



AGENDA ITEM 8A

MEETING: July 17, 2019

TO: Humboldt LAFCo Commissioners

FROM: George Williamson AICP, Senior Advisor

SUBJECT: **Garberville Sanitary District Water Services Extension Outside the District's Boundary to APN 222-091-015 (Southern Humboldt Community Park)**
The Commission will receive information and discuss a request submitted by the Garberville Sanitary District (GSD) to extend water services to a portion of Southern Humboldt Community Park.

California Government Code Section 56133 requires cities and special districts to request and receive written approval from LAFCo before entering into agreements to provide new or extended services outside their jurisdictional boundaries. The Commission may authorize new or extended services outside its jurisdictional boundaries but within its sphere of influence "in anticipation of a later change of organization". It is Humboldt LAFCo's policy that the inclusion of an area to be served within the sphere of influence of the subject agency shall be sufficient to comply with this provision.

PROJECT APPLICATION

The proposal involves a Garberville Sanitary District (GSD) water service extension to Southern Humboldt Community Park (SHCP) property at 1144 Sprowel Creek Rd (APN 222-091-015) located outside the District's boundary but within its Sphere of Influence (SOI). The subject property is considered uninhabited (less than 12 registered voters). The proposed service area (project area) is limited to a small portion of the subject parcel rezoned by the County of Humboldt to public facilities (and identified in Attachment A as "public facility sections"). The water service under consideration is for service to the existing residences along with their outbuildings and addition of public water fountains around the various park access and usage locations. Proposal proceedings were initiated by GSD Resolution of Application, in response to a SHCP request.

The proposed project would connect a 3/4" meter to the existing GSD Tooby Ranch Road 8" line. This meter would be limited to providing 2,000 cubic feet per month and subject to other conditions set forth in GSD Resolution of Application No 19-02 (Attachment B). The extension of water service to the project property also requires a State Water Resources Control Board Department of Rights approval – a Petition for Change in the Place of Use for the GSD License and Permit.

BACKGROUND

In 2004 the GSD purchased the Garberville Water Company and took on its water service responsibility. This Water Company system provided water service to the project area. At that time the subject property included additional territory on the easterly side,

including a residence known as the "yellow house". This residence and the park property buildings were all served by one meter. In 2009 lot lines were adjusted and the "yellow house" property (now APN 222-091-011) and the SHCP property (now APN 222-091-015) became two separate legal parcels with a single water connection.

In 2014 GSD completed an annexation process to extend its jurisdictional boundaries to include those areas served by the water service system, including APN 222-091-011. GSD reports that during this process it was established that the existing connection belonged with APN 222-091-011 ("yellow house" property) and that the SHCP property would be given a separate connection in the future once they had completed their general plan amendment rezoning project, which would rezone part of the SHCP property from Agricultural Exclusive to Public Facility.

SHCP has completed its County rezoning process, generating a renewed request for a GSD water service connection. According to the District's application, historically, the property operated as ranch dating back to the 1800s and still has some ongoing agricultural projects. Since 2000, the site has been operating as the Southern Humboldt Community Park. In addition to the facilities to be served by the water connection, it has 3.5 miles of trails, a playground, picnic areas, and a swimming beach that are used by the public. Use of the park site was estimated at 46,000 visitor days per year in 2012.

SHCP has indicated that they plan to expand user facilities in the future, potentially including the construction of ball fields, concessions stand, public restrooms, a convention center, event facilities, and other development as discussed in the Park's 2016 Final EIR (State Clearinghouse Number 2010092037). These expanded user facilities have not contemplated a part of this application. Should the park require District water for future expanded uses beyond the 2,000 cubic feet of water per month to the structures described in the project description they will need to initiate a new separate approval process with the GSD Board, and potentially Humboldt LAFCo, and the SWRCB-DWR depending on circumstances.

CONSIDERATIONS

Reasons for Proposal

According to the LAFCo Application, the principal reasons for the sewer connection and annexation are as follows:

"This is a public park that needs potable water for the public users of the park. They are currently using bottled water which creates an excessive amount of plastic solid waste. The two existing residences on the property used to have water service from GWC and would like to reestablish their service. We believe that an out of agency approval is more appropriate for the level and locations of service that we are willing to provide to this property."

Water Supply

SHCP would be given one new connection (3/4" meter) off the 8" waterline that was constructed as part of the Drinking Water Improvement Project on Tooby Ranch Road. As stated above, the proposed new 3/4" meter is for residential and public recreation drinking fountain uses only and is not intended to be used to serve future development

on the Property contemplated by SHCP. The usage for the connection is limited to 2,000 cubic feet per month (20 units). GSD indicates that water usage will be monitored monthly in conjunction with the reading of the meters. GSD intends to notify SHCP each time the usage reading is in excess of the 2,000 cubic feet per month limit (approximately 180,000 gallons per year and shut the meter off if the usage is more than 1.5 times (3,000 cubic feet per month) the allowable quantity for any 2 months in a 12-month period. If the meter is shut off, the SHCP will have to petition the Board for reinstatement of service and obtain approval from LAFCo if necessary.

SHCP would be responsible for all costs associated with the installation of the new meter, pressure reducer, and backflow preventer plus any associated appurtenances. The Park would be responsible for constructing the waterlines within Park property to bring the potable water to all locations that are to be served with potable water. This will mean constructing an extensive and expensive network of new waterlines to keep the potable water separate from the various other untreated water sources that the Park uses on their property.

GSD reports that they have sufficient water capacity to serve this proposal and have already set aside the amount of water being requested by the Park and this amount was disclosed in the District's Mitigated Negative Declaration and in the 2019 Water Capacity Study.

Environmental Review

All matters that involve discretionary action are subject to the applicable provisions of the California Environmental Quality Act (CEQA). GSD as the project applicant is considered the lead agency, however since Humboldt LAFCo is responsible for an action, it is considered a responsible agency under CEQA §21069 which states that a "'Responsible agency' means a public agency, other than the lead agency, which has responsibility for carrying out or approving a project".

In 2013, GSD prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the GSD Annexation Project: Change in Jurisdictional Boundary & Place of Use project. This document discussed the SHCP as a potential future service area and included a 2,000 cubic foot allocation in their total allocated water summary. A direct impact analysis for this service was anticipated as part of the SHCP Environmental Impact Report (EIR) for proposed land use changes by the County of Humboldt. The IS/MND did take water services to SHCP into consideration under cumulative impacts in anticipation of the future SHCP project which is located within the GSD SOI. However, the GSD took no action on a services extension to SHCP based on the IS/MND.

In 2016, the County of Humboldt released a Draft EIR for land use and zoning updates for the SHCP parcels. This document outlined and discussed impacts from installation of additional water lines throughout the park for both potable and non-potable water to support proposed expanded public recreation activities. Analysis also considered current water demands for SHCP facilities and anticipated demands based on the proposed project.

Other Supporting Documents

A Water Supply and Demand Analysis Memorandum was prepared for Phase 1 and Phase 2 of SHCP planned upgrades. This document, which was included as an appendix to the SHCP EIR, provides an estimate of water demand by facility and area for the SHCP plan. The conclusion of the document states that while existing water sources can cover the demand created by Phase 1 of the project, Phase 2 would require additional water sources.

GSD recently prepared their 2018 Annual Water Capacity Analysis report which discusses current and future water uses. The 2,000 cubic foot per month allotment for SHCP was included in this analysis and it was determined that there are adequate water sources to serve this purpose.

