

#20

**Vicki Hoggins**

**From:** Timothy Beers <tjb.forest18@gmail.com>  
**Sent:** Wednesday, December 4, 2024 8:09 AM  
**To:** Asselin, Peter  
**Cc:** Vicki Hoggins; Holly Mason  
**Subject:** Re: Lake Madrone Water District's 2025 Lake Sediment Removal Project

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Good Morning, Peter,

This is great news! Holly and I will gladly answer any questions that you might have. Since the sediment has moved in the lake, we also feel that it would be beneficial to your company to revisit Lake Madrone before you rebid on this project.

Have a Great Wednesday,

Tim Beers  
President of the Lake Madrone Water District Board  
(916) 704-0839

On Wed, Dec 4, 2024 at 7:48 AM Asselin, Peter <[asselin.peter@hpc-industrial.com](mailto:asselin.peter@hpc-industrial.com)> wrote:

Mr. Beers,

Thank you for sending this over to me. HPC has full intention to bid this project again. I will let you know if we have any questions, or if we want to come walk the project.

Thank you,

**Pete Asselin**  
Technical Sales Expert, Tank and Separations

HPC Industrial | Powered by Clean Harbors

(m) (707) 372-2898  
[asselin.peter@hpc-industrial.com](mailto:asselin.peter@hpc-industrial.com)

[www.hpc-industrial.com](http://www.hpc-industrial.com)

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**From:** Timothy Beers <[tjb.forest18@gmail.com](mailto:tjb.forest18@gmail.com)>  
**Sent:** Monday, December 2, 2024 4:31 PM  
**To:** Asselin, Peter <[asselin.peter@hpc-industrial.com](mailto:asselin.peter@hpc-industrial.com)>  
**Cc:** Vicki Hoggins <[vhoggins@minasianlaw.com](mailto:vhoggins@minasianlaw.com)>; Holly Mason <[hsmason13@outlook.com](mailto:hsmason13@outlook.com)>  
**Subject:** Lake Madrone Water District's 2025 Lake Sediment Removal Project

## **Lake Madrone Water District's Request for Proposals for the 2025 Lake Sediment Removal Project**

Due to unforeseen circumstances, the Lake Madrone Water District was not able to obtain the funding necessary to do our 2024 Lake Sediment Removal Project. However, FEMA and Cal OES are expected to fully obligate funds for the Lake Madrone Water District's 2025 Lake Sediment Removal Project. This project is for the removal of more than 42,000 cubic yards of sediment from Lake Madrone that was deposited from the severe winter storms of the winter of 2022/2023 (California Severe Winter Storms, Flooding, Landslides, and Mudslides, DR-4683). We anticipate that this project may begin as soon as April 1, 2025.

Since all the bids for our 2024 Lake Sediment Removal Project were opened more than 9 months ago and we never signed a formal contract with any contractor, we are requesting new bids for our 2025 Lake Sediment Removal Project.

The Lake Madrone Water District was extremely grateful to have received a bid from your company for our 2024 Lake Sediment Removal Project. Therefore, we would also like you to consider submitting a bid for our 2025 Lake Sediment Removal Project.

The LMWD doesn't have a formal bid document that can be used to write up your bid. We simply request that all bids should include the following:

1. The cost for having a designated biologist to do all pre-project surveys and to be on site during project activities. Gallaway Enterprises in Chico performed the Biological Resource Assessment and the Draft Delineation of Aquatic Resources for this project and are available to provide a designated biologist.
2. The cost of the excavation and removal of sediment from Lake Madrone, and the transportation of the sediment from Lake Madrone to a certified disposal site. For the 2025 Lake Sediment Removal Project, the Lake Madrone Water District Board expects the method described in Exhibit A to be used to remove this sediment from our Lake. This method has been approved by the EPA, RWQCB, USACE, CDFW, and FEMA.
3. The cost for the placement of rip rap along both the Berry Creek and Galen Creek Inlets.

- **Berry Creek Inlet Above the Green Bridge:**

To return this section of the inlet to its' pre-disaster condition will require approximately 438 feet of rip rap to be placed along the eastern side of the inlet. The rip rap will need to average a width of 3 feet and a depth of 11 feet.

The starting and ending GPS coordinates of this section are 39.644589 by -121.401082 and 39.645431 by -121.401789 respectively.

- **Berry Creek Inlet Below the Green Bridge:**

To return this section of the inlet to its' pre-disaster condition will require approximately 85 feet of rip rap to be placed along the eastern side of the inlet. The rip rap will need to average a width of 3 feet and a depth of 11 feet.

The starting and ending GPS coordinates of this section are 39.645449 by -121.401821 and 39.645438 by -121.401810 respectively.

- **Galen Creek Inlet Below the White Bridge:**

To return this section of the inlet to its' pre-disaster condition will require approximately 132 feet of rip rap to be placed along the northern side of the inlet. The rip rap will need to average a width of 3 feet and a depth of 11 feet.

The starting and ending GPS coordinates of this section are 39.649130 by -121.402776 and 39.648930 by -121.402954 respectively.

4. The cost of best management practices (BMPs) to minimize turbidity and siltation and prevent erosion and discharge of sediment into the Lake during the project. BMPs should also be utilized during post Lake cleanout restoration and erosion control. The Pit Area and meadows will need to be restored to their pre-project conditions. They will need to be graded and hydroseeded. Straw wattles, fiber rolls, coir logs, straw bale dikes, erosion control blankets, and silt fencing will need to be placed anywhere the soil was disturbed by either the storm waters or by the use of equipment during the Lake cleanout.
5. The cost of a bathymetric study of Lake Madrone after sediment removal has been completed.

## **Exhibit A**

### **Detailed Description of How Sediment is to be Removed from Lake Madrone During the 2025 Lake Sediment Removal Project**

The contractor and LMWD will use two different methods to remove the 42,000+ cubic yards of sediment from Lake Madrone. Both an excavator and a dredge will be used.

#### **Operational Excavator Plan Details (previously approved by the EPA in the AOC)**

1. Using a long reach excavator positioned above the normal high-water level of the lake the excavator bucket is extended over and lowered into the water and then pulled toward the bank filling the excavator bucket with sediment.
2. It is then pulled up to the lake's banks and raised out of the water and deposited well above the ordinary high-water mark and deposited directly into a waiting dump truck or trailer. Depending on logistical circumstances a pile of sediment may be formed above the normal high-water level adjacent to the long reach excavator and loaded into a dump truck or trailer using a front loader or other piece of equipment allowing for efficient operations of the removal project. Material will be loaded and removed as it is dewatered, equipment is available, and locations for its use or storage is available.
3. The dump truck or trailer is then driven to the sediment storage area, other disposal areas, or use areas.
4. These steps are repeated until the sediment introduced into the lake is removed sufficiently to reach the normal depth of the lake." The sediment storage area within the LMWD boundaries is maintained to retain sediment on that site and manage rainfall upon the site.

Once the LMWD Board has determined the volume of sediment to be removed and selected an operator and transportation contractor, the following Plan processes shall be followed:

1. Equipment will be delivered to APN 062-120-069
2. Equipment will be mobilized and staged at various removal sites on LMWD parcels including, but not limited to: APN 062-130-025, APN 062-120-050, APN 062-120-069, APN 062-120-076
3. Transportation of material in trucks from sediment removal sites will be in trucks with weight distribution and capacity to carry 8 to 10 yards of material that is least likely to damage roadways and bridges within the

LMWD. The materials compartment on these trucks will be a sealed compartment minimizing the amount of material that may be deposited on District roadways.

4. Material is initially transported to the Sediment Storage Area, APN 062-120-050. The Sediment Storage Area is maintained with berms and straw wattles to prevent any rainfall in the area from carrying sediment off the site. Additionally, this hillside and the subsequent banks of the waterway are stabilized by heavy, native vegetative growth.

5. Depending on the amount of sediment to be removed, it may be necessary to haul sediment off-site from the Sediment Storage Area to an approved disposal site.

6. Upon completion of work at each removal site, where necessary, the area is scraped with the excavator bucket and straw wattles are installed and staked into place to intercept rainfall upon disturbed areas.

7. The sediment removal sites, and sediment storage area are all subject to compliance with the Best Management Practices applicable to these sites as included in the General Construction Standards adopted for the State of California for sites less than one acres in size.

8. Photographs of the work areas will be taken periodically during any work period and, when work is halted, preserved and available for examination as public records.

#### Operational Dredging Plan Details

1. Using a cabled / self-propelled hydraulic dredge, sediment from Lake Madrone will be pumped through a temporary pipeline to the Pit Area for dewatering.

2. Depending on the location of the dredging, a booster pump will be used to help move the sand sediment to the Pit Area.

3. The sand pumped out of the lake will separate naturally in the upper end of the Pit Area and the water pumped with the sand will be returned to the lake at the other end of the Pit Area.

4. As the sand builds up and dewateres, the sand will be pulled out of the Pit Area with an excavator to be loaded into trucks.

5. Trucks will be loaded daily removing the sand off site. The number of trucks used will depend on the amount of sand removed daily. Typically, there will be 4 to 6 trucks used daily.

6. The Pit Area will be approximately .8 acres in size.

7. A temporary channel will be built at the opposite end of the Pit Area that allows the water to return to the lake.
8. Straw bales and straw wattles will be placed inside the temporary channel to filter out the water being returned to the lake.
9. The water returned to the lake will enter on the east side of Galen Creek Inlet and flow west into the main body of Lake Madrone
10. A minimum of two turbidity curtains will be placed across Galen Creek Inlet to slow the water movement towards the main body of Lake Madrone.
11. Once dredging is complete and sediment has been removed, the Pit Area and Galen Creek Inlet will be returned to their original condition. Equipment will be demobilized, and any additional clean-up will be finalized.

Once the LMWD Board has determined the volume of the sediment to be removed and selected a dredging contractor and transportation contractor the following plan process shall be followed:

1. Equipment will be delivered and stored in the Pit Area, APN 062-120-069.
2. The dredge will be placed into the lake and the pipeline will be built.
3. The excavator will be used to clean out some of Galen Creek and install the turbidity curtains.
4. The Pit Area and water return channel will be created.
5. The dredge will be moved to its starting position and begin dredging.
6. As necessary, the straw bales and straw wattles will be changed out.
7. The dredge will be moved to all the necessary areas to dredge until all dredging has been completed.
8. At the conclusion of the dredging project the Pit Area will be restored to its original condition.
9. The sediment removal sites, and Pit Area are all subject to compliance with the Best Management Practices application to these as included in the General Construction Standards adopted for the State of California for sites less than one acre in size.
10. Photographs of the work will be taken periodically during any work period and when work is halted. Photos will be made available for examination.

## RECORD KEEPING

A log will be produced when sediment removal activities occur. The log will include activities undertaken, load tickets used to measure volume, status of BMPs, and notes detailing site conditions.

## REPORTING

LMWD will need to submit an annual report to the EPA documenting all sediment removal and disposal activities that occurred during this project. Therefore, you will need to submit a record of these activities to the LMWD at the end of this project.

site) Return Water Discharge Channel

Pit Area (Temporary Sediment Storage

Galen Creek Turbidity curtain 1

Galen Creek Turbidity curtain 2

Once the sediment has been removed from Lake Madrone, the following post lake clean out work by both forced labor and contractors needs to occur:

1. Because of the use of heavy equipment in the Pit Area and in the meadows, grading and hydroseeding will need to occur in these areas.
2. Once Lake cleanout is completed, straw wattles, erosion control blankets, and silt fencing will need to be placed anywhere the soil was disturbed by either the storm waters or by the use of equipment during the Lake cleanout.

This project is partially funded by FEMA and Cal-OES, therefore Federal and State guidelines would apply if a bid is accepted, including compliance with 2 CFR 200 § 317-326. If a bid is accepted, work is anticipated to begin on April 1, 2025, and should be completed by October 31, 2025. Sealed bids will be opened publicly on February 22, 2025, at 9:30 AM at 322 Lakeside Way, Berry Creek, CA 95916.

If you want to revisit the project site, please contact Tim Beers, President of the Lake Madrone Water District Board, either by email at [tjb.forest18@gmail.com](mailto:tjb.forest18@gmail.com) or by phone (916) 704-0839 to set up a site visit.

Sealed bids should be submitted to Tim Beers, President of the Lake Madrone Water District Board, by email at [tjb.forest18@gmail.com](mailto:tjb.forest18@gmail.com) on or before February 14, 2025 by 5:00 PM. Questions may be directed to Tim Beers by email or by phone (916) 704-0839.



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Copy that. I'll get together with our team and see when we can get out there.

Just as an FYI, I'm not sure if you all knew this, but Robert Lyons is no longer with our company.

Thank you,

**Pete Asselin**

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*Safety Starts with Me! Live It 3-6-5*

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project. Material will be loaded and removed as it is dewatered, equipment is available, and locations for its use or storage is available.

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#22

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**Attachments:** Exhibit A.docx

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Yes, we know about Robert.

It appears that the four pictures that are in Exhibit A didn't appear in the original email. Therefore, I have attached Exhibit A.

Tim

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Just as an FYI, I'm not sure if you all knew this, but Robert Lyons is no longer with our company.

Thank you,

**Pete Asselin**  
Technical Sales Expert, Tank and Separations

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On Wed, Dec 4, 2024 at 7:48 AM Asselin, Peter <[asselin.peter@hpc-industrial.com](mailto:asselin.peter@hpc-industrial.com)> wrote:

Mr. Beers,

Thank you for sending this over to me. HPC has full intention to bid this project again. I will let you know if we have any questions, or if we want to come walk the project.

