellings	135,965	N	Y
032-211-021	SFR + HOZ/Second Dwellings	135,965	N	Y
032-231-016	RESIDENTIAL	70,500	N	Y
032-231-028	RESIDENTIAL	70,500	N	Y
032-231-043	RESIDENTIAL	70,500	N	Y
032-231-045	Has Shops	177,500	N	Y
032-231-053	RESIDENTIAL	70,500	N	Y
032-231-054	RESIDENTIAL	70,500	N	Y

APN	Potential Development Description	Estimated Future Water Consumption (gallon/year)	Conn Fee Paid?	In IS/MND?
032-231-056	RESIDENTIAL	70,500	N	Y
222-091-011	3 SFR (4th Connected 2019)	211,500	N	Y
032-111-019	Burn Down; 821 Locust St.	70,500	N/A	Existing
223-061-025	SFR (was APN 222-156-012)	70,500	N	Y
223-061-034	HOZ/Second Dwellings	65,465	N	Y
223-171-002	COMMERCIAL	177,500	N	Y
223-171-007	COMMERCIAL	177,500	N	Y
223-181-012	RESIDENTIAL	70,500	N	Y
223-181-017	RESIDENTIAL	70,500	N	Y
223-181-020	RESIDENTIAL	70,500	N	Y
223-181-031	HOZ/Second Dwellings	65,465	N	Y
223-181-043	HOZ/Second Dwellings	65,465	N	Y
223-181-044	HOZ/Second Dwellings	65,465	N	Y
223-183-010	RESIDENTIAL	70,500	N	Y
	Total for Table 4	3,406,615		

Table 5. Total Estimated Annual Water Diversion Needs

DESCRIPTION	AMOUNT GALLONS PER YEAR
1977 - 2020 average water diversion	61,199,060
Undeveloped and under-developed Table 4	3,406,615
Approved Projects unconnected as of 12/31/20 Table 2	553,710
Total estimated annual water diversion needed to meet existing commitment	65,159,385
Available from 80M Gallon Allotment	14,840,615
Buffer for Annual Variation	5,000,000
Projects Under Consideration Table 3	6,259,050
Available for future development	3,581,565

After evaluating the capacity of each water source, the water diversions over the past 40 years, the future development potential within the place of use, and the projects approved and under consideration, there are adequate water sources to serve all these purposes as well as possible additional development within the place of use or future annexations to the place of use and jurisdictional boundary.