Humboldt LAFCo Review

Humboldt LAFCo will consider GSD's application for an Out of Service Area Extension to portions of SHCP at a noticed public hearing and take a discretionary action to approve or deny the extension. This power is granted to Humboldt LAFCo by CKH Act §56375(p). In order to take a discretionary action, Humboldt LAFCo will adopt CEQA documentation which may require analysis beyond that prepared. Since Humboldt LAFCo is responsible for an action, it is considered a responsible agency under CEQA §21069 which states that a "'Responsible agency' means a public agency, other than the lead agency, which has responsibility for carrying out or approving a project".

Cumulative impacts on water demand, including the 2,000 cubic feet set aside for SHCP, were considered and discussed in the 2013 IS/MND prepared by GSD for their Annexation Project: Change in Jurisdictional Boundary & Place of Use project. GSD is now proposing what would be considered a minor change under CEQA Guidelines 15162(a) and 15164(b) to their Place of Use. Any previously unconsidered impacts associated with this change are anticipated to be less than significant with no additional mitigation.

Impacts associated with water line construction on SHCP property were considered in the 2016 SHCP EIR. SHCP FEIR Figure 3-11 which shows the locations of their existing waterlines - both potable and irrigation - along with the location of the GSD SWTP and the connection point in Tooby Ranch Road that will be made. The construction work will be within the Tooby Ranch Road Easement and GSD anticipates it will include a short (less than 20') waterline section, a meter box, a backflow preventor, and possibly a pressure reducer.

Existing water lines will be used where possible and construction of new water lines to connect with GSD are anticipated to be limited. The location of the new water lines, if any, may change from what was originally proposed in the EIR in order to align with the new connection to GSD. However, impacts from construction are unlikely to change significantly from those previously discussed in the EIR.

Additionally, proposed SHCP facility upgrades are not under the purview of Humboldt LAFCo and not be considered as part of its action. The Humboldt LAFCo is currently considering the change in service obligation for GSD in anticipation of future annexation of SHCP. This fulfills one of the purposes of the commission as outlined in the

CHK Act §56301 which is “encouraging the efficient provision of government services and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances.”

Commission Policy

The Commission has a locally-adopted policy and procedural guidelines by which the Commission considers requests for the extension of services pursuant to Government Code Section 56133. Commission policy relevant to this application includes:

- Boundary Change Policy 4.3(6) - Annexations to cities and districts involving territory located within the affected agency's sphere of influence are generally preferred to out of agency service agreements. The Commission recognizes, however, there may be instances when out of agency service agreements are appropriate given local circumstances.
- Criteria for Authorizations of Out of Agency Service Requests (Boundary Change Policy 4.3(7))

The Commission and the Executive Officer shall limit out of agency service agreements to public health and safety emergencies and circumstances where:

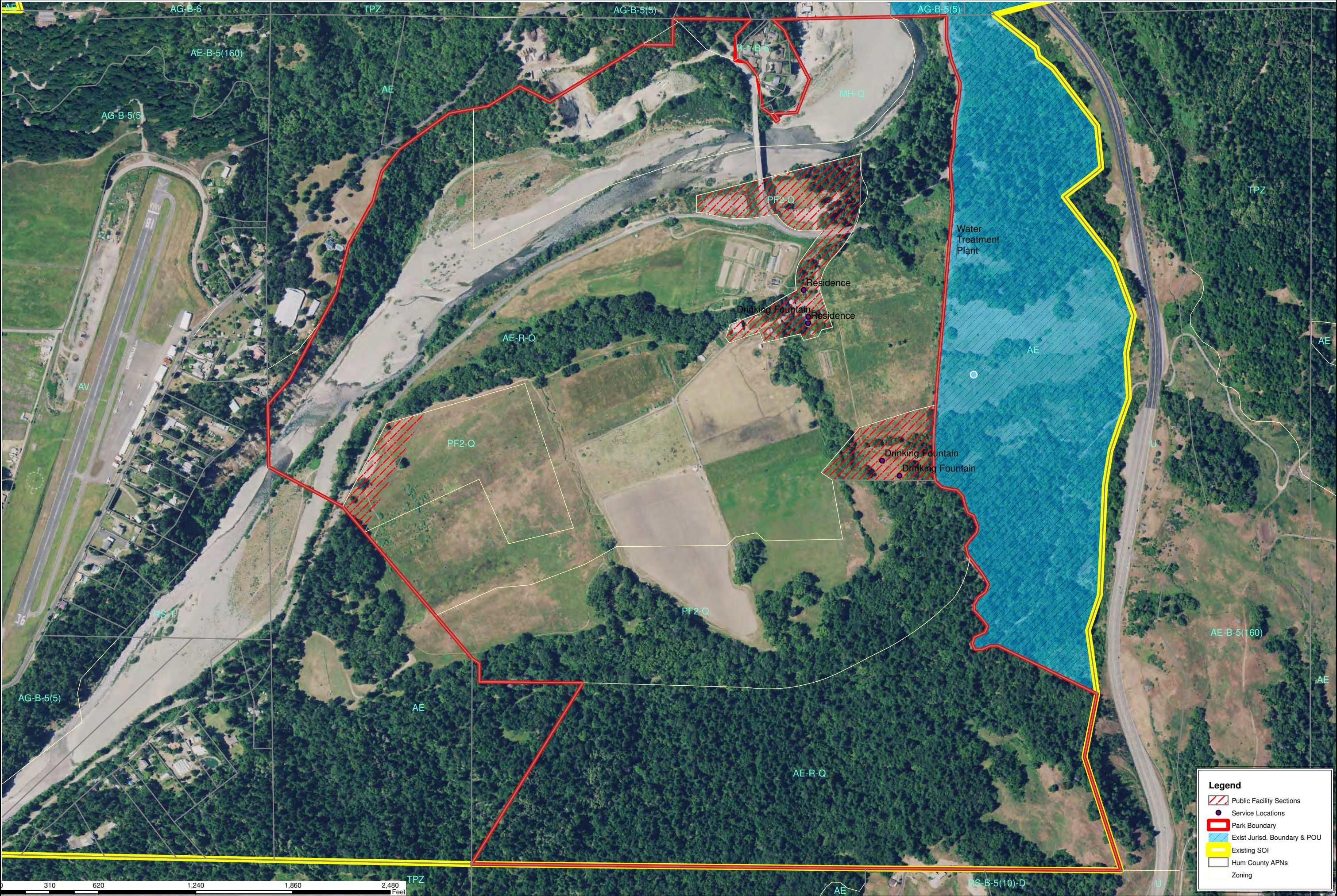
- a. Sufficient service capacity exists;
- b. Annexation would not be practicable. In determining whether an annexation is practicable, the Commission shall consider the sphere of influence determinations for the affected territory in accordance with Government Code 56425(e); and
- c. The out of agency service request is determined by the Commission to be consistent with the policies adopted in and pursuant to the Cortese-Knox-Hertzberg Act.

PROCEDURES FOR CONSIDERATION

This application has been received as is presented as an informational item only. LAFCo staff have not yet found the application to be complete and are working with the applicant and property owner. Subsequent to staff determining the application to be complete, appropriate noticing as required by LAFCo policy will be provided and the item will be scheduled for schedule public hearing (anticipated to be September 18, 2019). As a part of this application, GSD has submitted a request to waive fees of behalf of SHCP (see Agenda Item 8B).

