

MENDOCINO CITY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS 7-31-2023 MEETING AGENDA

MENDOCINO CITY COMMUNITY SERVICES DISTRICT

P. O. BOX 1029

MENDOCINO, CA 95460

Business Phone (707) 937-5790 Treatment Plant (707) 937-5751 Fax (707) 937-3837

AGENDA

REGULAR MEETING

Monday, July 31, 2023

5:00 PM

Wastewater Treatment Plant, 10500 Kelly Street, Mendocino

1. CALL TO ORDER
2. APPROVAL OF AGENDA
3. PUBLIC COMMENT: non agenda items
4. COMMUNICATIONS
5. FINANCIAL REPORT  
Discussion and Possible Action to Approve District Disbursements/Expenditures.
6. CONSENT AGENDA  
All matters on the Consent Agenda are to be approved by one action without discussion unless a Board Member requests separate action on a specific item.
  - a) APPROVAL OF MINUTES from 6-26-23
7. DISCUSSION AND POSSIBLE ACTION REGARDING ANY CONSENT AGENDA ITEM NEEDING SEPARATE ACTION
8. DISTRICT SUPERINTENDENT'S REPORT  
Monthly Report
9. NEW BUSINESS
  - a) Discussion and Possible Action to approve the proposal from Alpha Diving to inspect the Outfall and to perform the biological survey  
Staff recommends a motion to approve the proposal from Alpha Diving to inspect the Outfall and to perform the biological survey
  - b) Discussion and Possible Action to create an ad hoc committee to discuss new or expanded use, and a review of Ordinances related to development  
Staff recommends a motion to create an ad hoc committee to discuss new or expanded use, and a review of Ordinances related to development
  - c) Discussion and Possible Action to approve the Work Order from GHD for the Outfall Dilution Ratio  
Staff recommends a motion to approve the Work Order from GHD for the Outfall Dilution Ratio
10. OLD BUSINESS
  - a) Discussion and Possible Action to adopt Final Budget for Fiscal Year 23-24 previously introduced at the June 7, 2023 Board of Directors meeting  
Staff recommends a motion to adopt the Budget for Fiscal Year 23-24
12. GROUNDWATER MANAGEMENT  
Monthly Groundwater Management Report
13. COMMITTEE UPDATES

MENDOCINO CITY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS 7-31-2023 MEETING AGENDA

14. MATTERS FROM BOARD MEMBERS

15. ADJOURNMENT

STANDING COMMITTEES: For 2023

Finance:----- Dennak Murphy and Ishvi Aum  
Personnel:----- Dennak Murphy and Matthew Miksak  
Plant Operations:----- Dennak Murphy and Jim Sullivan  
Safety:----- Jim Sullivan  
Street Lighting:----- Jim Sullivan and Donna Feiner  
Groundwater Management:----- Jim Sullivan and Donna Feiner

*Pursuant to Americans with Disability Act (ADA Title II), MCCSD will make reasonable arrangements to ensure accessibility to the meeting. If you need special assistance to participate in this meeting, please contact the business office at 707- 937-5790.*

**MENDOCINO CITY COMMUNITY SERVICES DISTRICT**

Post Office Box 1029  
Mendocino, CA 95460  
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**MENDOCINO CITY COMMUNITY SERVICES DISTRICT SPECIAL BOARD MEETING**

**ACTION MINUTES – June 26, 2023**

**BEFORE THE BOARD OF DIRECTORS  
FAIR STATEMENT OF PROCEEDINGS  
(PURSUANT TO CALIFORNIA COMMUNITY SERVICES DISTRICT LAW  
Government Code §61000)**

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**AGENDA ITEM NO. 1 – CALL TO ORDER – 5:03 p.m.**

**Present:** Directors Donna Feiner, Matthew Miksak, VP Jim Sullivan, and presiding was President Dennak Murphy

**Staff Present:** Mr. Ryan Rhoades, District Superintendent, Katie Bates, Board Secretary

**Legal Counsel Present:** None

**Public Present:** Dan Potash

**AGENDA ITEM NO. 2. – APPROVAL OF AGENDA**

**Board Action:** Upon motion by Director Feiner and 2<sup>nd</sup> by VP Sullivan, IT IS ORDERED to approve the agenda. The Motion carried by the following vote:

AYE: 4

NO: 0

ABSENT: 1 (Aum)

**AGENDA ITEM NO. 3 –PUBLIC COMMENT**

None

**AGENDA ITEM NO. 4 – COMMUNICATIONS**

An email was received from Tony Graham

**AGENDA ITEM NO. 5- FINANCIAL REPORT**

**Presenter:** Katie Bates

**Board Action:** Upon motion by Director Feiner and 2<sup>nd</sup> by VP Sullivan, IT IS ORDERED to approve the May disbursements. The Motion carried by the following vote:

AYE: 4

NO: 0

ABSENT: 1 (Aum)

**AGENDA ITEM NO. 6: CONSENT AGENDA**

**APPROVAL OF 6-7-23 MINUTES**

**Board Action:** Upon motion by VP Sullivan, seconded by Director Feiner, IT IS ORDERED to approve the consent agenda. The Motion carried by the following vote:

AYE: 4

NO: 0

ABSENT: 1 (Aum)

**AGENDA ITEM NO. 7: DISCUSSION AND POSSIBLE ACTION REGARDING ANY CONSENT AGENDA ITEM NEEDING SEPARATE ACTION**

None

**AGENDA ITEM NO. 8- GROUNDWATER MANAGEMENT**

**Presenter:** Ryan Rhoades

**AGENDA ITEM NO. 9 – NEW BUSINESS**

None

**AGENDA ITEM NO. 10- OLD BUSINESS**

- a) Discussion and Possible Action to adopt Preliminary Budget for Fiscal Year 2023-24 previously introduced at the June 7, 2023 Board of Directors meeting.

**Board Action:** Upon motion by Director Feiner, seconded by Director Miksak, IT IS ORDERED to adopt Preliminary Budget for Fiscal Year 2023-24 and reflect the County increase of Property Taxes. The Motion carried by the following vote:

AYE: 5

NO: 0

- b) Discussion and Possible Action to direct Staff to conduct a review and update of all District records and properties related to approved development.

**Staff Comment:** Ryan Rhoades and Katie Bates

**Board Comment:** Director Aum, VP Sullivan, and President Murphy

**AGENDA ITEM NO. 11: SUPERINTENDENT’S REPORT**

**Staff Comment:** Ryan Rhoades

**Board Comment:** Director Aum, VP Sullivan, and President Murphy

**AGENDA ITEM NO. 12- COMMITTEE UPDATES**

None

**AGENDA ITEM NO. 13: MATTER FROM BOARD MEMBERS**

- Tank Project
- Tent Reviews
- Water usage

**AGENDA ITEM NO. 14: ADJOURNMENT**

IT IS ORDERED to approve adjourning the meeting at 5:45 p.m.

**NOTICE: PUBLISHED MINUTES OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT MEETINGS**

- *Effective May 11, 2020, the Board of Directors' minutes will be produced in "action only" format.*
- *Minutes are considered draft until adopted/approved by the Board of Directors*
- *Please reference the District's website to obtain additional resource information for the Board of Directors: [www.mccsd.com](http://www.mccsd.com).*

*Thank you for your interest in the proceedings of the Mendocino City Community Services District*

*Board of Directors*

**STANDING COMMITTEES:**

- Finance:----- Dennak Murphy and Ishvi Aum
- Personnel:----- Dennak Murphy and Matthew Miksak
- Plant Operations:----- Dennak Murphy and Jim Sullivan
- Safety: ----- Jim Sullivan
- Street Lighting:----- Donna Feiner and Jim Sullivan
- Groundwater Management:----- Donna Feiner and Jim Sullivan

Respectfully submitted,  
Ryan Rhoades and Katie Bates

## July 2023 Superintendent's Report

### Wastewater Treatment Plant:

Operators performed routine repair and maintenance to the WWTP in July of 2023. Staff have begun preparing for annual sewer main cleaning. If you see them in the street this week and over the next month please be cautious. MCCSD received recommendations from GHD on a temporary emergency airline, and we are working on the process to collect estimates as we prepare to advertise for bids and proposals. GSRMA insurance company sent the District a check for roof replacement related to the January storms, and we continue to work on the process to collect bids from qualified contractors. If you have noticed a fishy smell in the air this month it is not coming from the WWTP. We have observed a large influx of Pelicans, which is common this time of year, and a likely culprit.

**Outfall Update:** Staff replaced and secured the manhole cover on Structure B at the head of the outfall. It was found removed and on the beach. Staff received a quote from Alpha diving for the annual survey and a biological study. The RWQCB regulator Matt Herman confirmed that he had no concerns with the most recent biological survey completed by Alpha Diving in 2019. A new requirement of our NPDES discharge permit, is the creation of an effluent discharge evaluation work plan and final report. Staff have begun development of the work plan, but will need an engineer to help with the dilution ratio determination and/or study. Minimum costs estimates are around \$20,000.

### Recycled Water:

MCCSD did not transfer any recycled water during the month of July. We continue to work with GHD and EKI on grant applications for the necessary upgrades.

### Biosolids Trailer and Transport:

MCCSD transported one load of biosolids in July.

### Office Update:

July 1, started the new fiscal year and with that came the most recent District rate increase. Rates have increased about 15% from the previous change in February of 2023. District operational costs also continue to increase. We learned this month that employee health insurance rates are going up almost \$1,000 per month, workers compensation insurance rates are going up. PG&E bills continue to rise. Outfall inspections which used to be once every few years are now required annually. Staff also sent out a survey on July 6, and have started the process of updating District records.

### Grant and Project Updates:

Staff met with ESS grant writing consultants to work on a strategic funding plan.

### Safety Meeting and Plant Safety Inspection:

The 30-minute monthly safety meeting was held July 28, 2023. The topic was *First Aid*.

### Sanitary Sewer Collection System:

There were no Sanitary Sewer overflow reports for the period April 12, 2023- July 26, 2023



## ALPHA DIVING INDUSTRIES

PO Box 1181, Arcata, CA, 95518-1181  
Dive Locker—1493 Fay Avenue, Finnetown, CA, 95564  
Phone: 707 362-0288      FAX: 707 825-7880  
Email: [alpha.divers@hotmail.com](mailto:alpha.divers@hotmail.com)  
Web: [www.alphadivingindustries.com](http://www.alphadivingindustries.com)



Commercial Diving: Services & Instruction

Certified Welding Inspection

Marine Surveys

25 July 2023

### Quote for Outfall Inspection/Biotic Survey

Alpha Diving Industries (ADI) is submitting this quote to Mendocino City Community Services District (MCCSD) to provide diving survey and inspection services to fulfill the requirements of the *2023 Biological Survey Workplan*. The scope of work for both the inspection and the biotic survey includes the following:

1. Survey of biota at diffuser and control station.
2. Inspection of the entire, unburied portion of the outfall from the diffuser to the point where the pipe exits the gravel closest to Flow Control Structure B.
3. Take water samples at the diffuser.
3. Provide written reports validated by a degreed marine biologist and a certified marine surveyor; respectively.
4. Provide digital media in the form of video and still shots of the structure, repairs, damage, and the biota in the vicinity of the diffuser, to support written documentation.

The cost for this survey & inspection is: \$19,000.00. ADI will provide vessel support, inspection diving team, AAUS scientific dive team, degreed marine biologist, all support equipment, and written & digital documentation. Projected time period for this work is mid July 2023; conditions permitting. In the event conditions do not permit safe diving, the middle of August will be the next available time frame. This quote is valid for thirty (30) days from receipt by MCCSD staff. Thank you for considering ADI for your inspection and maintenance needs.

Respectfully Submitted By: Luke Lucariello, Owner/Operator

----- Nothing Follows -----

**ORDINANCE NO. 09-3**

**REGULATIONS OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT  
APPLICABLE TO FOOD AND BEVERAGE ESTABLISHMENTS  
FOR CONTROLLING FATS, OILS AND GREASE (FOG)**



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## ORDINANCE 09-3

### REGULATIONS OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT APPLICABLE TO FOOD AND BEVERAGE ESTABLISHMENTS FOR CONTROLLING FATS, OILS AND GREASE (FOG)

WHEREAS, the State Water Resources Control Board (SWRCB) adopted Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (WDR), Order No. 2006-0003, which prescribes general waste discharge requirements prohibiting sanitary sewer overflows (SSOs) by sewer collection agencies; and

WHEREAS, the leading causes of SSOs in California, which encompasses the District's service area are grease blockages; and

WHEREAS, SSOs caused by the discharge of wastewater containing high levels of fat, oils and grease (FOG), suspended solids, pathogenic organisms, and other pollutants, may cause temporary exceedance of applicable water quality objectives of the District's National Pollutant Discharge Elimination System (NPDES) permit and the WDR, and pose a threat to the public health, adversely affect aquatic life, and impair the public recreational use and aesthetic enjoyment of surface waters within the District's service area; and

WHEREAS, Order No. 2006-0003 requires the District to monitor and control SSOs and to develop a FOG Control Program by February 1, 2010; and

WHEREAS, in light of the overwhelming evidence that FOG is a primary cause of SSOs, the District desires to implement a FOG Control Program to prevent SSOs; and

WHEREAS, the regulations adopted herein will require Food and Beverage Establishments to install grease control devices or interceptors from the effective date of these regulations; and

WHEREAS, the Board of Directors finds that specific enforcement provisions must be adopted to govern discharges of wastewater to the District's system by Food and Beverage Establishments.

NOW, THEREFORE, the Board of Directors does hereby ordain as follows:

#### SECTION 1 -- GENERAL PROVISIONS

##### 1.1 PURPOSE AND POLICY

A. The purpose of these regulations is to facilitate the maximum beneficial public use of the District's sewer services and facilities while preventing blockages of the sewer facilities resulting from discharges of Fats, Oils and Grease (FOG) to the collection system, and to specify appropriate FOG discharge requirements for Food and Beverage Establishments (FBEs).

B. These regulations establish quantity and quality standards on all wastewater and/or waste discharges containing FOG, which may alone or collectively cause or contribute to FOG accumulation in the sewer

facilities causing or potentially causing or contributing to the occurrence of sewer backups and sanitary sewer overflows (SSOs).

## 1.2 DEFINITIONS

**1. Fats, Oils, and Grease.** Any substance such as a vegetable or animal product that is used in, or is a by-product of, the cooking or food preparation process, and that turns or may turn viscous or solidifies with a change in temperature or other conditions. Organic polar compounds derived from animal and/ or plant sources that contain multiple carbon chain triglyceride molecules. Any material recovered when extracted as set forth in Method Number 5520 B, Partition-Gravimetric Method, of the Standard Methods for the Examination of Water and Wastewater, 20<sup>th</sup> Edition or other comparable EPA approved methods found in 40 CFR Part 136.

**2. Grease Control Device (GCD).** Any grease interceptor, grease trap or other mechanism, device, or process, which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap or collect or treat FOG prior to it being discharged into the sewer system. Subject to the approval of the District, grease control devices may include any other proven method to reduce FOG.

**3. Grease Interceptor.** A precast or cast-in-place concrete grease removal device with a capacity determined by a qualified licensed professional engineer. A multi-compartment device that is constructed in different sizes and is generally required to be located, according to the Uniform Plumbing Code, underground between a Food Beverage Establishment and the connection to the sewer system. These devices primarily use gravity to separate FOG from the wastewater as it moves from one compartment to the next. These devices must be cleaned, maintained, and have the FOG removed and disposed of in a proper manner on regular intervals to be effective.

**4. Grease Trap.** A rust/corrosion resistant grease removal device with a minimum grease containment capacity and minimum flow rating needed to meet District Standards and local discharge limits. A grease control device that is used to serve individual fixtures and have limited effect and should only be used in those cases where the use of a grease interceptor or other grease control device is determined to be impossible or impracticable.

**5. Food and Beverage Establishments (FBE).** Any commercial entity within the boundaries of the District or discharging wastewater into the MCCSD Sewerage System, operating in a permanently constructed structure such as a room, building, or place, or portion thereof, maintained, used, or operated as a food service establishment for the purpose of preparing, serving, or manufacturing, packaging, or otherwise handling food for sale to other entities, or for consumption by the public, and which has any process or device that uses or produces FOG. Food and Beverage Establishments shall include:

- 1) Full Service w/ Bar: Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages for on-premise consumption with a bar and full service.
- 2) Full Service w/o Bar: Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages for on-premise consumption without a bar and with full service.
- 3) No Service: Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages for on-premise consumption with seating and no dish washing and no service.
- 4) No On-Premise Consumption: Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages, and which no consumption of the product occurs on the premises.

These establishments (FBEs) use one or more of the following preparation activities: cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, or poaching. Also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing.

**6. Minimum Design Capability.** Any District-approved design features of a grease control device and its ability or volume required to effectively intercept and retain greases from grease-laden wastewaters discharged to the public sanitary sewer.

**7. User.** Any person, including those located outside the jurisdictional limits of the MCCSD, who contributes to, causes or permits the contribution or discharge of wastewater into sewers within the District's boundaries, including persons who contribute such wastewater from mobile sources, such as those who discharge hauled wastewater.

**8. Wastewater.** Any aqueous based waste generated by a residential, institutional, commercial, and/or industrial facility. The liquid and water-carried wastes of the community and all constituents thereof, whether treated or untreated, discharged into or permitted to enter a public sewer.

## SECTION 2 -- GENERAL LIMITATIONS AND REQUIREMENTS

### 2.1 FOG DISCHARGE LIMITATION

No Food and Beverage Establishment shall discharge or cause to be discharged into the sewer system FOG that exceeds a concentration level of 200 mg/L (oil and grease as defined by method EPA test method 1664 or as identified by EPA test method 413) as adopted by the Board or that may accumulate and/or cause or contribute to blockages in the sewer system or at the sewer system lateral which connects the Food and Beverage Establishment to the sewer system.

