

FROM: JACOB

JULY 12TH CITY COUNCIL

JOAN SMITH PRESENTED

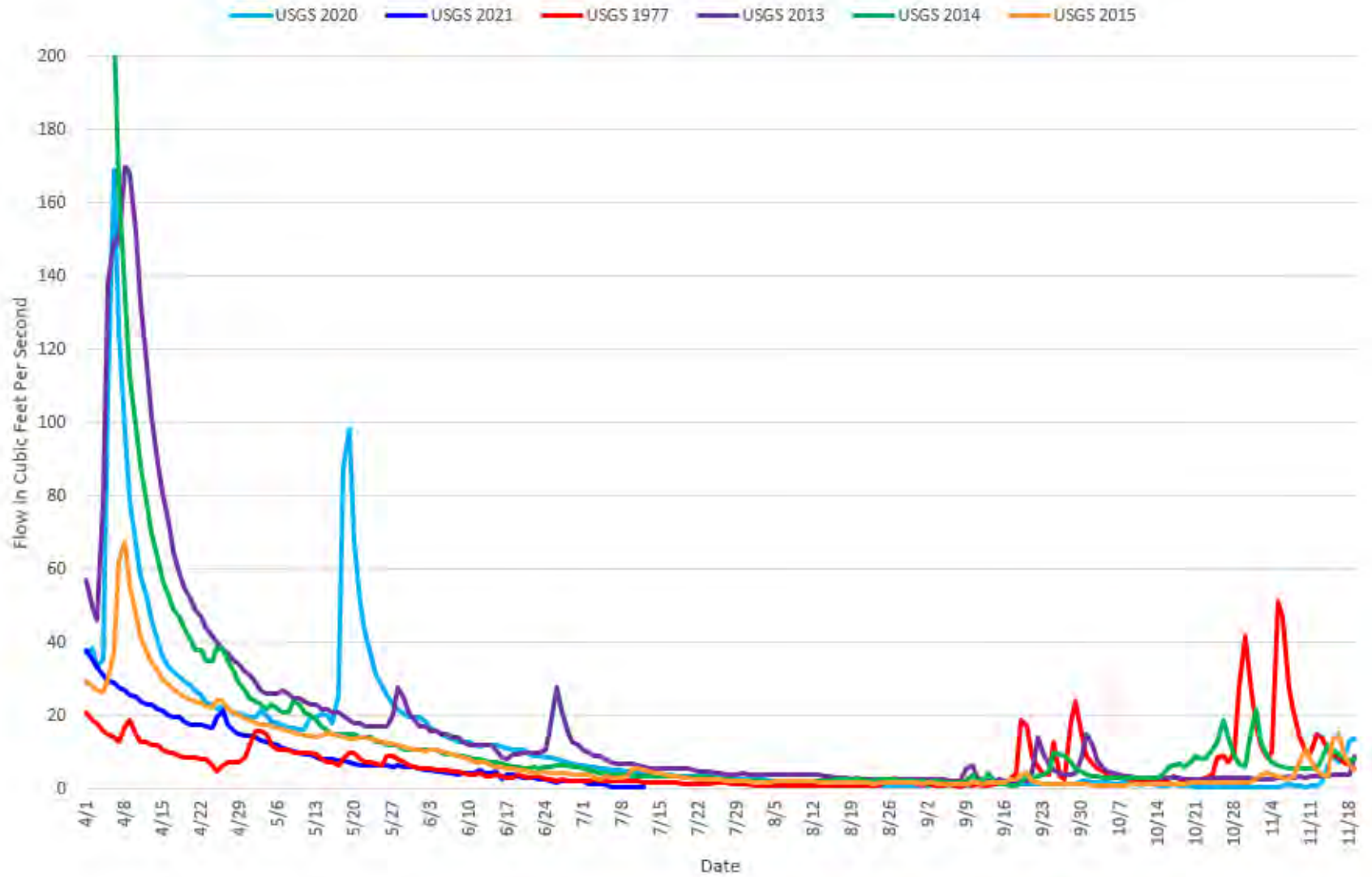
CHART OF NOYO RIVER
& WATER SUPPLY.

PLEASE INCLUDE AS
A PUBLIC COMMENT /
ADMINISTRATIVE RECORD

FOR THE 7/26/21

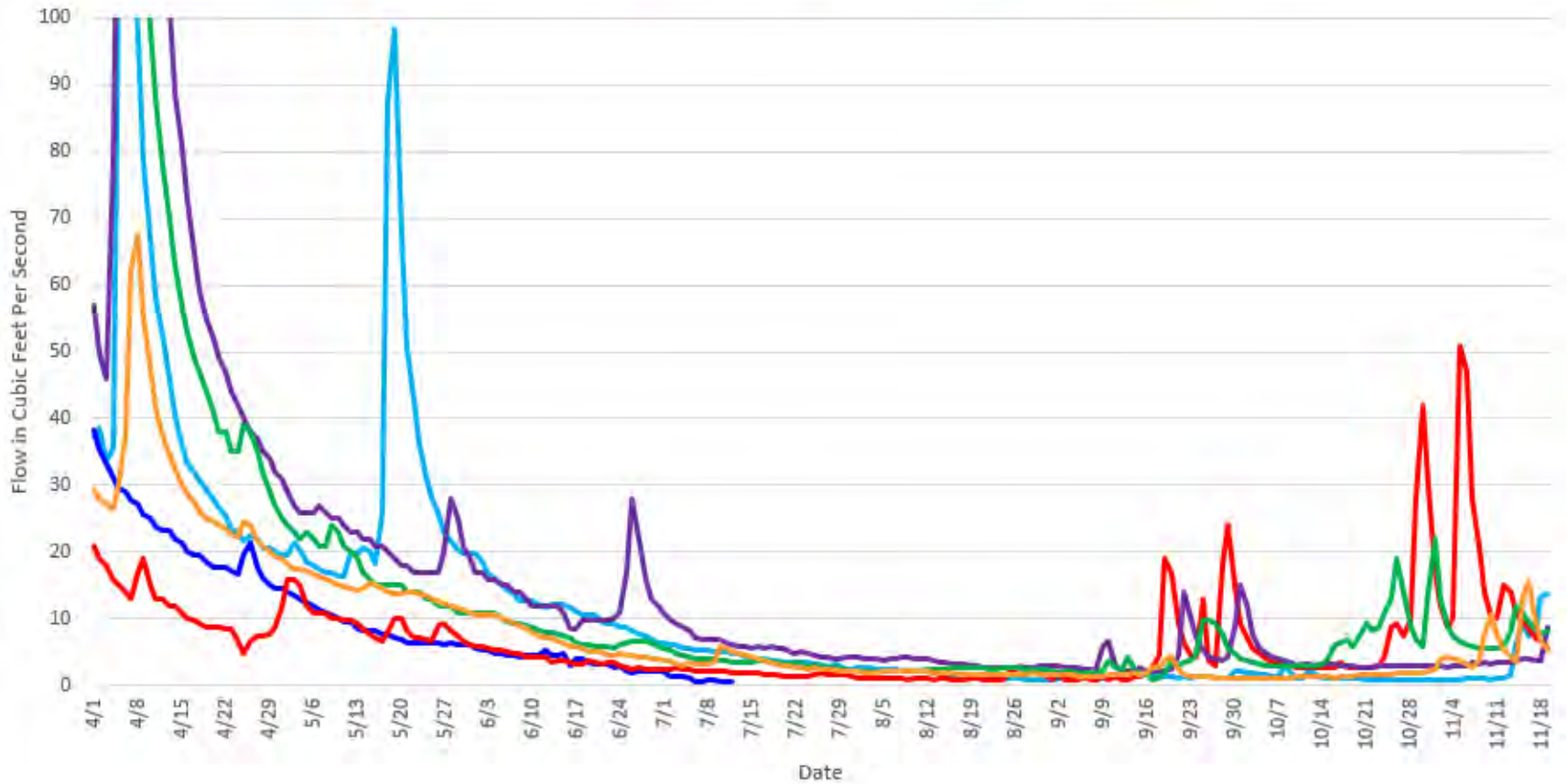
CITY COUNCIL APPEAL
HEARING FOR THE
GROCERY OUTLET.

