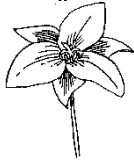


WESTHAVEN COMMUNITY SERVICES DISTRICT

P.O. Box 2015 (446 B 6th Ave. Westhaven) Trinidad CA 95570 (707) 677-0798 wcsd@suddenlinkmail.com



REGULAR MONTHLY BOARD MEETING AGENDA

February, 2023

The regular meeting of the Board of Directors of the Westhaven Community Services District
Wednesday, January 16th, at 6:30 p.m. at the Westhaven Fire Hall, 446 Sixth Avenue.

How to Submit Public Comment:

Members of the public may provide public comment before and during the meeting by sending email comments to the WCSD Manager at prosenblatt.wcsd@suddenlinkmail.com Such email comments must identify the agenda item number in the subject line of the email. The comments will be read into the record, with a maximum allowance of three minutes (approximately 500 words) per individual comment, subject to the Board President's discretion. If a comment is received after an agenda item is heard, but before the close of the meeting, the comment will be included as a part of the written record of the meeting but will not be read into the record during the meeting.

1. CALL TO ORDER

2. PUBLIC COMMENT

Materials related to an item on this Agenda, including materials submitted to the Board after distribution of the Board Packets, are available for public inspection in the WCSD Office at 446 B Sixth Avenue.

Members of the public are invited to comment on any matter within the authority of the WCSD.

Comments may also be offered during the discussion of any item on the agenda.

Board discussion of matters not appearing on the published agenda is prohibited by law.

3. AMEND / APPROVE ORDER OF AGENDA ITEMS

4. AMEND / APPROVE MINUTES

5.1 January 18, 2023 - Regular meeting minutes. **Discussion/Approval**

5.2 January 26, 2023- Special meeting minutes. **Discussion/Approval**

5. FINANCIAL REPORTS, DISCUSSIONS AND APPROVALS

5.1 Directors' Report – monthly billing and collections — **Discussion**

5.2 Water consumption and Sales – **Discussion**

5.3 Income / Expense Reports - **Discussion of report format**

5.4 Finance Officer's Recommendations – **Discussion**

5.5 Treasurer's Reports and Recommendations – **Discussion**

5.6 December/January warrants – **Discussion/Approval**

6. MANAGER'S REPORT

6.1 One known leak REPAIRED and one huge leak not found this month **Discussion**

7. UPDATE ON GRANT FUNDING AND RELATED ACTIVITIES

7.1 DWR Small Community Drought Grant work proceeding. **Discussion/Approval**

7.2 Update on activities related to well drilling. **Discussion/Approval**

7.3 Emergency Intertie with City of Trinidad **Discussion/Approval**

7.4 Updates: Financial grant & project reports, which include task and reimbursement payment timelines
Discussion/Approval

8. **TECHNICAL ASSISTANCE GRANT FROM DEPT OF FINANCIAL ASSISTANCE**
 - 8.1 Update on progress of technical assistance grant for Water Plant from DFA. **Discussion**

9. **NORTH COAST RESOURCE PARTNERSHIP TECHNICAL ASSISTANCE GRANTS TWO CREEKS CAPP**
 - 9.1 Update on Conceptual Area Protection Plan (CAPP) for the Two Creek watershed to work **Discussion/Approval**
 - 9.2 Progress on submission of new grant proposals to replace the 3 Humboldt crossings under WCSD pipeline. Prop 1 grant submitted November 4th **Discussion**

10. **APPROVAL OF THE WATERLINE REPLACEMENT PROJECT AND NOE**
 - 10.1 “The Westhaven CSD has found that the project is exempt from CEQA pursuant to Section 15302(c) (Replacement and Reconstruction), because the project is for the replacement and reconstruction of water lines in the same location and for the same purpose as the original lines and the replacement is for existing utility system facilities and involves negligible or no expansion of capacity, and none of the exceptions to the exemptions (CEQA Guidelines Section 15300.2) apply to the project because the project is not in an environmentally sensitive habitat area, it will not result in a cumulative impact, or significant affect, the project is not located on a scenic highway or listed hazardous waste site, and the project will not have an effect on a historical resource.” **Discussion/Approval**
 - 10.1 a Attachment: Appendix E Notice of Exemption
 - 10.1 b Attachment: Project Description and Required Findings

11. **DISCUSSION OF PHILOSOPHICAL, POLITICAL AND META ISSUE ASPECTS OF THE DISTRICT’S EXISTENCE AND OPERATION**
 - 10.1 Discussion of philosophical, political and meta issue aspects of the District's existence and operation **Discussion**

12. **ITEMS FROM MEMBERS OF THE BOARD FOR FUTURE MEETINGS**

13. **CLOSED SESSION: DISCUSSION/APPROVAL**
 - 13.1 Follow up discussion of additional staff, grant administrator and revision of PTO policies.
 - 13.2 Cline and Hankin draft assumption to be discussed, modified and/or approved

ADJOURN

Regular Meetings of the Board occur on the 3rd Wednesday of the month at 6:30 Pm. The next Regular Meeting will be **March 17, 2022** and will be held at the Westhaven Fire Hall, 446 Sixth Avenue

This agenda is posted pursuant to the provisions of the Government Code commencing at Section 54950. Posting locations are: 1) WCSD Office; 2) Westhaven Fire Hall and online at the Westhaven CSD website @ westhavencsd.org

The Westhaven CSD will make reasonable effort to accommodate the participation of persons with disabilities. If you require such accommodation, contact the WCSD office at 677-0798 at least 48 hours prior to the meeting.

WESTHAVEN COMMUNITY SERVICES DISTRICT
Regular Meeting Minutes
January 18, 2023

1. CALL TO ORDER

Board President Verick called the meeting to order at 6:31 PM. In attendance were:

Board Members: Hankin, Verick, Cline, Swisher & Llanos

Absent: None

Staff: Rosenblatt, Levang, & Whitlow-Hewett

Guests: Elaine Weinreb & Genia Garibaldi

2. PUBLIC COMMENT

None at this time

3. AMEND / APPROVE ORDER OF AGENDA ITEMS

It was pointed out that the item numbering on page two of the agenda needs to be corrected.

Verick moved to approve the order of agenda items. Seconded by Cline; all approved.

4. RESOLUTION 2023-1 REGARDING AB361 REMOTE MEETING

4.1 Resolution 2023-1 Regarding AB361 Remote Meeting Via Zoom.

Verick moved to approve Resolution 2023-1 AB361 Remote Meetings. Seconded by Cline; all approved.

5. AMEND / APPROVE MINUTES

5.1 December 14, 2023 Regular meeting minutes

Amend the minutes as follows:

- Item 7.1, 4th line down change 5.3% to 5.3 *GPM*. At the end of that sentence change ~~6.7%~~ to 33.5%.
- Item 8 change UPDATE in the title to the plural "UPDATES".
- Item 8.1 last sentence, change "~~When the design for the new plant is finalized Rosenblatt will put together packets for both components of the project~~" to read "*When the design for the new waterlines and well facility are finalized Rosenblatt and PACE will put together bid packets for both components of the project*".
- Item 8.2, page 3, correct the spelling of Crowley in 3 places.
- Item 8.3, 2nd paragraph, 3rd line down correct "also want to see regular ~~updates on~~ updates on progress of grant, (add coma) ~~applications~~ execution of funded projects, (add coma & and) *and* "
- Item 10.2, page 3, 2nd line, change "Prop 1 grant ~~was~~ submitted ~~grant~~ November 4, 2022."

Verick moved to approve December 14, 2023 minutes as amended. Seconded by Hankin; all approved.

6. ANNUAL ELECTION OF BOARD OFFICERS

6.1 President, William Verick

6.2 Vice President, Barbara Cline

6.3 Finance Officer, David Hankin

6.4 Safety Committee Member, Richard Swisher

Verick moved to keep the slate of officers the same for 2023. Seconded by Cline; all approved

7. FINANCIAL REPORTS, DISCUSSION AND APPROVALS

7.1 Director's Report-monthly billing and collections

Board packets contained Directors report. Total December, 2022 water sales were \$21,707.30, and total receivables were \$28,695.28. No discussion.

7.2 Water Consumption and Sales

Board packets contained Water Consumption and Billings-Commodity Charges Only report. December, 2022 gallons billed 410,820; average gallon per day per meter readings 73; per person 33, average monthly charge per accounts \$32.67; total monthly charges \$6,567; monthly deviation from budget -\$1,993. There was discussion of the totals on the report and whether the column GPD per person was per person or per household. It was determined that it was per person. Some of the amounts are not making sense so Hankin proposed Llanos review the report for errors in the formula. Llanos requested Rosenblatt email him the spreadsheet and he will review the formulas.

7.3 Income & Expense Report

Board packets contained an Income & Expense report for December, 2022. Total income \$17,649, total expense \$22,366, with a net operating income of -\$4,897.

Verick asked what the Vac truck is used for. Rosenblatt explained how it is used for making repairs to the waterlines. It was briefly discussed and requested that discussion of the district purchasing a Vac truck or Vactor trailer be added as a future agenda item.

7.4 Finance Officer's Recommendations-None

7.5 Treasurer's Report and Recommendations

Board packets contained a copy of the December, 2022. Treasurer's report. Account balances were as follows: Capital Reserves \$171,123.74; Operating Reserves \$52,569.41; DWR Reserve CD \$28,918.59; DWR Loan Savings \$8,827.51; Checking Account as of 1/12/2023 \$473,173.25. No discussion.

7.6 December/January Warrants

It was noted that the balance in the bank is a little bit less than the advance payment from DWR for the intertie project. A special meeting was suggested to discuss potential fund transfers from the reserve accounts. The Board discussed the cost of the wells. The Board also discussed providing a map of the waterlines for volunteers to walk in the hope of someone spotting leaks in the system.

Verick moved to have a Special Zoom Meeting Thursday, January 26th at 6:30 to discuss fund transfers from reserve accounts, bridge loans, and the HAF grant funding. Seconded by Cline; all approved.

Verick moved to approve warrants #'s 7255 through 7296, one Federal payroll tax deposit and one State payroll tax deposits, and three debit card charges, totaling \$65,950.61. Seconded by Cline; all approved.

8. MANAGER'S REPORT

8.1 One Known Leak this month

Board packets contained a summary table of 13 months water loss history. December, 2022 water loss is at 51.1%, average water loss in the last 13 months is 35.2%,

The following edits were requested:

First line, change ~~October~~ to *November* and change ~~November~~ to *December*.

Second line, after 1 known system leak add, "**1** unfound, "**or more**" ongoing leaks."

Rosenblatt reported a leak at the corner of 9th Avenue and Store Lane. He said it was a 90s era elbow in an embankment that has settled over the last 30 years. Rosenblatt and Operators have been searching for an ongoing leak, or leaks, which exacerbated after the earthquake on December 20, 2022. The district has a 60-63% water loss, making it an all-time record for the district. There was discussion of other water Districts having system leaks since the earthquake and aftershocks. Cline asked about the water deliveries and Rosenblatt said they started getting deliveries on December 29th. As of January 12th the Office of Emergency Services (OES) is paying for the emergency water deliveries, and will continue to fund them for as long as necessary. Rosenblatt and Operator Martin repaired a leak last week, but it made little difference in the water loss. Regarding the report, Rosenblatt did not record stream flow averages in January because, due to abnormal rainfall and unprecedented leaks, any reading obtained would have been so anomalous as not to be useful.

8.2 Accrual of vacation time-Discussion/Approval

Rosenblatt opened the discussion saying that the personnel policies state that staff can accrue up to two years of personal time off (PTO) and after that it caps and staff cannot accrue more. Rosenblatt is capped out, and would like to take PTO but cannot do so at this time. Another part time staff member also has capped out her PTO. There was discussion of different options, and labor laws, and the bottom line was that Rosenblatt needs to be in a position that he can take time off. Rosenblatt said he did not expect decisions at this meeting, just the opening of a discussion. He also wanted to start the discussion of additional office staff to help deal with customer service and processing cash receipts, which would help the office function more effectively. Hankin proposed we form a committee to seriously look into these ideas. The real problem is that there is inadequate staffing to enable Rosenblatt to take time off.

There was discussion of hiring outside agencies to help with leaks. Rosenblatt said he had that discussion with OES yesterday to help relieve some of the pressure.

Hankin moved that Cline and Hankin form a subcommittee to look at Rosenblatt's contract and the personnel policies to review and come up with solutions. Seconded by Verick; all approved. It was noted to remember to talk with the Operators on how to best accommodate them regarding the cap on PTO accrual.

