



AGENDA ITEM 8A

MEETING: May 21, 2014

TO: Humboldt LAFCo Commissioners

FROM: George Williamson, Executive Officer

SUBJECT: **Preview of Proposed Annexation of Garberville Water Company Serviced Properties to the Garberville Sanitary District**

LAFCo has received a proposal filed by the Garberville Sanitary District to annex areas currently served by the water system purchased from the Garberville Water Company (GWC) in 2004. The annexation area consists of 84 Assessor's parcels which are all within the District's sphere of influence. The Commission will receive an informational presentation from Garberville Sanitary District staff regarding its annexation proposal. This report is being presented for information only.

BACKGROUND

On September 24, 2013, the Garberville Sanitary District Board adopted a Mitigated Negative Declaration (GSD Resolution No. 13-008), after circulating two public review draft initial studies and one final initial study. Subsequently, the State Water Resources Control Board (SWRCB) Division of Water Rights (DWR) took action on the District's "Petition to Change the Place of Use for the Permit and License". As a result, the adopted Place of Use is consistent with the proposed Jurisdictional Boundary.

For its action on the Place of Use, the SWRCB DWR served as responsible agency and filed a Notice of Determination with the State Clearinghouse. Similarly, LAFCo would serve as responsible agency for the proposed jurisdictional change. LAFCo staff independently reviewed and commented on all three initial studies. The District provided responses to the most recent comment letter (see Attachment A).

At a noticed public hearing held on April 22, 2014, the Garberville Sanitary District Board adopted a Resolution of Application to LAFCo (GSD Resolution No. 14-004) for which the District provided a 21-day "Notice of Intent" to all potential affected or interested agencies. Comments were received from the Humboldt County Department of Health and Human Services, Division of Environmental Health regarding the possibility for the Rivercrest Mutual Water Company to be included in the proposed Jurisdictional Boundary.

An annexation application was submitted to LAFCo on April 29, 2014. In addition to the proposed jurisdictional change, the application also contains a request for the Commission to revisit the conditions adopted for the Kimtu Waterline in LAFCo Resolution No. 10-06, to allow the District to connect 13 parcels to the Kimtu Waterline utilizing the existing stub-outs that the Commission approved in May 2012 in LAFCo Resolution No. 12-07. The District prepared a Plan for Services, which contains a

discussion of the Kimtu waterline history, LAFCo conditions, and the proposed changes to the conditions (see Attachment 2).

DISCUSSION

LAFCo staff is currently reviewing the annexation application materials filed by the Garberville Sanitary District. These materials can be viewed on the LAFCo website at www.humboldtlaftco.org/currentprojects. An upcoming hearing will be scheduled once the application materials are deemed complete and a Certificate of Filing is issued by the Executive Officer.

Also included as an attachment to this staff report is a comment letter received on May 13, 2014 from Mr. Ed Voice (see Attachment C).

RECOMMENDATION

Staff recommends the Commission receive and file the staff report and hear a presentation by the applicant.

Attachments:

Attachment A: Response to comment on Initial Study

Attachment B: Plan for Services

Attachment C: Public Comments Received

Cc:

Ralph Emerson, GSD General Manager

Jennie Short, GSD Capital Projects Manager



GARBERVILLE SANITARY DISTRICT

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

April 22, 2014

Humboldt Local Agency Formation Commission
 Attn: George Williamson, Executive Officer
 1125 16th Street, Suite 202
 Arcata, CA 95521

SUBJECT: GSD RESPONSE TO LAFCo COMMENTS ON THE GARBERVILLE SANITARY DISTRICT ANNEXATION PROJECT RECIRCULATED INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION (IS/MND)

Dear George,

The District received and considered your comments on our most recent CEQA document titled "GARBERVILLE SANITARY DISTRICT ANNEXATION PROJECT RECIRCULATED INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION (IS/MND)" in a memo dated July 8, 2013 prior to taking action on the Final IS/MND.

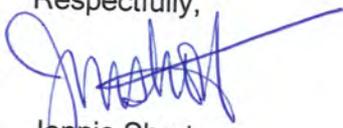
Below is a summary of the comments received and the District's response to each one as requested.

No.	LAFCo Comment	GSD Response
1	The proposed annexation currently does not include two parcels (Assessor's Parcel Numbers 032-063-001 and 032-151-004) and a portion of U.S. Highway 101 located on the east side of the South Fork Eel River, just north of Sunny Bank Lane. Adjusting the boundary to follow the river may serve a more logical boundary for service provision in the future.	While annexing these parcels may appear to be prudent from an aerial photo or just considering the river as a boundary, these two APNs are extremely steep and undevelopable. They are not current customers and are not interior to the boundary that would be necessary to encompass all existing services. The District has no desire to annex these areas into the boundary, but LAFCo could choose to do so.

No.	LAFCo Comment	GSD Response
2	The annexation boundaries should follow lines of assessment or ownership as much as possible. The creation of small district "pockets" should be limited, as feasible. For example, the existing residential uses located on APN 223-061-025 could be approved as an outside agency service pursuant to G.C. Section 56133, as compared to annexing the small developed areas that are part of a larger parcel. This option may promote more logical boundaries for the District.	While the District would accept approval of service to these two residences as out of area services, we desire to keep our Jurisdictional Boundary and Place of Use as consistent with each other as possible. The Jurisdictional Boundary that the District is proposing in this Application matches exactly with the SWRCB approved Place of Use.
3	With regard to the proposed transfer of connections off Leino Road and Sprowel Creek Road to the Kimtu transmission line, LAFCo staff concurs that an amendment to LAFCo Resolution No. 10-06 would be required.	The District understands that transferring the existing service connections to the Kimtu waterline requires not only LAFCo approval but also CDPH approval, and such request for approval has been included in the Annexation Application.

Hopefully these responses are sufficient to address each of the concerns.

