



Posted: Tuesday, February 13, 2018

NOTICE AND CALL OF A SPECIAL MEETING OF THE TRINIDAD CITY COUNCIL

The Trinidad City Council will hold a regular meeting on
THURSDAY, FEBRUARY 15TH 2018, at 6:30PM
In the Trinidad Town Hall, 409 Trinity Street, Trinidad, CA

NO CLOSED SESSION

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES – 01-02-18 scc
- V. COUNCIL MEMBER REPORTS, COMMITTEE ASSIGNMENTS
- VI. STAFF REPORTS
- VII. ITEMS FROM THE FLOOR

At this time, members of the public may comment on items NOT appearing on the agenda. Individual comments will be limited to 3 minutes or less. Comments should be directed to the Council as a whole and not to individual Council Members or staff. Council and staff responses will be minimal for non-agenda items.

VIII. CONSENT AGENDA

1. Staff Activity Report for January 2017
2. Law Enforcement Report for January 2017
3. Financial Status Reports for December 2017.
4. Authorize PARSAC grant application and contract for Personnel Handbook Update
5. Authorize Staff to Submit 2018 Measure Z Grant Application.
6. Authorize HCOAG grant application for Little River Trail Project
7. Adopt Humboldt County Local Agency Management Plan re OWTS
8. Consider Safety Bonus Award

IX. DISCUSSION/ACTION AGENDA ITEMS

1. Receive 2017 Audit Presentation and Accept 2017 Audited Financial Statements.
2. Receive Mid-Year Budget Presentation
3. Consider Developing RFQs for Engineering and Planning Professional Services

X. FUTURE AGENDA ITEMS

XI. ADJOURNMENT

APPROVAL OF MINUTES FOR:

JANUARY 02, 2018, SCC

Supporting Documentation follows with: 1 PAGE

Minutes for the following dates still pending: 01-24-18 CC2, 01-30-18 SCC, 12-18-17 SCC Closed

MINUTES OF THE SPECIAL CLOSED SESSION MEETING OF THE TRINIDAD CITY COUNCIL
TUESDAY, JANUARY 02, 2018

I. CALL TO ORDER

- Mayor Miller called the meeting to order at 10:00am. Council members in attendance: West, Ladwig, Miller, Baker, Rotwein.
- City Staff in attendance: City Manager Dan Berman, City Clerk Gabriel Adams.

II. PLEDGE OF ALLEGIANCE

III. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEM

Council will vote on limiting total time and individual times per Brown Act §54954.3. (b) (1). At this time, members of the public may only comment on an item appearing on the agenda. Please adhere to the following when addressing the Council:

- Individual comments will be limited to 3 minutes or less.
- Comments should be directed to the Council as a whole and not directed to individual Council Members.

Public comments included:

Walt Lara, Sr.: Yurok Tribal Elder. Worked for many years to protect the Tsurai Village site. We don't want the Memorial Lighthouse there and would like to see it moved somewhere else. Honor the past.

Chris Peters: Long standing connection to the village. Great Grandfather was Trinidad Pete. Moved to Klamath but always maintained a connection to this village. Explained his ancestral lineage to this area. Memorial Lighthouse should go. The Native people will fight this until it is gone.

Axel Lindgren III (by phone): Move the Lighthouse to a different location. Disappointed with the City's actions. This is not an emergency. Support protecting the village and honoring the past. Our family graves are more important than the Memorial Lighthouse will ever be.

Stephanie ?: Yurok Tribal Member. This is disrespectful to the Native people. Do the right thing. Move the Memorial Lighthouse somewhere else. You are in a place of privilege.

Issac Kenny: Yurok Tribal Member. My kids went to Trinidad School. The entire State of California was taken from Native people. The School teaches and practices empathy. We learn from the younger generation. Indigenous people are the best city planners. The city is doing great things, but don't bury your heads in the sand. Relocate the Memorial Lighthouse.

Shannon Elders: Support relocating the Memorial Lighthouse.

IV. ADJOURN TO CLOSED SESSION

1. Conference with legal counsel regarding active litigation. Tsurai Ancestral Society vs. City of Trinidad. Pursuant to California Government Code section 54956.9 (a)

IV. RECONVENE TO OPEN SESSION & CLOSED SESSION REPORT – Nothing to report.

XII. ADJOURNMENT

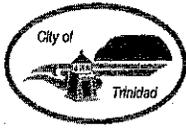
Meeting adjourned at 11:30 am.

Submitted by:

Approved by:

Gabriel Adams
City Clerk

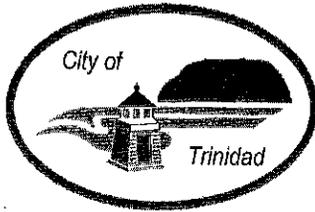
Dwight Miller
Mayor



CONSENT AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 5 PAGES

1. Staff Activity Report for January 2017



*Susan Rotwein, Mayor
Dan Berman, City Manager*

STAFF ACTIVITIES REPORT

For Council Meeting of February 15th 2018

City Administration:

Annual Audit – Complete – Final Financial Statements to be presented on the 15th. The auditor will be present to answer questions and discuss the statements.

Trails Advisory Committee - Ongoing –

OWTS Permits - Staff and the City Planner are continuing to implement the plan to issue OWTS operating permits to all septic system owners in the City. Staff is processing all outstanding applications received to date (quadrants 1 & 2), and will follow up with owners as necessary. The Planner will review the processed applications, then issue the outstanding quadrant 1 & 2 permits. In January and February staff will mail OWTS operating permit packets to owners in quadrants 3 & 4 with the goal of issuing these permits by May.

Law Enforcement Service – The Sheriff's Office has assigned Deputy Nate Cumbow as our additional half time deputy position supported with Measure Z funds. He started on January 14th – see the Jan 24th meeting agenda item. Staff are applying for next year's Measure Z grants this month.

Trinidad Rancheria Efforts to put the Harbor Property in Federal Trust Status. The City requested an update from the Bureau of Indian Affairs and was informed that BIA is still working on responses to the comment letters received. No timetable for next steps was provided, but the City and other commenters are on the notification list for this project.

Trinidad Rancheria Highway 101 Interchange Project

The Rancheria will be making a presentation about the status of this project at the February 28th City Council meeting.

STR Licensing

Staff have issued almost all STR licenses that were applied for under the revised STR Ordinance. All applications received to date have been from existing STRs. A few licenses are still pending as staff work with the applicants to resolve issues. An emergency contact list for all STRs has been mailed to all City residents, and that contact list with a corresponding map are now available on the City website. The restrictions on

transfer of STR licences with sale has led to a number of licenses going away, bringing the City closer to the ordinance cap of 19 in the UR zone.

Tsurai Study Area Settlement and Land Transfer.

A draft settlement and land transfer was conditionally approved by Council in December 2016. Additional agreements were deemed necessary because of prior legal settlements involving multiple state agencies. Efforts to resolve this complication and complete the settlement and land transfer are ongoing.

Planning

Memorial Light House – The Memorial Light House and Bell have been successfully moved to a new temporary location at the Trinidad Rancheria Harbor Properties under an Emergency Permit. The Civic Club will be working with the City on a regular ‘follow up’ permit for this work, including clean up at the former site. The City, Civic Club, and other Stakeholders will also be working to create a Memorial Site Committee to site and design a permanent home for the entire Memorial.

General Plan/LCP Update- Planning Commission has completed review and provided comment on the existing draft Plan chapters. The City Planner is updating the older elements with current information and the Planning Commission's input prior to it going back to them. Staff is working with the Trinidad Rancheria and Yurok Tribe to get their input on the entire general plan and to finalize the draft Cultural Element. The City was awarded \$51,000 in additional grant funding from the Coastal Commission's LCP Update Grant Program to complete coastal hazards planning and a water supply assessment as well as update the Local Coastal Program Implementation Plan.

Unpermitted Development – The City is working with the Coastal Commission and a Scenic Dr. landowner to resolve problems related to shoreline armoring efforts that were undertaken without permits. Final notices before Nuisance Abatement proceedings have been sent.

View Restoration Permit process for Van Wycke St.

The City is engaging with the new owners of the property to try and expedite a resolution to this longstanding dispute.

CalFire Water Line Extension

The City has approved the LCP/General Plan amendment process required for this. CalFire will be returning soon with an application to the City (and County) for the CDP and other necessary permits for the physical construction of the water line.

Marine Lab Cypress Tree HSU has recently provided an arborist report recommending removal of this tree. They are working with State Parks as the underlying landowner. A permit application to the City for removal of the tree is expected

WATER SYSTEM

Install Streamflow Monitoring on Luffenholtz Creek (Water Fund)

This is complete, with flow monitoring being conducted to calibrate the automated monitoring system. The data can be viewed at the following link, soon to be on the City Website: <https://m2x.att.com/dashboards/shared/483d35e70ccd5170cf6646115b13a19d?>

Resolving Title at Water Plant The Water Plant was built on the old County road right of way, and that has never been cleaned up. The County has indicated they are open to helping us resolve this.

Asset Management System –New Asset Management software is configured and installed at the Water Plant, and is already populated with data about many key components and maintenance of the Water Plant. The program is up and running and staff is now using this for the maintenance scheduling and recordkeeping. The next step will be using the water quality module to complete the next round of water quality reporting for the State and the annual Consumer Confidence Report.

Capital Improvement Program (CIP) – Staff are working with GHD on an appropriate scope and cost for assisting with developing a CIP for the City. The Asset Management Software will help staff develop long range plans for future replacement of critical assets and to prioritize our long term maintenance and replacement efforts.

Water accountability – Through meter replacement, identifying and addressing leaks, accounting for plant process water, and metering previously un-metered services, staff continue audit and reduce water loss. Recently staff have identified and fixed several leaks in the distribution system. Staff have also identified numerous leaks on the property owner's side and coordinated with the appropriate party to facilitate the necessary repairs.

Water Distribution System - Two pressure reducing valves which are critical components that regulate water system pressures in the lower part of town have been rebuilt and are functioning properly. The fire hydrant in the State Beach parking lot off Stagecoach Rd. has been rebuilt, and is now the primary source for commercial water trucks, removing that activity from Parker St.

PUBLIC WORKS

City Contracting Requirements. As the Grant and Project Coordinator for the City, Becky is often assigned to develop public works and water system bid solicitations and contracts. Staying in compliance with California Public Contract and Labor Codes can be challenging and time consuming. Becky attended a seminar 'Public Contracting Requirements and Competitive Bidding' last week in San Jose to keep up to date about regulations and best practices for completing the different phases of the public works

construction process. The registration fee included a manual that will be a useful reference for City Staff.

Trinidad Head Trail Maintenance – City staff worked with a Calfire CDCR crew to implement trail vegetation and view maintenance around Trinidad Head.

Ground Water Level Monitoring – City staff is working with the City Engineer to collect data from water level loggers in existing monitoring wells as well as from the barometric pressure logger (deployed on September 28). The information will be used to support decisions about the Memorial Lighthouse, the Van Wycke Trail project, the Ocean Protection funded LID Planning and Construction Project and future storm water improvement projects.

Town Hall ADA Improvements. A push button automatic door opener has been approved and should be installed shortly. A complete ADA assessment of the Town Hall has been conducted and the results should be available soon.

Trinidad Library/Saunders Park ADA Improvements. A county review of ADA compliance issues in and around the library was recently completed. Council approved funding for the initial priority improvements and the project is currently out for bids.

Firehouse Expansion – Complete.

City MS4 Permit Compliance and Reporting – City staff completed and submitted the Permit Year 4 online report on October 16 for the Municipal Separate Stormwater Sewer (MS4) Discharge Permit. MS4 Permit coverage is required due to the City's storm water discharge into the Trinidad Bay Area of Special Biological Significance (ASBS). Complying with the permit requirements is costly and time consuming and involves all City staff, the planner, the city engineer, and building official. The average permit compliance costs (not including monitoring) is approximately \$17,000 annually and \$85,000 for the 5 year permit term. In addition, once during each permit cycle, extensive water quality monitoring is required. For the current permit cycle, the City spent \$235,000 for a subset of the monitoring and reporting. The City was able to fund most of the monitoring costs through the prior ASBS Storm Water Project Grant, however additional monitoring requirements were conducted and paid for by the State Water Boards. The City is supposed to conduct another suite of monitoring under our next permit cycle (FY 18-19 or FY 19-20) unless we can either roll those costs into upcoming grants, or convince the State to let us forego the monitoring in lieu of our efforts to eliminate our stormwater discharge.

GRANTS –

ASBS Storm Water Management Improvement Project – This proposed project will construct storm water drainage system improvements to improve ocean water quality by eliminating the storm water discharge into the Trinidad Bay. In December 2016, the City was awarded \$4 million in Prop 1 Storm Water Grant Program (SWGPP) funds for this

project by the State Water Quality Control Board. City staff have been working to secure the 10% match funding. The City is in the process of applying to USDA for approximately \$450,000 in matching funds. Staff worked with the Project Engineer to develop and submit a revised Project Scope of Work, Schedule and Budget to Storm Water Grant Program staff for approval as the next step to enter into a Grant Agreement for the Storm Water Management Improvement Project. The Project Engineering Report has been submitted to USDA for review. NEPA documentation is the remaining step to complete the City's funding application to USDA for the project match funds.

Van Wycke Trail – (Grant Funded) – City Planner is working on the CEQA document. The project is waiting for that document to move forward.

Clean Beaches Initiative OWTS Repair/Replacement Grant – There has been no activity on this grant during the last month. Eleven OWTS have been upgraded through this grant program to improve water quality in creeks and at beaches in the Trinidad and Luffenholtz area. A 12th project is in the planning stages. Project staff will begin planning additional outreach to encourage OWTS owners in the priority areas of Parker, Luffenholtz and Joland Creeks to get their systems inspected and, if their system needs repairs, to apply to the Clean Beaches OWTS program for funding assistance.

Ocean Protection Council funded Citywide LID Planning and Construction Project Project Construction of LID improvements on East and Hector Streets is on hold. City staff and the City Engineer are working with the Grant Manager to revise the scope and budget to allow the project to go out to bid again early in 2018. The Education and Outreach components of the project will be eliminated with the corresponding budget moved to construction.

FEMA storm damage reimbursement.

FEMA has tentatively approved our costs for the Scenic Dr. stormdrain repair, including reimbursement of expenses to date (\$18,000), and an additional \$24,000 to complete additional repairs needed. FEMA has indicated that they are likely not to provide any funding for the Edward St/Lighthouse slide, as they consider it to be a pre-existing condition rather than wholly caused by the specific storm event.

BUILDING DEPARTMENT

The former Church at the base of Westhaven Dr. has been red-tagged with a stop work order for failure to implement required building permits. Staff are pursuing the next steps to enforce the stop work order, including potential initiation of a nuisance abatement process.

Routine review of plans and specs for construction in town is ongoing.

The Building Inspector has completed STR checklist inspections for all new/renewal STR applications.



