

Bolinas Community Public Utility District

A Special Meeting Of The Board Of Directors

May 31, 2023 Firehouse Public Meeting Room, 100 Mesa Road, Bolinas

1. Call to Order.

7:41 p.m.

2. Roll.

Directors Alexander Green, Godino, McElroy, and Walker present; director Siedman absent/recused. Director Godino presiding.

Director Godino requested those present in the room to remain as silent as possible during the meeting so that those attending on Zoom will be able to hear; if someone in the room desires to speak, she asked them to do so clearly and loudly so that all can hear. Director Godino noted that translators are present to provide simultaneous translation for Spanish-speaking attendees.

3. Community Expression.

Marc Sanchez-Corea requested permission from the district, the Bolinas Community Land Trust and the Tacherra Ranch residents to film a short video to document conditions at the ranch so that the community can better understand the situation there. Director Godino thanked Marc for his offer, but said the Board cannot take any action on an item not on the agenda. She suggested permission would be most needed from the ranch owners and affected residents.

4. Coastal Permit Application (P4113); Limited Water Use Permit Application – 410 Cedar Road, Bolinas (APN 192-092-29); C. Haslerig and S. Burris (*construct a detached 608 square foot Accessory Dwelling Unit (“ADU”) and general site improvements*).

Clint Haslerig said he and his wife are seeking to build a 608 square-foot single-story building for his mother-in-law to live in and have submitted a limited water use permit application. Director Godino asked if there is any public comment on the coastal permit application; there was none. As for the limited water use permit application, staff said that pursuant to Resolution 655, the maximum water use allowed pursuant to section (a) would be 2,700 cubic feet per quarter, because the average water use at the property during the past 12 quarters is less (1,950 cubic feet).

K. McElroy/K. Walker four in favor, director Siedman absent/recused to approve a limited water use permit for 410 Cedar Road with a maximum quarterly water use limit of 2,700 cubic feet.

5. a. Coastal Permit Application (P4047) – Vacant Lot at 130 Mesa Road, Bolinas (APN 193-020-38); Bolinas Community Land Trust & County of Marin (*establish a temporary private RV trailer campground and a new on-site wastewater system*).

Director Godino explained that the BCPUD historically provides a local forum for public comment on projects pending before the County of Marin. She encouraged persons wishing to have their complete comments about this project conveyed to the County to submit them in writing directly to the County because the district will be sending only a summary of the public comments. In light of the significant attendance at the meeting and the number of people potentially interested in commenting, director Godino asked persons wishing to speak to limit their comments to three minutes. She said the Board will keep track of the time in order that everyone who wishes to speak will have the opportunity to do so. Director Godino invited the Bolinas Community Land Trust (“BCLT”) to make a brief statement about the project.

Annie O’Connor explained the BCLT is in the final process of purchasing the historic Tacherra Ranch; she said the family owners of the ranch are eager to move on to this next phase and the BCLT is negotiating the purchase with the court-appointed receiver, Larry Baskin. Annie said nearly 60 members of the Bolinas community reside at the Tacherra Ranch (some have for decades). For the near term, due to the health and safety concerns cited by the County at the ranch property (160 Mesa Road), the BCLT proposes to provide temporary emergency housing in the form of an RV trailer campground for these residents on its adjacent property at 130 Mesa Road. She emphasized that the RV trailer campground is a temporary, emergency solution for the limited purpose of safely housing the residents of the Tacherra Ranch until new permanent housing can be constructed at the ranch property. Annie said additional components of the permanent housing concept for 160 Mesa Road include agricultural uses and wetlands restoration.

Sean Kennings introduced himself as a land use planning consultant working for the BCLT. He said he believes it is important to note that the County has declared an emergency at the ranch property and that is why the BCLT is working in an expedited manner to address the County’s health and safety concerns for the residents of the Tacherra Ranch. Sean noted that there is a lot of information about the project on the County’s website and said he is happy to answer any questions.