Respectfully,



Jennie Short
Capital Projects Manager

This plan for providing services is prepared pursuant to Government Code section 56653, and includes:

- 1) Enumeration and description of services to be extended to the affected territory;
- 2) The level and range of such services;
- 3) An indication of when such services can feasibly be extended to the affected territory;
- 4) An indication of any improvement or upgrading of structures, roads, sewer or water facilities or other conditions the city could impose or require in the affected territory, should it come under District jurisdiction;
- 5) An indication of how such services will be financed.

GENERAL INFORMATION

This Application for Change in Jurisdictional Boundary includes annexing 84 Assessor Parcel Numbers (APNs) into the GSD Jurisdictional Boundary. The District will have a water only service area overlay that covers a portion of the larger jurisdictional boundary (for all powers). The terminology used in this plan for service is “water and sewer service area” for places that the District currently or will eventually provide both water and sewer services. The term “water only service area” is the overlay to the Jurisdictional Boundary in which the District will only provide water service until such time as LAFCo modifies the overlay area.

Generally, the APNs proposed for annexation are currently either GSD water or sewer customers or are undevelopable but interior to the proposed Jurisdictional Boundary. This plan of service focuses on the 10 developable APNs without water service and 12 developed or developable APNs without sewer service proposed for annexation.

There are 23 parcels proposed for annexation into the water and sewer service area. Three have water and sewer service plus an additional 12 have only water service. This leaves 8 parcels that do not have any service. Of the 8 parcels without any service, 7 are undevelopable. These 7 need to be brought in because they are interior to the boundary drawn around those that do have service. This leaves 1 parcel that doesn't have water or sewer service and 13 that don't have sewer service (12 of which already have water service) that are being annexed into the water and sewer service area.

There are an additional 61 parcels proposed for annexation into the water only service area. Forty three of these parcels have existing water service. Eighteen parcels do not have water service and of the 18 parcels without service, 9 are undevelopable. This leaves 9 parcels that don't have water service being annexed into the water only service area.

In summary, 1 developable parcel (APN 032-211-014) is being annexed in that doesn't currently have water or sewer service, 12 developed parcels (APNs 223-171-024, 223-171-025, 223-181-031, 223-181-043, 223-181-044, 223-061-007, 032-211-010, 032-211-003, 032-211-007, 032-211-012, 032-211-015, and 032-211-021) are being annexed that don't currently have sewer service but do have water service, and 9 developable parcels (APNs 222-156-016, 223-171-002, 223-171-007, 222-156-019, 032-171-023, 032-171-024, 222-156-015, and 032-171-022) are being annexed that don't have water service.

Parcels that do not currently have service would be connected to the system upon request or in conjunction with a development project processed through Humboldt County after analysis of available capacity for the intended development had been completed.

PLAN FOR SERVICE

ORDINANCE FOR FUTURE DEVELOPMENT OR INTENSIFICATION OF USE

The water capacity analysis conducted in the IS/MND for the Annexation project was based upon build-out at the existing zoning and land use designations. The GSD Board of Directors shall adopt an ordinance that, at a minimum, states that any future development, intensification of use within the GSD boundary, future annexations, or outside agency boundary service that relies on connection to the GSD water or sewer services for implementation will be reviewed by the GSD prior to approval by the County. This review by GSD will be necessary to verify that there is sufficient capacity for the future development above what has been described in the IS/MND for this annexation project.

A “will serve” letter will be provided by GSD to Humboldt County and the project applicant, indicating the ability of the GSD to provide a service connection based upon the current water and/or wastewater system capacity to provide that service. If sufficient water or wastewater service is not available, the applicant will be denied service or service will be limited to the available amount that is allocated to the developer’s project until such time that additional capacity is available. This ordinance will also identify the location of the water and sewer service area and the water only service area overlay. GSD shall notify Humboldt County of the new ordinance so that it will be included in current planning activities and applied to any properties applying for development within the GSD Sphere of Influence.

PLAN FOR SERVICE

DESCRIPTIONS OF EACH AREA

Figures 4 through 9 are detailed blowups by area, and denote each APN by number that is proposed for annexation into the water and sewer service area or the water only service area overlay. The information for each APN by area is also enumerated in Table 1 of Attachment 1 in this application package. Each area is described and summarized below.

Summary Table

Area #	Name of Area Proposed for Annexation	Total No. of APNs to Annex	No. APNs into Water Only	No. APNs into Water and Sewer	Undevelopable	No. APNs Water Customers	No. APNs Sewer Customers	No. APNs with No Service	# Developed or Developable APNs for new water	# Developed or Developable APNs for new sewer
1	Bear Canyon Road / Redwood Dr Area	17	11	6	4	9	2	6	2	2
2	Connick Creek Area	9	9	0	0	6	0	3	3	0
3	Hillcrest Drive Area	9	0	9	1	7	0	2	1	8
4	Kimtu	24	24	0	4	20	0	4	0	0
5	Leino Lane / Sprowel Creek Rd Area	17	17	0	3	10	0	7	4	0
6	Bear Ck Rd /Bushnell Rd/ Alpn/Mead	8	0	8	4	4	1	4	0	3
		84	61	23	16	56	3	26	10	13

Area 1 Figure 4: Bear Canyon Road / Redwood Drive Area

There are a total of 17 parcels proposed for annexation in this area. Six of the 17 parcels are proposed for the water and sewer service area, of these 6 parcels 2 have sewer service and 2 are undevelopable. The remaining 2 parcels have only water service but are proposed for water and sewer service (APNs 223-171-024 & -025). Those two APNs are developed as a single commercial facility (Blue Star Gas) and the property contains a GSD sewer lift station. These two parcels can be serviced by pumping their sewage up to the existing sewer infrastructure. The property owner would be responsible for installation of the lift station to discharge the sewage into the existing wet well.

The remaining 11 parcels are proposed for annexation into the water only service area. Of the 11 parcels, 7 have existing water service, 2 are undevelopable, and 2 developable parcels do not have service. One of these parcels has water infrastructure up to the parcel boundary and the other parcel is land locked by the surrounding parcels.