CONSENT AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGE

2. Law Enforcement Report for January 2017

**ACTIVITY REPORT
TRINIDAD
BY DEPUTY LUKE MATHIESON**

01/01/2018 – 01/31/2018

- Numerous citizen contacts.
- Regular patrols at Hidden Creek. Continuing to address the problems within the park.
- Conducted numerous vehicle investigations.
- Worked with casino regarding ongoing issues and locating/arresting wanted persons.
- Conducted regular patrols for subject(s) sleeping at night outside of the library.
- Conducted numerous traffic stops, cites and warnings issued
- Rise in arrests/citation for driving with suspended licenses in the Trinidad area
- Welfare Check/Mental Health evaluation on Lois Lane in Westhaven, one female was transported to Eureka for a mental health evaluation
- Attempted multiple times to capture a loose blue heeler dog at Main and Scenic, unknown who owns the dog
- Continuing investigation and building probable cause for search warrant for multiple problem houses.
- Orientation of Deputy Cumbow to the Trinidad area/ problem areas/ and people. Deputy Cumbow is scheduled to work Trinidad Sunday and Monday from 1000-2000hours
- Conducted proactive searches of the wood areas around Trinidad area to prevent homeless camps
- Continued patrol checks along Scenic Drive to prevent vehicle burglaries.
- Coordinated with Trinidad Elementary and Cher Ae Heights Casio for future Active Shooter training



CONSENT AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 8 PAGES

3. Financial Status Reports for December 2017

City of Trinidad
Statement of Revenues and Expenditures - GF Revenue
From 12/1/2017 Through 12/31/2017

		Current Month	Year to Date	Total Budget - Original	% of Budget
Revenue					
41010	PROPERTY TAX - SECURED	0.00	0.00	90,000.00	100.00)%
41020	PROPERTY TAX - UNSECURED	0.00	0.00	3,300.00	100.00)%
41040	PROPERTY TAX-PRIOR UNSECURED	0.00	0.00	50.00	100.00)%
41050	PROPERTY TAX - CURRENT SUPPL	0.00	0.00	600.00	100.00)%
41060	PROPERTY TAX-PRIOR SUPPL	0.00	0.00	200.00	100.00)%
41071	MOTOR VEHICLES	0.00	0.00	1,000.00	100.00)%
41110	PROPERTY TAX EXEMPTION	0.00	0.00	1,300.00	100.00)%
41130	PUBLIC SAFETY 1/2 CENT	0.00	0.00	1,600.00	100.00)%
41140	PROPERTY TAX - DOCUMENTARY RE	0.00	0.00	2,000.00	100.00)%
41190	PROPERTY TAX ADMINISTRATION FE	0.00	0.00	(1,500.00)	100.00)%
41200	LAFCO Charge	0.00	0.00	(1,750.00)	100.00)%
41220	IN LIEU VLF	0.00	0.00	28,600.00	100.00)%
42000	SALES & USE TAX	12,431.79	96,396.06	240,000.00	(59.83)%
43000	TRANSIENT LODGING TAX	1,149.20	63,297.23	150,000.00	(57.80)%
43100	TRANSIENT LODGING TAX-TBID	0.00	0.00	(15,600.00)	100.00)%
47650	RECYCLING REVENUE	0.00	532.95	0.00	0.00)%
49090	DONATIONS/FUNDRAISING/GRANTS	0.00	5,000.00	0.00	0.00)%
53010	COPY MACHINE FEE	25.00	46.00	50.00	(8.00)%
53020	INTEREST INCOME	156.77	2,496.03	5,000.00	(50.08)%
53090	OTHER MISCELLANEOUS INCOME	870.00	1,744.04	1,000.00	74.40)%
54020	PLANNER- APPLICATION PROCESSIN	1,500.00	1,650.00	8,000.00	(79.38)%
54050	BLDG.INSP-APPLICATION PROCESSI	5,236.17	8,565.60	9,000.00	(4.83)%
54100	ANIMAL LICENSE FEES	0.00	45.00	200.00	(77.50)%
54150	BUSINESS LICENSE TAX	0.00	17,257.00	7,500.00	130.09)%
54170	VDU License Fee (Vacation Dwelling Unit)	0.00	0.00	9,000.00	100.00)%
54300	ENCROACHMENT PERMIT FEES	0.00	100.00	400.00	(75.00)%
56400	RENT - VERIZON	2,206.88	13,245.63	24,000.00	(44.81)%
56500	RENT - HARBOR LEASE	0.00	0.00	5,135.00	100.00)%
56550	RENT - PG& E	0.00	0.00	9,500.00	100.00)%
56650	RENT - SUDDENLINK	0.00	1,697.50	3,800.00	(55.33)%
56700	RENT - TOWN HALL	75.00	3,410.00	7,000.00	(51.29)%
57200	Water Sales - Wholesale	0.00	720.00	0.00	0.00)%
59999	INTERDEPARTMENTAL TRANSFER INC	0.00	0.00	100,000.00	100.00)%
Total Revenue		<u>23,650.81</u>	<u>216,203.04</u>	<u>689,385.00</u>	<u>(68.64)%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
201 - GFAdmin
From 12/1/2017 Through 12/31/2017

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
60900	HONORARIUMS	200.00	1,200.00	3,500.00	65.71%
61000	EMPLOYEE GROSS WAGE	8,115.11	51,309.82	106,719.00	51.92%
61470	FRINGE BENEFITS	46.16	300.04	600.00	49.99%
65100	DEFERRED RETIREMENT	952.78	5,692.00	11,345.00	49.83%
65200	MEDICAL INSURANCE AND EXPENSE	2,768.04	7,171.82	13,099.00	45.25%
65250	Health Savings Program	10.73	64.38	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	(3,986.55)	3,318.45	3,415.00	2.83%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	47.30	109.39	500.00	78.12%
65600	PAYROLL TAX	694.21	4,371.42	9,032.00	51.60%
65800	Grant Payroll Allocation	(122.50)	(455.00)	(1,880.00)	75.80%
68090	CRIME BOND	0.00	487.50	520.00	6.25%
68200	INSURANCE - LIABILITY	0.00	10,645.70	11,050.00	3.66%
68300	PROPERTY & CASUALTY	0.00	4,156.10	4,875.00	14.75%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	10,000.00	100.00%
71130	ATTORNEY-LITIGATION	0.00	0.00	10,000.00	100.00%
71160	ACCOUNTING	0.00	798.23	0.00	0.00%
71210	CITY ENGINEER-ADMIN. TASKS	(10,721.15)	2,494.75	3,000.00	16.84%
71300	CITY PLANNER-MEETINGS	0.00	3.50	0.00	0.00%
71310	CITY PLANNER-ADMIN. TASKS	12,837.98	31,730.58	48,000.00	33.89%
71410	BLDG INSPECTOR-ADMIN TASKS	785.65	6,485.65	6,000.00	(8.09)%
71420	BLDG INSPECTOR-PERMIT PROCESS	0.00	0.00	10,000.00	100.00%
71510	ACCOUNTANT-ADMIN TASKS	927.91	6,049.93	14,500.00	58.28%
71620	AUDITOR-FINANCIAL REPORTS	0.00	0.00	15,000.00	100.00%
72000	CHAMBER OF COMMERCE	0.00	0.00	16,800.00	100.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	53.75	3,530.00	3,000.00	(17.67)%
75160	LIBRARY RENT & LOCAL CONTRIB.	0.00	500.00	500.00	0.00%
75170	RENT	750.00	4,500.00	9,000.00	50.00%
75180	UTILITIES	1,323.42	6,042.85	7,875.00	23.27%
75190	DUES & MEMBERSHIP	0.00	0.00	1,000.00	100.00%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	3,012.00	4,000.00	24.70%
75220	OFFICE SUPPLIES & EXPENSE	419.88	2,830.89	6,000.00	52.82%
75240	BANK CHARGES	0.00	0.00	200.00	100.00%
75990	MISCELLANEOUS EXPENSE	0.00	904.89	0.00	0.00%
76110	TELEPHONE	150.84	1,507.98	1,800.00	16.22%
76130	CABLE & INTERNET SERVICE	314.83	1,888.50	3,500.00	46.04%
76150	TRAVEL	0.00	0.00	1,500.00	100.00%
78170	SECURITY SYSTEM	378.00	451.50	500.00	9.70%
78190	MATERIALS, SUPPLIES & EQUIPMEN	237.81	237.81	1,500.00	84.15%
Total Expense		16,184.20	161,340.68	336,450.00	52.05%

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
301 - Police
From 12/1/2017 Through 12/31/2017

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
Expense					
61000	EMPLOYEE GROSS WAGE	344.70	2,879.09	0.00	0.00%
65100	DEFERRED RETIREMENT	34.44	206.64	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	0.48	0.48	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	153.86	153.86	0.00	0.00%
65600	PAYROLL TAX	29.18	237.23	0.00	0.00%
75170	RENT	750.00	4,500.00	0.00	0.00%
75180	UTILITIES	205.72	923.33	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	4,940.00	0.00	0.00%
75350	ANIMAL CONTROL	0.00	522.00	0.00	0.00%
76110	TELEPHONE	90.03	545.13	0.00	0.00%
	Total Expense	<u>1,608.41</u>	<u>14,907.76</u>	<u>0.00</u>	<u>0.00%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
401 - Fire
From 12/1/2017 Through 12/31/2017

	<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>	
Expense					
60900	HONORARIUMS	150.00	900.00	1,800.00	50.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	3,668.00	0.00	0.00%
75180	UTILITIES	44.12	280.00	500.00	44.00%
75190	DUES & MEMBERSHIP	0.00	0.00	250.00	100.00%
75280	TRAINING / EDUCATION	0.00	0.00	500.00	100.00%
75300	CONTRACTED SERVICES	0.00	73,762.70	75,000.00	1.65%
76110	TELEPHONE	61.28	360.92	1,000.00	63.91%
76140	RADIO & DISPATCH	0.00	0.00	900.00	100.00%
78140	VEHICLE FUEL & OIL	0.00	81.98	350.00	76.58%
78150	VEHICLE REPAIRS	0.00	0.00	2,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	0.00	1,000.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	26.64	2,500.00	98.93%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,000.00	100.00%
Total Expense		<u>255.40</u>	<u>79,080.24</u>	<u>87,300.00</u>	<u>9.42%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
501 - PW (Public Works)
From 12/1/2017 Through 12/31/2017

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
61000	EMPLOYEE GROSS WAGE	6,575.94	34,826.17	85,557.00	59.29%
61250	OVERTIME	0.00	0.00	500.00	100.00%
65100	DEFERRED RETIREMENT	688.88	4,082.03	10,492.00	61.09%
65200	MEDICAL INSURANCE AND EXPENSE	5,558.00	14,020.40	35,452.00	60.45%
65250	Health Savings Program	17.65	105.90	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	214.22	214.22	2,798.00	92.34%
65600	PAYROLL TAX	553.70	2,971.56	7,491.00	60.33%
65800	Grant Payroll Allocation	(1,505.92)	(10,376.73)	(43,000.00)	75.87%
71210	CITY ENGINEER-ADMIN. TASKS	5,398.25	32,040.85	8,000.00	(300.51)%
71250	CITY ENGINEER - PROJECT FEES	0.00	0.00	4,000.00	100.00%
75150	PROPERTY TAX	0.00	15.00	0.00	0.00%
75180	UTILITIES	0.00	36.11	0.00	0.00%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	0.00	2,400.00	100.00%
75300	CONTRACTED SERVICES	456.80	8,414.85	12,000.00	29.88%
75370	UNIFORMS/PERSONAL EQUIP.	0.00	0.00	450.00	100.00%
78100	STREET MAINT/REPAIR/SANITATION	0.00	7,596.25	5,000.00	(51.92)%
78120	STREET LIGHTING	376.76	2,259.15	4,500.00	49.80%
78130	TRAIL MAINTENANCE	800.17	800.17	3,500.00	77.14%
78140	VEHICLE FUEL & OIL	390.34	2,124.96	4,000.00	46.88%
78150	VEHICLE REPAIRS	0.00	1,587.80	2,500.00	36.49%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	1,673.55	5,000.00	66.53%
78170	SECURITY SYSTEM	0.00	283.50	500.00	43.30%
78190	MATERIALS, SUPPLIES & EQUIPMEN	189.85	2,576.36	13,000.00	80.18%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,000.00	100.00%
Total Expense		<u>19,714.64</u>	<u>105,252.10</u>	<u>165,140.00</u>	<u>36.26%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
204 - IWM
From 12/1/2017 Through 12/31/2017

	Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue				
46000	GRANT INCOME	0.00	5,000.00	0.00
47650	RECYCLING REVENUE	0.00	1,337.53	10,500.00
56150	FRANCHISE FEES	529.66	3,043.00	6,000.00
	Total Revenue	<u>529.66</u>	<u>9,380.53</u>	<u>16,500.00</u>
				(43.15)%
Expense				
61000	EMPLOYEE GROSS WAGE	1,109.62	5,507.76	10,921.00
65100	DEFERRED RETIREMENT	105.54	633.23	1,386.00
65200	MEDICAL INSURANCE AND EXPENSE	821.34	2,451.06	5,614.00
65250	Health Savings Program	3.50	21.00	0.00
65300	WORKMEN'S COMP INSURANCE	326.94	326.94	369.00
65600	PAYROLL TAX	92.59	468.67	989.00
75130	GARBAGE	0.00	0.00	500.00
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	1,200.00
	Total Expense	<u>2,459.53</u>	<u>9,408.66</u>	<u>20,979.00</u>
				55.15%
	Net Income	<u>(1,929.87)</u>	<u>(28.13)</u>	<u>(4,479.00)</u>
				(99.37)%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
601 - Water
From 12/1/2017 Through 12/31/2017

	Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue				
53020	INTEREST INCOME	0.00	0.00	1,000.00 (100.00)%
53090	OTHER MISCELLANEOUS INCOME	0.00	0.00	2,000.00 (100.00)%
57100	WATER SALES	22,934.69	164,202.72	295,000.00 (44.34)%
57200	Water Sales - Wholesale	390.00	3,690.00	5,000.00 (26.20)%
57300	NEW WATER HOOK UPS	10,900.00	10,900.00	1,000.00 990.00%
57500	WATER A/R PENALTIES	(455.71)	1,519.59	1,000.00 51.96%
	Total Revenue	33,768.98	180,312.31	305,000.00 (40.88)%
Expense				
61000	EMPLOYEE GROSS WAGE	8,256.58	46,484.99	94,359.00 50.74%
61250	OVERTIME	0.00	0.00	500.00 100.00%
65100	DEFERRED RETIREMENT	908.56	5,432.39	11,333.00 52.07%
65200	MEDICAL INSURANCE AND EXPENSE	6,539.55	18,845.12	40,384.00 53.34%
65250	Health Savings Program	23.77	142.62	0.00 0.00%
65300	WORKMEN'S COMP INSURANCE	2,879.00	2,879.00	3,078.00 6.47%
65600	PAYROLL TAX	695.20	3,955.10	8,225.00 51.91%
68090	CRIME BOND	0.00	262.50	280.00 6.25%
68200	INSURANCE - LIABILITY	0.00	5,732.30	6,125.00 6.41%
68300	PROPERTY & CASUALTY	0.00	2,237.90	2,625.00 14.75%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	1,000.00 100.00%
71160	ACCOUNTING	0.00	429.82	0.00 0.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	4,000.00 100.00%
71510	ACCOUNTANT-ADMIN TASKS	499.64	3,257.67	6,500.00 49.88%
71620	AUDITOR-FINANCIAL REPORTS	0.00	0.00	7,000.00 100.00%
72100	BAD DEBTS	0.00	6.26	350.00 98.21%
75180	UTILITIES	862.42	6,483.06	13,000.00 50.13%
75190	DUES & MEMBERSHIP	0.00	1,119.54	1,000.00 (11.95)%
75220	OFFICE SUPPLIES & EXPENSE	102.00	1,628.00	3,000.00 45.73%
75240	BANK CHARGES	0.00	10.00	100.00 90.00%
75280	TRAINING / EDUCATION	166.49	897.04	500.00 (79.41)%
75300	CONTRACTED SERVICES	7,708.30	7,708.30	15,000.00 48.61%
76110	TELEPHONE	101.70	603.75	1,800.00 66.46%
76130	CABLE & INTERNET SERVICE	61.95	371.70	750.00 50.44%
76160	LICENSES & FEES	1,950.00	2,423.70	4,500.00 46.14%
78120	STREET LIGHTING	0.00	0.00	1,600.00 100.00%
78140	VEHICLE FUEL & OIL	0.00	313.67	1,500.00 79.09%
78150	VEHICLE REPAIRS	0.00	24.34	2,000.00 98.78%
78160	BUILDING REPAIRS & MAINTENANCE	153.37	153.37	1,000.00 84.66%
78170	SECURITY SYSTEM	0.00	283.37	500.00 43.33%
78190	MATERIALS, SUPPLIES & EQUIPMEN	21.57	1,723.56	12,000.00 85.64%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	120.00	1,000.00 88.00%
79100	WATER LAB FEES	325.00	2,755.00	4,000.00 31.13%
79120	WATER PLANT CHEMICALS	328.81	2,956.96	7,500.00 60.57%
79130	WATER LINE HOOK-UPS	0.00	0.00	1,000.00 100.00%
79150	WATER LINE REPAIR	0.00	10,045.92	15,000.00 33.03%
79160	WATER PLANT REPAIR	1,040.00	2,895.85	8,000.00 63.80%
90000	Capital Reserves	0.00	0.00	20,000.00 100.00%
	Total Expense	32,623.91	132,182.80	300,509.00 56.01%
	Net Income	1,145.07	48,129.51	4,491.00 971.69%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
601 - Water
From 12/1/2017 Through 12/31/2017

<u>Current Period Actual</u>	<u>Current Year Actual</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
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City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
701 - Cemetery
From 12/1/2017 Through 12/31/2017

	Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget	
Revenue					
58100					
	CEMETERY PLOT SALES	0.00	1,710.00	9,500.00	(82.00)%
	Total Revenue	0.00	1,710.00	9,500.00	(82.00)%
Expense					
61000					
	EMPLOYEE GROSS WAGE	1,380.86	6,935.16	13,685.10	49.32%
65100					
	DEFERRED RETIREMENT	133.28	799.67	1,748.42	54.26%
65200					
	MEDICAL INSURANCE AND EXPENSE	1,038.61	3,070.98	6,920.46	55.62%
65250					
	Health Savings Program	4.35	26.10	0.00	0.00%
65300					
	WORKMEN'S COMP INSURANCE	412.53	412.53	466.25	11.52%
65600					
	PAYROLL TAX	115.31	590.17	1,248.38	52.73%
75180					
	UTILITIES	45.23	331.27	750.00	55.83%
78190					
	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	500.00	100.00%
	Total Expense	3,130.17	12,165.88	25,318.61	51.95%
	Net Income	(3,130.17)	(10,455.88)	(15,818.61)	(33.90)%



CONSENT AGENDA ITEM 4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 5 PAGES

4. Authorize PARSAC grant application and contract for Personnel Handbook Update

CONSENT AGENDA ITEM

Date: February 15th 2018

Item: Authorize PARSAC Grant Application for Personnel Handbook Update, and contract for same with Mitchell, Brisso, Delaney, and Vrieze

Summary

The City of Trinidad is insured through being a member of PARSAC, the Public Agency Risk Sharing Authority of California. PARSAC has an Employment Practices Liability small grant program to encourage members to reduce liability. The City has applied for \$4,500 to be used to have our employee handbook and job descriptions reviewed and updated to ensure they follow current law and best practices. The local law firm of Mitchell, Brisso, Delaney, and Vrieze did similar work for us in 2013, and is prepared to complete this update. Numerous legal changes to employment law have been adopted at the state and federal level since the last update and will be addressed through this process.