Noyo Flows



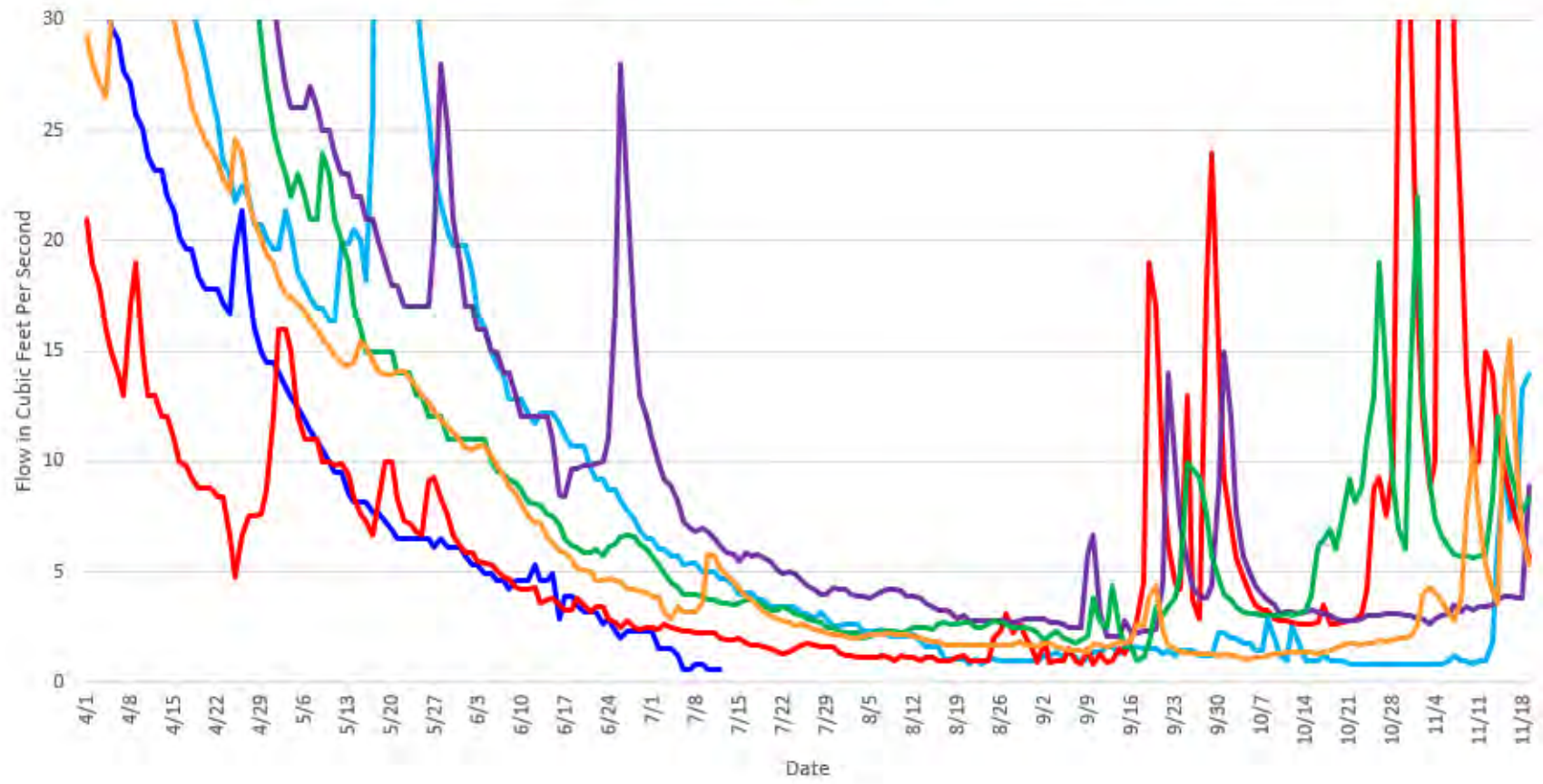
Noyo Flows

USGS 2020 USGS 2021 USGS 1977 USGS 2013 USGS 2014 USGS 2015



Noyo Flows

USGS 2020 USGS 2021 USGS 1977 USGS 2013 USGS 2014 USGS 2015



Date	USGS 2020	USGS 2021	USGS 1977	USGS 2013	USGS 2014	USGS 2015
6/15	12.2	4.9	3.8	11	7.5	6.33
6/16	11.7	2.9	3.5	8.5	7.1	5.93
6/17	11.2	3.9	3.3	8.4	6.5	5.85
6/18	10.7	3.9	3.3	9.7	6.2	5.53
6/19	10.7	3.5	3.8	9.7	6.1	5.17
6/20	10.7	3.2	3.5	9.8	5.9	5.08
6/21	9.69	3.2	3.2	9.8	5.9	5.01
6/22	9.2	3.2	3.4	9.9	6	4.63
6/23	9.2	2.6	3.4	10	5.7	4.62
6/24	8.72	2.9	2.9	11	6.1	4.69
6/25	8.72	2.3	2.7	17	6.3	4.58
6/26	8.25	2	2.5	28	6.6	4.49
6/27	7.79	2.3	2.8	22	6.7	4.23
6/28	7.34	2.3	2.5	16	6.6	4.24
6/29	6.9	2.3	2.4	13	6.3	4.12
6/30	6.47	2.3	2.5	12	6	4.02
7/1	6.47	2.3	2.5	11	5.7	3.88
7/2	6.07	1.5	2.4	9.9	5.3	3.81
7/3	6.07	1.5	2.6	9.2	4.9	3.2
7/4	5.71	1.5	2.5	8.9	4.5	2.9
7/5	5.72	1.23	2.4	8.2	4.3	3.39
7/6	5.35	0.6	2.3	7.3	4	3.19
7/7	5.37	0.6	2.3	7	4	3.16
7/8	5.38	0.8	2.2	6.8	4	3.21
7/9	5.02	0.8	2.2	7	3.9	3.55
7/10	5.03	0.6	2.2	6.8	3.7	5.81
7/11	5.04	0.6	2.2	6.5	3.7	5.71
7/12	4.69	0.6	2	6.2	3.6	5.13
7/13	4.7		1.9	5.9	3.6	4.85
7/14	4.35		1.9	5.8	3.5	4.51