Area 2 Figure 5: Connick Creek Subdivision Area

There are 9 parcels proposed for annexation in this area. These parcels are proposed for water only service area and have existing meters and infrastructure. Of the 9 parcels there are 3 that are not GSD customers, two of which are vacant.

Area 3 Figure 6: Hillcrest Drive Area

There are 9 parcels proposed for annexation into the water and sewer service area. Seven have water service, 1 is the GSD water tank site and the other is vacant but substandard for the zoning. The 1 undeveloped parcel proposed for water and sewer service has water infrastructure available.

PLAN FOR SERVICE

Sewer service to these 8 parcels will require construction of sewage collection pipelines to the intersection of Hillcrest & Melville along with the associated manholes and service laterals.

Area 4 Figure 7: Kimtu Subdivision Area

There are 24 parcels proposed for annexation in this area. All of the parcels are proposed for the water only service area and 20 of the parcels have existing water service. The other 4 parcels contain the decommissioned water supply infrastructure for the Kimtu Mutual Water Company, and are very small and undevelopable.

Area 5 Figure 8: Leino Road / Sprowel Creek Road Area

There are 17 parcels proposed for annexation into the water only service area. Ten of those parcels have water service, 7 do not have service and 3 of those 7 are undevelopable.

Existing Service Infrastructure

The APNs on Leino Road are currently served off an existing 2" water main that starts at the end of Riverview Drive and comes down the slope, under Sprowel Creek Road, through a pressure reducing valve, and down Leino Road. This line is old and operations staff has to make repairs on a regular basis. APNs 032-171-015, 032-171-017 and 032-171-025 are served off a small waterline that comes from the end of Riverview Drive. APN 032-211-020 is served from a waterline that comes from the main water tank on the east side of Hwy 101. The meter for this APN is also on the east side of Hwy 101 and is shown on Figure 13.

There are 13 APNs shown on Figure 13 which are currently served from these old dilapidated waterlines. For these APNs, the District desires to install new laterals and meters for the existing customers to enhance continuation of service and to transfer the service from the old infrastructure to the newer Kimtu waterline via the stub outs. GSD must obtain LAFCo approval of this transfer due to the conditions that were placed on the approval of the Kimtu Waterline Project in Resolution 10-06.

Background on Kimtu Waterline Approvals by LAFCo and Stub outs

LAFCo approved the extension of water service to the Kimtu Meadows Mutual Water Company customers in July 2010 as documented in Resolution 10-06. This extension involved construction of 2.5 miles of 8" water main in Sprowel Creek Road and Camp Kimtu Road from downtown Garberville to the Kimtu Meadows Subdivision (see figure 15 for location). At the time that LAFCo was considering the request for extension, LAFCo had not yet completed the Municipal Service Review and Update of the Sphere of Influence. Nor had GSD completed CEQA for the annexation project. The GSD had prepared a Master Services Element and submitted it to LAFCo in 2002 but it had never been adopted. LAFCo had approved an annexation in 2002 for new sewer service in three areas. The most recent adopted system wide planning documents for the District were from 1986. The Humboldt County General Plan Update had been in progress for more than a decade.

The minutes of the public hearings for the Kimtu request held by LAFCo in May 2010 and July 2010 generally indicate that the Commission was concerned with the installation of this 2.5 miles of 8" waterline from downtown Garberville to the Kimtu Meadows Subdivision in an area for which there was no current planning documents that addressed the growth potential of an unrestricted waterline. With a lack of current planning documents, the Commission decided that their approval needed to contain conditions to assure that extending the waterline would not induce growth. The conditions that were included in Resolution 10-06 are:

PLAN FOR SERVICE

“1. Prior to funding or construction of the proposed project, the Garberville Sanitary District shall provide documentation to Humboldt LAFCo that District policies have been adopted sufficient to ensure that no future connections to the proposed water line outside of the District Boundary will be approved by the District for any purpose, other than to correct an existing threat to public health and safety (as described in Government Code Section 56133(c). Such policies shall not be amended, except with LAFCo approval to ensure that future proposals for Sphere of Influence amendments and/or annexations would be considered under the assumption that the water line is not available for purposes other than its specified intent of correcting a public health threat to the existing residents of the Kimtu Meadows Subdivision, or until such time that the Garberville Sanitary District completes their Municipal Service Review update and Sphere of Influence expansion and the Community Humboldt County Plan and General Plan for the area is adopted.

2. Any future connections to the Garberville Sanitary District water line extended to serve Kimtu Meadows Subdivision be submitted to Humboldt LAFCo for review and approval prior to the connection being made; and

3. Garberville Sanitary District will notify Humboldt LAFCo when service to the Kimtu Meadows Subdivision has been established and provide a description of the constructed water system.

4. Garberville Sanitary District will adopt an ordinance dedicating the Kimtu Meadows Subdivision line to serve only existing Kimtu connections and prohibiting future connections to the line.

Since that time the Municipal Service Review and Sphere of Influence Update have been completed by LAFCo staff and were adopted by the Commission in March 2013. In addition to the MSR and SOI, the GSD has completed the IS/MND for the Annexation Project which included several iterations evaluating the properties adjacent to the Kimtu Waterline for which service was being requested. The CEQA analysis described the existing water services that are adjacent to the Kimtu Waterline on Sprowel Creek Road and Leino Lane. The document further describes the District’s desire to transfer the services for these parcels from the old waterlines to the new Kimtu line. The Final IS/MND adopted by the GSD Board on Sept 24, 2013 in Resolution 13-008 and the Notice of Determination filed with the State Clearinghouse and Humboldt County Clerk discusses the growth inducing impacts of the project. These documents fulfil the intent of the requirements of the “until such time that” in condition 1.

The District adopted Resolution 10-007 and adopted an amendment to it based upon LAFCo staff review comments, which is in attachment 4. The purpose of this resolution is to fulfil conditions 1 and 4.

The District notified LAFCo staff when the Kimtu line construction was completed and the ownership of the waterline had been transferred to GSD. We also provide a copy of the Water Permit Amendment issued by CDPH to fulfil condition 3.