Attachments:

- Attachment A: Proposed Public Facility Area Map
- Attachment B: GSD Resolution of Application No 19-02
- Attachment C: Communication Record
- Attachment D: SHCP FEIR Figure 3-11



Legend

- Public Facility Sections
- Service Locations
- Park Boundary
- Exist Jurisd. Boundary & POU
- Existing SOI
- Hum County APNs
- Zoning

Figure No. 01	Scale	1:6,500	Date	06/07/19	Drawn By	J. SHORT	Client Name: Garberville Sanitary District	Project Name: SHCP Water Service	4Js Consulting P.O. Box 653, Blue Lake, Ca 95525



GARBERVILLE SANITARY DISTRICT

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

RESOLUTION NO. 19-02

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE GARBERVILLE SANITARY DISTRICT
EVALUATING EXISTING CEQA DOCUMENTS FOR USE ON A WATER SERVICE FOR THE
SHCP AND APPROVING AN APPLICATION FOR AN OUT OF AGENCY SERVICE TO
REESTABLISH THE WATER SERVICE TO APN 222-091-015 (SHCP) AND MODIFY THE
SWRCB-DWR PLACE OF USE**

Recitals

1. WHEREAS, in 2014 the Garberville Sanitary District (the "District") completed modification of its Place of Use for its surface water diversion permit and license and annexed certain areas of land into its jurisdictional boundary ("Annexation Project");
2. WHEREAS, as part of the Annexation Project, the District, with the assistance of its retained consultant SHN Consulting Engineers & Geologists, Inc., ("SHN"), performed an analysis of potential environmental impacts associated with the Annexation Project;
3. WHEREAS, the District prepared the Final Mitigated Negative Declaration dated September 2013, which is the Draft Mitigated Negative Declaration that was circulated for review and comment, and supplemented based upon the comments received; and
4. WHEREAS, the Final IS/MND included an accommodation for future reconnection of the SHCP to the GSD water system including conditions of service; and
5. WHEREAS, the SHCP would like to make minor revisions to these conditions of service to allow for public drinking fountains to be added to the allowable residential uses; and
6. WHEREAS, a Notice of Completion of the Draft Environmental Impact Report for the Southern Humboldt Community Park was filed with the State Clearinghouse on April 28, 2016 (State Clearinghouse No. 2010092037) was filed by Humboldt County as the lead agency; and
7. WHEREAS, a Notice of Availability was published in accordance with Public Resources Code section 21092 and CEQA Guidelines section 15087 on May 9, 2016 and was sent by mail to organizations and individuals who requested such notice by Humboldt County. The Notice of Availability provided for a public comment period commencing on May 9, 2016 and ending on June 27, 2016; and
8. WHEREAS, the County received public and agency comments on the draft document; and
9. WHEREAS, in accordance with CEQA, all comments received on the Draft EIR during the public comment period were responded to and included in a Final Environmental Impact Report (Final EIR) completed on November 14, 2016; and

RESOLUTION 19-02

10. WHEREAS, on January 5, 2017, the Humboldt County Planning Commission held a duly noticed public hearing to receive testimony on the adequacy on the Final EIR; and
11. WHEREAS, the Final EIR was reviewed and considered by the Planning Commission, consistent with the requirements of the California Environmental Quality Act (CEQA) prior to making its recommendations; and
12. WHEREAS, on January 5, 2017, the Planning Commission voted to recommend that the Humboldt County Board of Supervisors certify the Final EIR for the Southern Humboldt Community Park and approve the Project as proposed, with a minor modification; and
13. WHEREAS, the Humboldt County Board of Supervisors held duly noticed public hearings to review and consider and receive testimony on the Southern Humboldt Community Park and the Final EIR on March 28 and April 25, 2017; and
14. WHEREAS, the Board of Supervisors deliberated the matter on March 28, 2017, and directed County staff to prepare these findings supporting certification of the Final Environmental Impact Report for the Southern Humboldt Community Park, adoption of a Statement of Overriding Considerations, and adoption of the proposed project for final Board action on April 25, 2017; and
15. WHEREAS, on April 25, 2017, the Board of Supervisors completed its deliberations, and now desires to make environmental findings, certifying the Final Environmental Impact Report for the Southern Humboldt Community Park, adopt a Statement of Overriding Considerations, and approve the Mitigation Monitoring and Reporting Program (FEIR, Chapter IV) ; and
16. WHEREAS, the Humboldt County Board of Supervisors adopted Resolution 17-35 on April 25, 2017 which included:
 - a. adopting the Findings of Fact contained in Attachment A - Part 2,
 - b. certifying the Final Environmental Impact Report for the Southern Humboldt Community Park (consisting of the Draft EIR, Final EIR, and all appendices)
 - c. adopting the Statement of Overriding Considerations in Support of the Final Environmental Impact Report for the Project (Attachment A - Part 3)
 - d. incorporating and adopting all of the mitigation measures described in the Final EIR applicable to the Project including the Mitigation Monitoring and Reporting Program
17. WHEREAS, the GSD Board of Directors has reviewed and considered all of the environmental documents associated with the Humboldt County Board of Supervisors actions; and
18. WHEREAS, the GSD Board of Directors on January 29, 2019 received and reviewed the 2018 Annual Water Capacity Report, which documented on page 13-14 the Districts continued commitment to allocate 2,000 cubic feet per month; and
19. WHEREAS, the SHCP has requested that GSD make applications as necessary to LAFCo and SWRCB-DWR to reconnect the Park to the GSD water system for the existing residential uses and construction of several public drinking water fountains around the park property.

Resolution

NOW, THEREFORE, the Board of Directors of the Garberville Sanitary District hereby resolves as follows:

1. The condition of approval for service to the SHCP are amended to be as follows:
 - A. SHCP will be given one new connection (3/4" meter) to rectify the condition that both the yellow house and the park are served off the same meter. This condition was created in 2009 when the Lot Line Adjustment was recorded and the property line was moved so that the residential structures were split into two properties.
 - B. The SHCP will make application for this new service connection from Tooby Ranch Road off the 8" waterline that was constructed as part of the Drinking Water Improvement Project. A new meter would be set here for SHCP service.
 - C. No connection fee will be charged, but the SHCP would be responsible for all costs associated with the installation of the new meter, pressure reducer, and backflow preventer plus any associated appurtenances.
 - D. The one new 3/4" meter is for residential and public recreation drinking fountain uses only and is not intended to be used to serve future development on the Property contemplated by SHCP or shown in the Final EIR as adopted by Humboldt County.
 - E. The usage for the connection is limited to 2,000 cubic feet per month (20 units). The usage will be monitored monthly in conjunction with the reading of the meters. The SHCP will be notified each time the usage reading is in excess of the 2,000 cubic feet per month limit. The meter will be shut off if the usage is more than 1.5 times (3,000 cubic feet per month) the allowable quantity for any 2 months in a 12 month period. If the meter is shut off, the SHCP will have to petition the Board for reinstatement of service and obtain approval from LAFCo if necessary.
 - F. As part of the application for the new connection, the SHCP will be required to enter into a legally binding agreement that will be recorded for the parcel agreeing to the stipulated types and quantities of use as well as the enforcement methods."
 - G. The Final IS/MND prepared for the Annexation Project (State Clearinghouse No. 2012032025) identifies the circumstances described above and listed these conditions. As part of the impact analysis to determine sufficient water supplies, the CEQA document accounts for a future consumption quantity of up to 2,000 cubic feet per month (approximately 180,000 gallons per year) for APN 222-091-015.
 - H. Since the new SHCP connection is to be made at Tooby Ranch Road, the Park would be responsible for constructing the waterlines within Park property to bring the potable water to all locations that are to be served with potable water. This will mean constructing an extensive and expensive network of new waterlines to keep the potable water separate from the various other untreated water sources that the Park uses on their property. The County Public Health Department will determine which locations need potable water.
 - I. Any proposed uses other than the 2,000 cubic feet per month for the public drinking fountains, two residences and the existing outbuildings are not being approved by the District and will be evaluated based upon the District's available water supply at such time as the Park requests any expanded water uses. The SHCP will need to be specific about these additional uses so that GSD can determine if we have sufficient water capacity to supply those levels of use.