Lemos, June

From: Jacob Patterson <jacob.patterson.esq@gmail.com>
Sent: Monday, July 19, 2021 10:05 AM
To: Munoz, Cristal; Lemos, June
Cc: Gurewitz, Heather; O'Neal, Chantell
Subject: Public Comment -- 7/26/21 Grocery Outlet Appeal
Attachments: 2021E0043.pdf; 20210714 USGS Current Conditions for USGS 11468500 NOYO R NR FORT BRAGG CA.pdf; 20210718 Noyo River Flow Chart.pdf; 20210715 USGS Current Conditions for USGS 11468500 NOYO R NR FORT BRAGG CA.pdf; 07-13-21 Shattuck Correspondence.pdf; 20210713 Mendocino Voice re City Water Supply.pdf

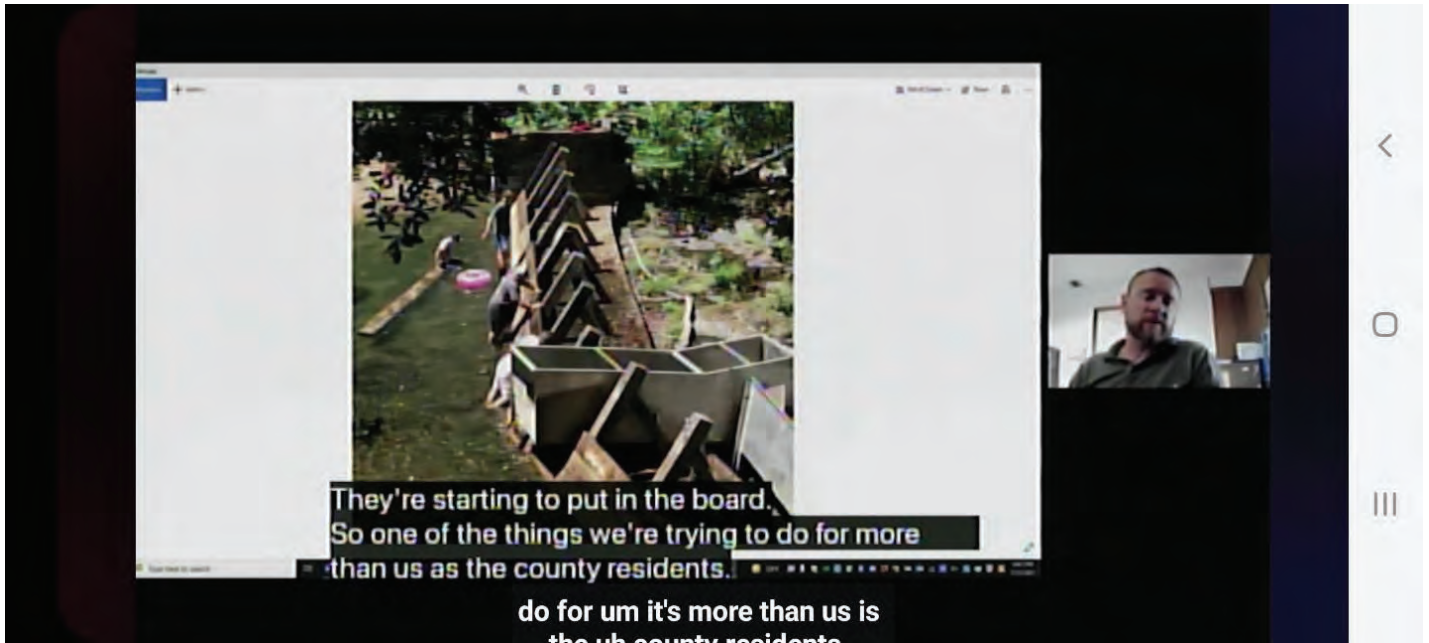
City Clerk's Office,

Please add this to the public comments and administrative record for the appeal of the approval of the proposed Grocery Outlet. The attached files provide additional supporting evidence for the positions raised in prior public comments objecting to the water supply "analysis" in the MND. I have also attached the premature and non-compliant CEQA Notice of Determination demonstrating flawed execution and yet another example of procedural irregularities by City staff that have tainted this permit and environmental review.

Thanks,

--Jacob

The city of Fort Bragg water supply dropped dramatically this past week due to this dam at Camp Noyo. The second picture is of the water level just west of the North Fork And South Fork , Noyo river confluence. Yesterday, July 12, at 5pm Third picture is google earth view of dam. As a resident with wells around me collapsed or dry and less than 2 ft in my well, water deliveries, that Fort Bragg has said will stop are a mater of life. Thank you for discussing this urgent matter.



do for um it's more than us is
the uh county residents

7:54

95%



Google







National Water Information System: Web Interface

USGS Water Resources

Data Category:


Current Conditions ▾

Geographic Area:

California ▾

GO

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USGS 11468500 NOYO R NR FORT BRAGG CA

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Available data for this site

Time-series: Current/Historical Observations ▾

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- ▶ **Station Manuscript** 

This station managed by the Ukiah Field Office.