### 2.2 FOG PRETREATMENT REQUIREMENTS

**A.** All Food and Beverage Establishments shall provide wastewater acceptable to the District, under the requirements and standards established herein before discharging to any public sewer. Any Food and Beverage Establishment required to provide FOG pretreatment shall install, operate, and maintain a type and adequately sized grease control device (GCD) necessary to maintain compliance with the objectives of these regulations.

**B.** Fixtures, equipment, and drain lines located in the food preparation and clean up areas of a FBE that are a source of FOG discharge shall be connected to a grease control device.

**C.** All New FBEs are required to install, operate, and maintain an approved type and adequately sized GCD prior to commencing discharges of wastewater to the sewer system. A new FBE locating in an existing building shall install an approved GCD.

**D.** Existing FBEs without GCDs may be required by the District Superintendent or the Board of Directors to install, operate, and maintain a GCD.

## 2.3 FOOD AND BEVERAGE ESTABLISHMENT GREASE CONTROL DEVICE (GCD) REQUIREMENT

For the purpose of this section, the term “grease interceptor” shall mean a precast or cast-in-place concrete grease removal device with a capacity determined by a qualified engineer. It is a multi-compartment device that is constructed in different sizes and is generally required to be located, according to the Uniform Plumbing Code, underground between a FBE and the connection to the sewer system (Exhibit 1 & 2). These devices primarily use gravity to separate FOG from the wastewater as it moves from one compartment to the next. These devices must be cleaned, maintained, and have the FOG removed and disposed of in a proper manner on regular intervals to be effective. The term “grease trap” shall mean a rust/corrosion resistant grease removal device with a minimum grease containment capacity and minimum flow rating needed to meet District Standards and local discharge limits. Grease control devices that are used to serve individual fixtures and have a limited effect, should only be used where the use of a grease interceptor is determined to be impossible or impracticable (Exhibit 1 & 3).

### A. Grease Interceptor Requirements:

1. Grease interceptor sizing and installation shall conform to the current edition of the Uniform Plumbing Code or other applicable plumbing code used by Mendocino County.
2. Grease interceptors shall be constructed in accordance with design approved by the District, and shall have a minimum of two compartments with fittings designed for grease retention (see Exhibit 2).
3. Grease interceptors shall be installed at a location where it shall be easily accessible for inspection, cleaning, and removal of intercepted grease. The grease interceptor may not be installed in any part of the building where food is handled. Location of the grease interceptor must meet the approval of the District Superintendent.
4. All such grease interceptors shall be serviced and emptied of accumulated waste content as required in order to maintain Minimum Design Capability. These devices should be inspected at least monthly. Users who are required to maintain a grease interceptor shall:
  - a) Provide for a minimum hydraulic retention time in accordance with the Uniform Plumbing Code.
  - b) Remove any accumulated grease cap and sludge pocket as required. Grease interceptors shall be kept free of inorganic solid materials such as grit, rocks, gravel, sand, eating utensils, cigarettes, shells, towels, rags, etc., which could settle and accumulate on the bottom and thereby reduce the effective volume of the device.
5. The User shall maintain a written record for two years of all inspections and maintenance of a grease interceptor. All such records shall be made available for on-site inspection by representative of the District during all operating hours.
6. Sanitary wastes are not allowed to be connected to sewer lines intended for grease interceptor service.
7. Access manholes, with a minimum diameter of 24 inches, shall be provided over each grease interceptor chamber and sanitary tee. The access manholes shall extend at least to finished grade and be designed and maintained to prevent water inflow or infiltration. The manholes shall also have readily removable covers to facilitate inspection, grease removal, and wastewater sampling activities.

**B. Grease Trap Requirements:**

1. Upon approval by the District's Engineer, a grease trap (Exhibit 3) complying with the provisions of this section must be installed in the waste line leading from sinks, drains, and other fixtures or equipment in FBEs where grease may be introduced into the drainage or sewage system in quantities that can effect line stoppage or hinder sewage treatment or private sewage disposal.
2. Grease trap sizing and installation shall conform to the Uniform Plumbing Code or other applicable plumbing code used by Mendocino County.
3. No grease trap shall be installed that has a rate of flow less than the rate approved by the District;
4. Grease traps shall be maintained in efficient operating conditions by periodic removal of the accumulated grease. No such collected grease shall be introduced into any drainage piping, or public or private sewer, and shall be properly disposed of in accordance with Best Management Practices.
5. No food waste disposal unit or dishwasher shall be connected to or discharge into any grease trap.
6. Wastewater in excess of one hundred-forty degrees (140° F) shall not be discharged into a grease trap.

**2.4 BEST MANAGEMENT PRACTICES REQUIRED**

All Food and Beverage Establishments and other identified entities shall implement Best Management Practices (BMPs) in its operation to minimize the discharge of FOG to the sewer system. They may include kitchen practices or employee training that is essential in minimizing FOG discharge.

**A. Best Management Practices:** All Food and Beverage Establishments shall be required, at a minimum, to comply with the following Best Management Practices (Exhibit 4), when applicable:

1. Installation of drain screens. Drain screens shall be installed on all drainage pipes in food preparation areas.
2. Segregation and collection of waste cooking oil. All waste cooking oil shall be collected and stored properly in recycling receptacles such as barrels or drums. Such recycling receptacles shall be maintained properly to ensure that they do not leak. Licensed wastehaulers or an approved recycling facility shall be used to dispose of waste cooking oil (Exhibit 5).
3. Disposal of food waste. All food waste shall be disposed of directly into the trash or garbage, and not in sinks.
4. Employee training. Employees of the Food and Beverage Establishment shall be trained by ownership/management periodically on the following subjects:
  - a) How to "dry wipe" pots, pans, dishware and work areas before washing to remove grease.
  - b) How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.
  - c) The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped.
  - d) How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.

5. Kitchen signage. Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.

## **2.5 IMPLEMENTATION**

**A.** All existing FBEs shall be inspected by the District to determine their impact on the MCCSD sewer system resulting from the discharge of FOG.

**B.** All existing FBEs, determined by the District, to have a reasonable potential to adversely impact the MCCSD sewer system will be notified of their obligation to install a GCD within the specified period set forth in the notification letter.

**C.** New FBEs are subject to GCD requirements. GCDs shall be adequate to separate and remove FOG contained in wastewater discharges from new FBEs prior to discharge to the sewer system. All such facilities that are required to install a grease interceptor must obtain prior approval from the District for grease interceptor sizing prior to submitting plans for a Mendocino County building permit. All GCDs shall be readily and easily accessible for cleaning and inspection.

**D.** Existing facilities with planned modification in plumbing improvements that requires a building permit shall include plans to comply with the GCD requirements. These facilities must obtain approval from the District for GCD sizing prior to submitting plans for a building permit.

**E.** FBEs may be required to submit a facility site plan, mechanical and plumbing plan, and details to show all sewer locations and connections. The submittal shall be in a form and content acceptable to the District for review of existing or proposed grease control devices, grease interceptor, monitoring facilities, and operating procedures. The review of the plan and procedures shall in no way relieve the FBE of the responsibility of modifying the facility or procedures in the future, as necessary to produce an acceptable discharge, and to meet the requirements of these regulations or any requirements of other Regulatory Agencies.

**F.** The District may require that drawings be prepared by a California Registered Civil, Chemical, Mechanical, or Electrical Engineer.

## **2.6 FEES**

MCCSD's Board of Directors may establish by ordinance fees for reviewing GCD specifications and drawings and lateral inspecting, cleaning and videotaping, or sampling the discharge of a FBE. An unpaid fee is delinquent if it has not been paid within 30 days after it is due. All delinquent payments will be assessed a penalty of 10%.

## **2.7 WAIVER OF GREASE CONTROL DEVICE (GCD) REQUIREMENT**

**A.** A FBE may submit a written request for a waiver of the requirement for the installation of an approved GCD for any of the following conditions:

1. The installation of a grease interceptor is not feasible or applicable. The FBE bears the burden of demonstrating, to the District's reasonable satisfaction, that the installation of a grease interceptor is not feasible or applicable.
2. There is not adequate slope for gravity flow between kitchen plumbing fixtures and the grease interceptor and/or between the grease interceptor and the private collection lines or the public sewer.

3. There is not adequate space for installation and/or maintenance of a GCD.
  4. The FBE has a negligible FOG discharge and insignificant impact to the sewer system.
- B.** Determination to grant or revoke a waiver shall be based upon, but not limited to, evaluation of the following conditions:
1. Quantity of FOG discharge as measured or as indicated by the size of the FBE, based on seating capacity, number of meals served, menu, water usage, amount of on-site consumption of prepared food and other conditions, that contributes to FOG deposition in the lateral and the downstream sewer main.
  2. Adequacy of implementation of Best Management Practices and compliance history.
  3. Lateral size, grade, condition based on visual information, FOG deposition in the lateral and downstream sewer main by the FBE, and history of maintenance and sewage spills in the receiving sewer system.
  4. Changes in operations that significantly affect FOG discharge.
  5. Any other condition deemed reasonably related to the generation of FOG discharges by the FBE.
  6. Imposition of a FOG Disposal Mitigation Fee.
- C.** Written Request for Waiver

A FBE may submit a written request to the District for a waiver from the grease interceptor or a grease trap requirement to the District. Upon determination by the District that reasons are sufficient to justify a waiver, the waiver will be issued or revised to relieve the FBE from the requirement to install a GCD.

The District shall make such determinations on a case-by-case basis.

**D.** Waiver Revocation

A waiver may be revoked at any time when any of the terms and conditions for its issuance is not satisfied or if the conditions upon which the waiver is based change so that the justification for the waiver no longer exists. The waiver shall be valid so long as the FBE remains in compliance with the terms and conditions of the waiver.

**2.8 FOG DISPOSAL MITIGATION FEE**

**A.** A FBE that operates without a grease control device may be required to pay an annual FOG Disposal Mitigation Fee to equitably cover the costs of increased maintenance of the sewer system as a result of the FBE's inability to adequately remove FOG from its wastewater discharge. This Section shall not be interpreted to allow the new construction of or existing FBEs undergoing remodeling or change in operations to operate without an approved GCD unless the District has determined that it is impossible or impracticable to install or operate a grease interceptor or a grease trap for the subject facility under the provisions of Section 2.7 of these regulations.

**B.** The FOG Disposal Mitigation Fee shall be established by ordinance or resolution of the Board of Directors, and shall be based on the estimated annual increased cost of maintaining the sewer system for inspection and removal of FOG and other viscous or solidifying agents attributable to the FBE resulting from the lack of a grease interceptor or grease control device.



## **SECTION 3 -- ENFORCEMENT**

### **3.1 PURPOSE AND SCOPE**

MCCSD finds that enforcement of this Ordinance throughout the MCCSD Service Area is vital for the protection of the public's health and safety, the environment, and the MCCSD Sewerage System. Any violation or continuing violation of a provision of this Ordinance or applicable State or Federal law may be grounds for enforcement action against a User.

### **3.2 RIGHT OF ENTRY**

Persons or occupants of premises where wastewater is created or discharged shall allow the District Superintendent or District representatives, reasonable access to all parts of the wastewater generating and disposal facilities for the purposes of inspection and sampling during all times the discharger's facility is open, operating, or any other reasonable time. No person shall interfere with, delay, resist or refuse entrance to District representatives attempting to inspect any facility involved directly or indirectly with a discharge of wastewater to the District's sewer system.

### **3.3 FINDINGS OF VIOLATION**

A. MCCSD may make findings of violations of this Ordinance or applicable law based upon the following:

1. Review of information submitted by a User to the District;
2. Review of MCCSD's inspection of the User's facility and/or sampling of the User's Discharge;
3. A User's failure to submit any required documentation, report or notice;
4. A User's failure to pay any fees, fines, costs as required by this Ordinance; and
5. Any other information received by MCCSD.

### **3.4 NOTICE OF VIOLATION (NOV)**

A. Upon finding a violation of this Ordinance or applicable law MCCSD may issue the User a NOV.

B. A NOV shall:

1. Describe the violation and the basis for the violation;
2. Cite the provision of the Ordinance or law violated;
3. Require correction of the violation and/or a written explanation of the cause of the violation within a specified timeframe;
4. Set forth any administrative enforcement action to be imposed by MCCSD; and
5. Provide written instructions for obtaining a hearing and the deadlines for doing so, if applicable.

C. MCCSD shall issue the NOV by at least one of the following methods: 1) via certified mail with return receipt requested; 2) personal delivery; or 3) posting the notice of violation conspicuously on or in front of the User's premises.

### 3.5 ENFORCEMENT ACTIONS

MCCSD may impose in a NOV any of the enforcement actions set forth herein against a User upon a finding that a violation of this Ordinance has occurred.

#### A. Monetary Fines

1. The Board of Directors may impose monetary fines in an amount not to exceed \$100 per violation per day.
2. The fine shall be imposed in accordance with the recommendations of the MCCSD Board of Directors.
3. Payment Due Date. The fines prescribed in this Section shall be due and payable to MCCSD within 30 days from the date of receipt of the NOV or enforcement order. Any unpaid fine will be assessed a penalty of 10% per year.

#### B. Enforcement and Other Costs

The Board of Directors may require the User to pay any additional costs incurred by the District, which are reasonably related to the enforcement of any requirements of this Ordinance. These costs may include any inspections, monitoring, sampling or other investigations required by MCCSD on a non-routine basis; procurement of records; additional treatment; reasonable attorney fees and other legal costs, whether or not civil enforcement is pursued in court; any expert analysis required on a non-routine basis; any damage to the MCCSD Sewerage System; costs required to resume normal operations of the MCCSD Sewerage System; and any other costs incurred by the District in its enforcement efforts. These costs shall be based upon actual cost, including actual staff time incurred for such enforcement activities. These costs are due and payable as directed in any notice. MCCSD shall provide the User an accounting of these costs upon the User's request.

#### C. Compliance Schedule

The District may impose a compliance schedule setting forth the action(s) necessary to comply with this Ordinance and the deadlines for completing such action(s).

#### D. Termination of Service

The Board of Directors may order District personnel to physically terminate service whenever the User:

1. Fails to comply with the terms of a Notice of Violation or Compliance Schedule;
2. Fails to make timely payment of any amount due to MCCSD;
3. Fails to provide reports or other documents required by MCCSD to determine compliance with this Ordinance;
4. Knowingly provides a false statement to MCCSD;
5. Falsifies, tampers with or knowingly renders inaccurate any monitoring device or sample collection equipment;
6. Refuses access to User's facilities upon MCCSD's demand without delay; or
7. Discharges any Wastewater in violation of this Ordinance.

### **3.6 ENFORCEMENT HEARING**

#### **A. Right to Enforcement Hearing**

1. A User has a right to an enforcement hearing. An enforcement hearing shall be held within 30 days of issuance of a NOV. The Board of Directors shall be the Hearing Officers at such hearing.
2. No other hearings are provided under this Ordinance.

### **3.7 SEWER SYSTEM OVERFLOWS, PUBLIC NUISANCE, ABATEMENT ORDERS AND CLEANUP COSTS**

Food and Beverage Establishments found to have contributed to sewer blockages, SSOs or any sewer system interferences resulting from the discharge of wastewater or waste containing FOG, shall be ordered to install and maintain a grease interceptor, and may be subject to a plan to abate the nuisance and prevent any future health hazards created by sewer line failures and blockages, SSOs or any other sewer system interferences. SSOs may cause threat and injury to the public health, safety, and welfare and property and are hereby declared public nuisances. Furthermore, sewer lateral failures and SSOs caused by FBEs alone or collectively, are the responsibility of the private property owner or FBE, and individual(s) as a responsible officer or owner of the FBE. If the District must act immediately to contain and clean up an SSO caused by blockage of a private or public sewer lateral or system serving a FBE, or at the request of the property owner or operator of the FBE, or because of the failure of the property owner or FBE to abate the condition causing imminent threat of injury to the health, safety, welfare, or property of the public, the District's costs for such abatement may be entirely borne by the property owner or operator of the FBE and individual(s) as a responsible officer or owner of the FBE, and may constitute a debt to the District, and become due and payable upon the District's request for reimbursement of such costs.

### **3.8 EMERGENCY TERMINATION OF SERVICE**

- A. Notwithstanding any other provision of this Ordinance, the Board of Directors may take any action to have District personnel physically terminate service in the event of an emergency.
- B. For purposes of this Ordinance, "emergency" means any event that poses an imminent and substantial danger to the public health and welfare or the environment.
- C. In the event of an emergency, the Board of Directors may issue a notice of violation and emergency termination of service.
- D. A User may request that a hearing be held within 48 hours after notice of the emergency termination of service.

## **SECTION 4 – SEVERABILITY**

If any provision of this Ordinance or the application to any Persons or circumstances is held invalid, the remainder of the Ordinance or the application of such provision to other Persons or other circumstances shall not be affected.

## **SECTION 5 – CONSTITUTIONALITY**

This Ordinance is not intended to authorize, and shall not be construed as authorizing, the MCCSD to exercise its power in a manner which will take or damage private property for public use. This Ordinance is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States of America.

A summary of Ordinance No. 09-3 shall be published in accordance with Government Code Section 25124(b), in the Mendocino Beacon, a newspaper of general circulation published within the District.