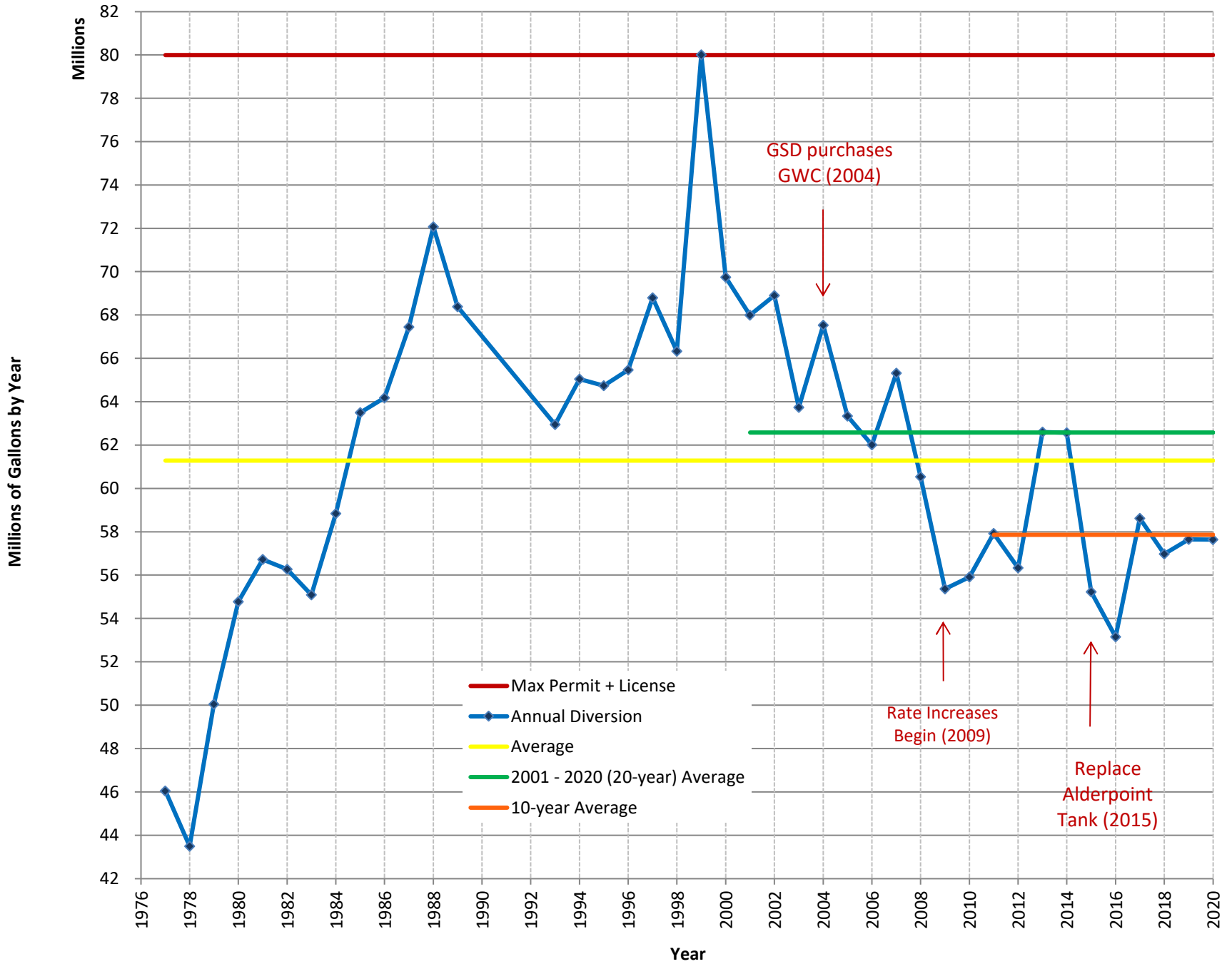
Projects under “consideration” **could** total 14,840,615 gallons per year and still stay under the 80 million gallon maximum. Some cushion should be maintained, as this analysis is based upon AVERAGE annual flows. Conservatively keeping 5,000,000 gallons as a buffer would still leave **9.8M gallons of available water capacity per year** that could be diverted and sold to projects currently under consideration and/or unidentified future projects. If all the projects under consideration were approved at the currently estimated consumption levels, then **3.6M gallons of available water capacity per year** would remain. The Board is considering a policy that limits this available water capacity to projects other than cannabis cultivation. That would minimize any additional cannabis cultivation projects within the District and limit future projects to residential and smaller commercial projects.