RESOLUTION 19-02

- J. The District has limited water sources and many not have water available for any expanded uses at the Park.
2. The Board of Directors hereby finds that the Final Mitigated Negative Declaration for the Annexation Project, along with the Final Environmental Impact Report and associated documents recited above are sufficient to use in making application to Humboldt LAFCo and the State Water Resources Control Board Division of Water Rights;
 3. The Board of Directors hereby approves the APPLICATION FORM FOR CITIES AND DISTRICTS TO PROVIDE SERVICES OUTSIDE AGENCY BOUNDARIES and authorizes the Chair of the Board to sign all documents necessary, including the indemnification, to process the LAFCo approvals, and to submit the Application to Humboldt LAFCo.
 4. The Board of Directors hereby approves the PETITION FOR CHANGE for the District's Place of Use on the License and Permit, and authorizes the Chair of the Board to sign all documents necessary to process the SWRCB-DWR approvals, and to submit the Petition to SWRCB-DWR.

On motion of Director Richard, and seconded by Director Julie, the foregoing Resolution is Passed and adopted this 18th day of June, 2019, by the following roll call votes:

AYES:	Directors	<u>Linda, Richard, Julie</u>
NOES:	Directors	<u>0</u>
EXCUSED:	Directors	<u>Rio Anderson</u>
		<u>Gina K. Brubaker</u> , Chairperson

ATTEST:

Ralph Emerson
Ralph Emerson, Clerk of the Board

Humboldt LAFCo July 17 Agenda Item 8 A ATTACHMENT C

Email June 13 2019 to: Dear Humboldt LAFCo Commission and Staff, from E Voice
I wanted to remind Humboldt LAFCo about the comments as stated in the response to Humboldt LAFCo, GSD and public comments during the Southern Humboldt Community Park (SHCP) General Plan Amendment and Final CEQA EIR process, from November 2016 and in part are quoted below:

<https://humboldt.gov/DocumentCenter/View/57014/FEIR-Southern-Humb-Comm-Park-November-2016-PDF-9MB>

LETTER B3 Humboldt Local Agency Formation Commission B3-1

The commenter correctly describes much of the history of the potential annexation of the project site into the Garberville Sanitary District (GSD). However, since the site was excluded from the 2014 annexation process by GSD, the project applicant has moved on to address the park's water needs. The applicant completed a water supply and demand analysis, which showed there are adequate water supplies within the control of the applicant to develop the project. Further, the project includes a proposal for the use of an upland well as part of the overall water supply strategy. Water withdrawn from this well would not affect flows on the South Fork Eel River, which would be the case for water supplied from GSD. Thus, the proposed system of providing water from a range of sources available to the applicant is more environmentally beneficial, and annexation to GSD is not necessary.

LETTER B4 Garberville Sanitary District B4-1

The commenter states that the project should not provide potable water to the public unless the project site is annexed to the Garberville Sanitary District (GSD), which would provide potable water. As discussed in Section 4.17, Utilities and Service Systems, of the DEIR, the project would have adequate supplies of potable water; thus, annexation to GSD is not necessary. The commenter repeats the flow mitigation measures included in the DEIR as a possible condition for future GSD water use. Since these mitigations are already included in Mitigation Measure BIO-5, there is no need for the project to connect to GSD to follow these diversion limits. Lastly, the commenter presents a concern about future connection to the GSD sewer system. The project does not include a proposal to connect to the GSD sewer system.

LETTER C6 Saxton & Associates C6-21

Annexation to GSD has not been proposed as part of the project and was not included as a mitigation measure because it was found that adequate water could be provided to the site without annexation. If annexation were to occur at a future date, further environmental review may be required. See the responses to Comments B3-1 and B4-1 regarding annexation to GSD and comments submitted by the Humboldt Local Agency Formation Commission (LAFCo) and GSD.

EV Comments:

With that being said and as you can clearly read from these 3 examples to the SHCP Final CEQA EIR response to comments, there was no review, study, mitigation or findings that disclosed or discussed using treated or metered water from GSD in conjunction with the SHCP project or property and what direct or indirect affect it would

have on the environment. Nor does the Final CEQA EIR disclose, discuss or analyze the past or future existence of potable water provided by either the Garberville Water Company (past) or GSD (future) and was NOT considered by the Planning Commission or Humboldt County Board of Supervisors through the Humboldt County General Plan Amendment process.

So in other words, both Option 1 or Option 2, as proposed by GSD, would require additional environmental review and substantial revision throughout the whole public record and environmental review process under CEQA, in addition to the Humboldt County General Plan Amendment process.

For example, § 15155 (f):

(f) The degree of certainty regarding the availability of water supplies will vary depending on the stage of project approval. A lead agency should have greater confidence in the availability of water supplies for a specific project than might be required for a conceptual plan (i.e. general plan, specific plan). An analysis of water supply in an environmental document may incorporate by reference information in a water supply assessment, urban water management plan, or other publicly available sources. The analysis shall include the following:

- (1) Sufficient information regarding the project's proposed water demand and proposed water supplies to permit the lead agency to evaluate the pros and cons of supplying the amount of water that the project will need.*
- (2) An analysis of the reasonably foreseeable environmental impacts of supplying water throughout all phases of the project.*
- (3) An analysis of circumstances affecting the likelihood of the water's availability, as well as the degree of uncertainty involved. Relevant factors may include but are not limited to, drought, salt-water intrusion, regulatory or contractual curtailments, and other reasonably foreseeable demands on the water supply.*
- (4) If the lead agency cannot determine that a particular water supply will be available, it shall conduct an analysis of alternative sources, including at least in general terms the environmental consequences of using those alternative sources, or alternatives to the project that could be served with available water.*

Note: Authority cited: Section 21083, Public Resources Code. Reference: Section 21151.9, Public Resources Code; and Sections 10910-10915, Water Code; and Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova (2007) 40 Cal. 4th 412. Thank you, Ed Voice

Email June 20 2019 to: Jennie Short, Garberville Sanitary District, from E Voice
I wanted to comment concerning what you stated during June 18, 2018 GSD Board meeting, SHCP agenda item B.1; you stated, in part:

"The fact that GSD as a water source was not included in the Park's EIR was unfortunate and that would have been ideal if that had been done."

So in order for your theory to work and what was included in your staff report and recommendation; both the Park EIR and the GSD Annexation IS/MND should have been on the same page, i.e. both including review of a GSD potable water source.

However, both CEQA documents are light years apart in sheer size, scope, consumption and source. It's why we suggested a Programmatic EIR in our public comments to the Annexation IS/MND; due to the subsequent discretionary approvals that will be made pursuant to Mitigation Measure No. 1, the District refrain from annexing the Community Park until after the Park's EIR is completed and the District is informed about the water requirements and consumption rate.