9. UPDATES ON GRANT FUNDING AND RELATED ACTIVITIES

9.1 DWR Small Community Drought Grant work proceeding. Discussion/Approval

Rosenblatt reported that he has the waterline replacement permit submission and notice of exemption on his desk ready to go. The plans and drawings are ready to finalize. But he still needs to work with three property owners to get the easements finalized. He has been unable to complete these task due to the leaks.

9.2 Update on Activities Related to Well Drilling. Discussion/Approval

Rosenblatt said the 1st Avenue well did not have water. The two wells adjacent to the existing well do have water. The initial clarification pumping indicates that the two wells may each produce up to 5 to 7 GPM. There are additional steps to be taken to convert them from test wells and put them into production. He is working with the County Environmental Health and Planning Departments on next steps.

9.3 Emergency Intertie with City of Trinidad. Discussion/Approval

Rosenblatt said the biologist is just waiting for him to call to get him started, as is the planner to start working on the Coastal Devolvement Permit.

9.4 Updates: Financial Due to earthquake, storms, power outages and leaks the finance officer's report was not completed as of the meeting.

9.5 Grant & Project Reports. Discussion/Approval

The workload due to storms, earthquake, power outages and leaks has also obviated completion of the normal report on the progress of grants and projects.

10. TECHNICAL ASSISTANCE GRANT FROM STATE DIVISION OF FINANCIAL ASSISTANCE (DFA)

10.1 Update on Progress of DFA Technical Assistance Grant for Water Plant. Discussion
Rosenblatt said he is waiting to hear from the environmental planners to obtain the documentation needed to file the notice of exemption, which we will adopt and file, hopefully in time for the next board meeting. Once published, and if no one objects within 30 days, the notice of exemption will be deemed to constitute CEQA compliance for the project. There will be a couple more steps and then we will be ready to submit a grant application for the new plant.

11. NORTH COAST RESOURCE PARTNERSHIP TECHNICAL ASSISTANCE GRANTS FOR TWO CREEKS CAPP

11.1 Update on Technical Assistance Grants for Conceptual Area Protection Plan (CAPP) for the Two Creeks Watershed to Work With Mark Andre and BBW. Discussion/Approval
The CAPP is in draft form. We are trying to get our t's crossed, and our i's and lower case j's dotted, with CDFW. This project also is on hold due to the workload associated with trying to locate and repair ongoing, catastrophic water leaks.

11.2 Progress on Technical Assistance Grant for Writing NCRP IRWM Prop 1 Grant to Replace the 3 Humboldt Crossings Under WCSO Pipelines. Discussion/Approval
Rosenblatt said they he will be resubmitting the grant application to the Coastal Conservancy for replacement of the crossings. It is going well, but is mostly on hold. We have plenty of time before the due date.

12. RETURN TO IN PERSON MEETINGS

12.1 At the December 12, 2022 board meeting it was moved and approved that in February WCSO would return to in-person meetings, setting the room up for social distancing, and a request that unvaccinated people to wear masks. Discussion/Approval
Already decided at last meeting, remove from agenda.

13. DISCUSSION OF PHILOSOPHICAL, POLITICAL AND META ISSUE ASPECTS OF THE DISTRICT'S EXITANCE AND OPERATION

14.1 Discussion of philosophical, political and meta issue aspects of the District's existence and operation – discussion No discussion

14. ITEMS FROM MEMBERS OF THE BOARD FOR FUTURE MEETINGS

- Discussion of the District purchasing a Vac truck or trailer

There was discussion of ways that the board members can help Rosenblatt with the current leak situation. It was requested this topic be added to the January 26 special meeting.

Rosenblatt said he is grateful to Nor Cal for all the water it has delivered and grateful to OES for paying for it.

15. ADJOURN

Verick adjourned the meeting at 8:15 PM.

Respectfully Submitted,

WESTHAVEN COMMUNITY SERVICES DISTRICT
Special Meeting Minutes
January 26, 2023

1. CALL TO ORDER

Board President Verick called the meeting to order at 6:30 PM. In attendance were:

Board Members: Hankin, Verick, Cline, Swisher & Llanos

Absent: None

Staff: Rosenblatt & Levang,

Guests: None

2. PUBLIC COMMENT

None at this time

3. FINANCIAL DISCUSSION TO INCLUDE:

3.1 Fund transfers from Capital and Operating Reserves-Discussion/Approval

There was very little discussion. Rosenblatt suggested transferring \$20 to \$30,000 from the Capital Reserve and \$10 to 15,000 from the Operating Reserve.

Cline made a motion to approve transferring \$30,000 from the Capital Reserve to the checking account and \$15,000 from the Operating Reserve to the checking account. Seconded by Verick; all approved.

3.2 Loan opportunities such as bridge loans-Discussion/Approval

Rosenblatt doesn't think a bridge loan is in the best interest of the district at this time.

3.3 HAF Grant Funding-Discussion/Approval

Cline reported on the disaster relief funds through HAF. She contacted HAF and they told her they got so many requests, many from CSDs, and they are trying to figure out how to distribute the funds. It doesn't look HAF relief funds are an option for the District. HAF has provided a list of resources for other emergency services that are available throughout the County, that list is linked to the email Cline sent to Rosenblatt.

4. UPDATE ON WATER LEAK AND HOW THE BOARD AND VOLUNTEERS CAN HELP WITH SHORTAGES IN STAFF-Discussion/Approval

Rosenblatt gave an overview of what he has been doing in efforts to find the leaks. He thanked Swisher for his help.

The District leaks are getting more dire and harder to find, so Rosenblatt met with Scott Gilbreath and Barry Sutter of the State Division of Drinking Board, and Tom Warnock from PACE. They discussed applying for some urgent-need drinking water funds or requesting additional aid through Cal Warn or Mutual Aid. It was suggested that we request funds to replace the last of the old and undersized waterlines that are not already covered in the current DWR Grant.

Verick asked how the board and volunteers can help. Cline has been helpful calling customers about water shut offs. Swisher helping and Llanos is going to be helping. It was requested that Rosenblatt send the board a map of the waterlines and mark the areas of concern. Verick and Hankin said they would appreciate a map, that they could walk the lines and/or can help make phone calls.

5. POSSIBLE REVISION OF VACATION (PTO)POLICY FOR GM.CLOSED SESSION
5.1 Possible Revision of Vacation (PTO) Policy for General Manager Position. Brief Report of Subcommittee (Cline, Hankin). **Discussion/Action**
Closed Session Synopsis

Discussed;

- Additional administrative staff
- Hiring a grant administrator
- Upgrade operator skill set
- Emergency on call Contractor
- Revision to PTO policies

For February regular meeting agenda;

- Follow up discussion of additional staff, grant administrator and revision of PTO policies.
- Cline and Hankin draft assumption to be discussed, modified and/or approved

6. ADJOURN

Verick adjourned the meeting at 8:15 PM.

Respectfully Submitted,
Roxanne Levang
WCSD Secretary

Directors Report

Westhaven CSD

Water Pumped This Month	974,280 Gallons
Water Sold This Month	445,110 Gallons
Water Loss	529,170 Gallons
Water Loss (%)	54.31 %

	Amount (\$)	# Of Accounts
Total Water	21,599.48	232
Total Late Charge	128.42	43
Total Adjustments	26.00	1
Total Current Charges	21,753.90	232
Amount Past Due 1-30 Days	4,368.67	44
Amount Past Due 31-60 Days	1,870.66	22
Amount Past Due Over 60 Days	7,003.44	12
Amount Of Overpayments/Prepayments	-6,324.23	48
Total Receivables	28,672.44	231

Total Receipts On Account	21,776.74	181
Net Change in Memberships	0.00	0
Amount of All Memberships	0.00	

Turned Off Accounts (Amount Owed)	0.00	13
Collection Accounts (Amount Owed)	0.00	13
Number Of Unread (Turned On) Meters		

Average Usage For Active Meters	1,894	235
Average Water Charge For Active Meters	93.10	232

Usage Groups	Gallons	# Of Accounts	Usage	Gallons	% Of Usage	% Of Sales
Over 50,000		0		0	0.00	0.00
40,001-50,000		0		0	0.00	0.00
30,001-40,000		0		0	0.00	0.00
20,001-30,000		0		0	0.00	0.00
10,001-20,000		3	41,490		9.32	3.93
8,001-10,000		1	8,350		1.88	0.94
6,001-8,000		0	0		0.00	0.00
4,001-6,000		14	66,200		14.87	9.02
2,001-4,000		76	212,660		47.78	37.74
1-2,000		110	116,410		26.15	40.04
Zero Usage		31	0		0.00	8.33
Total Meters		235	445,110		100.00	100.00

WATER CONSUMPTION AND BILLINGS - COMMODITY CHARGES ONLY

ITEM 5.2

Annual adjustments to the commodity rates involve estimation of anticipated water use.

This report tracks billings as compared to budgeted averages based on all meters showing any use.

January 2022

It is not weighted to anticipate seasonal variations in water use.

Adjustments for reported customer leaks have not been included in the monthly totals.

USAGE							CHARGES				
GPD = Gallons per day							Avg persons per household: 2.20				
2022-23	DAYS BILLED	GALLONS BILLED	ACTIVE METERS	GPD BILLED	GPD per METER	GPD per PERSON	TOTAL MONTHLY CHARGES	AVG CHARGE PER ACCOUNT	DEVIATION FROM BUDGET	CUMMULATIVE DEVIATION	
JUNE	33	627,530	202	19,016	94	43	\$ 10,026	\$ 49.63	\$ 1,465	\$ 1,465	
JULY	28	567,100	205	20,254	99	45	\$ 9,056	\$ 44.18	\$ 496	\$ 1,960	
AUG	34	741,200	209	21,800	104	47	\$ 11,832	\$ 56.61	\$ 3,271	\$ 5,232	
SEPT	28	581,560	208	20,770	100	45	\$ 9,256	\$ 44.50	\$ 695	\$ 5,927	
OCT	28	496,500	204	17,732	87	40	\$ 7,998	\$ 39.21	\$ (563)	\$ 5,364	
NOV	35	519,450	208	14,841	71	32	\$ 8,253	\$ 39.68	\$ (308)	\$ 5,056	
DEC	28	410,820	201	14,672	73	33	\$ 6,567	\$ 32.67	\$ (1,994)	\$ 3,063	
JAN	30	445,110	201	14,837	74	34	\$ 7,108	\$ 35.36	\$ (1,453)	\$ 1,610	
FEB				-	-	-	\$ -	-	-	\$ -	
MAR				-	-	-	\$ -	-	-	\$ -	
APR				-	-	-	\$ -	-	-	\$ -	
MAY				-	-	-	\$ -	-	-	\$ -	
Monthly AVG	31	548,659	205	17,990	88	40	\$ 8,762	\$ 42.73	\$ 1,482		
Total		4,389,270					\$ 70,096		\$ 1,610	\$ 1,610	
Leak Adjustment			(gal)								
Cummulative Leak Adjustment		54,152					\$ 829				
Net		4,335,118	(After Leak Adjustments)				\$ 69,267			\$ 780.78	

BUDGETED ANNUAL COMMODITY INCOME: \$ 102,729
 BUDGETED COMMODITY PER MONTH: \$8,561
 BUDGETED COMMODITY PER PERSON PER MONTH: \$ 41.96

SOLD TO DATE

2022-2023	4,389,270	=	92%
2021-2022	4,796,060		OF 21-22

TOTAL BILLINGS TO DATE

2022-2023	\$70,096	=	96%
2021-2022	\$72,752		OF 21-22

2021-2022

JUNE	28	793,200	205	28,329	138	63	\$ 12,069	\$ 59	\$ 3,508	\$ 3,508
JULY	28	612,060	206	21,859	106	48	\$ 9,314	\$ 45	\$ 754	\$ 4,262
AUG	34	773,350	209	22,746	109	49	\$ 11,702	\$ 56	\$ 3,142	\$ 7,404
SEPT	28	586,540	205	20,948	102	46	\$ 8,874	\$ 43	\$ 313	\$ 7,717
OCT	29	519,020	207	17,897	86	39	\$ 7,846	\$ 38	\$ (714)	\$ 7,003
NOV	33	536,010	207	16,243	78	36	\$ 8,161	\$ 39	\$ (399)	\$ 6,603
DEC	29	446,110	199	15,383	77	35	\$ 6,719	\$ 34	\$ (1,842)	\$ 4,761
JAN	30	529,770	203	17,659	87	40	\$ 8,065	\$ 40	\$ (496)	\$ 4,266
FEB	32	519,060	201	16,221	81	37	\$ 7,866	\$ 39	\$ (694)	\$ 3,571
MAR	30	533,550	201	17,785	88	40	\$ 8,118	\$ 40	\$ (442)	\$ 3,129
APR	27	454,630	200	16,838	84	38	\$ 6,917	\$ 35	\$ (1,643)	\$ 1,486
MAY	30	517,260	200	17,242	86	39	\$ 7,872	\$ 39	\$ (689)	\$ 797