In May 2012, the District requested that the Commission allow us to install two stub outs prior to Humboldt County’s paving project. On May 16, 2012 the Commission approved the District’s request and the stub outs were constructed.

In accordance with condition 2, the District is now requesting that the Commission allow these APNs to be connected to those stub outs.

PLAN FOR SERVICE

The amendment to GSD's water permit from CDPH for the Kimtu Waterline also contains conditions for minimum fire flow at the Kimtu Meadows Subdivision hydrant that must be satisfied, prior to the District allowing connection to the Kimtu water line. The permit conditions read:

“Garberville Sanitary District shall not allow new service connections to the 8-inch transmission main, constructed as part of Kimtu Meadows Mutual Water Company's Proposition 50 project, that will reduce the design fire-flow at the Kimtu Meadows subdivision hydrants to below 750 gallons per minute at adequate pressure.”

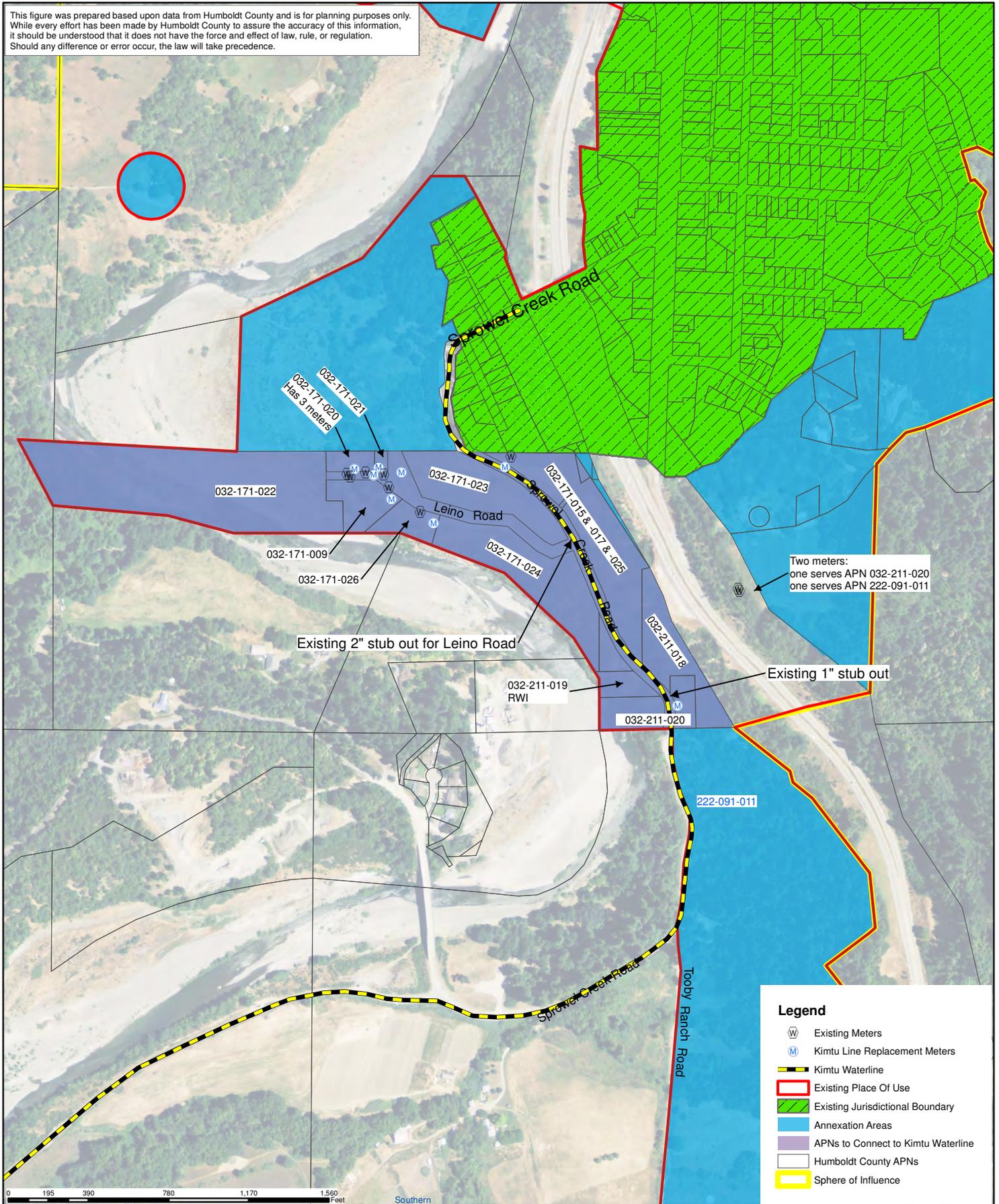
The required fire flow condition of 750 gpm at the Kimtu hydrant has been achieved as of November 2013, and that residential connections can be made without adversely affecting the fire flow at Kimtu. The letter report from LACO is attached for your reference. After LAFCo approves connection of these parcels, GSD will inform CDPH of our intention to make the connections to the stub outs.

The District certainly agrees that LAFCo has the responsibility to review and approve the annexation of parcels into the District's boundary which does include a description of how the parcel will be served; but we believe that once those properties have been approved for annexation by LAFCo, it is the District's responsibility from that point forward to determine which infrastructure from which a parcel can best be served. The service locations for any parcel within the District could change as the infrastructure within the District is updated. While the 13 parcels detailed on Figure 13 could be served off the older infrastructure, the District desires to serve these parcels off the most updated, cost effective, and efficient infrastructure. We believe that the Commission should revise the conditions in Resolution 10-06 to reflect the fact that once a parcel has been approved for annexation into the jurisdictional boundary, that the service location can be chosen and updated by the District as infrastructure changes and evolves over time.

