

**From:** [Hayes, Kathy](#)  
**To:** [Lippre, Suzanne](#)  
**Subject:** FW: Voice Planning Commission Comments, Southern Humboldt Community Park Project # 6111  
**Date:** Thursday, January 05, 2017 7:55:05 AM  
**Attachments:** [Public Comments to Planning Commission Re SHCP \(exs\).pdf](#)

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Suzanne: I believe he should have sent this information to you. Thanks

*Kathy Hayes*  
*Administrative Support Manager/Clerk of the Board*  
*County of Humboldt*  
*707-476-2396*  
*khayes@co.humboldt.ca.us*

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**From:** evoice@mchsi.com [mailto:evoice@mchsi.com]  
**Sent:** Wednesday, January 04, 2017 10:34 PM  
**To:** Hayes, Kathy  
**Subject:** Voice Planning Commission Comments, Southern Humboldt Community Park Project # 6111

Here are my SHCP Planning Commission Comments for tomorrow...

Thank you,  
Ed Voice



**SAXTON & ASSOCIATES**  
WATER QUALITY AND TOXICS ENFORCEMENT

January 4, 2017

Humboldt County Planning Commission  
Attn: Suzanne Lippre, Sr. Office Asst.  
Planning Building and Department  
County of Humboldt  
3015 H Street  
Eureka, CA 95501

Re: *Public Comments Regarding Southern Humboldt Community Park's Project for a General Plan Amendment, Zone Reclassification, Conditional Use Permit and Special Permit and Certification of the Final Environmental Impact Report*

Members of the Humboldt County Planning Commission:

I am writing on behalf of the Ed Voice Family regarding the Southern Humboldt Community Park ("SHCP") Project, scheduled for a public hearing before the Planning Commission on January 5, 2017. The Ed Voice Family supports the park and believes it is a vital part of the community that should be fostered. However, the scale of the proposed Project is unsustainable and should be reduced to better suit the park and the community it serves.

Specifically, the Voice Family asks that the Project exclude medium and large events. This modification would substantially lessen the harmful environmental impacts of the Project. In particular, the Voice Family requests that the Planning Commission to:

- (1) deny the Conditional Use Permit so medium and large events are not permitted at SHCP;
- (2) modify the Plan of Operations and Conditions of Approval accordingly (see below, "Specific Actions Requested of the Planning Commission", pp. 7-8);
- (3) maintain the Agricultural Exclusive zoning designation of 87 acres currently proposed to be changed to Public Facilities; and
- (4) modify the Special Permit to restrict the one-lane bridge to foot traffic.

This request is made on the grounds that the record lacks substantial evidence to make the necessary findings to approve the Project if medium and large events are allowed. Most significantly, the EIR failed to analyze a Project Alternative that excluded medium and large events, even though this is a feasible alternative that would substantially lessen the Project's environmental impacts. In addition, the record lacks evidence to support a General Plan amendment, which requires a showing that the Project reflects a change in the community's values. The only evidence submitted on this issue are the letters of support from the community (attached to the Staff Report). However, these letters make no mention of medium or large

events, but pertain solely to less-intensive modifications to the park (sports fields, trail improvements, public gatherings, etc.) Conversely, the community letters in the Final EIR, which do address medium and large events, strongly and overwhelmingly oppose such events because of the substantial impacts on water demand, river protection, endangered species and habitat, traffic and noise. (Final EIR, pp. 41-136.)

If the Project is modified to exclude medium and large events, park improvements would still include the addition of recreational sports fields, public assembly and events, playgrounds, picnic areas, trail improvements, educational activities, camp activities and agricultural projects. In addition, SHCP could still accommodate 800 visitors a day during peak season and hold events for up to 800 attendees. A modified Project, which excludes medium and large events, preserves the fundamental changes proposed for the park, is supported by the record, has community backing and complies with the law.

## **DISCUSSION OF REQUESTED ACTIONS**

Below is a discussion of the legally required standards and findings that must be supported in the record by substantial evidence before the Planning Commission can approve the Project and make the respective recommendations to the Board of Supervisors.

It is important to note that even if medium and large events are excluded, the Project will still have significant environmental impacts. It is crucial that strict adherence to all compliance and mitigation measures be followed on a continuous basis, including the Plan of Operations, the Adaptive Management Plan, Mitigation Monitoring and Reporting Plan and any conditions placed on the various permits that will be needed. Moreover, it is vital that these provisions be reviewed and updated on a periodic basis.

## **Legal Standards and Sufficiency of Record to Support Findings**

In order to approve the Project, the Planning Commission must certify that the Environmental Impact Report (“EIR”) complies with California Environmental Quality Act (Public Resources Code, §21000, *et. seq.*) (“CEQA”) and determine that there is substantial evidence in the record to make the necessary findings to support a General Plan amendment, Zoning Ordinance amendment and approval of a Conditional Use Permit and a Special Permit. (Garberville, Redway, Benbow, Alderpoint Community Plan (“General Plan”), §1452.2; Framework Plan, §4400; Zoning Ordinance, §312-50, §312-17.1 (CUP).)

### **CEQA**

Pursuant to CEQA, “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects” of the project. (Public Resources Code §21002.) In order to be legally sufficient, an EIR must describe and analyze a range of reasonable alternatives to the project that: (1) are potentially feasible; (2) would “feasibly attain most of the basic objectives of the project;” and (3) would avoid or substantially lessen any of the project’s significant effects. (CEQA Guidelines, §15126.6(a).) The purpose of this analysis is to determine whether there is a feasible way to achieve the basic objectives of the project, while avoiding impacts. (Public

Resources Code, §21002.1.)

The EIR is legally insufficient because it failed to analyze the Project without medium and large events, even though such an alternative is feasible, would satisfy the objectives of the Project and would significantly lessen environmental impacts. Moreover, because this alternative is both feasible and substantially lessens the environmental impact, the Planning Commission cannot approve the project as currently proposed in compliance with CEQA.

Findings to Support General Plan and Zoning Ordinance Amendments and CUP

Amendments to the General Plan require substantial evidence that the amendment reflects a change in community values or that the proposed amendment maintains *established* uses otherwise consistent with a comprehensive view of the plan. (General Plan, §1452.2.) Since the proposed Project does not reflect *established* uses, the record must support a finding that community values have changed. In addition, the record must show that the Project is in the public interest. (*Ibid.*) Under the Framework Plan, parks and recreation areas must reflect public needs and minimize environmental impacts. (Framework Plan, §4400.) Furthermore, the Zoning Ordinance amendment and the Conditional Use Permit each require a finding that the Project is consistent with the General Plan and, therefore, are contingent on approval of the General Plan amendment and a finding that the Project reflects changed community values and is in the public interest. (Zoning Ordinance, §312-50, §312-17.1 (CUP).)

However, the only evidence submitted by the Planning Department to establish a change in community values are the community support letters attached to the Staff Report. However, none of those letters (many are form letters drafted by SHCP) address medium or large events. The letters express general support for smaller scale park uses (trails, sports fields, community agricultural uses, educational and nature events, etc.), but are silent on large scale changes. However, community responses to the Draft EIR do address medium and large events and are overwhelmingly opposed to them due to the substantial impacts on water demand, river health, endangered species, traffic and noise. (Final EIR, pp. 41-136.) The community wants the park to be used for “aquatic life, wild life and wild life habitat, and low-impact public use.” (Final EIR, p. 76; 41-136.) Not concerts. (Final EIR, pp. 41, 44, 48, 52-64, 74-76, 84, 86, 90, 93-95, 103, 107-120, 126-127, 131-134.)