This is an 'after the fact' approval item, as staff has submitted this small grant application to PARSAC and just received notice it has been approved. The cost of the update will be fully covered by the PARSAC grant.

Staff Recommendation:

Staff recommends the Council:

- a) approve the submittal of a EPL grant application to PARSAC for \$4,500 for an update of the Employee Policies and Procedures Handbook and the City's Job Description format.*
- b) Authorize staff to enter into a contract with Mitchell, Brisso, Delaney, and Vrieze to complete this work.*

Grant Program Application

INSTRUCTIONS: Applications may be submitted before or after a project is completed. Priority is given to projects that have a direct impact on employee safety or potential for reducing liability. Routine operating expenses are ineligible for grant awards. If approved, funds are distributed upon PARSAC's receipt of proof of completion. Applications must be signed by the entity's Manager, Administrator or Mayor. For assistance, please call 800-400-2642.

Member Trinidad Date February 1, 2018

Project Description Update to Employee Policies and Procedures and Updates to Job Descriptions

Total Cost \$4,500.00 Actual Estimated

Completion Date June 30, 2018 Actual Estimated
If actual, please attach proof of completion.

Please describe how this project will improve the entity's loss control efforts (additional pages may be attached):

The City's Employee Policies and Procedures Manual was last updated in May, 2013. A number of inconsistencies have been identified in both the Employee Policies and Procedures Manual as well as the individual job descriptions. A re-write/update of the Manual and job descriptions is therefore appropriate. Consistency and clarification of these documents will minimize liability exposure due to possible inappropriate application of personnel rules and regulations.

Does this project have the potential to accomplish any of the following (check all that apply):

- Improve Public Safety Improve Workplace Safety
 Reduce Employee Injuries Provide Employee Training
 Remove a Specific Hazard Implement a Risk Management Policy/Program

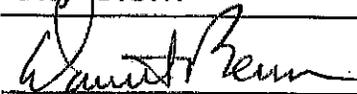
Has the entity committed funds to this project? Yes \$ _____ No

Has the entity applied for or received grants from any other source? Yes No

If yes: \$ _____ from _____

Completed by Gabriel Adams Email cityclerk@trinidad.ca.gov

Title City Clerk Phone 707-677-0223

Approved by 

Mayor Manager/Administrator



ATTORNEY-CLIENT FEE AGREEMENT

MITCHELL, BRISSO, DELANEY & VRIEZE, LLP ("Attorney") and **CITY OF TRINIDAD** ("Client") hereby agree that Attorney will provide legal services to Client on the terms set forth below.

1. **CONDITIONS.** This Agreement will not take effect, and Attorney will have no obligation to provide legal services, until Client returns a signed copy of this Agreement.

2. **SCOPE OF SERVICES.** Client hires Attorney to provide legal services in the following matter: **Personnel Policies Review and Update and Job Descriptions Review and Update.** Attorney will provide those legal services reasonably required to represent Client. Attorney will take reasonable steps to keep Client informed of progress and to respond to Client's inquiries. Services in any matter not described above will require a separate written Agreement.

3. **CLIENTS DUTIES.** Client agrees to be truthful with Attorney, to cooperate, to keep Attorney informed of any information or developments which may come to Client's attention, to abide by this Agreement, to pay Attorney's bills on time and to keep Attorney advised of Client's address, telephone number and whereabouts. Client will assist Attorney in providing necessary information and documents.

4. **DEPOSIT.** There will be no deposit requirement.

5. **LEGAL FEES AND BILLING PRACTICES.** Client agrees to pay by the hour at Attorney's prevailing rates for all time spent on Client's matter by Attorney's legal personnel. Current hourly rates for legal personnel are as follows:

Partners \$185/hour

Associates: \$165/hour

Paralegals \$80/hour

Attorney will not exceed \$4,500.00 in attorney fees without prior authorization from Client's City Manager.

The rates on this schedule are subject to change on 30 days written notice to client. If Client declines to pay any increased rates, Attorney will have the right to withdraw as Attorney for Client.

Time is charged in minimum units of one tenth (.1) of an hour.

6. **COSTS AND OTHER CHARGES.**

Attorney may incur various costs and expenses in performing legal services under this Agreement. Client agrees to pay for all costs, disbursements and expenses in addition to the hourly fees. The costs and expenses commonly include, service of process charges, filing fees,

notary fees, long distance telephone charges, messenger and other delivery fees, postage, photocopying and other reproduction costs, travel costs including parking, mileage, transportation, meals and hotel costs, investigation expenses, consultants' fees, and other similar items. Except for the items listed below, all costs and expenses will be charged at Attorney's cost.

Mileage \$0.55/mile

7. **BILLING STATEMENTS.** Attorney will send Client periodic statements for fees and costs incurred. Each statement will be payable within 30 days of its mailing date. Client may request a statement at intervals of no less than 30 days. If Client so requests, Attorney will provide one within 10 days. The statements shall include the amount, rate, basis of calculation or other method of determination of the fees and costs, which costs will be clearly identified by item and amount.

8. **DISCHARGE AND WITHDRAWAL.** Client may discharge Attorney at any time. Attorney may withdraw with Client's consent or for good cause. Good cause includes Client's breach of this Agreement, refusal to cooperate or to follow Attorney's advice on a material matter or any fact or circumstance that would render Attorney's continuing representation unlawful or unethical. When Attorney's services conclude, all unpaid charges will immediately become due and payable. After services conclude, Attorney will, upon Client's request, deliver Client's file and property in Attorney's possession, whether or not Client has paid for all services.

9. **DISCLAIMER OF GUARANTEE AND ESTIMATES.** Nothing in this Agreement and nothing in Attorney's statements to Client will be construed as a promise or guarantee about the outcome of the matter. Attorney makes no such promises or guarantees. Attorney's comments about the outcome of the matter are expressions of opinion only. Any estimate of fees given by Attorney shall not be a guarantee. Actual fees may vary from estimates given.

10. **ENTIRE AGREEMENT AND MODIFICATION BY SUBSEQUENT AGREEMENT.** This Agreement contains the entire agreement of the parties. No other agreement, statement, or promise made on or before the effective date of this Agreement will be binding of the parties. This Agreement may be modified by subsequent Agreement of the parties only by an instrument in writing signed by both of them or an oral agreement only to the extent that the parties carry it out.

11. **SEVERABILITY IN EVENT OF PARTIAL INVALIDITY.** If any provision of this Agreement is held in whole or in part to be unenforceable for any reason, the remainder of that provision and of the entire Agreement will be severable and remain in effect.

12. **EFFECTIVE DATE AND EXECUTION.** This Agreement will govern all legal services performed by Attorney on behalf of Client commencing with the date Attorney first performed services. The date at the beginning of this Agreement is for reference only. Even if this Agreement does not take effect, Client will be obligated to pay Attorney the reasonable value of any services Attorney may have performed for Client. This Agreement may be executed in counterparts, the parts of which shall be taken to constitute one whole. Electronic scan signatures and/or facsimile signatures shall be deemed to constitute originals.

THE PARTIES HAVE READ AND UNDERSTOOD THE FOREGOING TERMS AND AGREE TO THEM AS OF THE DATE ATTORNEY FIRST PROVIDED SERVICES. IF MORE THAN ONE CLIENT SIGNS BELOW, EACH AGREES TO BE LIABLE, JOINTLY AND SEVERALLY, FOR ALL OBLGATIONS UNDER THIS AGREEMENT. CLIENT SHALL RECEIVE A FULLY EXECUTED DUPLICATE OF THIS AGREEMENT.

DATED: _____

Mitchell, Brisso, Delaney & Vrieze, LLP

Russell S. Gans

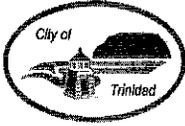
DATED: _____

City of Trinidad

By: _____

Name: _____

Its: _____



CONSENT AGENDA ITEM 5

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGE

5. Authorize Staff to Submit 2018 Measure Z Grant Application

CONSENT AGENDA ITEM

Thursday Feb 15th, 2018

Item: Authorize 2018 Measure Z grant application

Background:

Measure Z grant applications are due on Feb 22nd 2018. Staff plan to submit an application very similar to the last two years, requesting funds sufficient to support one full time deputy. Last year we were awarded half of the requested funds, and are now benefitting from that with an additional half time deputy for Trinidad.

Recommended Action:

Authorize the City Manager to submit a FY 2018 Measure Z grant request for an additional full time deputy



CONSENT AGENDA ITEM 6

SUPPORTING DOCUMENTATION FOLLOWS WITH: 11 PAGES

6. Authorize HCOAG grant application for Little River Trail Project

DISCUSSION AGENDA ITEM

Date: February 15, 2018

Item: Consideration of a Funding Request to HCOAG to Support an Active Transportation Program Grant Application for City of Trinidad - Little River Trail

Summary

The Trinidad Coastal Land Trust is asking the City to apply for \$4,000 of HCOAG funding that would be used to fund City engineer time to help with grant application work for the Little River Trail. The City has done this once before with TCLT; we were successful in getting support from HCOAG, but not with the Caltrans grant. The TCLT is planning to reapply for significant state grant funds for this project, and requesting that the City help it in this effort. The City would be the likely applicant for the Caltrans funds, as only local agencies are eligible, not non-profits.

Recommended Action:

Authorize staff to submit the attached \$4,000 grant request to HCOAG to support development of an application to Caltrans for the Little River Trail.

Background:

In 2014 the State Coastal Conservancy funded the development of a feasibility study which analyzed potential non-motorized trail alignments from the southern end of Scenic Drive across the Little River to Clam Beach Drive. Creating a trail connection along this stretch of Humboldt County coastline would close a key gap in the California Coastal Trail (CCT) currently separating the communities of Westhaven and Trinidad from the Hammond Coastal Trail and Humboldt Bay communities. The trail connection would also eliminate the need for cyclists to utilize the Highway 101 Bridge over the Little River, and would improve mobility options and recreational opportunities. This project has been a priority for local residents, trail advocates and local and state agencies for almost three decades. The total project cost was estimated to be between \$3.9 and \$4.5 million.

The City has recently received presentations from the Trinidad Coastal Land Trust about this trail project and passed resolutions in support. Councilmember West has also provided reports from his role on HCOAG about the fact that other key agencies do not have the capacity to move this project forward at this time. The Council has indicated their general interest and support for the project.

The City of Trinidad has an opportunity to help move the project forward by taking the lead in applying for an Active Transportation Program (ATP) grant for the Little River Trail Project. The purpose of an ATP project is to encourage/increase the use of active modes of transportation, including biking and walking and enhancement of public health. and it appears this project would be a good fit and is expected to be competitive.

Given that this project is well outside the City, staff are recommending the following requirements be addressed as this project moves forward:

- No fiscal impact to the City - The City would only be able to help with the ATP application if funding is awarded from HCOAG to support that work.
- The ATP application will need to be separately approved by Council, and to provide reimbursement for City staff time on the project.
- The City cannot take on long term maintenance responsibilities for this project. (This may not be an issue if the project is phased so that construction is not part of this phase).

Should Council decide to proceed with the ATP application, they will have the opportunity to approve the application prior to its submission.

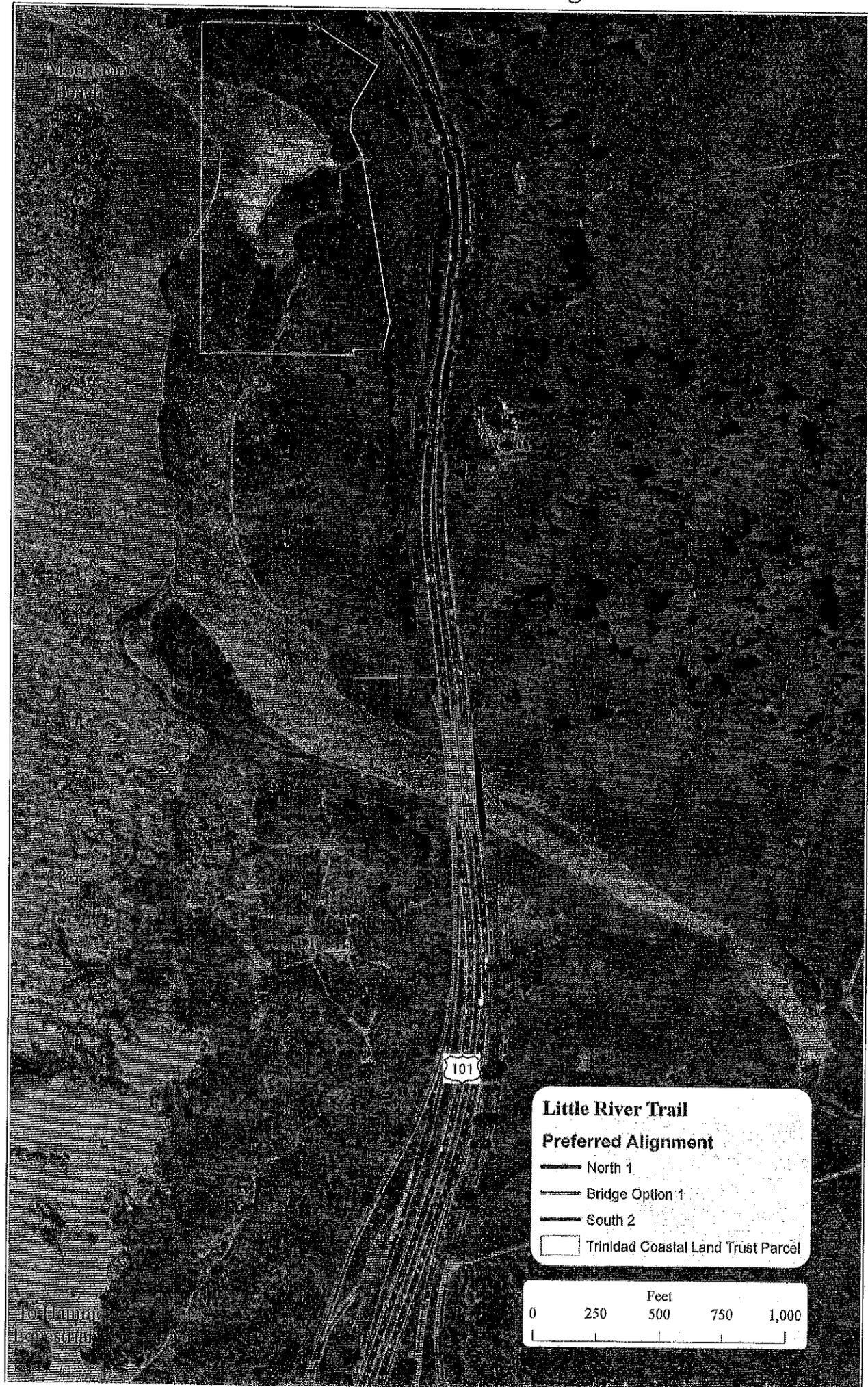
Proposed Action:

1. *Authorize City Manager to submit a request to HCAOG for \$4,000 from the 2% Bicycle and Pedestrian TDA fund to support an ATP grant application for the Little River Trail*

Attachments:

1. 2% Bicycle & Pedestrian Fund Grant Application

Little River Trail Preferred Alignment



Humboldt County Association of Governments

2% Bicycle and Pedestrian TDA Article 3 Call for Projects

City of Trinidad

Funds Request for the Little River Trail

Amount of Request = \$4,000

February 2, 2018

Little River Trail Summary

In 2014 the State Coastal Conservancy funded the development of a feasibility study which analyzed potential non-motorized Class I trail alignments from the southern end of Scenic Drive across the Little River to Clam Beach Drive. Creating a trail connection along this stretch of Humboldt County coastline would close a key gap in the California Coastal Trail (CCT) currently separating the communities of Westhaven and Trinidad from the Hammond Coastal Trail, McKinleyville, and Humboldt Bay communities. The trail connection would also provide a barrier separated path for cyclists who utilize the Highway 101 Bridge over the Little River and would improve mobility options and recreational opportunities. This project has been a priority for local residents, trail advocates, and local and state agencies for almost three decades. The total project cost was estimated to be between \$3.9 and \$4.5 million (Little River Trail Feasibility Study, Redwood Community Action Agency, 2014).