Area 6 Figure 9: Bear Creek Road / Bushnell Lane & Alderpoint Road Area

There are 8 parcels proposed for annexation into the water and sewer service area. Three of these parcels have water service, 1 has water and sewer service. There is 1 without any service and 3 are undevelopable. The parcels without sewer service have sewer infrastructure up to the parcel boundary. The existing sewer system has sufficient capacity to service these parcels for sewer.

This figure was prepared based upon data from Humboldt County and is for planning purposes only. While every effort has been made by Humboldt County to assure the accuracy of this information, it should be understood that it does not have the force and effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.



Path: C:\Users\Jennie\Documents\ArcGIS Data\Projects\Annexation\Figures\Application to LAFCo Figures\LAFCoApp\Fig 13-KimtuWaterlineServices.mxd

Date: 4/12/2014



Annexation Project
Application to LAFCo

Garberville Sanitary District (707) 923-9566

Services Proposed to be Reconnected
to Kimtu Waterline in Sprowel Creek Rd.

SCALE: 1:7,500 DRAWN BY: J. SHORT DATE: 04/11/2014

Figure
13

December 11, 2013

7714.01

Garberville Sanitary District
P.O. Box 211
919 Redwood Drive
Garberville, California 95542

Attention: Jennie Short, Capital Projects Manager

Subject: Kimtu Meadows Subdivision Fire Flow Testing for GSD Drinking Water Improvement Project Construction

Dear Mrs. Short:

This letter presents the results of fire flow testing performed by Garberville Sanitary District (GSD) staff and Paul Gregson, P.E. of LACO Associates, on November 18, 2013. The available fire flow capacity in the Kimtu Meadows Subdivision was measured to determine the impact of the new 8-inch mainline in Sprowel Creek Road on the performance of the system. Flow tests were performed in accordance with the National Fire Protection Association Fire Flow Test (NFPA 291) and AWWA (Manual 291) Standards.

BACKGROUND

In 2012, a new 14,200-foot long potable water transmission main was constructed to connect the Kimtu Meadows Subdivision to the GSD water system. The transmission main was designed to provide a fire flow of at least 750 gallons per minute (gpm) to Kimtu. Upon completion of construction, fire flow testing was conducted and it was evident that the design fire flow had not been achieved. District staff researched newly available as built documents to try to determine if there were any constrictions within the existing mainline that could be contributing to the lower-than-anticipated flows. A section of mainline in Sprowel Creek Road (from Redwood Drive through the west side of the Hwy 101 overpass structure) was identified as a combination of 4-inch and 6-inch diameters. At that time, LACO informed GSD that it would be necessary to upsize this section of main to an 8-inch main as part of GSD's Drinking Water Improvement Project to be able to produce the required 750 gpm fire flow. Calculations based on the flow testing of the transmission main, performed following the Kimtu Meadows Potable Water Pipeline Project, demonstrated an available fire flow of 356 gpm prior to GSD's upsizing of the 4-inch main. The results of the preliminary testing are shown in Table 1.

TABLE 1: Kimtu Meadows Potable Water Pipeline Project Hydrant Test – June 20, 2012

Time	Test Hydrant Location	Static Pressure	Residual Pressure	Flow ⁽¹⁾		Hydrant Loss ⁽²⁾	Flow @ 20	Flow @ 20
				PSI	GPM		PSI ⁽³⁾	PSI with Hydrant Loss
*	Alice & Kimtu	52.5	12 ⁽⁵⁾	7	445	10%	395	356

*Test was performed between 11:00 AM and 1:00 PM, exact time unknown.

1-5 Refer to footnotes in Table 2.

CURRENT FLOW TEST RESULTS & DISCUSSION

The GSD has completed the installation of a new 8-inch main across the bridge on Sprowel Creek Road, and a hydrant test was needed to verify that the new main met the required value of 750gpm for fire protection.

The flow testing was conducted on November 18, 2013. All fire flow tests were performed by flowing a hydrant located across from 169 Kimtu Drive. Residual pressures were measured from four hydrants (Test Hydrants); two along Sprowel Creek Road, which are located in the Town of Garberville, and two located in the Kimtu Meadows Subdivision. Results of those tests are presented in Table 2.

TABLE 2: Garberville Sanitary District Hydrant Test – November 18, 2013

Time	Test Hydrant Location	Static Pressure	Residual Pressure	Flow ⁽¹⁾		Hydrant Loss ⁽²⁾	Flow @ 20	Flow @ 20
				PSI	GPM		PSI ⁽³⁾	PSI with Hydrant Loss
12:30	Redwood & Sprowel Creek Rd ⁽⁶⁾	67	52 ⁽⁴⁾	21	855	20%	1,583	1,267
12:30	Sprowel Creek (@ Daisy's) ⁽⁶⁾	71	54 ⁽⁴⁾	21	855	20%	1,547	1,237
13:20	Across from 31 Alice	57	20.5 ⁽⁵⁾	21	855	10%	861	775
13:20	Alice & Camp Kimtu	61	27.5 ⁽⁵⁾	21	855	10%	953	858

(1) The Flow hydrant was located across from 169 Kimtu. The same hydrant was used for all tests.

(2) Hydrant loss is based on the hydrant outlet type. See American Water Works Association M17 Manual or the National Fire Protection Association Manual 291, Recommended Practice for Fire Flow Testing and Marking of Hydrants Fire for a description.

(3) Provided for modelling purposes.

(4) Hydrant test did not meet 25% pressure drop to meet National Fire Protection Association Fire flow test standards or the 20PSI drop required by AWWA Standards.

(5) Hydrant test did meet 25% pressure drop to meet National Fire Protection Association and 20 PSI drop per AWWA standards.

(6) These hydrants are located downtown and not situated in the Kimtu Subdivision. The District requested these additional hydrant tests.