As of today, the only connection between the GSD Annexation IS/MND and the Park's EIR for a GSD potable water source is your interpretation and not found to be included in the public record.

And I don't understand why GSD is passing the buck to Humboldt LAFCo, since It's clearly the Park that would need to amend their EIR to include, address and review a new (none existent) potable water source from GSD under CEQA, which would include authority of Humboldt County Planning (project lead agency), then Humboldt LAFCo would take a stab at it after it was completed, approved and certified, e.g. easy peasy lemon squeezy...

Besides the 46,000 visitors the SHCP claim visit the Park on a day to day annual basis and under their new GPA EIR and CUP, they are allowed an unlimited number of what's called "Small events"; allowing up to and not exceeding 800 attendees per day, per event. This was included in their phase 1 plan of operation (CUP) and in their EIR and approved by Humboldt County, i.e. new location of the Garberville Rodeo grounds.

However, what the GSD Board approved on June 18, 2019, expanded the area of water service on the Park property to more than 3 times what was included in the GSD Annexation IS/MND and added 3 more water connections, e.g. public drinking fountains, which was not mitigated or addressed in the GSD Annexation IS/MND and certainly not mentioned whatsoever in the Park EIR as coming from a potable GSD water source.

And, unless GSD incorporates the "Option 2" water restriction into the GSD Annexation IS/MND and the Park EIR, without mitigation or review under CEQA, there is no teeth for that restriction, not as written. Again, it was never apart of the public record or included in the Park EIR.

And on a side and personal note; IMHO. I thought it was disingenuous of the Park Board not to be present and answer questions during that GSD Board public meeting on June 18, 2019, agenda item B.1. I hope they attend the LAFCo Commission meeting or at least take part in a general public discussion concerning their request of potable water from GSD. Thank you for your time and consideration in this matter, Ed Voice

Email June 24, 2019 to: Garberville Sanitary District Board (GSD) of Directors & Staff, I wanted to discuss the changes and increased place of use for the proposed new water service and drinking water connections (APN 222-091-015) by the GSD Board for the Southern Humboldt Community Park (SHCP) property, as recommended and approved by the GSD Board, e.g. Resolution 19-02, dated June 18, 2019. Please see Figure 1, June 18, 2019 GSD Board meeting agenda item B.1, page 30, in the link below:
<https://www.garbervillesd.org/files/e8c7411c3/BOD+Meeting+Agenda+Packet+June+18%2C+2019.pdf>

Back on June 12, 2016, I emailed Michael Richardson (Humboldt County Planning), concerning the SHCP GPA Re-zone.

Now, after looking at Figure 1, it would seem to me, where GSD has expanded the proposed new water service and added even more new water connections from GSD to the SHCP, these are the same area's intended and included in the SHCP EIR/CUP for commercial use, not residential use; including and not limited to the magnitude, frequency, duration and "scale" of commercial events, not residential use, i.e. One multiple day/night Festival with camping for up to 5000 persons per day and unlimited commercial events up to 800 persons a day year round.

Since the May 28, 2019 GSD Board meeting and the June 18, 2019 GSD Board meeting; why was the proposed GSD water service and single connection, that was included in the GSD Annexation IS/MND and supposedly reviewed under CEQA, modified, changed and expanded as shown in Figure 1 (June 18, 2019) from what was agendized and approved at the May 28, 2019 GSD Board meeting, e.g. Option 2?

Page38: <https://www.garbervillesd.org/files/05ea30f3c/BOD+Meeting+Agenda+Packet+May+28%2C+2019.pdf>

Thank you, Ed Voice

My questions to Michael Richardson:

Over the years (2009-2016), the Park Board has explained from their website, newspapers articles and on KMUD radio (as recently as June 8th 2016 7 pm) that rezoning and changing the land use classification from AE/AL/AR to PF/PR for the SHCP property is required by Humboldt County even for the smallest of public activities, even public access for low-impact recreation activities to all parts of the park, including Tooby Memorial Park.

So my question(s):

1) If there were no public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agriculture Exclusive **Zone and access to the property only included day to day; walking, hiking, bicycling, horse back riding, swimming, boating, fishing, nature study by individuals, families or small groups, picnics, weddings, celebrations, memorials by families or small groups, and impromptu recreation by families or small groups, would the County still require the same rezoning and land use changes as included in the current SHCP GPA/CUP/DEIR for those activities?**

2) Does the SHCP property only require the proposed GPA rezoning, land use changes and Conditional Use Permit because of the permeate construction, magnitude, frequency and duration of; public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agriculture Exclusive Zone?

And Micheal's reply was:

To accommodate the scale of the public assembly and recreation they are proposing, a change to the zoning is necessary. If they were to propose uses that are consistent with the existing zoning, including existing non-conforming uses, they would not need to rezone the property. The No Project alternative included in the DEIR evaluates that scenario.

Email June 26 2019 Dear Humboldt LAFCo Commission and Staff;

Please include the following public comments into the administrative record for the July 17, 2019 Humboldt LAFCo Commission meeting and agenda.

Please reference my comments with the Garberville Sanitary District (GSD) request and inquiry to the proposed actions of GSD Resolution 19-02, that was approved and forwarded to Humboldt LAFCo (June 18, 2019) for its consideration and provide water service to the Southern Humboldt Community Park (SHCP) property.

1. Nothing included in the SHCP Final EIR reviewed, addressed or mitigated the existence of past or future water service from GSD. Because if it did, it would have been included.

2. Just because GSD included the SHCP project in GSD Annexation IS/MND as a notable mention, i.e. "Other Projects in the Garberville Area", doesn't mean it was reviewed, addressed, studied or mitigated under CEQA. In fact, as of June 18, 2019, GSD has now increased the area to be served with water (Place of Use) on the SHCP property, compared to what was mentioned in the GSD Annexation IS/MND. GSD has increased the Place of Use by more than 3 times and added more access and use of water for non-residential and domestic use in those new designated areas within the SHCP property boundary, that are only intended for commercial events, i.e. private events, fundraisers, concerts, festivals; how were these changes reviewed, addressed, mitigated and restricted under CEQA?

3. In the SHCP Final EIR response to comments, it was made abundantly clear, the only use and source of water intended for use on the SHCP property came from the SHCP property's "adequate supply of potable water", it did NOT include a water source from GSD. How the GSD Board would consider otherwise and make that claim in Resolution 19-02 is ludicrous.

4. As per Jennie Short, to the GSD Board on June 18, 2019; she acknowledges the elephant in the room:

"The fact that GSD as a water source was not included in the Park's EIR was unfortunate and that would have been ideal if that had been done."

5. SHCP FEIR Response to Comments, in part they state:

<https://humboldt.gov.org/DocumentCenter/View/57014/FEIR-Southern-Humb-Comm-Park-November-2016-PDF-9MB>

LETTER B3 Humboldt Local Agency Formation Commission B3-1

The commenter correctly describes much of the history of the potential annexation of the project site into the Garberville Sanitary District (GSD). However, since the site was excluded from the 2014 annexation process by GSD, the project applicant has moved on to address the park's water needs. The applicant completed a water supply and demand analysis, which showed there are adequate water supplies within the control of the applicant to develop the project. Further, the project includes a proposal for the use of an upland well as part of the overall water supply strategy. Water withdrawn from this well would not affect flows on the South Fork Eel River, which would be the case for water supplied from GSD. Thus, the proposed system of providing water from a range

of sources available to the applicant is more environmentally beneficial, and annexation to GSD is not necessary.