ATTACHMENTS

Graphs 1 through 3

Full Report to be provided at Board Meeting

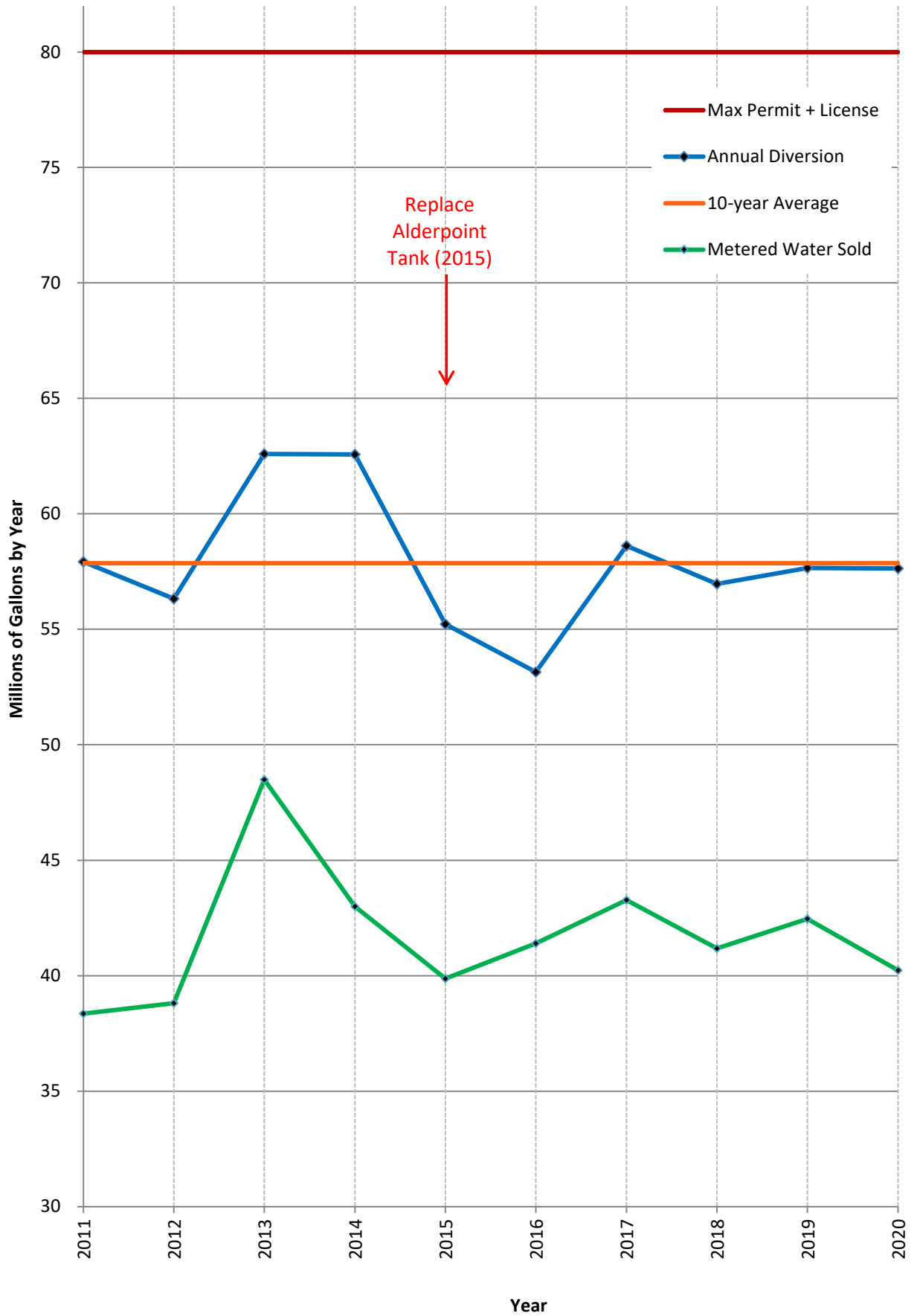
Summary by Year of Water Diversion Reported