The results of the tests show an available fire flow capacity of 775 gpm in the Kimtu Meadows Subdivision. GSD's installation of a new 8-inch main along Redwood Drive produced results consistent

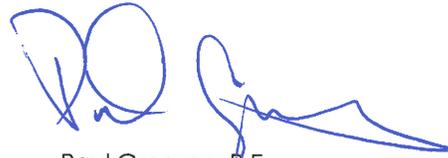
with the design intent, and demonstrates that the minimum fire flow requirement of 750 gpm, as required by the California Department of Public Health, has been achieved in the Kimtu Meadows Subdivision. LACO anticipates that the District can add a limited number of residential 5/8-inch connections to the Kimtu main line and not adversely impact the available fire flows at the Kimtu Meadows Subdivision. Commercial connections or larger meters should be evaluated carefully based upon estimated demands.

We appreciate the opportunity to conduct this fire flow test and validate the capacity within the Kimtu Meadows Subdivision. Please contact us at (707) 443-5054 if we can be of further assistance to the District.

Sincerely,
LACO Associates



Benjamin W. Dolf, E.I.T.
Staff Engineer



Paul Gregson, P.E.
Associate Engineer

PAG:kc

PLAN FOR SERVICE

SEWER INFRASTRUCTURE

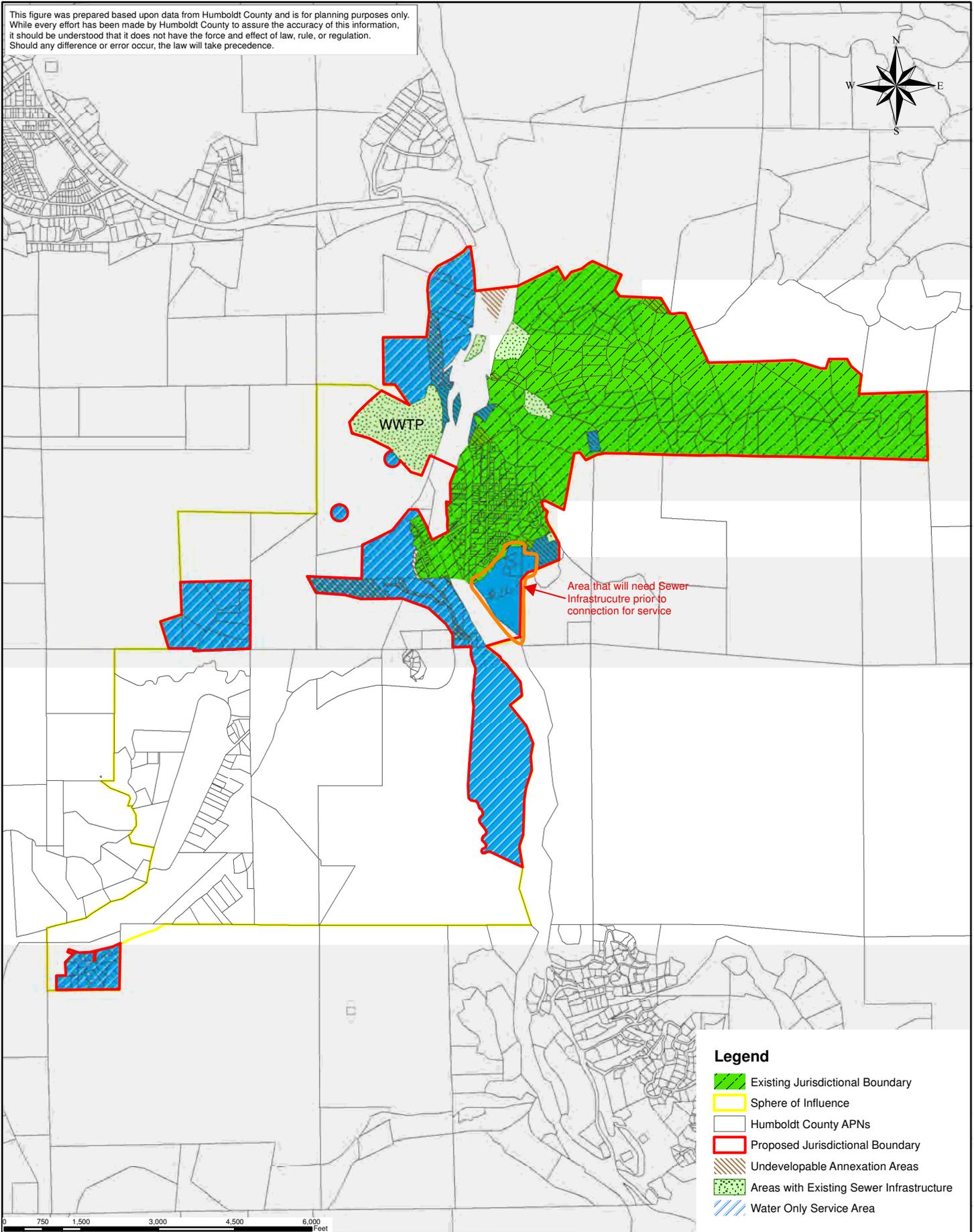
The GSD has an extensive sewer collection system in the locations shown in on figure 14. There are three areas that consist of 13 developed or developable parcels proposed for annexation into the water and sewer service area. Six of these APNs have existing sewer infrastructure available. They are hatched in light green with dark green dots on figure 14.

There are seven that do not have existing sewer collection infrastructure. The District holds some of the easements for the future collection sewer lines and the rest would be acquired from the property owner that was applying for sewer service. The sewer line extensions would be completed as part of the property's development permit with the County and would generally consist of 6-inch lines with manholes and connection to the existing collection system. These improvements would be only for the benefit of those properties and the expenses associated with the extended collection system would be borne by the properties that connected to those new pipes. This area is notated with an orange line on Figure 14.

As discussed above, service to APNs (APNs 223-171-024 & -025) would include installation of a private lift station at the existing building that would discharge into the existing wet well on that same property. The cost for the installation of the private lift station would be borne by the property owner at the time that the request to connect to the District's sewer system was approved.

The wastewater treatment plant has adequate capacity to service these properties at full build-out under the existing zoning and land use designations.