Thank you,

**Pete Asselin**  
Technical Sales Expert, Tank and Separations

HPC Industrial | Powered by Clean Harbors

(m) (707) 372-2898  
[asselin.peter@hpc-industrial.com](mailto:asselin.peter@hpc-industrial.com)

[www.hpc-industrial.com](http://www.hpc-industrial.com)



*Safety Starts with Me! Live It 3-6-5*

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**From:** Timothy Beers <[tjb.forest18@gmail.com](mailto:tjb.forest18@gmail.com)>  
**Sent:** Monday, December 2, 2024 4:31 PM  
**To:** Asselin, Peter <[asselin.peter@hpc-industrial.com](mailto:asselin.peter@hpc-industrial.com)>  
**Cc:** Vicki Hoggins <[vhoggins@minasianlaw.com](mailto:vhoggins@minasianlaw.com)>; Holly Mason <[hsmason13@outlook.com](mailto:hsmason13@outlook.com)>  
**Subject:** Lake Madrone Water District's 2025 Lake Sediment Removal Project

## **Lake Madrone Water District's Request for Proposals for the 2025 Lake Sediment Removal Project**

Due to unforeseen circumstances, the Lake Madrone Water District was not able to obtain the funding necessary to do our 2024 Lake Sediment Removal Project. However, FEMA and Cal OES are expected to fully obligate funds for the Lake Madrone Water District's 2025 Lake Sediment Removal Project. This project is for the removal of more than 42,000 cubic yards of sediment from Lake Madrone that was deposited from the severe winter storms of the winter of 2022/2023 (California Severe Winter Storms, Flooding, Landslides, and Mudslides, DR-4683). We anticipate that this project may begin as soon as April 1, 2025.

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The LMWD doesn't have a formal bid document that can be used to write up your bid. We simply request that all bids should include the following:

1. The cost for having a designated biologist to do all pre-project surveys and to be on site during project activities. Gallaway Enterprises in Chico performed the Biological Resource Assessment and the Draft Delineation of Aquatic Resources for this project and are available to provide a designated biologist.
2. The cost of the excavation and removal of sediment from Lake Madrone, and the transportation of the sediment from Lake Madrone to a certified disposal site. For the 2025 Lake Sediment Removal Project, the Lake Madrone Water District Board expects the method described in Exhibit A to be used to remove this sediment from our Lake. This method has been approved by the EPA, RWQCB, USACE, CDFW, and FEMA.
3. The cost for the placement of rip rap along both the Berry Creek and Galen Creek Inlets.

- **Berry Creek Inlet Above the Green Bridge:**

To return this section of the inlet to its' pre-disaster condition will require approximately 438 feet of rip rap to be placed along the eastern side of the inlet. The rip rap will need to average a width of 3 feet and a depth of 11 feet.

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4. The cost of best management practices (BMPs) to minimize turbidity and siltation and prevent erosion and discharge of sediment into the Lake during the project. BMPs should also be utilized during post Lake cleanout restoration and erosion control. The Pit Area and meadows will need to be restored to their pre-project conditions. They will need to be graded and hydroseeded. Straw wattles, fiber rolls, coir logs, straw

bale dikes, erosion control blankets, and silt fencing will need to be placed anywhere the soil was disturbed by either the storm waters or by the use of equipment during the Lake cleanout.

5. The cost of a bathymetric study of Lake Madrone after sediment removal has been completed.

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1. Using a long reach excavator positioned above the normal high-water level of the lake the excavator bucket is extended over and lowered into the water and then pulled toward the bank filling the excavator bucket with sediment.
2. It is then pulled up to the lake's banks and raised out of the water and deposited well above the ordinary high-water mark and deposited directly into a waiting dump truck or trailer. Depending on logistical circumstances a pile of sediment may be formed above the normal high-water level adjacent to the long reach excavator and loaded into a dump truck or trailer using a front loader or other piece of equipment allowing for efficient operations of the removal project. Material will be loaded and removed as it is dewatered, equipment is available, and locations for its use or storage is available.
3. The dump truck or trailer is then driven to the sediment storage area, other disposal areas, or use areas.
4. These steps are repeated until the sediment introduced into the lake is removed sufficiently to reach the normal depth of the lake." The sediment storage area within the LMWD boundaries is maintained to retain sediment on that site and manage rainfall upon the site.

Once the LMWD Board has determined the volume of sediment to be removed and selected an operator and transportation contractor, the following Plan processes shall be followed:

1. Equipment will be delivered to APN 062-120-069

2. Equipment will be mobilized and staged at various removal sites on LMWD parcels including, but not limited to: APN 062-130-025, APN 062-120-050, APN 062-120-069, APN 062-120-076
3. Transportation of material in trucks from sediment removal sites will be in trucks with weight distribution and capacity to carry 8 to 10 yards of material that is least likely to damage roadways and bridges within the LMWD. The materials compartment on these trucks will be a sealed compartment minimizing the amount of material that may be deposited on District roadways.
4. Material is initially transported to the Sediment Storage Area, APN 062-120-050. The Sediment Storage Area is maintained with berms and straw wattles to prevent any rainfall in the area from carrying sediment off the site. Additionally, this hillside and the subsequent banks of the waterway are stabilized by heavy, native vegetative growth.
5. Depending on the amount of sediment to be removed, it may be necessary to haul sediment off-site from the Sediment Storage Area to an approved disposal site.
6. Upon completion of work at each removal site, where necessary, the area is scraped with the excavator bucket and straw wattles are installed and staked into place to intercept rainfall upon disturbed areas.
7. The sediment removal sites, and sediment storage area are all subject to compliance with the Best Management Practices applicable to these sites as included in the General Construction Standards adopted for the State of California for sites less than one acres in size.
8. Photographs of the work areas will be taken periodically during any work period and, when work is halted, preserved and available for examination as public records.

#### Operational Dredging Plan Details

1. Using a cabled / self-propelled hydraulic dredge, sediment from Lake Madrone will be pumped through a temporary pipeline to the Pit Area for dewatering.
2. Depending on the location of the dredging, a booster pump will be used to help move the sand sediment to the Pit Area.
3. The sand pumped out of the lake will separate naturally in the upper end of the Pit Area and the water pumped with the sand will be returned to the lake at the other end of the Pit Area.
4. As the sand builds up and dewateres, the sand will be pulled out of the Pit Area with an excavator to be loaded into trucks.
5. Trucks will be loaded daily removing the sand off site. The number of trucks used will depend on the amount of sand removed daily. Typically, there will be 4 to 6 trucks used daily.

6. The Pit Area will be approximately .8 acres in size.
7. A temporary channel will be built at the opposite end of the Pit Area that allows the water to return to the lake.
8. Straw bales and straw wattles will be placed inside the temporary channel to filter out the water being returned to the lake.
9. The water returned to the lake will enter on the east side of Galen Creek Inlet and flow west into the main body of Lake Madrone
10. A minimum of two turbidity curtains will be placed across Galen Creek Inlet to slow the water movement towards the main body of Lake Madrone.
11. Once dredging is complete and sediment has been removed, the Pit Area and Galen Creek Inlet will be returned to their original condition. Equipment will be demobilized, and any additional clean-up will be finalized.

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1. Equipment will be delivered and stored in the Pit Area, APN 062-120-069.
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3. The excavator will be used to clean out some of Galen Creek and install the turbidity curtains.
4. The Pit Area and water return channel will be created.
5. The dredge will be moved to its starting position and begin dredging.
6. As necessary, the straw bales and straw wattles will be changed out.
7. The dredge will be moved to all the necessary areas to dredge until all dredging has been completed.
8. At the conclusion of the dredging project the Pit Area will be restored to its original condition.
9. The sediment removal sites, and Pit Area are all subject to compliance with the Best Management Practices application to these as included in the General Construction Standards adopted for the State of California for sites less than one acre in size.
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## RECORD KEEPING

A log will be produced when sediment removal activities occur. The log will include activities undertaken, load tickets used to measure volume, status of BMPs, and notes detailing site conditions.

## REPORTING

LMWD will need to submit an annual report to the EPA documenting all sediment removal and disposal activities that occurred during this project. Therefore, you will need to submit a record of these activities to the LMWD at the end of this project.

site) Return Water Discharge Channel Pit Area (Temporary Sediment Storage

Galen Creek Turbidity curtain 1

Galen Creek Turbidity curtain 2

Once the sediment has been removed from Lake Madrone, the following post lake clean out work by both forced labor and contractors needs to occur:

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2. Once Lake cleanout is completed, straw wattles, erosion control blankets, and silt fencing will need to be placed anywhere the soil was disturbed by either the storm waters or by the use of equipment during the Lake cleanout.

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Pit Area (Temporary Sediment Storage site)



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**Vicki Hoggins**

**From:** Holly Mason <hsmason13@outlook.com>  
**Sent:** Wednesday, December 4, 2024 11:12 AM  
**To:** sludgehauler200@gmail.com  
**Cc:** Timothy Beers; Vicki Hoggins  
**Subject:** FW: Lake Madrone Water District's 2025 Lake Sediment Removal Project  
**Attachments:** 2025 Lake Sediment Removal Project RFP-EXHIBIT A.docx

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Sealed bids should be submitted to Tim Beers, President of the Lake Madrone Water District Board, by email at [tjb.forest18@gmail.com](mailto:tjb.forest18@gmail.com) on or before February 14, 2025 by 5:00 PM. Questions may be directed to Tim Beers by email or by phone (916) 704-0839.

Holly Mason  
(530) 370-6770  
[Hsmason13@outlook.com](mailto:Hsmason13@outlook.com)

## **Exhibit A**

### **Detailed Description of How Sediment is to be Removed from Lake Madrone During the 2025 Lake Sediment Removal Project**

The contractor and LMWD will use two different methods to remove the 42,000+ cubic yards of sediment from Lake Madrone. Both an excavator and a dredge will be used.

Operational Excavator Plan Details (previously approved by the EPA in the AOC)

1. Using a long reach excavator positioned above the normal high-water level of the lake the excavator bucket is extended over and lowered into the water and then pulled toward the bank filling the excavator bucket with sediment.
2. It is then pulled up to the lake's banks and raised out of the water and deposited well above the ordinary high-water mark and deposited directly into a waiting dump truck or trailer. Depending on logistical circumstances a pile of sediment may be formed above the normal high-water level adjacent to the long reach excavator and loaded into a dump truck or trailer using a front loader or other piece of equipment allowing for efficient operations of the removal project. Material will be loaded and removed as it is dewatered, equipment is available, and locations for its use or storage is available.
3. The dump truck or trailer is then driven to the sediment storage area, other disposal areas, or use areas.
4. These steps are repeated until the sediment introduced into the lake is removed sufficiently to reach the normal depth of the lake." The sediment storage area within the LMWD boundaries is maintained to retain sediment on that site and manage rainfall upon the site.

Once the LMWD Board has determined the volume of sediment to be removed and selected an operator and transportation contractor, the following Plan processes shall be followed:

1. Equipment will be delivered to APN 062-120-069
2. Equipment will be mobilized and staged at various removal sites on LMWD parcels including, but not limited to: APN 062-130-025, APN 062-120-050, APN 062-120-069, APN 062-120-076
3. Transportation of material in trucks from sediment removal sites will be in trucks with weight distribution and capacity to carry 8 to 10 yards of material that is least likely to damage roadways and bridges within the LMWD. The materials compartment on these trucks will be a sealed compartment minimizing the amount of material that may be deposited on District roadways.
4. Material is initially transported to the Sediment Storage Area, APN 062-120-050. The Sediment Storage Area is maintained with berms and straw waddles to prevent any rainfall in the area from carrying sediment off the site. Additionally, this hillside and the subsequent banks of the waterway are stabilized by heavy, native vegetative growth.
5. Depending on the amount of sediment to be removed, it may be necessary to haul sediment off-site from the Sediment Storage Area to an approved disposal site.
6. Upon completion of work at each removal site, where necessary, the area is scraped with the excavator bucket and straw wattles are installed and staked into place to intercept rainfall upon disturbed areas.

7. The sediment removal sites, and sediment storage area are all subject to compliance with the Best Management Practices applicable to these sites as included in the General Construction Standards adopted for the State of California for sites less than one acres in size.
8. Photographs of the work areas will be taken periodically during any work period and, when work is halted, preserved and available for examination as public records.

#### Operational Dredging Plan Details

1. Using a cabled / self-propelled hydraulic dredge, sediment from Lake Madrone will be pumped through a temporary pipeline to the Pit Area for dewatering.
2. Depending on the location of the dredging, a booster pump will be used to help move the sand sediment to the Pit Area.
3. The sand pumped out of the lake will separate naturally in the upper end of the Pit Area and the water pumped with the sand will be returned to the lake at the other end of the Pit Area.
4. As the sand builds up and dewateres, the sand will be pulled out of the Pit Area with an excavator to be loaded into trucks.
5. Trucks will be loaded daily removing the sand off site. The number of trucks used will depend on the amount of sand removed daily. Typically, there will be 4 to 6 trucks used daily.
6. The Pit Area will be approximately .8 acres in size.
7. A temporary channel will be built at the opposite end of the Pit Area that allows the water to return to the lake.
8. Straw bales and straw wattles will be placed inside the temporary channel to filter out the water being returned to the lake.
9. The water returned to the lake will enter on the east side of Galen Creek Inlet and flow west into the main body of Lake Madrone
10. A minimum of two turbidity curtains will be placed across Galen Creek Inlet to slow the water movement towards the main body of Lake Madrone.
11. Once dredging is complete and sediment has been removed, the Pit Area and Galen Creek Inlet will be returned to their original condition. Equipment will be demobilized, and any additional clean-up will be finalized.