**Westhaven Community Services District
FY 2022-2023 Income / Expense Report
as of January 2023**

ITEM 5.3

<u>Annual</u>		<u>OPERATING BUDGET</u>			<u>CURRENT</u>			<u>CUMULATIVE</u>		
<u>Budget</u>	<u>Income</u>	<u>Jan. 2022</u>	<u>Monthly Budget</u>	<u>Over/Under</u>	<u>July 2022 thru Jan. 2022</u>	<u>Jul '22 thru June 2023 Budget</u>	<u>Over/Under</u>	<u>% of Budget</u>		
249,859	Water Sales	17,671	20,822	-3,151	133,947	124,930	9,018	107.2%		
3,282	Water Services	339	274	66	2,564	1,641	923	156.2%		
253,141	Total Income	18,010	21,095	-3,085	136,511	126,571	9,941	107.9%		
	Expense									
1,086	Source of Supply	0	91	-91	191	543	-352	35.2%		
11,536	Pumping	801	961	-160	6,683	5,768	915	115.9%		
49,270	Water Treatment	5,542	4,106	1,436	28,123	24,635	3,488	114.2%		
13,725	Transmission & Distribution	17,682 ¹	1,144	16,538	51,699	6,863	44,837	753.4%		
11,329	Customer Accounts	358	944	-586	3,349	5,665	-2,316	59.1%		
156,195	Administrative & General	13,343	13,016	327	82,226	78,098	4,129	105.3%		
10,000	Operating Reserves Contrib.	0	833	-833	0	5,000	-5,000	0.0%		
253,141	Total Expense	37,726	21,095	16,631	172,271	126,571	45,701	136.1%		
	Net Operating Income	-19,716	0		-35,760					

Income & Expense Report Notes:

¹ Transmission & Distribution is over budget because of: Annual backflow testing expense of \$2250, which customers reimburse. GR Sundberg vac truck for water on July 31, 2022 waterline repair at 418 7th Avenue. October, 2022 \$11,729 in emergency water deliveries as staff searched, found and repaired a leak on Highland Avenue. November, 2022 \$2623 for emergency bore for water line replacement for the October leak on S. Highland Ave. \$500 for supplies to repair 11/5 leak on 7th Ave and \$1600 for the vac truck. December Pacific Earthscape emergency pipe repair \$1779 and Wahlund Const 12/2 leak on Stone Lane \$3942. **January 2023 \$15,340 in emergency water deliveries.**

WESTHAVEN COMMUNITY SERVICES DISTRICT
Treasurer's Report
January 2023

ITEM # 5.5

<u>BALANCE</u>	<u>CURRENT RATE</u>	<u>TYPE LOCATION</u>	<u>F/Y BUDGETED CONTRIBUTION</u>	<u>F/Y CONTRIBUTIONS YET TO BE MADE</u>	<u>F/Y DEPOSITS TO DATE</u>	<u>F/Y WITHDRAWALS TO DATE</u>
\$231,731.58	1.69800	Capital Reserves Hum Co Fund 2600		\$ 20,000		8/23 \$ 60,000.00 \$60,000 withdrawal is to help with grant exp. while waiting for reimbursement pymts from funders.
						Note: We have incomplete financial reports from Humboldt Co. Auditors office. The unreconciled balance as of 6/30/2022 per Auditors office is as shown.
\$52,844.03	0.24000	Operating Reserve LAIF # 16-12-005		\$ 10,000		\$97.90 7/15/22 Interest \$178.27 10/14/22 Interest \$274.62 1/13/23 Interest
\$28,918.59	0.50000	DWR CD Reserve CD Umpqua 2368	Held in reserve for the term of the loan - until 2024			\$ 2.69 5/31/22 Interest \$ 2.62 6/30/22 Interest \$ 8.01 7/1-9/30/22 Interest \$ 8.02 10/1-12/31/22 Interest
\$11,027.81	0.03000	DWR Loan Savings Saving Umpqua 0648	Accumulates for Semi-Annual payments of \$13,200.95 to Dept of Water Resources	Automatic Monthly deposit from checking of \$2200.23 (annual total \$26,402.76)		\$ 13,200.95 10/5/22 DWR Qrtly loan payment
\$456,478.86		Checking Account Umpqua 5013				Checking Balance as of 2/10/2023

*Capital Reserves Contributions Shall be \$20,000 and should be made unless unforeseen District expenses or unexpected revenue shortfalls prevent making a full contribution (from Financial Procedures Manual) **Reserve contributions historically made at end of fiscal year.**

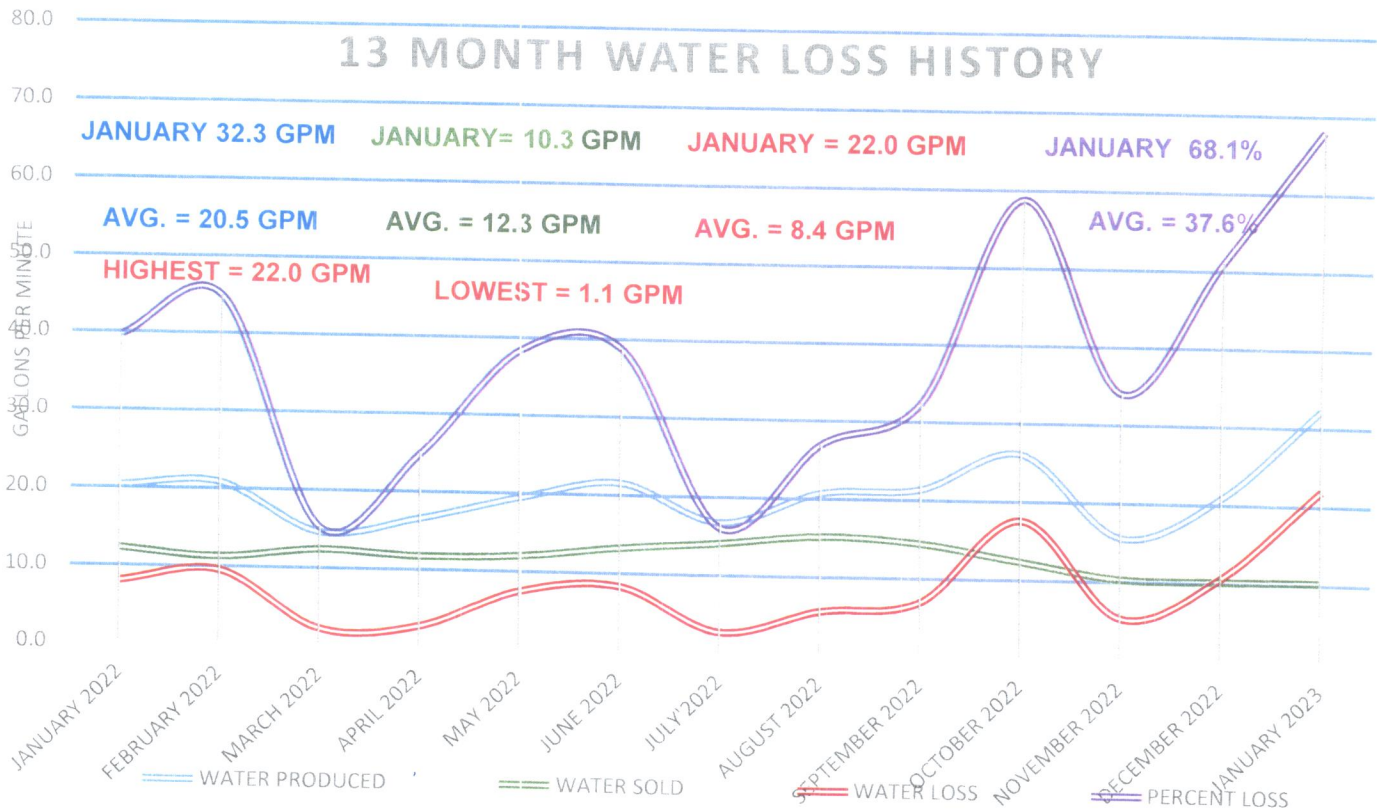
** Operating Reserves Contribution: Sufficient to maintain a minimum reserve of 25% of the total operating budget; surplus may be contributed to the Capital Reserve Funds (From Financial Procedures Manual)
 2022/2023 Regular Operating Budget \$243,151. X 25% = \$60,785.25

WESTHAVEN CSD • MANAGER'S REPORT
JANUARY 2023

8.1 Water Loss

Water loss increased from 10.3 gpm in December to 22.0 gpm in January for 68.1% of total production of 1,394,380 gallons. 1 known system leak and unfound huge ongoing leak/s. 420,100 gallons trucked water delivered Discussion

FROM JULY 2003	PRODUCED GPM	SOLD GPM	LOST GPM	%LOSS OF WATER PRODUCED	MONTHLY PRODUCTION GALLONS	MONTHLY SOLD GALLONS	MONTHLY LOSS GALLONS	
JANUARY 2023	32.3	10.3	22.0	68.1	1,394,380	445,110	949,270	
AVG. ALL	21	15	6	29	932,009	587,109	283,119	
24 MO AVG.	19	13	6	29	824,256	563,577	260,679	
13 MO AVG.	20.5	12.3	8.4	37.6	901,088	534,118	366,969	
MINIMUM MONTH EVER	11.2	10.0	1.1	6.8	488,090	410,820	43,080	
	DEC 2018	DEC 2018	SEPT 2021	SEPT 2021	APR 2017		SEPT 2021	
MAXIMUM MONTH EVER	34.8	27.0	22.0	68.1	1,523,405	850,410	916,340	
	JUL 2004	JUL 2003	JAN 2023	JAN 2023	JUL 2004		NOV 2016	
	SINCE DECEMBER 2016					57,740,483	22	14,197,769
	13 MONTH TOTALS					11,714,142	38	4,770,602
	SINCE OCT 2021 Submission of DWR Drought grant					13,759,882	35	5,315,202



DAILY WELL FLOW

- 2/10/17 4.0 gpm
- 2/10/18 5.3 gpm
- 2/10/19 4.1 gpm
- 2/10/20 5.4 gpm
- 2/10/21 4.5 gpm
- 2/10/22 4.8 gpm
- 2/10/23 5.5 GPM

MONTH TOTAL AVG GPM

- 2/17 62.1 gpm (all collectors on)
- 2/18 40 gpm (south collector only)
- 2/19 45 gpm (south collector only)
- 2/20 33 gpm (2 collectors on)
- 2/21 42 gpm (all collectors on)
- 2/22 37 gpm (Day) (all collectors on)
- 2/10/23 40 gpm (Day) (all collectors on)

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific:

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: _____
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

BACKGROUND

Westhaven Community Services District. The Westhaven Community Services District (District) was formed to provide water service to the community of Westhaven and has an approximately 0.60 square-mile district boundary located mostly within the Coastal Zone just north of Moonstone Beach and south of Luffenholtz Creek. The Westhaven Mutual Water Company (MWC) petitioned the Humboldt Local Agency Formation Commission (LAFCo) on May 17, 1988, to form the district because the MWC was not eligible to apply for grant funding and to allow the District to establish other ongoing funding sources to support the water service.

The District provides water service to approximately 467 residents through 232 connections of which 229 are residential and 3 are public facility/commercial. The District's water system is comprised of approximately 7.5 miles (39,600 feet) of distribution lines, of which approximately 52% (19,340 feet) consists of 6-inch or 4-inch diameter C-900 PVC pipe, approximately 20% (7,920 feet) consists of 4-inch or 3-inch diameter asbestos cement pipe (AC), approximately 10% (3,690 feet) consists of schedule 40 PVC pipe, and the remaining approximately 19% (7,385 feet) is 2-inch or smaller diameter 40-year old polyethylene pipe. The water mains for the system were originally installed over 50 years ago by the Westhaven Mutual Water Company and are deteriorating in various places; however, approximately 6,475 feet of mains were replaced in 2016 with state grant funding, as described below.