Molly Lounibos said she fully supports a solution for the ongoing housing problems at the Tacherra Ranch, but she is not confident that the project proposed by the BCLT will meet the needs of the residents. She fears that the accumulated costs of the project will lead to monthly rent in excess of what the residents can afford. She also has serious concerns about the water needed for the project and the implications a decision by the Board tonight will have for water use in Bolinas. Molly asked how the BCPUD can assure sufficient water for this project and whether doing so threatens the water moratorium. She said the residents of the Tacherra Ranch deserve a solution that will keep them safe and secure in the future. She urged community members to contact the County to demand immediate action on behalf of the residents.

Matt Yerington said he supports the BCLT's proposed project; he said it needs to be done and it needs to be done quickly on behalf of these residents of the community. Leila Monroe said she is a neighbor to the north of the Tacherra Ranch and has been involved in efforts to find a solution and the best solution available right now is the temporary project proposed by the BCLT. She referenced discussion in the community about the project's potential impact to wetlands and said the trailers will not be placed within any wetlands and the septic system will be set back 100-feet from the wetlands. She noted that the BCLT will be remediating the dump that exists at the north end of the project site and that will also improve wetlands and ecosystem conditions. As for the water moratorium, Leila said the moratorium prohibits new connections to the water system; no new meters are proposed for this project because both 130 Mesa Road and 160 Mesa Road have water meters. Mickey Murch said he farms a portion of the Tacherra Ranch property with some of the residents and he supports the project and is excited to have the BCLT as a landlord. He referenced the agricultural cooperative envisioned as part of the permanent project at the Tacherra Ranch and said it will help ensure the resiliency of the local food system and secure housing for the community's farmworkers and food producers. He encouraged the community to support the project.

Alicia Gamez spoke next and said she is an attorney and served on a board in San Francisco that was asked to endorse an affordable housing project for displaced residents from the Western Addition; she said that board determined as a matter of law that it could not prioritize specific residents for affordable housing, so she is concerned the current residents of the Tacherra Ranch will not ultimately benefit from the proposed project. She also questioned the rushed nature of the project and whether there is any actual emergency to be addressed. Kent Khtikian said he has not yet had time to decide whether he is for or against the project, but urged the Board to carefully evaluate its decision-making with regard to this project, consistent with its own rules and regulations, and consistent with the district's moratorium on new water connections and the judicial opinion upholding it, which was grounded upon a special master assessment of the district's available water supply. He said it is critical for the Board to ensure the project's purpose is affordable housing (to comport with district regulations) and to ensure this by requiring that the property be deed restricted as affordable housing.

David Kimball reminded the community that Bolinas is "the town that fought to save itself"; it does not look at tough odds and turn its back, he said. David said the community knows there is no other place in town for this social justice project. The town has huge resources, he said, and he urged the community not to let fear dominate the discussion, but hope. He pleaded with the community to keep an open mind and support the residents who live on the property. Linda Mornell spoke next, noting she has lived in Bolinas almost 55 years and has never been prouder of the community and its welcoming of diversity, its cultivation of agricultural innovation, and its support for the BCLT.

Leo Kostelnik said that he is a former principal of the Bolinas School and schools need families; he said that this project has long been needed and very smart people are working on it and he trusts them to get it right. He said he wanted to share some words from the "Simple Sabotage Field Manual" issued by a precursor agency to the CIA in 1944; this manual was designed to help citizens in occupied countries slow things down, or sabotage them. He said some of the comments tonight seem to be right out of this manual. "Insist on doing everything through channels. Never permit shortcuts to be taken in order to expedite decisions. Make speeches. Talk as frequently as possible and at great length. . . . When possible, refer all matters to committees for further study and consideration. Attempt to make the committee as large as possible. Bring up irrelevant issues as frequently as possible. . . ." Leo said that, consciously or not, some of the opponents of this project seem to be purposely engaged in sabotage.