Once the LMWD Board has determined the volume of the sediment to be removed and selected a dredging contractor and transportation contractor the following plan process shall be followed:

1. Equipment will be delivered and stored in the Pit Area, APN 062-120-069.
2. The dredge will be placed into the lake and the pipeline will be built.
3. The excavator will be used to clean out some of Galen Creek and install the turbidity curtains.
4. The Pit Area and water return channel will be created.
5. The dredge will be moved to its starting position and begin dredging.
6. As necessary, the straw bales and straw wattles will be changed out.
7. The dredge will be moved to all the necessary areas to dredge until all dredging has been completed.

8. At the conclusion of the dredging project the Pit Area will be restored to its original condition.
9. The sediment removal sites, and Pit Area are all subject to compliance with the Best Management Practices application to these as included in the General Construction Standards adopted for the State of California for sites less than one acre in size.
10. Photographs of the work will be taken periodically during any work period and when work is halted. Photos will be made available for examination.

**RECORD KEEPING**

A log will be produced when sediment removal activities occur. The log will include activities undertaken, load tickets used to measure volume, status of BMPs, and notes detailing site conditions.

**REPORTING**

LMWD will need to submit an annual report to the EPA documenting all sediment removal and disposal activities that occurred during this project. Therefore, you will need to submit a record of these activities to the LMWD at the end of this project.



Pit Area (Temporary Sediment Storage site)



Return Water Discharge Channel



Galen Creek Turbidity curtain 1



Galen Creek Turbidity curtain 2

Once the sediment has been removed from Lake Madrone, the following post lake clean out work by both forced labor and contractors needs to occur:

1. Because of the use of heavy equipment in the Pit Area and in the meadows, grading and hydroseeding will need to occur in these areas.
2. Once Lake cleanout is completed, straw wattles, erosion control blankets, and silt fencing will need to be placed anywhere the soil was disturbed by either the storm waters or by the use of equipment during the Lake cleanout.

#24



California FAIR Plan Association  
COMMERCIAL INSURANCE POLICY DECLARATIONS

725 S. Figueroa Street, Suite 3900  
Los Angeles, CA 90017  
(800) 339-4099  
www.cfpnet.com

TRANSACTION TYPE Commercial-Renewal Offer

**YOUR INSURANCE BROKER**  
Heritage Insurance Agency Inc  
290 Airpark Blvd  
Chico, CA 95973-8849  
**PHONE NUMBER (530) 894-3276**

**DATE ISSUED** 26/11/2024  
**POLICY NUMBER** COM 0301174011 03  
**POLICY PERIOD** 11/16/2024 To 11/16/2025  
12:01 a.m. at the property location

**INSURED NAME AND MAILING ADDRESS**  
LAKE MADROME WATER DISTRICT,  
PO BOX 933  
OROVILLE, CA 95965

**PROPERTY LOCATION**  
0 Lake Side Way (Electronic Entry Gates)  
Berry Creek, CA 95916

**IMPORTANT NOTICE TO INSURED**

Check to see that the amount and type of coverage provided by this policy is appropriate. That determination is solely your responsibility.

**RATING INFORMATION**

DEDUCTIBLE (Per Occurrence) \$1000

**COVERAGE AND PREMIUM INFORMATION**

In case of loss we cover only that part of the loss which exceeds the deductible shown. We provide only those coverages and perils shown below as selected ( ✓ ). These are brief summary descriptions; please read the entire policy for details about coverages and covered perils. Please ask your broker for assistance if you wish to obtain information about any coverages you have not purchased

**COVERAGES, LIMITS, PERILS AND PREMIUMS**

SELECTED COVERAGES	LIMITS	PERILS INSURED AGAINST	PREMIUMS
<input type="checkbox"/> Building(s) <i>see Schedule attached</i>	\$ 0	<input checked="" type="checkbox"/> Fire, Lightning and Explosion	\$ 120
<input type="checkbox"/> Business Personal Property	\$ 0	<input type="checkbox"/> Extended Coverages	\$ 0
<input type="checkbox"/> Personal Property of Others	\$ 0	<input checked="" type="checkbox"/> Vandalism	INCLUDED
<input type="checkbox"/> Business Income and Extra Expense <i>25% Monthly Limitation</i>	\$ 0	<input type="checkbox"/> Sprinkler Leakage	EXCLUDED
<input checked="" type="checkbox"/> Other Structures	\$ 48,000		
<input type="checkbox"/> Improvements and Betterments	\$ 0		
<input type="checkbox"/> Replacement Cost	EXCLUDED		

**Total Annual Premium \$ 236**

**THIS IS NOT A BILL**

You will be sent a bill approximately 30 days prior to the renewal effective date or you may pay any time online at WWW.CFPNET.COM

LAKE MADROME WATER DISTRICT,  
PO BOX 933  
OROVILLE, CA 95965

*continued reverse side.*  
Insured Copy

*and sent*

## READ YOUR INSURANCE POLICY

*Selecting the amount and type of insurance coverage appropriate for your needs is your responsibility.*

### FORMS AND ENDORSEMENTS APPLICABLE TO THIS POLICY

NUMBER	EDITION DATE	NAME
IL09520115	01/2015	Cap on Losses From Certified Acts of Terrorism
CFPG_2a	09/2019	INSPECTION REQUEST
IL0985	01 15	Disclosure Pursuant to Terrorism Risk Insurance Act
CP0099	01/2005	STANDARD PROPERTY POLICY

**MORTGAGEE/LOSS PAYEES:** Subject to the provisions of the loss payable clauses attached hereto, loss, if any, on dwelling (and other structures, if applicable) shall be payable to:

**1st Mortgagee**

**2nd Mortgagee**

THESE DECLARATIONS WITH FORMS AND ENDORSEMENTS LISTED ABOVE ARE YOUR INSURANCE POLICY

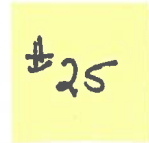
### MESSAGE BOARD

- ✓ This policy is a contract between us and the Named Insured(s) and any loss payees identified on this Declarations Page. This policy does not provide coverage to any person or entity not named here.





Together, we'll keep  
California working.



P.O. Box 254700  
Sacramento, CA 95865

11/25/2024

Received

DEC 04 2024

Minasian Law Firm

LAKE MADRONE WATER DIST.  
PO BOX 933  
OROVILLE, CA 95965

RE: Notification of Update to our Policy Form Terms and Conditions  
481282-2024

Dear Policyholder,

We have made changes to our Workers' Compensation and Employer's Liability policy form, which have been approved by the California Department of Insurance.

Beginning with policies that take effect January 1, 2025, for new or renewal coverage, we will send an updated version of our policy form. These updates are not applicable for policies that incept prior to January 1, 2025.

The revisions to our policy form clarify language in several sections to conform to the National Council on Compensation Insurance (NCCI), and to recognize the regulatory and legislative developments in the industry.

To view the updated policy form in its entirety or to see the changes from the previous form, visit our website at: [www.StateFundCA.com/Policy](http://www.StateFundCA.com/Policy)

If you have questions or concerns, please contact [statefundpolicyform@scif.com](mailto:statefundpolicyform@scif.com). We appreciate your business and look forward to continuing to serve your workers' compensation needs now and in the future.

Thank you.

State Compensation Insurance Fund

#26

**Vicki Hoggins**

---

**From:** Timothy Beers <tjb.forest18@gmail.com>  
**Sent:** Sunday, December 8, 2024 11:02 AM  
**To:** Kevin Sevier; Holly Mason; Shane McCabe; Vicki Hoggins  
**Subject:** Re: Waterline Survey  
**Attachments:** Water System Map & Fire Damage.pdf; 400 Linear Feet of Water Main.pdf; 800 Linear Feet of Water Main.pdf

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#) | [Report](#)

Hi Kevin,

Sorry for the late response, My laptop has been down since Thursday evening. But it is working today. I have attached three different maps. Hopefully these will help. The 400 linear foot section starts on Lakeside Way at the bottom of Toyon Trail and the 800 linear foot section starts on Madrone Way near Oak Path. FYI, It looks like Holly and Shane are going to walk these two sites with a potential contractor for the Geotechnical Survey on 12-19-2024.

Hope you have a great week,

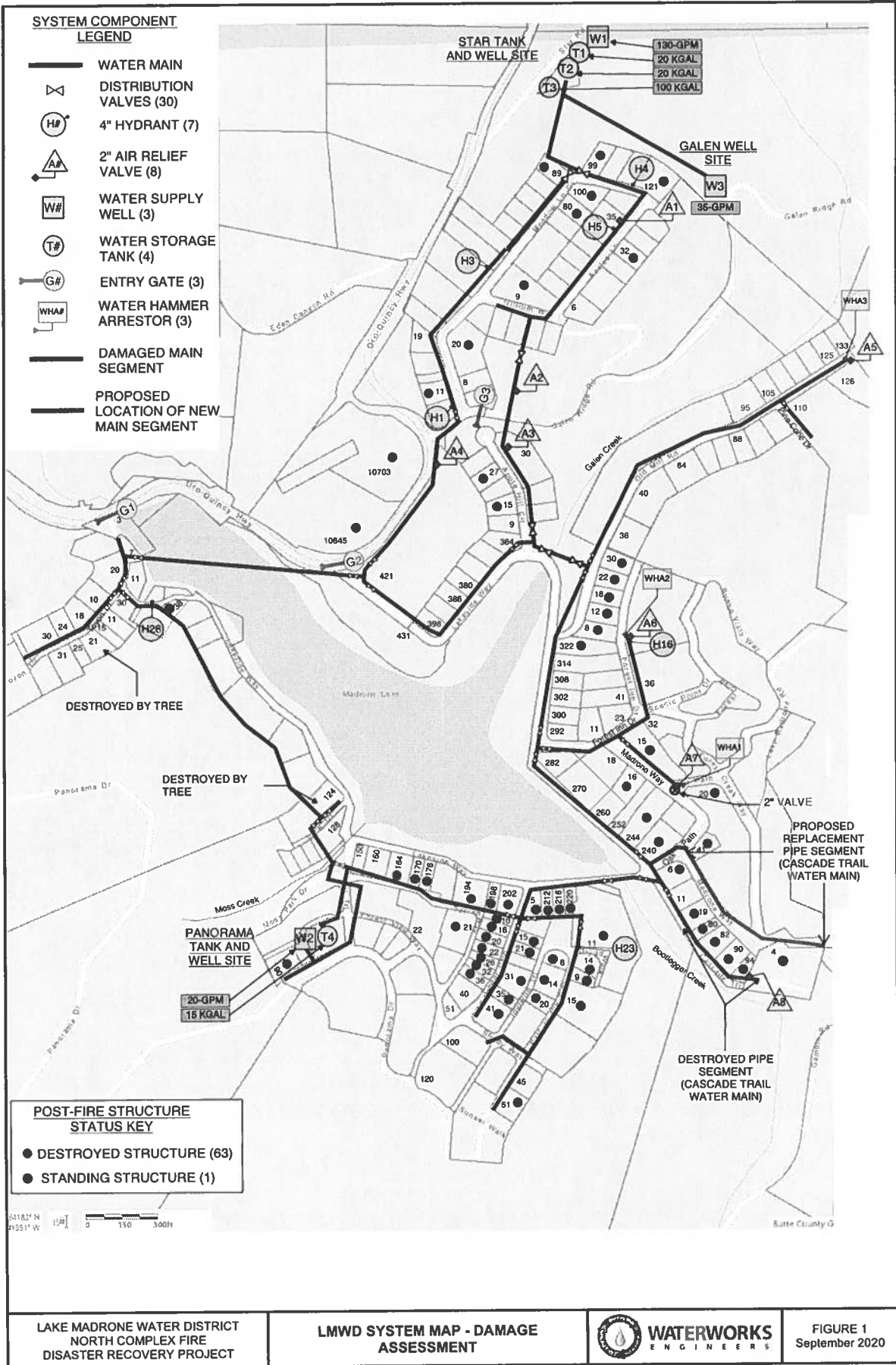
Tim Beers  
President of the Lake Madrone Water District Board  
(916) 706-0839

On Thu, Dec 5, 2024 at 1:47 PM Kevin Sevier <[kevin@gallawayenterprises.com](mailto:kevin@gallawayenterprises.com)> wrote:

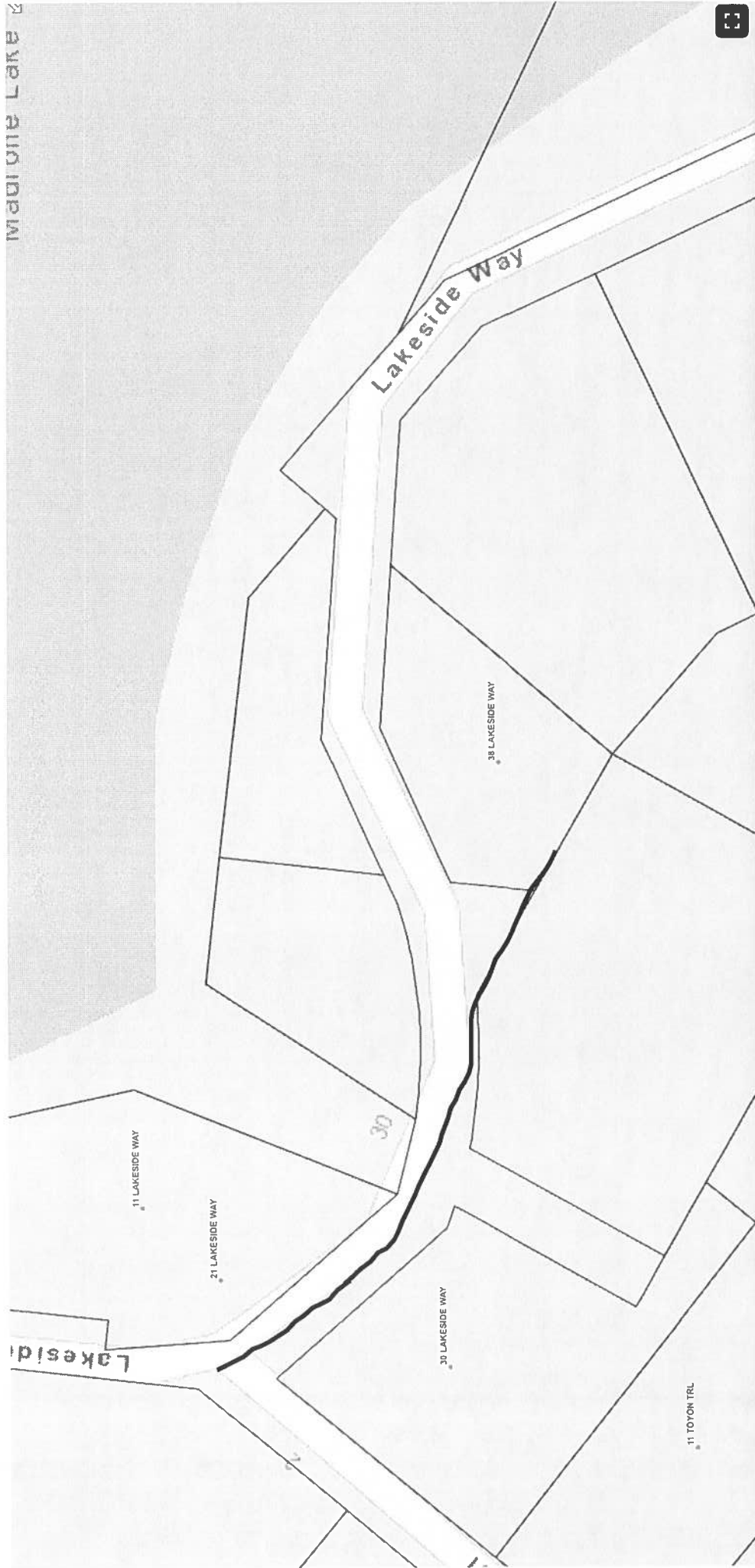
Tim,

Do you have a map of the waterline project area or extents?

Kevin



MADISON LAKE



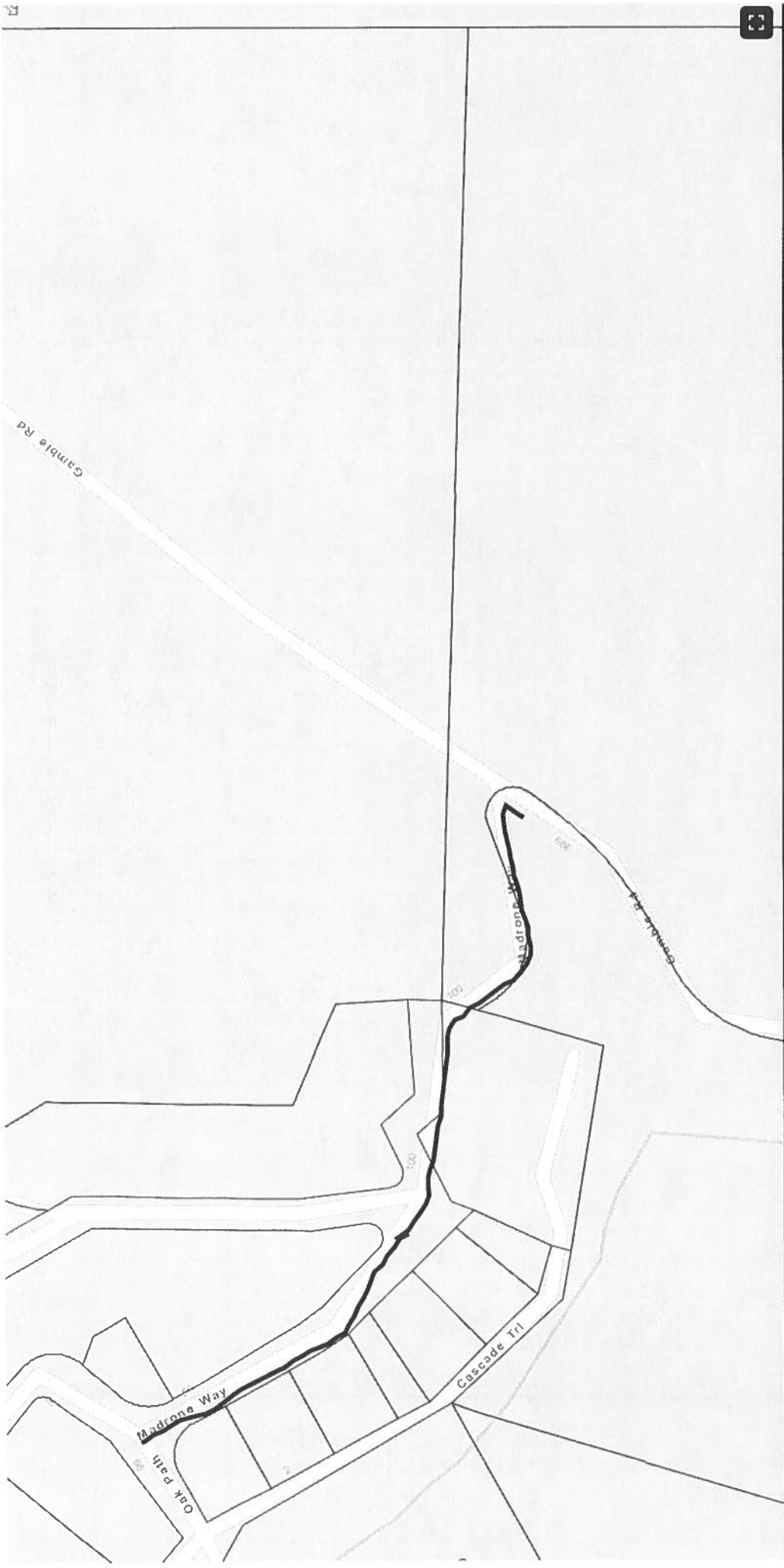
121, 409, 39, 649 Degrees

Parcel Lookup



Search Address or APN

40ft



Parcel Lookup

Navigation and utility icons: a search icon, a home icon, a location pin icon, a refresh icon, a print icon, a window icon, a layers icon, and a list icon.

Search Address or APN

200ft

Coordinates: 41.121401, -89.645059

#27

## Vicki Hoggins

---

**From:** Timothy Beers <tjb.forest18@gmail.com>  
**Sent:** Monday, December 9, 2024 8:10 AM  
**To:** colleenb@wwengineers.com  
**Cc:** Holly Mason; Vicki Hoggins; Leah Janowski; Wagner, Scott@CalOES  
**Subject:** Project 20-077 Lake Madrone WD Disaster Recovery PM

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Good morning, Colleen,

As you may or may not know, both Roger Williams and Jess Vickery have stepped off the Lake Madrone Water District Board. Consequently, I'm now the LMWD Board President and have taken over all the FEMA Projects from the 2020 North Complex Fire. One of my main goals is to make sure that the LMWD is reimbursed for all the work that Water Works Engineers Inc. did for the District on Project 162636 (Water Distribution System), Project 164533 (Debris Removal), Project 164538 (Temporary Water Supply and Repairs), Project 164556 (Erosion Control District Wide), Project 180226 (Water Storage Tank & Well Site Repairs), and Project 543109 (Registered Professional Forester). I know that your company didn't assist the LMWD with all these projects; however, I do need to know what projects you did assist the District on.

Jackson Minasian has forwarded me a copy of the 20 invoices that you billed the LMWD for. However, these invoices don't contain a written description of the work that was performed by Water Works Engineers Inc. As you may know, FEMA and Cal OES both want to know what tasks were performed by your company and if the work was for the projects that they obligated. So, could you please forward me each invoice with a written description of the work that was performed by Water Works Engineers Inc. on each of them?

Thanks for all the assistance that you have given the LMWD these past four years. I hope you have a great Monday,

Tim Beers

President of the Lake Madrone Water District Board

(916) 704-0839

#28

**Vicki Hoggins**

---

**From:** Timothy Beers <tjb.forest18@gmail.com>  
**Sent:** Monday, December 9, 2024 10:35 AM  
**To:** scott.canaday@aptim.com  
**Cc:** Vicki Hoggins; Holly Mason  
**Subject:** Lake Madrone Water District Project No: 631024338

Caution! This message was sent from outside your organization. [Allow sender](#) | [Block sender](#) | [Report](#)

Good morning, Scott,

As you may or may not know, both Roger Williams and Jess Vickery have stepped off the Lake Madrone Water District Board. Consequently, I'm now the LMWD Board President and have taken over all the FEMA Projects from the 2020 North Complex Fire. One of my main goals is to make sure that the LMWD is reimbursed for all the work that APTIM did for the District on Project 162636 (Water Distribution System), Project 164533 (Debris Removal), Project 164538 (Temporary Water Supply and Repairs), Project 164556 (Erosion Control District Wide), Project 180226 (Water Storage Tank & Well Site Repairs), and Project 543109 (Registered Professional Forester). I know that your company might not have assisted the LMWD with all these projects; however, I do need to know what projects you did assist the District on.

Jackson Minasian has forwarded me a copy of eight of your invoices. However, I can't read the description of the work that was performed by APTIM. As you may know, FEMA and Cal OES both want to know what tasks were performed by your company and if the work was for the projects that they obligated. So, could you please forward each invoice with a written description of the work that was performed by APTIM on each of them, that can be read by FEMA, Cal OES, and myself?

Thanks for all the assistance that you have given the LMWD these past four years. I hope you have a great Monday,

Tim Beers  
President of the Lake Madrone Water District Board  
(916) 704-0839



#29

## Vicki Hoggins

---

**From:** Arpilleda, David@Waterboards <David.Arpilleda@Waterboards.ca.gov>  
**Sent:** Tuesday, December 10, 2024 10:46 AM  
**To:** Vicki Hoggins  
**Cc:** Chand, Gurgagn@Waterboards; Jauregui, Renan@Waterboards  
**Subject:** Missing Annual Reports in CIWQS

Caution! This message was sent from outside your organization.

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Hello,

My name is David Arpilleda and I'm a Student Assistant with the State Water Resources Control Board. Our records indicate that your facility is a discharger under the Statewide Aquatic Weed & Algae Control Permit, 2013-0002-DWQ. I'm contacting you regarding your facility's Annual Report submission for the years 2019 and 2023. We have been unable to locate your submissions, so please respond back to this email with these missing Annual Reports.

For more information about the permit, please visit [NPDES - Pesticides Weed Control | California State Water Resources Control Board](#).

For any questions or concerns, feel free to reach out at any time.

Thanks,

David Arpilleda  
Student Assistant – Engineering and Architectural Sciences  
SWRCB/DWQ  
NPDES Wastewater Unit



**Vicki Hoggins**

**From:** Shane McCabe <lmwd.shane@gmail.com>  
**Sent:** Tuesday, December 10, 2024 11:41 AM  
**To:** David.Arpilleda@waterboards.ca.gov  
**Cc:** Vicki Hoggins; Timothy Beers  
**Subject:** Fwd: Aquatic Pesticides usage for 2023  
**Attachments:** LMWD 2023 NPDES Annual Report.pdf; Aquatic PesticideHerbicide Application Form 6-6-23.pdf; Aquatic PesticideHerbicide Application Form 7-24-23.pdf; Diaquat Application MAP 2023.pdf; 2023 Lake Madrone Diaquat and Conductivity Analysis.pdf

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Hi David, please read thread below regarding 2023 application of Diaquat at Lake Madrone. All reports are attached. I will add you to email list for 2024 application. Please let me know if you have any questions.  
 Shane

----- Forwarded message -----

**From:** Shane McCabe <lmwd.shane@gmail.com>  
**Date:** Mon, Apr 22, 2024 at 1:56 PM  
**Subject:** Re: Aquatic Pesticides usage for 2023  
**To:** <Aidan.Berlin@waterboards.ca.gov>  
**CC:** Nilsen, Michael@Waterboards <Michael.Nilsen@waterboards.ca.gov>, Vickery, Jess <vickeryje@butte.edu>

Hi Aidan, In regards to our 2023 Application of Aquatic Pesticide, Diaquat. Please view all the attachments. I sent a hard copy to Attn: Jeremy Pagan back in January 2024. I will update P.O.C. to reflect your contact information.  
 Thanks  
 Shane

On Mon, Apr 22, 2024 at 11:44 AM Berlin, Aidan T.@Waterboards <Aidan.Berlin@waterboards.ca.gov> wrote:

Good morning Shane,

My name is Aidan Berlin I work for the Regional Water Quality Control Board under the NPDES unit and wanted to see if you have used any Aquatic pesticides in 2023. If you did use them, I would require the usage event and sampling reports.