Trinidad Area Plan. The Trinidad Area Plan of the Humboldt County Local Coastal Program (TAP) - the Coastal Zone segment within which the District is located has special criteria for the provision of drinking water to parcels within and adjacent to what the TAP refers to as the Westhaven Village Area. Policy 3.21.B.3 applies to the portion planned Rural Village (RV) and prohibits subdivision, requires the demonstration of adequate water supply for the development of existing parcels, including through an agreement with the District, and requires that providers of water service to 20 or more service connections to annually submit to the County Planning Commission a Public Works Plan consisting of a five-year projection of service growth and a specific plan, if any, for system expansion in the following year.

TAP Policy 3.23.B.1, Extension of Services, limits the provision of water service within the Westhaven Village Area to only the number of residential sites and other planned uses which can be developed under the adopted plan. This policy further allows service to be extended outside of the Urban Limit Line only to uses compatible with the TAP that are solely responsible for the costs associated with the extension of service, that extended services not remove capacity necessary to serve future development on undeveloped lots within the existing serviced areas or degrade fire protection services, and that service extensions conform with resource protection policies. The TAP Land Use Map identifies the "Westhaven Service Area" (which is assumed to correlate to some degree with the Westhaven Village Area described in Policy 3.21.B.3 and 3.23.B.1) includes land planned Rural Village (RV) and Rural Residential (e), 0-1 unit per acre. The Westhaven Service Area is entirely within the District boundary within the Coastal Zone, except for three improved parcels located west of Scenic Drive and adjacent to the northwest District boundary. There are 12 Assessor's Parcels within the District boundary that are outside the Westhaven Service Area. At least a portion of each of these parcels is planned RR(c) (0-1 unit per 2 ½ acres), all of these parcels are improved, and two were originally connected to the Westhaven MWC system and now receive water service from the District.

2015 Waterline Replacement Project. In 2015, the California Coastal Commission approved a Coastal Development Permit allowing the District to replace approximately 6,475 feet of 2-inch diameter polyethylene with 4-inch diameter polyvinylchloride (PVC) in order to repair and improve its community water system to reduce water system losses from leaking pipes and improve system efficiency. This project was located within a small area of State jurisdiction and the Commission processed a consolidated coastal development permit application.

Recent County Approved Coastal Development Permits for Wells. The District submitted an application to Humboldt County for a Coastal Development Permit and a Special Permit (PLN-2020-16307 which was effective 11/19/2020 and expires as of 11/19/2023) to drill two (2) temporary test wells to determine groundwater availability and quality and, drill up to three (3) geotechnical borings to characterize subsurface conditions at APNs 514-132-007, 514-132-008, 514-133-001 and 513-181-014. This permit was approved by Humboldt County and the District has filed an application for a three-year extension Extension/Modification to include a pumphouse and to extend the expiration date (PLN-2021-17505). The District is also proposing to install permanent data loggers on certain wells and if the wells indicate an overdraw then pumping would cease until water table recovery is achieved. This permit includes the voluntary merger of three parcels consisting of APNs 514-132-007, 514-132-008 and 514-133-001. Also included is a Modification of the permit to allow for 16-foot by 16-foot pumphouse's to be installed at each well location. The modification would also allow for the wells to be permanent.

The District submitted a second application for Coastal Development Permit (PLN-2020-16808 effective 5/25/2021 and expired on 5/25/2022) to drill one (1) new well, the installation of a new raw water transmission line along 1st and Transit Avenues, and replacement of existing water lines along 4th Avenue to connect the new well and existing wells located along 3rd and 4th Avenue to the existing water treatment plant at the east terminus of 4th Avenue. PLN-2020-16808 is expired and PLN-16808-MOD01 has been initiated.

PROPOSED PROJECT

The District water system is in urgent need of repair to address severe water distribution system leaks that result in excessive water loss which is compounded by persistent drought conditions

The District has over a mile of 2-inch polyethylene pipe (HDPE) installed in 1968 and 1969. This 2-inch HDPE pipe has been experiencing many leaks in the past few years. In May 2020 the District experienced a leak which required the use of water trucks for emergency delivery to the water plant and tanks. Over 90,000 gallons of water were delivered at a cost of over \$9,000 and a boil water notice was also issued as precaution at that time. In October 2022 the district had a leak in the 2-inch HDPE that required water deliveries of 83,200 gallons for \$11,728.

One mile of replacement waterline was installed in 2016 replacing 2-inch HDPE, pursuant to Coastal Commission CDP-1-14-1659. Since 2017 there have been at least 45 leaks, all but three of which have been associated with pipe installed in 1968 and 1969. The highest monthly water loss was 58.8 percent in October 2022 and 34 percent during last month (November 2022). The state division of drinking water (DDW) has outlined 10 percent water loss as the upper threshold of acceptable loss. Currently the District has an ongoing leak, whereby the system is unable to keep the tanks full and has once again required delivery of emergency water in order to not depressurize the water distribution system.

Department of Water Resources, through the Small Community Drought Relief program, has granted the District funds to replace nearly all of the 2-inch HDPE pipe remaining from 1968 and 1969, over 5,500 feet, and the project must be completed by December of 2023. It is of the utmost urgency that this project is issued an emergency permit to replace the waterlines which are all within the county owned right of way. Minimal disturbance will occur as a result of this project. The district is currently operating essentially under a state of emergency and time is limited for the funds to be available. The District has also been depleting reserve funds having spent \$19,665 on leak repairs, not including parts, since December of 2021 with three significant bills still pending. In addition, this situation has made it so the District has not been able to contribute its budgeted amount to its reserves for the last two fiscal years.

Significant waterline leaks continue to exist within the following County or non-County maintained roadways:

- Kay Avenue (County Maintained),
- Tepona Lane (non-County Maintained),
- 6th Avenue (County Maintained) between Westhaven Drive and Kahlstrom,
- Highland Avenue (County Maintained),
- Spring Lane (non-County Maintained), and
- Kahlstrom Avenue (County maintained) between Westhaven Drive and 7th Avenue,
- 7th Avenue County Maintained),
- Haven Way (non-County Maintained) between 1st Avenue and Driver Road,
- Driver Road (County maintained) between Ferncrest Way and Westhaven Drive,

The District is seeking approval of an emergency Coastal Development Permit to replace approximately 5,650 feet of leaking 2-inch polyethylene water mains originally installed in 1968, with 6-inch and 4-inch C900 pipe to reduce the excessive water loss. The District has received funding from the California Department of Water Resources to address this emergency and to minimize water loss. This project would also include the replacement of typical appliances that are appurtenant to waterlines, such as thrust blocks, shut off valves, air vacuum valves and 10 fire hydrants intended to increase firefighting capacity. Most existing service laterals along the alignment will be replaced (a total of 33 service lateral replacements), including the installation of new meters that will allow remote reading and help the District more rapidly identify water leaks within a customer's pipes, as well as ten new fire hydrants are proposed to be installed to increase firefighting capacity. One new service connection will be made along the alignment of this emergency waterline replacement project that will serve An undeveloped property containing a family garden (APN 514-201-037 on Driver Road). This parcel has been on the waiting list for District service for more than twenty years and as such has been accounted for in calculations of District service capacity since the formation of the Westhaven MWC (see reference to previously purchased shares in TAP policy 3.21 B.2.i., Westhaven Village).

In addition, an emergency intertie is proposed to be constructed between the District water distribution system and the Moonstone Heights Mutual Water Association (MWA) system along the alignment of the emergency water replacement in the area of 55 Haven Way. The Moonstone Heights MWA is non-profit corporation that is located entirely within the District boundary and provides water at cost only to its shareholders who are owners of property within an old subdivision. Moonstone Heights MWA has 14 service connections. The Driver Road emergency waterline replacement trenching will be within feet of the Moonstone Heights MWA distribution system, so only a very small amount of additional excavation

will be required to accomplish the intertie. The state of California encourages emergency water interties between small water systems as a system redundancy and drought resiliency measure (AB 552 requires that by January 1, 2027, small water providers have at least one backup source of water supply, or a water system intertie, that meets current water quality requirements and is sufficient to meet average daily demand). The intertie will not result in additional water supply capacity for either system, as it will only be used as a temporary backup water supply for either system in the event of an emergency.

The following table describes proposed size and location of the replacement waterlines.

Pipe Location	Length
Tepona Lane	850 feet (4 inch)
Driver Road, between Ferncrest Way and Westhaven Drive	1,700 feet (6 inch)
Ferncrest Way, between 1 th Avenue and Driver Road	430 feet (6 inch)
6 th Avenue, between Westhaven Drive and Kahlstrom	1,100 feet (6 inch)
Kahlstrom Avenue, between Westhaven Drive and 7 th Street	390 feet (6 inch)
Spring Lane	390 feet (6 inch)
Highland Avenue	420 feet (6 inch)

The replacement of existing 2-inch water lines with 4-inch and 6-inch water lines is not intended to increase the capacity of the system for development purposes. Rather, the proposed larger water lines are intended to (1) meet minimum California water works standards, (2) allow the District water systems to better meet minimum fire flow requirements and California Fire Code, and (3) to improve system efficiency. According to Section 64573 (Minimum Water Main Size for Community Water Systems) of the California Code of Regulations, newly installed water mains in a community water system shall have a nominal diameter of at least four inches. According to the American Water Works Association (Distribution System Requirements for Fire Protection, AWWA Manual M31, 2008) the minimum pipe size in a looped system to provide water for fire protection is 6-inch. Given these standards, 6-inch pipes are to be used to replaced leaking pipes where waterlines are looped and 4-inch in pipes are to be installed along dead-end lines to replace leaking pipes.

The replacement of 2-inch diameter water main mains with at least 4-inch diameter mains would allow the District to meet the minimum State mandated water main size requirements. In order to allow fire flow volumes of 500 gallons per minute with the district’s gravity flow system water mains should be a minimum of 6-inches in diameter. The water mains along Westhaven Drive, and those that form loops from these mains, are designed to be 6-inch to support fire flow requirements. The District has conducted tests on the gravity flow six-inch mains and found that 500 gallons per minute is the maximum fire flow available on any existing hydrant.

Construction activities would occur within the existing travel ways of county-maintained road rights-of-way and non-county-maintained roads and on within the existing road shoulder area. The installation of replacement service laterals and water meters and one new service lateral would involve additional trenching along the alignment of the existing service laterals from the edge of the waterline trench to the backside of the existing water meter. Water meters are typically located within 15 to 25 feet from the main waterline. The emergency intertie with the Moonstone Heights MWA system would involve 15

to 25 feet of additional trenching within road and road shoulder and the installation of piping to connect the systems, a bi-directional meter, and isolation valves.

The Westhaven CSD would be required to secure encroachment permits for construction within county-maintained road, carry out construction activities pursuant to existing easements, and secure access agreements for construction where easements/agreements are not currently present. County encroachment permits will likely require the submission of traffic plans to protect the traveling public in accordance with and minimize inconvenience to the travelling public. Westhaven CSD encroachments would be designed and carried out to comply with County regulations regarding the laying or maintaining of water pipelines or other underground utilities.

Installation of the replacement water main segments and service laterals would involve open trenching along approximately 5,000 of the alignment containing existing leaking water pipes and the excavation of approximately 1,000 cubic yards of material. The trenches would be excavated in a "T" shape 38-inches deep, 24-inches wide at the bottom, and 36-inches wide at the surface to provide for adequate surface for paving over the trench after pipe installation where needed. The top of the new water mains would be installed 30-inches below the existing grade. Following completion of daily construction activities, trenched areas would be filled and compacted to 90% compaction as specified in the District's annual encroachment permit. No material or debris will be exported or stored off-site. The existing water mains would be abandoned in place by cutting and capping the pipes with a permanent plug, such as concrete reaction block or flowable fill.

The existing water system lacks shut off valves and air vacuum valves that are needed to isolate damaged water mains that require maintenance and repairs and prevent deterioration of the overall system. The proposed project also includes the installation of water shut-off valves to facilitate future maintenance and repair, air-vacuum valves to protect the water mains from possible damage, and ten new fire hydrants to protect life and property. These installations would be done in the same location as the water main replacements and will not require additional areas of disturbance.