This Ordinance was introduced at a meeting of the Board of Directors on November 30, 2009, and adopted by the Board of Directors on December 21, 2009 by the following vote:

AYES: Directors Kraynek, Schwartz and O'Brien

NOES: None

ABSENT: Director Ball

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Edward O'Brien III, President

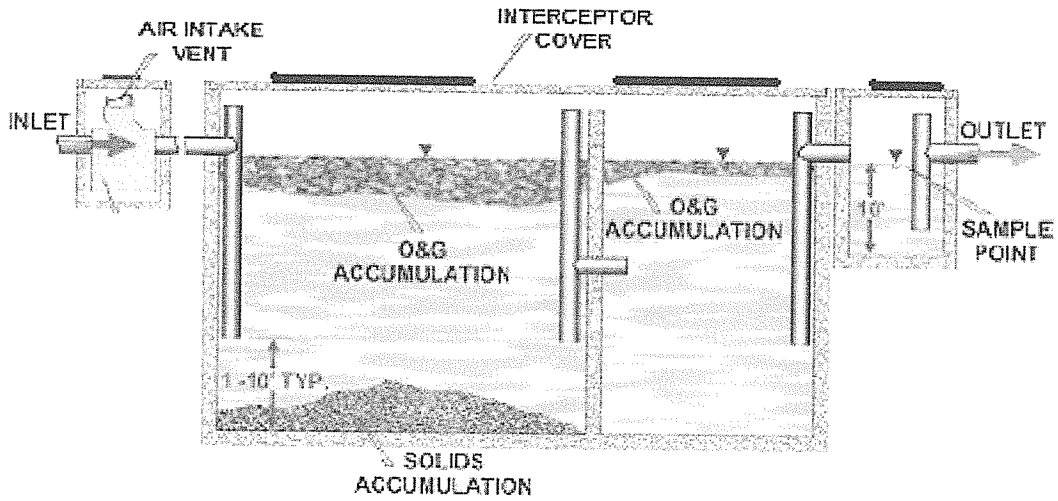
ATTEST:

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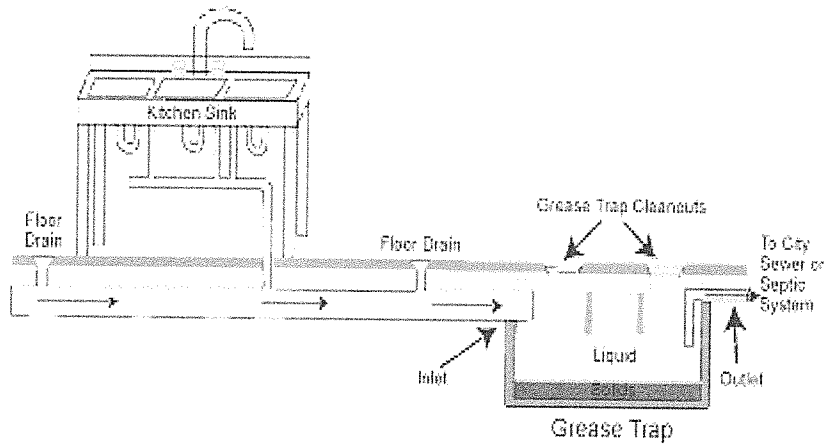
Jodi Mitchell, District Secretary

# Exhibit 1

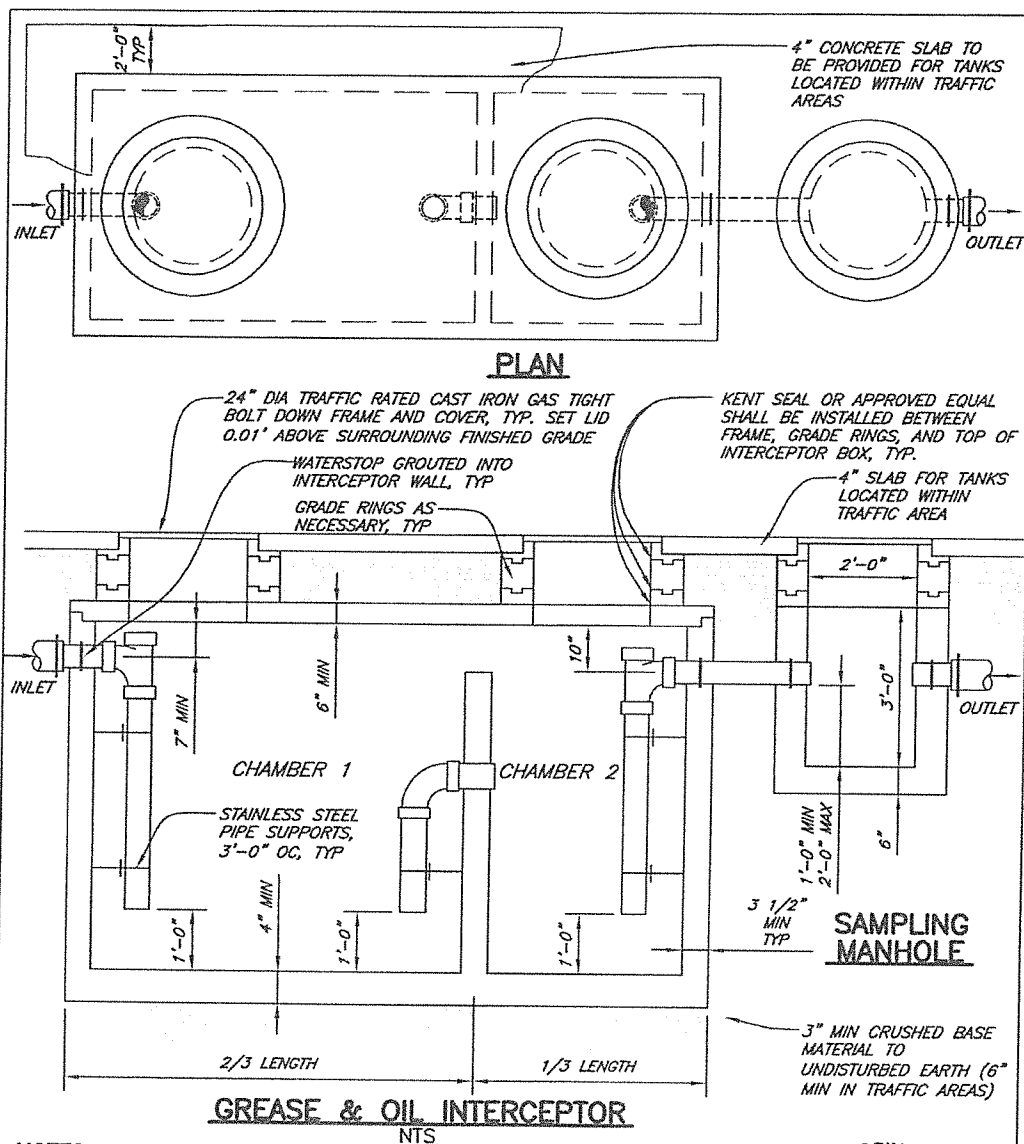
## Typical Grease Interceptor and Grease Trap Flow



*(Oregon Association of Clean Water Agencies)*



## Exhibit 2 Grease Interceptor



**NOTES:**

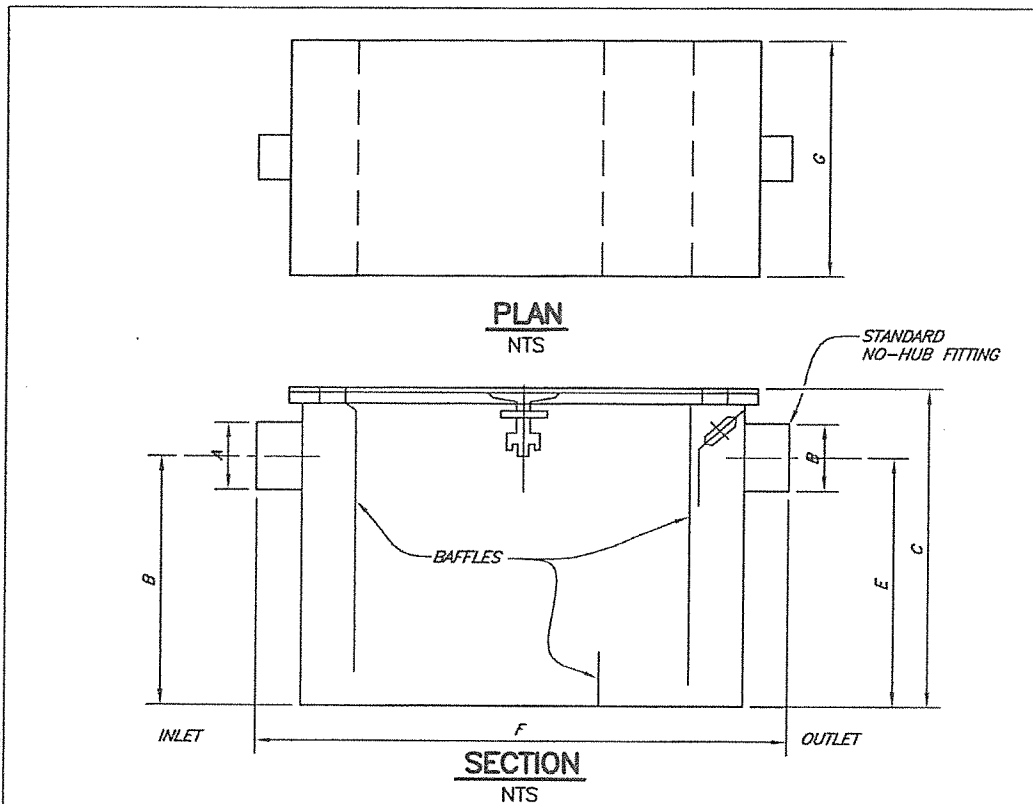
1. ALL GREASE INTERCEPTORS SHALL BE LOCATED OUTSIDE OF PUBLIC RIGHT-OF-WAY EXCEPT WITH WRITTEN APPROVAL.
2. ALL PIPING AND FITTINGS SHALL BE 4" SCH 40 PVC.
3. IN PAVED AREAS, BACKFILL ABOVE INTERCEPTOR AND SAMPLING BOX SHALL CONFORM TO THE SURROUNDING PAVEMENT STRUCTURAL SECTION, OR TO THE PAVING SECTION SHOWN ON THE CONSTRUCTION PLANS.



COMMUNITY SERVICES DISTRICT

Rev.	By	Apprv.	Date	Mendocino City Community Services District Standard Drawing	Approved:	
				Grease & Oil Interceptor with Sampling Manhole	<i>[Signature]</i>	
					Date 11/24/09	Detail No.: 3

# Exhibit 3 Grease Trap



Flow Rate GPM	Grease Capacity Lbs.	Dimensions in Inches						
		A	B	C	D	E	F	G
4	8	2	2	10	7-1/4	7-1/4	15-7/8	9-7/8
7	14	2	2	11-1/8	8-1/8	8-1/8	17-1/4	11-7/8
10	20	2	2	11-3/4	8-1/4	8-1/4	19-1/4	14
15	30	2	2	13-3/8	9-3/8	9-3/8	21-1/4	16-3/4
20	40	3	3	15	11-3/4	11-3/4	24-1/8	17-1/4
25	50	3	3	17	12-1/2	12-1/2	26-1/8	19-7/8
35	70	4	4	18-3/4	14-1/4	14-1/4	28	22-1/2
50	100	4	4	21-1/2	16	16	29-7/8	24-1/2

**NOTES:**

1. POINT SOURCE GREASE TRAPS MAY BE USED FOR SINGLE SINK APPLICATIONS.
2. GREASE TRAP SHALL MEET UNIFORM PLUMBING CODE.
3. TYPICAL SIZING CRITERIA TO BE AS SHOWN IN THE TABLE ABOVE, AND IN ACCORDANCE WITH UNIFORM BUILDING CODE.
4. GREASE TRAP TO BE CONSTRUCTED OF CORROSION RESISTANT MATERIALS.



Rev.	By	Apprv.	Date	Mendocino City Community Services District Standard Drawing	Approved:
				Typical Point Source Grease Trap Detail	<i>M. Sellon</i>
					Date 11/24/09    Detail No.: 4

I:\2009\WILLIAMS (10-11-09)05 - SAVED: 11/24/2009 9:43 AM. NDCOVNEY. PLOTTED: 11/24/2009 9:44 AM. NATHAN KOWNEY

## Exhibit 4 KITCHEN BEST MANAGEMENT PRACTICES (BMPs)

Food and Beverage Establishments (FBEs) shall teach their employees the following kitchen best management practices and conduct training twice a year.

**Food Grinders.** Remove food grinders from food and beverage establishments when required by the Mendocino City Community Services District.

**Food Waste Disposal.** Dispose of food waste and fatty scraps into the trash or garbage bin, not down the sink. Use plastic trash bags to prevent leaks and odors. Double-bag waste that has the potential to leak in trash bins. Make sure trash bins are covered when not in use and call trash hauler if bin is leaking.

**Dry-Wiping.** Dry wipe or scrape pots, pans, dishware, floor mats and work areas to remove grease and food scraps before washing and dispose in trash.

**Use of Drain Screens.** Install removable screens on all drainage pipes in food preparation areas. Keep screens in sink and floor drains clean and in good repair. Dispose of collected solids in trash, not down the drain.

**Yellow Grease Disposal.** Dispose of grease and oil from cooking equipment (pots, pans and fryers) by pouring waste oil and yellow grease into covered containers (drums, barrels) for storage and recycling. Provide secondary containment to capture any liquid grease or oil that may spill from the primary container. Use a licensed waste hauler or recycling facility to dispose of liquid grease and oil before the container is full. Keep a written log with manifests/invoices of oil pick ups and provide to any District inspector who visits your site.

**Mat Cleaning.** Clean and wash floor mats in a utility mop sink. Empty mop water into a sink or drain connected to a grease interceptor. Do not empty mop or wash water into storm drains.

**Spill Prevention.** Place absorbent materials, such as paper towels or pads, under fryer baskets and other areas where grease may drip or spill during cooking, frying or during the transfer of grease to storage or disposal containers.

**Spill Kits.** Maintain a spill kit accessible for use of employees, including absorbent pads, kitty litter or equivalent absorbing material, and paper towels. Require the use of the spill kit to clean up spilled fats, oils and grease.

**Super Hot Water.** Do not pump water hotter than 140° F through a grease control device.

**Employee Training and Posters.** Post and review signs provided to you to identify kitchen best management practices in food preparation, dishwashing and maintenance areas. Keep a written employee training log to provide to the District inspector.

In addition, food service establishments shall ensure that any grease control devices they utilize, such as grease traps or interceptors, are cleaned as frequently as needed to keep them free of residue and hardened fats, oils and grease. Inspect grease control devices for leaking seams and pipes on a monthly basis.



**Exhibit 5  
Wastehaulers and Renderers**

- 1. Darling International, Inc.**  
429 Amador St.  
San Francisco, CA 94124  
(800) 473-4890
  
- 2. North State Rendering Company, Inc.**  
15 Shippee Rd.  
Oroville, CA 95965  
(530) 343-6076
  
- 3. Sacramento Rendering Co.**  
11350 Kiefer Blvd.  
Sacramento, CA 95830  
(800) 339-6493
  
- 4. Yokayo Biofuels**  
150 Perry Street  
Ukiah, CA 95482  
(707) 472-0900

**ORDINANCE 2020-1**  
**MENDOCINO CITY COMMUNITY SERVICES DISTRICT GROUNDWATER**  
**EXTRACTION PERMIT REQUIREMENT FOR ALL REAL PROPERTY WITHIN ITS**  
**BOUNDARY**

**WHEREAS**, Mendocino City Community Services District (hereafter MCCSD or District) adopts the following Groundwater Extraction Permit Ordinance amending and replacing Groundwater Extraction Permit Ordinances No. 90-1 and No. 91-3, as amended; and

**WHEREAS**, all real property within the boundaries of MCCSD shall be subject to these regulations; and

**WHEREAS**, it is the intent of the MCCSD to protect the groundwater resources within its boundary for the common good of all present and potential users; and

**WHEREAS**, in 1987, the California Legislature passed California Water Code Section 10700 – 10717, as outlined in Assembly Bill No. 786, which provided the MCCSD with the authority to prepare and implement a Groundwater Management Plan and to establish programs for groundwater resources management within the District boundary; and

**WHEREAS**, in 1990, the MCCSD assumed responsibility for groundwater management, and adopted the Groundwater Extraction Permit (GWEP) Ordinance to permit all new development, changes of existing use, and expansion of existing use; and

**WHEREAS**, prior to the adoption of This Ordinance, the District held a public hearing on April 16, 2020 after publication of notice for the first hearing on April 2 & 9, 2020 pursuant to Section 6066 of the Government Code. The District adopted a resolution of intention to adopt and implement the groundwater management program on April 16, 2020. A copy of the program was published in a newspaper of general circulation on April 23, 2020. Notice of the second hearing was published on April 2 & 9, 2020. The Board of Directors scheduled the second hearing for April 27, 2020 to consider protests to the implementation of the program by eligible registered voters residing within the boundaries of the District. There was no majority protest by more than 50% of eligible registered voters in the District. The Board may accordingly adopt This Ordinance within 35 days of the second hearing.

The Board of Directors of the Mendocino City Community Services hereby **ORDAINS AS FOLLOWS:**

**1. Groundwater Extraction Permit Requirement**

To manage the groundwater resources within the MCCSD boundary during both normal rainfall years or during drought conditions and to protect the District's limited groundwater resources, all developed parcels within the MCCSD, whether their water supply is from groundwater extracted from privately owned well(s) or from mutual water company well(s), shall be required to have a valid Groundwater Extraction Permit and limit groundwater extraction to an approved GWEP allotment or Mutual Water Company Memorandum of Understanding allotment.

In addition, no person shall extract groundwater within the boundaries of the MCCSD for "new development", "change in use", or "expansion of existing use" unless the person possesses a valid and current Groundwater Extraction Permit, and no groundwater shall be extracted from a well that is constructed or modified following the adoption of this ordinance without an approved Groundwater Extraction Permit as set forth herein.

Groundwater Extraction Permit shall be obtained prior to:

1. issuance of a Mendocino County Use Permit or Coastal Development Permit;
2. issuance of a Mendocino County Building Permit for other than minor repair and maintenance; or
3. issuance of a Mendocino County Well Permit.

A Groundwater Extraction Permit shall not be necessary for minor repair and maintenance to existing structures and wells, or cleaning of an existing well, but a Groundwater Extraction Permit shall be required for any modifications in the structure or depth of the well.

A Groundwater Extraction Permit shall remain in effect in perpetuity or until a new Groundwater Extraction Permit is issued pursuant to the requirements of this ordinance.