Furthermore, the record does not support a finding that the Project is in the public interest. The only reason given that the Project is in the public interest is based on the erroneous contention that the Project reflects changes in community values. (Staff Report, p. 29; General Plan, §1452.2.) Since the record cannot support a finding that the Project (with the medium and large events included) reflects changed community values, it cannot support a finding that the Project is in the public interest and, therefore, the record does not provide substantial evidence to support a General Plan amendment. Since the Zoning Ordinance amendment and Conditional Use Permit are contingent on a finding that they are consistent with the General Plan, these approvals are also not supported by the record.

Modifying the Project to exclude medium and large events would substantially reduce environmental impacts, as discussed below. Moreover, the record would support the modified Project and it would be in compliance with the respective laws at issue.

## Environmental Impacts

The Project, even without medium and large events, will cause significant negative environmental impacts. Some of these, such as the supply of potable water, have not yet been adequately addressed. However, the additional burdens caused by medium and large events are unsustainable and they should be excluded from the Project in order to substantially reduce the environmental impacts.

### Potable Water

Whether or not medium and large events are excluded from the Project, a serious and timely issue is the erroneous claim that on-site water (unnamed spring and upland well, Sources #2 and #4, respectively) is potable and meets water quality standards. (*See, e.g.*, Final EIR, p. 68; DEIR, p. 4.17-2, Plan of Operation, Staff Report, etc.) Since SHCP does not intend to be annexed under the Garberville Sanitation District (“GSD”),<sup>1</sup> it must ensure that its on-site water is safe before providing it to the public.

The State Water Board, Division of Drinking Water addressed this issue in two substantive letters dated September 20, 2016 and January 3, 2017. [*See* letter dated September 20, 2016 to Planning Department commenting on Draft EIR (attached to Staff Report, pp. 76-77) and letter dated January 3, 2017 to Saxton & Associates responding to questions about Final EIR (attached hereto as Exhibit A).]

Most significantly, the State Water Board, DDW states that references to on-site “potable” water sources are “presumptive, and it should not be assumed that any of the existing water sources on the property meet the regulatory criteria for use by a *public water system* as is.” (Sept. 20, 2016 letter, p. 77 of Staff Report.) In order to determine if on-site water is potable, significant analysis of the spring source and the design/development of the spring must be conducted by a licensed civil engineer with drinking water experience. (January 3, 2017 letter, Ex. A, p. 2.) Moreover, “a permit to operate a public water system **must be applied for and obtained** from [the State Water Board, Division of Drinking Water] **before water can be served** [to the public].” (January 3, 2017 letter, Ex. A, p. 2 (emphasis added).) SHCP cannot wait until they hold their first medium event before complying with drinking water standards, as is currently the plan pursuant to the Plan of Operation, Conditions of Approval and the Staff Report. SHCP’s current plan could be harmful to public health and could expose SHCP to liability.<sup>2</sup>

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<sup>1</sup> See FEIR, p. 36 (Response to Humboldt Focal Agency Formation Commission re: annexation to the GSD); FEIR, p. 38 (Response to GSD re: annexation of park); FEIR, pp. 65-66, 68, 69, 72 (Response to Saxton/Voice Comments, C6-1, C6-2 (“The commenter states that spring water is not potable...”), C6-6, C6-11, C6-21, respectively.

<sup>2</sup> SHCP reported to the California Department of Public Health in 2013 that it was concerned the unnamed spring was contaminated by bacteria from animal waste and other sources, that prior testing had likely shown high levels of iron and manganese, and water from the tap at Tooby Park came out brown and needed to run for an hour before it cleared. (*See*, SHCP’s Application for Pre-Planning Funding to the California Department of Public Health, Safe Drinking Water State Revolving Fund, November 2013, attached hereto as Exhibit B, p. 4, sections (a) and (b).)

Furthermore, SHCP's single water quality test conducted in February of 2016 does not establish that the Unnamed Spring is potable, contrary to SHCP's contentions that it does, as expressed in the Final EIR. (Test result is attached hereto as Exhibit C; discussion of the test results as alleged evidence that the spring is potable is at FEIR, p. 68 (Response to Saxton/Voice Comments C6-6).) The State Water Board, DDW made clear that this single test does not establish potability of the Spring and "additional testing is required". (January 3, 2017 letter, Ex. A, p. 1.) "The spring source will need to be investigated by a licensed civil engineer with drinking water experience and the design/development of the spring will need to be completed by a licensed civil engineer with drinking water experience. If it is determined that the spring is under the direct influence of surface water, then a surface water treatment system will need to be designed by a licensed civil engineer with drinking water experience, and the system will need to be constructed before a permit can be issued by [the State Water Board, Division of Drinking Water]." (*Id.*, p. 2.)

Regardless of the clear statements by the State Water Board, DDW, however, the Final EIR, Staff Report, Conditions of Approval and Plan of Operation still contend that on-site water is potable and that compliance with drinking water standards are not required, if at all, until SHCP holds a medium size event. This issue must be addressed, and the Conditions of Approval and Plan of Operation must be amended accordingly.

Lastly, the EIR, Staff Report and Plan of Operation all state that the source of water for the restrooms will be the Infiltration gallery (Source #1, South Fork Eel River). However, water used for handwashing must be potable and the South Fork Eel River is not a potable water source. Thus, the EIR, Conditions of Approval, Plan of Operations and Staff Report must be modified accordingly.

#### Water Use – Spring and Upland Well

The Spring and Upland Well is expected to supply potable water (see discussion above) for the Park Headquarters and office buildings, cooking areas, Tooby Park, and the Sports Fields. The demand for daily use alone is significant, as it must supply potable water for up to 800 people a day in peak season (May through October) and for unlimited events of up to 800 attendees. Water diversion is limited by the Lake or Streambed Alteration Agreement (LSAA) with the Department of Fish and Wildlife (2,000 gallons/day or 10% of streamflow from November 1 to July 1) and storage is limited to a 55,000 gallon tank. To meet daily usage needs and to protect the stream, fish and wildlife, the Department of Fish and Wildlife expect SHCP to improve water conservation measures, make water storage capacity improvements and enact future forbearance periods. (Final EIR, pp. 9-10, 12.) This still needs to be done.

Water demand needed for daily usage will only be sustainable if substantive measures are enacted to conserve, store and restrict water usage. The additional water needed to support medium (five events for 800-2,500 people each) and large events (one 2-day event for up to 5,000 people/day) is unsustainable, particularly because these events occur in summer months when diversion from the Spring is prohibited. The Project should be modified to exclude medium and large events in order to substantially reduce harmful environmental impacts.

## Water Use – South Fork Eel River

The Project calls for the extraction of large quantities of water from the South Fork Eel River to irrigate sports fields and agricultural crops and to supply water for restrooms (note discussion above, however, in that handwashing in restrooms must be from a potable water source and the South Fork Eel River is not potable).