California FAIR Plan Association  
**COMMERCIAL INSURANCE POLICY DECLARATIONS**

#31

725 S. Figueroa Street, Suite 3900  
Los Angeles, CA 90017  
(800) 339-4099  
[www.cfpnet.com](http://www.cfpnet.com)

TRANSACTION TYPE Commercial-Renewal Offer

**YOUR INSURANCE BROKER**  
Heritage Insurance Agency Inc  
290 Airpark Blvd  
Chico, CA 95973-8849  
**PHONE NUMBER (530) 894-3276**

Received  
DEC 12 2024

Minasian Law Firm

**DATE ISSUED** 11/26/2024  
**POLICY NUMBER** COM 0301174011 03  
**POLICY PERIOD** 11/16/2024 To 11/16/2025  
12:01 a.m. at the property location

**INSURED NAME AND MAILING ADDRESS**  
LAKE MADROME WATER DISTRICT,  
PO BOX 933  
OROVILLE, CA 95965

**PROPERTY LOCATION**  
0 Lake Side Way (Electronic Entry Gates)  
Berry Creek, CA 95916

**IMPORTANT NOTICE TO INSURED**

Check to see that the amount and type of coverage provided by this policy is appropriate. That determination is solely your responsibility.

**RATING INFORMATION**

DEDUCTIBLE (Per Occurrence) \$1000

**COVERAGE AND PREMIUM INFORMATION**

In case of loss we cover only that part of the loss which exceeds the deductible shown. We provide only those coverages and perils shown below as selected ( ✓ ). These are brief summary descriptions; please read the entire policy for details about coverages and covered perils. Please ask your broker for assistance if you wish to obtain information about any coverages you have not purchased

**COVERAGES, LIMITS, PERILS AND PREMIUMS**

SELECTED COVERAGES	LIMITS	PERILS INSURED AGAINST	PREMIUMS
<input type="checkbox"/> Building(s) <i>see Schedule attached</i>	\$ 0	<input checked="" type="checkbox"/> Fire, Lightning and Explosion	\$ 120
<input type="checkbox"/> Business Personal Property	\$ 0	<input type="checkbox"/> Extended Coverages	\$ 0
<input type="checkbox"/> Personal Property of Others	\$ 0	<input checked="" type="checkbox"/> Vandalism	INCLUDED
<input type="checkbox"/> Business Income and Extra Expense 25% Monthly Limitation	\$ 0	<input type="checkbox"/> Sprinkler Leakage	EXCLUDED
<input checked="" type="checkbox"/> Other Structures	\$ 48,000		
<input type="checkbox"/> Improvements and Betterments	\$ 0		
<input type="checkbox"/> Replacement Cost	EXCLUDED		

**Total Annual Premium \$ 236**

**THIS IS NOT A BILL**

You will be sent a bill approximately 30 days prior to the renewal effective date or you may pay any time online at [WWW.CFPNET.COM](http://WWW.CFPNET.COM)

LAKE MADROME WATER DISTRICT,  
PO BOX 933  
OROVILLE, CA 95965

continued reverse side.  
Insured Copy

# READ YOUR INSURANCE POLICY

*Selecting the amount and type of insurance coverage appropriate for your needs is your responsibility.*

## FORMS AND ENDORSEMENTS APPLICABLE TO THIS POLICY

NUMBER	EDITION DATE	NAME
IL09520115	01/2015	Cap on Losses From Certified Acts of Terrorism
IL0985	01 15	Disclosure Pursuant to Terrorism Risk Insurance Act
CFPG_2a	09/2019	INSPECTION REQUEST
WF_CP_0324		NOTICE OF OUR USE OF A WILDFIRE RISK MODEL AND OUR CONSIDERATION OF MITIGATION FACTORS
CP0099	01/2005	STANDARD PROPERTY POLICY

**MORTGAGEE/LOSS PAYEES:** Subject to the provisions of the loss payable clauses attached hereto, loss, if any, on dwelling (and other structures, if applicable) shall be payable to:

**1st Mortgagee**

**2nd Mortgagee**

THESE DECLARATIONS WITH FORMS AND ENDORSEMENTS LISTED ABOVE ARE YOUR INSURANCE POLICY

## MESSAGE BOARD

- ✓ This policy is a contract between us and the Named Insured(s) and any loss payees identified on this Declarations Page. This policy does not provide coverage to any person or entity not named here.

**California FAIR Plan Association  
SCHEDULE OF ADDITIONAL INFORMATION**

**INSURED**  
LAKE MADROME WATER DISTRICT,

**POLICY NUMBER**  
COM 0301174011 03

**SCHEDULE OF COVERAGES**

**Location # 1**    0 Lake Side Way (Electronic Entry Gates) Berry Creek,    **Construction Type :**    Non- Combustible  
CA 95916

**Building # 1**    0 Lake Side Way,(Electronic Entry Gates), BERRY  
CREEK, CA 95916

<b>Covered Property</b>	<b>Limit of Liability</b>	<b>Coinsurance %</b>	<b>Description</b>
Other Structures	\$ 24,000	80	ELECTRONIC ENTRY GATE #1
Other Structures	\$ 24,000	80	ELECTRONIC ENTRY GATE #2

<b>Covered Causes of Loss</b>	<b>Premiums</b>		<b>Premiums</b>
Fire and Lightning	\$ 120	Total Base Premium	\$ 120
Extended Coverage	\$ 0	Brush/Wildfire Area Charge	\$
Vandalism	INCLUDED		
Sprinkler Leakage	EXCLUDED	<b>Total Premium</b>	<b>\$ 236</b>

SCHEDULE CONTINUED ON REVERSE OF THIS PAGE



Insured Copy

CFP-008B-overflow (06/2014)

California FAIR Plan Association  
**CALIFORNIA DEPARTMENT OF INSURANCE RACE, NATIONAL ORIGIN & GENDER FORM  
 COMMUNITY SERVICE STATEMENT**

**INSURED NAME AND MAILING ADDRESS**  
 LAKE MADROME WATER DISTRICT,  
 PO BOX 933  
 OROVILLE, CA 95965

**POLICY NUMBER** COM 0301174011 03  
**INSURED PHONE NUMBER** (916) 704-0839

This information is requested by the State of California in order to monitor the insurer's compliance with the law. All new policyholders are requested to voluntarily provide the following information.

**No such information shall be used for purposes of underwriting or rating any policyholder.**

**POLICY TYPE**

Personal Fire \_\_\_\_\_ Commercial Fire  Commercial Multi-Peril (BOP) \_\_\_\_\_  
 Homeowners \_\_\_\_\_ Private Passenger Auto-Liability \_\_\_\_\_

Check the Race or National Origin as it applies to the policyholder(s). For the purpose of completing this form, the policyholder is defined as: an individual, spouse, domestic partner, or business partner(s) named on the policy.

	POLICYHOLDER				CO-POLICYHOLDER			
	Male	Female	Non-Binary	Business	Male	Female	Non-Binary	Business
African-American	_____	_____	_____	_____	_____	_____	_____	_____
American Indian or Alaskan Native	_____	_____	_____	_____	_____	_____	_____	_____
Asian/Pacific Islander	_____	_____	_____	_____	_____	_____	_____	_____
Latino	_____	_____	_____	_____	_____	_____	_____	_____
White	_____	_____	_____	_____	_____	_____	_____	_____
Other	_____	_____	_____	_____	_____	_____	_____	_____

If policyholder does not wish to provide the Department of Insurance with this information, please check here. \_\_\_\_\_

**PLEASE RETURN THIS FORM TO**

California FAIR Plan  
 P.O. Box 76924  
 Los Angeles, CA 90076-0924



**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM**

This endorsement modifies insurance provided under the following:

### STANDARD PROPERTY POLICY

#### **A. Cap On Certified Terrorism Losses**

"Certified act of terrorism" means an act that is certified by the Secretary of the Treasury, in accordance with the provisions of the federal Terrorism Risk Insurance Act, to be an act of terrorism pursuant to such Act. The criteria contained in the Terrorism Risk Insurance Act for a "certified act of terrorism" include the following:

1. The act resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

If aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a calendar year and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

#### **B. Application Of Exclusions**

The terms and limitations of any terrorism exclusion, or the inapplicability or omission of a terrorism exclusion, do not serve to create coverage for any loss which would otherwise be excluded under this Coverage Part or Policy, such as losses excluded by the Nuclear Hazard Exclusion or the War And Military Action Exclusion.



California FAIR Plan Association  
**DISCLOSURE PURSUANT TO TERRORISM RISK INSURANCE ACT**

POLICY NUMBER COM 0301174011 03

THIS ENDORSEMENT IS ATTACHED TO AND MADE PART OF YOUR POLICY IN RESPONSE TO THE DISCLOSURE REQUIREMENTS OF THE TERRORISM RISK INSURANCE ACT. THIS ENDORSEMENT DOES NOT GRANT ANY COVERAGE OR CHANGE THE TERMS AND CONDITIONS OF ANY COVERAGE UNDER THE POLICY.

**SCHEDULE**

**Terrorism Premium (Certified Acts) \$ No specific premium charge**

**A. Disclosure Of Premium**

In accordance with the federal Terrorism Risk Insurance Act, we are required to provide you with a notice disclosing the portion of your premium, if any, attributable to coverage for terrorist acts certified under the Terrorism Risk Insurance Act. The portion of your premium attributable to such coverage is shown in the Schedule of this endorsement or in the policy Declarations.

**B. Disclosure Of Federal Participation In Payment Of Terrorism Losses**

The United States Government, Department of the Treasury, will pay a share of terrorism losses insured under the federal program. The federal share equals a percentage (as shown in Part II of the Schedule of this endorsement or in the policy Declarations) of that portion of the amount of such insured losses that exceeds the applicable insurer retention. However, if aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a calendar year, the Treasury shall not make any payment for any portion of the amount of such losses that exceeds \$100 billion.

**C. Cap On Insurer Participation In Payment Of Terrorism Losses**

If aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a calendar year and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.



**CALIFORNIA  
FAIR PLAN**  
PROPERTY INSURANCE

725 S. Figueroa Street, Suite 3900  
Los Angeles, CA 90017  
(800) 339-4099  
[www.cfpnet.com](http://www.cfpnet.com)

California FAIR Plan Association  
**INSPECTION REQUEST**

**DATE OF THIS NOTICE**  
**POLICY NUMBER**  
**CONTACT NUMBER**

11/26/2024  
COM 0301174011 03  
(916) 704-0839

**NAME AND MAILING ADDRESS**

LAKE MADROME WATER DISTRICT,  
PO BOX 933  
OROVILLE, CA 95965

**YOUR INSURANCE BROKER**

Heritage Insurance Agency Inc  
290 Airpark Blvd  
Chico, CA 95973-8849  
**PHONE NUMBER (530) 894-3276**

**PROPERTY LOCATION**

0 Lake Side Way (Electronic Entry Gates) Berry Creek, CA 95916

Dear Insured/Broker,

As a condition for insuring with California FAIR Plan Association, we **REQUIRE an interior and exterior** inspection of the above property for the sole purposes of confirming that the property is eligible for insurance with us and that we have charged the correct premium. This inspection is in no way intended to determine if the type or amount of coverage ordered by you is sufficient as that is your sole responsibility.

PLEASE NOTE that this inspection has been ordered by the California FAIR Plan and is separate from any inspection that may have previously been completed by another insurance company.

An inspection has been ordered from the following inspection company:

**None**

You will be contacted as availability in your area allows to arrange a mutually agreeable date and time to complete the inspection.

**IMPORTANT NOTICE**

When you are contacted by the inspection company, it is important that you coordinate with the inspector to arrange a mutually agreeable date and time to complete the inspection.

If the inspection results in no further action, you will receive no additional correspondence.

**Underwriting Department**

LAKE MADROME WATER DISTRICT,  
PO BOX 933  
OROVILLE, CA 95965



Insured Copy

CFPG-2a (09/2019)



LAKE MADROME WATER DISTRICT,  
PO BOX 933  
OROVILLE, CA 95965





725 S. Figueroa Street, Suite 3900  
 Los Angeles, CA 90017  
 (800) 339-4099  
 www.cfpnet.com

**Date of Notice:** 11/26/2024  
**Policy Number:** COM 0301174011 03

**Named Insured**  
 LAKE MADROME WATER DISTRICT,

**Wildfire Premium:** \$116.00  
**Wildfire Risk Scores:**  
**L1:** 10  
**L2:** 6

**Property Location Address**  
 0 Lake Side Way (Electronic Entry Gates)  
 Berry Creek, CA 95916

## NOTICE OF OUR USE OF A WILDFIRE RISK MODEL AND OUR CONSIDERATION OF MITIGATION FACTORS

A recently passed regulation (10 CCR § 2644.9) pertaining to Wildfire Risk Mitigation requires that insurers that consider wildfire risk in its rating also take into account and reflect mitigation measures that the property owner may take to reduce their risk to wildfire.