LETTER B4

Garberville Sanitary District

B4-1

The commenter states that the project should not provide potable water to the public unless the project site is annexed to the Garberville Sanitary District (GSD), which would provide potable water. As discussed in Section 4.17, Utilities and Service Systems, of the DEIR, the project would have adequate supplies of potable water; thus, annexation to GSD is not necessary. The commenter repeats the flow mitigation measures included in the DEIR as a possible condition for future GSD water use. Since these mitigations are already included in Mitigation Measure BIO-5, there is no need for the project to connect to GSD to follow these diversion limits. Lastly, the commenter presents a concern about future connection to the GSD sewer system. The project does not include a proposal to connect to the GSD sewer system.

LETTER C6

Saxton & Associates

C6-21

Annexation to GSD has not been proposed as part of the project and was not included as a mitigation measure because it was found that adequate water could be provided to the site without annexation. If annexation were to occur at a future date, further environmental review may be required. See the responses to Comments B3-1 and B4-1 regarding annexation to GSD and comments submitted by the Humboldt Local Agency Formation Commission (LAFCo) and GSD.

6. As stated, there was no review, study, mitigation or findings that disclosed or discussed using treated or metered water from GSD in conjunction or included within the SHCP FEIR project or property or what direct or indirect affect/effect it would have on the environment. Nor does the Final CEQA EIR disclose, discuss or analyze the past or future existence of potable water provided by either the Garberville Water Company (past) or GSD (future) and was NOT considered by the Planning Commission or Humboldt County Board of Supervisors through the Humboldt County General Plan Amendment process. By what method did the GSD Board surmise that this new water connection was included in the Parks EIR?

7. For example, CEQA Guidelines, § 15155 (f):

(f) The degree of certainty regarding the availability of water supplies will vary depending on the stage of project approval. A lead agency should have greater confidence in the availability of water supplies for a specific project than might be required for a conceptual plan (i.e. general plan, specific plan). An analysis of water supply in an environmental document may incorporate by reference information in a water supply assessment, urban water management plan, or other publicly available sources. The analysis shall include the following:

(1) Sufficient information regarding the project's proposed water demand and proposed water supplies to permit the lead agency to evaluate the pros and cons of supplying the amount of water that the project will need.

(2) An analysis of the reasonably foreseeable environmental impacts of supplying water throughout all phases of the project.

(3) An analysis of circumstances affecting the likelihood of the water's availability, as well as the degree of uncertainty involved. Relevant factors may include but are not limited to, drought, salt-water intrusion, regulatory or contractual curtailments, and other reasonably foreseeable demands on the water supply.

(4) If the lead agency cannot determine that a particular water supply will be available, it shall conduct an analysis of alternative sources, including at least in general terms the environmental consequences of using those alternative sources, or alternatives to the project that could be served with available water.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Section 21151.9, Public Resources Code; and Sections 10910-10915, Water Code; and Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova (2007) 40 Cal. 4th 412. Thank you, Ed Voice

Email June 26 2019 to Mr. Williamson and Humboldt LAFCo Staff,

Given the fact that both Supervisor Bass and Fennell voted to approve the Southern Humboldt Community Park (SHCP) General Plan Amendment to rezone and change the land use classifications of the Park, certified the CEQA Environmental Impact Report and Conditional Use Permits and Supervisor Fennel attended private events and meetings with the SHCP Board and had private communications with the SHCP Board outside of public meetings; IMHO, there is a conflict of interest and lack of impartiality. And now, for their part hearing and voting on this matter in front of Humboldt LAFCo, given they are both Humboldt LAFCo Commissioners, as well as County Supervisors.

Because of public perception, I request both Supervisor Bass and Fennell recuse themselves from any Humboldt LAFCo proceedings or vote that includes the Southern Humboldt Community Park.

Thank you, Ed Voice

Email June 27 2019 to Mr. Williamson and Humboldt LAFCo Staff,

Given the fact that both Supervisor Bass and Fennell voted to approve the Southern Humboldt Community Park (SHCP) General Plan Amendment to rezone and change the land use classifications of the Park, certified the CEQA Environmental Impact Report and Conditional Use Permits and Supervisor Fennel attended private events and meetings with the SHCP Board and had private communications with the SHCP Board outside of public meetings; IMHO, there is a conflict of interest and lack of impartiality. And now, for their part hearing and voting on this matter in front of Humboldt LAFCo, given they are both Humboldt LAFCo Commissioners, as well as County Supervisors.

Because of public perception, I request both Supervisor Bass and Fennell recuse themselves from any Humboldt LAFCo proceedings or vote that includes the Southern Humboldt Community Park.

Thank you, Ed Voice

Email June 27 to Ralph Emerson <remerson@garbervillesd.org> from evoice@mchsi.com

Dear GSD GM Emerson, Please see attachment, near the end of page one, you are quoted to have said:

"LAFCo said the community park is not a public agency and that there needs to be a public agency that fills out the application"

You also made this statement during the June 18, 2019 GSD Board meeting, directed to the Board, during discussion with the Board concerning resolution 19-02, agenda item B.1, e.g. SHCP. Who at LAFCo told you that?

Have you, as the GSD GM read the Humboldt LAFCo procedures in regards to annexation, i.e. it states, from the Humboldt LAFCo website, in part:

"Applications to LAFCo may be submitted by resolution of application by a city or special district, or by petition of landowners or registered voters"

Nothing, not one word you stated or quoted is included in that Humboldt LAFCo application procedure for annexation. So it begs the question; could the SHCP have submitted their application by petition, all on their own, as the landowner? The answer is YES! Why didn't the GSD GM, Staff or contracted consultant research, inquire or examine the facts concerning annexation? It took me all of 5 minutes with my phone and google!

If you don't like the term or being called the "lead agency", you shouldn't have filed the SHCP application. Because for as much as you like to say, GSD "will not pay for that, the Park will pay", how much staff and contract consultant time did GSD pay to produce all the documents, research and paperwork that was included in resolution 19-02 and agenda item B.1? Because I don't recall you or the GSD Board stating the SHCP is going to reimburse the GSD ratepayers for all that time and money spent on a feasibility study, request and application to Humboldt LAFCo, without knowing who, what, why, where and when... Ed Voice

Email June 29 2019 to Dear Humboldt LAFCo Commission and Staff,

I have highlighted and made individual scans of the 3 different maps and figures, what GSD labeled the SHCP "Service Prohibition Zone" within the SHCP property for water service in 2012. As you can see, what was included in scan0002 and scan0003 is only the proposed 4 acres suggested by the GSD Board. However, the idea of the SHCP being included in the GSD Annexation IS/MND was short lived and the SHCP was completely excluded from the GSD annexation process in early 2013. In scan0001 is how it has morphed, expanded and approved by the GSD Board during the June 18, 2019 GSD Board meeting, with no review under CEQA.

If you read the public record concerning the debate over how much of the SHCP would or would not be included in the GSD Annexation back in 2012, the fact is, its all null and void, according to the GSD "Letter of Intent" (LOI), dated August 30, 2012; because it was never signed or agreed to by the SHCP Board. It's the last page of the attachment I sent you, to include with my public comments.

The fact that Jennie Short wants you to believe GSD promised the SHCP they would be included "some day" after they finish and get their EIR approved is rubbish. With no signed LOI from either parties, it's a foregone conclusion, or "null and void" as the public record states...