Chou Chou Mora-Lopez spoke next and said while she understands some people may have reservations about the project, "we should all be ashamed" at how the affected residents are living. She said it is long past time to deal with this situation. She urged support for these residents of the community now, there is no more time, she said. Pete Smith said he is a building contractor in town and he knows the Tacherra Ranch residents work on behalf of the entire town, in the trades and in the gardens, and they help the community in many ways. He said he also is a volunteer fire fighter and has been to the ranch to respond to medical emergencies and it is very sad to see the conditions under which people are living; it needs to change, he said, and the dump on the property also needs to be cleaned up and remediated.

Mark Butler said it hurts to realize the town has two communities right now – this is a chance to unite, to learn from each other, to form one larger community, he said. Pam Springer said she wants to say she is sorry to the residents, she is sorry it has taken the community so long to have their backs, but

“we are going to fight for you” and make change happen. Jeff Manson said he is in full support of the project and agrees it is beyond time to act; he said the project will take time to implement and there will be time to ensure it is equitable, to work together, and to share knowledge of water conservation and living sustainably on the land. Evie Wilhelm said as long as we are watering ornamental gardens, taking hot tubs, and enjoying other extravagances, how can we do that while knowing that men, women and children in the community are living in terrible conditions? She said she trusts the BCPUD and BCLT boards and staff to move forward and find a way to do better as a community; if we can’t open our minds and hearts in this moment for a project so virtuous, she said, we are shameful.

Lucy Reid said she believes the proposal to provide RVs for the residents to live in pending the building of permanent housing is a brilliant idea and she fully supports it. Lyndon Comstock asked if the BCLT would respond to a point raised by a prior speaker suggesting that the current residents of the Tacherra Ranch may not be able to receive the permanent housing. Annie O’Connor said the BCLT and the County are committed to zero displacement of this community and the BCLT will design the project accordingly for the current residents. Alicia Gamez said that if a government entity is building a project for a defined population, that is a fair housing violation. Discussion ensued and Jed D’Abravanel, an attorney for the BCLT, confirmed that while a variety of restrictions may be applicable to affordable housing projects based on their funding sources, the BCLT is committed to working with the County and community partners to structure the project to result in as little (and ideally no) displacement of the existing community. Annie O’Connor added that while this is the most costly way to proceed, the BCLT is committed to it because it is the right thing to do.

Cheryl Ruggiero said the project is being presented to the County as an agricultural worker housing project, but to the community as an affordable housing project – she said that different rules apply and, unfortunately, the BCLT cannot legally meet the requirements of either. She referenced a prior project proposed for this property in 2000 which she claimed the BCPUD rejected due to insufficient water; she said that while it is shameful that the conditions at the property have continued all of this time, decisions cannot be made based on emotions, the law must be followed when making decisions about this project. Jennie Pfeiffer said it is very difficult to hear some people say that those who express concern about the future – whether the residents will have enough water and whether they will be able to afford the new permanent housing – somehow don’t have concerns about the residents now. She said she cares about the residents now but has concerns for the future – we can’t make promises we can’t keep, she said. Also, if there is an emergency, she said, waiting until September to address it isn’t acceptable, something needs to be done now.

Howard Dillon echoed the words Hector Mora-Lopez and his daughter spoke at a prior community meeting about the project: they pleaded with us not to use our better education and access to resources to oppose this project he said. He said the town has turned a blind eye to the situation at the ranch for far too long – the County has now declared an emergency and it’s time to address it. Annie O’Connor said the County’s Health and Human Services department is doing everything it can – for those who want to see more done for the residents, she urged them to contact Supervisor Rodoni and ask him to support the HHS efforts. As for the ultimate affordability of the planned permanent housing, Jed D’Abravanel said the BCLT will be seeking to secure funding to subsidize the difference in the development cost of installing the permanent housing and the amount the residents are able to pay via rent from a variety of sources in order to ensure the project is sustainable and affordable. Lucy Hollingsworth with Legal Aid of Marin, which provides free legal services to low income residents introduced herself; she said she looks forward to working on behalf of the tenants at the Tacherra Ranch. Wendy Botwin said she is a new resident of Bolinas (less than four years) and she wants to express her support for the residents who are in need of emergency housing.