The South Fork Eel River is a Wild and Scenic River under both Federal and State Acts and is a regionally-important fish-bearing stream that currently supports three listed salmonid species under state and federal Endangered Species Acts (coho, chinook and steelhead). The Department of Fish and Wildlife and Pacific Watershed Associates, who prepared the water impact report for the EIR, both acknowledge that any diversion from the South Fork Eel during drought conditions (as we've had for the last 3 years and will likely occur in the future) can cause lethal conditions for endangered salmonids and cause toxic algae growth. (Final EIR (Department letter), pp. 8-10; PWA Report, p. 10.) When PWA performed a site-visit in July of 2015, "flow in the SF Eel River was too low to allow turf grass irrigation... Certainly, any significant increase of water drawn from the infiltration gallery during summer low flow conditions will exacerbate, however slightly, the undesirable conditions that already exist (high water temperatures, low dissolved oxygen, elevated nutrient concentrations), and would contribute to the creation of conditions that could be lethal for salmonids." (PWA Report, p. 10.)

The water demand for daily usage alone will cause undue strain on the South Fork Eel River. The increased burden to supply water for medium (800 to 2,500 people) and large events (up to 5,000 per day) is unreasonable and unsustainable, particularly since these events occur during summer months when flows are already low. Supplying water during drought conditions would be highly consequential to the health of the river. Medium and large events should be excluded from the Project, as a feasible alternative to reduce harmful environmental impacts.

## Traffic and Noise

Excluding medium and large events from the Project will substantially relieve traffic and noise impacts on the community. As discussed in the Final EIR, neighbors of the park were particularly concerned about the traffic and noise from big events and strongly contended that the mitigation measures proposed were insufficient. (Final EIR, pp. 41-136.) Some mitigation will still be needed in order to address traffic and noise impacts from smaller events of up to 800 attendees. However, these measures are significantly less burdensome than the measures proposed for medium and large events and will be more effective for smaller-scale events.

## Zoning Designation for 87 Acres (AE)

One of the proposed amendments to the Zoning Ordinance seeks to change the designation of 87 acres from Agriculture Exclusive (AE) to Public Facilities (PF). It is understood that the purpose of this change is to facilitate the use of this land for medium and large events. If those events are excluded from the Project, this particular designation change is not necessary. If it cannot be established that the zoning change is necessary, it is not in the public interest and this Zoning

Ordinance amendment cannot supported by the record.

#### Riparian Buffers and Foot Bridge

The Department of Fish and Wildlife recommend that a condition for Project approval include the planting of overstory vegetation on the western-most stream in order to mitigate encroachment and disturbance to riparian and stream buffer areas as a result of Project activities. (Final EIR, p. 9, 12.) It does not appear that this specific condition was included as part of the Mitigation Measures for the final Project. Mitigation Measures should be modified (or clarified) to address this issue.

The foot bridge that is part of the Special Permit request should not be used for vehicular traffic. The EIR analyzed the impacts of the bridge based on pedestrian crossing, not motorized vehicles. Impacts from motorized vehicles are substantially more severe than foot traffic and the use should be limited to that analyzed in the EIR.

#### Agricultural Activities

Irrigation of agricultural crops is a significant burden on public water resources. SHCP should take particular care to only allow agricultural activities that benefit the community, such as participation in the Park to Plate project or other community services or educational programs. Purely commercial ventures, such as vineyards and gravel mining, only serve private interests and provide no benefit for the community.

### **SPECIFIC ACTIONS REQUESTED OF THE PLANNING COMMISSION**

The Ed Voice Family requests the Planning Commission to take the following actions:

1. Make the findings in Attachment 1 (Recommended Conditions of Approval) of the Planning Division staff report, **EXCEPT** for the following:
  - a. Modify the Plan of Operation to: (i) indicate that the Spring and Upland Well (Source #2 and #4, respectively) are not potable water sources; (ii) state that water service to restrooms for handwashing must be potable water and, therefore, cannot be supplied by Source #1- Infiltration gallery-Well (South Fork Eel River); and (iii) remove discussion of medium and small events.
  - b. Modify the Mitigation Measures in Attachment 6 of the Staff Report to require planting of overstory vegetation on the western-most stream.
  - c. No. 1: delete the section regarding medium and large events.
  - d. No. 2: change compliance with State Office of Drinking Water standards to be required at such time as SHCP meets the definition of a public water system (i.e., when SHCP serves on-site water to 25 or more people for 60 or more days in a year), as required by law, as opposed to requiring compliance with such standards prior to SHCP holding its first medium sized event. (Also, note that this office is now the State Water Board, Division of Drinking Water.)
  - e. No. 5: delete language referencing medium or large events.



- f. No. 7: require the removal of Underground Storage Tanks (UST) to be completed prior to any small events, as opposed to prior to SHCP holding its first medium or large event.
- g. No. 8: require the condition to be met prior to holding any event that requires off-site parking, as opposed to requiring the condition to be met prior to any medium or large event.
- h. No. 9: change the condition to make it applicable for any event in which the services of the respective agencies are required, as opposed to being applicable for medium or large events.

2. Make the following recommendations to the Board of Supervisors:

- a. General Plan Amendment: Approve the amendments requested by the Planning Department;
- b. Zoning Ordinance Amendment: Approve the amendments requested by the Planning Department, **EXCEPT** for the proposal to change 87 acres from Agricultural Exclusive (AE) to Public Facilities (PF) – the 87 acres should remain AE, since the requested designation change was needed to facilitate medium and large events;
- c. Conditional Use Permit: **DENY** the Conditional Use Permit, so that medium and large events are not permitted at SHCP;
- d. Special Permit: Conditionally approve, as requested by the Planning Department, **EXCEPT** that the one-lane bridge should be restricted to foot traffic, as the environmental impacts of vehicular traffic were not addressed in the EIR.

**CONCLUSION**

Thank you for your time and consideration on the matters discussed above. The Ed Voice Family hopes that you will consider postponing the hearing on this Project until the next public meeting so that the members of the Planning Commission will have sufficient time to review all the relevant information. The public, including the Voice Family, expended significant time and effort to provide the Commission with substantive and thoughtful comments. However, because key documents were not available until shortly before the hearing, we were unable to get written comments to you any sooner than at the time of the hearing. We hope that you will take the necessary time to fully consider these comments and the requests made therein.

Thank you.

Sincerely,



Lynne R. Saxton  
Saxton & Associates  
Counsel for Ed Voice Family

# **Exhibit A**

**State Water Resources Control Board**  
Division of Drinking Water

January 3, 2017

Lynne R. Saxton  
Saxton & Associates  
912 Cole Street, #140  
San Francisco, CA 94117

Re: Southern Humboldt Community Park (SHCP)

Dear Ms. Saxton,

Below are the answers to the questions posed in your December 20, 2016, letter to our office regarding SHCP's Final EIR:

**1(A) Question: Is SHCP required to provide water obtained from a public water system?**

**Answer:** If their activities meet the definition of a public water system, the answer is yes. See attached excerpts from the regulations regarding definitions of types of public water systems and the attached "Decision Tree For Classification Of Water Systems". For example, at such time that SHCP serves 25 or more people at least 60 days of a year (they do not have to be the same 25 people), they will be deemed a public water system and will need to be in compliance with public water system regulations.