The Little River Trail project is a regional priority project – it is included as a regional trail priority in the VROOM Regional Transportation Plan. The only way this vital trail link will be completed is if the regional partners collaborate to support the project.

In 2016, the City of Trinidad (City) developed an Active Transportation Program (ATP) Cycle 3 grant application for the Little River Trail Project. Although the project did not score high enough to receive the Cycle 3 ATP funds, the City did receive positive and valuable feedback from the application reviewers.

In collaboration with the Trinidad Coastal Land Trust, the City of Trinidad committed to helping to move the Little River Trail project forward and is interested in enhancing the ATP application previously prepared and applying for Cycle 4 ATP funding for the PA&ED (environmental and preliminary design) PS&E (final design) phases of project development. The City is requesting \$4,000 to support the development of an ATP application and a State Coastal Conservancy matching grant.

1. MATCHING FUNDS - 5 Points

This criterion evaluates local support for the proposed project in terms of financial partnership. Projects requesting maintenance funds will only receive points if it is for a regional bicycle and pedestrian facility.

Is the city or county willing to match its request at 50% or greater?

As the City of Trinidad has a very small budget for transportation projects, the city does not have funds available at this time to match this request. The city does have several potential opportunities for leveraging funds for an ATP application including support from local community organizations and potential project partners such as the State Coastal Conservancy. The State Coastal Conservancy has indicated that they may be interested in providing funding to support preliminary design and required environmental analysis for the Little River Trail if a local entity is able to secure additional funding. The City of Trinidad may be able to utilize these matching funds for an ATP proposal, though the timing was such that this match is not available for this request for the 2% LFT funds.

2. SAFETY – 20 Points

This criterion evaluates how the proposed project will effect safety at existing facilities or improve safety by building new facilities. When describing the project conditions include any accident statistics and how the project will improve or correct the situation.

Will the proposed project affect safety at existing facilities or improve safety by building new facilities? When describing the project conditions, include any accident statistics, pavement condition, maintenance issues and describe how the project will correct or improve the situation. **Will the proposed project improve safety or correct an existing safety problem including providing secure parking for bicycles?**

The Little River Trail will improve safety for walking and biking along a stretch of the northern Humboldt coast that currently lacks any facilities for bicyclists and pedestrians. The trail will create a new, separated corridor for bicyclists and pedestrians to cross the Little River and travel between Westhaven and the Hammond Coastal Trail. To the north of the proposed Little River Trail, Scenic Drive is a well-used route for bicyclists and pedestrians heading north to Trinidad and provides a low-auto traffic, low-speed connection between Westhaven and Trinidad.

Highway 101 is the only route for cars, bicyclists, and pedestrians across the Little River and is the only option for traveling up or down the coast. Because of the inadequate bicycle and pedestrian facilities along this stretch of Highway 101 and the bridge over the Little

River and subsequent safety concerns, the Humboldt County Coastal Trail Implementation Strategy (2011) noted that this location was a gap in the California Coastal Trail.

There has been one reported bicycle-involved injury collision with a motor vehicle in the project area in the last nine years (Transportation Injury Mapping System), which occurred where the southbound on-ramp from Scenic Drive merges with Highway 101. This on-ramp is very narrow and does not afford adequate space for a bicycle and motor vehicles to safely merge onto the highway. A separated trail would eliminate this pinch point.

Because this stretch of Highway 101 is daunting for all but the most experienced cyclists, there is not currently a high use of the corridor for walking or biking. Safety concerns of walking or biking along the narrow shoulder of a highway with speeds over 65mph limits the current non-motorized use of this corridor. However, the latent demand for an extension of the Hammond Coastal Trail north towards Trinidad has been growing since the completion of the Hammond Trail to Clam Beach in 2007.

In addition, the trail plan includes a new trailhead and amenities at the south end of Scenic Drive in collaboration with the Trinidad Coastal Land Trust which owns a parcel at the north end of the proposed trail. This trailhead would include secure bicycle parking for people who wish to walk down to the beach or take a stroll along the trail.

3. PROJECT READINESS – 15 Points

This criterion evaluates deliverability of a proposed project. Please note that funds not used within two years must be returned for redistribution the following year or a City and/or County may request that the project readiness be reevaluated so that the City and/or County may retain their allocation.

Describe if this is a new or continuing project. **Is the project ready for construction or implementation in the next fiscal year?** If the request is for maintenance of a regional facility, please provide the maintenance budget. Also, describe if past allocations have not been spent and if so, why not?

These funds would support the City of Trinidad to pursue the next steps of design and environmental compliance for the Little River Trail. Although the project is not ready for implementation in this next fiscal year, the project has had a completed feasibility study with 30% bridge designs, willing project partners, and public support. In addition, the City has the experience (but not the funds) necessary to compile a highly competitive ATP application. The City fully anticipates being able to utilize funding this fiscal year.

4. SPECIAL CONSIDERATIONS - 15 Points

This criterion is designed to add flexibility and allows applicants to be creative and discuss any other ways in which the proposed project will benefit City/County residents and visitors of Humboldt County. Examples include but are not limited to: improving air quality, reducing VMT, serving older areas without recent improvements, making major improvements to accessibility and/or to serve lower income residents. When discussing this criterion please be specific. This criterion is designed to allow the cities and County to be creative and discuss any other ways in which the proposed project will benefit residents and visitors in Humboldt County.

Does the proposed project provide a benefit to City/County residents or visitors that have not been discussed elsewhere?

The greater Trinidad area coastline, from Little River/ Moonstone Beach on the south end to Patrick's Point State Park and Big Lagoon on the north end, is the most popular recreational destination in northern Humboldt County, attracting local visitors as well as tourists from across America and around the globe. The popularity of the area, especially when the weather is nice, results in traffic congestion on Scenic Drive and overflowing parking lots. Bicycling and hiking are two very popular ways to enjoy coastal views and access the beach and coastal headlands and parks. If there was a safer and more appealing route to access this section of the coast by non-motorized means, traffic congestion would be decreased and the user experience would be enhanced, both for residents and visitors alike.

One of the bottlenecks to non-motorized transportation is Highway 101 from the Scenic Drive on-ramp to the Little River Bridge. The Scenic Drive on-ramp is a narrow-short-ascending ramp that merges with highway traffic heading downhill at freeway speeds. For bicyclists, this stretch of highway and the on-ramp are intimidating because of the narrow shoulder and guard rail which confine bicyclists within a narrow lane. Motorists on the on-ramp are focused on traffic coming downhill on Highway 101 and merging safely, making it dangerous for bicyclists on the on-ramp. This is the location of an injury collision involving a bicyclist and motor vehicle.

Providing a separate-multiple-use trail west of Highway 101 will alleviate the dangerous condition for bicyclists and pedestrians and will provide a safe pathway to get from Clam Beach Road to Scenic Drive. The Hammond Coastal Trail has been an immensely popular trail and use has increased with each phase of trail completion. Trail users can now travel from Arcata to Clam Beach and Little River State Park without getting on the freeway. The Little River Trail will link a non-freeway pedestrian/ bicycle route from Little River State Beach to Patrick's Point State Park, a distance of 15.5 miles. The Little River Trail will encourage and facilitate bicycle commuting between the Trinidad/ Westhaven communities and the McKinleyville/ Arcata communities. Completion of the Little River

Trail will provide another link in completing the vision of the California Coastal Trail extending from the Mexico border to the Oregon border.

Another special consideration for the Little River Trail is the lack of constraints to completing this section of the Coastal Trail and the assemblage of supporting parties. The trail corridor is contained within three ownerships - Caltrans, California State Parks, and the Trinidad Coastal Land Trust. All three entities are supportive of the trail. The City of Trinidad is also supportive of the trail, with the City Council having adopted a resolution supporting the effort to complete the Little River Trail in 2014 and voting in favor of submitting a grant application to the Active Transportation Program in 2016. There are no other easement owners within the trail corridor and therefore there is no opposition to the trail.

5. MAINTENANCE OF PROJECT - 10 Points

This criterion evaluates whether a proposed project will be maintained at an appropriate level for a minimum of 20 years after the project is completed. Please discuss whether the proposed project has a long range maintenance plan associated with it. If the request is for maintenance of a regional facility, provide actual cost details of prior year.

How will the proposed project be maintained?

The realization and success of the Little River Trail extension of the Hammond Coastal Trail will likely only come to fruition through cooperation between several public jurisdictions and community-based organizations and strong community support. As the burden of increased maintenance is often the driving factor that limits expansion of trails and public spaces, creative arrangements for trail management and maintenance may be crucial to ensure completion of the Little River Trail and other local multi-purpose trails.

The City of Trinidad, though able to assist the region in helping to move the Little River Trail one more step forward, is not able to take maintenance responsibility for a future Little River Trail. While one jurisdiction has not yet come forward to agree to take on maintenance responsibilities, several potential options exist. The Trinidad Coastal Land Trust owns the parcel just south of the end of Scenic Drive, which could serve as a future trailhead. The Land Trust has expressed interest in leading a Volunteer Trail Stewards group for the northern portion of the trail from Scenic Drive to the Little River crossing. Caltrans has agreed to take on maintenance responsibilities for any bridge improvements, though there is also the potential for Caltrans to take on this maintenance responsibility for an additional length of trail. At this time the County of Humboldt is unable to commit to the operations of the trail because of the multitude of its trail and park development responsibilities. State Parks remains a potential partner for maintenance duties for the southern trail section. As the McKinleyville Community Services District continues to

support and prioritize active transportation improvements in the vicinity of McKinleyville, the district could potentially be a key partner in operations of the southern portion of the trail (as the district currently provides water service to the weigh station at the Clam Beach Drive/Highway 101 interchange).

Creating a cooperative trail agreement between multiple jurisdictions and community organizations may be the best way forward for the future Little River Trail. The City of Trinidad will help to host these discussions during the completion of the ATP application and the PA&ED and PS&E phases of the project.

6. CONNECTIVITY – 10 Points

This criterion evaluates the proposed project's relationship to regional and/or local planned pathway systems. When discussing this criterion please include an "8 1/2 x 11" map illustrating the existing plan and the proposed project.

Will the proposed project close a missing link in an existing local or regional bike or pedestrian plan? If requesting funds for maintenance of a regional facility, was the facility considered a missing link in a regional plan?

The Little River Trail is a missing link in the state-wide California Coastal Trail and local bicycle and pedestrian connectivity in northern Humboldt County between McKinleyville and Trinidad. In fact this project would fill a gap that has been highlighted in the Humboldt County Coastal Trail Implementation Strategy (2011), Hammond Coastal Trail Extension Analysis: From Trinidad to Fortuna (2001), Little River State Beach Restoration and Enhancement Plan (2009), and the Humboldt County Regional Trails Master Plan (2010).

The Little River Trail will serve as a vital link between isolated communities, enhance access to and appreciation of numerous scenic and natural areas, and complete an important connection in the statewide California Coastal Trail (CCT). The trail will enable a non-highway non-motorized transportation option for residents in Westhaven, Trinidad, and the Humboldt Bay communities. The Little River Trail will provide a link between the Hammond Coastal Trail and Scenic Drive and Patrick's Point Drive, creating a continuous non-highway route for touring cyclists from Arcata to Patrick's Point State Park. With the rugged nature of the Humboldt County coastline, non-motorized mobility options between coastal communities are very limited. Currently, confident cyclists can use the shoulder on Highway 101 but this is not safe or inviting for families or pedestrians.

7. REGIONAL SIGNIFICANCE – 10 Points

This criterion evaluates whether the proposed project has local and/or regional significance. Regionally significant trails are those that serve as travel corridors, which connect communities and major destinations in the region.

Is the proposed project regionally significant? If so, explain why. Are any other agencies involved in the planning or implementation of the proposed project? Please list the agencies and their involvement. If the request is for maintenance of a regional facility, were there any other agencies involved in the planning or implementation of the facility?

The Little River Trail has been highlighted as a Regional Trail Project in HCAOG's VROOM Regional Transportation Plan (page 52). The Little River Trail is regionally significant in the northern Humboldt area as it would serve as an extension of the Hammond Coastal Trail to the next population center north of Westhaven and Trinidad. The Little River Trail has been a region-wide project from the beginning with many local agencies and community organizations participating including the City of Trinidad, State Coastal Conservancy, Redwood Community Action Agency, Caltrans District 1, County of Humboldt, Trinidad Coastal Land Trust, and State Parks.

8. TRAFFIC GENERATORS – 10 Points

This criterion evaluates the proposed project's usefulness in serving major traffic generators.

Will the proposed project serve major bicycle or pedestrian traffic generators such as schools, libraries, work sites, downtown areas, retail centers, transit nodes? If the request is for maintenance of a regional facility, does the facility serve major bicycle or pedestrian traffic generators such as schools, libraries, work sites, downtown areas, retail centers, transit nodes?

The Little River Trail will fill a key link in a pedestrian/ bike trail that will connect the residential areas of Trinidad to the employment centers of McKinleyville and Arcata. Trinidad is primarily a residential community which also serves as the town center for the greater Trinidad area (from Westhaven to Patricks Point) and houses one of the two public elementary schools in the greater Trinidad area. Downtown Trinidad includes the post office that serves the greater Trinidad area, the Saunders Plaza Shopping Center, and a number of retail shops and restaurants. Trinidad also includes the Trinidad Branch of the Humboldt County Library and the Trinidad Museum. Humboldt Transit Authority bus stops in Trinidad and Westhaven provide transit nodes and the opportunity for bicyclists to ride

transit for part of a multi-modal journey. Trinidad area high school students attend McKinleyville High School. The Little River Trail will create a bicycle/ pedestrian path between the residential areas of Trinidad/ Westhaven and the employment and educational centers of McKinleyville and around Humboldt Bay. In addition, Moonstone Beach in Westhaven is a very popular destination with families, and the proposed Little River would connect families to this destination from other key destinations along the Hammond Coastal Trail, including Clam Beach and Little River State Beach.

9. MULTI-MODAL INTERFACE - 5 Points

This criterion evaluates the proposed project's connectivity to transit modes and other forms of transportation.

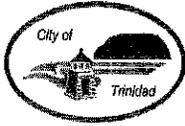
How will the project encourage multi-modal travel? If the project is for maintenance of a regional facility, how does the facility encourage multi-modal travel?

The Little River Trail would help to link bicyclists and pedestrians between communities and between residential areas and places of employment. Since there is currently no option for bicyclists and pedestrians to get to Trinidad and Westhaven from the south other than by traversing the high traffic speeds along Highway 101, there has not been much incentive for non-motorized or multi-modal commuting from northern Humboldt communities to the employment centers around Humboldt Bay. The Little River Trail would create a viable commuting route and safe option for multi-modal travel. The trail would also connect to a key RTS bus stop at Westhaven on Scenic Drive, just north of the northern LRT terminus.

10. SUPPLEMENTAL INFORMATION:

Location Map: Please include a description of the project area and a CLEAR 8 1/2x11 location map; field visits may take place so TAC representatives will need detailed directions to project sites.

The Little River Trail project area extends from the south end of Scenic Drive in Westhaven, continues south parallel to the west side of Highway 101, across the Little River, to the Clam Beach Drive interchange with Highway 101. Please see the attached map of the project area.



CONSENT AGENDA ITEM 7

SUPPORTING DOCUMENTATION FOLLOWS WITH: 30 PAGES

7. Adopt Humboldt County Local Agency Management Plan re OWTS

CONSENT AGENDA ITEM

Date: February 15th 2018

Item: Adopt Humboldt County Onsite Wastewater Local Agency Management Plan (LAMP), and associated technical manual and County Code.

Summary

The State Water Resources Control Board has adopted new statewide standards for Onsite Wastewater Treatment Systems (OWTS – aka septic systems). They are requiring local agencies that review and approve OWTS' to update their policies and ordinances to be consistent with the new statewide standards.

Trinidad contracts with and relies on the Humboldt County Division of Environmental Health to provide technical and regulatory review and approval of Onsite Wastewater Treatment System designs within the City. The City's OWTS permitting program addresses regular maintenance of OWTS systems, but defers to the County for technical review and approval of system designs and repairs.