This figure was prepared based upon data from Humboldt County and is for planning purposes only. While every effort has been made by Humboldt County to assure the accuracy of this information, it should be understood that it does not have the force and effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.



Legend

-  Existing Jurisdictional Boundary
-  Sphere of Influence
-  Humboldt County APNs
-  Proposed Jurisdictional Boundary
-  Undevelopable Annexation Areas
-  Areas with Existing Sewer Infrastructure
-  Water Only Service Area

0 750 1,500 3,000 4,500 6,000 Feet



**Annexation Project
Application to LAFCo**
Garberville Sanitary District (707) 923-9566

**Areas with Existing Sewer
Infrastructure Outside Boundary**
SCALE: 1:30,000
DRAWN BY: J. SHORT
DATE: 04/04/2014

**Figure
14**

PLAN FOR SERVICE

WATER INFRASTRUCTURE

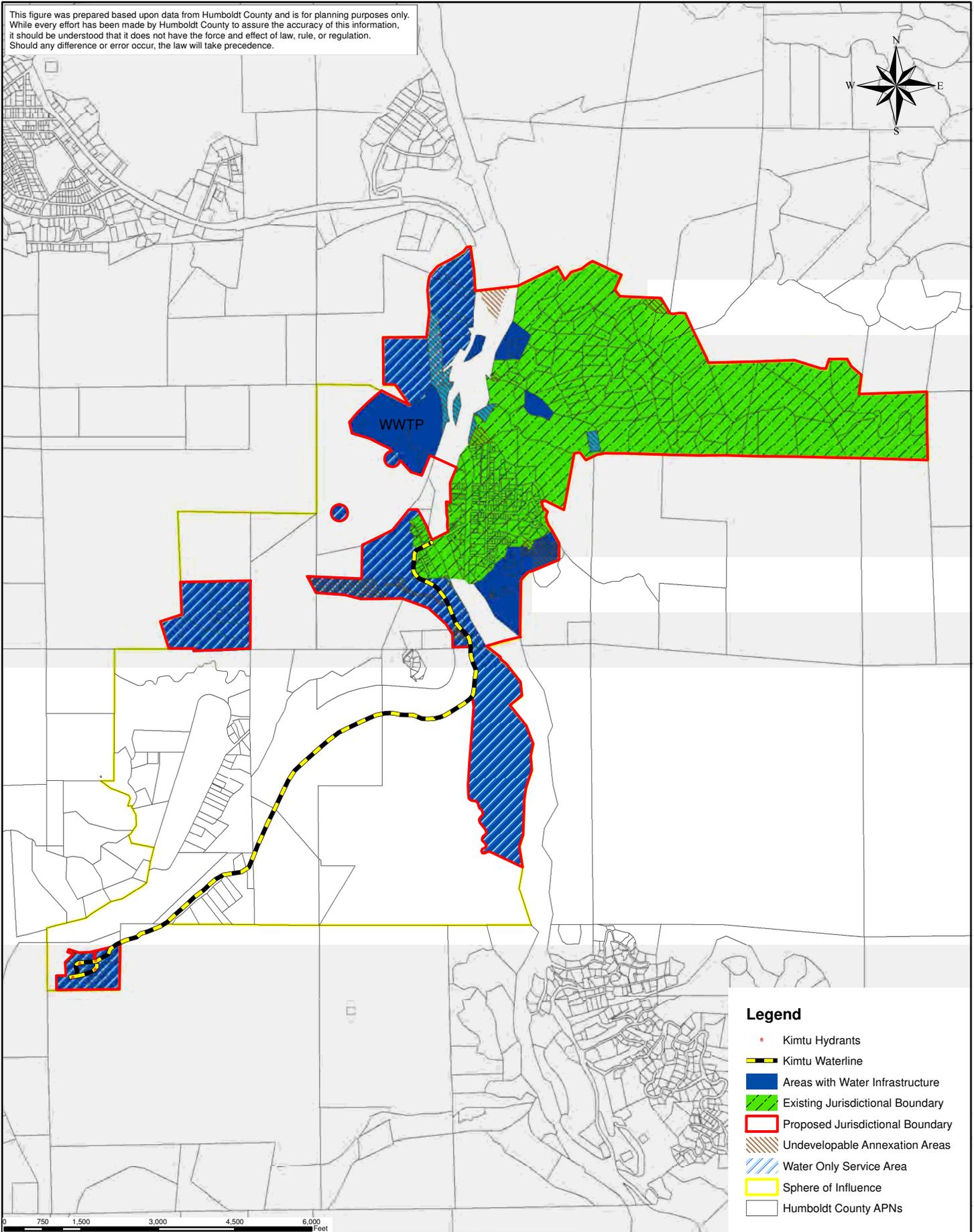
The GSD has an extensive water distribution system in all locations proposed for water service. Figure 15 shows the areas in dark blue that have existing infrastructure in the areas proposed for annexation into the water only service area. There is adequate infrastructure and water rights to serve the ten developed or developable parcels being annexed that don't currently have service. A water consumption evaluation was completed as part of the Final Initial Study/Mitigated Negative Declaration. The total available water right under the Right to Divert Water Permit and License is 80 million gallons per year. The summary table from this evaluation is below. The total consumption is estimated at 70.9 million at build-out.

Summary of Water Consumption	
Description of Consumption	Amount (gallons)
Existing Average Use	65,131,644
Kimtu Meadows Subdivision Customers	2,600,000
APNs Not Currently Consuming GSD Water in Existing Jurisdictional Boundary and License POU	1,908,500
APNs Not Currently Consuming GSD Water in Existing Jurisdictional Boundary and Permit POU	705,000
APNs Not Currently consuming GSD Water Outside Existing Jurisdictional Boundary and inside Permit POU	566,500
Total	70,911,644

Source: Final Recirculated Initial Study/Mitigated Negative Declaration. Sept 2013

The existing surface water treatment plant diverted the 80 million gallons in 1999. The new surface water treatment plant that is currently under construction will have adequate capacity to continue to serve all of the properties being annexed for water service and the anticipated build-out within the proposed jurisdictional boundary.