**1(B) Question: If SHCP does not receive water from GSD, is SHCP required to develop a new public water system before it can provide water to the public?**

**Answer:** See answer 1(A) above.

**2. Question: Has SHCP taken steps to satisfy any of the three listed items below?**

- 1) An application will need to be submitted to our office for formation of a new *public water system*.
- 2) Technical, managerial, and financial capacity for the proposed new *public water system* will need to be demonstrated, along with proof of water rights.
- 3) Source water assessments will need to be completed on any proposed water sources."

**Answer:** No, our office has not received any information concerning the above listed items.

**3(A) Question: Does the February 2016 North Coast Laboratories test result establish that the water from the spring is potable?**

*No. Additional testing is required. If not, what additional information would be needed to make that determination? (i.e., location of sample, location of spring, spring development construction, quantity produced in dry and rainy seasons,*

repeated testing, testing for constituents in addition to Total Coliform and E. coli). The spring source will need to be investigated by a licensed civil engineer with drinking water experience and the design/development of the spring will need to be completed by a licensed civil engineer with drinking water experience. **Is SHCP or the Planning Department qualified to make that determination or does it need to be made by the SWRCB's Drinking Water Division?** The Division of Drinking Water will make a determination based on all available information submitted in the permit application.

**3(B) Question: Does the North Coast Laboratories test result provide any information about the presence and/or level of iron or manganese in the spring water?**

**Answer:** No.

**3(C) Question: Are there enforceable limitations for iron and/or manganese?**

**Answer:** Yes, secondary maximum contaminant levels specified in the regulations are enforceable.

**3(D) Question: In order to be potable, does the spring water need to come from groundwater and not be surface water influenced? Generally, what type of testing would be required to establish that?**

**Answer:** The spring source will need to be investigated by a licensed civil engineer with drinking water experience and the design/development of the spring will need to be completed by a licensed civil engineer with drinking water experience. If it is determined that the spring is under the direct influence of surface water, then a surface water treatment system will need to be designed by a licensed civil engineer with drinking water experience, and the system will need to be constructed before a permit can be issued by this office.

**4. Question: Does the Planning Department's recommendation in the Staff Report to the Planning Commission satisfy the concerns your office raised in response to the Draft EIR? If not, what additional provisions should be included in the Final EIR?**

**Answer:** Since the proposed project may result in the formation of a public water system, a permit to operate a public water system must be applied for and obtained from this office before water can be served. If, after reviewing the permit application, we determine there is a need for additional public health provisions, we will add the appropriate conditions in the permit. We cannot know what the conditions will be, if any, until we have reviewed a complete permit application package. Please note, *California Health and Safety Code, Article 7. §116525.(a) states, "No person shall operate a public water system unless he or she first submits an application to the department and receives a permit as provided in this chapter."*

Sincerely,



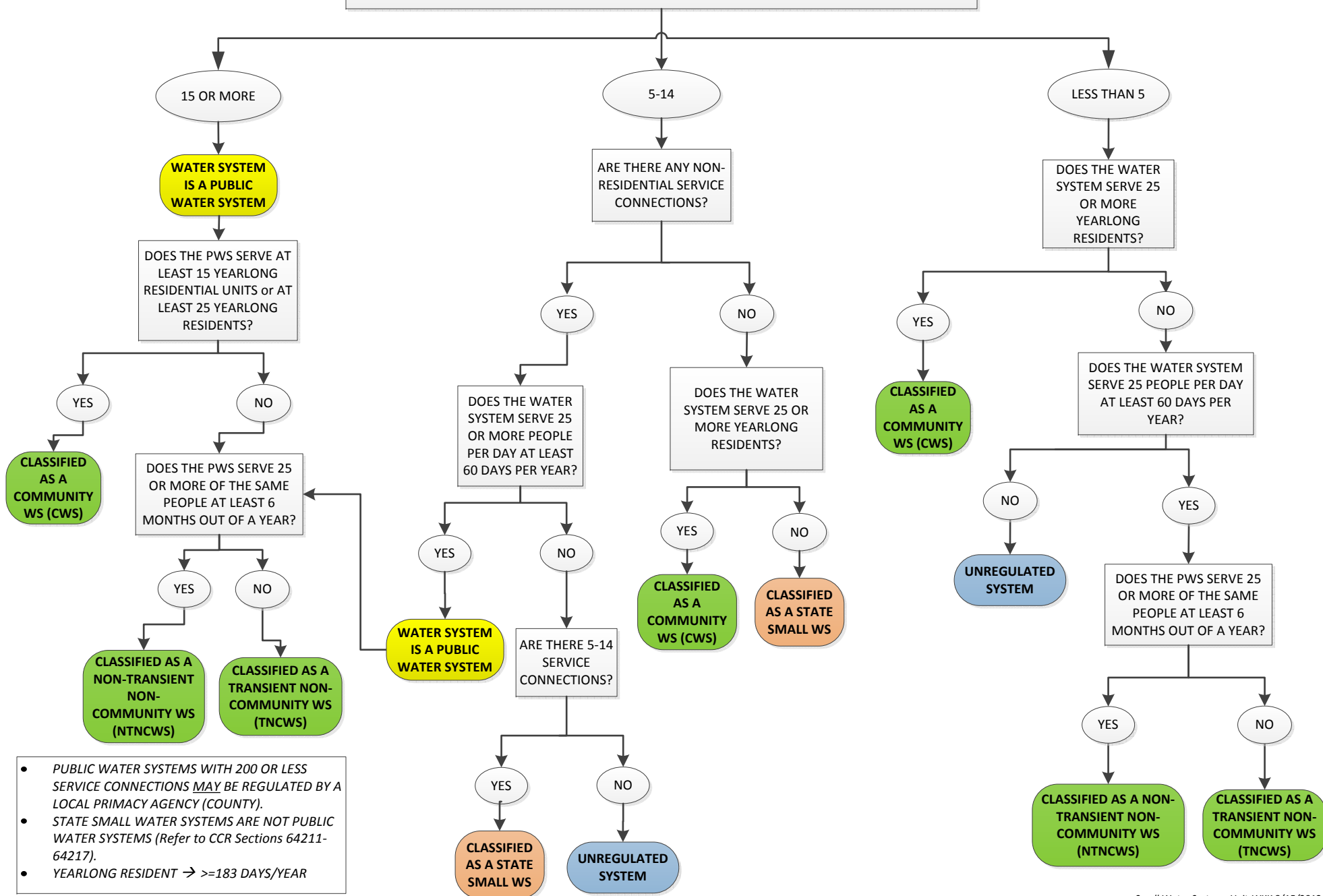
Barry Sutter, P.E.

Klamath District Engineer, Northern California Drinking Water Field Operations Branch

Cc: Humboldt County Environmental Health

# DECISION TREE FOR CLASSIFICATION OF WATER SYSTEMS

HOW MANY SERVICE CONNECTIONS DOES THE WATER SYSTEM HAVE?