Humboldt County has revised their regulations to be consistent with the new state standards, including adopting a 'Local Agency Management Plan' for OWTS. The City of Trinidad needs to also adopt this LAMP, and the associated technical manuals and Humboldt County Code. This action will keep the City compliant with state regulations and will ensure OWTS systems within Trinidad are treated the same as systems throughout the County.

Adopting the County LAMP does not affect the City's OWTS Ordinance requirements for regular inspection and maintenance of OWTS systems. Residents of Trinidad who seek to repair, replace, or build new OWTS systems are already subject to the new state standards; this action brings the City into compliance by explicitly making the County LAMP also apply within the City limits.

The State Water Board is currently reviewing the County's LAMP, and the City may need to adopt a revised version in the future depending on that State review.

Staff Recommendation:

Staff recommends the Council:

a) Adopt the Humboldt County Onsite Wastewater Local Agency Management Plan, including the associated technical manual and relevant provisions of the County Code, as approved by the Board of Supervisors on November 7th 2017.

Attachments: Humboldt County Onsite Wastewater Local Agency Management Plan, technical manual, and relevant County Code (one document).



**Humboldt County
Onsite Wastewater Local Agency
Management Program**

Adopted by the Humboldt County Board of Supervisors

Date: _____

**Virginia Bass, Chair
Humboldt County Board of Supervisors**

**Humboldt County
Onsite Wastewater Local Agency Management Program**

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Humboldt County Onsite Wastewater Local Agency Management Program

Introduction

Purpose

This Local Agency Management Program (LAMP) is prepared pursuant to, and describes Humboldt County's compliance with, the State Water Resources Control Board's *Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems* (OWTS Policy). When approved by the North Coast Regional Water Quality Control Board (NCRWQCB) and the Humboldt County Board of Supervisors, it (along with supporting local documents *Humboldt County Onsite Wastewater Treatment System Regulation and Technical Manual* (RTM) and Humboldt County Code, Title VI, Divisions 1 and 2 (HCC)) will be formally adopted and implemented in the unincorporated area of Humboldt County.

The purpose of the OWTS Policy and this LAMP is to allow for the continued use of onsite wastewater treatment systems (OWTS) in a manner that protects water quality and public health. OWTS owners in Humboldt County who comply with this LAMP are included in a conditional waiver to apply for Waste Discharge Requirements through the NCRWQCB for their OWTS.

The Humboldt County Board of Supervisors (BOS) has opted to pursue development and implementation of a LAMP in accordance with, and as authorized in, Tier 2 of the OWTS Policy. The Department of Health and Human Services, Division of Environmental Health (DEH), is the authority for permitting OWTS and implementing this LAMP. This LAMP addresses the siting, design, operation and maintenance of OWTS that:

- Have a projected flow of 10,000 gallons per day or less; and
- Receive only domestic wastewater from residential or commercial buildings; or
- Receive high strength wastewater that does not exceed 900 mg/L Biological Oxygen Demand (BOD) from commercial food service buildings which have a properly sized and functioning oil/grease interceptor.

Humboldt County is within Region 1, the North Coast Regional Water Quality Control Board jurisdiction.

Structure

The OWTS Policy requirements (complete or summarized as necessary) are presented with their section number and appear in bold text for easy reference throughout the LAMP (e.g., **9.1.1 Degree of vulnerability to pollution from OWTS due to hydrogeological conditions**). They appear generally in the order in which they appear in the OWTS Policy. The text below each of these entries, in normal font, describes Humboldt County's method of compliance with that OWTS Policy section.

References to Tiers 0, 1, 2, 3 and 4 refer to the Tiers specified in the OWTS Policy.

The RTM is included for reference as Appendix 1. The RTM is a new document and replaces the former *Humboldt County Sewage Disposal Regulations*. The RTM incorporates policies and practices from several documents (*Humboldt County Sewage Disposal Regulations*, technical design manuals, and the Regional Water Board's *Basin Plan*) into one document with updated language and a user-friendly format.

The portion of the HCC applicable to OWTS management (Title VI, Division 1) and septage pumper regulation (Title VI, Division 2) is included for reference as Appendix 2.

The OWTS Policy (via electronic link) is included for reference as Appendix 3.

Responsibilities and Duties

2.0 OWTS Owners' Responsibilities and Duties

The most important aspect of managing an OWTS is good stewardship on the part of the OWTS owner. Section 2.0 of the OWTS Policy assigns responsibilities and duties to OWTS owners. Sections 2.1 – 2.7 are reproduced here as they appear in the OWTS Policy; they apply to all OWTS owners in Humboldt County.

2.1 All new, replacement, or existing OWTS within an area that is subject to a Basin Plan prohibition of discharges from OWTS, must comply with the prohibition. If the prohibition authorizes discharges under specified conditions, the discharge must comply with those conditions and the applicable provisions of this Policy.

2.2 Owners of OWTS shall adhere to the requirements prescribed in local codes and ordinances. Owners of new and replacement OWTS covered by this Policy shall also meet the minimum standards contained in Tier 1, or an alternate standard provided by a Local Agency Management Program per Tier 2, or shall comply with the requirements of Tier 3 if near an impaired water body and subject to Tier 3, or shall provide corrective action for their OWTS if their system meets conditions that place it in Tier 4.

2.3 Owners of OWTS shall comply with any and all permitting conditions imposed by a local agency that do not directly conflict with this Policy, including any conditions that are more stringent than required by this Policy.

2.4 To receive coverage under this Policy and the included waiver of waste discharges, OWTS shall only accept and treat flows of domestic wastewater. In addition, OWTS that accept high-strength wastewater from commercial food service buildings are covered under this Policy and the waiver of waste discharge requirements if the wastewater does not exceed 900 mg/L BOD and there is a properly sized and functioning oil/grease interceptor (a.k.a. grease trap).

2.5 Owners of OWTS shall maintain their OWTS in good working condition including inspections and pumping of solids as necessary, or as required by local ordinances, to maintain proper function and assure adequate treatment.

2.6 The following owners of OWTS shall notify the Regional Water Board by submitting a Report of Waste Discharge for the following:

2.6.1 a new or replacement OWTS that does not meet the conditions and requirements set forth in either a Local Agency Management Program if one is approved, an existing local program if it is less than 60 months from the effective date of the Policy and a Local Agency Management Program is not yet approved, or Tier 1 if no Local Agency Management Program has been approved and it is more than 60 months after the effective date of this Policy;

2.6.2 any OWTS, not under individual waste discharge requirements or a waiver of individual waste discharge requirements issued by a Regional Water Board, with the projected flow of over 10,000 gallons-per-day;

2.6.3 any OWTS that receives high-strength wastewater, unless the waste stream is from a commercial food service building;

2.6.4 any OWTS that receives high-strength wastewater from a commercial food service building: (1) with a BOD higher than 900 mg/L, or (2) that does not have a properly sized and functioning oil/grease interceptor.

2.7 All Reports of Waste Discharge shall be accompanied by the required application fee pursuant to California Code of Regulations, title 23, section 2200.

3.0 Local Agency Requirements and Responsibilities

Humboldt County implements this LAMP to regulate the siting, design, operation and maintenance of OWTS as authorized in Tier 2 of the OWTS Policy. DEH is the authority for permitting OWTS and implementing this LAMP.

3.3 Annual Report

DEH will submit an annual report in tabular spreadsheet format that provides the following information by February 1st of each year to the NCRWQCB:

3.3.1 The number and location of complaints pertaining to OWTS operations and maintenance, and identification of those which were investigated and how they were resolved;

3.3.2 Applications and registrations issued to septic tank cleaning businesses pursuant to Section 117400 et seq. of the California Health and Safety Code;

3.3.3 The number, location, and description of permits issued for new and replacement OWTS and under which Tier each permit was issued.

9.3.1 The number, location, and description of permits issued for OWTS where a variance was granted.

3.4 Permanent Records

DEH will maintain permanent records for all OWTS permitting actions and will make those records available within 10 working days upon written request for review by the NCRWQCB. The records for each permit will reference the Tier under which the permit was issued.

3.5 Notification to water providers of OWTS failure

DEH will notify the owner of a public water well or water intake and the State Water Resources Control Board Drinking Water Program as soon as practicable, but no later than 72 hours upon its discovery, of a failing OWTS as described in OWTS Policy sections 11.1 and 11.2 occurring within the following setbacks:

7.5.6 150 feet from a public water well where the depth of the effluent dispersal field does not exceed 10 feet.

7.5.7 Within 1,200 feet from a public water system surface water intake if the failing system is 400 feet or less from the high water mark of the water body.

7.5.8 Within 2,500 feet from a public water system surface intake if the failing system is less than 200 feet from the high water mark of the water body.

All public water system wells and surface water intake locations will be mapped. The distances shown above will be delineated around each well and surface water intake. Upon discovery of a failing OWTS, DEH will reference this map and notify water system owners as required.

3.8 Withdrawal of LAMP

If Humboldt County wishes to withdraw a previously submitted and approved LAMP, it may do so upon 60 days written notice to the NCRWQCB. The notice of withdrawal shall specify the reason for withdrawing its Tier 2 program, the effective date for the cessation of the program, and the resumption of permitting of OWTS only under Tiers 0, 1, 3 and 4.

Tier 0 – Existing OWTS

Existing OWTS that are properly functioning and do not meet the conditions of failing systems or otherwise require corrective action (for example, to prevent groundwater impairment), as specifically described in Tier 4, and are not determined to be contributing to an impairment of surface water, as specifically described in Tier 3, are automatically included in Tier 0.

6.0 Coverage for Properly Operating Existing OWTS

6.1 Existing OWTS are automatically covered by Tier 0 and the herein included waiver of waste discharge requirements if they meet the following requirements:

6.1.1 have a projected flow of 10,000 gallons-per-day or less;

6.1.2 receive only domestic wastewater from residential or commercial buildings, or high-strength wastewater from commercial food service buildings that does not exceed 900 mg/L BOD and has a properly sized and functioning oil/grease interceptor (a.k.a. grease trap);

6.1.3 continue to comply with any previously imposed permitting conditions;

6.1.4 do not require supplemental treatment under Tier 3;

6.1.5 do not require corrective action under Tier 4; and

6.1.6 do not consist of a cesspool as a means of wastewater disposal.

6.2 A Regional Water Board or local agency may deny coverage under this Policy to any OWTS that is:

6.2.1 Not in compliance with Section 6.1;

6.2.2 Not able to adequately protect the water quality of the waters of the State, as determined by the Regional Water Board after considering any input from the local agency. A Regional Water Board may require the submission of a report of waste discharge to receive Region specific waste discharge requirements or waiver of waste discharge requirements so as to be protective.

6.3 Existing OWTS currently under waste discharge requirements or individual waiver of waste discharge requirements will remain under those orders until notified in writing by the appropriate Regional Water Board that they are covered under this Policy.

Tier 2 – Local Agency OWTS Management Program

9.0 Local Agency Management Program for Minimum OWTS Standards

Humboldt County's physical and human geography present a number of constraints that prohibit the implementation of the OWTS Policy's Tier 1 standards. Humboldt County's option for compliance is the adoption and implementation of this Tier 2 LAMP. It sets forth minimum standards which differ from Tier 1 but still achieve the OWTS Policy's purpose: to allow the continued use of OWTS while protecting water quality and public health.

Challenging conditions considered in LAMP development and the methods Humboldt County employs to protect water quality and public health are shown below.

9.1.1 Degree of vulnerability to pollution from OWTS due to hydrogeological conditions.

9.1.2 High Quality waters or other environmental conditions requiring enhanced protection from the effects of OWTS.

9.1.3 Shallow soils requiring a dispersal system installation that is closer to the ground surface than is standard.

9.1.4 High domestic well usage.

9.1.5 Dispersal system is located in an area with fractured bedrock.

9.1.6 Dispersal System is located in an area with poorly drained soils.

9.1.7 Vulnerable surface water.

With approximately half its households dependent on onsite wastewater treatment, Humboldt County has approximately 17,000 OWTS within its jurisdiction. Using its Sewage Disposal Regulations, the Regional Waster Board's Basin Plan, and local policies and practices, DEH has been responding to proposals for OWTS new construction, modifications, and repairs in areas with challenging conditions such as those listed in OWTS Policy sections 9.1.1 – 9.1.12 (with the exception of 9.1.8). DEH began in 1980 to permit OWTS installations only after soils testing and groundwater level determinations had been performed. Because many areas of the County exhibit shallow groundwater and restrictive soils, they are not suitable to the use of standard OWTS (those relying solely on gravity to disperse effluent). Thus, in the 1980s, DEH began to permit the installation of non-standard OWTS (those which rely on pressure distribution of effluent) (NSOWTS) because, on many sites, groundwater quality and public health cannot be protected with standard gravity systems.

The siting and design requirements of Humboldt County's RTM call for qualified professionals to perform site evaluations to determine the soil, groundwater, and physical restrictions which exist on a site and to propose an OWTS design which will support the wastewater needs of the site structures. When properly implemented, the siting and design requirements, along with construction oversight and OWTS monitoring, achieve the OWTS Policy purpose of protecting water quality and public health.

Table 1, Variance Prohibition Areas (see page 20) identifies areas in Humboldt County known to exhibit one or more of the challenging conditions listed in OWTS Policy section 9.1 and shows mitigation measures employed. These areas are specifically addressed in the RTM on page 3. Mitigation measures for new OWTS construction proposed in the areas listed in Table 1 include:

- Wet weather testing (wet weather groundwater monitoring and percolation testing) is required in all areas listed on Table 1; and
- No variances to siting and design standards will be considered

9.1.8 Surface water within the watershed is listed as impaired for nitrogen or pathogens.

This is further addressed on page 16 under Tier 3.

9.1.9 OWTS is located within an area of high OWTS density.

The following communities in Humboldt County contain areas of high OWTS density:

- Fairhaven
- Pacific Manor Subdivision (west of Arcata)
- Portions of Hydesville and Carlotta, in the Van Duzen Hydrologic Unit

Fairhaven

The community of Fairhaven has a high OWTS density along with a number of small undeveloped parcels. Proposals for future development are subject, as part of the application process, to submittal of a Cumulative Impact Report assessing the groundwater mounding, organics and nitrogen impacts likely to occur due to the proposed development. HCC section 612-2(b)(3)(J) provides DEH the authority to require such information.

Pacific Manor

The Pacific Manor subdivision west of the City of Arcata boundary is another area with high OWTS density and small parcel sizes. These lots have already been developed and are further discussed following section 9.1.11 below.

Hydesville/Carlotta

Some areas of Hydesville and Carlotta in the Van Duzen Hydrologic Unit (HU) have a high OWTS density. The parcels that remain undeveloped, while they likely exhibit restrictive soils and will depend on onsite water supply, are typically large enough in size to support an OWTS and a replacement dispersal field.

9.1.10 A parcel's size and its susceptibility to hydraulic mounding, organic or nitrogen loading, and whether there is sufficient area for OWTS expansion in case of failure.

The creation of any new parcel in Humboldt County requires a qualified professional to demonstrate that all siting and design criteria in the RTM are met without a variance to any design criteria for both the primary and replacement dispersal areas. DEH staff receives these proposed projects for review from the Planning and Building Department and will recommend approval only when this is demonstrated satisfactorily. Typically, most rural lands where OWTS are used are created with minimum parcel sizes larger than those specified in Table 1 under Tier 1 of the OWTS Policy (See OWTS Policy page 22).

When development is proposed on existing undeveloped parcels outside the Variance Prohibition Areas, one or more variances may be considered by DEH staff during the design review. The OWTS application must identify which RTM standards are not met by the proposed design, must request a variance to each, and satisfactorily demonstrate that water quality will not be impaired

and that public health will not be threatened as a result of any variance. Variances to the standard requiring sufficient area for OWTS replacement will not be considered. Some parcels exist in Humboldt County that are not suitable to development.

Proposed developments, particularly subdivision developments, commercial establishments, and OWTS receiving greater than 1,500 gallons per day, are subject to groundwater mounding, organic and nitrogen study in the form of a Cumulative Impact Report. HCC section 611-12 provides the requirements for DEH review of subdivisions and lot line adjustments in non-sewered areas. HCC section 611-12(c) provides the County's Health Officer the authority to require a Cumulative Impact Study of the effects of wastewater discharge. DEH will consult with NCRWQCB staff on all these types of proposed projects and on any proposed project where it appears that a cumulative impact or other study is necessary to fully understanding the proposed project's impact.

9.1.11 Geographic areas that are known to have multiple, existing OWTS predating any adopted standards of design and construction including cesspools.

Existing OWTS are allowed to continue under Tier 0 until or unless a failure occurs. DEH will authorize repairs that are in substantial conformance, to the greatest extent practicable, with this LAMP and the RTM

Pacific Manor subdivision's lots and homes were constructed in the 1960s and 1970s using seepage pits. As failures occur in this area, DEH permits repairs and replacement OWTS to conform as closely as possible to current standards using NSOWTS.