Available Parameters

Available Period

All 2 Available Parameters for this site

00060 Discharge

1987-10-01 2021-07-14

00065 Gage height

2007-10-01 2021-07-14

Output format

Graph

Graph w/ stats

Graph w/o stats

Graph w/ (up to 3) parms

Table

Tab-separated

Days (135)

[Summary of all available data for this site](#)

[Instantaneous-data availability statement](#)

GO

-- or --

Begin date

2021-03-01

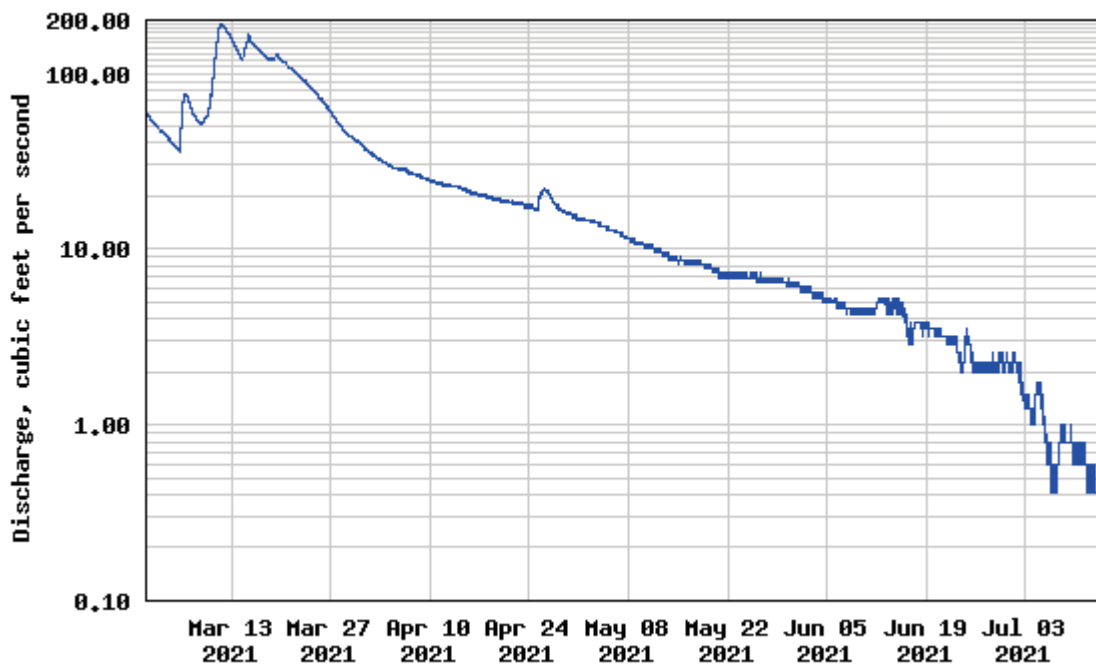
Discharge, cubic feet per second

Most recent instantaneous value: 0.41 07-14-2021 11:15 PDT

End date

2021-07-14

USGS 11468500 NOYO R NR FORT BRAGG CA



----- Provisional Data Subject to Revision -----

Add up to 2 more sites and replot for "Discharge, cubic feet per second"

?

Add site numbers

[Note](#)

Enter up to 2 site numbers separated by a comma. A site number consists of 8 to 15 digits

GO

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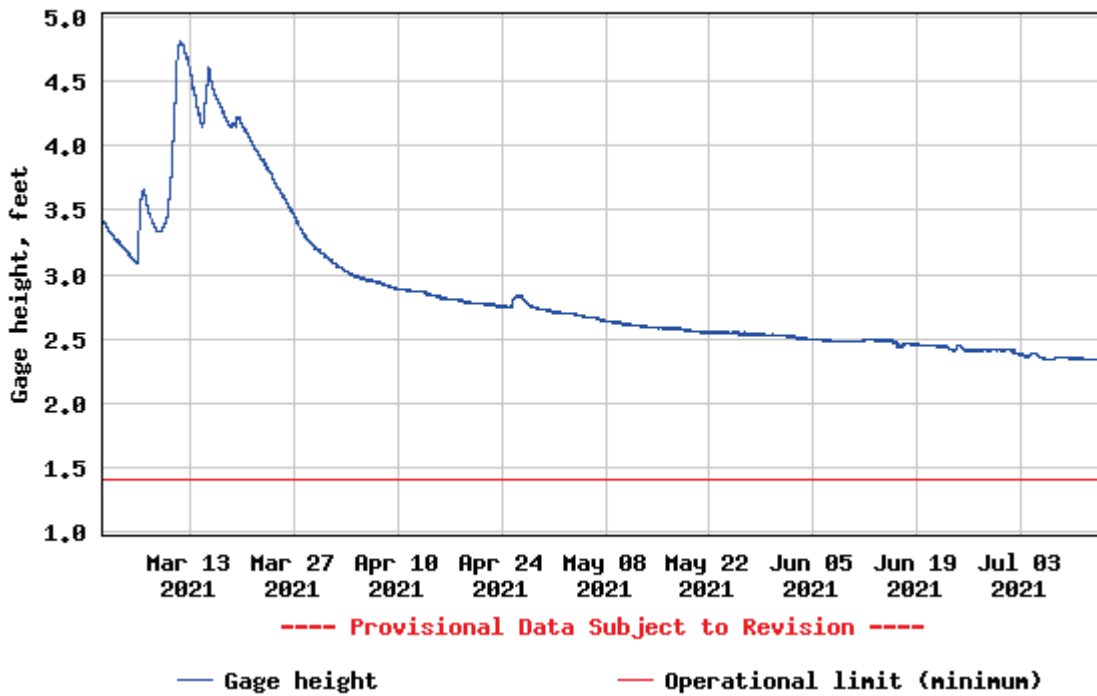
See this graph on the [Monitoring Location Pages](#)

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Gage height, feet

Most recent instantaneous value: 2.33 07-14-2021 11:15 PDT

USGS 11468500 NOYO R NR FORT BRAGG CA



Add up to 2 more sites and replot for "Gage height, feet"

[?](#)
Add site numbers
[Note](#)

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Title: USGS Current Conditions for California

URL: <https://nwis.waterdata.usgs.gov/ca/nwis/uv?>



Page Contact Information: [California Water Data Support Team](#)

Page Last Modified: 2021-07-14 14:56:57 EDT

3.6 2.82 nadww02



National Water Information System: Web Interface

USGS Water Resources

Data Category:


Current Conditions ▾

Geographic Area:

California ▾

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Available data for this site

Time-series: Current/Historical Observations ▾

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- ▶ **Peak Chart**
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Available Parameters

Available Period

- All 2 Available Parameters for this site
- 00060 Discharge
- 00065 Gage height

1987-10-01 2021-07-14
 2007-10-01 2021-07-14

Output format

- Graph
- Graph w/ stats
- Graph w/o stats
- Graph w/ (up to 3) parms
- Table
- Tab-separated

Days (43)

[Summary of all available data for this site](#)
[Instantaneous-data availability statement](#)