- PUBLIC WATER SYSTEMS WITH 200 OR LESS SERVICE CONNECTIONS MAY BE REGULATED BY A LOCAL PRIMACY AGENCY (COUNTY).
- STATE SMALL WATER SYSTEMS ARE NOT PUBLIC WATER SYSTEMS (Refer to CCR Sections 64211-64217).
- YEARLONG RESIDENT → ≥183 DAYS/YEAR

## EXCERPTS FROM CALIFORNIA WATER CODE, 116275.

*NOTE: This publication includes a variety of California statutes related to the subject of drinking water, which may not be complete and should not be relied upon as the State of California's representation of the law. The published codes are the only official representation of the law. Refer to the actual published codes whenever specific citations are required. Drinking water-related regulations are in Titles 22 and 17 of the California Code of Regulations.*

### **§116275. Definitions.**

As used in this chapter:

- (a) "Contaminant" means any physical, chemical, biological, or radiological substance or matter in water.
- (b) "Department" means the state board.
- (c) "Primary drinking water standards" means:
  - (1) Maximum levels of contaminants that, in the judgment of the state board, may have an adverse effect on the health of persons.
  - (2) Specific treatment techniques adopted by the state board in lieu of maximum contaminant levels pursuant to subdivision (j) of Section 116365.
  - (3) The monitoring and reporting requirements as specified in regulations adopted by the state board that pertain to maximum contaminant levels.
- (d) "Secondary drinking water standards" means standards that specify maximum contaminant levels that, in the judgment of the state board, are necessary to protect the public welfare. Secondary drinking water standards may apply to any contaminant in drinking water that may adversely affect the odor or appearance of the water and may cause a substantial number of persons served by the public water system to discontinue its use, or that may otherwise adversely affect the public welfare. Regulations establishing secondary drinking water standards may vary according to geographic and other circumstances and may apply to any contaminant in drinking water that adversely affects the taste, odor, or appearance of the water when the standards are necessary to ensure a supply of pure, wholesome, and potable water.
- (e) "Human consumption" means the use of water for drinking, bathing or showering, hand washing, oral hygiene, or cooking, including, but not limited to, preparing food and washing dishes.
- (f) "Maximum contaminant level" means the maximum permissible level of a contaminant in water.
- (g) "Person" means an individual, corporation, company, association, partnership, limited liability company, municipality, public utility, or other public body or institution.
- (h) "Public water system" means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. A public water system includes the following:
  - (1) Any collection, treatment, storage, and distribution facilities under control of the operator of the system that are used primarily in connection with the system.
  - (2) Any collection or pretreatment storage facilities not under the control of the operator that are used primarily in connection with the system.
  - (3) Any water system that treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption.
- (i) "Community water system" means a public water system that serves at least 15 service connections used by year-long residents or regularly serves at least 25 year-long residents of the area served by the system.
- (j) "Noncommunity water system" means a public water system that is not a community water system.

(k) “Nontransient noncommunity water system” means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over six months per year.

(l) “Local health officer” means a local health officer appointed pursuant to Section 101000 or a local comprehensive health agency designated by the board of supervisors pursuant to Section 101275 to carry out the drinking water program.

(m) “Significant rise in the bacterial count of water” means a rise in the bacterial count of water that the state board determines, by regulation, represents an immediate danger to the health of water users.

(n) “State small water system” means a system for the provision of piped water to the public for human consumption that serves at least five, but not more than 14, service connections and does not regularly serve drinking water to more than an average of 25 individuals daily for more than 60 days out of the year.

(o) “Transient noncommunity water system” means a noncommunity water system that does not regularly serve at least 25 of the same persons over six months per year.

(p) “User” means a person using water for domestic purposes. User does not include a person processing, selling, or serving water or operating a public water system.

(q) “Waterworks standards” means regulations adopted by the state board entitled “California Waterworks Standards” (Chapter 16 (commencing with Section 64551) of Division 4 of Title 22 of the California Code of Regulations).

(r) “Local primacy agency” means a local health officer that has applied for and received primacy delegation pursuant to Section 116330.

(s) “Service connection” means the point of connection between the customer’s piping or constructed conveyance, and the water system’s meter, service pipe, or constructed conveyance. A connection to a system that delivers water by a constructed conveyance other than a pipe shall not be considered a connection in determining if the system is a public water system if any of the following apply:

(1) The water is used exclusively for purposes other than residential uses, consisting of drinking, bathing, and cooking, or other similar uses.

(2) The state board determines that alternative water to achieve the equivalent level of public health protection provided by the applicable primary drinking water regulation is provided for residential or similar uses for drinking and cooking.

(3) The state board determines that the water provided for residential or similar uses for drinking, cooking, and bathing is centrally treated or treated at the point of entry by the provider, a passthrough entity, or the user to achieve the equivalent level of protection provided by the applicable primary drinking water regulations.

(t) “Resident” means a person who physically occupies, whether by ownership, rental, lease, or other means, the same dwelling for at least 60 days of the year.

(u) “Water treatment operator” means a person who has met the requirements for a specific water treatment operator grade pursuant to Section 106875.

(v) “Water treatment operator-in-training” means a person who has applied for and passed the written examination given by the state board but does not yet meet the experience requirements for a specific water treatment operator grade pursuant to Section 106875.

(w) “Water distribution operator” means a person who has met the requirements for a specific water distribution operator grade pursuant to Section 106875.

(x) “Water treatment plant” means a group or assemblage of structures, equipment, and processes that treats, blends, or conditions the water supply of a public water system for the purpose of meeting primary drinking water standards.

(y) “Water distribution system” means any combination of pipes, tanks, pumps, and other physical features that deliver water from the source or water treatment plant to the consumer.

(z) “Public health goal” means a goal established by the Office of Environmental Health Hazard Assessment pursuant to subdivision (c) of Section 116365.

(aa) “Small community water system” means a community water system that serves no more than 3,300 service connections or a year-long population of no more than 10,000 persons.

(ab) “Disadvantaged community” means the entire service area of a community water system, or a community therein, in which the median household income is less than 80 percent of the statewide average.

(ac) “State board” means the State Water Resources Control Board.

(ad) “Deputy director” means the deputy director appointed by the state board pursuant to subdivision (k) of Section 116271.





**SAXTON & ASSOCIATES**  
WATER QUALITY AND TOXICS ENFORCEMENT

December 20, 2016

***Via Email***

Ronnean Lund  
Sanitary Engineer  
State Water Resources Control Board,  
Division of Drinking Water  
364 Knollcrest Drive, Suite 101  
Redding, CA 96002  
[Ronnean.Lund@waterboards.ca.gov](mailto:Ronnean.Lund@waterboards.ca.gov)

Re: Questions Regarding Southern Humboldt Community Park's Final EIR And Whether  
The Water Sources The Park Board Intends To Use For The Project Are Both Potable  
And A Public Water System

Dear Ms. Lund,

I'm an environmental attorney working with Ed Voice to prepare comments on the Southern Humboldt Community Park's Environmental Impact Report (EIR). We appreciate the comments that the State Water Resource Control Board, Division of Drinking Water submitted on September 20, 2016 concerning the Draft EIR. (Those comments are attached, for your convenience.) As you know, the Final EIR, with responses to comments, was recently circulated and responses to your office's comments were omitted. Although it is understood that the Humboldt County Planning Department (Lead Agency) intends to respond to your office's comments in the Staff Report for the Humboldt County Planning Commission in preparation for the Planning Commission's meeting on January 5, 2017 to approve the project.