Cesspools are deemed public nuisances pursuant to HCC section 613-2 and, when encountered, will be assigned a Tier 4 ranking (OWTS Requiring Corrective Action) and a replacement system, conforming as closely as possible to this LAMP and the RTM, will be required.

OWTS failures will be tracked, mapped, and reported to the NCRWQCB in annual reports.

Applications for permits to modify OWTS (expand capacity) are subject to the County's *Policy for the Use of Existing Onsite Wastewater Treatment Systems* (See RTM Appendix F).

9.1.12 Geographic areas that are known to have multiple, existing OWTS located within either the pertinent setbacks listed in Section 7.5 of the OWTS Policy, or a setback that the local agency finds is appropriate for that area.

The community of Alton has small parcels that were created prior to modern OWTS siting and design criteria. The parcels are served by private domestic wells which, in some cases, do not meet the 100 foot setback requirement to OWTS.

If, through the assessment and reporting requirements of the OWTS Policy or through any other means, DEH finds that its standards are not adequate to protect water quality and public health, additional protective measures will be considered and proposed in an amendment to this LAMP.

9.2 Scope of coverage, types of OWTS permitted, and local site evaluation, siting, design, and construction requirements.

The Humboldt County LAMP regulates domestic wastewater, as defined in the OWTS Policy, from residential or commercial buildings in the unincorporated areas of the County with daily flows not exceeding 10,000 gallons. High strength wastewater, as defined in the OWTS Policy, and wastewater from industrial processes are not regulated under this LAMP and remain the responsibility of the NCRWQCB. Parts 1, 2, and 4 of the RTM provide the types of OWTS permitted under the LAMP as well as local site evaluation, siting, design, and construction requirements.

9.2.1 Local agency requirements for onsite wastewater system inspection, monitoring, maintenance, and repairs, including procedures to ensure that replacements or repairs to failing systems are done under permit from the local governing jurisdiction.

Permits are required for new system installations and for modifications, repairs and destructions of existing systems. For permit requirements, see HCC section 612-2 and RTM Part 3.

Inspection requirements prior to and at the time of OWTS construction are found in the RTM on page 34. DEH maintains an operating permit and inspection program for NSOWTS. Each NSOWTS must undergo an inspection once every three years. The inspection must be performed by DEH or a Qualified Service Provider. Homeowners may conduct their own NSOWTS inspection upon approval by DEH. For inspection, monitoring, maintenance, and repair of non-standard systems, see HCC sections 616-1 and 616-3(a)(d)(g)(h)(i), and RTM at page 14.

9.2.2 Areas near impaired water bodies.

This is further addressed on page 16 under Tier 3.

9.2.3 Variances for new installations and repairs. Variances are not allowed for requirements stated in OWTS Policy sections 9.4.1 through 9.4.9.

A variance to any condition stated in section 9.4 of the OWTS policy (listed beginning on page 14 of this LAMP) will not be considered. Outside of Variance Prohibition Areas, variances requested to any standard contained in the RTM may be granted by DEH when it is demonstrated by the applicant that water quality will not be impaired and public health will not be threatened as a result of such variance. Variances for new construction or for modification are not allowed within the Variance Prohibition Area (*see* RTM at page 2).

For OWTS repairs in all areas of the County, DEH may authorize repairs that are in substantial conformance, to the greatest extent practicable, with this LAMP and the RTM. In some cases, this will require supplemental treatment.

DEH may consult with NCRWQCB staff prior to the issuance of any variance requested. A proposed variance from any standard requires submittal of a complete OWTS Variance Application and fee. Variances granted will be clearly stated on the permit and will be reported to NCRWQCB annually.

9.2.4 Educational, training, certification and/or licensing requirements that will be required of OWTS service providers, site evaluators, designers, installers, pumpers, maintenance contractors, and any other person related to OWTS activities.

See HCC section 611-2(n) for OWTS site evaluator and designer (Qualified Professional) qualification requirements.

See HCC section 616-2(d) for NSOWTS maintenance contractors' (Qualified Service Provider) qualification requirements.

OWTS installers must hold one of the following licenses: General Engineering Contractor, General Building Contractor, C-36 Plumbing Contractor or C-42 Sanitation System Contractor. *See RTM at page 29.*

See HCC Title VI Division 2 Sewage and Cesspool Cleaning for permit requirements for Septic Pumpers.

9.2.5 Educational and outreach program.

Community information sessions will be held soon after local adoption of the LAMP to educate the public on LAMP content and applicability. DEH has informational handouts available in hard copy and on its web page explaining how to properly operate and maintain various types of OWTS. Prior to LAMP implementation, DEH will ensure that all handouts are technically accurate yet reader-friendly. DEH will review this information and update it as necessary, but at a minimum, every five years in conjunction with the OWTS program evaluation required by OWTS Policy section 9.3.3.

Permits issued for NSOWTS following implementation of the LAMP will include homeowner procedures to ensure maintenance, repair, or replacement of critical items within 48 hours following failure.

Permits issued for NSOWTS utilizing supplemental treatment of effluent following implementation of the LAMP will require that an operation and maintenance agreement with a Qualified Service Provider, as defined in HCC section 616-2(d), be in force for the life of the system.

9.2.6 Assessment of existing and proposed disposal locations for septage, volume of septage anticipated and whether adequate capacity is available.

DEH maintains a registration and permit program for septic tank and grease trap pumpers. The permit application requires pumpers to report their disposal location(s). Currently, permitted pumpers dispose of their septage at the following locations:

1. City of Ferndale Sewer Treatment Facility
2. Trinity County Waterworks District #1
3. City of Eureka Sewer Treatment Facility
4. Steve's Septic Service (prior to discharge at McKinleyville Community Sewer Treatment Facility)

Pumpers are required to submit monthly records to DEH showing each pumping location and the location of septage disposed.

DEH will continue to collect data and will maintain communication with septage receiving facilities to determine the facilities' current and long term capacity to receive septage.

9.2.7 Onsite maintenance districts or zones.

Presently, there are no onsite wastewater districts in Humboldt County and no consideration was given to one in development of this LAMP.

9.2.8 Regional Salt and Nutrient Management Plans.

No consideration was given to development of such plans.

9.2.9 Coordination with watershed management groups.

There are several active watershed management groups in Humboldt County which were invited to participate in the LAMP development process. DEH will coordinate with Humboldt Baykeeper on the results of their surface water sampling program and will consider those results in its Advanced Protection Management Program (APMP) OWTS risk assessment. DEH will seek the input of local watershed management groups during future five-year water quality assessment reviews.

9.2.10 Evaluating the proximity of sewer systems to new or replacement OWTS installations.

DEH will maintain a mapped inventory of sewer areas. Public sewer authorities are consulted to provide the location of public sewer service when an application is reviewed by DEH and is shown to be near a sewer area. Sewer connection requirements will be initiated pursuant to HCC section 611-4.

9.2.11 Notifications to public water system.

All public water system wells, surface collection reservoirs, and surface water intakes locations will be mapped. Each OWTS application received will be compared to the map to determine if notifications must be made.

DEH will notify the owner of a public water system when an application is received for any new, replacement or repair OWTS where the OWTS is: (1) within 1,200 feet of an intake point for a surface water treatment plant providing drinking water, is in the drainage area catchment in which the intake point is located, and is located such that it may impact water quality at the intake point such as upstream of the intake point for a flowing water body; or (2) if the proposed OWTS is within the horizontal sanitary setback (150 feet) from a public well.

In accordance with the OWTS Policy, DEH will provide the following information to the owner of the public water system:

7.6.1 The permitting agency shall provide a copy of the permit application.

7.6.2 The permit application shall include a topographical plot plan for the parcel showing the OWTS components, the property boundaries, proposed structures, physical address, and name of property owner.

7.6.3 The permit application shall provide the estimated wastewater flows, intended use of proposed structure generating the wastewater, soil data, and estimated depth to seasonally saturated soils.

The public water system owner shall have 15 days from receipt of the permit application to provide recommendations and comments to DEH. If the owner of the public water system cannot be identified, DEH will notify the state agency having authority over the public water system (currently the State Water Resources Control Board Drinking Water Program).

9.2.12 Policies and procedures that will be followed when proposed OWTS dispersal area is within the horizontal sanitary setback of a public well or a surface water intake point.

Humboldt County DEH will consider proposed OWTS development within the required horizontal sanitary setback of a public well or surface water intake point on a case-by-case basis. A professional evaluation of site specific hydrogeological characteristics will be required; the evaluation must address potential contamination from proposed OWTS usage and propose the best available technology and siting practices to mitigate potential adverse effects to a public water source.

9.2.13 Cesspool usage.

Cesspools in Humboldt County are prohibited and are deemed public nuisances. (*See HCC section 613-2*). When discovered, DEH requires cesspools to be properly destroyed and a repair or replacement system installed as soon as practicable.

9.3 Minimum responsibilities of the local agency for management of the LAMP.

9.3.1 Maintain records of the number, location, and description of permits issued for OWTS where a variance is granted.

DEH maintains an electronic database with information on all OWTS permit applications received since 2010. The database will be configured to allow a search for permits where variances were granted after LAMP implementation.

9.3.2 Maintain a water quality assessment program to determine the general operation status of OWTS and evaluate the impact of OWTS discharges and assess the extent to which groundwater and surface water quality may be adversely impacted.

DEH has identified the areas exhibiting conditions listed in Section 9.1 of the OWTS Policy and listed them on Table 1 of this LAMP and in the RTM. These areas are most susceptible to water quality impacts. Other than the APMP areas (see Tier 3 at page 16), areas with individual water wells, small lots, and coarse soils, such as Alton and Carlotta, will receive first priority for monitoring and assessment.

OWTS failures, repairs, and water sample results exceeding drinking water and/or recreational water standards will be mapped for the purpose of determining the general operation status of OWTS, evaluating the impact of OWTS discharges, and assessing the extent to which groundwater and surface water quality may be adversely impacted.

Suspected water quality impacts from OWTS in these areas will be assessed through any or all of the following: complaint investigations, OWTS inspections, records research, surface water sampling, sanitary surveys, and, with the permission of well owners, DEH-collected water well and monitoring well samples. When such sampling is conducted, the samples will be analyzed for pathogens and nitrates. Water quality testing at the time of new well construction may be required, pursuant to HCC section 631-6(a) in priority areas.

DEH currently receives copies of laboratory analysis from the Public Health Laboratory of drinking water samples which show positive results for coliform bacteria. As part of the DEH investigation into the source of the positive coliform results, the existence and condition of an OWTS as a contributing factor is assessed. OWTS exhibiting a failure will be reclassified from its existing Tier to Tier 4, and will also require corrective action pursuant to Tier 4, the HCC, and the RTM.

Other data sources likely to be used include:

- Review of public water system sampling reports
- Beach water quality testing performed per Health & Safety Code Section 115885

- Surface water quality testing performed by DEH and/or others engaged in water quality studies in Humboldt County
- DEH complaint records
- Data contained in the California Water Quality Assessment Database
- Groundwater data collected as part of the Groundwater Ambient Monitoring and Assessment Program, available on the Geotracker Database.

9.3.3 Annual report of water quality assessment program. Every 5th year submit a monitoring program evaluation.

Included in the report due to the NCRWQCB by February 1st of each year, DEH will provide the number, location, and description of permits issued for OWTS where variances were granted. DEH will include a summary of monitoring data collected pursuant to 9.3.2 above. Groundwater monitoring data will be submitted in electronic deliverable format for inclusion into Geotracker; surface water monitoring data will be submitted to California Environmental Data Exchange Network (CEDEN) in a Surface Water Ambient Water Monitoring Program (SWAMP) comparable format. In addition to the annual report, an evaluation of the monitoring program will be submitted every 5th year identifying any changes in our LAMP that will be undertaken to address impacts from OWTS, along with an assessment of whether water quality is being impacted by OWTS. The first report will commence one year after NCRWQCB's approval of the LAMP.

Features and Conditions Not Allowed to be Authorized in LAMP.

Humboldt County LAMP will not authorize any of the conditions listed in Sections 9.4.1 through 9.4.12.

9.4 The following are not allowed to be authorized on a LAMP:

9.4.1 Cesspools of any kind or size.

9.4.2 OWTS receiving a projected flow over 10,000 gallons per day.

9.4.3 OWTS that utilize any form of effluent disposal that discharges on or above the post installation ground surface such as sprinklers, exposed drip lines, free-surface wetlands, or a pond.

9.4.4 Slopes greater than 30 percent without a slope stability report approved by a registered professional.

9.4.5 Decreased leaching area for IAPMO certified dispersal systems using a multiplier less than 0.70.

9.4.6 OWTS utilizing supplemental treatment without requirements for periodic monitoring or inspections.

9.4.7 OWTS dedicated to receiving significant amounts of wastes dumped from RV holding tanks.

9.4.8 Separation of the bottom of dispersal system to groundwater less than two (2) feet, except for seepage pits, which shall not be less than 10 feet.

9.4.9 Installation of new or replacement OWTS where public sewer is available. The public sewer may be considered as not available when such public sewer or any building or exterior drainage facility connected thereto is located more than 200 feet from any proposed building or exterior drainage facility on any lot or premises that abuts and is served by such public sewer. This provision does not apply to replacement OWTS where the connection fees and construction cost are greater than twice the total cost of the replacement OWTS and the local agency determines that the discharge from the OWTS will not affect groundwater or surface water to a degree that makes it unfit for drinking or other uses.

9.4.10 Except as provided for in sections 9.4.11 and 9.4.12, new or replacement OWTS with minimum horizontal setbacks less than any of the following:

9.4.10.1 150 feet from a public water well where the depth of the effluent dispersal system does not exceed 10 feet in depth.

9.4.10.2 200 feet from a public water well where the depth of the effluent dispersal system exceeds 10 feet in depth.

9.4.10.3 Where the effluent dispersal system is within 600 feet of a public water well and exceeds 20 feet in depth the horizontal setback required to achieve a two-year travel time for microbiological contaminants shall be evaluated. A qualified professional shall conduct this evaluation. However in no case shall the setback be less than 200 feet.

9.4.10.4 Where the effluent dispersal system is within 1,200 feet from a public water systems' surface water intake point, within the catchment of the drainage, and located such that it may impact water quality at the intake point such as upstream of the intake point for flowing water bodies, the dispersal system shall be no less than 400 feet from the high water mark of the reservoir, lake or flowing water body.

9.4.10.5 Where the effluent dispersal system is located more than 1,200 feet but less than 2,500 feet from a public water systems' surface water intake point, within the catchment area of the drainage, and located such that it may impact water quality at the intake point such as upstream of the intake point for flowing water bodies, the dispersal system shall be no less than 200 feet from the high water mark of the reservoir, lake or flowing water body.

9.4.11 For replacement OWTS that do not meet the above horizontal separation requirements, the replacement OWTS shall meet the horizontal separation to the greatest extent practicable. In such case, the replacement OWTS shall utilize supplemental treatment and other mitigation measures, unless the permitting authority finds that there is no indication that the previous system is adversely affecting the public water source, and there is limited potential that the replacement system could impact the water source based on topography, soil depth, soil texture, and groundwater separation.

9.4.12 For new OWTS, installed on parcels of record existing at the time of the effective date of this Policy, that cannot meet the above horizontal separation requirements, the OWTS shall meet the horizontal separation to the greatest extent practicable and shall utilize supplemental treatment for pathogens as specified in section 10.8 and any other mitigation measures prescribed by the permitting authority.

Tier 3 - Advanced Protection Management Program for Impaired Areas

Existing, new, and replacement OWTS that are near impaired water bodies may be addressed by a Total Maximum Daily Load (TMDL) and its implementation program, or special provisions contained in a LAMP.

A TMDL is a planning and management tool issued by the Regional Water Quality Control Board intended to identify, quantify, and control the sources of pollution within a given watershed such that water quality objectives are achieved and the beneficial uses of water are fully protected.

The term TMDL is used in two ways. First, it is the total maximum daily load of a pollutant that a water body can handle and still achieve acceptable water quality (this is also known as the loading capacity). Second, it is the document that includes all the supporting components.

Under Section 303(d) of the federal Clean Water Act, states are required to identify water bodies that do not meet water quality standards and are not supporting their beneficial uses. States must also identify the pollutant or stressor causing the impairments. The result of this effort is the 303(d) List of Impaired Waters. Placement on the 303(d) List of Impaired Waters generally triggers development of a TMDL for each waterbody and associated pollutant/stressor.

10.0 Advanced Protection Management Program

An APMP is the minimum required management program for all OWTS located near a water body that has been listed as impaired due to nitrogen or pathogen indicators pursuant to Section 303(d) of the Clean Water Act. Local agencies are authorized to implement APMPs in conjunction with an approved LAMP or, if there is no approved LAMP, Tier 1.