Director Godino announced the Board will take a short break before moving on to the next agenda sub-item.

b. Limited Water Use Permit Applications – Bolinas Community Land Trust (*limited water use permit applications for the water meter serving the vacant lot at 130 Mesa Road (APN 193-020-38) and for the water meter serving 160 Mesa Road (APN 188-170-11); request to “stack” the resulting water use allocations temporarily on the meter serving the vacant lot at 130 Mesa Road (APN 193-020-38) to serve the temporary private RV trailer campground.*)

Annie O’Connor explained the BCLT does not seek to increase overall water use for the temporary RV trailer campground but rather to stack existing uses from the two meters (130 Mesa Road and 160 Mesa Road), plus any additional discretionary amount of water the Board finds to be permissible under BCPUD regulations, to serve the campground as explained in the staff memo posted online.

At the request of the Board, staff explained the BCPUD rules and regulations applicable to limited water use permit applications. Staff noted that Resolution 655 sets out the formula for the Board to follow when making such decisions; staff emphasized that the resulting limits imposed by the Board are caps or restrictions on water use, and *not* guarantees or entitlements to a specific amount of water. With regard to the application for the water meter serving 130 Mesa Road, staff noted that the average quarterly water use at the property over the past 12 quarters is 1,458 cubic feet, which is less than 2,700 cubic feet so, applying the formulas set out in Resolution 655, the Board could grant a limited water use permit with

a cap of 2,700 cubic feet of water per quarter. With regard to the application for the meter serving 160 Mesa Road, the average quarterly water use over the past 12 quarters is 16,733 cubic feet, which is greater than 2,700 cubic feet; so, applying the formulas set out in Resolution 655, staff said the Board could grant a limited water use permit with a 16,733 cubic feet per quarter limit and, if the Board makes the necessary findings that a lesser amount would result in a hardship to the customer or reduction of services to the Bolinas community, it can permit an additional 1,500 cubic feet of water use per quarter, for a total limit of 18,233 cubic feet per quarter. Finally, with regard to the request to stack the resulting water use limits at 130 and 160 Mesa Road, staff said that BCPUD Resolution 671 applies and allows such stacking where affordable housing is the sole purpose of a project and the meters in question are under common ownership.

Don Smith said he served on the BCPUD Board for 19 years and he would like to clarify some issues relating to the moratorium as he knows there is a lot of confusion in the community about it. As originally conceived, the moratorium limits the number of meters – it does not limit how much water someone can use, unless someone applies to the County for a coastal or building permit to improve their property. That permit application process at the County triggers the BCPUD’s limited water use permit application process, which is based on historical water usage, as BCPUD staff just explained. The BCLT is required to comply with the full permitting process and therefore is applying now for limited water use permits (which Don noted many individual property owners in Bolinas do not do because they do not apply for County permits, so only about 1/5 of BCPUD customers have limits on their water use). Don noted the average total water use at 160 Mesa Road is high, but that is because a lot of people are living there; on a per person basis, the water use is very conservative at about 23 gallons per day per person. He said many properties in town without many people living on them use a huge amount of water for landscape irrigation. Don said concerns about this project “breaking the moratorium” are unfounded – the BCLT is following all applicable rules and regulations and is not asking for anything other than for the BCPUD to apply its limited water use permit regulations and grant the permit applications. Don is not concerned about whether the residents can manage with the resulting water use limits (or even less water) because they have been doing so for years, even during the recent drought when the district was on the brink of mandatory rationing. That said, he encouraged the Board to use its discretion to grant the additional 1,500 cubic feet per quarter under Resolution 655, which is an immaterial amount relative to the total water use in town.