The California FAIR Plan Association uses a third party model to assess your property's risk of wildfire (Z-Fire by Zesty.ai). We use two scores provided by Z-Fire, Level 1 and Level 2, to calculate the portion of the premium reflecting wildfire risk. Level 1 determines the probability of exposure to wildfire on a scale of 1 to 10, while Level 2 determines your property's vulnerability on a scale of 1 to 10. Level 1 scores are based on statistical models using historical wildfire events in your area, while Level 2 scores are based on individual property characteristics ascertained from satellite imagery. For both of these scores 1 reflects low risk and 10 reflects very high risk. Your wildfire territory is based on an assessment of overall wildfire risk that assigns a score to each address. Your wildfire territory ranges from True 0 to 30 and is associated with factors that range from 0.000 (wildfire territory True 0) to 1.942 (wildfire territory 30). Your assigned wildfire territory classification is **13**.

If you disagree with the wildfire scores assigned, you may appeal the scores as described below.

### The Risk Scores and Classification of Your Property

Score Type	Score Value	Score Classification
<b>Level 1</b>	<b>10 / 10</b>	<b>Very High</b>
<b>Level 2</b>	<b>6 / 10</b>	<b>Moderate</b>

Based on the table above, the wildfire portion of your total premium is calculated as **\$116.00**

LAKE MADROME WATER DISTRICT,  
 PO BOX 933  
 OROVILLE, CA 95965



### The Factors that Impact the Wildfire Risk Score

Score Type	Impacting Factors
Level 1	The key factors increasing the exposure to wildfire risk are low distance to historical wildfire perimeters, dominant type of vegetation as a fuel source for a potential wildfire event, and low distance to an area with high wildfire suppression difficulty.
Level 2	The key factors increasing the vulnerability of your property's risk are high overhanging vegetation density, the dominant type of vegetation as a fuel source for a potential wildfire event, and high slope of the parcel where your property is located.

#### NOTICE OF RIGHT TO APPEAL WILDFIRE RISK SCORES

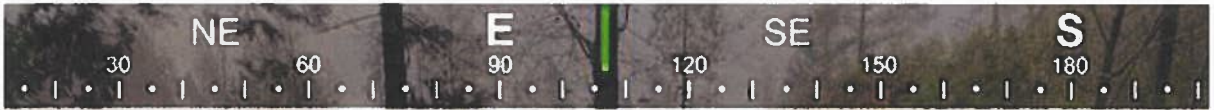
You have the right to appeal the wildfire risk scores. If you wish to appeal, please notify your broker. You may also e-mail [cfpuw@cfpnet.com](mailto:cfpuw@cfpnet.com) or mail your appeal letter to us at California FAIR Plan, Attn: UW Dept., PO Box 76924, Los Angeles, CA 90076.

If you do appeal the scores, the FAIR Plan will acknowledge receipt of the appeal in writing as required. Within 30 calendar days of receipt of the appeal, the FAIR Plan will respond in writing with a reconsideration and decision.

## **Nov 22, 2024 Storm Event, Lake Madrone Water District Incident Report**

**Nov 20-25 2024 Lake Madrone Water District went through an extreme rain/wind weather event. Below are descriptions and pictures of weather event.**

**Summary: Lake Madrone flooded Nov 22 2024 in the evening. Both the White Bridge (Galen Creek) and Green Bridge (Berry Creek) were flooded over with Lake Water. Moss Creek and Fern Creek both flooded over Lakeside Way. Lake Water flowed over Oro Quincy Hwy. Qty 1 240' Pine Tree came down on District Property next to Lake. It should be noted, attached pictures were during the Day. The flooding over the Hwy and Bridges were later that night.**



☉ 107°E (T) ☉ 39.648452°N, 121.409415°W ±410ft ▲ 2000ft



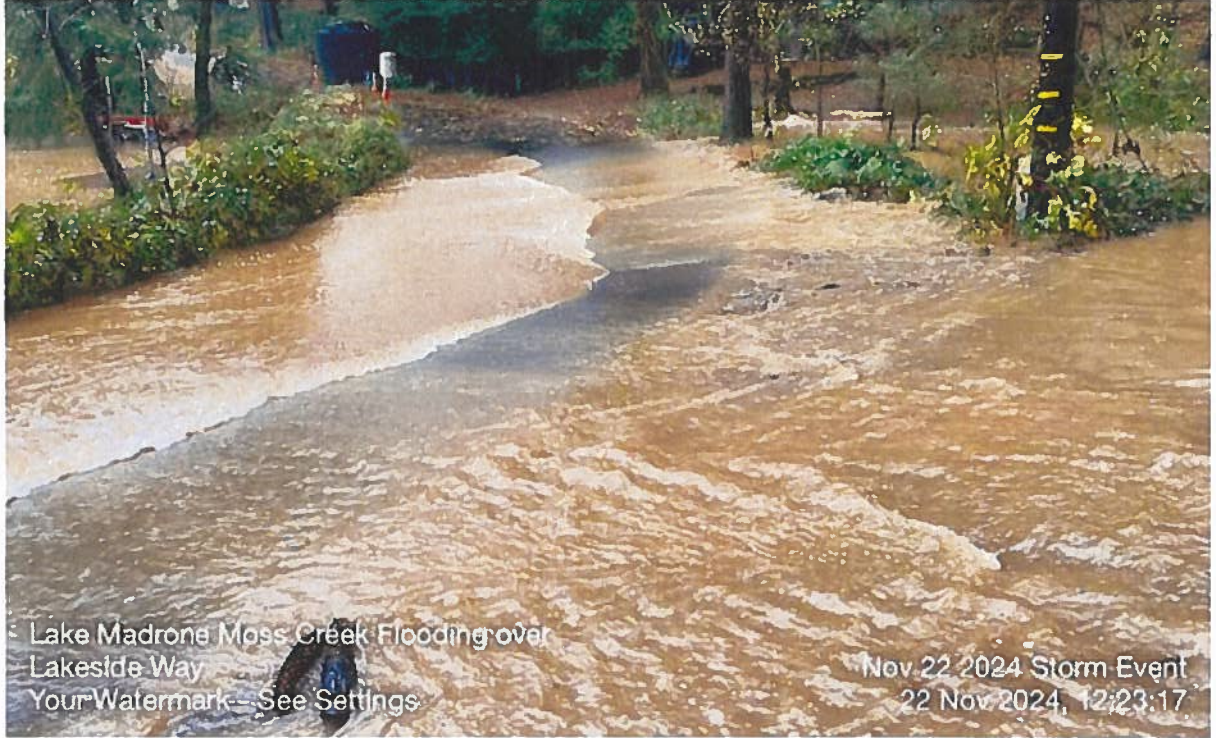
Fern Creek/Lake Madrone Flooding over : |  
Lakeside Way  
Your Watermark - See Settings

Nov 22 2024 Storm Event  
22 Nov 2024, 12:19:03





☉ 242°SW (T) ☉ 39.645941°N, 121.405870°W ±42ft ▲ 1986ft



Lake Madrone Moss Creek Flooding over  
Lakeside Way  
Your Watermark - See Settings

Nov 22 2024 Storm Event  
22 Nov 2024, 12:23:17



☉ 44°NE (T) ☉ 39.645253°N, 121.401979°W ±29ft ▲ 1983ft



Lake Madrona/Berry Creek Green Bridge  
Your Watermark - See Settings

Nov 22 2024 Storm Event  
22 Nov 2024, 12:25:21





☉ 194°S (T) ☉ 39.649098°N, 121.402772°W ±45ft ▲ 1973ft



Lake Madrone White Bridge/Lakeside Way  
Your Watermark - See Settings

Nov 22 2024 Storm Event  
22 Nov 2024 12:33:21





☉ 152°SE (T) ☉ 39.649133°N, 121.402718°W ±26ft ▲ 1973ft



Lake Madrone Galen Creek, White Bridge  
Your Watermark - See Settings

Nov 22 2024 Storm Event  
22 Nov 2024, 12:33:28



📍 279°W (T) 📍 39.649796°N, 121.407839°W ±22ft ▲ 1978ft



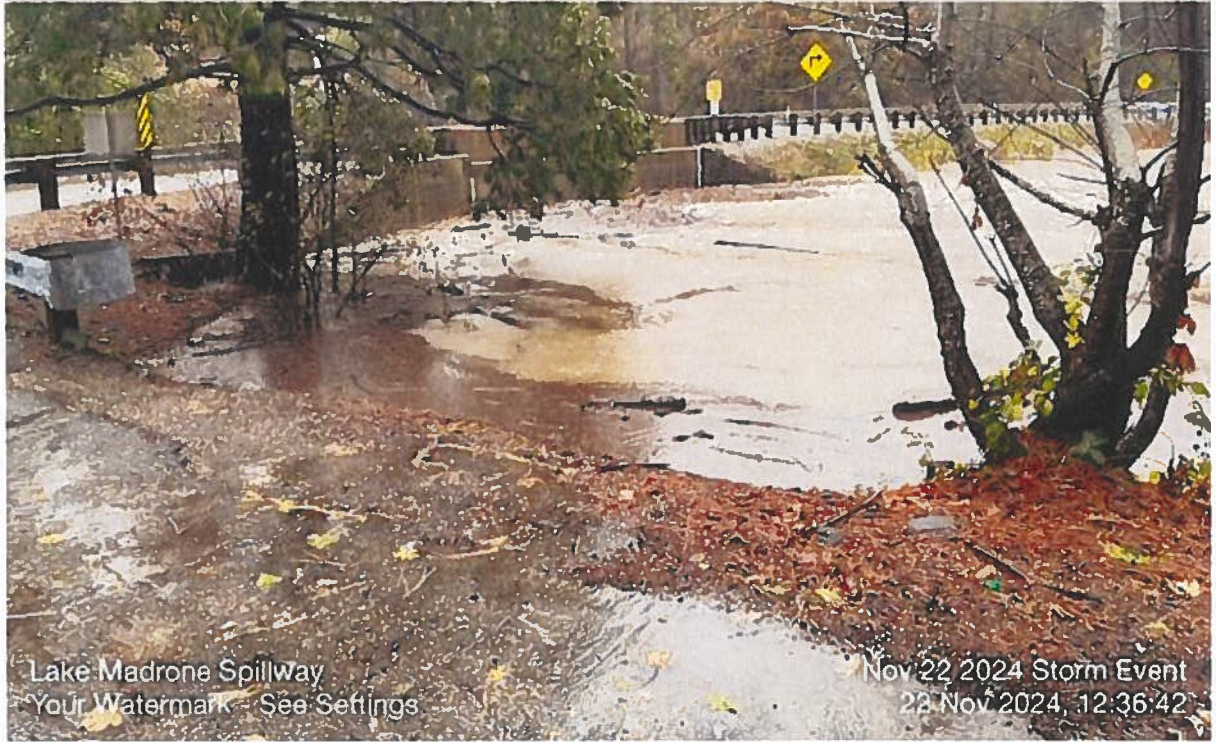
Oro Quincy Hwy/ Lake Madrone  
Your Watermark - See Settings

Nov 22 2024 Storm Event  
22 Nov 2024, 12:35:29





☉ 22°NE (T) ● 39.649496°N, 121.409382°W ±134ft ▲ 1982ft



Lake Madrone Spillway  
Your Watermark - See Settings

Nov 22 2024 Storm Event  
22 Nov 2024, 12:36:42



📍 166°S (T) 📍 39.649719°N, 121.409293°W ±16ft ▲ 1984ft



3 Lakeside Way Flooded, Lake Madrone  
Your Watermark - See Settings

Nov 22 2024 Storm-Event  
22 Nov 2024, 12:37:26





📍 226°SW (T) 📍 39.647523°N, 121.406987°W ±52ft ▲ 1979ft



Lake Madrone Erosion West  
Lakeside Way  
Your Watermark - See Settings

Nov 22 2024 Storm Event  
26 Nov 2024, 09:46:27





📍 127°SE (T) 📍 39.648337°N, 121.404070°W ±59ft ▲ 1985ft



Lake Madrone Lake Area  
Your Watermark - See Settings

Nov 22 2024 Storm Event  
27 Nov 2024, 09:11:04

**Vicki Hoggins**

---

**From:** Shane McCabe <lmwd.shane@gmail.com>  
**Sent:** Thursday, December 12, 2024 3:05 PM  
**To:** Aidan.Berlin@waterboards.ca.gov; David.Arpilleda@waterboards.ca.gov  
**Cc:** Timothy Beers; holly mason; Vicki Hoggins  
**Subject:** Lake Madrone Water District 2024 Annual Report for Application of Diaquat  
**Attachments:** LMWD 2024 NPDES Annual Report.pdf; Aquatic PesticideHerbicide Application 52924.pdf; Aquatic PesticideHerbicide Application 8524 .pdf; Lake Madrone 2024 Diaquat and Coductivity Analysis.pdf; Diaquat Application MAP 2024.pdf

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Hello David and Aidan, attached you will find the 2024 report for Application of Diaquat at Lake Madrone. Happy Holidays.  
Shane

**Lake Madrone Water District**

**WDID: 5A04AP00005**

**2024 Annual Report**

*Submitted to:*

**State Water Resources Control Board**

**Division of Water Quality**

**NPDES Unit**

**364 Knollcrest Drive, Suite 205**

**Redding, CA 96002**

**ATTN: Aidan Berlin, David Arpilleda**

**Aidan.Berlin@waterboards.ca.gov**

**David.Arpilleda@waterboards.ca.gov**

*For:*

**Lake Madrone Water District**

**12 Star Road**

**Berry Creek, CA**

*Prepared by:*

**Shane McCabe**

**December 2024**



## **CONTENTS**

**Executive Summary 2024**

**Objectives of the monitoring program**

**Monitoring Data and interpretation of results**

**Aquatic Herbicide/Pesticide Application Form**

**Maps showing treatment areas**

**Copies of Certificate of Analysis reports**

## **Lake Madrone Water District**

### **2024 Annual Report**

#### **Executive Summary:**

The Lake Madrone Water District hired an aquatic weed specialist in 2006 to help us combat the invasive aquatic weeds that were destroying the recreational values (fishing, swimming and boating) at Lake Madrone. In June 2012 we submitted a NOI and our Notice of Applicability; Statewide General Waste Discharge Requirements for discharge of aquatic pesticides for aquatic weed control in waters of the United States (General Order), Order 2004-009-DWQ (NPEDS General Permit CAG990005), Butte County. Our permit was approved April 11, 2014.