10.1 The geographic area for each impaired waterbody's APMP

Four Humboldt County waterbodies from the 303(d) List of Impaired Waters are listed as impaired for pathogens in Attachment 2 of the OWTS Policy. Those water bodies are: Clam Beach, Luffenholtz Beach, Moonstone County Park and Trinidad State Beach. Beginning May 13, 2013, and until adoption of a TMDL by the NCRWQCB, the APMP geographic area is defined in the OWTS Policy as "600 linear feet in the horizontal (map) direction of a water body listed in Attachment 2 of the OWTS Policy where the edge of that water body is the natural or levied bank for creeks and rivers, the high water mark for lakes and reservoirs, and the mean high tide line for tidally influenced water bodies, as appropriate."

Alternatively, the OWTS Policy allows a local agency to place special provisions in a LAMP that will provide protection to the impaired water bodies as an alternative to applying the 600 foot boundary and/or the specific requirements of Tier 3 sections 10.8-10.16.

10.2 The requirements of an APMP will be in accordance with a TMDL Implementation Plan, if one has been adopted to address the impairment. An adopted TMDL implementation plan supersedes all other requirements in Tier 3.

10.3 In the absence of an adopted TMDL implementation plan, the requirements of an APMP will consist of any special provisions for the water body if any such provisions have been approved as part of a LAMP.

TMDL completion date for all of Humboldt County impaired waterbodies is 2020, as shown in Attachment 2 of the OWTS Policy. As TMDLs have not yet been established, Humboldt County will implement an APMP with special provisions, in lieu of continuing the specific requirements of Tier 3 sections 10.8 -10.16.

Special Provisions

APMP line

The four listed impaired water bodies in Humboldt County are all adjacent to the Pacific Ocean. The geographic area of Humboldt County's proposed APMP is 200 linear feet in the horizontal (map) direction of each major drainage course upgradient of beach shorelines between Clam Beach and Trinidad State beach, to where timberlands begin (APMP line). (See Figures 1-5, following Table 1).

Special provisions within this APMP line are:

- 1. Public Education**
- 2. Research and evaluation of existing systems**
- 3. Water sample collection and analysis**
- 4. Criteria for new construction OWTS**
- 5. Criteria for repair and replacement OWTS**

Public Education

DEH staff will develop an educational program targeted at land owners in and around the APMP line to increase awareness of our LAMP, the APMP and its goal of improving surface water quality, and OWTS operation and maintenance.

Research and Evaluation of Existing Systems

Within each of the major drainages in this area, DEH staff will

- Identify, list, and map the parcels that intersect the APMP line
- From existing records, DEH will research and rank OWTS on each parcel according to perceived risk based on, but not limited to, the following: permit status, age, design and size of OWTS, record of repairs, distance to surface water, complaints, geography, parcel size, and parcel use;
- Use existing code authority requiring septic tank pumping every 7 years to gather information on systems at the time of septic tank pumping. DEH will attempt to be present at the time of pumping for as many OWTS as possible to interview system owner/operator and observe and evaluate OWTS condition. DEH staff will refine risk using these criteria, plus soil/site conditions, occupancy, and any other factors learned during the evaluation.

Water Sample Collection and Analysis

Concurrent with this research and evaluation, surface water sampling will be conducted by the DEH Beach Sampling program as well as Humboldt Baykeeper. Samples testing positive for pathogens will be further analyzed using bacterioides typing to identify whether the source of the bacteria is human, cow, bird or dog.

DEH Beach sampling locations are: Mill Creek at Trinidad State Beach; Little River at Moonstone Beach; Luffenholtz Creek at Luffenholtz Beach; Strawberry Creek at Clam Beach; and North Mad River Mouth.

Criteria for New Construction OWTS Within APMP

Until it is determined through laboratory testing that OWTS effluent is not likely the source of bacterial contamination of a 303(d) impaired water body, proposals for new construction on parcels that intersect an APMP line must meet all site evaluation, design, and construction standards. No variances will be considered. This is also true for OWTS modifications to accommodate proposed increased flow to an existing OWTS.

Criteria for Repairs to OWTS Within APMP

For repairs to existing systems and for replacement or modification of OWTS not related to increased effluent flow, compliance to the greatest extent practicable with all LAMP and RTM standards is required. Proposed variances will be considered on a case-by-case basis and may require supplemental treatment. Any variances requested will be reviewed with NCRWQCB staff prior to issuance.

The information gained from these special provisions will provide an evaluation of the conditions of as many of the OWTS as possible within the APMP area, and will provide analysis of surface water quality with respect to pathogen levels in an effort to identify the source of the pathogens.

DEH will collaborate with the NCRWQCB by sharing information pertaining to the impairments, provide advice on potential remedies, and regulate OWTS to the extent that our authority allows toward improvement of the impairments. All information gained will be shared with NCRWQCB for their use in TMDL development.

Table 1 – Variance Prohibition Areas

Section 9.1 Conditions/Characteristics	Geographic Area/Hydrologic Unit (HU) Tier 1 Requirements Infeasible	Mitigation Measures that may be Considered (Wet Weather Testing in All Areas)	
		New System (No Variance)	Repair
9.1.1 Degree of Vulnerability due to Hydrogeological conditions.	Westhaven, Fieldbrook, Fairhaven, Eureka Plain HU, Van Duzen River HU	NSOWTS, Supplemental Treatment	NSOWTS, Supplemental Treatment
9.1.2 High Quality Waters/Environmental Conditions requiring enhanced protection	Trinidad HU, Eureka Plain HU, Fairhaven, Van Duzen River HU	Supplemental Treatment	Supplemental Treatment
9.1.3 Shallow Soils	Westhaven, Fieldbrook, Eureka Plain HU	NSOWTS - Mound, Supplemental Treatment	NSOWTS - Mound, Supplemental Treatment
9.1.4 OWTS in area of high domestic well usage	Van Duzen River HU, Alton, Petrolia	Supplemental Treatment & Disinfection	Supplemental Treatment & Disinfection
9.1.5 OWTS in area of fractured rock	Benbow, Shelter Cove	NSOWTS, Supplemental Treatment	NSOWTS, Supplemental Treatment
9.1.6 OWTS in area of poorly drained soils	Fieldbrook, Eureka Plain HU, Petrolia	NSOWTS - Mound	NSOWTS - Mound, Supplemental Treatment
9.1.7 Surface Water vulnerable to pollution from OWTS	Trinidad HU, Eureka Plain HU, Fairhaven, Van Duzen River HU	NSOWTS, Supplemental Treatment	NSOWTS, Supplemental Treatment
9.1.8 OWTS within Tier 3 area	Trinidad HU, Clam Beach	NSOWTS, Supplemental Treatment, APMP Special Provisions	APMP Special Provisions
9.1.9 Area of high OWTS density	Pacific Manor subdivision, Fairhaven, Van Duzen River HU	NSOWTS, Supplemental Treatment, Cumulative Impact Study, Water Efficient Fixtures	
9.1.10 Parcel size susceptible to hydraulic mounding, nitrogen loading	Fairhaven, Pacific Manor subdivision, Petrolia, Hydenville,	NSOWTS, Supplemental Treatment	NSOWTS, Supplemental Treatment
9.1.11 Multiple OWTS predating standards	Alton, Petrolia, Fairhaven, Westhaven		Conformance with RTM
9.1.12 OWTS located within pertinent setbacks	Alton	NSOWTS, Supplemental Treatment & Disinfection	NSOWTS, Supplemental Treatment & Disinfection

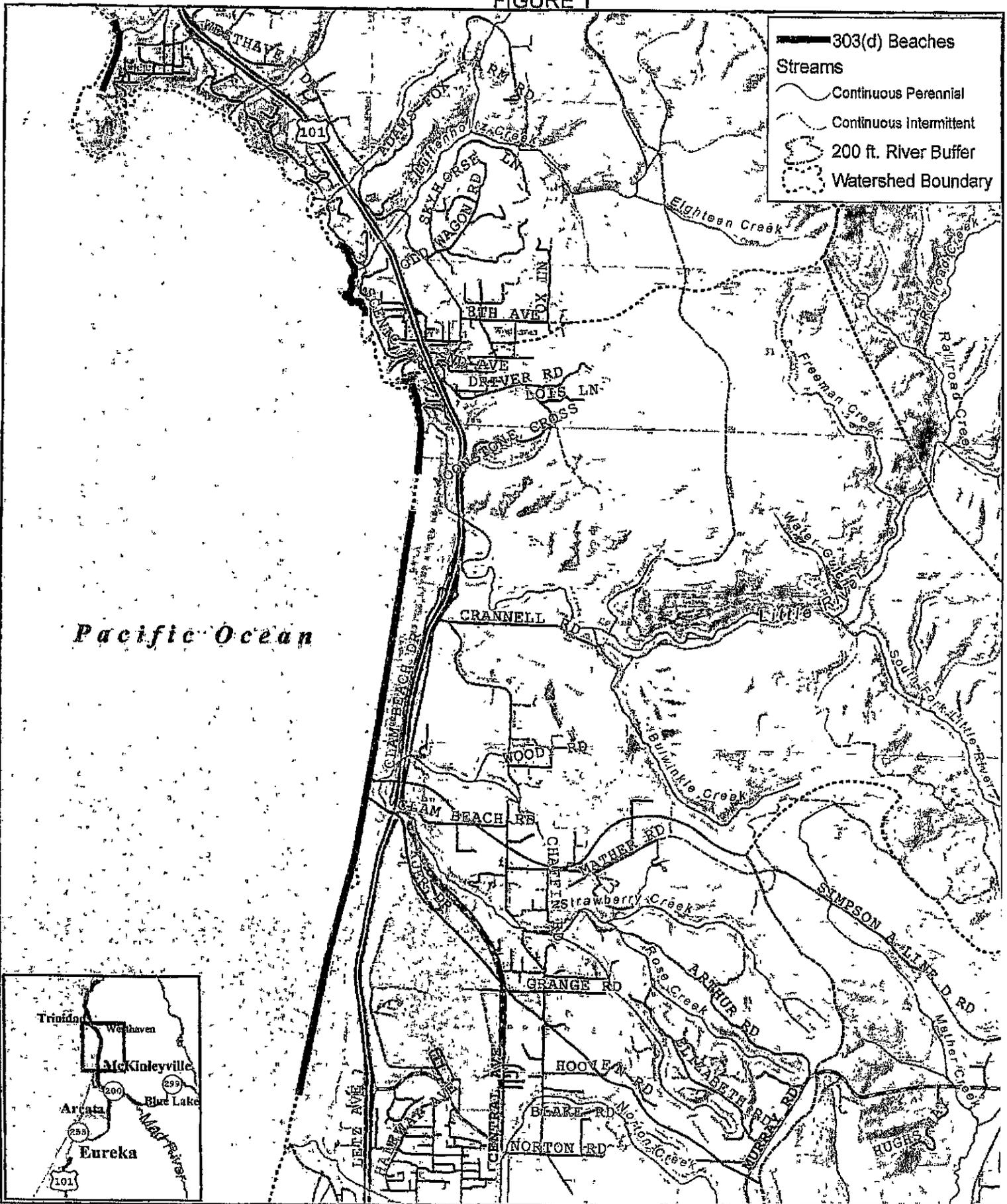
Trinidad HU covers the area from Big Lagoon south to Little River.

Eureka Plain HU includes Jacoby Creek, Bayside, Freshwater, Elk River.

Van Duzen River HU covers the area from Bridgeville west to Hydenville.

The table above lists the primary areas in Humboldt County where conditions listed in 9.1.1 – 9.1.12 occur and prevent the use of Tier 1 siting criteria for the design and installation of an

FIGURE 1

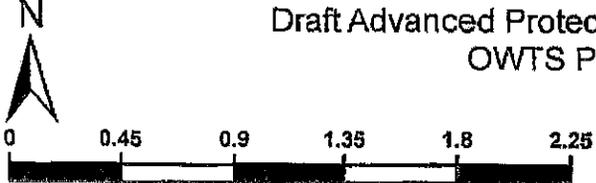


303(d) Beaches
Streams
 Continuous Perennial
 Continuous Intermittent
 200 ft. River Buffer
 Watershed Boundary

Pacific Ocean

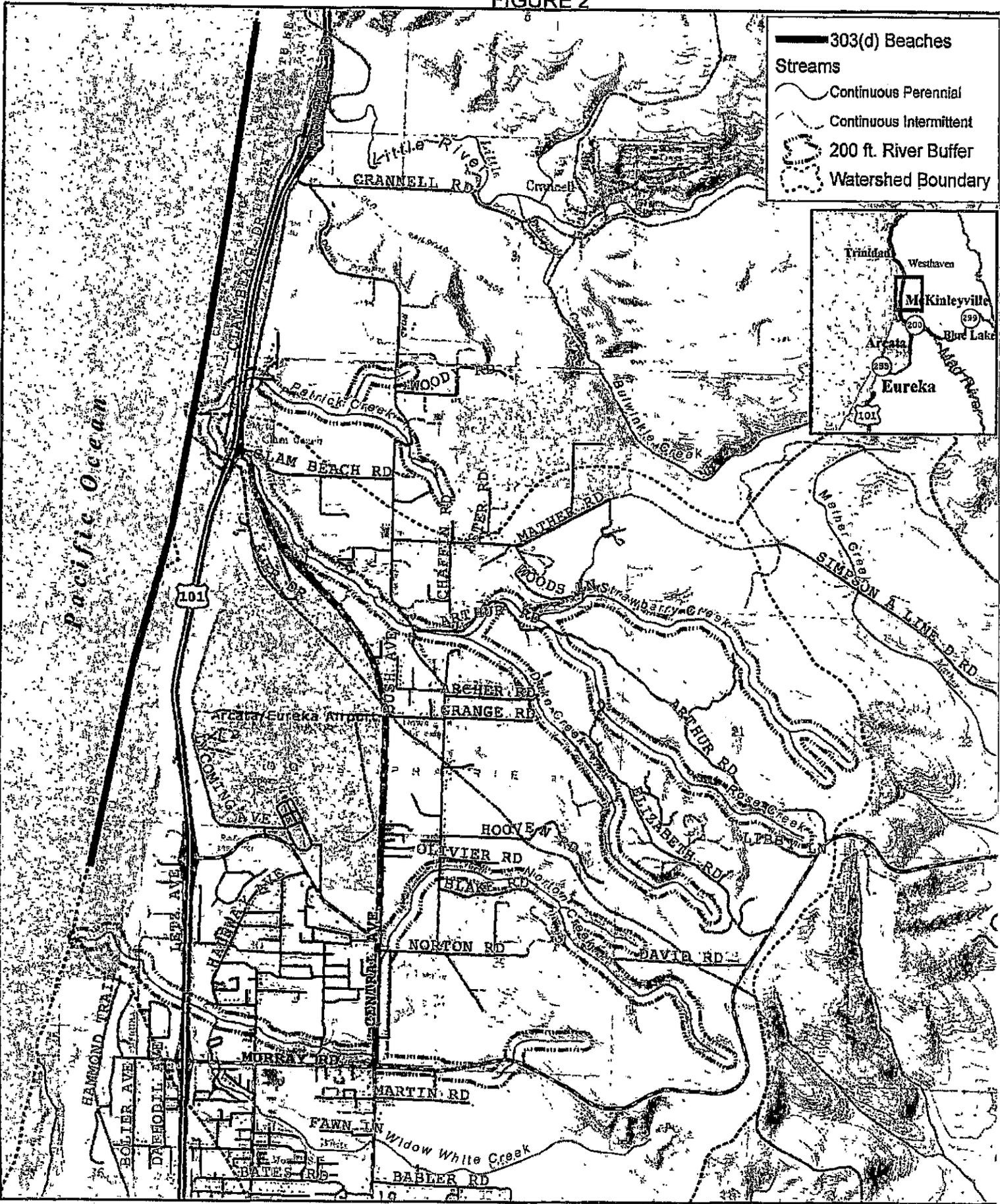


Draft Advanced Protection Management Plan/303(d) Listed Beaches 3/7/16
 OWTS Policy 303(d) Listed Beaches Study Area