GO

-- or --

Begin date

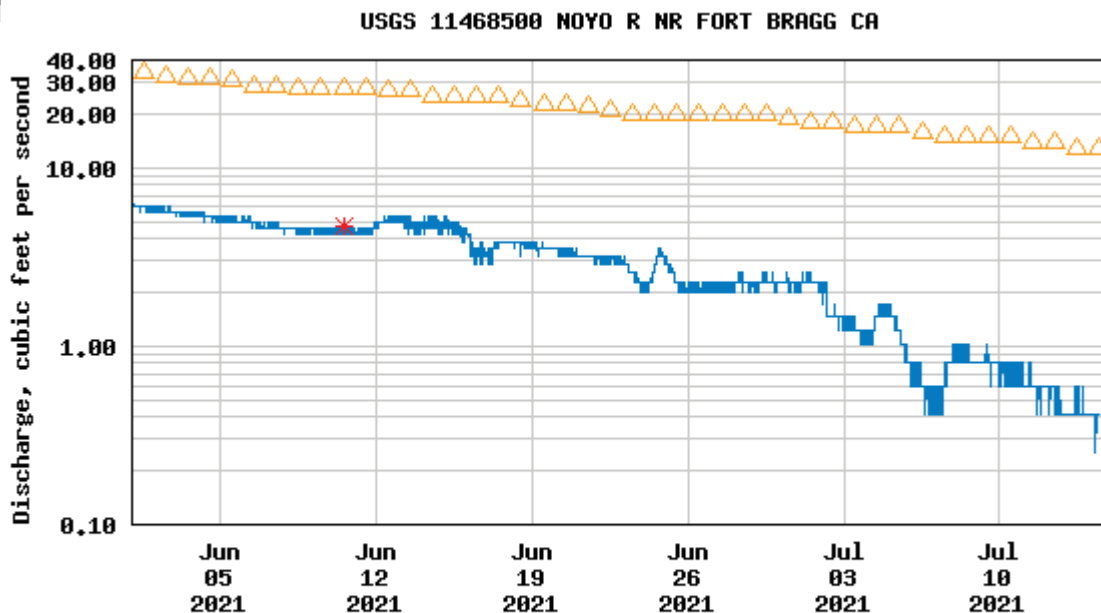
2021-06-01

Discharge, cubic feet per second

End date

2021-07-14

Most recent instantaneous value: 0.41 07-14-2021 11:15 PDT



---- Provisional Data Subject to Revision ----

△ Median daily statistic (69 years) * Measured discharge
 — Discharge

Add up to 2 more sites and replot for "Discharge, cubic feet per second"

?
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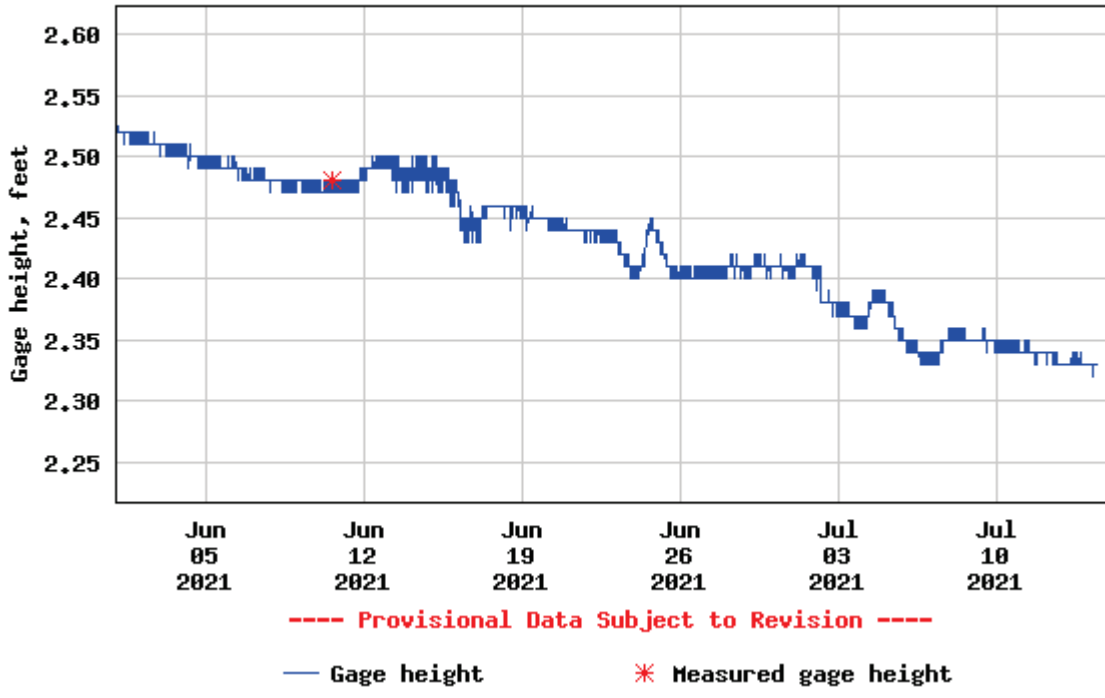
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Daily discharge, cubic feet per second -- statistics for Jul 14 based on 69 water years of record [more](#)

Most Recent Instantaneous Value Jul 14	Min (1977)	25th percentile	Median	Mean	75th percentile	Max (2005)
0.41	1.90	8.1	13	15	20	47.8

Gage height, feet
 Most recent instantaneous value:
 2.33 07-14-2021
 11:15 PDT

USGS 11468500 NOYO R NR FORT BRAGG CA



Add up to 2 more sites and replot for "Gage height, feet"

[?](#)

Add site numbers

[Note](#)

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Title: USGS Current Conditions for California

URL: <https://nwis.waterdata.usgs.gov/ca/nwis/uv?>



Page Contact Information: [California Water Data Support Team](#)

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2.04 1.63 nadww02



National Water Information System: Web Interface

USGS Water Resources

Data Category:


Current Conditions ▾

Geographic Area:

California ▾

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Available data for this site

Time-series: Current/Historical Observations ▾

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Available Parameters

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- All 2 Available Parameters for this site
- 00060 Discharge
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1987-10-01 2021-07-14
 2007-10-01 2021-07-14

Output format

- Graph
- Graph w/ stats
- Graph w/o stats
- Graph w/ (up to 3) parms
- Table
- Tab-separated

Days (13)