Approximately 650 feet of new pipeline is proposed along Driver Road in order to address water quality problems caused by the Driver Road waterline dead end and to provide a system loop that will improve the performance of the water system and improve fire flow this will also increase the efficiency of the distribution system by providing a second route of delivery of water to the moonstone beach subdivision portion of the District boundary (Metsko, Rayipa and Seadrift Lanes), for which there is only one over 50-year old pipeline to convey water to moonstone. Adding redundancy to the existing waterline that was installed in 1968 and provides water to moonstone is very important because it is at great risk of a failure due to ongoing erosion within the 4th avenue trail where it is located. There are no vacant and developable parcels along the proposed new section of waterline, except for parcels adjacent to U.S. 101 owned by the state of California. All other parcels along the alignment are developed and either connected to the District system or served by on-site water systems.

The 650 feet of new pipeline along Driver Road would be constructed using horizontal directional drilling (HDD) to minimize potential impacts. HDD involves digging a receiving hole and entrance pits. These pits will allow the drilling fluid to be collected and reclaimed to prevent waste. The first stage of operating is the drilling of a pilot hole on the designed path, and the second stage (reaming) enlarges the hole by passing a larger cutting tool known as the back reamer. The diameter is established according to the outer diameter of the pipe to be installed. The third stage places the pipe in the

enlarged hole by way of the drill stem, which is pulled behind the reamer to allow centering of the pipe in the newly reamed path.

HDD is done with the help of a viscous fluid known as drilling fluid. It is a mixture of water and, usually, bentonite or polymer continuously pumped to the cutting head or drill bit to facilitate the removal of cuttings, stabilize the bore hole, cool the cutting head, and lubricate the passage of the product pipe. The drilling fluid is sent into a machine called a reclaimer which removes the drill cuttings and maintains the proper viscosity of the fluid. Drilling fluid holds the cuttings in suspension to prevent them from clogging the bore. Best management practices are used to manage and contain drilling fluids.

Mowing may be required in disturbed vegetated areas along the existing county-maintained road rights-of-way and non-county-maintained roads and on the road shoulder. No major vegetation removal is proposed. Non-traffic areas disturbed by construction will be reseeded with native grasses.

The project has been designed to minimize potential environmental impacts and will incorporate best management practices and design elements to reduce potential impacts. The project replaces existing waterlines along their existing alignment within existing roadways. Where the project involves the installation of a new waterline to improve drinking water quality system function, this segment will be installed using horizontal directional boring to further avoid potential environmental effects. As proposed, the project follows the existing waterline alignment within existing roadways, which will have the least environmental effects when compared to any alternative alignment. The project will also incorporate design elements to further reduce impacts, including:

- minimize the amount of excavation, abandon the existing waterline in place by cutting and capping the ends of pipe segments with a permanent plug, such as concrete reaction block or flowable fill;
- materials and heavy equipment shall be staged at previously disturbed locations;
- excavation areas shall be watered, as necessary, to prevent dust;
- implement erosion, sediment, and runoff control measures in accordance with an erosion control plan, and all erosion control measures shall be maintained throughout the duration of construction activities;
- construction materials, spoils, soil, debris, and waste shall be placed or stored in a manner to ensure not to enter coastal waters or environmentally sensitive areas;
- on-site stockpiles of construction debris and soil or other earthen materials shall be covered and contained whenever there is a potential for rainfall in order to prevent polluted water runoff from the site and be located a minimum of 100 feet from coastal wetlands, waters, concentrated stormwater flows or drainage courses, and storm drain inlets;
- excess material that is generated shall be disposed of at an authorized disposal site;
- any erosion-control associated netting shall be made of natural fibers (and not polypropylene, nylon, polyethylene, polyester, or other synthetic fibers) and constructed in a loose-weave design with movable joints between the horizontal and vertical twines;
- construction vehicle or equipment cleaning, fueling, and/or maintenance conducted on site shall take place only within designated areas, which shall fully contain any spills of fuel, oil, or other contaminants and be located at least 100 feet from coastal wetlands and waters, drainage courses, and storm drain inlets; and

- trash shall be contained and removed from the work site on a regular basis, and properly disposed of to avoid inadvertent contamination of habitat during construction activities.

The estimated length of the construction period would be 8-12 weeks, beginning as weather allows and ending October 15, or later as needed and as weather permits. Construction will occur Monday through Friday, from 7:00 AM to 5:00 PM. Construction will not occur on weekends. One lane traffic control using a County approved traffic control plan would be used in areas where water mains cross under the road. At no point during the project would any roads be completely closed to through traffic.

Potential Growth Inducement. In The Coastal Commission's prior action approving the replacement of 6,475 feet of 2-inch waterline by the District, the Commission staff report indicated that "the principal issues raised by the project are whether the additional system capacity achieved from the proposed development would induce development that is inconsistent with the planned uses for the area under the certified LCP or preclude the development of the priority uses protected by the Coastal Act." The Commission applied a special condition to address this concern:

Special Condition 5. Limits on Future Connections. New water service capacity resulting from the approved development shall only be used within the District's current service area and shall not be used to: (a) serve new water connections outside existing District service area boundaries; (b) provide fire-fighting capacity outside existing District service area boundaries; or (c) extend water mains into areas beyond existing District service area boundaries.

This proposed application for emergency replacement of leaking waterlines follows the approval by the County of new water wells pursuant to CDPs PLN-2020-16307 and PLN-2020-16808. The project descriptions for both well projects state that the purpose is to establish additional permanent groundwater wells so that groundwater can potentially be blended with surface water prior to treatment to reduce required chlorination levels and to reduce formation of disinfection byproducts (DBP). In December 2017, the District was issued Compliance Order No. 01-01-17R-004 by the State Water Resources Control Board (SWRCB) for consistently exceeding maximum contamination levels of DBPs, due to minimum contamination level exceedances for total trihalomethanes and Haloacetic acids. The District is in the process of addressing these exceedances by establishing additional groundwater wells so that groundwater can be blended with surface water prior to treatment to reduce required chlorination levels and to reduce formation of DBPs and to increase resiliency and supply.

To carry out the new well installation project, the District has received funding from the State Water Board Cleanup and Abatement Account Urgent Drinking Water Need Projects for the purpose of providing a resilient water supply for the community and to address the SWRCB Compliance Order described above:

"Westhaven Community Services District (WCSD) has experienced reduced surface water flows in the last two years. Years 2020 and 2021 had reduced surface water flows of 20% and 30%, respectively. Without sufficient rainfall, the District is concerned about the available surface water flow in 2022. In addition, the District is reliant on one 30-year-old ground water well which supplies about 20-30% of consumed water in the summer and 40-55% in the winter. This well was constructed with a 0.188-inch mild steel casing and was experiencing a reduction in production prior to the drought. We are concerned it is nearing end of service life. The District

has spent over \$60,000 of its own reserves to plan for construction of three new wells within the service area boundaries. The District considers conjunctive use of both surface and groundwater essential to having a resilient water supply for our community.”

The Humboldt Local Agency Formation Commission Municipal Service Review (2021) for the District system, states that “(t)here has never been enough capacity to meet the need (water service demand from existing and planned development within the District boundary) which has led to a moratorium on connections. There are currently 70 houses on the waiting list for service, which have been in place since the District’s formation.” The State Water Resources Control Board Division of Drinking Water (DDW) annual inspection report finds that the District water system capacity from existing supply sources is potentially vulnerable to extended dry-weather periods especially in late fall until the wet-weather season begins. Given the District’s limited capacity, that DDW requires that “(p)rior to providing service to new customers, WCSD must prepare a technical report showing that there is adequate capacity. The technical report must include information necessary to demonstrate compliance with applicable water system capacity requirements and CA Waterworks Standards. The report must clearly present all data, records, etc. that served as the basis for any findings and determinations. The report shall be prepared by a professional civil engineer registered in the State of California with experience in water supply engineering.” Note that “new customers” do not include the 70 existing homes that who are on the District waiting list.

The purpose of the emergency water line replacement project, in conjunction with the recently approved well projects, is not to establish new service or to serve growth outside of the District boundary. Instead, the project is intended to eliminate severe water loss resulting from leaking waterline and to improve system resilience to current and future droughts. The District may only establish service connections within its boundary, and new connections may only be established after the District demonstrates to DDW that there is adequate capacity through an engineering report.

This project also includes an emergency water system intertie between the District and the Moonstone Height MWA, as required by the state of California pursuant to AB 552. This intertie is not intended to expand the capacity of either system, rather it will only be used as a temporary backup water supply for either system in the event of an emergency.

The description of the emergency waterline replacement project above states that the replacement of existing 2-inch water lines with 4-inch and 6-inch water lines is not intended to increase the capacity of the system for development purposes, rather the increase in pipe size is solely intended to comply with California Waterworks standards and to support minimum fire flow requirements based on American Water Works Association Distribution System Requirements for Fire Protection. No new developments are proposed to be served by the emergency waterline project. To the extent that new development is proposed in the future adjacent to the emergency waterline replacement project alignment and seeks a connection to the District system, the District must demonstrate to DDW that there is adequate capacity through an engineering report, the development would need to be consistent with all TAP land use and service policies and applicable zoning, and must be consistent with Westhaven CSD ordinance 97-3, as revised, which establishes priorities for providing water service within its jurisdiction boundary. In addition, a Coastal Development Permit for the installation of the service lateral, which finds that the service connection is consistent with the TAP and Coastal Act, that is subject to the California Environmental Quality Act, is approved by Humboldt County. Finally, in conformance with Special

Condition 5, any new water service capacity resulting from the approved development shall only be used within the District's current service area and shall not be used to: (a) serve new water connections outside existing District service area boundaries; (b) provide fire-fighting capacity outside existing District service area boundaries; or (c) extend water mains into areas beyond existing District service area boundaries.

However, regarding Special Condition 5(b) above, it should be noted that water for fire suppression operations in the areas adjacent to the District is almost always provided by the District water system or the City of Trinidad water system using a water tender shuttle, as there is no other source of water that can support fire suppression operations. In addition, the narrative in TAP Section 3.10, Urban Development, states that "If water service were augmented south of Trinidad, there would be an opportunity to provide a "looped" water main as an alternate to the existing single-main system. Most notable benefits of a loop system would be in the area of fire protection; fire protection within the entire planning area is currently a significant point of concern

REQUIRED FINDINGS

Applicability of Zoning Regulations to Water Projects

Government Code 53091(e) Zoning ordinances of a county or city shall not apply to the location or construction of facilities for the **production, generation, storage, treatment, or transmission of water**,

Findings Relating to CEQA

The project is categorically or statutorily exempt.

The Westhaven CSD is the lead agency for this project for CEQA purposes. The Westhaven CSD filed a notice of exemption for the project on [REDACTED], 2022, pursuant to Section 15302(c) of the CEQA Guidelines for replacement and reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

Humboldt County Code Section 312-15 et seq., Required Findings for Emergency Waiver of Procedures

15.2.1.1 The location, nature and cause of the emergency:

Significant waterline leaks exist within the following County or non-County maintained roadways:

- Kay Avenue (County Maintained),
- Tepona Lane (non-County Maintained),
- 6th Avenue (County Maintained) between Westhaven Drive and Kahlstrom,
- Highland Avenue (County Maintained),
- Spring Lane (non-County Maintained), and
- Kahlstrom Avenue (County maintained) between Westhaven Drive and 7th Avenue,
- 7th Avenue County Maintained),
- Haven Way (non-County Maintained) between 1st Avenue and Driver Road,
- Driver Road (County maintained) between Ferncrest Way and Westhaven Drive,

The Westhaven CSD has experienced extreme water loss from leaks in the pipelines located the roadways listed above. The following is a listing of water loss conditions:

The District has over a mile of 2-inch polyethylene pipe (HDPE) installed in 1968 and 1969. This 2-inch HDPE pipe has been experiencing many leaks in the past few years. In May 2020 the District experienced a leak which required the use of water trucks for emergency delivery to the water plant and tanks. Over 90,000 gallons of water were delivered at a cost of over \$9,000 and a boil water notice was also issued as precaution at that time. In October 2022 the district had a leak in the 2-inch HDPE that required water deliveries of 83,200 gallons for \$11,728.

One mile of replacement waterline was installed in 2016 replacing 2-inch HDPE, pursuant to Coastal Commission CDP-1-14-1659. Since 2017 there have been at least 45 leaks, all but three of which have been associated with pipe installed in 1968 and 1969. The highest monthly water loss was 58.8 percent in October 2022 and 34 percent during last month (November 2022). The state division of drinking water (DDW) has outlined 10 percent water loss as the upper threshold of acceptable loss. Currently the

District has an ongoing leak, whereby the system is unable to keep the tanks full and has once again required delivery of emergency water in order to not depressurize the water distribution system.