Our target aquatic weed, Curly-leaf Pondweed was again growing near the surface and turion production was imminent. Following our plan, our certified aquatic weed applicator applied Tribune (Diquat dibromide) in the weed infested area of the lake. We treated the areas where Curly-leaf was most visible; approximately 5 surface areas. The Lake has a total of 20 surface acres.

We performed two treatments this year; (May 29, 2024 and Aug 5, 2024). The treatment was very effective in controlling Curly-leaf pondweed. It also had an effect on Parrott's feather and Horned pondweed. Monitoring protocols were followed as planned. Today, with the invasive aquatic weeds under control all of the recreational values and other beneficial water uses of Lake Madrone have been restored.

**Objectives of the monitoring program:**

Tribune (Diquat dibromide) was selected as the best aquatic herbicide to use in our Lake because of its efficacy, relative fish safety and no limitation of recreational water use. Experience has proved that we can use this product at lower than prescribed limits and still obtain satisfactory results. To ensure that our treatments efforts didn't exceed the limits established in Water Quality Order No. 2004-0009-DWQ we took grab samples before and after treatments in the Adjacent areas in the Lake. Our grab samples were collected and sent to a certified lab. Testing procedures followed EPA Method 549.2 for Diquat and Paraquat in Drinking Water.

Treatment #1 was performed 5-29-2024. A water sample (background) was collected before treatment. Water sample #2 (Event) was collected within 24 hours after treatment of the lake. Sample #3 (Post Event) was collected within 7 days after treatment.

Treatment #2 was performed 8-5-2024. A water sample (background) was collected before treatment. Water Sample #2 (Event) was collected within 24 hours after treatment of lake. Sample #3 (Post Event) was collected within 7 days after treatment.

Our visual monitoring also confirms that the treatment was very effective in controlling most of the invasive aquatic weeds throughout the lake with no adverse effects on fish or wildlife species.

## Summary of Monitoring Data and Interpretation:

<u>Sample No:</u>	<u>Date</u>	<u>Time</u>	<u>Location</u>	<u>Diquat</u>	<u>pH</u>	<u>DO</u>	<u>Hardness</u>	<u>EC</u>
1.	5-29-2024	0800	Spillway	.13 ug/l	7.1	8.8	N/A	50 Umhos/cm.
2.	5-30-2024	1000	Spillway	190 ug/l	7.2	8.6	N/A	47 Umhos/cm.
3.	6-5-2024	0800	Spillway	ND	7.1	8.8	N/A	49 Umhos/cm.
4.	8-5-2024	0900	Spillway	ND	7.1	8.9	N/A	48 Umhos/cm.
5.	8-6-2024	0900	Spillway	100 ug/l	7.2	8.7	N/A	52 Umhos/cm.
6.	8-12-2024	0900	Spillway	ND	7.1	8.8	N/A	48 Umhos/cm.

“I certify under penalty of law that this document and all enclosures were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations”.

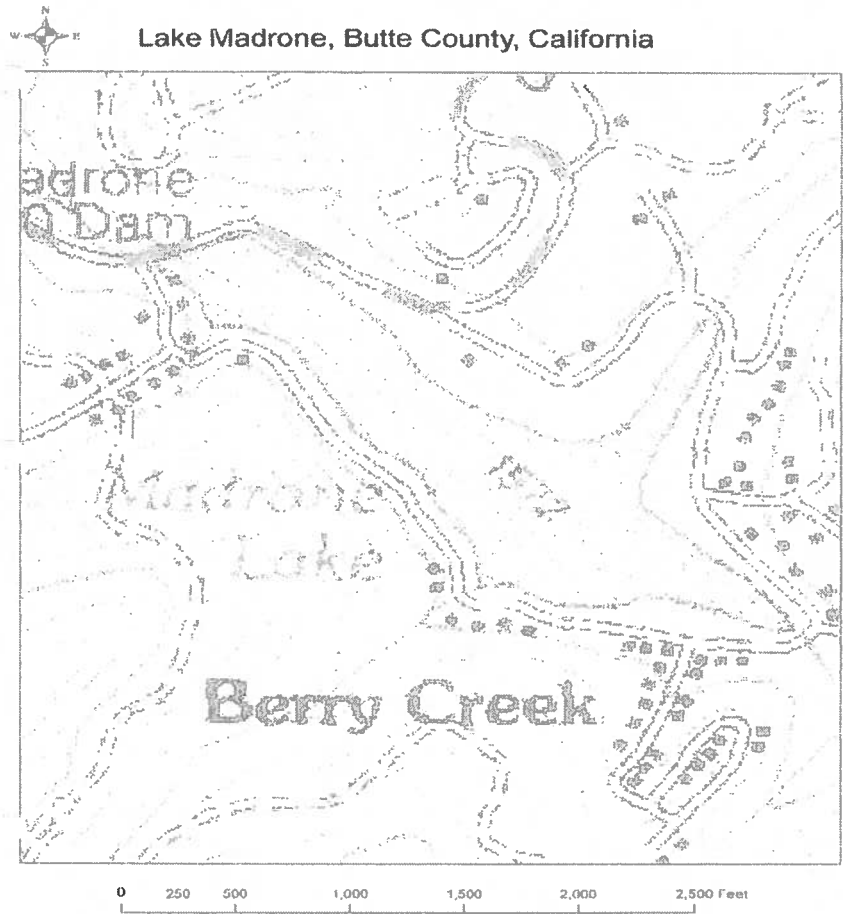


Figure 2. Topographic map of Lake Madrone

## Aquatic Herbicide/Pesticide Application Form

### **1. General Information**

- a) Date of application: 5-29-24
- b) Location of Application: Lake Madrone Lake
- c) Start Time of application: 09:30 AM
- d) End Time of Application: 10:00 AM
- e) Agency: Lake Madrone Water District
- f) Target Weed: Curly Leaf Pond Weed
- g) Weather: Clear 73 F
- f) Position of Lake Valve: Closed
- g) Lake Level: 1970.41'
- h) GPS of Treatment Area: 39.64621 -121.40362

### **2. Pesticide Information**

- a) Pesticide/Herbicide Applied: Diquat
- b) Concentration: 2 Gallons/Surface Acre
- c) Total Area Treated: 10 Acres
- d) Total Volume Used: 20 Gallons

### **3. Treated Water Body Information**

- a) Water Flow: Unknown
- b) Water Depth: 6-25'
- c) Water Temperature: 65 F
- d) Water Color: Green/Clear
- e) Water Clarity: Fair
- f) Percent Weed Covered: 50%

### **4. Post Treatment Efficacy**

- a) Post Treatment Efficacy: Good
- b) Water Quality Impact: None

### **5. Certification**

- a) Name/Signature: Shane McCabe
- b) Date: 6-6-24

## Aquatic Herbicide/Pesticide Application Form

### **1. General Information**

- a) Date of application: 8-5-24
- b) Location of Application: Lake Madrone Lake
- c) Start Time of application: 09:01 AM
- d) End Time of Application: 09:30 AM
- e) Agency: Lake Madrone Water District
- f) Target Weed: Curly Leaf Pond Weed
- g) Weather: Clear 95 F
- f) Position of Lake Valve: Closed
- g) Lake Level: 1970.21'
- h) GPS of Treatment Area: 39.64621 -121.40362

### **2. Pesticide Information**

- a) Pesticide/Herbicide Applied: Diquat
- b) Concentration: 2 Gallons/Surface Acre
- c) Total Area Treated: 10 Acres
- d) Total Volume Used: 20 Gallons

### **3. Treated Water Body Information**

- a) Water Flow: Unknown
- b) Water Depth: 6-25'
- c) Water Temperature: 74 F
- d) Water Color: Green/Clear
- e) Water Clarity: Fair
- f) Percent Weed Covered: 50%

### **4. Post Treatment Efficacy**

- a) Post Treatment Efficacy: Good
- b) Water Quality Impact: None

### **5. Certification**

- a) Name/Signature: Shane McCabe
- b) Date: 8-13-24



June 19, 2024

SHANE MCCABE  
LAKE MADRONE WATER DISTRICT  
POST OFFICE BOX 933  
OROVILLE, CA 95965-0933

RE: WEED TREATMENT

Enclosed are the results of analyses for samples received by our laboratory on 5/30/2024. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Ricky Jensen". The signature is written in a cursive style with a long, sweeping underline.

Ricky Jensen For Bryan Ervin  
Chico Location - Supervisor



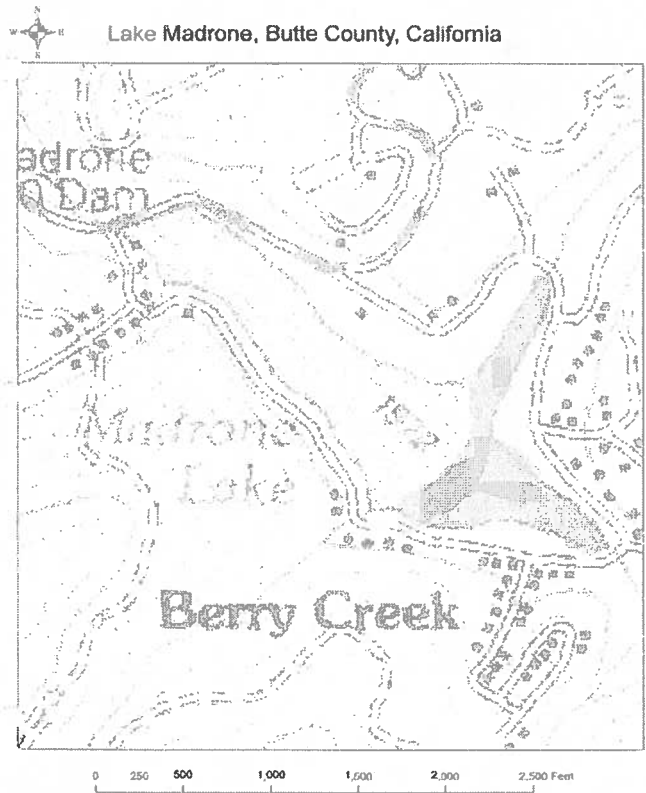


Figure 2. Topographic map of Lake Madrone

Commented [MOU1]: Diquat Application Area 39.64621 - 121.40362  
Dates of Application: 5-30-24 and 8-5-24  
Area of Application: Highlighted Yellow

Date: December 16, 2024

To: Tim Beers, President  
Lake Madrone Water District

From: Elizabeth "Betsy" Haydon  
22 Forest View Way  
Berry Creek, CA 95916

Re: Vacancy on Board of Directors

Dear Tim and LMWD Board Members:

I've been encouraged to submit a statement of interest to the Lake Madrone Water District regarding serving on the Board of Directors beginning in January 2025. The position of Treasurer seems to be a good fit for the current needs of the Board and my background experience.

My professional experience includes serving as assessment coordinator for the University of the Pacific's Benerd College credential programs from 2008 through 2016. I collected assessment data and prepared reports for the faculty, administrators, and the California Commission on Teacher Credentialing. Our site visit in 2011, which I co-led, resulted in full state and national accreditation. What I really loved was teaching and learning from our freshmen through doctoral students about education and music education.

Previously, I was an elementary school specialist in science, computers, and fine arts in the Central Valley. I served a couple years at the California Department of Education as the Coordinator of the Environmental Education Grant Program, funded through the sale of personalized license plates, with a budget of \$850,000. I have served on environmental education committees with the National Science Teachers Association and California Science Teachers Association, as well as with regional projects.

I consider the most creative project I've done to be designing and building my home, on my grandparents' land, with John Starr and his amazing crew at Better Builders. And I've learned how to live here in the foothills with the support of neighbors in my Lake Madrone community.

I'm interested in serving on the Lake Madrone Water District Board of Directors because of the fine leadership I've witnessed in the aftermath of the North Complex Fire. The best way I can show my appreciation is to step up, as the folks who navigated us through this critical period take a well-deserved step away from the demands of their positions.