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-- or --

Begin date

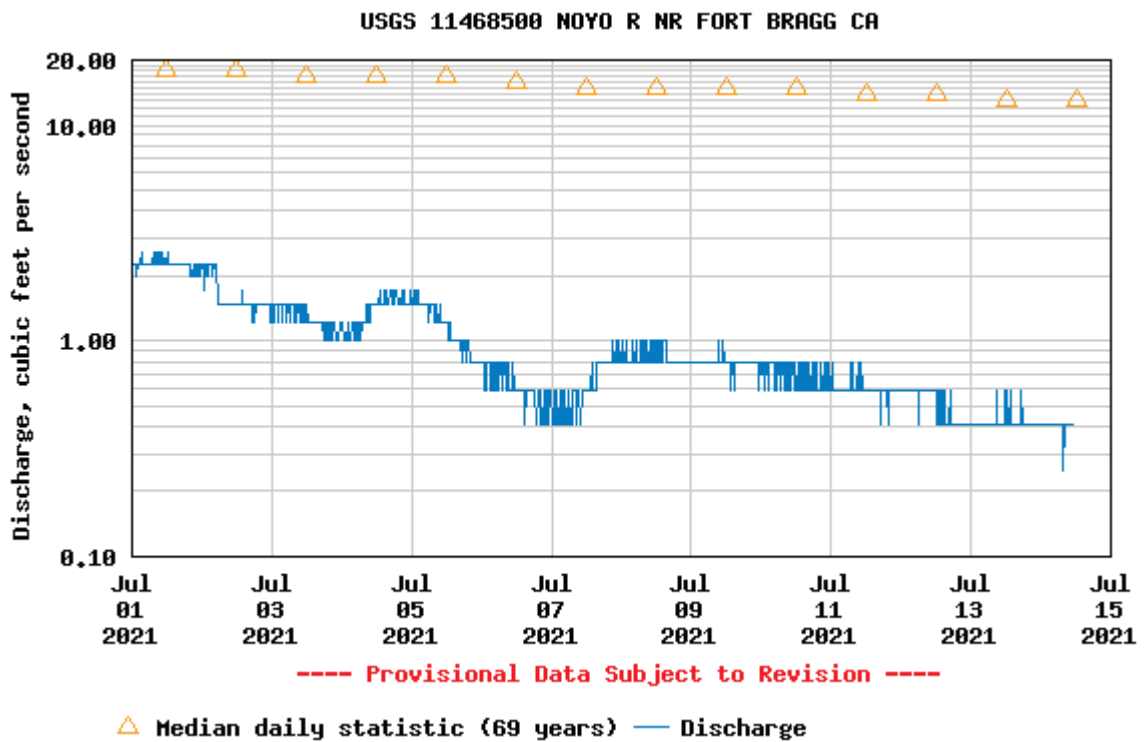
2021-07-01

Discharge, cubic feet per second

Most recent instantaneous value: 0.41 07-14-2021 11:15 PDT

End date

2021-07-14



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[?](#)
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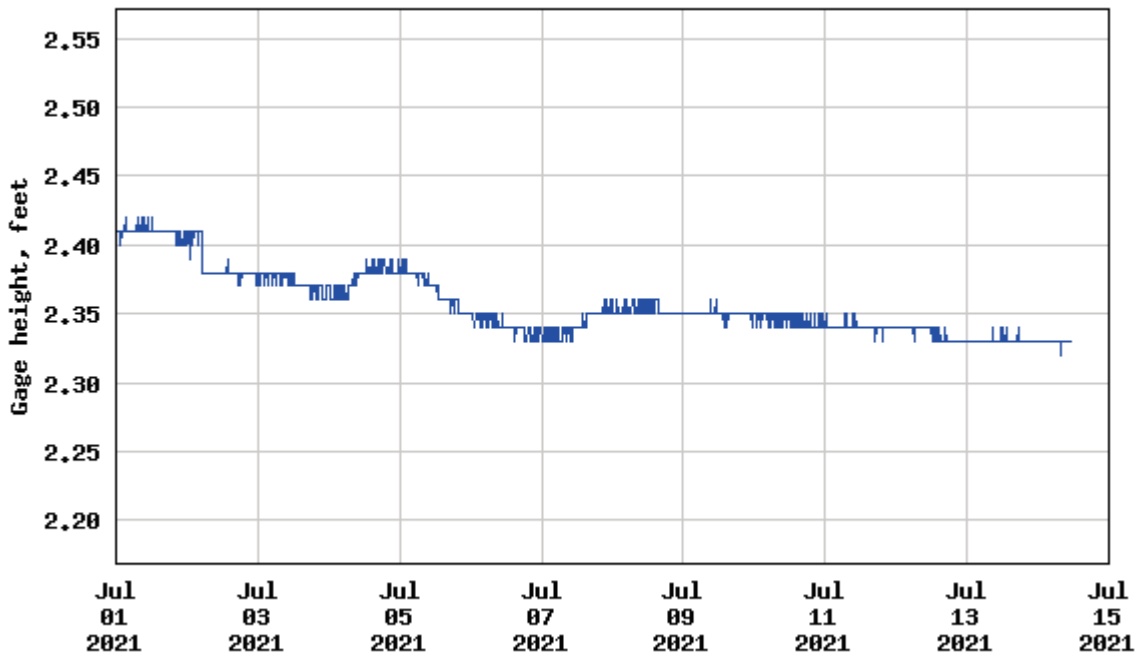
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Daily discharge, cubic feet per second -- statistics for Jul 14 based on 69 water years of record [more](#)

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Gage height, feet
Most recent instantaneous value:
2.33 07-14-2021
11:15 PDT

USGS 11468500 NOYO R NR FORT BRAGG CA



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Add up to 2 more sites and replot for "Gage height, feet"

[?](#)
Add site numbers
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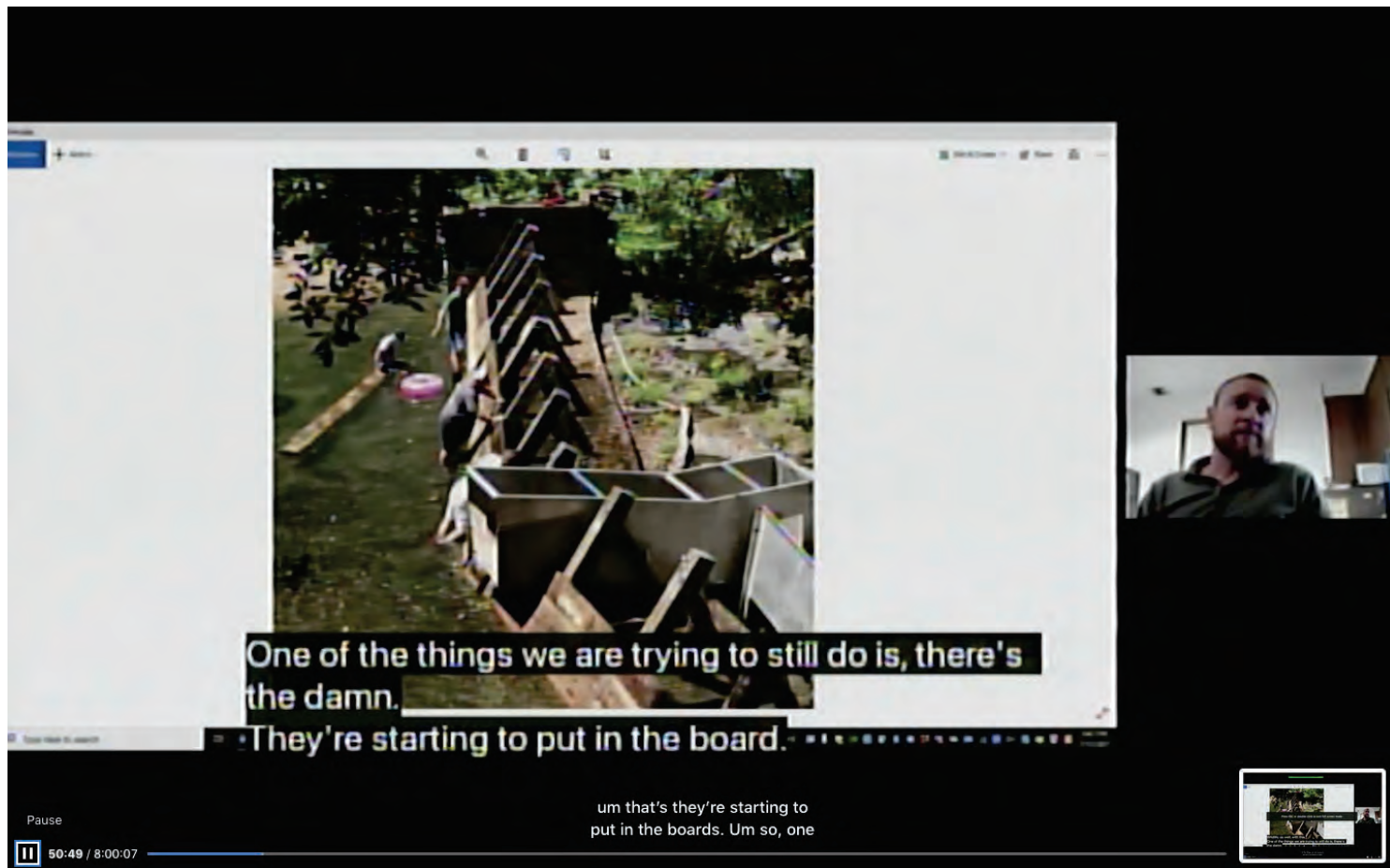
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1.48 1.25 nadww02