Department of Water Resources, through the Small Community Drought Relief program, has granted the District funds to replace nearly all of the 2-inch HDPE pipe remaining from 1968 and 1969, over 5,500 feet, and the project must be completed by December of 2023. It is of the utmost urgency that this project is issued an emergency permit to replace the waterlines which are all within the county owned right of way. Minimal disturbance will occur as a result of this project. The district is currently operating essentially under a state of emergency and time is limited for the funds to be available. The District has also been depleting reserve funds having spent \$19,665 on leak repairs, not including parts, since December of 2021 with three significant bills still pending. In addition, this situation has made it so the District has not been able to contribute it's budgeted amount to its reserves for the last two fiscal years.

15.2.1.2 The remedial, protective or preventive work required to deal with the emergency:

These pipeline failures occur throughout the pipeline and are not limited to specific locations and this persistent leak and water loss problem cannot be resolved by replacing individual pipe segments. Addressing the leaks requires the replacement of the entire portions of the pipelines that are now leaking or vulnerable to leaking.

The Westhaven CSD does not have adequate funding to address this problem on its own and, as indicated above, has worked diligently with available funding and resources to limit severe water losses. The Westhaven CSD recently received grant funding from the state Department of Water Resources (DWR) to address this urgent drinking water need. These grant funds are intended to be used as quickly as possible to address this emergency and must be expended, and all required grant management activities including construction must conclude, prior to December 2023.

The proposed project involves the emergency replacement of approximately 5,650 feet of existing 2-inch diameter polyethylene water lines with 6-inch and 4-inch diameter polyvinylchloride (PVC) to reduce water system losses from leaking pipes and improve system efficiency. Emergency repair work would consist of trenching, and in limited instances horizontal directional boring, to replace existing pipes with modern pipes with materials that are resistive to the failures. The existing water mains would be abandoned in place by cutting and capping the pipes with a permanent plug, such as concrete reaction block or flowable fill.

Approximately 90 percent, or 5,000 feet, of the emergency replacement pipeline would involve open trenching and excavation within the footprint of the existing water pipes. The trenches would be excavated in a "T" shape 38-inches deep, 24-inches wide at the bottom, and 36-inches wide at the surface to provide for adequate surface for paving over the trench after pipe installation where asphalt is disturbed. The top of the new water mains would be installed 30-inches below the existing grade. For approximately 10 percent of the project, or 650 feet, horizontal directional drilling would be used to avoid potential environmental impacts. Construction activities would occur within existing roadways or rights-of-way on the road shoulder. Appropriate best management practices would be implemented to avoid environmentally sensitive habitat areas, limit potential environmental impacts, and address stormwater requirements. The best management practices are described in the attached Coastal Development Permit Application.

The Westhaven CSD will secure all required encroachment permits for construction within county-maintained roads, carry out construction activities pursuant to existing easements, and secure access agreements for construction where easements/agreements are not currently present. County encroachment permits will likely require the submission of a traffic plan to protect the traveling public and to minimize inconvenience to the travelling public. Westhaven CSD encroachments will be designed and carried out to comply with County regulations regarding the laying or maintaining of water pipelines or other underground utilities.

15.2.1.3 The circumstances during the emergency that appear to justify the waiver of procedural requirements, including the probable consequences of failing to take immediate corrective action.

As described above, the Westhaven CSD is experiencing severe water loss due to failures of antiquated PE waterpipe. These failures are not limited to specific locations, rather they are widespread throughout the system. The losses of water are substantial, continuous, and are compounded by ongoing severe drought conditions that affect the region. The Westhaven CSD has done its best in recent years to limit losses using limited District funds and resources, which are not adequate to address this emergency. If the Westhaven CSD fails to replace the portions of pipe that are currently leaking and the antiquated pipes which are prone to leak, the community may need to continually truck in potable water at great expense and adequate trucks may not be available given that the entire county is in Severe Drought or worse. There are three potable water haulers in the north of Humboldt County, one has three 1,650-gallon trucks; one has one 1,650 gallon truck; and the third has one 5,500 gallon semi-trailer which is committed during fire season to fire camps in the region. The typical cost for one delivery is \$180 for each trip.

The District has received grant funding from DWR to address this emergency, which must be fully expanded by December 2023. The combination of the ongoing and significant water losses and drought and the limited period within which grant funding must be expended requires that certain Coastal Development Permit procedures be waived, in particular the amount of time that it takes to approve this project.

15.4.1 An emergency exists that requires action more quickly than permitted by strict adherence to procedural requirements.

The Westhaven CSD is experiencing severe potable water loss due to failures causing leaks in antiquated PE waterpipe. These failures are not limited to specific locations, rather they are widespread throughout the system. The losses of water are substantial, continuous, and are compounded by ongoing severe drought conditions that affect the region. The Westhaven CSD has done its best in recent years to limit losses using limited District funds and resources, which are not adequate to address this emergency. If the Westhaven CSD fails to replace the portions of pipe that are currently leaking and the antiquated pipes which are prone to leak due to their age and material properties, it may be necessary for Westhaven CSD to have potable water trucked in to supply drinking water for the ratepayers at great expense to the rate payers. Moreover, the availability of licensed potable water

trucks is not assured due to the entirety of Humboldt county was in Severe Drought or worse during most of 2021-2022. The National Oceanographic and Atmospheric Administration projects that the drought may persist over most of the west, with equal chances for the north coast. The Westhaven CSD cannot risk a protracted permit process that may extend into the next construction season, limiting the time in which work can occur and limiting the field of available contractors because qualified contractors are already be engaged in work for the 2022 season. In addition, the Westhaven CSD has just over one year to expend all emergency grant funds, and any delays due to permitting and its effect on the available construction season, and reduced availability of contractors could mean that the Westhaven CSD must forfeit unspent fundings.

15.4.2 Public comment received on the emergency action proposed, if any, has been reviewed and considered.

The Westhaven CSD has held **several** regular Board meetings regarding the emergency waterline replacement project. Please see the attached **Board agendas and meeting minutes of XX, XXX.** No public comments relating to this project have been received.

15.4.3 The emergency action would be consistent with the policies of the adopted County General Plan and the regulations of this zoning ordinance.

The Westhaven CSD has provided a complete application that is intended to address Coastal Act and Coastal Development Permit related findings, including applicable Supplemental Findings from the Humboldt County Zoning Regulations, which demonstrate consistency with the Coastal Act, the Trinidad Area Plan of the Humboldt County certified Local Coastal Program.

15.4.4 The proposed work can and will likely be completed within twenty (20) working days, unless otherwise specified by the Director

It is the intent of the Westhaven CSD to correct the problem that has caused the emergency, the replacement of leaking pipes, and not waste time, resources, and funding on stop-gap measures that will not correct the conditions that have caused this emergency. The proposed work cannot be completed within twenty (20) working days. Once a permit is granted, the construction period would span 8-12 weeks. The Westhaven CSD requests that the approval of a waiver of normal procedural requirements to allow an emergency permit to be approved reflect that the necessary actions to address the emergency will take up to several month.

15.4.5 For emergency development located within the Coastal Zone, the proposed work does not fall within the permit jurisdiction of the Coastal Commission pursuant to the Public Resources Code Section 30600.5.

The project area, as shown on the attached map(s), lies entirely within Humboldt County Coastal Zone "Local" or "Appeal" jurisdiction and is therefore not within the permit jurisdiction of the Coastal Commission. A table listing the Assessor's Parcel Numbers that received service from, or are adjacent to, the existing waterlines containing each parcels Land Use Designation and Zoning Classification is attached to this petition.

Required Findings Within Riparian Corridors.

312-39.13.1.1 There is no less environmentally damaging feasible alternative;

A biological resources assessment was prepared for this project to determine whether the proposed project area contains sensitive biological resources, including special status plant and wildlife species, and Environmentally Sensitive Habitat Areas (ESHA) on November 4, 2022. The report finds that (Page 3 of 9) the portion of the project that is located at the terminus of Highland Avenue:

“the project is proposed to occur within approximately 38 feet of Jolan Creek, a Class II stream that is also considered an ESHA per the Trinidad Area Plan, where the existing waterline and a hydrant are proposed to be replaced in their current locations within the roadway and the maintained road shoulder. Please note the stream transition line is entirely altered by utility pole and roadside clearing; therefore, the only distance we can measure is from the live stream channel, which was found to be 38 feet. The existing waterline, hydrant, road shoulder, and a PG&E power pole are located within the 100-foot riparian buffer of Jolan Creek. However, all construction will occur within the existing disturbed area and no construction activities will occur between the current location of the pipeline and hydrant and the existing stream bank.

The existing electric power pole is situated between the location of the existing hydrant that is to be replaced and Jolan Creek, and is located approximately 23 feet away from the live channel of Jolan Creek. No riparian vegetation exists in the area of the waterline and hydrant that are proposed to be replaced or power pole. The area where the waterline and hydrant replacement will occur comprises road shoulder and base rock. The base of the power pole and driveway extension off the end of Highland Avenue has been cleared to remove all streamside vegetation and native soils, and the area near the power pole is regularly maintained and kept clear by PG&E. Additionally, the area is not a wetland, as it comprises non-hydric plant species, non-hydric soils (base rock), and non-hydric hydrology (i.e., groundwater was not found within 10 inches of the ground surface). Within 50 feet of the proposed construction is mature red alder canopy trees and other subcanopy riparian species; however, they occur opposite the construction site across the Highland Avenue access and will not be impacted by the project.

The remaining proposed pipeline installation will occur within existing roadways adjacent to long established small private residences. No significant native natural habitats are present. Construction equipment will use the roadway shoulder for staging and travel, which are comprised primarily of non-native ruderal vegetation, including the proposed yard bypass along Spring Lane.”

Page 7 of 9 Section 5.3 Environmentally Sensitive Habitat Areas.

“As previously described, Jolan Creek (a Class II watercourse) is ESHA, pursuant to Trinidad Area Plan Policy 3.30B(1), and is located near the proposed improvements. The existing waterline and fire hydrant that are to be replaced are located within the Jolan Creek riparian buffer. However, the water line and hydrant are located in a road shoulder comprising base rock fill and streamside vegetation and native soils are no longer present. No riparian vegetation is present in the construction area and all construction adjacent to Jolan Creek is proposed to occur within the preexisting roadbed and shoulder. Additionally, best management practices (BMPs);

described below) will be employed to ensure there are no impacts to the nearby riparian area. As a result, no loss of habitat or impacts to any identified ESHA will occur under the project.”

The proposed emergency waterline replacement project is intended to correct significant and ongoing water loss due to leaking water pipes. The project replaces existing waterlines along their existing alignment within existing roadways. Where the project involves the installation of a new waterline to improve drinking water quality system function, this segment will be installed using horizontal directional boring to further avoid potential environmental effects. As proposed, the project follows the existing waterline alignment within existing roadways, which will have the least environmental effects when compared to any alternative alignment. The project will also incorporate design elements to further reduce impacts, including:

- minimize the amount of excavation, abandon the existing waterline in place by cutting and capping the ends of pipe segments with a permanent plug, such as concrete reaction block or flowable fill;
- materials and heavy equipment shall be staged at previously disturbed locations;
- excavation areas shall be watered, as necessary, to prevent dust;
- implement erosion, sediment, and runoff control measures in accordance with an erosion control plan, and all erosion control measures shall be maintained throughout the duration of construction activities;
- construction materials, spoils, soil, debris, and waste shall be placed or stored in a manner to ensure they do not enter coastal waters or environmentally sensitive areas;
- on-site stockpiles of construction debris and soil or other earthen materials shall be covered and contained whenever there is a potential for rainfall in order to prevent polluted water runoff from the site and be located a minimum of 100 feet from coastal wetlands, waters, concentrated stormwater flows or drainage courses, and storm drain inlets;
- excess material that is generated shall be disposed of at an authorized disposal site;
- any erosion-control associated netting shall be made of natural fibers (and not polypropylene, nylon, polyethylene, polyester, or other synthetic fibers) and constructed in a loose-weave design with movable joints between the horizontal and vertical twines;
- construction vehicle or equipment cleaning, fueling, and/or maintenance conducted on site shall take place only within designated areas, which shall fully contain any spills of fuel, oil, or other contaminants and be located at least 100 feet from coastal wetlands and waters, drainage courses, and storm drain inlets; and
- all trash shall be contained and removed from the work site on a regular basis, and properly disposed of to avoid inadvertent contamination of habitat during construction activities.