The District Superintendent is authorized to advise appropriate agencies that no permit action is required with regard to cases exempt from MCCSD permit procedures established by this Ordinance.

## **2. Application Required for Groundwater Extraction Permit**

Application for a Groundwater Extraction Permit shall be made in writing on forms provided by MCCSD. The Groundwater Extraction Permit application shall contain the assessor's parcel number, a description of the parcel, the address of the parcel, a description of the proposed change to the parcel, a description of the proposed new development, expansion of existing use, and/or the change in use, a list of all adjacent property owners and their addresses, the existing and proposed placement of wells and water storage facilities on the parcel, the location of existing wells on all adjacent properties, if known, and the maximum amount of water per day anticipated to be extracted by the applicant for the project. A scaled plot map showing all structures, wells, and the proposed development shall be attached to the Groundwater Extraction Permit application. A floor plan for all existing and proposed structures shall be included with the Groundwater Extraction Permit Application. A fee in an amount determined by the Board to cover the cost of administering this groundwater extraction permit process shall accompany the application. The application shall be deemed complete once it is reviewed by the District Superintendent and accepted as complete. The District Superintendent shall contact the applicant regarding the completeness of the application within thirty (30) days of submission and may require further information from the applicant.

## **3. Hydrological Study**

Except as set forth below in Section 4 of this ordinance, all applicants shall be required to submit a hydrological study prior to the issuance of a Groundwater Extraction Permit. A qualified hydrologist (see definition, Appendix B) must perform the hydrological study. Once an application is deemed complete, the applicant shall be permitted to conduct an aquifer pump test from the proposed well(s), as set forth in the application, for the purpose of proving that the amount of water capable of being extracted from the well(s) will support the proposed project as described in the application, based on water use standards established by the Board. The aquifer pump test is also required in order to determine whether the proposed water extraction will have any adverse effect and adverse cumulative effect on hydrologically contiguous wells (see definitions, Appendix B).

The aquifer pump test (Appendix A) shall be conducted continuously over a seventy-two (72) hour period, followed by a monitored twenty-four (24) hour recovery period. The test shall be conducted during the Hydrological Testing Period (see definitions). The Board may modify

the time of year for the test upon determination that weather conditions make such modification appropriate. All aquifer pump tests in the District shall be scheduled by the District Superintendent to avoid conflict in the data obtained. Water pumped shall be conserved by storage or shall be routed to a recharge/discharge area beyond the influence of the pump test at the applicant's expense.

The hydrological study shall present data obtained and conclusions derived from the aquifer pump test (see Appendix A for hydrological study outline). The hydrological study should include consideration of local geology and hydrology, documentation of current groundwater development, estimation of water use by the development, a pump test, assessment of on-site availability of groundwater, analysis of potential impacts of the proposed groundwater development, and an analysis of cumulative effects to hydrologically contiguous wells. The hydrological study should be documented in a report summarizing the information and analyses, and it should include appendices containing supporting data. The following report outline is suggested:

- Introduction
- Estimated Water Allotment
- Hydrological Setting
- Performance of Pump Test
- Pump Test Data Analysis
- Mitigation of Adverse Effect and Adverse Cumulative Effects
- Conclusions
- Appendices

All conclusions expressed by the hydrologist in the hydrological study shall be supported by data and other facts, consistent with good hydrological practices. All assumptions and equations relied on by the hydrologist in conducting the aquifer test and forming his/her conclusions shall be included in the hydrological study report. The hydrological study shall consider: 1) the adequacy of the water supply to support the proposed new development, expansion of existing use, or change in use during the dry summer months and drought conditions, and 2) any adverse effects and adverse cumulative effects to hydrologically contiguous wells. Once a hydrological study has been completed it shall be delivered to the District Office for review.

4. **Exceptions to Hydrological Study Requirement**

a. **No Increase in Water Demand**

If it is clear, based on the Groundwater Extraction Permit Application, that the proposed water extraction will not increase the applicant's existing quantity of water extraction, the District Superintendent may administratively issue the requested Groundwater Extraction Permit without requiring an applicant to submit a hydrological study. If the proposed new use results in a decrease in water use, a new allotment shall be calculated, and shall be based on the new use.

b. **Limited Increase in Water Demand**

Based on the information contained in the Groundwater Extraction Permit application, the District Superintendent may administratively issue a Groundwater Extraction Permit without requiring an applicant to submit a hydrological study if the proposed change results in a limited increase in water demand. A limited increase is the quantity of water required for "new development", "change in use", or "expansion of existing use", as defined by the Water Use Standard adopted by the Board. A limited increase is determined by the increased water demand for the proposed project. As calculated from the Water Use Standard, a limited increase shall not exceed:

1. 30% of an existing water demand that is less than or equal to 320 gallon per day.
2. 10% of an existing water demand that is greater than 320 gallons per day.

As a condition of approval for an exception to the hydrological study requirement, the applicant agrees not to exceed the water use allotment for the existing use. A limited increase only applies to Section 4(b) of the ordinance. Following the issuance of a Groundwater Extraction Permit under Section 4(b) Exceptions to Hydrological Study Requirements, future "new development", "change in existing use", or "expansion of existing use", which result in a limited increase in water demand, may require approval of a Hydrological Study prior to issuance of a new Groundwater Extraction Permit to review the effect that incremental development may have on adjacent wells or the aquifer.

c. **Modification in the Structure or Depth of an Existing Well or Drilling a New Well**

No hydrological study shall be required for modification in the structure or depth of an existing well or to construct a new well located on developed residential or commercial property.

A property owner may apply to drill a test well on an undeveloped parcel. A test well permit is not a Groundwater Extraction Permit. The purpose of the test well is to determine if

groundwater is available for future development of the parcel. A hydrological study must be applied for and approved by the District Board of Directors prior to the issuance of a Groundwater Extraction Permit that authorizes extraction from the test well. Following completion of the aquifer pump test for the hydrological study, no groundwater shall be extracted from a test well without a valid Groundwater Extraction Permit.

**d. Prior to Issuance of a Mendocino County Use Permit or a Coastal Development Permit**

Approval of a Groundwater Extraction Permit application shall be required prior to the issuance of a Mendocino County Use Permit or a Coastal Development Permit. No hydrological study shall be required prior to issuance of a Mendocino County Use Permit unless the project is a “new development”, “change of use”, or “expansion of existing use” that establishes an initial water demand on an undeveloped parcel or increases the water demand on a developed parcel.

**e. Prior to Issuance of a Mendocino County Building Permit**

Approval of a Groundwater Extraction Permit application shall be required prior to the issuance of a Mendocino County Building Permit. A Groundwater Extraction Permit application shall not be necessary prior to issuance of a Mendocino County Building Permit for minor repair and maintenance, such as painting, minor repairs to structures, and repair and replacement of roofs. No hydrological study shall be required prior to issuance of a Mendocino County Building Permit unless project is a “new development”, “change of use”, or “expansion of existing use” that establishes an initial water demand on an undeveloped parcel or increases the water demand on a developed parcel.

**f. Section 4 Groundwater Extraction Permit Approval Conditions**

No person shall extract groundwater from a well within the boundaries of MCCSD unless the person possesses a valid and current Groundwater Extraction Permit. A Permittee who has received a permit pursuant to this Section 4 shall install a water meter, record monthly water meter readings, and submit readings to the District as required. The permit shall specify the quantity of groundwater that the permittee may extract. For those properties assigned water use allotments under provisions of this Ordinance, a penalty will be assessed for continued water use in excess of that allotment. If total use exceeds that allowed by the permit by 25% for three non-consecutive months in one calendar year, the Board may revoke the Groundwater Extraction

Permit. Following revocation of a Groundwater Extraction Permit, continued groundwater pumping is a violation of Section 15 of this Ordinance, and a penalty shall be incurred.

~~g. Litigation Fees and Costs~~

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~~In the event legal proceedings are filed by the District or any other party concerning this Ordinance, the prevailing party in such litigation shall be entitled to recover reasonable attorney's fees and costs (including expert costs) incurred in such legal proceedings in addition to such other relief as may be granted by the court. This provision shall apply to any mediation, arbitration or litigation concerning this Ordinance. The District's successful defense of its groundwater extraction permit program in any legal proceeding shall entitle the District to recover its attorney's fees and costs in accordance with this Section.~~

5. Board Shall Adopt Water Use Standards and Require Conservation Devices

Water use standards have been established by the District designating the quantity of water necessary for a "new development", "expansion of existing use", or "change in use". These water use standards shall be periodically re-evaluated based on actual data collected by the District. The Board shall require water conservation devices including, but not limited to, low flush toilets, to be purchased and installed by permittees.

6. Hydrological Study Review

Following delivery of the hydrological study to the District Office, the District shall refer the hydrological study to an approved hydrologist for review. This review shall include, but not be limited to, consideration of adherence to testing conventions, completeness of data, adequacy of the groundwater supply for the proposed development or change in use, cumulative impact on the District's groundwater resources, and any reported adverse effects and adverse cumulative effects to hydrologically contiguous wells. The applicant shall pay a fee as determined by the Board to cover the cost of such review. The hydrological review and the initial study shall then be submitted to the Board for consideration.

7. Hydrological Study Approval

Within sixty (60) days of receipt of the hydrological study review, the Board shall consider both the hydrological study and the review at a regular meeting or a special meeting. Public comment on the proposed hydrological study shall be heard at the regular or special meeting called by the Board. If necessary, the Board may require the applicant, reviewing hydrologist, or author of the



hydrological study to submit supplemental information before deciding whether to approve or reject a hydrological study.

a. In making their decision, the Board shall consider the findings of the aquifer pump test and the hydrological study, all challenges to the aquifer pump test and the hydrological study that have been received by the District during or prior to the public hearing, all information provided by the reviewing hydrologist, and all public comment.

b. If, based on the considerations as set forth above, the Board finds that approval of the hydrological study and issuance of a proposed Groundwater Extraction Permit would more likely than not have an adverse effect on the groundwater supply, or the evidence shows that there is insufficient groundwater to support the proposed Groundwater Extraction Permit project, the Board shall reject the hydrological study.

c. The Board may consider mitigation measures that eliminate adverse effects and adverse cumulative effects to hydrologically contiguous wells as a condition for approval of the hydrological study.

d. The Board shall approve or reject a hydrological study or grant a continuance, within one hundred twenty (120) days of the time the applicant's hydrological study is filed. If good cause exists, the Board may allow additional time for the review.

e. If an applicant's hydrological study is denied, the applicant may request reconsideration. Said request shall be in writing stating the reason for the request and must be filed with the District Office within twenty (20) days of the Board's decision. The Board may require the applicant, reviewing hydrologist, or author of the hydrological study to submit supplemental information before deciding whether to approve or deny reconsideration of the hydrological study. The Board shall continue, approve or deny the reconsideration within forty-five (45) days of said request.

## **8. Groundwater Extraction Permit Approval**

Within sixty (60) days after the filing of a Groundwater Extraction Permit application, the Board shall consider the permit at a regular meeting or a special meeting. Public comment on the proposed Groundwater Extraction Permit shall be heard at the regular or special meeting called by the Board.

a. In making their decision, the Board shall rely on the findings of the approved hydrological study and the hydrological study review.

b. If, based on the considerations set forth above, the Board finds that issuing of a Groundwater Extraction Permit for the project would not have an adverse effect on the groundwater supply, and the evidence from the hydrological study shows that there is sufficient groundwater to support the proposed Groundwater Water Extraction Permit project, the Board shall approve the permit.

c. The Board shall approve or deny a permit or grant a continuance, within one hundred twenty (120) days of the time the applicant's Groundwater Extraction Permit is filed.

d. The Board shall establish the maximum amount of groundwater an applicant is allowed to extract, and the permit for groundwater extraction shall be issued on condition of that limitation.

e. The applicant shall have two (2) years to complete the Groundwater Extraction Permit process if the groundwater source is not in use when the Groundwater Extraction Permit Approval is issued. If groundwater is currently extracted from an existing well, the applicant shall complete the Groundwater Extraction Permit process within the timeframe stated as a condition of the approval. The Groundwater Extraction Permit Application Approval shall automatically expire by its own terms if the applicant does not adhere to all permit conditions within the time frame stated in the approval.

f. The District shall have the right to inspect the water meter installation.

g. If an applicant is denied a Groundwater Extraction Permit, the applicant may request reconsideration. The request shall be in writing stating the reason for the request and must be filed with the District Office within twenty (20) days of the Board's decision. The Board shall continue, approve or deny the reconsideration within forty-five (45) days of the request and if they do not act within forty-five (45) days, the request is deemed approved.

#### **9. Water Meter Requirements**

Prior to the issuance of any Groundwater Extraction Permit, the applicant shall agree in writing to install an approved water meter prior to any groundwater extraction, at applicant's expense. The applicant agrees to install the water meter as a condition of the groundwater extraction permit approval within the date specified in the approval conditions. The applicant shall agree to submit regular monthly meter readings to the District on the first day of the month for the

previous month's groundwater extraction. All applicants and permittees shall give permission for the meter to be read by a District employee. Following the issuance of the Groundwater Extraction Permit, the District, its agents and assigns, may enter onto owner's real property at reasonable times to read the water meter if the property owner fails to submit monthly meter readings for two consecutive months. The water meter shall be accessible by the District during regular business hours. Applicants and Permittees shall provide permission for District employees to sample and test water and to take well depth readings as required for District records, at District expense. Applicant and Permittees may install water meter at property line to facilitate the reading of the meter by District personnel. As a condition of the Groundwater Extraction Permit approval, applicant shall agree to allow District personnel to inspect a water meter installation that is offset from the wellhead. Applicants and Permittees agrees to replace a defective, inaccurate, or inoperable water meter at applicant's expense. No waterline connections (taps) shall be permitted between the water meter and the wellhead.

For new water meter installations, a letter from the District will be sent requesting that the applicant provide the District with groundwater extraction readings beginning thirty (30) days after the issuance of the Final Groundwater Extraction Permit, and thereafter on the first day of each month for the previous month's extraction.

All developed parcels required to obtain a valid Groundwater Extraction Permit with an approved allotment are required to install an approved water meter, and submit monthly meter readings to the District. The applicant shall agree to submit regular monthly meter readings on the first day of the month for the previous month's groundwater extraction.

The District has the following Three-Step Meter Reading Policy to achieve water meter reading compliance from developed property owners subject to groundwater extraction water meter reading and reporting requirements:

- a. If a developed property owner that is required to submit a monthly water meter reading to the District misses one month's reading, on the twentieth day after the reading is due, District will send the property owner a 1<sup>st</sup> Notice of Violation letter by regular mail. The letter to the property owner will discuss the importance of timely readings and reporting, and advise the property owner that District personnel will read the water meter if timely readings are not forthcoming. They will be informed of various options that are available for submitting the water meter readings other than by regular mail.

1. Through the website
2. E-mail
3. Fax
4. Telephone
5. Annual meter reading service by District personnel for an annual fee

If the developed property owner is served by a mutual water company, and that company is responsible for reading its customers' meters, the 1<sup>st</sup> Notice of Violation shall be sent to the mutual water company serving the developed property. However, the developed property owner shall remain ultimately responsible for the submission of the required water meter readings in a timely fashion, as well as any penalty for failure to submit timely water meter readings.

b. If a developed property owner subject to groundwater extraction water meter reading reporting fails to submit a reading by the twentieth day of the second month, a 2<sup>nd</sup> Notice of Violation letter will be sent by Certified Mail to the property owner to inform the property owner that a service charge will be added to their sewer bill for each month of water meter reading non-compliance. If a property owner subject to groundwater extraction water meter reading reporting persists in non-reporting, the District may take the readings on a date and time specified in a 3<sup>rd</sup> Notice of Violation letter sent by Certified Mail, and the property owner subject to groundwater extraction water meter reading reporting will be informed that they will be billed accordingly. A property owner subject to groundwater extraction water meter reading reporting will be asked in the third letter to be present when District personnel read the meter. The third letter will advise a property owner subject to groundwater extraction water meter reading reporting that a service fee will be added to their monthly sewer bill for this service to cover staff time and District expenses. Both the second and third letters will provide them with an alternative to sign up for the water meter reading service on an annual basis for an annual fee. The letters will also reiterate the importance of water meter reading.

c. If the property owner subject to groundwater extraction water meter reading reporting refuses to provide access to the property or refuses to pay the monthly service charge added to their sewer bill for each month of water meter reading non-compliance, the matter may be referred to legal counsel for further handling. One method of further handling such a problem would be to obtain an injunction against the property owner's interference with the District's groundwater management program.

d. The District offers a water meter reading service for all developed parcels within the District that have been required to install a water meter. The charge is based on a

determination of the reasonable cost of providing the service. Applications for the meter reading service may be obtained from the District Office. The annually fee for meter reading shall be paid in advance of the service.

**10. Groundwater Extraction Permit Approval Extension**

The applicant may request an administrative Groundwater Extraction Permit Approval Extension for a period of two (2) years. An extension of a Groundwater Extraction Permit Approval that was based on the findings of a Hydrological Study shall not be issued for more than ten (10) years from the date of the original Hydrological Study Approval without the applicant providing at applicant's expense a supplemental report showing the conclusions of the Hydrological Study are still valid. The report shall be prepared by a qualified hydrologist (see definition, Appendix B). The report shall include a discussion and supporting data that establish there are no adverse cumulative effects to adjacent wells from the applicant's approved extraction and any additional extraction within the radius of influence of the applicant's test well approved by other hydrological studies for "new development", "expansion of existing use", or "change of use". The Board shall approve or deny a supplemental report at a regular meeting or a special meeting.

There will be an administrative fee for a Groundwater Extraction Permit Extension.

**11. Permitted Groundwater Extraction Allotment**

The Groundwater Extraction Permit shall state the maximum amount of groundwater to be extracted. This limit shall constitute an allotment of groundwater to be extracted by the applicant, and the District shall not reduce this amount during normal rainfall conditions unless there is evidence of an error in the application or hydrological study discovered within twelve months, which the Board determines is sufficient to justify a quantity modification, which would lower or increase the groundwater use allotment. The allotment shall be based on the size and type of District approved development on the parcel. The amount of the allotment is determined from the MCCSD Water Use Standard (Appendix C).