Private seasonal dam causes major drop in Noyo River flows — Ft. Bragg enacts stage 2 water conservation restrictions — water flows drop by 80% over one week, lowest flows on record

By Frank Hartzell | 15 hours ago



A screenshot from the July 12 Fort Bragg City Council shows the dam being put up at Camp Noyo that the city says has drastically reduced Noyo River Flows. City Public Works Director John Smith is shown on the right.

FORT BRAGG, 7/13/21 — A permitted dam for recreational uses put across the Noyo River by Camp Noyo has resulted in a major drop in flows to the already water strapped municipality and is being investigated by the city of Fort Bragg, which is preparing for the worst water year on record. There is no claim that any water is being removed from the river bed.

The Noyo is one of three sources of water for the city. Camp Noyo is located 16.4 miles east of Fort Bragg at the base of the Noyo River Canyon. It is a private campground with tents, cabins, a chalet and holds special events.

“This year the Noyo River flows have hovered at levels equal to or below 1977, which is the worst drought year on record. Between July 2 and July 7, the Noyo River flows dropped from 2.27 cubic feet per second (cfs) to .41 cfs or by more than 80%, well below the 1977 levels during the same period,” a city press release said.

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(<https://www.comfirstcu.org/loans/credit-cards/>)

“The dramatic drop in flows is the result of a seasonal dam put in place by Camp Noyo higher along the Noyo River. City officials have reached out to the Water Quality Board Division of Water Rights, CA Fish and Wildlife, County staff and elected officials to determine if the diversion is legal and supersedes the City’s 1959 3 cubic feet per second water right. If flows on the Noyo River are not partially restored, the City will be forced to conserve water for its customers and shut down its out of City sales to the surrounding county,” the press release said.

Fort Bragg Public Works Director John Smith said the dam has an in-stream permit that allows it to be used in the summer months. The dam, constructed of rising rows of wooden slats, has been in seasonal use for many years. Smith said the fact flows to the dam area were lower this year made the dam more of an issue than in the past

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(<https://www.sonomawater.org/current-water-supply-levels>)

“They have put in their boards to dam up the river, just up river from us. It’s a sizeable dam. We are looking into that diversion. It doesn’t sound like they have a water right up river, but we will let that play out with the regulatory folks. They do have an in-stream bed alteration agreement. I’m still working on how those two are not matched together,” Smith told the Council Monday night.

Smith also discussed a plan by which the Skunk Train could bring water by rail to Fort Bragg, a plan complicated by the fact the Willits to Fort Bragg route is blocked by a tunnel collapse. The city is having meetings on the topic.

In another matter, the Council unanimously passed a resolution ratifying a “water warning” which implements mandatory “stage 2” water conservation restrictions. The stage 2 conservation measures target a 10% to 20% reduction in seasonal water use.

The emergency declaration followed a request for voluntary stage 1 and stage 2 water conservation measures. City staff closely monitors the flows in all three of the city’s water sources: Waterfall Gulch, Newman Gulch and the Noyo River. During the winter and spring, pumping of the Noyo River is used only to supplement the Waterfall Gulch and Newman Gulch sources.

The two tributary sources generally provide a higher quality of raw water and they gravity-feed to the water treatment plant, whereas water from the City’s Noyo River diversion must be pumped. Stage 2 water restrictions include only watering on Tuesdays and Saturdays, no washing of streets, driveways, buildings or other hard surfaces, no free flowing hoses, no wasteful use of water, and water leaks must be repaired within 3 days of notification or discovery.


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<https://www.adventisthealth.org/mendocino-county/orthopedics/?>

[hcmacid=aoj3m00000BfSZu&utm_campaign=NCR_AH_MENDO_ORTHO_F21&utm_medium=Radio&utm_content=RD_NCR_AH_MENDO_ORTHO_F21](https://www.adventisthealth.org/mendocino-county/orthopedics/?)
Restaurants shall not serve water except upon request and lodging establishments shall not provide patrons with daily laundered sheets and towels, if their stay is less than 3 days. For more information on restrictions please check the City's website: <https://city.fortbragg.com/474/Water-Conservation> (<https://city.fortbragg.com/474/Water-Conservation>)

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 **Facebook** (<https://mendovoice.com/2021/07/private-seasonal-dam-causes-major-drop-in-noyo-river-flows-ft-bragg-enacts-stage-2-water-conservation-restrictions-water-flows-drop-by-80-over-one-week-lowest-flows-on-record/?share=facebook&nb=1>)



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Geographic Area:

United States ▼

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Available Parameters

Available Period

All 2 Available Parameters for this site

00060 Discharge

1987-10-01 2021-07-15

00065 Gage height

2007-10-01 2021-07-15

Output format

Graph

Graph w/ stats

Graph w/o stats

Graph w/ (up to 3) parms

Table

Tab-separated

Days (30)