12-39.13.1.2 The plan includes the best mitigation measures feasible; and

See above

312-39.13.1.3 The vegetation removal will result in no significant adverse impacts to habitat values.

No major vegetation removal is proposed as part of the project and based on the Biological and Rare Plant Survey for the District New Water Well/New and Replacement Water Distribution Line Project, as summarized above, the project will result in no significant adverse impacts to habitat values.

No major vegetation removal is proposed; however, mowing may be required in disturbed vegetated areas along road rights-of-way or road shoulder and non-travel way areas disturbed by construction will be reseeded with native grasses. Only drought tolerant native plant species obtained from local genetic stocks shall be planted as part of the project reseeding, or if local genetic stock is not available, native vegetation obtained from genetic stock outside of the local area may be used. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or listed as a "noxious weed," shall be planted within the project site.

Required Findings Within Coastal Scenic Areas.

312-39.13.2.1 The visual effects of the vegetation removal will be subordinate to the character of its setting.

Scenic Views. Based on the TAP resource maps, Coastal Scenic Views are available to the west and east of Scenic Drive and all assessor's parcels adjacent to Scenic Drive are designated as Coastal Scenic Areas. A small portion of the south side of Kay Avenue as it turns west to meet Tepona Lane, what appears to be approximately 60 feet of the Kay Avenue frontage of APN 515-041-022, is identified as a Coastal Scenic Area. This is likely due to that fact this parcel also touches the east side of Scenic Drive. Scenic Drive is designated as having Coastal Scenic Views and is located approximately 350 feet west of Tepona Lane.

Project related activities would involve the replacement of existing waterlines, consisting of trenching and some horizontal boring to install new water pipes and abandon leaking water pipes as well the replacement of valving and existing service connections and meters, all of which are below ground level and would involve temporary ground disturbance. The only above-ground structures associated with the proposed emergency water line replacement project will be the installation of 10 new fire hydrants, one of which is to be located at the intersection of Kay Avenue and Tepona Lane and near mapped Coastal Scenic Views and Coastal Scenic Views. However, due to Scenic Drive being located approximately 250 feet below the intersection of Kay Avenue and Tepona Lane and the presence of large trees between Scenic Avenue and the project site, no part of project alignment along Kay Avenue and Tepona Lane is visible from Scenic Drive.

Construction equipment, materials, and workers would be located along the proposed emergency water pipeline replacement alignment, including along Kay Avenue and Tepona Lane. The temporary presence of the construction materials and workers, as well as the construction activities, would not adversely affect views of the Pacific Ocean along Scenic Avenue. In addition, in-road construction along Kay Avenue and Tepona Lane would be temporary and within areas of existing development, existing roadbeds and the area between the road and existing water meters. These changes to Scenic Views would be minor, temporary, and would generally be visible only to the public in the immediate vicinity of the active portion of construction. Furthermore, project construction would not affect natural landforms or features, would follow standards for siting and design, and would be consistent with the TAP Section 3.40 Visual Resource Protection, B. Development Policies. In addition, the project would be subject to the "D" combining zone design review requirements to ensure the conformance of new development with the policies and standards of the TAP. The temporary impact on the scenic views and scenic area and the visual character of the site and surroundings during construction would be less than significant.

Required Findings for All Permits and Variances

312-17.1.1 The proposed development is in conformance with the County General Plan, Open Space Plan, and the Open Space Action Program (CO-IM5).

The Trinidad Area Plan and Chapter 2 and 3 of the Zoning Regulations are the Open Space Plan for the project area. The proposed project does not involve new development or changes in development. Instead the project is the emergency replacement of existing waterlines and appurtenant components, such as valves, replacing existing service laterals and water meters along the alignment to be replaced, the installation of a loop to address a dead-end water line to improve overall water system performance and water quality, and the installation of nine fire hydrants.

The existing waterlines serve planned development consistent with TAP Section 3.23 B.1.A, because the waterlines are appropriately “sized so as not to exceed that which would be necessary for domestic use and fire protection based on the planned density for the area, and was limited to within the service area.” As described above in the “Required Findings Within Riparian Corridors” and for Required Findings Within Coastal Scenic Areas,” the construction will occur within existing developed areas - roadways, there is no less environmentally damaging feasible alternative; the plan includes the best mitigation measures feasible; the vegetation removal will result in no significant adverse impacts to habitat values; and the visual effects of the vegetation removal will be subordinate to the character of its setting.

312-17.1.2 The proposed development is consistent with the purposes of the existing zone in which the site is located, or when processed in conjunction with a zone reclassification, is consistent with the purposes of the proposed zone.

The proposed project involves the emergency replacement of existing waterlines and the waterlines serve planned development consistent with TAP Section 3.23 B.1.A, because the waterlines are appropriately “sized so as not to exceed that which would be necessary for domestic use and fire protection based on the planned density for the area, and was limited to within the service area.” The proposed project is located entirely within the Westhaven Service Area as identified on the TAP Land Use Map. Water distribution pipes and appurtenant structures are permitted with a Use Permit in the RS: Residential Single Family and RA: Rural Residential Agriculture zones, however the waterlines were originally installed prior to the Coastal Act and the certification of the TAP.

312-17.1.3 The proposed development conforms with all applicable standards and requirements of these regulations.

All waterlines that are to be replaced are existing and are Essential Services are allowable in the RS: Residential Single Family and RA: Rural Residential Agriculture zones. The Development Standards of these zones are inapplicable to water distribution pipelines, fire hydrants, and appurtenant structures. The analysis contained in the “Required Findings Within Riparian Corridors” and for “Required Findings Within Coastal Scenic Areas,” demonstrate that the proposed emergency waterline replacement project is consistent with TAP Section 3.30, Natural Resource Protection Policies and Standards relating to riparian corridors and environmentally sensitive habitat area (see complete discussion above in “Required Findings Within Riparian Corridors”) and Section 3.40, Visual Resource Protection, for the

protection of Coastal Scenic View and Coastal Scenic Areas see complete discussion above in “Required Findings Within Coastal Scenic Areas”).

312-17.1.4 The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

The purpose of a public water system is to provide drinking water to customers in a manner that promotes public health, safety, or welfare. The Westhaven CSD is regulated by the California Water Boards, Division of Drinking Water (DDW). The proposed project incorporation design parameters to design elements to reduce potential impacts to the environment.

312-17.1.5 The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence:

There are no parcels identified in the County’s Housing Element housing inventory within the Westhaven CSD boundary. Therefore, the proposed project does not involve a change in land use or a development that would reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

312-17.1.5.1 The reduction is consistent with the adopted general plan, including the housing element, and

The proposed project does not involve a change in land use or a development that would reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

312-17.1.5.2 The remaining sites identified in the housing element are adequate to accommodate the County’s share of the regional housing need pursuant to Section 65584 of the Government Code, and

The proposed project does not involve a change in land use or a development that would reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

312-17.1.5.3 The property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions has been maximized.

The nature of the proposed project for the emergency repair of a water distribution line does not involve residential development that necessitates consideration of clustering.

General Plan Conformance (Trinidad Area Plan)

3.23 B.1. Extension of Services

It is the intent of this chapter that extensive rural public service systems, such as water and sewer, not be developed. This is exclusive of such public systems such as roads, electric, gas, telephone, and fire protection systems appropriate to planned levels of development. No permit shall be issued by any agency of the County to a special district or private utility or mutual system proposing to provide such services outside an Urban Limit Line or the area identified as the Westhaven Village area; except that provision of water service shall be permitted, within the service area, if sized so as not to exceed the maximum number of residential sites and other planned uses which can be developed under the adopted plan.

The proposed project involves existing waterlines within the mapped existing water mains within Westhaven Service Area as identified on the TAP Land Use Map. The proposed Westhaven CSD emergency waterline replacement project does not involve “services outside an Urban Limit Line or the area identified as the Westhaven Village area.” This project only involves the replacement of existing and leaking waterlines, the replacement of existing service laterals and meters, the installation of 10 new fire hydrants, and the looping of the existing water mains within the Westhaven Village area in order to improve system function and to eliminate a dead end main and improve water quality. The project would also construct an emergency intertie between the Westhaven CSD and Moonstone Heights MWA water systems. The Driver Road emergency waterline replacement trenching will be within feet of the Moonstone Heights MWA distribution system and the state of California encourages emergency water interties between small water systems as a system redundancy and drought resiliency measure (AB 552 requires that by January 1, 2027, small water providers have at least one backup source of water supply, or a water system intertie, that meets current water quality requirements and is sufficient to meet average daily demand). The intertie will not result in additional water supply capacity for either system, it will only be used as a temporary backup water supply for either system in the event of an emergency.

In addition, extension of water service outside of the Urban Limit Line as defined in the plan shall be permitted provided that:

- a. service along the extension will not remove capacity necessary to serve future development on undeveloped lots within the existing serviced areas, whether within the Urban Limit Line or not, to the uses permitted in the plan;

The proposed Westhaven CSD emergency waterline replacement project does not involve the extension of water service outside of the Westhaven Village area. The replacement of leaking waterlines will not remove capacity to serve future development on undeveloped lots within the existing serviced areas consistent with the TAP.

- b. developments to be serviced are compatible with the plan;

No new developments are proposed to be served by the emergency waterline project. To the extent that any new services are established adjacent to the emergency waterline replacement project alignment in the future such services would need to be consistent with all TAP land use and service policy, applicable zoning, and Westhaven CSD ordinance 97-3, as revised, which establishes priorities for providing water service within its jurisdiction boundary.

- c. the extension of water service will be paid for only by the users of that service;

No new developments are proposed to be served by the emergency waterline project.

- d. the existing system is in no way degraded and that fire protection services are in no way impaired; and

The emergency waterline project is designed to improve the function and resiliency of the Westhaven CSD water distribution system and in no way will degrade or impair the water system.

- e. the proposed service is found to be in conformance with the resource protection policies of this plan.

The emergency waterline project has been designed to follow the existing water system alignment to avoid potential environmental impacts and to conform with the resource protection policies of the TAP.

Note: The narrative in 3.10, Urban Development, states that "If water service were augmented south of Trinidad, there would be an opportunity to provide a "looped" water main as an alternate to the existing single-main system. Most notable benefits of a loop system would be in the area of fire protection; fire protection within the entire planning area is currently a significant point of concern (Amended by Res. 82-100, 7/27/82)."

3.12 Public Works B.DEVELOPMENT POLICIES. 1. Serviceable Area

- a. The serviceable area of a utility providing water or sewer service within an Urban Limit shall be construed as all parcels within 300 feet by the shortest feasible route of an existing service line with capacity to serve the permitted development of said parcels as indicated in the Area Plan; except that, where the total capacity of the water or sewer system cannot serve the foreseen development of all such parcels, the serviceable area shall be that portion of such parcels on which permitted development can be served within the capacity of the system as designated in an approved Public Works Plan as provided by 3.12B 2. However, no lands designated for agricultural use in the Area Plan shall be considered to be in the serviceable area of a water or sewer system, unless such lands are already serviced by such a system.

The proposed Westhaven CSD emergency waterline replacement project does not change the serviceable area of the existing water system. Even the proposed new waterline segment that would create a loop does not result in an increase to the existing serviceable area because it is located adjacent to U.S. 101 and parcels on the opposite side of the highway are within the existing serviceable area.

3.12 B 2. Public Works Plan

- a. All special districts providing or authorized to provide sewer or water services, including all County Service Areas providing or authorized to provide these services, and all private providers of such services with 20 or more residential- equivalent connections, shall annually submit to the County Planning Commission a Public Works Plan consisting of: five-year projection of service growth and a specific plan, if any, for system expansion in the following year. The Commission, after public hearing, shall recommend approval or disapproval of the plan to the Board of Supervisors, based on criteria of Section 3.12 B2c. Where an approved expansion plan does not exist, no permit will be issued by the County for any work contributing to the extension of services outside the serviceable area, or to expansion of system capacity above the capacity needed to provide services in the serviceable area. Where Public Works Plan has been approved, all permitted work on said utility shall conform to the Plan.

The proposed emergency waterline replacement project does not involve a change in the serviceable area, service growth, or system expansion and the Westhaven CSD does not have a specific plan for service growth or system expansion for the next five years.

b. A Public Works Plan may be amended by the Planning Commission, up to three times in a year; and any such amendment shall be based on the criteria of Section 3.21B 2c.

c. Criteria for approval of a Public Works Plan shall be:

(1) That the public works plan will provide services consistent with the proposed scale and pattern of development shown in the Area Plan within the Urban Limit.