All developed parcels with Groundwater Extraction Permits shall be required to limit groundwater extraction to the Groundwater Extraction Permit allotment, which shall be based on the size and type of development on the parcel. Allotments may be temporarily reduced during drought conditions to help extend the groundwater resource.

Up to two times the amount of a Permittee's approved allotment may be extracted and stored for dry season use during the months of January, February, and March if cumulative rainfall during October, November, and December exceeds 120% of normal average rainfall for that three month period. Permittees extracting additional groundwater during January, February or March shall immediately reduce extraction to the approved allotment if monthly rainfall measured by the District falls below 120% of average monthly cumulative precipitation during January, February, or March.

**12. Final Groundwater Extraction Permit**

Once a permittee has complied with the conditions of the Groundwater Extraction Permit Approval, which include issuance of an allotment to limit groundwater extraction and installation of a water meter at the wellhead of all production wells, the District shall administratively issue a Final Groundwater Extraction Permit. The Final Groundwater Extraction Permit shall be signed by the property owner. A Groundwater Extraction Permit issued for "new development", "change of use", and "expansion of existing use" shall remain in effect in perpetuity or until approval of a new Groundwater Extraction Permit for the property.

**13. Prior Extraction Permit Approvals by Mendocino County**

The District shall acknowledge any restrictions on water usage imposed by the County of Mendocino in groundwater extraction permits issued prior to June 1, 1990, and District shall enforce the restrictions under the provisions of the BOS 90-113 agreement. After June 1, 1990, any Permittee previously issued an allotment by Mendocino County under the provisions of BOS 90-113 that submits an application and is approved for a District Groundwater Extraction Permit for "new development", "change of use", or "expansion of existing use" shall be subject to the District's Groundwater Extraction Permit Ordinance regulations, requirements, and restrictions.

**14. Action on County Referrals of Applications for Use Permits, Land Use Permits, Land Divisions, Local Coastal Plan Consistency Reviews and Coastal Development Permits**

The provisions of this Ordinance shall be applied to all County referrals regarding use permits, land divisions, Local Coastal Plan consistency reviews and Coastal Development Permits.

**15. Misdemeanor and Penalty**

After the adoption and publication of this ordinance, it shall be a misdemeanor for any person to violate any provision, restriction or prohibition contained in this Ordinance or any condition of any valid Groundwater Extraction Permit issued pursuant to this Ordinance, until said Ordinance has been repealed.

Groundwater extraction without a valid Groundwater Extraction Permit is a violation of this Ordinance, and a penalty of \$100.00 per day shall be incurred for groundwater extraction without a valid Groundwater Extraction Permit, or for continued groundwater extraction following revocation of a Groundwater Extraction Permit. Each day of groundwater extraction without a valid Groundwater Extraction Permit shall be deemed a separate violation for purposes of assessment of penalties under this Ordinance. Non-compliance shall be determined commencing with the first day of water extraction activities without a valid Groundwater Extraction Permit.

For those properties assigned groundwater use allotments under provisions of this Ordinance, a penalty will be assessed for continued groundwater use in excess of the allotment. Penalty will be at a rate of two cents per gallon of excess use per month, up to 10% overage, five cents for each gallon in excess of 10%, after there has been excess use for two consecutive months, or for three months during any yearly period. If total use exceeds that allowed by the permit by 25% for three non-consecutive months in one calendar year, the Board may revoke the Groundwater Extraction Permit. For those properties assigned groundwater use allotments under provisions of this Ordinance that extract additional groundwater during the months of January, February, or March, a penalty will be assessed for groundwater use in excess of twice the permitted allotment. Penalty will be at a rate of two cents per gallon of excess use per month, up to 10% overage, five cents for each gallon in excess use per month.

The District is authorized to read meters to verify water usage. For all other permit violations, a penalty of \$100.00 shall be incurred for each violation. Each day of non-compliance with this ordinance or with the permit conditions shall be deemed a separate violation for purposes of assessment of penalties under this Ordinance. Non-compliance shall be determined commencing with the first day of groundwater extraction activities regulated by the program.

The Board may impose a penalty of \$100.00 per day if the property owner subject to the groundwater extraction water meter reading reporting requirements fails or refuses to:

1. submit the monthly meter reading for a period of three consecutive months;
2. provide access to District personnel to read the meter; or
3. pay the monthly service charge imposed for failure to submit water meter readings.

The Board may impose a penalty of \$100.00 per day if the property owner subject to the groundwater extraction water meter installation requirement fails or refuses to install an accurate operable water meter(s) to measure groundwater production from all wells used to extract groundwater on the owner's property.

Each day of non-compliance shall be deemed a separate violation for purposes of assessment of penalties under this Ordinance.

~~In the event legal proceedings are filed by the District or any other party concerning this Ordinance, the prevailing party in such litigation shall be entitled to recover reasonable attorney's fees and costs (including expert costs) incurred in such legal proceedings in addition to such other relief as may be granted by the court. This provision shall apply to any mediation, arbitration or litigation concerning this Ordinance. The District's successful defense of its groundwater extraction permit program in any legal proceeding shall entitle the District to recover its attorney's fees and costs in accordance with this Section.~~

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**16. California Environmental Quality Act**

The Board of Directors finds that this Ordinance is not a "project" subject to the requirements of the California Environmental Quality Act (CEQA), and/or is exempt from CEQA requirements in accordance with the following reasons:

a. This Ordinance is not a project within the meaning of Section 15378 of the CEQA Guidelines, because it has no potential for resulting in physical change in the environment, directly or ultimately.

b. On a separate and independent basis, the District finds this Ordinance is categorically exempt from CEQA under Sections 15307 of the CEQA Guidelines as a regulatory action taken by the District pursuant to its powers under California Water Code Section 10700 *et seq.* to assure maintenance and protection of a natural resource and the environment during the existence of the water shortage condition and potential emergency declared pursuant to this Ordinance.



c. On a separate and independent basis, the District finds this Ordinance is categorically exempt from CEQA under Sections 15308 of the CEQA Guidelines as a regulatory action taken by the District pursuant to its powers under California Water Code Section 10700 *et seq.* to assure maintenance and protection of a natural resource and the environment during the existence of the water shortage condition and potential emergency declared pursuant to this Ordinance.

d. On a separate and independent basis, the District finds this Ordinance is not subject to CEQA under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment as the Ordinance is intended to help maintain current groundwater availability.

For the reasons set forth above it can be stated that there is no possibility that adoption and enforcement of this Ordinance will have a significant effect on the environment, consistent with applicable guidelines for CEQA assessment."

**17. Severability**

If any section, subsection, paragraph, sub-paragraph, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance and such remaining portions of this Ordinance shall remain in full force and effect.

**18. Board May Issue Emergency Permit**

Nothing in this permit process shall be deemed to diminish the authority of the Board to act in any manner consistent with the existing laws. Nothing in this permit process shall prohibit the Board from issuing any permit for groundwater extraction or other water development without public notice in the event that the Board determines that an emergency situation requires the issuance of such permit.

19. **Constitutionality**

This Ordinance is not intended to authorize, and shall not be construed as authorizing, the MCCSD to exercise its power in a manner which will take or damage private property for public use. This ordinance is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States of America.

This ordinance shall be published once in the Mendocino Beacon, a newspaper of general circulation published within the District. This Ordinance was introduced at a meeting of the Board of Directors on May 11, 2020, and adopted by the Board of Directors on May 18, 2020, by the following vote:

AYES: Directors Hauck, Arnold, & Sullivan

NOES: Rice

ABSENT: None

\_\_\_\_\_, Board President

ATTEST:

\_\_\_\_\_  
Jeannee Christ, District Secretary

## Appendix A

### Hydrological Study Guidelines

#### General

No person shall extract groundwater within the boundaries of the MCCSD for “new development”, “change in use”, or “expansion of existing use” and no water shall be extracted from a well constructed or modified following the adoption of this ordinance within the boundaries of MCCSD unless the person possesses a valid and current Groundwater Extraction Permit. Except as noted in the ordinance, all applicants shall be required to submit a hydrological study prior to issuance of a Groundwater Extraction Permit.

#### Approved Hydrologists

MCCSD will maintain a list of approved hydrologists who are authorized to conduct hydrological studies and/or peer review hydrological studies conducted by other approved hydrologists.

#### Professional Qualifications of Hydrologist

A California Registered Geologist, who is a hydrologist, a Certified Engineering Geologist, and/or a California Certified Hydrogeologist /or a California licensed Civil Engineer, or Registered Geologist with a minimum of five (5) years of experience in groundwater hydrology are eligible to be approved hydrologists.

#### Elements of the Hydrological Study

The hydrological study should include consideration of local geology and hydrology, documentation of current groundwater development, estimation of water use by the development, a pump test, assessment of on-site availability of groundwater, analysis of potential impacts of the proposed groundwater development, and an analysis of cumulative effects to hydrologically contiguous wells. The hydrological study should be documented in a report summarizing the information and analyses, and should include appendices containing supporting data. The following report outline is suggested:

- Introduction

The introduction should include: 1) a description of the project, 2) a description of the location of the proposed development with respect to contiguous properties and wells, and 3) location and site maps. The well head location and elevation should be surveyed in using a benchmark and datum acceptable to MCCSD.

- **Estimated Water Allotment**

The water allotment for the proposed development shall be calculated from the Groundwater Extraction Permit Ordinance Water Use Standard. The allotment is based on the size and type of proposed development described in the Water Use Standard.

- **Hydrological Setting**

Include a summary of the local hydrological setting, site characteristics, and present groundwater use on the contiguous properties and current groundwater use on the proposed development parcel. Discuss the following:

- 1. Local Geology and Groundwater**

Describe the local geology and occurrence of groundwater. Locate all streams and springs on the project parcel and on contiguous parcels, and measure the spring and stream flows, or estimate their dry season flow from available reports by California Department of Water Resources, State Water Resources Control Board, and others.

- 2. Aquifer Description**

Identify the aquifer(s) to be developed. For terrace aquifers, note the extent of the aquifer, average thickness, and average storage capacity. For bedrock aquifers, and composite terrace/bedrock aquifers, provide information on weathering and fracturing, depth to hard bedrock, and other relevant information.

- 3. On-Site Hydrological Conditions**

Document on-site hydrological conditions, including geologic materials encountered during the drilling of the well, and static depth to water during the Hydrological Testing Period (see Appendix B Definitions). DWR Water Well Drillers Report(s) of the well(s) should be included.

#### 4. Existing Wells

Identify all wells on the study parcel and on contiguous parcels. Show well locations and elevations on the assessors parcel map and on the well inventory and topographic map of the Mendocino Headlands available from MCCSD show measured distances to the pumping well. Describe each well, including depth, pump setting, well construction details, geological log if available, static water level in wells, use and estimated pumpage, and water level fluctuations. Observed well interference between hydrologically contiguous wells identified in previous hydrological studies that are within the radius of influence of the test well must be included in the Hydrological Study. Geologic cross-sections illustrating information from available well logs are recommended.

- **Performance of Pump Test**

The pump test is intended to document that an adequate groundwater supply is available on the site for the proposed project and to determine any adverse effect and adverse cumulative effects on local groundwater users and the aquifer(s) as a whole. Pump testing requirements for hydrological studies are as follows:

1. **Notice Requirements for Aquifer Pump Test**

At least ten days before the beginning of the aquifer test, the District shall publish notice of the test in a local paper of general circulation in the town of Mendocino. The District shall also post notice of the aquifer test at the District Office, the Mendocino Fire House and the Mendocino Post Office ten days before the beginning of said test. At least ten days before the beginning of the aquifer pump test the District shall notify in writing all adjacent property owners along with any person who requests notice in writing. All notifications will be mailed certified-return receipt requested. The **Notice(s) of Aquifer Test** supplied by MCCSD shall be posted in conspicuous visible location(s) on the parcel where the test is to be conducted ten days prior to the test. Such notices shall inform such property owners of date, time, location and purpose of the pump test, and provide a contact name, phone number and address in the event that their wells are apparently affected by the test. The notices will emphasize the importance of response as soon as

any effects are observed. The notices shall also advise property owners that they can request that their wells be included in the monitoring process. Surrounding property owners who feel that their wells may be hydrologically contiguous may request that their wells be included in the monitoring process. Such request shall be made to the District at least 72 hours prior to beginning of the pump test. Any expense related to this monitoring of wells involved in the pump test shall be borne by the applicant. Any property owner that requests that their well be monitored must agree not to use the well during the aquifer pump test. The Superintendent shall schedule all aquifer tests that are to be conducted in the District.

## **2. Pump Testing Method**

A hydrological study aquifer pump test shall be designed and conducted by or under the supervision of an approved Hydrologist. Pump testing shall be conducted generally in accordance with the procedures outlined in the Mendocino County Coastal Groundwater Development Guidelines (Questa, Engineering, 1989), which details the test procedures for the Constant Rate and Step Drawdown Tests.

Authorization to use any other than the constant rate pump test must be obtained from the District Superintendent before conducting the actual test, and shall be based on submission of items "a", "b", and "c" below.

- a) Provide peer reviewed, multiple literature documentation showing that the substitute test provides equal or greater accuracy for predicting aquifer and well characteristics in the study area setting, compared to the constant rate pump test.
- b) Supply industry recognized literature thoroughly documenting how the substitute pump test should be conducted, and the limitations of the test.
- c) Supply industry recognized literature showing how the substitute pump test is analyzed.

The minimum pump test duration will be for 72-hours, with a 24-hour monitoring of aquifer recovery. A minimum of 10 groundwater level measurements per log cycle shall be collected from the test well and monitoring well used to determine aquifer characteristics. Water level measurements are to be accurate within 0.1-foot (or 1-inch).

The pump discharge rate is to be monitored and maintained to within 10-percent of the selected pump test rate.

Any variation from these guidelines including total length of pumping time, gaps in pumping, and variation in pump discharge, will require a technical explanation by the professional under whom the tests were performed. It should be noted that these guidelines are not rigid requirements, with the understanding that the ultimate goal of the pump test is to allow a determination of ground water availability and potential effects on the aquifer and nearby wells.

### **3. Monitoring Well(s)**

Pump testing for hydrological studies shall include water level observations in at least one monitoring well throughout the pumping period. It is recommended that at least one monitoring well be installed within the area of influence of the pumped well specifically for use in the pump test. If a monitoring well is installed specifically for the pump test, care should be taken to assure that the screened interval of the monitoring well intersects the aquifer from which the pumped well draws water. As an alternative, existing nearby water wells may be suitable as monitoring wells, provided: (a) they have a screened interval, which intersects the same aquifer as the well to be tested; (b) they are not pumped during the test. A 24-hour pre-test monitoring of water levels in the well to be pumped and in the monitoring wells is recommended. The pre-test monitoring is used to establish any background influences on groundwater levels, i.e., other pumping activities.

Throughout the full duration of the pump test and recovery period, water level measurements in the monitoring well(s) should be made at regular intervals, similar to readings taken for the pumped wells. Measurements are to be accurate within 0.1-foot.

- **Pump Test Data Analysis**

An analysis should be provided of the pump test results and other information in order to document proof of adequate water supply and to determine impacts on local water users and the regional aquifer.

1. **Well and Aquifer Characteristics**

The following calculations and data should be provided from field measurements to characterize the pumped well and local aquifer.

- a) Drawdown and Recovery. Plot aquifer drawdown and recovery curves on log paper for both the pumped well and monitoring well(s). The curves should be presented for easy comparison. Tabulate all time, water level, and pump rate data in an appendix.
- b) Transmissivity and Storativity. Compute transmissivity and storativity for the local aquifer using the Theis equation, Cooper-Jacobs method (Todd, 1980) or other appropriate techniques. Document methodology, including equations and assumptions, and interpretations. If pump testing data analysis software is used, provide information on the software (program name and synopsis).
- c) Well Efficiency and Specific Capacity. Compute well efficiency and the specific capacity of the well, if appropriate (Todd, 1980).

**2. Proof of Adequate Water Supply**

The observed pump rate during the pump test should be a minimum of 2.5 times the estimated daily water use allotment to establish proof of an adequate water supply for the proposed development.

**3. Aquifer Effects**

The observed and computed drawdown at neighboring wells or installed monitoring wells will provide the basis for assessing the extent of adverse effects and adverse cumulative effects on the aquifer and wells on surrounding properties.

a) Evaluation Criteria for Adverse Effects and Adverse Cumulative Effects

Adverse Effect: An adverse effect on the water table or aquifer shall be considered to occur if the pump rate during the aquifer test results in an aquifer drawdown at the well of an adjacent property or at a well within the radius of influence which amounts to more than 10-percent of the available water column at such well.

Adverse Cumulative Effect: An adverse cumulative effect will be considered to occur when the sum of incremental drawdown(s) from the



current test well(s) and test well(s) from previously approved hydrological studies:

- 1) amounts to more than 10-percent of the maximum available water column at a hydrologically contiguous well.

The cumulative effect is based on the calculated drawdown using:

- 1) the aquifer parameters computed for each well when the well was tested,
- 2) the aquifer conditions for the current test,
- 3) the pump rate for the drawdown calculation for each test well that is equivalent to their approved allotment, and
- 4) a three day pumping period for the calculation.

This analysis assumes that adjacent wells or wells within the radius of influence operate under similar hydrogeologic conditions and physical characteristics as the pumped well, unless evidence to the contrary is available. If more than one well is proposed; it must be demonstrated by calculations, or by actual pump testing, that the cumulative drawdown effect from all wells will be less than 10-percent of the available water column at adjacent wells or wells within the radius of influence.

b) Pump Test Results. Aquifer drawdown at all wells within the radius of influence of the production well in the study area shall be reported or computed for conditions during pump testing. Various procedures for computing drawdown and the zone of influence of the pumping well are provided in Appendix A of the Mendocino County Coastal Groundwater Development Guidelines, 1989.

c) Projected Drawdown. The projected drawdown effect on the aquifer and the adjacent wells should also be estimated for the following conditions: 1) maximum day water use demand, 2) 90-day dry weather conditions, and 3) 180-day drought conditions.