To prepare our comments for the Planning Commission, Mr. Voice and I have some questions for your office concerning SHCP's drinking water supply, which your office raised in its comments on the Draft EIR. Specifically, we are concerned about whether the water from the unnamed spring is potable and whether it is (and needs to be) a public water system.

**1. Annexation of SHCP into the Garberville Sanitation District ("GSD"):**

Your September 20, 2016 comment letter stated that SHCP would either need to form a new public water system or potable water would need to come from Garberville Sanitary District (GSD) for any intended development that the project is meant to accommodate. (SWRCB Comment letter, pg. 1.)

In the Final EIR's responses to comments, the Planning Department states that SHCP will not be annexed into nor receive water from GSD. (See FEIR, p. 36 (Response to Humboldt Focal Agency Formation Commission re: annexation to the GSD); FEIR, p. 38

(Response to GSD re: annexation of park); FEIR, pp. 65-66, 68, 69, 72 (Response to Saxton/Voice Comments, C6-1, C6-2 (“The commenter states that spring water is not potable...”), C6-6, C6-11, C6-21, respectively).<sup>1</sup>

**Questions:**

- (A) Is SHCP required to provide water obtained from a public water system?
- (B) If SHCP does not receive water from GSD, is SHCP required to develop a new public water system before it can provide water to the public?

**2. New Public Water System**

Your office’s comment letter of September 20, 2016 states:

“If it is determined that a new public water system will need to be formed in order to supply potable water to future development, the following list of items should occur, at a minimum:

- 1) An application will need to be submitted to our office for formation of a new *public water system*.
- 2) Technical, managerial, and financial capacity for the proposed new *public water system* will need to be demonstrated, along with proof of water rights.
- 3) Source water assessments will need to be completed on any proposed water sources.”

**Question:** Has SHCP taken steps to satisfy any of the three listed items above?

**3. Potable Nature of Water from Unnamed Spring**

In November of 2013, SHCP submitted an Application for Pre-Planning Funding to the California Department of Public Health, Safe Drinking Water State Revolving Fund Pre-Planning and Legal Entity Formation Assistance Program. (See Attached) On page 4, sections (a) and (b) of the Application, SHCP stated:

- Water is supplied to the Park from an untreated spring which is used from December 1 to June 30
- Water from the spring is stored in a 55,000 gallon tank to serve water demands from July 1 through November 30
- A groundwater well supplies water for agricultural purposes on the property
- Water quality sampling has not been conducted [at that time] on the water sources and SHCP does not have access to historical sampling records.

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<sup>1</sup> See also, FEIR p. 79 (Response to Saxton/Voice comment, C7-7); FEIR, p. 89 (Response to McKaskle comment, C12-1); FEIR pp. 124-125 (Response to LaBoyeaux comment, C18-5); FEIR, p. 128 (Response to Lewis Comment, C19-1).

- The Tooby Park caretaker who lives on a portion of SHCP property recalls that when Humboldt County conducted testing, the water tested high for iron and manganese.
- Currently [at that time], the water comes out of the tap brown and the caretaker must run the system for an hour before it clears up.
- While the water has not been sampled, there is concern about contamination of the spring water from bacteria from animal waste and other sources.

However, the Planning Department's response to comments for the Final EIR states that SHCP can provide potable water. (*See*, FEIR, p. 68 (Response to Saxton/Voice Comments C6-6). As evidence, the Final EIR references a water quality test performed on February 9, 2016 by North Coast Laboratories showing an absence of Total Coliform and E.coli. (FEIR, p. 68; *see* attached North Coast Laboratories test result.) The Final EIR states that the North Coast Laboratories test shows that the water meets drinking water standards. (FEIR, p. 68.) The Final EIR further states:

“Iron was not found to be high in tests completed and manganese limits are secondary maximum contaminant levels, which are non-enforceable guidelines regulating contaminants that may cause cosmetic effects (such as skin or tooth discoloration) or aesthetic effects (such as taste, odor, or color) in drinking water. Thus, these constituents do not make the water non-potable.” (FEIR, p. 68.)

#### **Questions:**

- (A) Does the February 2016 North Coast Laboratories test result establish that the water from the spring is potable? If not, what additional information would be needed to make that determination? (i.e., location of sample, location of spring, spring development construction, quantity produced in dry and rainy seasons, repeated testing, testing for constituents in addition to Total Coliform and E.coli) Is SHCP or the Planning Department qualified to make that determination or does it need to be made by the SWRCB's Drinking Water Division?
- (B) Does the North Coast Laboratories test result provide any information about the presence and/or level of iron or manganese in the spring water?
- (C) Are there enforceable limitations for iron and/or manganese?
- (D) In order to be potable, does the spring water need to come from groundwater and not be surface water influenced? Generally, what type of testing would be required to establish that?

#### **4. Adequacy of Planning Department's Insertion in Staff Report in Response to SWRCB's comments on the Draft EIR**

As you are aware, the Final EIR omitted your office's comments on the Draft EIR. Based on the December 6, 2016 email to you from Michael Richardson, Senior Planner for the Department of Planning, the Staff Report for the Planning Commission's January 5, 2017 meeting to approve the project will include the following excerpt in response to your office's comments on the Draft EIR:

“The project shall comply with the requirements of the State Office of Drinking Water as described in their letter to the Planning Commission dated September 30, 2016 (*sic*). The project applicant shall work closely with the State Office of Drinking Water to ensure compliance with public water system requirements before installing new public drinking water services from on-site water supplies. The applicant shall revise the Plan of Operation to incorporate new information about water supply and distribution that meets the requirements of the Office of Drinking Water as soon as possible, and prior to the first Medium Size event.”

**Question:** Does the above excerpt satisfy the concerns your office raised in response to the Draft EIR? If not, what additional provisions should be included in the Final EIR?

Thank you very much for your attention to these issues. Please let me know if there's any additional information that I can provide to assist you. Mr. Voice and I will submit our comments to the Planning Commission on January 2, 2017, so any information that you can provide to us prior to then would be greatly appreciated. If you have any questions, you can contact me at (415) 317-6713 or via email. I believe you also have Mr. Voice's contact information.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynne R. Saxton", written over a horizontal line.