(2) That provision of service to all lots in the expanded portion of the serviceable area, for uses permitted in the Area Plan, will not remove capacity necessary to serve future development of undeveloped lots in the Urban Limit area to the uses permitted in the Area Plan.

(3) That no assessments, readiness to serve fees, or other costs or encumbrances, including bonded indebtedness, related to water or sewer expansion, will be assessed against lands designated Agriculture Exclusive or Commercial Timber, or against any lands outside of the Urban Limit.

When service plans are available, a brief account of their plans will be included in the appendix.

3.21 B. 2.i., Westhaven Village - RURAL VILLAGE (RV) (Amended by Res. No. 82-100, July 27, 1982)

Parcels within the 190 acre Westhaven Village area average between 2,000 and 5,000 square feet and number over 250. This area includes the community of Westhaven, Moonstone, and portions of Driver Road. Two separate water systems - the Westhaven Mutual Water Company [note: the Westhaven CSD was formed to operate the former Westhaven Mutual Water Company water system] and the Moonstone Heights Mutual Water Association - service portions of the village area. The Moonstone system, serving the Driver Road area, is currently restricted by the articles of association to a maximum of twenty residential hook-ups, all of which have been committed. The Westhaven system by law is authorized to sell a total of 200 shares. While the system currently services only 170 residences, all 200 shares have been purchased and only those with a share may receive water at a later date. Neither water system is contemplating expansion of services, however, the Westhaven system is investigating loan opportunities to upgrade the existing system.

With the current parcelization of the area, including many small parcels well below the average parcel size of adjacent surrounding areas, both the availability of on-site water for those parcels without shares in either of the mutual systems and septic tank suitability are primary concerns. In addition, fire protection which currently depends on the combined efforts of the Westhaven Volunteer Fire Department and the City of Trinidad's Fire Department, also encounters problems with the existing water systems in that current water pressure and, at times quantity, are not adequate.

Considering these and current available methods for addressing this situation, the development policies prohibit any further subdivision of these lots, encourage lot reconsolidation and lot line adjustments, and recommend investigation into techniques for ameliorating current and potential future waste water disposal. Development on existing lots may be permitted provided a water source and approved wastewater system can be demonstrated. The planned density for this area is three (3) units per acre.

j. Suburban Westhaven - RURAL RESIDENTIAL (RR)

This area is bounded on the north by Joellen Creek (also called the South Fork of Luffenholtz Creek) and to the south by the Westhaven Village area. The total area constitutes about 27 acres and is currently divided into 9 separate parcels. Although a strict application of the Coastal Act policy regarding rural subdivision would yield a 3 acre planned density, the area is planned for one unit per one acre. The planned density in this area was increased in exchange for decreased density in the East Westhaven area. This density exchange is consistent with other policies of this plan including: water and wastewater provisions, habitat protection, and visual policies. Access to this area is from Highway 101 Frontage Road and 6th Avenue; development in this area will not increase traffic along Scenic Drive.

k. East Westhaven/Driver Road - RURAL RESIDENTIAL (RR)

Just east of the southern end of the Westhaven Village area, this area includes about 30 acres and presently, about 5 parcels. The planned density is one unit per 5 acres. Segmented from surrounding residential areas, application of the rural subdivision requirements would yield a greater density.

3. Westhaven Village Area - RURAL VILLAGE (RV)

The following specific policies apply within the Westhaven Village as designated on the Land Use Plan Map:

3.21 B.3.

- a. No subdivision of parcels within this area shall be permitted except that lot consolidations and lot line adjustments to facilitate parcel boundary reconfiguration shall be permitted with a minimum parcel size of 14,500 square feet.
- b. Development of existing vacant parcels shall be permitted but shall be contingent on demonstration of adequate water supply, either on-site or through agreement with the Westhaven Mutual System or the Moonstone Heights Mutual System, and wastewater disposal commensurate with the requirements of the Humboldt-Del Norte Department of Public Health and the Regional Water Quality Control Board.
- c. The County in cooperation with the community, shall investigate and encourage opportunities to form a septic system maintenance district or alternate system to ameliorate existing wastewater disposal problems.
- d. All special district providing or authorized to provide sewer or water services, including all County Service Areas providing or authorized to provide these services, and all private providers of such services with 20 or more residential- equivalent connections, shall annually submit to the County Planning Commission a Public Works Plan consisting of: a five-year projection of service growth and a specific plan, if any, for system expansion in the following year.

The Commission, after public hearing, shall recommend approval of the plan to the Board of Supervisors, based on criteria of Section B. Where an approved expansion plan does not exist, no permit will be issued by the County for any work contributing to the extension of services outside the serviceable area (see Map 6). Where a Public Works Plan has been approved, all permitted work on said utilities shall conform to the Plan.

- (1) A Public Works Plan may be amended by the Planning Commission, up to three times in a year; and any such amendment shall be based on the criteria of Section B.
- (2) Criteria for approval of a Public Works Plan shall be:

- (a) That the Public Works Plan will provide services consistent with the proposed scale and pattern of development shown in this plan.
- (b) That provision of service to all lots in the expanded portion of the serviceable area, for uses permitted in this plan, will not remove capacity necessary to serve future development of undeveloped lots in the existing serviceable area to the uses permitted in the plan.
- (c) That no additional assessments, readiness to serve fees, or indebtedness, related to water or sewer expansion, will be assessed against any lands located outside of the Westhaven Village which do not own a share in the Westhaven Mutual Water System.

The proposed emergency waterline replacement project does not involve service growth or system expansion and the Westhaven CSD does not have a specific plan for service growth or system expansion for the next five years.

Protection of Environmentally Sensitive Habitat Areas/Quality of Coastal Waters

Coastal Act Section 30240 states in part that:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

The discussion of Required Findings Within Riparian Corridors, Per Zoning Code Section 312-39.13.1.1, describes the best management practices that are to be utilized in construction to protected against any significant disruption of habitat values. **The biological resources report has concluded that** native plant communities present near the project area will be adequately protected by construction kept to the existing roadways, County rights-of-way, and already developed rural residential properties. All staged equipment and materials outside of the rights-of-way shall be restricted to clearly marked areas shown on construction documents and clearly marked in the field. The Class II stream/ESHA (Jolan Creek) and associated riparian buffer area located at the north end of Highland Drive shall be identified on construction documents, and the construction contractor and/or District shall provide straw wattles adjacent to open trenching no closer to the stream course than the existing PG&E power pole. No heavy equipment shall be allowed beyond the wattle installation.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The project replaces existing waterlines along their existing alignment within existing roadways. Where the project involves the installation of a new waterline to improve drinking water quality system function, this segment will be installed using horizontal directional boring to further avoid potential environmental effects. As proposed, the project follows the existing waterline alignment located within existing roadways, which will minimize environmental effects when compared to any alternative alignment. In addition, the Required Findings Within Riparian Corridors above, describes the best management practices that will be employed to prevent impacts which would significantly degrade environmentally sensitive habitat areas and parks and recreation areas, and shall be compatible with the continuance of those habitat and recreation areas.

Coastal Act Section 30230 states the following:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

The proposed project is not located in or near the marine environment or coastal waters. In addition, the Required Findings Within Riparian Corridors, Per Zoning Code Section 312-39.13.1.1, describes the best management practices to avoid erosion, sediment, and runoff control measures and to project marine areas and species of special biological or economic significance.

Coastal Act Section 30231 states the following:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The discussion of Required Findings Within Riparian Corridors, Per Zoning Code Section 312-39.13.1.1, describes the best management practices that are to be utilized in construction to control runoff and substantial interference with surface water flow, maintain natural vegetation buffer areas that protect riparian habitats, and avoid impacts to alteration of natural streams.

Coastal Act Section 30232 states the following:

Protection against the spillage of crude oil, gas, petroleum products or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

The discussion of Required Findings Within Riparian Corridors, Per Zoning Code Section 312-39.13.1.1, describes the best management practices that are to be utilized in construction to protect against the spillage of crude oil, gas, petroleum products or hazardous substances shall be provided in relation to any development or transportation of such materials.

Coastal Access

No portion of the proposed project is located within the first public road and the sea. The TAP Access Inventory (Section 3.50.B.5) identifies three coastal access points near the Westhaven CSD boundary and the project site:

- The 6th Avenue Trail located approximately 1,500 feet west of the nearest leaking waterline to the be replaced;
- The Houda Cove access point located approximately 1,200 feet west of the nearest leaking waterline to the be replaced; and
- The Moonstone Beach access point located approximately 1,200 feet west of the nearest leaking waterline to the be replaced.

The emergency waterline replacement project involves the replacement of underground waterlines, service laterals, and water meters, as well as the installation of nine fire hydrants. The project area, including staging areas, are not near to the mapped public access points identified above, and due to being located below ground, the project would not impede public access even if nearby. Therefore, the project would not affect the TAP access inventory.

ASSESSORS PARCELS WITH REPLACEMENT SERVICE LATERALS/METERS

Assessor's Parcels along the proposed Emergency Waterline Replacement Alignment whose Service Lateral and Meter are Proposed to be Replaced are as follows:

Project Segment	Parcel Number	Address	Parcel Size	General Plan	Zoning
6th Avenue	514-011-005	686 HIGHLAND AV	0.17	RV	RS-X-M/R
6th Avenue	514-011-012	724 HIGHLAND DR	0.78	RV	RS-X-M/R
6th Avenue	514-011-013	662 HIGHLAND AV	0.27	RV	RS-X-M/R
6th Avenue	514-011-014	636 HIGHLAND AV	0.3	RV	RS-X-M/R
6th Avenue	514-011-015	610 HIGHLAND AV	0.34	RV	RS-X-M/R
6th Avenue	514-012-009	625 HIGHLAND AV	0.39	RV	RS-X-M/R
6th Avenue	514-012-010	635 HIGHLAND AV	0.2	RV	RS-X-M/R
6th Avenue	514-012-013	725 HIGHLAND AV	0.35	RV	RS-X-M/R
6th Avenue	514-012-014	689 HIGHLAND AV	0.36	RV	RS-X-M/R
6th Avenue	514-012-015	661 HIGHLAND AV	0.29	RV	RS-X-M/R
6th Avenue	514-012-022	753 HIGHLAND AV	0.72	RV	RS-X-M/R
6th Avenue	514-201-085	719 DRIVER RD	0.48	RV	RS-X/R
6th Avenue	515-011-016	428 7TH ST	0.22	RV	RS-X-M/R
6th Avenue	515-011-018	429 6TH ST	0.18	RV	RS-X-M/R
6th Avenue	515-011-020	435 6TH ST	0.17	RV	RS-X-M/R
6th Avenue	515-011-021	443 6TH ST	0.17	RV	RS-X-M/R
6th Avenue	515-011-022	447 6TH ST	0.17	RV	RS-X-M/R
6th Avenue	515-011-023	453 6TH ST	0.15	RV	RS-X-M/R
6th Avenue	515-011-044	418 7TH ST	0.14	RV	RS-X-M/R
6th Avenue	515-011-045	683 KAHLSTROM AV	0.14	RV	RS-X-M/R
6th Avenue	515-011-058	471 6TH ST	0.35	RV	RS-X-M/R
6th Avenue	515-011-062	728 SPRING ST	1.74	RR(C),RV	RA-2.5-M;RS-X-M/R
6th Avenue	515-011-063	640 SPRING ST	1.36	RV	RA-2.5-M;RS-X-M/R
6th Avenue	515-011-071	661 KAHLSTROM AV	0.43	RV	RS-X-M/R
6th Avenue	515-011-072	625 KAHLSTROM AV	0.39	RV	RS-X-M/R
6th Avenue	515-011-073	438 7TH AV	1.25	RR(C),RV	RA-2.5-M;RS-X-M/R
6th Avenue	515-011-075	421 7TH ST	0.68	RR(C),RV	RS-X-M/R
Driver Road	514-113-005	84 HAVEN WY	0.14	RV	RS-X-M/R
Driver Road	514-201-037	650 DRIVER RD	0.4	RV	RS-X/R
Driver Road	514-201-054	637 DRIVER RD	0.79	RV	RS-X/R
Driver Road	514-201-084	677 DRIVER RD	0.4	RV	RS-X/R
Tepona Lane	515-041-001	940 KAY AV	1.04	RR(E)	RA-SM/D
Tepona Lane	515-041-013	910 KAY AV	1.27	RR(E)	RA-SM/D