#### 4. Regional Aquifer Impact

To evaluate the regional impact on the aquifer, the expected annual pumpage of the well should be computed. If the well penetrates a terrace aquifer, compare the annual well pumpage amount to the storage capacity of the local

aquifer and annual recharge as estimated from water balance calculations. Refer to the Groundwater Modeling Study of the Mendocino Headlands (Questa Engineering and ETIC, June 2004) for additional background information. The Regional Aquifer Impact determination is for informational purposes and for use by MCCSD in further developing and implementing a groundwater management plan, and will not be the basis for issuing the groundwater extraction permit.

- **Mitigation of Adverse Effect And Adverse Cumulative Effect**

Mitigation measures that eliminate adverse effects and adverse cumulative effects on hydrologically contiguous wells shall be included in the hydrological study.

- **Conclusions**

Conclusions should include: 1) comparison of the estimated water allotment for the proposed development and the well capacity used to establish proof of an adequate water supply for the development; 2) summary of effects on hydrologically contiguous wells; and, 3) comparison of annual well pumpage and storage capacity of the aquifer to assess the impact of the well on available groundwater supply.

- **Appendices**

Appendices should include all relevant pump test data and well logs, as well as letters or other communications from nearby well owners, and written responses.

#### **Peer Review of Hydrological Studies**

The District shall refer the hydrological study to an approved hydrologist for review. This review shall include, but not be limited to, consideration of adherence to testing conventions, completeness of data, adequacy of the groundwater supply for the proposed development or change in use, cumulative impact on the District's groundwater resources, and any reported adverse effects and adverse cumulative effects to hydrologically contiguous wells. The applicant shall pay a fee as determined by the Board to cover the cost of such review. The hydrological review and the initial study shall then be submitted to the Board for consideration.

#### **REFERENCES**

1. Calif. Dept of Water Resources (DWR) Town of Mendocino Groundwater Study, June 1985, 53 pp
2. Driscoll, F. G., Groundwater and Wells, 1995.
3. Questa Engineering Corp., Mendocino County Coastal Groundwater Development Guidelines, 1989
4. Questa Engineering Corp. and ETIC, Inc. Groundwater Modeling Study of the Mendocino Headlands, Mendocino, Calif., Consultant Report prepared for MCCSD, June 2004
5. Todd, David Keith, Groundwater Hydrology, 1980 2nd edition, John Wiley & Sons, New York, 535p.

## Appendix B

### DEFINITIONS

**ADEQUATE WATER SUPPLY:** Sufficient quantities of water to support proposed uses and to maintain contiguous and surrounding uses. Adequate water supply is 2.5 times the daily water use allotment established by this Ordinance for the project involved.

**ADJACENT:** Any real property parcels that shares a common border with an applicant's parcel and all surrounding parcels that are separated by a road or easement.

**ADVERSE CUMULATIVE EFFECT:** An adverse cumulative effect will be considered to occur when the sum of incremental drawdown(s) from the current test well(s) and test well(s) from previously approved hydrological studies:

- 1) amounts to more than 10-percent of the maximum available water column at a hydrologically contiguous well.

The cumulative effect is based on the calculated drawdown using:

- 1) the aquifer parameters computed for each well when the well was tested,
- 2) the aquifer conditions for the current test,
- 3) the pump rate for the drawdown calculation for each test well that is equivalent to their approved allotment.
- 4) a three day pumping period for the calculation.

**ADVERSE EFFECT:** An adverse effect on the water table or aquifer shall be considered to occur if the pump rate during the aquifer test results in an aquifer drawdown at the well of an adjacent property or at a well within the radius of influence which amounts to more than 10-percent of the available water column at such well.

**ALLOTMENT:** The maximum amount of water an applicant is permitted to extract on a daily basis, as averaged over a thirty-day (30-day) period.

**APPLICANT:** Any person as defined herein who applies for a Groundwater Extraction Permit.

**AQUIFER:** A saturated bed, formation, or group of formations or strata, which yields water in sufficient quantity to be economically useful.

**AQUIFER PUMP TEST:** Physical testing for evaluation of an aquifer to determine the existence of an adequate water supply and to provide data for the hydrological study. Test to be conducted during Hydrological Testing Period.

**BOARD:** Mendocino City Community Services District Board of Directors.

**CHANGE IN USE:** Any change in use of the property to a different use category as defined in the Water Use Standard.

**CHANGED CIRCUMSTANCE:** A hydrological change that diminishes water availability within the boundaries of the Mendocino City Community Services District or any part therein.

**CLEANING:** Shall include removal of silt and other soft materials, but does not include removal of rock or rock materials.

**CONE OF DEPRESSION:** The depression, roughly conical in shape, produced in a water table by the extraction of water from a well at a given rate. The volume of the cone varies with the rate and duration of withdrawal of water.

**CUMULATIVE EFFECTS:** The sum of incremental drawdown effects by the test well(s) and by previous aquifer pumps tests performed for hydrological studies for granted Groundwater Extraction Permit Approval(s) on a hydrologically contiguous well.

**DEplete:** The lowering of groundwater levels in an aquifer to the point where there is no longer an adequate water supply for existing uses.

**DISTRICT:** Mendocino City Community Services District (MCCSD)

**EMERGENCY:** A sudden, generally unexpected occurrence or set of circumstances demanding immediate action.

**EXPANSION OF EXISTING USE:** Any increase in water usage by action other than New Development or Change of Use.

**GROUNDWATER:** That part of the subsurface water which is the zone of saturation, including underground streams.

**HYDROLOGY:** The science that deals with continental water (both liquid and solid), its properties, circulation, and distribution, on and under the Earth's surface and in the atmosphere, from the moment of its precipitation until it is returned to the atmosphere through evapotranspiration or is discharged into the ocean.

**HYDROLOGIST:** A Registered Geologist, a Certified Engineering Geologist, a Registered Hydrologist, or a Registered Civil Engineer with a minimum of five (5) years of experience in groundwater hydrology and hydrological studies.

**HYDROLOGICALLY CONTIGUOUS WELL:** Any well serving a contiguous or surrounding property where such well is hydraulically connected to the pumping well where there is a reasonable expectation of well interference during the aquifer test or increase in water extraction.

**HYDROLOGICAL STUDY:** A study of the hydrology of a defined area.

**HYDROLOGICAL TESTING PERIOD:** The hydrological testing period will commence on August 20 of any given year and will terminate when 6 inches of rainfall has been recorded beginning August 1<sup>st</sup> of the same year, as measured on the Community Services District's rain gauge. After December 31<sup>st</sup>, if 6 inches of rainfall has not been recorded, the testing period will be extended and will terminate when 7 inches of rain has fallen since August 1<sup>st</sup> of the prior year. After January 31<sup>st</sup>, if 7 inches has not been recorded, additional extension will allow hydrological testing until 8 inches has fallen as measured from August 1<sup>st</sup> of the prior year. After February 28<sup>th</sup>, termination of the testing period will occur when 9 inches of rain has fallen or March 31<sup>st</sup>, whichever comes first. During the defined testing period, no hydrological testing will be allowed for 5 consecutive days following a recorded rainfall of 1 inch or more. Testing may be resumed after the 5-day waiting period, provided that the total rainfall has not exceeded the above-defined limits of the hydrological test period. The hydrological test period as defined may be modified by Board action in case of unusual rainfall patterns.

**LIMITED INCREASE:** A limited increase is the quantity of water required for "new development", "change in use", or "expansion of existing use", as defined by the Water Use Standard adopted by the Board. A limited increase is determined by the increased water demand for the proposed project. As calculated from the Water Use Standard, a limited increase shall not exceed:

1. 30% of an existing water demand that is less than or equal to 320 gallons per day.
2. 10% of an existing water demand that is greater than 320 gallons per day.

As a condition of approval for an exception to the hydrological study requirement, the applicant agrees not to exceed the water use allotment for the current existing use. A limited increase only applies to Section 4(b) of the ordinance. Following the issuance of a Groundwater Extraction Permit under Section 4(b) Exceptions to Hydrological Study Requirements, future "new development", "change in use", or "expansion of existing use", which result in a limited increase in water demand, may require approval of a Hydrological Study prior to issuance of a new Groundwater Extraction Permit to review the effect that incremental development may have on adjacent wells or the aquifer.

**MINOR REPAIR AND MAINTENANCE:** Repair and maintenance to the existing well structure or equipment. Minor repair and maintenance does not include deepening the well or replacing the casing in the well. Minor repair and maintenance includes painting or minor repairs to structures, replacement of windows, floor coverings, and interior and exterior siding, and repair and replacement of roofs. Construction of a foundation under an existing structure is not considered minor repair and maintenance.

**NEW DEVELOPMENT:** Development of any new water source, division of an existing parcel, or any project, which requires a building or use permit according to Mendocino County regulations.

**PERSON:** Includes any state or local governmental agency, private corporation, partnership, individual, group of individuals, owner(s) or developer(s) of a property subdivision, or, to the extent authorized by law, any federal agency.

**RADIUS OF INFLUENCE:** Is the horizontal distance from the center of a pumping well to the limit of the cone of depression.

**SAFE YIELD:** The maximum quantity of water that is allotted in the Groundwater Extraction Permit Water Use Standard for the proposed development, which can be withdrawn from an aquifer without causing an undesirable effect.

**SUSTAINED YIELD:** Is the maximum pumping rate that a pump can remove water from a well without lowering the water level in the well below the pump intake. A sustained yield in a well exists when drawdown stabilizes and equilibrium conditions are achieved during the aquifer test.

**WATER DEMAND:** Is the quantity of water use calculated from the Water Use Standard for all uses on a parcel. Existing allotments may be greater than or less than the parcel water demand.

**WATER METER:** Any water-measuring device or any other reasonable method used to accurately measure groundwater extraction that is approved by the District.

### Appendix C Water Use Standard

1-2 Bedroom Residential ESD = 200 gal/day

Category number	User Category	ESD/Unit	Gal/Unit	Unit Description
	<b>Residential:</b>			
1	Residence w/ 1-2 bedrooms	1.0	200	gal/d per 1-2 bdr. residence
	Each additional bedroom	0.3	60	gal/d per additional bedroom
2	Apartment	1.0	200	gal/d per 1-2 bdr. residence
3	Guest Cottage	0.5	100	gal/d per unit
	<b>Commercial Visitor Accommodation:</b>			
4	Sleeping Unit	0.6	120	gal/d per unit
5	Vac. Home or Single Unit Rental	1.0	200	gal/d per 1-2 bdr unit
	Each additional bedroom	0.3	60	gal/d per additional bedroom
	<b>Inns, Hotels, B&amp;B's, Motel</b>			
6	Dwelling Unit, w/ kit.	0.8	160	gal/d per unit
7	Dwelling Unit, w/ kit., laundry	1.0	200	gal/d per unit
8	Sleeping Unit w/o kit.	0.6	120	gal/d per unit
9	Sleeping Unit w/o kit., laundry	0.8	160	gal/d per unit
	<b>Commercial Business:</b>			
	<b>Cottage Ind./Home Occupation</b>			
10	Residence	1.0	200	gal/d per residence
11	Business Portion of Residence	0.00075	0.15	gal/d/ft <sup>2</sup>
12	Retail Store/Gallery/Office	0.00075	0.15	gal/ft <sup>2</sup> work or display area
13	Library	1.0	200	gal/d per unit
	<b>Food and Beverage Establishments</b>			
14	Full Service w/ bar	0.017	3.4	gal/d/ft <sup>2</sup> dining area
15	Full Service w/o bar	0.0145	2.9	gal/d/ft <sup>2</sup> dining area
16	No Service, w/seats, no dish washing	0.0105	2.1	gal/d/ft <sup>2</sup> dining area
17	No On-Premise Consumption	0.0105	2.1	gal/d/ft <sup>2</sup> work area
	<b>Bar</b>			
18	Bar area, per linear foot	0.0335	6.7	gal/d/linear ft of bar
19	Patron area	0.007	1.4	gal/d/ft <sup>2</sup> patron area
20	Laundromat	2	400	gal/d/machine
21	Service Station/Garage	5.0	1,000	gal/d/service station
22	Grocery Store	0.001	0.2	gal/d/ft <sup>2</sup> display & work area



Appendix C Water Use Standard				
Category number	User Category	ESD/Unit	Gal/Unit	Unit Description
	<b>Commercial Business:</b>			
	<b>Churches</b>			
23	Church w/ kit.	0.025	5	gal/d/seat
24	Church w/o kit.	0.015	3	gal/d/seat
25	Hall/ Auditorium	0.015	3	gal/d/seat
26	Theater	0.025	5	gal/d/seat
	<b>School:</b>			
27	Rainbow School	0.075	15	gal/d/student
28	Government Office/ Building	0.00075	0.15	gal/d/ft <sup>2</sup> office or work area
	<b>Personal Services</b>			
29	Hair Salons	0.005	1	gal/d/ft <sup>2</sup> work area
30	Hot Tubs	0.0075	1.5	gal/d/ft <sup>2</sup> work area
	<b>Miscellaneous:</b>			
31				
32	Ballpark	4	800	gal/d per unit
33	Mendo. Coast Park & Rec.	0.00075	0.15	gal/d/ft <sup>2</sup>
34	Headlands State Park	10.00	2,000	gal/d
35	MFPD Station	1	200	gal/d per station
36	Veterinary Clinic	0.0039	0.77	gal/d/ft <sup>2</sup>

Other uses not defined herein shall be determined by the Board of Directors.

## **Appendix D Water Use Standard Definitions**

**Additional Residence** shall mean occupancy, by non-transient residents, of a second dwelling unit on a parcel, attached to or detached from the primary residence or commercial business, with provisions for, sleeping, eating, cooking, and sanitation. Typical uses include an apartment or studio.

**Bar** shall mean an establishment or place of business primarily engaged in the sale of prepared food or beverages for on premises consumption.

**Bed & Breakfast** shall mean any building or portion thereof or group of buildings containing no more than four (4) dwelling units or sleeping units, which are designed or intended to be used, let, or hired out for occupancy by transient guests for compensation or profit, with the express permission of the owner, wherein breakfast may be provided for compensation or profit.

**Cottage Industry** shall mean a secondary use of a parcel containing a Single Family Residence, which is the primary residence of the owner or operator of the Cottage Industry. No Cottage Industry may occupy more than 640 square feet of area within any building or buildings on the same parcel and not more than 10 customers or clients shall come to the parcel for service or products during any one-day. Specific standards are:

1. Not more than one (1) outside person may be employed on the premises in addition to the members of the family residing on the premises;
2. The Cottage Industry shall be a secondary use of a parcel containing a Single Family Residence or Dwelling Unit as a principal residence of the owner or operator of the Cottage Industry.
3. No Cottage Industry permitted pursuant to the Ordinance may occupy more than 640 square feet of area within any building or buildings on the same parcel.
4. Not more than ten (10) customers or clients shall come to the residence for service or products during any one-day.

**Detached Bedroom** shall mean a separate incidental structure containing one (1) room only without a kitchen or sanitation facilities, designed for and intended to be used as a sleeping or living facility for family members to be used in conjunction with a main structure which includes kitchen and sanitation facilities. A detached bedroom shall be located no farther than one hundred fifty (150) feet from the main structure, and shall not exceed five hundred (500) square feet of floor area.

**Dwelling Unit** shall mean a living space, which provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation.

**Equivalent Single-Family Dwelling (ESD)** shall mean a 1-2 bedroom single-family residence in the District's with a water demand of 200 gallons per day or one ESD.

**Food and Beverage Establishments shall mean:**

- 1) Full Service w/ Bar: Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages for on-premise consumption with a bar and full service.
- 2) Full Service w/o Bar: Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages for on-premise consumption without a bar and with full service.
- 3) No Service: Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages for on-premise consumption with seating and no dish washing and no service.
- 4) No On-Premise Consumption: Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages, and which no consumption of the product occurs on the premises.

**Gallery** shall mean an establishment that engages in the retail sale of art or specialty items.

**Guest Cottage** shall mean a living space without provisions for cooking, with provisions for sleeping, and sanitation, and where the person or persons are guest(s) of the regular occupants of the primary residence. Living space shall be restricted to 640 sq. ft.

**Home Occupation** shall mean an accessory use within a Single Family Residence for gainful employment, which involves the manufacture, provision or sale of goods and/or services, where such uses are clearly incidental and secondary to the use of the Single Family Residence for residential purposes, and must not change the character thereof, or adversely affect the residential or rural nature of its surroundings. Specific Standards are:

1. No person other than members of the family residing on the premises shall be engaged in such occupation;
2. No additional water or sewer demands will be created by the use;
3. The Home Occupation shall be incidental and subordinate to its use for residential purposes and not more than 25 % of the floor area of the residence shall be used for such occupation. Use of any accessory building or garage for these purposes shall be prohibited.
4. No more than ten (10) customers or clients shall come to the residence for service or products in any one-day.

**Hotel** shall mean any building or portion thereof containing five (5) or more dwelling units or sleeping units each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit wherein meals may be provided for compensation or profit.

**Inn** shall mean any building or portion thereof or group of buildings containing five (5) or more dwelling units or sleeping units each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit, and where regular meals may be provided for compensation or profit.

**Motel** shall mean any building or portion thereof or group of buildings containing five (5) or more dwelling units or sleeping units where such units are directly accessible from an outdoor

parking area and where each is used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit.

**Office** shall mean private firms or organizations, which are primarily used for the provision of professional, executive, management, or administrative services.

**Personal Services** shall mean an establishment or place of business primarily engaged in the provision of services of a personal nature. Typical uses include: beauty salon, barbershop, massages studio, or dance studio.

**Retail Store** shall mean a business that is engaged in the sale or rental of commonly used goods and merchandise for personal or household use.