Thank you, Ed Voice

Email June 30 Ralph Emerson <remerson@garbervillesd.org> from evoice@mchsi.com

Dear GSD Board, GM and Staff,

According to Resolution 19-02, that was adopted and approved by the GSD Board on June 18, 2019; in item "G", it states:

G. The Final IS/MND prepared for the Annexation Project (State Clearinghouse No. 2012032025) identifies the circumstances described above and listed these conditions. As part of the impact analysis to determine sufficient water supplies, the CEQA document accounts for a future consumption quantity of up to 2,000 cubic feet per month (approximately 180,000 gallons per year) for APN 222-091- 015

That statement included in Resolution 19-02 ("G") was false, and a deliberate misstatement. This item misinformed the public and misinforms Humboldt LAFCo concerning the facts; because according to SCH # 2012032025, GSD has changed and deleted the wording to what was actually stated in SCH # 2012032025 and as stated in agenda item B.1 from the April and May 2019 GSD Board meeting agenda's and changed/deleted in the June 2019 GSD Board meeting.

You cannot just say "*The Final IS/MND prepared for the Annexation Project (State Clearinghouse No. 2012032025) identifies the circumstances described above and listed these conditions.*" Because you changed and deleted the original language and intent of what was included in SCH # 2012032025; expanded the area of water service to more than 3 times, including 3 new locations water service can be served on the SHCP property that does not comply to domestic or residential use, all during the June 18, 2019 GSD Board meeting, pages 23, 24 and 25 (agenda item B.1) with NO review under CEQA.

I request there be a second reading of Resolution 19-02 during the next GSD Board meeting in July and item "G" from Resolution 19-02 be changed to reflect the facts and not a prevarication. Please include these comments into the administrative record and GSD Board meeting agenda for July.

Thank you, Ed Voice

Email June 30 to Dear Humboldt LAFCo Commission and Staff,

Please see and read attachment. Please include with my comments as attachment 2; included into the administrative record and agenda for the July 17, 2019 Humboldt LAFCo Commission meeting, i.e. Garberville Sanitary District Application and proposed water service for the Southern Humboldt Community Park.

This page was included in the SHCP Final EIR (page 2-2).The 4 Area's I have checked are also encompassed in red in scan0001.

As you can read from the project description, the use of water from GSD in these area's are not intended for domestic or residential use, but the use of water for small, medium and large commercial events and public assembly, and the water source from GSD was not included, reviewed or considered in the SHCP Final EIR.

Thank you, Ed Voice

Email July 1 to Ralph Emerson <remerson@garbervillesd.org> from evoice@mchsi.com

To continue this conversation,

Let's look at one example of what wording and language was changed and deleted from the original SCH # 2012032025 discussion for the GSD Annexation IS/MND to what was stated in GSD Resolution 19-02.

In part, here is what was included in SCH # 2012032025, item "d.":

d. The one new ¾" meter is for residential use only and is not intended to be used to serve future development on the Property contemplated by SHCP in the application for a General Plan Amendment (and associated applications for a conditional use permit, the Operational Plan, and the CEQA Initial Study Checklist as submitted to the Humboldt County Planning Department by SHCP) currently on file with the Humboldt County Planning Department.

And here is what was changed and included in Resolution 19-02, as item "D.":

D. The one new ¾" meter is for residential and public recreation drinking fountain uses only and is not intended to be used to serve future development on the Property contemplated by SHCP or shown in the Final EIR as adopted by Humboldt County.

1. So here lies the conundrum; why did GSD feel the need to change the specific original language and intent of item "d." to item "D."?
2. And given the fact, none of this information was included, discussed, reviewed, addressed, mitigated or "shown in the Final EIR as adopted by Humboldt County"?
3. It also questions the validity of such a statement, since it was instigated by a public agency and does not serve in the best interest of its ratepayers to misstate and mislead the truth and facts concerning this resolution!

I look forward to your response in both emails, Thank you, Ed Voice

Email July 1 to Dear Humboldt LAFCo Commission and Staff,

Please include the attached document into my public comments as attachment 3, for the July 17, 2019 Humboldt LAFCo meeting agenda and administrative public record.

It is an historic and informational account of water service to the Southern Humboldt Community Park, as stated and included into the public record and GSD Board meeting agenda, October 22, 2013.

This is my last request, Thank you Ed Voice

Email July 2 to Ralph Emerson <remerson@garbervillesd.org> from evoice@mchsi.com

I would like to end this conversation with the following facts.

If you take my example from the email below and consider the use of the words "not intended", as included in item "d." and "D.", which in no way can be considered or mistaken as binding legal obligations; too much wiggle room, unless the intent was to create one in the first place.

Let me give you an example, please see the attachment (within page 9/page 2 of 4).

Now here we have legally binding language, with the intent of restricting the use of water (mitigation) on the SHCP property with no wiggle room, as proposed and prepared by GSD from August 30, 2012 and included into the public record, October 9, 2012, GSD Board meeting agenda item VI.4., and I quote:

5. If the connection contemplated in paragraphs 2, 3 and 4 of this letter is sought by SHCP, the connection will be for residential use only and will not be used to serve the future development on the Property contemplated by SHCP in the application for a General Plan Amendment (and associated applications for a conditional use permit, the Operational Plan, and the CEQA Initial Study Checklist as submitted to the Humboldt County Planning Department by SHCP).

6. Regardless of connection location, if the residential connection contemplated in paragraphs 2, 3 and 4 of this letter is constructed, it should not (and cannot) be considered by SHCP or Humboldt County as evidence of a willingness by the District to serve any future structure or any modification of an existing structure on the Property.

Wow, now that's restrictive. And I would bet, it was written by GSD legal counsel, not staff. My point, if GSD's intent was to create a loophole big enough to drive a Mack truck through by using the term "not intended", then you have succeeded. However, if you look at the original intent (attachment) it was 100% restrictive. So in other words; if you legally intend to restrict or mitigate the use of water as proposed and conveyed by GSD, for a specific use and area within the SHCP property, you should have used the appropriate legally binding language, that would do just that, i.e. "*will not be used*" and "*it should not (and cannot) be considered*".

IMHO, I would have used the word *shall*, as in *shall not*. I hope for the sake of the South Fork Eel River water quality, life cycle of aquatic species, GSD ratepayers and down stream public water purveyors this legally binding language will be implemented to future contractual obligations and enforceable agreements between GSD and SHCP.

Why didn't GSD use the language of this "letter of Intent" (attachment), in Resolution 19-02? Thank you for your time, consideration and public service, Ed Voice

Email July 11 to Dear Humboldt LAFCo Commission and Staff,
FYI, please see new (7/9/19) local newspaper article concerning Humboldt LAFCo, GSD and the request for a water service connection from the Southern Humboldt Community Park. Of interest to Humboldt LAFCo, read attached Image (98), far right column; this contains new information and quotes from Mr. Williamson.

If I was the SHCP, the least of my worries would have the Humboldt LAFCo fees waived (\$2000.00), compared to the cost of amending their EIR, GPA, rezoning and land use reclassification, with review of a new water source from GSD under CEQA; given that Mr. Williamson does not state the obvious and does not mention the elephant in the room, which would be annexation. So yeah, \$2000.00 would be a drop in the bucket compared to that. Guess the SHCP will need to get another private loan and go deeper and deeper in debt. So much for being sustainable with their own on-site water sources,

and to quote from the SHCP response to Humboldt LAFCo's comments during the CEQA EIR process:

"The applicant completed a water supply and demand analysis, which showed there are adequate water supplies within the control of the applicant to develop the project. Further, the project includes a proposal for the use of an upland well as part of the overall water supply strategy. Water withdrawn from this well would not affect flows on the South Fork Eel River, which would be the case for water supplied from GSD. Thus, the proposed system of providing water from a range of sources available to the applicant is more environmentally beneficial, and annexation to GSD is not necessary" Ed Voice

Email, received July 5 2019 To Mr. George Williamson. Please include this email to the agenda for the July 17th LAFCo Board Meeting concerning the Garberville Sanitary District's application for a boundary change.