Alicia Gamez expressed confusion about the discussion tonight relative to the discussion at a prior Board meeting where a property owner with multiple children faced termination of his water service – she noted that he only marginally exceeded his water use limit, but the Board held him to account for that. She said this gentleman has a home and a family and she felt he was being publicly shamed. She also questioned whether the Board is allowed to stack the two water meters if they are not under common ownership. At director Godino’s request, staff explained that the situation Ms. Gamez referenced concerning a prior Board meeting was an example of the limited water use permit enforcement process in action. While the district tries very hard to work with customers who violate their permits to help them bring down their water use, staff said, if they do not reduce their water use sufficiently, then per Resolution 655, the district implements its enforcement process, which includes a public hearing before the Board to consider the possible termination of a property owner’s water service.

Melinda Griffith said she has a comment about Don Smith’s statement that only about 20% of BCPUD customers have a limited water use permit, which she finds to be quite extraordinary; she said that given the need for water conservation in Bolinas, there shouldn’t be any unrestricted meters. She noted that she recently went through a coastal permit process and has a cap on her water use via the limited water use permit process. Melinda said the Tacherra Ranch meter currently is unrestricted so it will be an advantage to have it capped going forward.

Lyndon Comstock agreed with Don Smith that there is a lot of confusion in the community about the moratorium and whether a particular project will “break” the moratorium, which he said he heard many times during the years he served on the Board. He said the BCPUD Board is not “asleep at the switch” with regard to the moratorium and any concerns to the contrary are misguided. Lyndon said the Board does its best to uphold the moratorium rules however imperfect or inequitable they may be. During the recent drought, Lyndon said the Board spent a great deal of time trying to ensure that any mandatory rationing would be fair and based on public health and safety considerations (sufficient water per full-time resident, which the Board determined was 25 gallons per day). Lyndon said the original moratorium resolution could not foresee issues 50 years in the future and it has been tweaked over the years and likely will be again. He agrees with Don Smith that the BCLT tonight is seeking a straightforward application of the BCPUD’s existing rules and regulations. He suggested both limited water use permits also should be conditioned on the issuance of the County permits for the project.

In response to a request for clarification from Alicia Gamez regarding the specific requests for action by the Board, director McElroy proposed the Board consider three separate motions to consider: (1) a limited water use permit for 130 Mesa Road, (2) a limited water use permit for 160 Mesa Road, and (3) the stacking of the two meters (with the affordable housing and common ownership conditions) at 130 Mesa Road. Director McElroy said the stacking would not take effect if the common ownership condition is not satisfied. There was no objection from the Board to proceeding in this manner.

John Bryant agreed the requests before the Board are not “breaking the moratorium”, but he said the Board considered a very similar project 23 years ago at this same property and denied it, so it is important for the Board to clarify why it is doing something different now. At the request of director Walker, staff explained that the Board did not deny a prior project at the Tacherra property 23 years ago; rather, it took no action. Staff explained that a County coastal permit had been applied for in connection with a proposed project for that property, but no one came to the BCPUD Board for a limited water use permit or any other action; the Board therefore asked the staff to submit a letter to the County (relating to the coastal permit application) to make clear that water use for the proposed project had not yet been determined.

Discussion continued; it was emphasized repeatedly that the BCLT’s meter stacking request, if approved, will be conditional upon the BCLT owning both 130 Mesa Road (which it already does) and 160 Mesa Road. Annie O’Connor confirmed the BCLT will not proceed with the project if it does not acquire 160 Mesa Road. Kent Khtikian said in addition to the condition of common ownership for the water meter stacking request, the Board should require the BCLT agree to a deed restriction running with the land that preserves the property as affordable housing. Emory Calo Vest acknowledged the project isn’t perfect, but humanity and the needs of the residents for safe living conditions should take precedence at this point and the project needs to happen now. Don Smith said his personal opinion is that all properties in Bolinas should be under limited water use permits because that would be much more equitable, but for now the Board must apply the rules and regulations it has on the books to decide the BCLT’s requests.