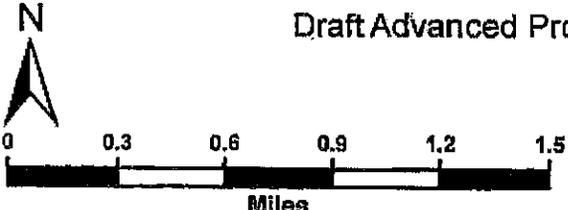


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FIGURE 2



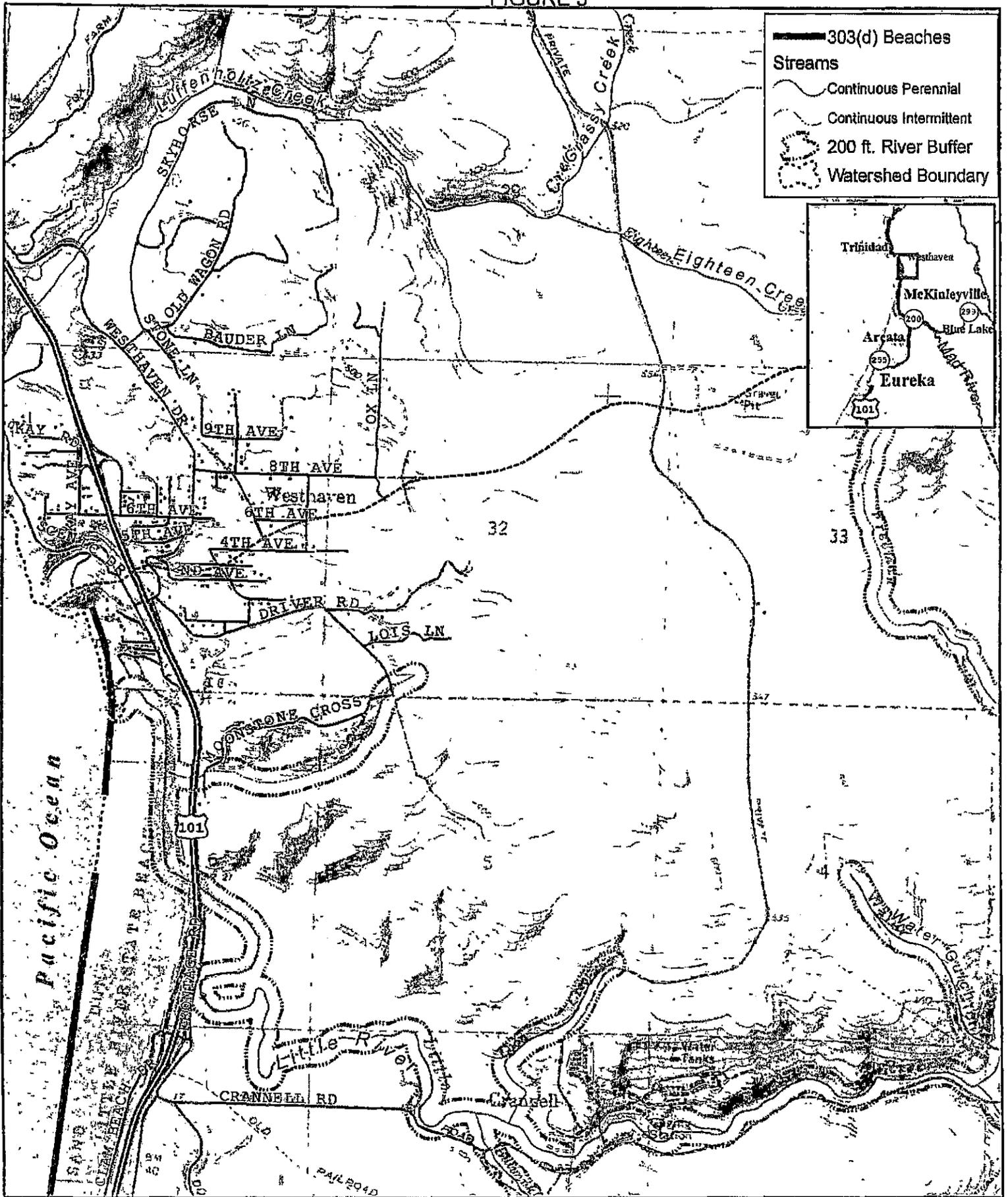
Draft Advanced Protection Buffer Zones/303(d) Listed Beaches 3/7/16
Clam Beach





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FIGURE 3

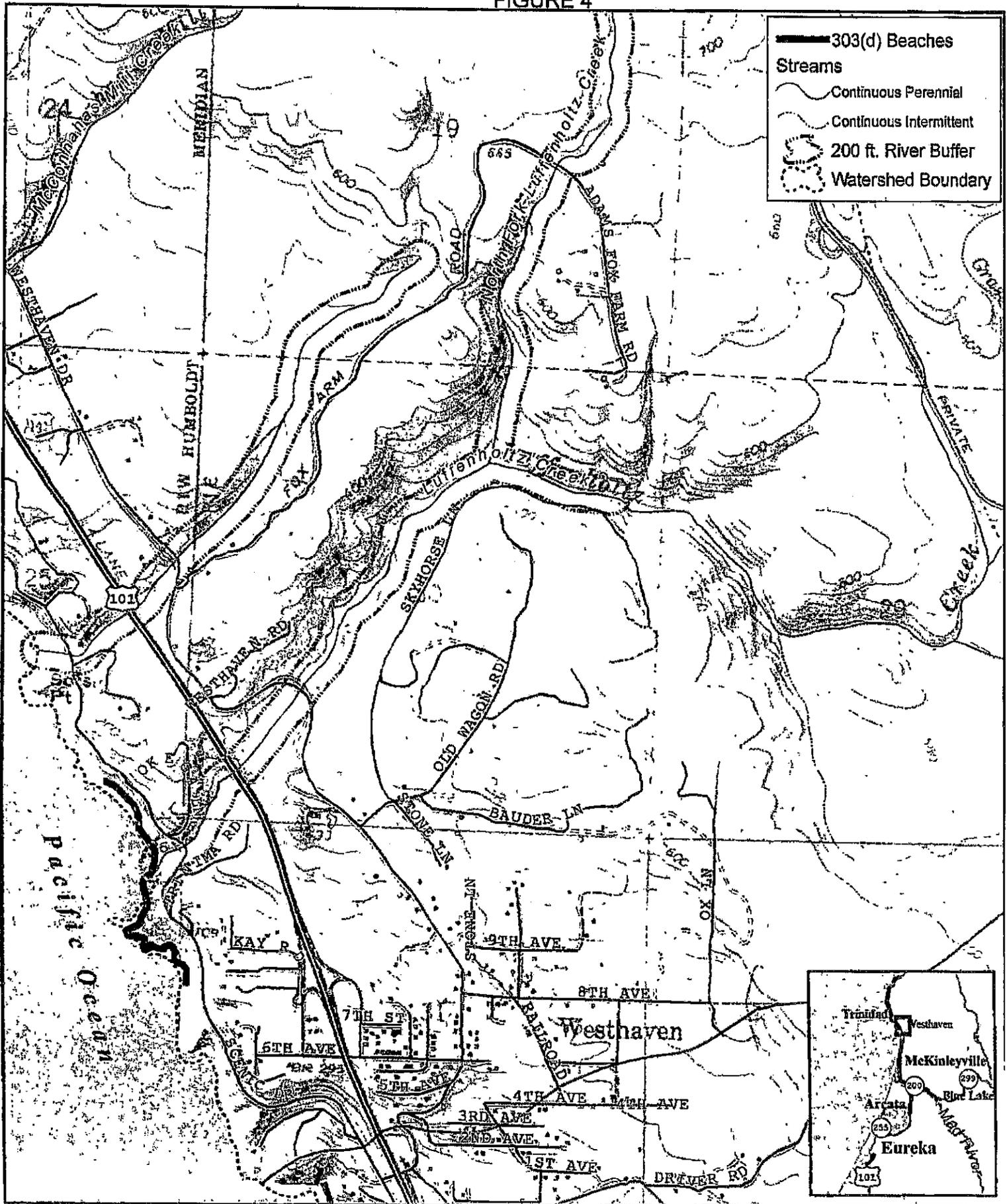


Draft Advanced Protection Buffer Zones/303(d) Listed Beaches 3/7/16
Moonstone State Beach



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FIGURE 4

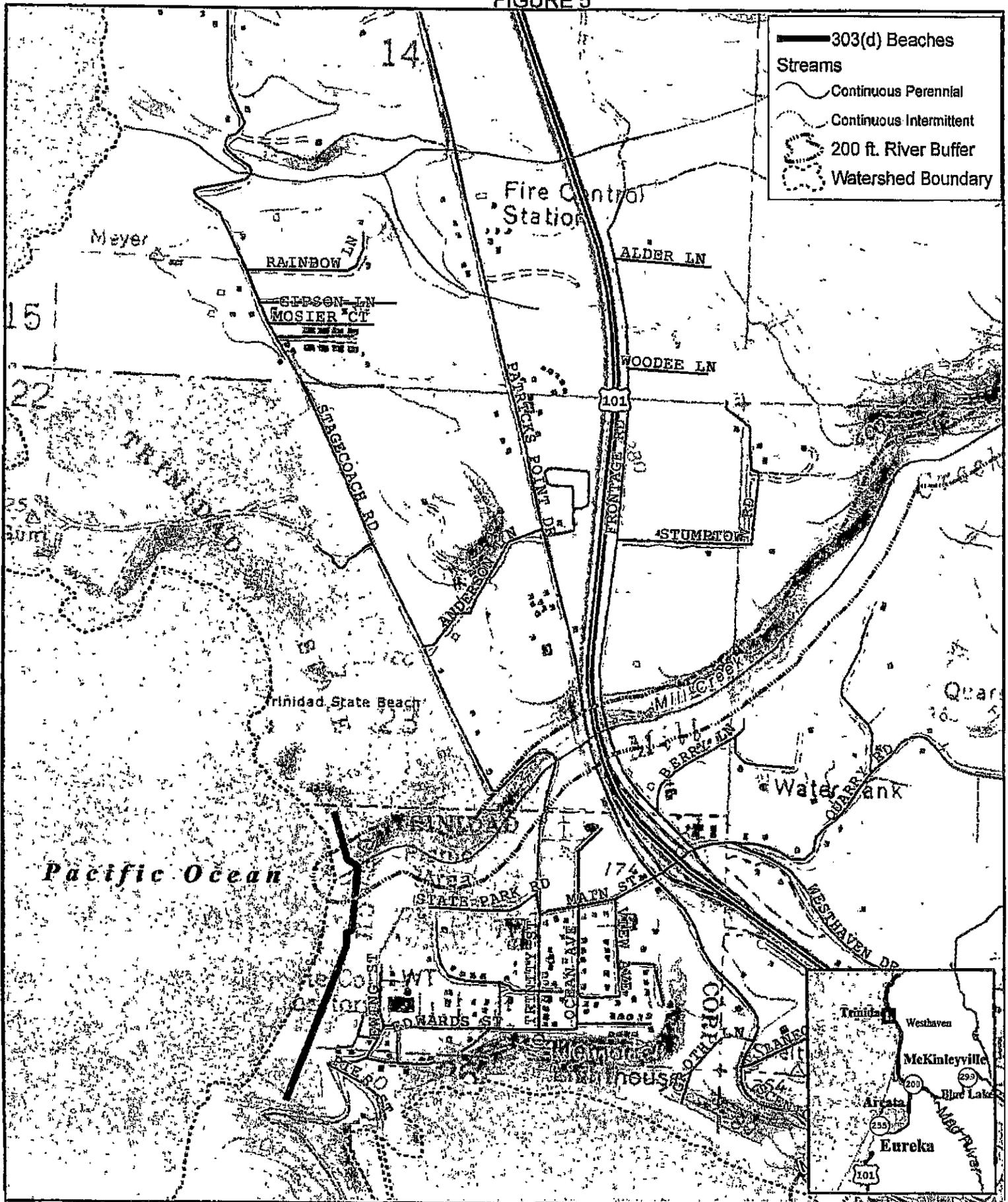


Draft Advanced Protection Buffer Zones/303(d) Listed Beaches 3/7/16
Luffenholtz Beach



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FIGURE 5



Pacific Ocean

Draft Advanced Protection Buffer Zones/303(d) Listed Beaches 3/7/16
Trinidad State Beach



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Tier 4 – OWTS Requiring Corrective Action

OWTS that require corrective action or are either presently failing or fail at any time while this Policy is in effect are automatically included in Tier 4 and must follow the requirements as specified. OWTS included in Tier 4 must continue to meet applicable requirements of Tier 0, 1, 2 or 3 pending completion of corrective action.

11.0 Corrective Action for OWTS

11.1 Any OWTS that has pooling effluent, discharges wastewater to the surface, or has wastewater backed up into plumbing fixtures, because its dispersal system is no longer adequately percolating the wastewater is deemed to be failing, no longer meeting its primary purpose to protect public health, and requires major repair, and as such the dispersal system must be replaced, repaired, or modified so as to return to proper function and comply with Tier 1, 2, or 3 as appropriate.

11.2 Any OWTS septic tank failure, such as a baffle failure or tank structural integrity failure such that either wastewater is exfiltrating or groundwater is infiltrating is deemed to be failing, no longer meeting its primary purpose to protect public health, and requires major repair, and as such shall require the septic tank to be brought into compliance with the requirements of Section 8 in Tier 1 or a Local Agency Management Program per Tier 2.

11.3 Any OWTS that has a failure of one of its components other than those covered by 11.1 and 11.2 above, such as a distribution box or broken piping connection, shall have that component repaired so as to return the OWTS to a proper functioning condition and return to Tier 0, 1, 2, or 3.

11.4 Any OWTS that has affected, or will affect groundwater or surface water to a degree that makes it unfit for drinking or other uses, or is causing a human health or other public nuisance condition shall be modified or upgraded so as to abate its impact.

11.5 If the owner of the OWTS is not able to comply with corrective action requirements of this section, the Regional Water Board may authorize repairs that are in substantial conformance, to the greatest extent practicable, with Tiers 1 or 3, or may require the owner of the OWTS to submit a report of waste discharge for evaluation on a case-by-case basis. Regional Water Board response to such reports of waste discharge may include, but is not limited to, enrollment in general waste discharge requirements, issuance of individual waste discharge requirements, or issuance of waiver of waste discharge requirements. A local agency may authorize repairs that are in substantial conformance, to the greatest extent practicable, with Tier 2 in accordance with section 9.2.3 if there is an approved Local Agency Management Program, or with an existing program if a Local Agency Management Program has not been approved and it is less than 5 years from the effective date of the Policy.

11.6 Owners of OWTS will address any corrective action requirement of Tier 4 as soon as is reasonably possible, and must comply with the time schedule of any corrective action notice received from a local agency or Regional Water Board, to retain coverage under this Policy.

11.7 Failure to meet the requirements of Tier 4 constitutes a failure to meet the conditions of the waiver of waste discharge requirements contained in this Policy, and is subject to further enforcement action.

DEH maintains an electronic database for tracking receipt and response to public complaints. Our complaint investigation policy sets a response goal of five days to complaints received. Complaints alleging conditions such as failing OWTS or sewage spills require immediate attention and a rapid response time is employed.

HCC section 611-2(i) defines OWTS failure; section 612-2 requires that a permit be obtained to make a repair to a failed system; and section 612-4 provides investigation and abatement authority.

Page 23 of the RTM provides information on obtaining permits for repairs.

If, through the assessment and reporting requirements of the OWTS Policy or through any other means, DEH finds that its standards are not adequate to protect water quality and public health, additional protective measures will be considered and proposed.

Appendix 1: Humboldt County Onsite Wastewater Regulations and Technical Manual



CONSENT AGENDA ITEM 8

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGE

8. Consider Safety Bonus Award

CONSENT AGENDA ITEM

Date: February 15th 2018

Item: Consider Safety Bonus Awards

Summary

City staff have had zero reportable on the job injuries in calendar years 2016 and 2017. This record of accomplishment reflects the staff's commitment to safety in all aspects of their daily work.

The most important benefit of this clean safety record is seen in the well-being of our valued staff. Having zero injuries also helps the City through increased productivity and reduced costs. In recognition of this commendable accomplishment, the City Manager is proposing a Safety Award Bonus for our hourly staff, in the amount of \$500 to our three Public Works staff, and \$250 for our City Clerk and Grants Manager. The differential is based on the significantly greater exposure of the public works staff to injury due to the nature of their work. The total cost of these bonuses to the City would be \$2,000.

Staff initially considered proposing this as part of a new ongoing policy for safety award bonuses. However a review of current Human Resources guidance suggests that ongoing safety incentive programs based on results (i.e. no reported injuries) are not recommended due to the potential for them to discourage people from reporting injuries. Instead currently recommended approaches involve incentives for safety compliance, safety suggestions, near miss reporting, and similar proactive safety measures. Staff will explore developing such a policy going forward, but nevertheless recommend making these awards to staff for their success in avoiding workplace injuries in recent years.

Fiscal Impact:

This item is expected to fit within the existing City Personnel Budget, as the council held off on approving budgeted salary adjustments at the start of this fiscal year.

Staff recommendation:

Award Safety Bonuses of \$500 each to our Public Works Staff and \$250 each to our City Clerk and Grants Manager in recognition of their outstanding safety performance.