Graph 1

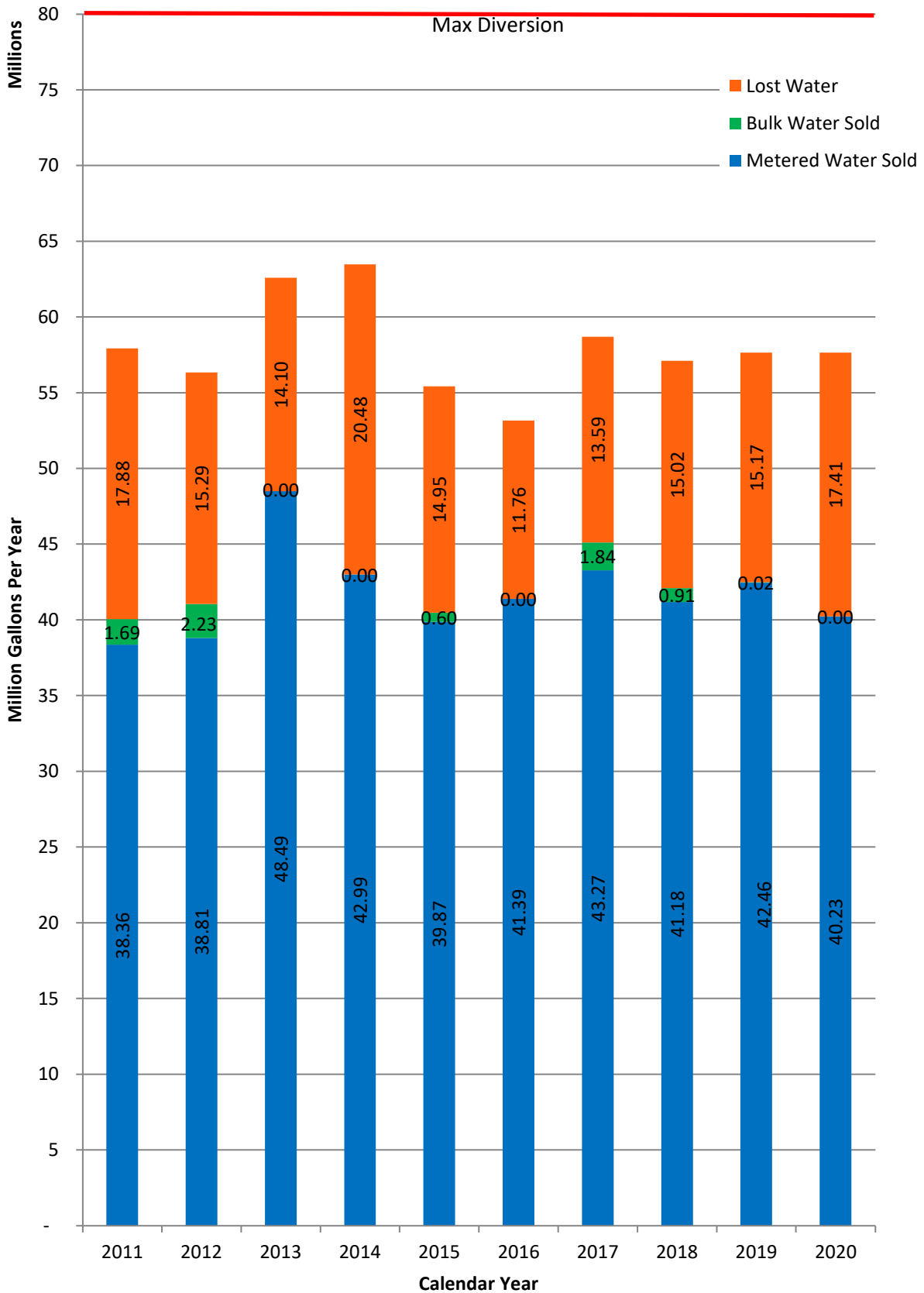
Summary by Year of Water Diversion Reported

Graph 2



Water Uses by Calendar Year

Graph 3





Garberville Sanitary District
PO Box 211
919 Redwood Dr.
Garberville, CA. 95542
Office(707)923-9566 Fax(707)923-3130

CONDITIONAL WILL SERVE AGREEMENT
FOR COMMERCIAL AGRICULTURAL WATER USE

DATE: _____

CUSTOMER NAME: _____

OWNER of PROPERTY: _____

CONTACT INFORMATION:

PHYSICAL ADDRESS: _____ APN# _____

MAILING ADDRESS: _____

Email: _____

Phone #(Home) _____ (Business) _____

Cell Phone# _____

Do you prefer-----CALLS or TEXTS ? _____

EMERGENCY CONTACT PERSON: _____

Phone # _____

DESCRIBE COMMERCIAL ACTIVITY

BUSINESS NAME: _____

BUSINESS ADDRESS: _____

PRODUCTS TO BE CULTIVATED, MANUFACTURED OR DISPENSED:

TOTAL SQUARE FOOTAGE OF "IRRIGABLE" LAND UNDER CULTIVATION:

ESTIMATED WATER USE DEMANDS IN GALLONS PER MONTH AND YEAR:

GALLONS PER MONTH _____ GALLONS PER YEAR _____

GARBERVILLE SANITARY DISTRICT AGREEMENT

Garberville Sanitary District agrees to provide water/sewer service for commercial agricultural, manufacturing, research or distribution at (ADDRESS) _____ (APN#) _____ as long as water is monitored monthly through a separate Garberville Sanitary District approved water meter.

REQUIREMENTS NOW AND IN THE FUTURE:

1. Customer Pays a “non-refundable” \$1,000 handling fee, reduced from connection fee.
2. Customer pays \$8,000 connection fee for agricultural water meter when permit received.
3. Install an agricultural water meter approved by GSD Manager or designee.
4. Provide a site plan and map
5. Provide an operational plan.
6. Provide water storage plan
7. Include contact information for your consultant and County representative
8. Provide a copy of your County application or permit.
9. Fill out annual GSD application for reporting and monitoring.
10. Include \$150 with annual application for handling and site visit from GSD management.
11. Comply with all water ordinance conditions and requirements now and in the future.
12. Provide annual reconciliation report for water use efficiency.
13. Notify Garberville Sanitary District of any changes in agreement or water use demands.

CANNABIS MANUFACTURING REQUIRING SEWER DISPOSAL

14. Customer to pay \$8,000 connection fee for (sewer service) if required by GSD .
15. Customer to install an approved backflow device if required by GSD.
16. Lab testing of sewer collection waste must meet GSD requirements prior to acceptance into the sewer collection system.
17. When required by GSD, a storage tank must be installed to hold wastewater until lab results have been approved by GSD staff.
18. All chemicals used and the process of cultivation or manufacturing must be provided.
19. The approved cannabis permit must be provided to GSD once received.
20. Water usage must be provided so GSD can determine what upgrades must be made with all expenses paid by applicant.

If the above requirements and conditions are not met, this “Will Serve” letter will be revoked and the commercial agricultural water meter will be turned off and locked out until compliance is achieved and approved by the General Manager or designee.

*****NOTE: When sewer service is required, inquire at office for application*****

CHECK EVERY BOX THAT APPLIES:

- I am providing accurate information.
- I will only use GSD water as stated in this agreement.
- I have read this agreement and agree to the terms, conditions and requirements.
- I understand that violation of this agreement will result in termination of water service.
- I have a County approved permit or have a permit pending.

******Please contact Garberville Sanitary District for questions or clarification******

GSD REQUIREMENTS

- 1. Garberville Sanitary District reserves the right to reduce water usage or disconnect your Agricultural Meter at any time that drought conditions are declared.**
- 2. Your agricultural meter will only be used for the APN# listed on this application and any water removed will result in water being disconnected.**
- 3. You will not be allowed to connect an agricultural meter to a residence or for any other potable water use.**
- 4. Residential water meters are not permitted to provide water for a commercial cannabis business.**
- 5. Garberville Sanitary District staff will be permitted on your property at any time for inspection, with 24hr notice.**

ADDITIONAL REQUIREMENTS

APPROVED BY: **Garberville Sanitary District Board:** **Date:** _____

Motion: _____ **2nd** _____ **Vote** _____

Ralph Emerson

_____ **Date** _____

**General Manager
Garberville Sanitary District**

Owner-Applicant Signature:

Date:



Garberville Sanitary District
PO Box 211
919 Redwood dr.
Garberville, CA. 95542
Office(707)923-9566 Fax(707)923-3130