Cheryl Ruggiero said climate change will result in deeper droughts and the Tacherra meter historically has been the second highest use meter in town. What will happen when water use at this meter far exceeds the limit, she asked? She also said no one yet has answered her question as to whether this is an agricultural worker housing project or an affordable housing project. Annie O’Connor said the vision for the permanent housing project is affordable/agricultural worker housing; the temporary RV trailer campground project before the Board tonight is an emergency affordable housing project. She also noted that across all of the BCLT properties, average water use is 21 gallons per person per day. Staff stated that if the water use limit is exceeded, the district will enforce against this.

Annie O’Connor stated again that the emergency project is contingent on the BCLT’s purchase of 160 Mesa Road and she specifically requested the Board condition any limited water use permit for that property upon that purchase. She noted it would not be appropriate for the meter –which is now unrestricted – to be limited if the BCLT does not acquire the property. If the BCLT does not acquire the property, the receiver will have no choice but to sell it on the open market and the residents will receive resettlement benefits, but they will be displaced, she said.

Director Alexander Green asked whether the current agricultural uses at 160 Mesa Road would cease if the Board approves the stacking request (which itself is allowed only for affordable housing projects). Annie O’Connor said the agricultural activity at 160 Mesa Road relies on holding ponds and water that is collected on site and not the water meter. Director McElroy said the BCLT’s letter of application references a possible agricultural cooperative or other uses of water in the future and he underscored that any stacking of meters will be allowed for affordable housing purposes only. Annie asked if the BCLT would be allowed to “unstack” the water meters in the future if the residents are able to manage under the water use allowed by only one of the water meters. After a brief discussion, the Board and staff said that question will need to be evaluated outside of the current meeting. Director McElroy asked Annie O’Connor if the stacking of the meters is critical; instead, he asked, could the meters be swapped rather than stacked? Annie O’Connor said the BCLT has requested to stack the meters in an abundance of caution to ensure there will be sufficient water to serve the temporary RV trailer campground; that said, she believes the emergency project would be able to manage with the water allotted to the meter serving 160 Mesa Road alone if the BCLT could swap the meters rather than stack them. Discussion ensued about swapping vs. stacking and the question arose as to whether BCLT can “re-swap” back the meters between 130 Mesa Road and 160 Mesa Road at a future point. Director McElroy said the concepts of “unstacking” and/or “re-swapping” is not something the Board has considered and it would need to confer with legal counsel.

Director Godino asked if either of the emeritus Board members would like to comment. Lyndon Comstock said stacking and then unstacking appears to be the most straightforward approach, subject to legal confirmation that unstacking can occur (he said he does not see any reason why it cannot). He noted the stacking approval will be conditioned by the Board on the common ownership of 130 Mesa Road and 160 Mesa Road in any event. Annie O’Connor concurred. Don Smith noted that once the BCLT owns both 130 and 160 Mesa Road and merges the properties, the need to unstack or un-swap goes away (unless the BCLT should propose to sell or transfer one of the meters).

Director Godino asked if director McElroy was prepared to make a motion. Director McElroy said yes, and he moved to grant a limited water use permit for 130 Mesa Road with a maximum quarterly cap of 2,700 cubic feet per quarter. Director Alexander Green seconded. Director McElroy asked staff if 2,700 cubic feet is the maximum amount of water the Board can grant pursuant to Resolution 655; staff confirmed that it is.

K. McElroy/A. Alexander Green four in favor, director Siedman absent/recused to approve a limited water use permit for 130 Mesa Road with a maximum quarterly use of 2,700 cubic feet.