Lynne R. Saxton  
Saxton & Associates

# **Exhibit B**



State of California—Health and Human Services Agency  
California Department of Public Health

NOV 12 2013

Headquarters - Sacramento



RON CHAPMAN, MD, MPH  
Director & State Health Officer

EDMUND G. BROWN JR.  
Governor

SAFE DRINKING WATER STATE REVOLVING FUND  
PRE-PLANNING AND LEGAL ENTITY FORMATION ASSISTANCE PROGRAM

**2013 APPLICATION FOR PRE-PLANNING FUNDING**

Applicants must submit **one complete paper copy and one digital copy** (on a CD/DVD in Adobe .pdf or Microsoft Word .doc format) of the application and all required attachments and supporting documentation by mail to :

**ATTN: TECHNICAL SUPPORT UNIT**  
California Department of Public Health  
Safe Drinking Water State Revolving Fund Program  
P.O. Box 997377  
Sacramento, CA 95899-7377

**APPLICATION DUE DATE: NOVEMBER 8, 2013 (post marked)**

For assistance and application guidance please contact Kim Dinh at (916) 552-9127 or [Kim.Dinh@cdph.ca.gov](mailto:Kim.Dinh@cdph.ca.gov)  
or your local Regional Funding Coordinator (RFC):  
<http://www.cdph.ca.gov/programs/Documents/DDWEM/OriginalDistrictMapCDPH.pdf>

**APPLICANT (Please print or type)**

Legal Name of the Applicant (Name of entity applying for funding)

**Southern Humboldt Community Park**

Location of the Project (define geographic area and/or identify affected community)

**Garberville, CA**

Title of the Project

**SHCP Water Supply Evaluation and LAFCO Annexation Project**

County

**Humboldt**

Authorized Representative\*

**Kathryn Lobato**

Title

**Executive Director**

Address (number, street)

**PO Box 185**

City

**Garberville**

ZIP code

**95542**

Office Telephone

**(707)923-2928**

e-mail

**kathryn@sohumpark.org**

Mobile Telephone

**(707)223-4300**

Fax

( )-

\*Authorized Representative: Identify the person who has the authority to sign documents pertaining to this 2013 application and funding agreement for Pre-Planning funds. If there is a change of the authorized representative prior to final execution of the funding agreement, CDPH must be notified immediately in writing with a copy of a new resolution.

**APPLICATION CERTIFICATION**

**I declare under penalty of law the following:**

- The truthfulness of all representations in this application;
- The individual signing the form has the legal authority to submit this application on behalf of the applicant;
- There is no current, threatened or pending litigation that may impact the financial condition of the applicant or its ability to complete the proposed Project;
- The applicant will comply with all terms and conditions identified in this application if selected for funding; and
- The applicant has legal authority to enter into a contract with the State.

Signature:

Title:

*Kathryn Lobato, Executive Director*

Date:

*11-7-2013*

Legal Name of the Applicant

**Southern Humboldt Community Park**

**ADDITIONAL PROJECT CONTACT INFORMATION** (Use additional sheets as necessary)

List additional people if necessary that may be contacted for the Project. This may include project managers, administrative staff, professional contractors, and individuals filling out this application, etc.

Additional Project Contact <b>Rebecca Crow</b>		Title/Project Role <b>Project Engineer</b>	
Address (number, street) <b>718 Third Street</b>	City <b>Eureka</b>	ZIP code <b>95501</b>	Office Telephone <b>(707)443-8326</b>
e-mail <b>rebecca.crow@ghd.com</b>	Mobile Telephone <b>(707)497-9294</b>	Fax <b>(707)444-8330</b>	

Additional Project Contact <b>Dennis Huber</b>		Title/Project Role <b>Board Chairman</b>	
Address (number, street) <b>PO Box 185</b>	City <b>Garberville</b>	ZIP code <b>95542</b>	Office Telephone <b>(707)923-2928</b>
e-mail <b>lelahuber@asis.com</b>	Mobile Telephone <b>(707)496-8223</b>	Fax <b>(-)=-</b>	

Additional Project Contact		Title/Project Role	
Address (number, street)	City	ZIP code	Office Telephone
			( )
e-mail	Mobile Telephone	Fax	
	( )	( )	

**ORGANIZATION TYPE OF THE APPLICANT** (Use additional sheets as necessary)

**Specify the Organization Type of the Applicant:**

<b>Public Organization</b>	<b>Private Organization</b>
<input type="checkbox"/> Municipality <input type="checkbox"/> County Agency <input type="checkbox"/> Special District <input type="checkbox"/> Irrigation District <input type="checkbox"/> Other: _____	<input type="checkbox"/> Incorporated Mutual <input checked="" type="checkbox"/> Non-Profit Organization - Federal Tax ID #: <b>75-3073362</b>  <i>Note: Non-profit organizations must include the appropriate IRS non-profit Federal Tax ID number.</i>

**APPLICANT RESOLUTION (OR OTHER AUTHORIZING DOCUMENT APPLICABLE TO YOUR ENTITY)**

The applicant must submit a resolution from the applicant's governing body designating the authorized representative and authorizing that individual to apply for SDWSRF Pre-Planning funds, sign a funding agreement, sign a Budget and Expenditure Summary, sign claim forms and a final release. (See sample resolution at the end of this application.)

1. Resolution Status:	<input type="checkbox"/> Pending, copy to be submitted when approved by governing body	<input checked="" type="checkbox"/> Approved, copy attached
-----------------------	--	---

If the resolution/other authorizing document has been approved by the applicant's governing body, **attach** a copy of the resolution/authorizing document to the application. If the authorization is pending, state the date that the authorization will be approved and any other information on its status. The resolution/authorizing document should be submitted to CDPH as soon as it is finalized.

2. Provide any additional information on the resolution status (i.e., date scheduled for approval).

**N/A - Resolution Attached.**



## WORK PLAN

The work plan consists of two parts:

**Part A** is in report format, questions and topics to be considered are provided below. Please provide relevant and concise details in your responses.

**Part B** is intended to be a task oriented overview. Please use the supplied template.

The work plan must be a concise, responsive, and well-developed plan such that the applicant will be ready to proceed with implementation of work plan activities if funding is awarded. Refer to the "Solicitation for 2013 Pre-Planning Applications" for a list of eligible and ineligible Project components: [www.cdph.ca.gov/services/funding/Pages/Pre-Planning.aspx](http://www.cdph.ca.gov/services/funding/Pages/Pre-Planning.aspx)

**Note:** A "Project" for the purposes of the 2013 Pre-Planning application is limited to activities related to assisting communities with existing drinking water quality or quantity public health problems in the exploration and formation of an entity with the required legal authority to enter into a contract with the State for SDWSRF planning or construction funding. These funds are not intended to be used for activities which are eligible for funding under SDWSRF planning or construction projects.

## WORK PLAN – PART A

### 1. PROJECT PURPOSE

- a. Provide a description of the Project, issues to be addressed and the goals to be achieved. The objectives should be specific, attainable, and relevant to successful completion of the Project. Discuss information relevant to the success of the Project.

The proposed project is to complete the necessary steps to annex the Southern Humboldt Community Park (SHCP) into the Garberville Sanitary District (GSD). Currently, the SHCP facilities are serviced by a combination of untreated surface water and groundwater wells. The goal of the project is to provide clean drinking water to community members at SHCP Facilities. The objectives of the project are to determine the water demands at the SHCP and available supply from a combination of GSD and SHCP water sources; to complete the CEQA document necessary to support annexation of the SHCP into GSD; to complete a LAFCO annexation application and submit for processing; and upon successful completion of the annexation process to complete the necessary water rights documentation for the expanded service area.