Sincerely,

Betsy  
209-871-4104  
[haydon.madrone@yahoo.com](mailto:haydon.madrone@yahoo.com)

**Elizabeth “Betsy” Haydon, EdD, MT-BC**

209-871-4104

haydon.madrone@yahoo.com

**Education**

**University of the Pacific, Benerd College (2008)**

Doctor of Education, Concentration in Curriculum Development

Dissertation: *Dickinson Tributaries in the Watershed of Music Education: Martha Bush Dickinson Bond (1856-1936) and Clarence Dickinson (1873-1969)*

**University of the Pacific, Conservatory of Music (2007)**

Music Therapy Board Certification Program (Music Therapist-Board Certified)

**Fresno Pacific University (1986)**

Master of Arts in Education, Concentration in Integrating Mathematics and Science

**CSC Chico (1977, 1981)**

Bachelor of Arts in Humanities, Minor in Music (1977)

California Elementary Teaching Credential (1981)

**Professional Experience**

**University of the Pacific, Benerd College (2003-2022)**

Assessment Coordinator for credential programs (2008-2016)

Adjunct Professor for undergraduate, Master’s degree, and doctoral students in education and music education (2005-2022)

**California Department of Education (1987-1989)**

Environmental Education Consultant

Coordinator of the state’s Environmental Education Grant Program

**Coalinga-Huron Unified School District (1982-1984)**

**Fresno Unified School District (1984-1986)**

**Elk Grove Unified School District (1990-2003)**

Elementary science specialist, GATE coordinator and classroom teacher for K-6 students

**U.S. Forest Service, Glide, Oregon (1978)**

North Umpqua Ranger District seasonal brush disposal crew member

**Affiliations**

American Music Therapy Association

Butte County FireSafe/FireWise Council

Pod leader for Berry Creek and Lake Madrone

Team member writing end-of-year report and three-year action plan

Lake Madrone Water District Volunteer

Currently revising the 2020 Lake Madrone Homeowners’ Directory for 2025

Setting up a homeowners’ email list

Fire Safety liaison to the Butte County FireSafe/FireWise Council with President Tim Beers

#35

**Vicki Hoggins**

---

**From:** Timothy Beers <tjb.forest18@gmail.com>  
**Sent:** Monday, December 16, 2024 2:33 PM  
**To:** disastercloseouts@caloes.com  
**Cc:** Wagner, Scott@CalOES; Vicki Hoggins; Holly Mason; Leah Janowski  
**Subject:** Job #4434DR-CA Cal OES Cost Share and Cat Z Money

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#) | [Report](#)

Good afternoon,

My name is Tim Beers and I'm the President of the Lake Madrone Water District Board. I'm checking on the status of Job #4434DR-CA (February and March 2019 Severe Winter Storms). We had four projects related to this disaster: Project 103048 (Debris Removal), Project 103051 (Emergency Protective Measures), Project 103055 Removal of Debris from Culverts), and Project 126554 (Cat Z). According to the FEMA Grant Portal, we received all of FEMA's Cost Share, which totaled \$55,083.90. However, there is no record that the Lake Madrone Water District ever received Cal OES's Cost Share, which was to be \$13,771.00 or the \$3,672.26 that we were to receive from Cat Z.

Can you please check on this for us?

Hope you have a great afternoon,

Tim Beers  
President of the Lake Madrone Water District Board  
(916) 704-0839

**Vicki Hoggins**

---

**From:** Timothy Beers <tjb.forest18@gmail.com>  
**Sent:** Monday, December 16, 2024 3:59 PM  
**To:** disastercloseouts@caloes.gov  
**Cc:** Wagner, Scott@CalOES; Holly Mason; Vicki Hoggins; Leah Janowski  
**Subject:** Job #4434DR-CA Cal OES Cost Share and Cat Z Money

Caution! This message was sent from outside your organization.

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Can you please check on this for us?

Hope you have a great afternoon,

Tim Beers  
President of the Lake Madrone Water District Board  
(916) 704-0839

## Vicki Hoggins

---

**From:** Timothy Beers <tjb.forest18@gmail.com>  
**Sent:** Monday, December 16, 2024 4:04 PM  
**To:** disastercloseouts@caloes.ca.gov  
**Cc:** Wagner, Scott@CalOES; Holly Mason; Vicki Hoggins; Leah Janowski  
**Subject:** Job #4434DR-CA Cal OES Cost Share and Cat Z Money

Caution! This message was sent from outside your organization.

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Good afternoon,

My name is Tim Beers and I'm the President of the Lake Madrone Water District Board. I'm checking on the status of Job #4434DR-CA (February and March 2019 Severe Winter Storms). We had four projects related to this disaster: Project 103048 (Debris Removal), Project 103051 (Emergency Protective Measures), Project 103055 Removal of Debris from Culverts), and Project 126554 (Cat Z). According to the FEMA Grant Portal, we received all of FEMA's Cost Share, which totaled \$55,083.90. However, there is no record that the Lake Madrone Water District ever received Cal OES's Cost Share, which was to be \$13,771.00 or the \$3,672.26 that we were to receive from Cat Z.

Can you please check on this for us?

Hope you have a great afternoon,

Tim Beers  
President of the Lake Madrone Water District Board  
(916) 704-0839

#37

**Vicki Hoggins**

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**From:** Timothy Beers <tjb.forest18@gmail.com>  
**Sent:** Monday, December 16, 2024 4:04 PM  
**To:** disastercloseouts@caloes.ca.gov  
**Cc:** Wagner, Scott@CalOES; Holly Mason; Vicki Hoggins; Leah Janowski  
**Subject:** Job #4434DR-CA Cal OES Cost Share and Cat Z Money

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My name is Tim Beers and I'm the President of the Lake Madrone Water District Board. I'm checking on the status of Job #4434DR-CA (February and March 2019 Severe Winter Storms). We had four projects related to this disaster: Project 103048 (Debris Removal), Project 103051 (Emergency Protective Measures), Project 103055 Removal of Debris from Culverts), and Project 126554 (Cat Z). According to the FEMA Grant Portal, we received all of FEMA's Cost Share, which totaled \$55,083.90. However, there is no record that the Lake Madrone Water District ever received Cal OES's Cost Share, which was to be \$13,771.00 or the \$3,672.26 that we were to receive from Cat Z.

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Hope you have a great afternoon,

Tim Beers  
President of the Lake Madrone Water District Board  
(916) 704-0839

**Vicki Hoggins**

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**From:** Timothy Beers <tjb.forest18@gmail.com>  
**Sent:** Tuesday, December 17, 2024 11:32 AM  
**To:** williams.ag@sbc.global.net  
**Cc:** Shane McCabe; Vicki Hoggins  
**Subject:** Downed Ponderosa Pine  
**Attachments:** Board reTree Removal & Tax Rate.5.3.18.pdf

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Good morning, Clarence,

I truly enjoyed talking to you this morning. Talking to you brought back a lot of great memories from the past. Both of my parents, my Uncle Darrel (Sam), Aunt Lois, and my brother Mike truly appreciated your friendship. Your presence at the Lake has been missed.

On May 3, 2018, Paul Minasian sent the attached letter to the Board regarding who is legally responsible for the maintenance and removal of trees along the roadways at Lake Madrone. The tree at the bottom of your property is very similar to the tree that was at the bottom of the Vickery's driveway, the tree that was at the back entrance of the Arriaza property, and the tree that was at the very bottom of Bill and Sue Wyman's driveway. All three of these property owners agreed that trees were their responsibility and arranged to have these trees removed.

If you have any more questions please call me,

Tim Beers  
President of the Lake Madrone Water District Board  
(916) 704-0839



**MINASIAN, MEITH,  
SOARES, SEXTON &  
COOPER, LLP**

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(530) 533-2885

FACSIMILE:  
(530) 533-0197

May 3, 2018

*Via email transmission*

Lake Madrone Water District Board of Directors

Re: Response to questions regarding tree removal within District adjacent to roads or water lines, and voter-approved tax rate

Ladies and Gentlemen:

Tim Beers asked the following questions:

1. **What is the basis for the District's jurisdiction over roads, and to what degree does that extend to trees?**

Answer: There is no conveyance of title to the roads or the duty to maintain roads to Lake Madrone Water District either by Mansfield and McCallum, or by successor developers such as Pittman and Gardner or their business entities.

Instead, the District's ability to utilize and administer the roads and provide for the expense of their maintenance is argued to arise from the dedication through recorded Declaration of Trust instruments executed by McCallum, Mansfield, Pittman and Gardner which covenant that the lake and littoral shores will be held in trust for the landowners. These Declarations of Trust are for the benefit of the approximate 600 acres of land within the District. The District accepted the duty of implementing the trust, and because a District can do all things necessary to carry out its powers, it can also maintain the roads. As to the water pipelines and easements upon which pipelines are located, there is also no deed or conveyance of those easements or fee interests to the District other than the Galen Creek Homeowner's Association who purported to quitclaim its interests to the District, and an organization known as the Berry Creek Water Users did a similar transaction. The District claims prescriptive (5 years of open and hostile use) ownership rights in the easements and facilities.

To: Lake Madrone Board of Directors  
Re: Response to questions regarding tree removal within District adjacent to roads or water lines, and voter-approved tax rate  
Date: May 3, 2018

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The road widths are often shown on the subdivision maps without showing the paved surfaces, then a gap, then the actual lots owned by landowners and your use of the roads for access. If a tree is located on a landowner's lot, they are responsible for maintenance, repair and removal of the tree if it is diseased or dangerous. If the tree is located in the gap between the paving and the lot owners' boundary, there is a theory that would require the landowner to maintain the tree, which is discussed hereafter.

In the past, we have asked the District to give notice to the landowners when they see a tree in that status, even if they may not know exactly where the property line lies, under the theory that the landowner controls the area between his property boundary and the paved road because that is the way he/she gains ingress or egress to their property. We are uncertain whether this would hold up in a small claims court proceeding or an action for the death of someone from a tree falling.

Our theory as to the roads is that the District only maintains the paved surface because that is the means of providing for operation and management of the lake. When we come to the littoral shores or areas lying on the lake side of the road, the responsibility of the District may be greater because of the Declarations of Trust which the District has accepted responsibility for administering.

If a problem tree is located on a landowner's property and would fall across the road or onto a water easement and cause damage, the California Civil Code makes it the responsibility of the landowner upon whose property the tree grows (even if part of the tree is located off the landowner's property). If you wished a definitive document to start your discussions, understanding there are large policy elements involved, I would provide the following draft that could be distributed to your landowners:

“A. Who owns dead or dying trees which are located adjacent to the roads within the District boundaries and adjacent to the water line easements or locations?

Answer: The District does not own the trees and does not have responsibility for their pruning or cutting. If trees are located on an individual's lots in whole or in part, they are responsible under the Civil Code and must bear the costs of pruning, removal and prevention of injury. If a tree is diseased or dying and is located between the property owner's property line and the paved surface of a road, it is still the responsibility of the landowner because the District does not hold title to the roads, and the landowner arguably has an easement to drive from their property to the paved road in this area (and of course, on the paved road). The duty to

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maintain the easement in the gap area in a safe condition rests with the intervening landowner.

B. What about trees on the littoral shores of the lake in the area bounded between the water and the paved road?

Answer: The Declaration of Trust is administered by the District for the benefit of all landowners. This probably includes the duty to maintain trees in this area, and to the extent the District has funds, the District will attempt to properly maintain trees in those areas. Recreational users should avoid activities in proximity to those trees.

C. Does the District have a duty to have a person experienced in trees notify a landowner when a tree is a risk to public safety, a neighbor's property or the District's property?

Answer: No. However, if a sufficient number of landowners make the request, the District will attempt to coordinate and mark trees to be removed and attempt to arrange the most advantageous financial conditions so landowners can benefit by the economies of scale by many landowners addressing the problem simultaneously. However, the District cannot guarantee that a schedule established by the District will be adequate to protect a landowner's property, a landowner's liability, or that the firm hired to do the work will identify all risks.

D. Who gets the fire wood, and who has the duty to dispose of limbs and branches?

Answer: The landowner who pays the costs of maintaining the trees on its property or on the frontage of its property with a road gets any benefit from the wood and bears the costs of disposal of the limbs and branches.

If there are further questions, do not hesitate to contact the District Board of Directors. The Board of Directors encourages landowners to inspect all trees and to take prompt action."

To: Lake Madrone Board of Directors  
Re: Response to questions regarding tree removal within District adjacent to roads or water lines, and voter-approved tax rate  
Date: May 3, 2018

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**2. Voter-Approved Tax Rate.**

I did see the Analysis of Measure Tim sent in January and that was helpful. Eventually we found the full file in regard to the Auditor's questioning the vote of the populous approving the District's tax rate in 1976. We have heard nothing more from the Auditor's office. Thank you for following through on this.

Very truly yours,

MINASIAN, MEITH, SOARES,  
SEXTON & COOPER, LLP

By:   
\_\_\_\_\_  
PAUL R. MINASIAN, ESQ.

**Vicki Hoggins**

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**From:** Timothy Beers <tjb.forest18@gmail.com>  
**Sent:** Tuesday, December 17, 2024 11:47 AM  
**To:** mpatane@hotmail.com  
**Cc:** Shane McCabe; Vicki Hoggins  
**Subject:** Downed Ponderosa Pine

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Good morning, Myra,

It was great talking to you this morning and I especially want to thank you for volunteering to hold the February 22, 2025, meeting at your place.

On May 3, 2018, Paul Minasian sent the attached letter to the Board regarding who is legally responsible for the maintenance and removal of trees along the roadways at Lake Madrone. The tree at the bottom of the Williams property is very similar to the tree that was at the bottom of the Vickery's driveway, the tree that was at the back entrance of the Arriaza property, and the tree that was at the very bottom of Bill and Sue Wyman's driveway. All three of these property owners agreed that trees were their responsibility and arranged to have these trees removed.

If you have any more questions, please call me. I hope you and your entire family have a Merry Christmas,

Tim Beers  
President of the Lake Madrone Water District Board  
(916) 704-0839