WILL SERVE AGREEMENT---COMMERCIAL CANNABIS USE

Name on Application: _____

Business Name if Different: _____

APN# _____ **Type of Business** _____

Property Address _____

Contact Information: Phone# _____

Email Address _____

Mail Address _____

Permit# _____

GSD Application# _____

Garberville Sanitary District agrees to provide water for APN# _____ when connection fee is paid and all District requirements have been met. A \$1,000 (non-refundable) handling fee must be paid at time application is signed and will be applied to the connection fee when permit is approved. GSD will not serve water to this property if owner uses unapproved alternative water sources or violates the terms of the cannabis application and this “Will-Serve” letter.

All District ordinances and policies will be complied with, along with a site visit and inspection from the General Manager or designee but if an inspection is not completed, water will not be provided to this address.

The District requires that the applicant provide the approved County cannabis permit prior to water being provided.

Additional Requirements:

Please contact Garberville Sanitary District for questions or clarification.

Ralph Emerson

Date: _____

General Manager
Garberville Sanitary District



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PO Box 211
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Garberville, CA. 95542
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April 27, 2021

Name
Address
City, State, Zip

Subject: HIGH WATER USE REQUIREMENTS AND DOCUMENTATION

The Garberville Sanitary District is responsible for all water diverted from the Eel River under our diversion license and permit. Each calendar year the District is required to report to the State Water Board, the quantity of water diverted and billed to customers. The State Water Board now requires that we identify how much water is used by each customer and to document whether the water is for personal health and safety, outdoor water demands for personal use or for commercial cannabis cultivation. Two years ago the annual reporting form was expanded to include us reporting on the total quantity of water beneficially used for the cultivation of cannabis. Due to the new regulations at the State and County levels, the District needs to be able to collect the information necessary to answer the questions on the reports, which means we have to be able to separate residential use from cannabis cultivation use and those uses must be separated into two separate meters - which is why we are contacting you as a high water consumption user for at least a few months each year.

In addition, the GSD Board of Directors adopted a new rate structure, in June 2020 for residential customers that consists of three tiers instead of the previous two tier system. These new rates went into effect August 1, 2020. Under the new rates, residential customers are billed a fairly small amount for the first 8 units of water, per unit (748 gallons) for the first 8 units as with tier 1 usage is (currently \$1.00 per unit). Units 9 – 20 each month are billed at a higher rate (currently \$3.00 per unit), which is tier 2. The highest cost tier 3 is billed on units 21 and over each month (currently \$11.00 per unit). This rate is significantly more expensive. **Based upon your 2020 summer use, your account would include some units billed at tier 3. Your historical water use far exceeds the average single family equivalent of 200 gallons per day or 8 units of water per month.**

If you are growing cannabis, you are now required to fill out a cannabis water use application at our office so that we can evaluate the necessity of your receiving a second meter for your property. Should a second meter be deemed necessary, this second meter would be classified as a commercial meter and the units of water passing through this meter would be billed at the lower commercial rates (currently \$3.00 per unit). If the District does not receive a response

from you by May 15th, District staff will perform a site visit and if cannabis is being cultivated on the property, we will reclassify your meter as a mixed use non-residential meter.

This designation as mixed use would make your property, business and house subject to water disconnection in the event of a drought. Our desire is for you to coordinate with the District to obtain a second meter so that your residential use can be kept separate from your irrigation use and avoid having water to a potential residence be disconnected.

Please contact our office for information and fill out a water use application

Ralph Emerson

General Manager
Garberville Sanitary District

WATER ORDINANCE NO. 1
GARBERVILLE SANITARY DISTRICT

AN ORDINANCE ESTABLISHING RATES, RULES AND REGULATIONS FOR WATER SERVICE.