**Single Family Residence** shall mean the occupancy of the primary residential unit of a parcel on a non-transient basis, and the dwelling unit shall provide provisions for sleeping, eating, cooking, and sanitation.

**Single Unit Rental** shall mean the rental of an attached or detached structure (not the primary residence or business) on a parcel for Visitor Accommodations for transient guests for compensation or profit (30 days or less), and shall provide provisions for sleeping, sanitation, and with eating and cooking.

**Sleeping Unit** shall mean a living space, which provides living facilities for one or more persons, but does not include provisions for cooking and eating within the unit.

**Vacation Home Rental** shall mean the rental of Single Family Residence for 30 days or less where the only use on the property is for Visitor Accommodations, to be let or hired as an entire unit for occupancy by transient guests for compensation or profit, and limited to one unit per parcel.

**Veterinary Clinic** shall mean an establishment or place of business primarily engaged in the provision of medical, diagnostic, surgical, dental, and therapeutic services to pet, companion, domestic, exotic, wildlife, and livestock animals.

**Visitor Accommodations** shall mean establishments engaged in the provision of lodging services on a less than monthly basis, which may provide incidental food and drink intended for the convenience of the guests.

## ORDINANCE NO. 2016-1

### ORDINANCE OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT AMENDING ORDINANCES NO. 74-1, 78-1, 79-1, 86-4, 88-1, 89-1, 91-4, 95-1, 00-2, 01-2, 04-4, and 07-2 OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT ESTABLISHING RIGHT-OF-USE CAPACITY CHARGE

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WHEREAS, the Right-of-Use Capacity Charge Ordinance No. 74-1, has been amended by Ordinances 78-1, 79-1, 86-4, 88-1, 89-1, 91-4, 95-1, 00-2, 01-2, 04-4, and 07-2; and

WHEREAS, a Right-of-Use Capacity Charge is to be charged to all persons that discharge to the public sewer system or expand existing uses or change the use of properties previously connected to the public sewer system; and

WHEREAS, the District has adopted the concept of the equivalent single-family dwelling (ESD), which is based on a two-bedroom single-family residence under the District's User Category Index. A two-bedroom residence places a theoretical load on the District's wastewater treatment system of 200 gallons per day or one ESD of wastewater loading. Other uses are rated a fraction or multiple of one ESD based on their estimated load on the District's wastewater treatment system. The Board of Directors believes that treating users the same for treating the same volume of usage is equitable and brings parity to the system; and

WHEREAS, to distinguish among user groups, the District has established Sewer Right-of-Use Definitions (as attached in Exhibit A, which is hereby incorporated by reference); and

WHEREAS, to equitably establish capacity charge costs among user groups, the District has developed a User Category Index, which lists various types of uses and their estimated impact on the District's facilities. Please see the attached Exhibit B, which is hereby incorporated by reference. These estimates of user groups loading were developed based on the User Category Index and on the District's Water Use Standards, which are used to determine allotments for groundwater extraction permits in Mendocino; and

WHEREAS, the District has developed a six year Right-of-Use Capacity Charge schedule based on the recommendations presented in the May 2016 Sewer System Capacity Charge Report prepared by SHN Engineers & Geologists.

Based on the foregoing, the Board of Directors of the Mendocino City Community Services District hereby **ORDAINS AS FOLLOWS:**

The Right-of-Use Capacity Charge shall authorize a user to discharge to the MCCSD Sewerage System, and a Right-of-Use Capacity Charge shall be based on the User Category Index in Exhibit B. The baseline residential or Equivalent Single-Dwelling (ESD) Right-of-Use Capacity Charge is \$2,858 per ESD. The \$2,858

per ESD Right-of-Use Capacity Charge is the average of the six year schedule of charges found in Table 2 of the May 2016 SHN Engineering & Geologists' Sewer System Capacity Charge Report.

All sewer Right-of-Use Capacity Charges for other Residential and Commercial uses defined in Exhibit A and listed in Exhibit B shall be a fraction or a multiple of the baseline one ESD Right-of-Use Capacity Charge.

The Board shall determine the Right-of-Use Capacity Charge for Residential or Commercial uses not defined herein. Certain discharges are not allowed pursuant to MCCSD Ordinance 09-2, and applicants should review said ordinance prior to applying for a sewer hookup.

Additional Right-of-Use shall be charged for change of use, additional new use or expansion of existing use that increases the water demand on the parcel. If a current use is abandoned, a credit for the amount paid will be applied against the new use(s) Right-of-Use Capacity Charge. The credit for the original amount paid for the abandoned Right-of-Use Capacity Charge only applies when there is an increase in the water demand on the parcel.

There shall be an additional Right-of-Use Capacity Charge for each additional new use, change of use, or expansion of existing use applied for that increases the parcel water demand. There will be no additional Right-of-Use Capacity Charge for a change of use that does not increase the parcel water demand.

Applicants for multiple commercial uses contained on one application shall be charged for each use.

The District shall have the same enforcement powers and remedies for the collection of these fees as it has for the collection of other monthly charges. This ordinance shall be published once in the Mendocino Beacon, a newspaper of general circulation published within the District. The new Right-of-Use Capacity Charge contained hereby shall take effect on August 25, 2016.

This Ordinance was introduced at a meeting of the Board of Directors on June 27, 2016, and adopted by the Board of Directors on July 25, 2016 by the following vote:

AYES: Directors  
NOES: None  
ABSENT: None

\_\_\_\_\_  
Roger Schwartz  
President of the Board

ATTEST:

\_\_\_\_\_  
Jodi Mitchell  
District Secretary

## Exhibit A

### Sewer Service Charge Definitions

**Additional Residence** shall mean occupancy, by non-transient residents, of a second dwelling unit on a parcel, attached to or detached from the primary residence or commercial business, with provisions for, sleeping, eating, cooking, and sanitation. Typical uses include an apartment or studio.

**Bar** shall mean an establishment or place of business primarily engaged in the sale of prepared food or beverages for on-premises consumption.

**Bed & Breakfast** shall mean any building or portion thereof or group of buildings containing no more than four (4) dwelling units or sleeping units, which are designed or intended to be used, let, or hired out for occupancy by transient guests for compensation or profit, with the express permission of the owner, wherein breakfast may be provided for compensation or profit.

**Cottage Industry** shall mean a secondary use of a parcel containing a Single Family Residence, which is the primary residence of the owner or operator of the Cottage Industry. No Cottage Industry may occupy more than 640 square feet of area within any building or buildings on the same parcel and not more than 10 customers or clients shall come to the parcel for service or products during any one-day. Specific standards are:

1. Not more than one (1) outside person may be employed on the premises in addition to the members of the family residing on the premises;
2. The Cottage Industry shall be a secondary use of a parcel containing a Single Family Residence or Dwelling Unit as a principal residence of the owner or operator of the Cottage Industry.
3. No Cottage Industry permitted pursuant to the Ordinance may occupy more than 640 square feet of area within any building or buildings on the same parcel.
4. Not more than ten (10) customers or clients shall come to the residence for service or products during any one day.

**Detached Bedroom** shall mean a living space for family members of the regular occupants of the primary residence, and that has independent provisions for sleeping within the detached structure, but lacks provisions for cooking and eating or sanitation.

**Dwelling Unit** shall mean a living space, which provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation.

**Equivalent Single-Family Dwelling (ESD)** shall mean the theoretical load from a 1-2 bedroom single-family residence on the District's wastewater treatment system of 200 gallons per day or one ESD.

**Food and Beverage Establishments** shall mean:

1. Full Service w/ Bar Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages for on-premises consumption with a bar and full service.

2. Full Service w/o Bar: Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages for on-premises consumption without a bar and with full service.
3. No Service: Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages for on-premises consumption with seating and no dish washing and no service.
4. No On-Premise Consumption: Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages, and in which no consumption of the product occurs on the premises.

**Gallery** shall mean an establishment that engages in the retail sale of art or specialty items.

**Guest Cottage** shall mean a living space without provisions for cooking, with provisions for sleeping, and sanitation, and where the person or persons are guest(s) of the regular occupants of the primary residence.

**Home Occupation** shall mean an accessory use within a Single Family Residence for gainful employment, which involves the manufacture, provision or sale of goods and /or services, where such uses are clearly incidental and secondary to the use of the Single Family Residence for residential purposes, and must not change the character thereof, or adversely affect the residential or rural nature of its surroundings. Specific Standards are:

1. No person other than members of the family residing on the premises shall be engaged in such occupation;
2. No additional water or sewer demands will be created by the use;
3. The Home Occupation shall be incidental and subordinate to its use for residential purposes and not more than 25 % of the floor area of the residence shall be used for such occupation. Use of any accessory building or garage for these purposes shall be prohibited.
4. No more than ten (10) customers or clients shall come to the residence for service or products in any one day.

**Hotel** shall mean any building or portion thereof containing five (5) or more dwelling units or sleeping units each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit wherein meals may be provided for compensation or profit.

**Inn** shall mean any building or portion thereof or group of buildings containing five (5) or more dwelling units or sleeping units each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit, and where regular meals may be provided for compensation or profit.

**Motel** shall mean any building or portion thereof or group of buildings containing five (5) or more dwelling units or sleeping units where such units are directly accessible from an outdoor parking area and where each is used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit.

**Office** shall mean private firms or organizations, which are primarily used for the provision of professional, executive, management, or administrative services.



**Personal Services** shall mean an establishment or place of business primarily engaged in the provision of services of a personal nature. Typical uses include: beauty salon, barbershop, massage studio, or dance studio.

**Retail Store** shall mean a business that is engaged in the sale or rental of commonly used goods and merchandise for personal or household use.

**Single Family Residence** shall mean the occupancy of the primary residential unit of a parcel on a non-transient basis, and the dwelling unit shall provide provisions for sleeping, eating, cooking, and sanitation.

**Single Unit Rental** shall mean the rental of an attached or detached structure (not the primary residence or business) on a parcel for Visitor Accommodations for transient guests for compensation or profit (30 days or less), and shall provide provisions for sleeping, sanitation, and with or without eating and cooking.

**Sleeping Unit** shall mean a living space, which provides living facilities for one or more persons, but does not include provisions for cooking and eating within the unit.

**Vacation Home Rental** shall mean the rental of Single Family Residence for 30 days or less where the only use on the property is for Visitor Accommodations, to be let or hired as an entire unit for occupancy by transient guests for compensation or profit, and limited to one unit per parcel.

**Veterinary Clinic** shall mean an establishment or place of business primarily engaged in the provision of medical, diagnostic, surgical, dental, and therapeutic services to pet, companion, domestic, exotic, wildlife, and livestock animals.

**Visitor Accommodations** shall mean establishments engaged in the provision of lodging services on a less than monthly basis, which may provide incidental food and drink intended for the convenience of the guests.

## Exhibit B User Category Index

1-2 Bedroom Residential ESD = 200 gal/day

Category number	User Category	ESD/Unit	Gal/Unit Loading	Unit Description
	<b>Residential:</b>			
1	Residence w/ 1-2 bedrooms	1.0	200	gal/d per 1-2 bdr. residence
	Each additional bedroom	0.3	60	gal/d per additional bedroom
2	Apartment	1.0	200	gal/d per 1-2 bdr. residence
3	Guest Cottage	0.5	100	gal/d per unit
4	Sleeping Unit	0.6	120	gal/d per unit
	<b>Commercial Visitor Accommodation:</b>			
5	Vac. Home or Single Unit Rental	1.0	200	gal/d per unit
	<b>Inns, Hotels, B&amp;B's, Motel</b>			
6	Dwelling Unit, w/ kit.	0.8	160	gal/d per unit
7	Dwelling Unit, w/ kit., laundry	1.0	200	gal/d per unit
8	Sleeping Unit w/o kit.	0.6	120	gal/d per unit
9	Sleeping Unit w/o kit., laundry	0.8	160	gal/d per unit
	<b>Commercial Business:</b>			
	<b>Cottage Ind./Home Occupation</b>			
10	Residence	1.0	200	gal/d per residence
11	Business Portion of Residence	0.00075	0.15	gal/d/ft <sup>2</sup>
12	Retail Store/Gallery/Office	0.00075	0.15	gal/ft <sup>2</sup>
13	Library	1.0	200	gal/d per unit
	<b>Food and Beverage Establishments</b>			
14	Full Service w/ bar	0.017	3.4	gal/d/ft <sup>2</sup> dining area
15	Full Service w/o bar	0.0145	2.9	gal/d/ft <sup>2</sup> dining area
16	No Service, w/seats, no dish washing	0.0105	2.1	gal/d/ft <sup>2</sup> dining area
17	No On-Premise Consumption	0.0105	2.1	gal/d/ft <sup>2</sup> work area
	<b>Bar</b>			
18	Bar area, per linear foot	0.0335	6.7	gal/d/linear ft of bar
19	Patron area	0.007	1.4	gal/d/ft <sup>2</sup> patron area
20	Laundromat	2	400	gal/d/machine
21	Service Station/Garage	5.0	1,000	gal/d/service station
22	Grocery Store	0.001	0.2	gal/d/ft <sup>2</sup> display & work area

<b>Exhibit B User Category Index</b>				
Category number	User Category	ESD/Unit	Gal/Unit Loading	Unit Description
	<b>Commercial Business:</b>			
	<b>Churches</b>			
23	Church w/ kit.	0.025	5	gal/d/seat
24	Church w/o kit.	0.015	3	gal/d/seat
25	<b>Hall/ Auditorium</b>	0.015	3	gal/d/seat
26	<b>Theater</b>	0.025	5	gal/d/seat
	<b>School:</b>			
27	MUSD/ Rainbow School	0.075	15	gal/d/student
28	<b>Government Office/ Building</b>	0.00075	0.15	gal/d/ft <sup>2</sup> office or work area
	<b>Personal Services</b>			
29	<b>Hair Salons</b>	0.005	1	gal/d/ft <sup>2</sup> work area
30	<b>Hot Tubs</b>	0.0075	1.5	gal/d/ft <sup>2</sup> work area
	<b>Miscellaneous:</b>			
31				
32	<b>Ballpark</b>	4	800	gal/d per unit
33	<b>Mendo. Coast Park &amp; Rec.</b>	0.00075	0.15	gal/d/ft <sup>2</sup>
34	<b>State Park</b>	40.00	8,000	gal/d
35	<b>MFPD Station</b>	1	200	gal/d per station
36	<b>Veterinary Clinic</b>	0.0039	0.77	gal/d/ft <sup>2</sup>

Other uses not defined herein shall be determined by the Board of Directors.



## Work Authorization

### Work Authorization No. 10: WWTP Outfall Effluent Dilution Evaluation

The Scope of Work described in this Work Authorization is governed by the terms and conditions of the Master Services Agreement ("Agreement") dated 11th day of November 2021, between GHD Inc. ("GHD") and Mendocino City Community Services District ("Client").

Scope of Work	The scope of Services to be provided by GHD, in connection with this Work Authorization, is as follows:
Services Description	<p>The current NPDES Discharge Permit R1-2022-0001 for the MCCSD WWTP requires the completion of an Effluent Discharge Evaluation to determine the dilution ratio within the zone of initial dilution, demonstrate that MCCSD meets all the requirements of the 2019 California Ocean Plan establishment of the zone of initial dilution, and demonstrate that effluent discharge does not negatively impact aquatic life and recreational beneficial uses in the vicinity of the outfall and zone of initial dilution. MCCSD is required to meet a minimum dilution ratio of 100:1 in the zone of initial dilution. Compliance with the water quality objectives of the 2019 California Ocean Plan must be determined from samples collected at stations representative of the area within the waste field where initial dilution is completed.</p> <p>The scope of services for this task order consists of two tasks.</p> <p><b>Task 1 Initial Dilution Ratio Review:</b> This task is to establish a defensible basis by desktop analysis for confirming the existing dilution ratio. GHD will review existing documents and monitoring data to determine if sufficient information is available to confirm the currently approved dilution ratio of 100:1 is being achieved. Following this desktop review, GHD will assess whether sufficient information exists to confirm the dilution ratio and notify MCCSD. If enough information is available, GHD will prepare a brief technical memorandum summarizing the review and confirming the dilution ratio is achieved. If insufficient information is available, GHD will request authorization to proceed with the mixing zone analysis as described in Task 2.</p> <p><b>Task 2 Mixing Zone Analysis:</b> In this task, GHD will perform a mixing zone analysis based on the WWTP's range of effluent discharge rates and other available documentation of the existing outfall such as previous outfall inspection reports. The analysis will be performed in accordance with the requirements stipulated in the NPDES Permit and generally following the procedures outlined by the U.S. EPA. A brief technical memorandum will be prepared summarizing the approach, methodology and results of the mixing zone study.</p>

GHD	N/A.
Subcontractor(s)	
Fee Description including markups	GHD will prepare the recommendations for a time-and-materials fee not to exceed \$17,649.00 without written approval from MCCSD.
Materials/premises to be provided by Client	Information required for the preparation of recommendations, including previous studies, pipeline inspection reports, blower information, electrical/services requirements, previous repair and replacement details, maintenance and inspection records, original construction drawings and records, and other available and relevant information.
Other information relevant to the Services	N/A.
<b>Key dates</b>	
Commencement date	[7/31/2023]
Milestones, deadlines, timelines	Draft technical memorandum submitted on or before: 9/15/2023
End date	[9/30/2023]
<b>Designated Representatives</b>	<b>During the term of this Work Authorization, matters or issues arising shall, as applicable, be directed to:</b>
GHD Representative(s)	Matthew G. Kennedy, PE
Client Representative(s)	Ryan Rhoades
<b>Additional Terms and Conditions</b>	
Special Conditions	N/A



## Work Authorization

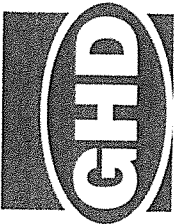
In witness whereof, GHD and Client have caused this Work Authorization to be executed by their duly authorized representatives effective **12th day of May, 2022**.