Director Alexander Green said he read and researched most of the day to make sure he understood the district rules and regulations, as well as the BCLT's requests; he thanked the two emeritus Board members for their clarifications and contributions during the meeting. He said he appreciates the passionate speeches and viewpoints expressed tonight; he knows everyone loves Bolinas and some are afraid of losing it, or a part of it. However, the BCPUD Board must remain objective and apply its rules and regulations accordingly. He noted the district's water supply is very fragile and a specific water allotment cannot be guaranteed to anyone. He said he hopes the community will be able to look at the challenges it faces – this project and others – and how it might move forward as one community, as it has done in the past.

Director Godino asked if anyone on the Board is prepared to make a motion with regard to 160 Mesa Road. Director McElroy moved that the Board approve a limited water use permit for 160 Mesa Road at the maximum amount requested – 18,233 cubic feet. Director Walker asked if that motion can be conditioned. Director McElroy moved that the permit granted should be conditioned upon the BCLT owning both properties and on the issuance of a County building permit for the temporary RV trailer campground project. Staff said in order to grant the maximum amount of water requested (18,233 cubic feet per quarter), the Board needs to find it would present a hardship to do otherwise. Director Alexander Green said the district has precedent (during drought planning) to support that premise that 25 gallons per day per person is appropriate and necessary water use; therefore, the 18,233 cubic feet per quarter (or 25 gallons per day per person) is appropriate here to avoid hardship to the residents.

K. McElroy/A. Alexander Green four in favor, director Siedman absent/recused to approve a limited water use permit for 160 Mesa Road with a maximum quarterly water use limit of 18,233 cubic feet contingent on (a) the BCLT's acquisition and ownership of the property at 160 Mesa Road and (b) the issuance of a County building permit for the temporary RV trailer campground project.

Director Godino asked if any Board member has a motion relating to the BCLT's request to stack the water meters. Director Walker moved to approve the stacking of the two water use allocations for the meters at 130 and 160 Mesa Road, contingent on BCLT ownership of both properties, the issuance of a County building permit for the temporary RV trailer campground project and confirmation from BCPUD's legal counsel that the BCLT may unstack later the water meters. Discussion ensued, and Kent Khtikian asked if the BCLT would agree to a deed restriction to ensure the project remains affordable housing. Annie O'Connor said that the BCLT will agree to whatever mechanism is appropriate to ensure the housing will remain affordable, but she is not sure a deed restriction is appropriate here. Leila Monroe suggested the Board incorporate a contingency that there be a fully binding requirement in whatever form is appropriate for the development process to restrict the property to affordable housing. Lyndon Comstock said it is up to the BCPUD Board to decide how it wants the affordable housing condition in Resolution 671 to be enforced. Leila said the BCLT wants to be clear to the community and on the record that it is willing to be held accountable.

K. Walker/K. McElroy four in favor, director Siedman absent/recused pursuant to and consistent with all applicable requirements of Resolution 671, to approve the "stacking" of the approved water use allocations for 130 Mesa Road and 160 Mesa Road (i.e., 2,700 cubic feet + 18,233 cubic feet = 20,933 cubic feet per quarter) at 130 Mesa Road to serve the temporary RV trailer campground project, contingent on (a) the BCLT's acquisition and ownership of the property at 160 Mesa Road, (b) the issuance of a County building permit for the temporary RV trailer campground project, and (c) confirmation from the BCPUD's legal counsel that the BCLT may request to "unstack" the water use allocations at a future date, if needed.

Director Godino thanked everyone who attended the meeting, in person and on Zoom, and particularly thanked the translators who volunteered their services for tonight's meeting.

6. BCPUD Sewer System Management Plan Update: *Updated Spill Emergency Response Plan.*

Staff reported that to ensure the district will be in compliance with a new order of the State Water Resources Control Board that takes effect just after midnight on June 5, 2023, among other things, staff is updating the district's former Overflow Response Plan so that it is now a Spill Emergency Response Plan that meets the requirements of the new order; the updated plan will be completed, posted and available on the BCPUD's website as of June 5, 2023.

7. Adjournment.

11:14 p.m.