- b. Describe the Project location. This should include a general description of the affected area and the county in which the affected area is located. **Attach** a map identifying the specific geographical area.  
**The Southern Humboldt Community Park is located in an unincorporated area of southern Humboldt County, approximately one mile south of Garberville, at the intersection of Sprowel Creek Road with Camp Kimtu Road, located at 934 Sprowel Creek Road as shown in Figure 1 (attached).**
- c. **Attach** a parcel map that shows the location of homes and/or businesses included in the Project, if available.  
**All facilities proposed to be served by the project are located on Assessor's Parcels 222-241-009 and 222-091-014, which compose the SHCP boundary as shown on Figure 1 (attached).**

### 2. BACKGROUND

Identify the drinking water public health problem in the affected community. Questions to address, if applicable, are as follows:



- a. What is the source of water (domestic well or surface water)?  
Water is supplied to the Park from an untreated spring which is used from December 1 to June 30. Water from the spring is stored in a 55,000 gallon tank to serve water demands from July 1 through November 30<sup>th</sup>. A groundwater well supplies water for agricultural purposes on the property.
- b. What is the contaminant(s) (if applicable)?  
Water quality sampling has not been conducted on the water sources on the SHCP property. SHCP also does not have access to historical sampling records. The Tooby Park caretaker who lives on a portion of the SHCP property recalls that when Humboldt County conducted testing, the water tested high for iron and manganese. Currently, the water comes out of the tap brown and the Tooby Park caretaker must run the system for an hour before it clears up. While the water has not been sampled, there is concern about contamination of the spring water from bacteria from animal waste and other sources.
- c. What is the contaminant concentration level(s) (if applicable)? Provide the number of samples collected per parcel and range of detected concentrations, if available. Describe how the results represent the defined geographic area.  
As discussed under Item b. above, the SHCP has not conducted sampling to provide details on possible contamination. The public health issues are discussed in more detail below in Item d.
- d. Describe the public health problem and explain how it fits into an SDWSRF Category A-G. **Attach** any available supporting documentation.

*Consider the following example responses:*

- Water quality testing results indicate elevated nitrate concentration levels, including some that exceed the MCL. Documentation attached includes a list of wells serving the affected area, water quality sampling results of a representative number of these wells, and verifies groundwater sources are scattered throughout the community, indicating the problem is widespread. Therefore we believe this would satisfy the requirements for a Category F ranking.
- The community was constructed in a hard rock area, the geology of which is known to cause the limited production of water in wells. In recent years the community has faced an increasing water quantity problem. Documentation attached lists parcels in the affected community and indicates those with a considerable decrease in pumping rates, including some wells that have gone dry. It is our understanding this supports a Category E ranking.

The primary public health issue to be addressed is the unfiltered surface (spring) water used on the property. Water Systems which have a surface supply that is unfiltered and for which state filtration avoidance criteria has not been met, qualify as Category C in the SDWSRF ranking criteria. The SHCP is currently planning on expanding the use of the property and thus water use on the property will also be expanded. Safe potable water will be needed for park visitors as well as the current Park residents.

### 3. COMMUNITY SUPPORT

Community support is crucial to the successful completion of your Project. Please use the below section to demonstrate the extent of your public outreach and the public's response to it. A *Sample Acknowledgement Form* has been provided at the end of this application for your use. (Note that points are awarded based upon the degree of community support received. **Only property owner(s) of developed parcels can commit to participating as that is the person(s) with the legal authority to bind the property.**)

- a. Has the governing entity to be formed already been determined?

Yes

If yes, please describe the steps taken to determine the entity, any pre-formation activities and **attach** any supporting documentation (if applicable).

The Garberville Sanitary District is an already formed legal entity. They currently have the authority to provide water and wastewater services. They are currently regulated by CDPH and have received funding from CDPH. The annexation proposed in this application would be for the Southern Humboldt Community Park to be annexed into the GSD.

- b. Have the steps to form the selected governing entity been identified? ☒ YES ☐ NO

If yes, have the tasks to accomplish the formation been included in Part B of the work plan? ☒ YES ☐ NO

Include any comments on the selected governing entity or its formation or governance, if necessary, in the box below.

This project proposes that the Southern Humboldt Community Park Annex to the Garberville Sanitary District (GSD). GSD is already a legal entity. The steps for annexation are laid out in the work plan which is part of this application.

- c. Is there written proof of support by affected property owners to be part of the Project? ☒ YES ☐ NO

If yes, please describe the steps taken and **attach** any supporting documentation.

The property to be annexed is owned wholly by the Southern Community Park which is governed by a board of directors. All directors are in favor of the proposed project. An Acknowledgement Form signed by the Board of Directors of the Park is attached as proof of support. In addition, the GSD is in support of this project. Also attached to this application is a letter from GSD supporting the pre-planning application which was unanimously approved by the GSD Board.

- d. If the applicant has conducted public outreach or held community meetings to gauge support of the Project, describe those actions in detail and **attach** any relevant supporting documentation.

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# **Exhibit C**



**NORTH COAST LABORATORIES LTD**  
5680 West End Rd, Arcata, California 95521 (707)822-4649

Please complete the following sample information:

☒ **POTABLE WATER** ☐ **SOURCE WATER** ☐ **WASTEWATER**  
System # Spring Sampling Time 830  
Location Garberville Sampled By Jana Silva  
Sampling Date 2/9/16 Phone # (707) 923-2928  
☒ Routine Sample ☐ Repeat ☐ Replacement ☐ Special

Payment is due at time of service. We are pleased to accept the following (please check one):

☒ Check \$ 35- # 3867 ☐ Cash \$ \_\_\_\_\_  
☐ Visa ☐ Mastercard ☐ Am. Express ☐ Discover \$ \_\_\_\_\_

If you are paying by credit card and are not submitting samples in person  
please use the enclosed form to provide credit card information

Attn/email: \_\_\_\_\_  
Name Kathryn Lobato  
Address P.O. Box 185  
City/State/Zip Garberville, CA 95542

DATE CLIENT NOTIFIED \_\_\_\_\_ INITIALS \_\_\_\_\_  
DATE REGULATOR NOTIFIED \_\_\_\_\_ INITIALS \_\_\_\_\_

For Office Use Only

SAMPLE TEMP (°C) 8.8 C ON ICE? ☒ Y ☐ N H / I  
REC'D BY PR TIME REC'D \_\_\_\_\_  
DATE REC'D 2/9/16 INOC 1201 2-9-16 SJD  
SAMPLE # 11002201-1 READ 1210 2-10-16 SJD

**TESTS REQUESTED:** ☒ Presence / Absence ☒ Total Coliform Absence  
☐ QUANTI-TRAY ☐ Fecal Coliform  
☐ 3 X 5 MTF ☒ E.coli Absence  
☐ HPC ☐ \_\_\_\_\_  
☐ \_\_\_\_\_

Quanti-Tray/2000: Total coliform \_\_\_\_\_ / (large/small) E. coli \_\_\_\_\_ / (large/small)

Bacterial Examination Report															
Hrs	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
24															
48															
24															
48															
24															

Quality Assurance Unit

Item	Matrix	Code	Qty	List Price	Test Total
Coliform Presence/Absence	Aqueous	330	1	\$35.00	\$35.00

**Order TOTAL: \$35.00**

Discount: 0.00%

Surcharge: 0.00%

Misc Charges: \$0.00

Subtotal: \$35.00

Payment Received: \$35.00

**INVOICE Total \$0.00**

**Comments:** Kathryn Lobato  
PO Box 185  
Garberville, CA 95542