**GHD**  
**GHD Inc.**

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Matthew G. Kennedy, PE  
Vice President

**Mendocino City Community**  
**Services District**

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Ryan Rhoades  
Superintendent



**GHD - PROJECT FEE ESTIMATING SHEET**

Project Name: Effluent Discharge Dilution Evaluation Client: Mendocino City Community Services District  
 Prepared by: Matt Kennedy Date: July 25, 2023  
 Job Number: 12557202

Task / Item	LABOR CATEGORY >	LABOR COSTS								FEE COMPUTATION		
		PM \$335 /Hr	Sr. Engr \$315 /Hr	Coastal Engr \$240 /Hr	CAD Drafter \$170 /Hr	WP \$180 /Hr	PA \$180 /Hr	TOTAL HOURS	*OTHER DIRECT COSTS	Sub- con- sultant(s)	TOTAL FEE	
<b>TASK- 1.0 Initial Dilution Ratio Review</b>												
1.1 Initial Dilution Ratio Review		2	4	16		1	23	\$161.00			\$6,111.00	
<b>SUBTOTAL TASK 1.0</b>		2	4	16	0	1	23	\$161.00	\$0.00		\$6,111.00	
<b>TASK- 2.0 Mixing Zone Analysis</b>												
2.1 Mixing Zone Analysis		2	8	32		2	44	\$308.00			\$11,538.00	
<b>SUBTOTAL TASK 2.0</b>		2	8	32	0	2	44	\$308.00	\$0.00		\$11,538.00	
<b>PROJECT TOTALS</b>		4	12	48	0	3	67	\$469.00	\$0.00		\$17,649.00	

\*OTHER DIRECT COSTS include printing, photocopies, shipping and other miscellaneous direct expenses.

## Memo

**To:** Board of Directors  
**From:** Katie Bates  
**cc:** Ryan Rhoades  
**Date:** July 19, 2023  
**Re:** FY 2023-24 Budget Changes

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### Change in Income:

- Since approving the preliminary budget, we have learned District income will increase by \$5,000 due to general county property taxes.

### Change in Expenses:

- Increased Employee Health Ins costs by \$12,000. Mid-July, GSRMA notified staff of rate increases
- Increased Workman's Comp cost by \$1,123
- Decreased Repair and Maintenance by \$35,675 for roof. Insurance sent payment in early July.
- The \$100,000, approved 6/7/23 for the airline replacement, has been included in repair and maintenance

### Reserves:

- Total amount being put into reserves: \$259,037.



MENDOCINO CITY COMMUNITY SERVICES DISTRICT  
2023 2024 Proposed Budget

2023 2024 BUDGET      Dept. 1 WW      Dept.2 GWM      Dept. 3 G/Admin

OPERATING INCOME:

1	SEWER USE FEES	1,031,956	954,559	0	77,397
2	CHARGE FOR GROUNDWATER MANAGEMENT	212,777	0	182,988	29,789
3	PERMIT FEES	2,100	0	2,100	0
4	FEES TO READ WATER METER	9,000	0	9,000	0
5	HILLS RANCH SERVICE	3,000	3,000	0	0
6	WATER METER SALES	5,220	0	5,220	0
	<b>TOTAL OPERATING REVENUE:</b>	<b>1,264,053</b>	<b>957,559</b>	<b>199,308</b>	<b>107,185</b>

NON-OPERATING INCOME:

		WW	GWM	G/Admin
1	General Property Taxes	113,000	0	113,000
2	Savings Interest	3,100	0	3,100
3	Late Fees	5,000	0	5,000
	<b>TOTAL NON-OPERATING REVENUE:</b>	<b>121,100</b>	<b>0</b>	<b>121,100</b>
	<b>TOTAL REVENUE</b>	<b>1,385,153</b>	<b>957,559</b>	<b>228,285</b>

OPERATING EXPENSES:

		WW	GWM	G/Admin
<b>SALARIES:</b>				
1	WAGES	103,283	84,692	0
2	WAGES ADMIN	177,427	72,745	88,714
	<b>SALARY SUBTOTAL</b>	<b>280,710</b>	<b>157,437</b>	<b>88,714</b>
<b>BENEFITS:</b>				
3	RETIREMENT-CALPERS	28,000	16,520	7,840
4	DENTAL/OPT./HEALTH/LIFE	95,500	56,345	26,740
	<b>BENEFITS SUBTOTAL:</b>	<b>123,500</b>	<b>72,865</b>	<b>34,580</b>
5	WORKMAN'S COMP	19,123	14,628	2,009
6	CALPERS-UNFUNDED LIABILITY	41,840	24,685	11,715
7	PR TAXES	34,372	20,279	9,624
	<b>LABOR SUBTOTAL:</b>	<b>499,545</b>	<b>289,895</b>	<b>146,642</b>
<b>PROFESSIONAL SERVICES:</b>				
		WW	GWM	G/Admin
8	PROFESSIONAL FEES	18,000	18,000	0
9	LEGAL FEES	85,000	39,000	14,996
10	ACCOUNTANT/ AUDIT	18,520	0	18,520
11	GW MODEL UPDATE	0	0	0
	<b>PROFESSIONAL FEES SUBTOTAL:</b>	<b>121,520</b>	<b>57,000</b>	<b>33,516</b>
<b>UTILITIES</b>				
12	PG&E AND TRASH	82,000	78,456	0
13	TELEPHONE/ CELL /INTERNET/ WEBPAGE	5,990	0	5,990
14	BIOSOLIDS DRYER FUEL	24,000	24,000	0
	<b>UTILITES SUBTOTAL:</b>	<b>111,990</b>	<b>102,456</b>	<b>5,990</b>
<b>SUPPLIES AND MAINTENANCE</b>				
15	OUTFALL MAINTENANCE AND REPAIR	50,000	50,000	0
16	REPAIR & MAINTENANCE	134,877	94,368	1,103
17	SAFETY SUPPLY/EQUIP.	2,400	2,400	0
18	SUPPLIES/TOOLS	36,304	29,043	6,535

19	VEHICLE FUEL/MAINT	3,600	0	3,600	0
	SUPPLIES AND MAINTENANCE SUBTOTAL	227,181	175,811	43,732	7,638
20	SWRCB ANNUAL NPDES/SSO (discharge permit)	18,000	18,000	0	0
21	COUNTY PERMIT FEES	3,000	3,000	0	0
22	BIOSOLIDS DISPOSAL	2,000	2,000	0	0
23	LEGAL NOTICE/PUBLICATIONS	25,000	0	25,000	0
24	PROPERTY AND LIABILITY INSURANCE	30,000	0	0	30,000
25	LAB SUPPLIES/TESTING	22,000	21,500	500	0
26	TRAINING/EDUCATION	4,500	0	0	4,500
	TOTAL OPERATING EXPENSES:	1,064,736	643,666	192,784	228,285

NON-OPERATING EXPENSES

1	Loan Payment on Biosolids Dryer	35,380	35,380	0	0
2	Loan Payment on Plant Upgrades	79,828	79,828		

RESERVES:

3	Capital Improvement(From User Fees)	73,975	73,975		0
4	Operation and Maintenance	77,759	71,235	6,524	
5	Equipment Replacement fund (from User Fees)	53,475	53,475	0	0
	TOTAL CASH ITEMS:	320,417	313,893	6,524	0

	CASH MARGIN	0	0	0	0
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**Memo**

**To:** MCCSD Board of Directors  
**From:** District Superintendent  
**cc:** Jim Jackson  
**Date:** July 19, 2023  
**Re:** Groundwater Management Report

**The 2022-23 Rain Year**

October 1, 2022 was the beginning of the 2022-23 rain year. Average annual precipitation in Mendocino is 39.72 inches, and average rainfall in July is 0.07 inches. 0.15 inches of rainfall has been measured in the District for the month, as of July 26, 2023 (Figure 1, Table 1).

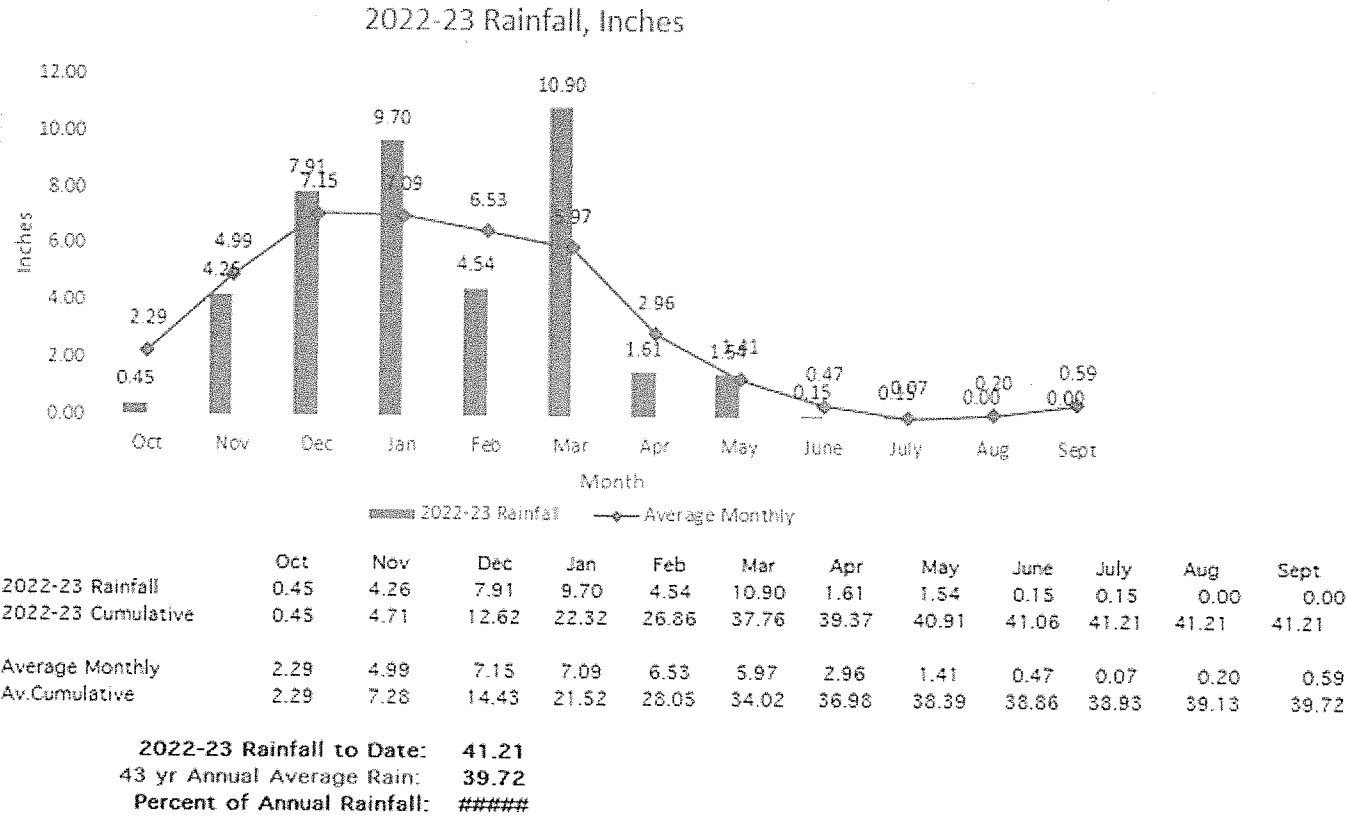


Figure 1, Table 1

Total Rainfall for Rain Year 2021-22 was 33.82" inches. Mendocino received 85% of normal annual rainfall during the last water year. By July 26, 2023, total rainfall since October 1, 2022 was 41.21" inches, 104% of average annual rainfall.

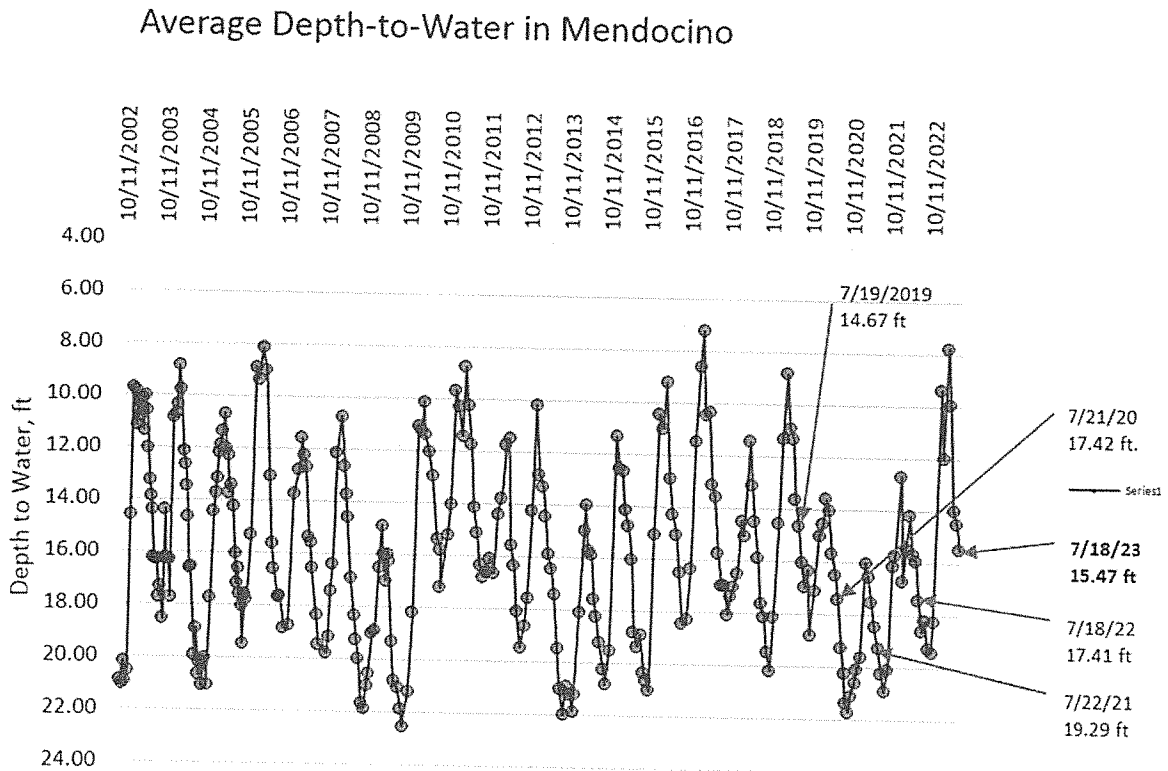
DAILY TOTAL RAINFALL													
2022-23												<i>Elevation 72 Feet</i>	
Data From: Community Service District												<i>Latitude 39.306°</i>	
Day	Oct	Nov	Dec	Jan	Feb	Mar	10AM Apr	May	Jun	Jul	Aug	Sep	<i>Longitude -123.600°</i>
1		0.05	0.03	0.04		0.01	0.04	0.2					
2				0.32	0.86	0.03	0.06	0.09		0.01			
3		0.02	0.19	0.32		0.47		0.06					
4	0.02	0.68	0.30	1.54	0.81	0.41		0.02		0.02			
5	0.01	0.07	0.31	0.24	0.02	0.5		0.33	0.01	0.02			
6	0.01	0.53	0.10	1.04	.01	0.2	0.79			0.01			
7		0.83	0.02	1.90		0.79	0.04	0.4	0.01				
8		0.13	0.19	0.45	0.01	0.07		0.39	0.05				
9			1.49	0.38	0.03	1.18	0.01	0.02		0.02			
10	0.03	0.01	0.71	0.14	0.35	0.05	0.2						
11	0.02	0.11	0.24	0.71		0.35			0.02				
12	0.02	0.03	0.02	1.28		0.46			0.01				
13	0.02	0.04	0.02	0.66		1.97				0.02			
14			0.01	0.17	0.15	1.18							
15		0.02	0.01	0.02		0.02		0.01	0.01				
16	0.01					0.01		0.01					
17	0.01					0.01		0.01					
18	0.02		0.03	0.47		0.37	0.32			0.01			
19			0.01	0.01		0.15	0.02			0.01			
20			0.01			0.35			0.02	0.01			
21	0.05		0.24		0.30	0.22							
22			0.09		0.24		0.04		0.02				
23			0.02		0.47		0.02			0.01			
24	0.02									0.01			
25					0.03								
26			1.53	0.01	0.68								
27		0.04	0.15		0.34	1.22							
28			0.16		0.25	0.52	0.01						
29			1.73			0.09	0.06						
30		1.70	0.30			0.03							
31	0.21					0.24							
Sum	0.45	4.26	7.91	9.70	4.54	10.90	1.61	1.54	0.15	0.15	0.00	0.00	
Count	13	14	25	18	14	26	12	11	8	11	0	0	
Max	0.21	1.70	1.73	1.90	0.86	1.97	0.79	0.40	0.05	0.02	0.00	0.00	
Rainy Days		152											
Maximum Daily Rainfall				1.97									41.21
													Water year Total Rainfall

Table 1 2022-23 Rainfall Record

July 2023 Depth-to-Water (DTW)

The average DTW measurements District-wide in the 24 monitoring wells on July 18, 2023 was 15.47 ‘ft., slightly better than average for the month. DTW averages are about 1.0 ft. lower than June of 2023, about 2 ft. better than July of 2022, and about 3.8 ft. better than July of 2021. Compared to an above average rain year like 2019, which received 45.64” inches, or 115% of average annual rainfall, the average depth to water in July is currently about 0.8 ft. below that of 2019.

Figure 2 July 2023, Depth-To-Water Chart



Following the Water Shortage Contingency Plan. The MCCSD Board declared on April 19, 2023 that no water shortage exists within the MCCSD boundaries. According to the Water Shortage Contingency Plan, (p. 14) “Calendar for Declaring Water Shortage,...If a water shortage is not declared by the end of May, no further evaluation is required until the following January 31.” MCCSD staff will continue to monitor and follow the plan while the Superintendent recommends continued caution and conservation.