Be it ordained by the Board of Directors of the Garberville Sanitary District, Humboldt County, California, as follows:

ARTICLE 1 - GENERAL RULES

Sec 1.1 Short Title. This ordinance shall be known and cited as “G.S.D. Water Code”.
Adopted 6/23/15

Sec 1.2 Words and Phrases. For the purpose of this ordinance, all words used herein shall be considered present and future as well as singular and plural.
Adopted 6/23/15

Sec 1.3 Water system. The District **will furnish and operate operates** a water system **that diverts and treats water from the South Fork of the Eel river while providing potable water to the customers of Garberville Sanitary District through a network of distribution pumps and pipes. comprised of pumps, a water treatment facility, distribution system, easements, property buildings and equipment.**
Adopted 6/23/15

Sec 1.4 Enforcement. If any **section, subsection, sentence, clause, or phase part** of this ordinance is **for any reason held found** to be unconstitutional, such decision shall not affect the validity of **the** remaining portions of this ordinance.

Sec 1.5 Pressure Conditions. All applicants for **service connections or** water service shall be required to accept such conditions of pressure and service as are provided by the **distributing distribution** system at the location of **the** proposed service connection, **and to hold the** District harmless for any damage arising out of **pressure variation low pressure or high-pressure conditions** or interruptions in service.

Sec 1.6 Maintenance and Emergency Repairs of Water Distribution System. Pressure/Shutting Down for Emergency Repairs. The Board shall not accept any responsibility for the maintenance of **water** pressure, and it reserves the right to discontinue service while making emergency repairs due to natural disasters or other circumstances beyond the District’s control. Customers that are dependent upon a continuous supply should have independent emergency storage.

Sec 1.7 Tampering with District Property. No one except a district employee **or representative of the Board with a district employee**, shall **at any time in any manner** operate the curb cocks **or valves, main cocks, gates** or valves of the Districts' system, or interfere with meters or their connections, street mains, or other parts of the water system.

Sec 1.8 Penalty for Violation. For **the** failure of the customer to comply with all or any part of this ordinance, **resolution or order fixing rates and charges of this District, a penalty for which has not hereafter been specifically fixed**, the customer's service shall be discontinued until they have complied with the rule or regulation, rate or charge which was violated. **The resolution of this violation will be approved by the General Manager or designee.**
Adopted 6/23/15

Sec 1.9 Ruling Final. All rulings of the Board shall be final.

ARTICLE 2 – DEFINITIONS

Sec 2.1 Board - The Board of Directors of the District.

Sec 2.2 Connection - The pipeline and appurtenant facilities such as the curb stop, meter and meter box used to extend **water** service from a **water** main to **service address premise. the laying thereof and the tapping of the main.** Where services are divided at the curb or property line **to serve several customers**, each such branch service shall be deemed a separate service.

Sec 2.3 Cost - The cost of labor, material, transportation, supervision, engineering, and all other necessary overhead expenses.

Sec 2.4 Cross-Connection - Exposure to drinking water contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through the water service connection, including sewerage.
Adopted 6/23/15

Sec 2.5 District - The Garberville Sanitary District.

Sec 2.6 Main - A water **transmission** line **used to provide water to customers in a street, highway, alley, or easement used for public and private fire protection** and for general distribution of water.

Sec 2.7 Person - An individual, **or a** company, association, co-partnership or public or private corporation.

Sec 2.8 Premises - A lot or parcel of real property, commercial buildings, apartments or multiple dwellings.
Adopted 6/23/15

Sec 2.9 Private Fire Protection Service - Water service and facilities for building sprinkler systems, hydrants, hose reels, and other facilities installed on private property for fire protection.

Sec 2.10 Public Fire Protection Service - The service and facilities of the entire water supply, storage, and distribution system of the District, including the fire hydrants affixed thereto, and the water available for fire protection.