I was the community volunteer on the SOI Ad Hoc Committee at GSD in 2009 and have attended GSD meetings for the last ten years, during which time the SHCP has asked for water service for their Park from GSD but only on their terms. Dennis Huber, Chairman of the SHCP Board was on the Committee and another Park Board member, Carol Van Sant was a backup member. From 2011 to 2013, GSD was doing their Municipal Service Review and SOI update and were preparing for an annexation of hundreds of acres of properties into their new jurisdictional boundary. From the beginning, GSD tried to include the SHCP into their District annexation process but after months, then years, it became obvious that the SHCP would not submit the basic information needed for the process. Also it became expensive for GSD to keep SHCP in the process. Jennie Short said in a public meeting that it had cost \$40,000 of ratepayer funds trying to please the SHCP. Finally GSD offered the SHCP an "island of service" within the annexation, with a residential-only connection to GSD water. SHCP rejected that offer insisting that their whole 435 acre property be connected or not at all.

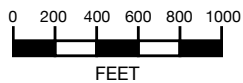
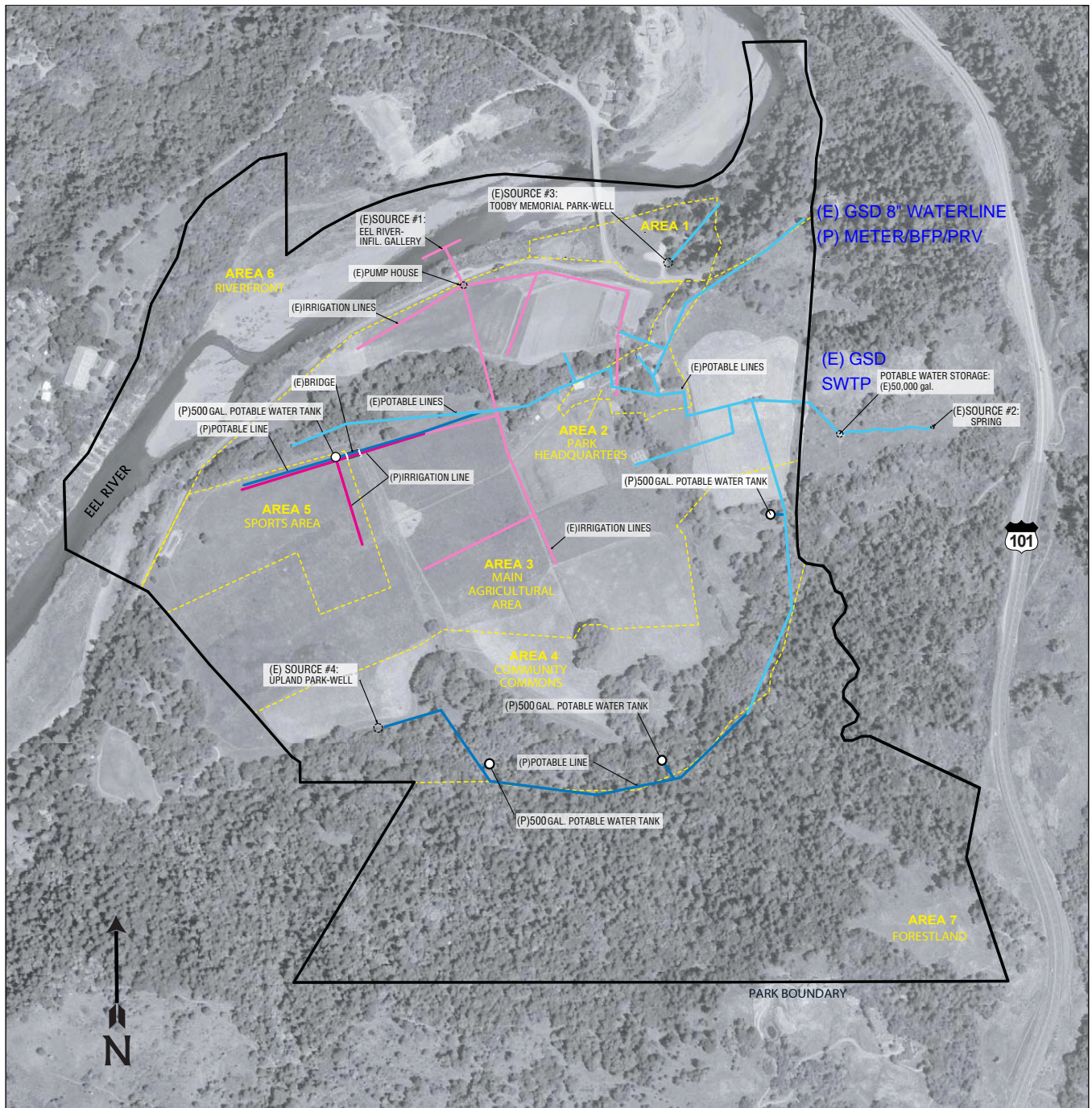
After that, SHCP went on to produce their own EIR and clearly stated in it that they had no need for any outside sources of potable water for their residential or commercial needs. Since the SHCP's EIR made no mention of even the possibility of needing a future service connection to GSD, it lacks any discussion of environmental impacts and mitigations under CEQA. GSD's Annexation EIR does have a minimal description of what was offered to the SHCP (the island of service) in the annexation process but not an adequate review under CEQA.

My concern about this request by GSD to serve water to SHCP is that it is not just about discarded plastic water bottles. It requests a significantly larger "island of service" than the one described in 2012 GSD annexation. It requests more water in more areas of the Park than ever before. It sets up water in each of the commercially zoned areas of the Park. These are zoned Public Facilities, (PF) which allows for heavy impact uses. The PF zones mapped out in the Park's EIR are for concerts and festivals, public restrooms, campgrounds, a public meeting center, a sports center and ball fields. My concern is that piping GSD water out to all these areas of the Park creates the opportunity to use it for PF purposes without any CEQA review or mitigations to significant impacts.

The recent application submitted to you through GSD contains Resolution 19-02. This a new Resolution that compares the application that is in front of you today with one that GSD offered to the Park in 2012. The truth is that they are quite different because the wording was changed in Resolution 19-02 and does not match the original 2012 “island of service” offer. The new wording blurs the boundary between residential and commercial uses of water on the SHCP property and opens the door to impacts that should be analyzed under CEQA in a normal annexation process.

I urge LAFCo to follow its regular policy of requiring annexation for applicants who are already within their District’s SOI.

Thank you for your attention. Kristin Vogel, PO Box 453, Garberville, CA 95542, 707-923-9284



- (E) EXISTING POTABLE LINES
- (P) PROPOSED POTABLE LINE
- (E) EXISTING IRRIGATION LINES
- (P) PROPOSED IRRIGATION LINES
- (P) PROPOSED POTABLE WATER TANKS
- AREA BOUNDARY

Figure 3-11

WATER INFRASTRUCTURE

SOURCE: Ross Huber, 2014