This figure was prepared based upon data from Humboldt County and is for planning purposes only. While every effort has been made by Humboldt County to assure the accuracy of this information, it should be understood that it does not have the force and effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.



- Legend**
- Kimtu Hydrants
 - Kimtu Waterline
 - Areas with Water Infrastructure
 - Existing Jurisdictional Boundary
 - Proposed Jurisdictional Boundary
 - Undevelopable Annexation Areas
 - Water Only Service Area
 - Sphere of Influence
 - Humboldt County APNs

0 750 1,500 3,000 4,500 6,000 Feet



Annexation Project Application to LAFCo
 Garberville Sanitary District (707) 923-9566

Areas with Existing Water Infrastructure Outside Boundary
 SCALE: 1:30,000
 DRAWN BY: J. SHORT
 DATE: 04/11/2014

Figure 15



May 21, 2014

Humboldt Local Agency Formation Commission

1125 16th Street, Suite 202

Arcata, CA 95521

Phone: (707) 445-7508

Fax: (707) 825-9181

LAFCo Administrator: Colette Metz
Executive Officer: George Williamson

Re: Garberville Sanitary District Boundary Change (Annexation) Application – May 21,
2014 Humboldt LAFCo Commission Public Meeting Agenda Item

Dear Executive Officer Williamson,

Thank you for the opportunity to submit comments on the Project identified above. I write today on behalf of my client, Mr. Ed Voice and the Voice Family.

We write to ask the following, and be discussed in length during the July 16, 2014 meeting in detail, that: (1) the Project be analyzed under an Environmental Impact Report due to the significant impacts that the project causes on the environment; (2) the EIR be a Programmatic EIR, due to the subsequent discretionary approvals that will be made pursuant to Mitigation Measure No. 1, 2 and 3; and (3) the District refrain from annexing any property that is not already using GSD services or infrastructure, e.g. water and sewer services.

New and significant information has been revised and added to this GSD Annexation Application since the final adopted GSD Annexation MND without adding any corresponding mitigation measures.

The project starts from the wrong baseline. The baseline is the point that the GSD must determine whether a project will have a significant impact on the environment. The Annexation Application should look at the physical impacts to the environment (namely the water diversion from the South Fork of the Eel River and groundwater and prime agriculture land use) from the point when GSD purchased the Garberville Water Company (GWC) in 2004, along with the new connections that will be added. Instead, GSD framed the project as a simple update of its boundaries to include areas currently provided with water service and, therefore, concludes that the project will not result in impacts to the environment or growth-inducing impacts from increased population.

The whole point of the annexation was to allow GSD to identify where they are serving water and sewer outside their approved LAFCo jurisdictional boundaries, e.g. to get back in compliance. If that is the case, why is GSD now including properties for future connections and

services? It seems that by allowing these properties that have not been “inherited” by GSD since the purchase of the GWC, GSD is fostering development and inducing growth in including these properties in the Annexation which contradicts with the Adopted GSD Annexation MND and their effects on the environment, i.e. the South Fork Eel River.

In the past ten years since GSD purchased GWC, the District has undergone an expansion to its waste treatment facility and is currently undergoing an expansion to its water production facilities. (In fact, we understand that the District’s funding for the facility is dependent upon the completion of this project and, specifically, the expansion to the current Place of Use area.) These expansions were needed, in part, because of the expanded jurisdictional boundary which is now, after the fact, under environmental review.

Under CEQA, the District is required to analyze indirect or secondary effects which are later in time or farther removed but still reasonably foreseeable. Indirect or secondary effects may include growth-inducing effects and other effects related to induce changes in the pattern of land use, population density, or growth rate, and related effects on water and other natural systems. (Public Resources Code §21151; 14 CCR §15358; *see also Bozung v. Local Agency Formation Commission of Ventura County* (1975) 13 Cal.3d 263 (approval by local agency of city annexation of agricultural land proposed to be used for residential, commercial and recreational purposes was a project that may have a significant effect on environment and required an EIR due, in part, to resulting population growth).)

CEQA Guidelines §15126(d) requires an EIR to discuss the Growth Inducing Impact of the Proposed Project. Guidelines §15126.2(d) elaborates:

...Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment... Increases in population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

In the Annexation Application, the GSD concluded:

” No development is proposed by the proposal. The areas being annexed have had water service available to them for many decades, and either have been developed or could have been developed. The proposed change in the GSD Boundary only changes the agency that has jurisdiction over the water service to those areas. The purpose of this project is not to facilitate additional development. Rather the project is intended to update the boundaries with areas of existing service”

However, as discussed above, the project is to expand the jurisdictional boundary area, which in turns requires that more water be diverted from the South Fork Eel River. The reality that this

project is being conducted 10 years after the fact does not change the District's requirement under CEQA to discuss the environmental impacts of the expansions on the river.

We believe that there is substantial evidence before Humboldt LAFCo that the project, as revised, may have a significant effect on the environment which cannot be – or which is not being – mitigated or avoided. Thus, GSD should prepare a draft EIR, pursuant to 14 CCR §15073.5.

How can GSD now, in this Annexation Application include new properties that they did not know about before and properties that have not or are not receiving water from either GWC before 2004 or GSD after 2004 and include these properties in the annexation? If these properties are not receiving water or sewer services they need to be left out.

The point to this annexation was to make GSD identify where they are serving water and sewer outside their approved LAFCo Jurisdictional boundaries. If that is the case, why are they now including properties for future connections and or services?

We also have requested more time during the July Humboldt LAFCo hearing to argue our points with GSD's request for more connections to the Kimtu Waterline that was also included in the Annexation Application.

GSD has been working on these different projects for more than 5 years and we feel 3 minutes will not cover our talking points and presentation.

Thank you for your attention to these matters. Please feel free to contact me or my client, Ed Voice, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynne R. Saxton", written in a cursive style. The signature is positioned above a thin horizontal line.

Lynne R. Saxton