Sec 2.11 Owner - The person whose name the legal title to the property appears, by deed duly recorded in the County Recorder's office, or the person in possession of the property of buildings under claim of, or exercising acts of ownership **over same for himself, or** as executor, administrator, guardian, or trustee of the owner.
Adopted 6/23/15

Sec 2.12 Regular Water Service - Water service for normal domestic, commercial and industrial facilities, and the water available for domestic use.
Adopted 6/23/15

Sec 2.13 Temporary Water Service - Water service and facilities rendered for construction work and other uses of limited duration established by the District per incident.

Sec 2.14 General Manager - The person appointed by the Board to administer **the Mission and Vision of the Board** and **to** enforce the rules and regulations of the District.
Adopted 6/23/15

Sec 2.15 District Engineer - The **Registered Civil** Engineer employed and acting for the Board of Directors, under the direction of the General Manager. **and shall be a Registered Civil Engineer.**
Adopted 6/23/15

Sec 2.16 Permit - Any written authorization required pursuant to this or any other regulation of the District for the installation of any water works.

Sec 2.17 Applicant - The person making application for a permit for a water installation and shall be the owner of premises, or his authorized agent, for which a permit is requested.

Sec 2.18 Contractor - Any individual, firm, corporation, partnership, or association duly licensed by the State of California to perform the type of work to be done under the permit.

Sec 2.19 Single Family Unit - Refers to the place of residence for a single family.

Sec 2.20 Multiple Dwelling - A building for residential purposes containing more than one kitchen or having facilities for the occupancy of more than one person or families, including but not limited to the following: hotels, motels, mobile home parks, recreational vehicle parks, apartment houses, duplex, rooming houses, boarding houses, and dormitories.

Sec 2.21 Street - Any public highway, road, street, avenue, alleyway, public place, public easement, or right-of-way.

Sec 2.22 Additional Definitions - For the purposes of this ordinance, additional terms shall have the meaning indicated in **Chapter 1 of** the most recent edition of the “Uniform Plumbing Code” **adopted by the International Association of Plumbing and Mechanical Officials.**

ARTICLE 3 - NOTICES

Sec 3.1 Notice to Customers. Notice from the District to a customer will normally be given in writing, and either delivered or mailed to him/her at his/her last known address. Where conditions warrant and in emergencies, the District may resort to notification either by telephone or messenger.

Sec 3.2 Correspondence from Customers. A customer or their authorized representative may present correspondence to the District Board of Directors or to the District Office.

ARTICLE 4 - APPLICATION FOR WATER SERVICE

Sec 4.1 Application. A property owner or his/her authorized agent **who provides authorization letter from owner** may make an application for Water Service. **(See attached Contact GSD Office for application form).**
Adopted 7/28/15

Sec 4.2 Undertaking Agreement of Applicant. Such application will signify the customer’s willingness and intention to comply with this and other ordinances or regulations relating to the water service and to make payment for water service.

Sec 4.3 Payment for Previous Service. An application will not be **honored approved** unless payment in full has been made for water service previously rendered to the applicant.

Sec 4.4 Installation Charges. New water service will require an application be filled out at the District office and a non-refundable connection fee of \$8,000 be paid before any water service is provided
Adopted 9/22/15

Sec 4.5 Installation of Service. Service installations will be made only to property within GSD boundaries. Adopted 8/25/15

Sec 4.6 Changes in Customer Equipment. Customers making any material change in the size, character, or extent of the equipment or operations utilizing water service, or whose change in operations results in a large increase in the use of water, shall immediately give the District written notice of the nature of the change and, if necessary, amend their application. Changes to existing services is also subject to but not limited to sections 2.6 and 4.4

Sec 4.7 Size and Location. The District reserves the right to determine the size of service connections and their locations with respect to the boundaries of the premises to be served.
Adopted 7/28/15

Sec 4.8 Curb Cock. Every service connection installed by the District shall be equipped with a curb cock on the inlet side of the meter. The curb cock is intended for the exclusive use of the District in controlling the water supply through the service connection pipe **and meter**. If the curb cock is damaged by the consumers use to an extent requiring replacement, such replacement shall be at the customer's expense.