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Begin date

2021-06-15

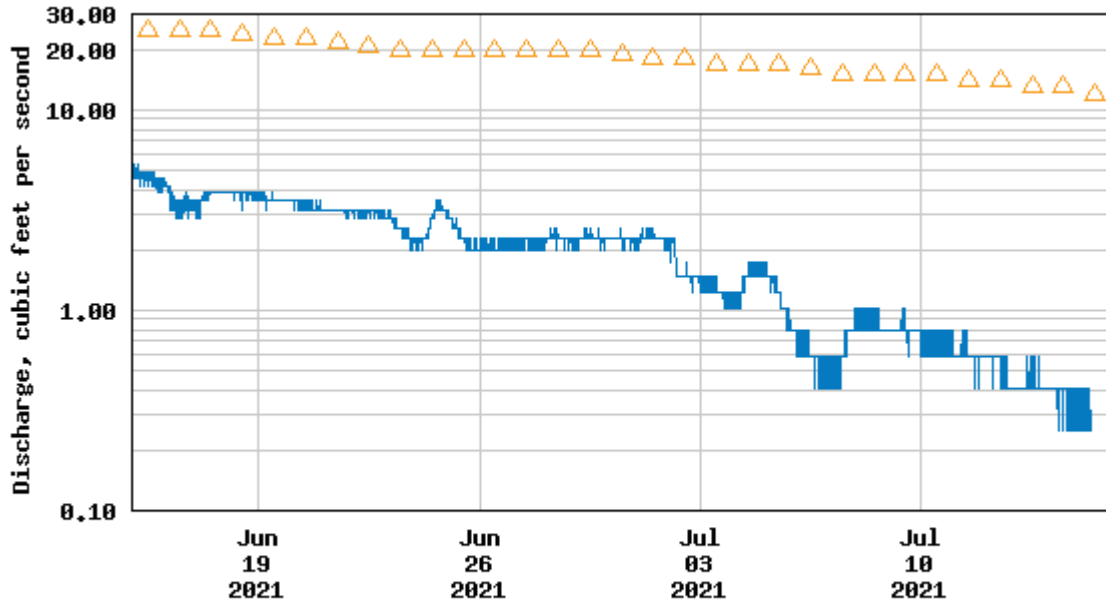
End date

2021-07-15

Discharge, cubic feet per second

Most recent instantaneous value: 0.25 07-15-2021 08:15 PDT

USGS 11468500 NOYO R NR FORT BRAGG CA



---- Provisional Data Subject to Revision ----

△ Median daily statistic (69 years) — Discharge

Add up to 2 more sites and replot for "Discharge, cubic feet per second"

?

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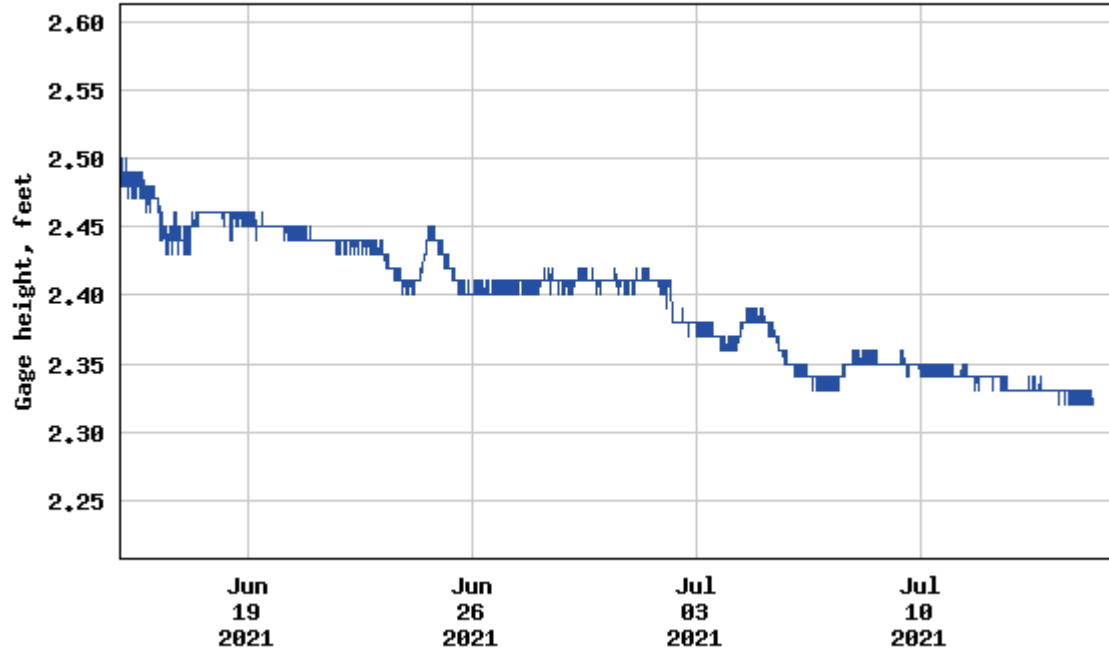
Daily discharge, cubic feet per second -- statistics for Jul 15
based on 69 water years of record [more](#)

Most Recent Instantaneous Value Jul 15	Min (1977)	25th percentile	Median	Mean	75th percentile	Max (2005)
0.25	2.00	7.8	12	14	19	45.8

Gage height, feet
 Most recent instantaneous value:
 2.32 07-15-2021

08:15 PDT

USGS 11468500 NOYO R NR FORT BRAGG CA



Add up to 2 more sites and replot for "Gage height, feet"

[?](#)
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2.13 1.81 vaww02

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Sacramento, CA 95812-3044 Sacramento, CA 95814

 County Clerk
County of: Mendocino
Address: 501 Low Gap Road
Ukiah, CA 95482

From:
Public Agency: City of Fort Bragg
Address: 416 N. Franklin St.
Fort Bragg, CA 95437
Contact: Heather Gurewitz
Phone: 707-961-2827 X 118

Lead Agency (if different from above):
Address: _____
Contact: _____
Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2021010142
Project Title: Best Development Grocery Outlet Initial Study
Project Applicant: BRR Architecture – Jenna Markley
Project Location (include county): 825, 845, and 851, South Franklin Street, Fort Bragg
Project Description:

Coastal Development Permit, Design Review, and Parcel Merger (CDP 8-19; DR 1-19; MGR 1-19) to merge two adjacent parcels and construct a new 16,000 square foot Grocery Outlet.

This is to advise that the City of Fort Bragg has approved the above
(Lead Agency or Responsible Agency)
described project on June 9, 2021 and has made the following determinations regarding the above
(date)
described project.

- 1. The project [will will not] have a significant effect on the environment.
- 2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
- 3. Mitigation measures [were were not] made a condition of the approval of the project.
- 4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
- 5. A statement of Overriding Considerations [was was not] adopted for this project.
- 6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
416 N. Franklin St. Fort Bragg, CA 95437

Signature (Public Agency):  Title: Associate Planner
Date: 6/10/2021 Date Received for filing at OPR: 6/10/2021

POSTED FROM 6/25/21 TO 7/26/21

Discharge, cubic feet per second

Most recent instantaneous value: 0.13 07-18-2021 07:15 PDT

USGS 11468500 NOYO R NR FORT BRAGG CA

