

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: Trinity
11 Courthouse Street
Weaverville, CA 96093

From: (Public Agency): Humboldt Bay Municipal Water District
PO Box 95
Eureka CA 95502-0095
(Address)

Project Title: Old Ruth Power Restoration

Project Applicant: Humboldt Bay Municipal Water District

Project Location - Specific:

Boat Launch, Old Ruth Road, Mad River, CA. Lat:403317866, Long: -123.370499

Project Location - City: Ruth Project Location - County: Trinity

Description of Nature, Purpose and Beneficiaries of Project:

HBMWD owns Ruth Lake and the property surrounding the lake. The purpose of the project is to restore power to the electronic lake access gate mechanism which controls access to the lake at Old Ruth. The electrical supply to this structure was destroyed by wildfire. The beneficiaries are the recreational users of Ruth Lake.

Name of Public Agency Approving Project: Humboldt Bay Municipal Water District (HBMWD)

Name of Person or Agency Carrying Out Project: HBMWD

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));
[X] Categorical Exemption. State type and section number: 15302 (d)
Statutory Exemptions. State code number:

Reasons why project is exempt:

The project consists of reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. It includes conversion of overhead electricity utility distribution system facilities to underground.

Lead Agency
Contact Person: John Friedenbach Area Code/Telephone/Extension: 707-443-5018

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: [Handwritten Signature] Date: 7/3/23 Title: General Manager
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:

Statement Under Penalty of Perjury

I declare that the attached excerpt CEQA finding under agenda item 9.1 from the June 8, 2023 Minutes for the Regular Meeting of the Board of Directors of the Humboldt Bay Municipal Water District are correct and accurate.

 General Manager 7/3/23
John Friedenbach, General Manager Date

Humboldt Bay Municipal Water
District 828 7th Street, Eureka



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staff to prepare a Memorandum of Understanding (MOU) for consideration at a future meeting. Mr. Friedenbach noted the District's legal counsel has a conflict of interest as the firm also represents the City of Blue Lake. He recommended the District retain the services of Meredith Nikkel of Downey Brand, as she is also a water rights attorney, to advise the District on this matter.

8. CONTINUING BUSINESS

8.1 Water Resource Planning

a. Local Sales

i. Nordic Aquafarms

Mr. Friedenbach stated a meeting with the Nordic Aquafarm executives is scheduled for June 14th. An update report will be provided at the July board meeting. Nordic continues to work through their permit challenge at the California Coastal Commission.

ii. Trinidad Rancheria Mainline Extension

The Trinidad Rancheria published an RFQ for engineering services for the mainline extension. They received a response from Stetson Engineering and are currently in negotiations with them.

b. Transport

No updates were available.

c. Instream Flow

The draft Narrative graphs have been updated by GHD and will be reviewed by counsel. Nothing additional to report at this time.

8.2 McNamara & Peepe

Report from Prima Environmental re: Final Report of Findings "Bench-scale Evaluation of Remediation Options for Destruction of Pentachlorophenol in Soil and Groundwater"

Director Woo recused herself due to a conflict of interest and left the room. Mr. Matt Hagemann of SWAPE, discussed the final report from Prima Environmental regarding the McNamara & Peepe site. He provided an overview of the report (the report is 544 pages), answered Director's questions, and recommended the Board ask specific questions at their next meeting with the Department of Toxic Substances Control (DTSC) such as what they plan do with the findings in the report.

Mr. Friedenbach shared that DTSC is working on an access agreement to install an additional monitoring well on a private residence south of the Site.

9. NEW BUSINESS

9.1 Restore power to Old Ruth Project, CEQA-Notice of Exemption

Mr. Friedenbach explained that the District applied for a California Department of Boating and Waterways Quagga Prevention grant to restore power to the Old Ruth boat launch site. The August Complex fire burnt out the electrical components and the gate arm and card reader are currently not functional. Prior to the grant being awarded, proof of CEQA completion must be presented. After consultation with the District Engineer, it was determined that the project qualifies for a

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Categorical Exemption: 15302(d). On motion by Director Lindberg, seconded by Director Woo, the Board voted 4-0 to find that the project qualifies for the Categorical Exemption and directed staff to file the necessary CEQA paperwork for the Old Ruth Power Restoration Project.

9.2 Director Compensation for Assistant Secretary/Treasurer

Mr. Friedenbach introduced the topic of director compensation for the Assistant Secretary/Treasurer. He noted this topic has been discussed in the past. He reviewed Ordinance 17 which authorizes Directors' compensation and the section of the Board Governance Manual that pertains to the Secretary/Treasurer position. He stated it seems reasonable that the Assistant Secretary/Treasurer should be compensated when asked to fulfill the required duties when the Secretary/Treasurer is absent. The associated issue is whether or not to reduce the Secretary/Treasurer's compensation by a corresponding amount. The Board discussed the topic and agreed that compensation should be provided when the Assistant is actively fulfilling the role in the absence of the Secretary/Treasurer. They did not feel it necessary to reduce the Secretary/Treasurer's compensation by the same amount. On motion by Director Woo, seconded by Director Fuller, the Board voted 4-0 to direct staff to make necessary updates to the Board Governance manual as required to include compensation for the Assistant Secretary/Treasurer at the rate of \$65.62 per week.

9.3 August Regular Board Meeting (8/10/23): consider date change

Mr. Friedenbach stated he will not be available for the August 10th meeting and inquired if the Board would consider changing the meeting date. On motion by Director Woo, seconded by Director Lindberg, the Board agreed to reschedule the August Board Meeting to August 17th.

10. **REPORTS**

10.1 Legal

CLOSED SESSION — Conference with Legal Counsel – Existing Litigation: Initiation of litigation pursuant to paragraph (1) of subdivision (d) of § 54956.9 (Van Duzen) Case # CV2201489 President Latt recused himself and left the room due to a conflict of interest. The Board then entered into Closed Session at 1:36 pm and came back to open session at 1:44 pm. Director Fuller reported out in open session that there was nothing to report.

10.2 Engineering

Mr. Stevens provided status reports on the following projects:

a. Collector 2 Rehabilitation Project

The dewatering pond has been constructed and the crane arrived on site. The project is going well so far.

b. Essex Onsite Sodium Hypochlorite Generation

GHD received the design submittal and had no significant comments. The project is moving forward.

c. Reservoirs Seismic Retrofit Project

The District received grant funding for Phase II and it included approximately \$1.5 million in additional grant funds.