



NORTH MARIN WATER DISTRICT
AGENDA - REGULAR MEETING
 July 15, 2014 – 7:30 p.m.
 District Headquarters
 999 Rush Creek Place
 Novato, California

Information about and copies of supporting materials on agenda items are available for public review at 999 Rush Creek Place, Novato, at the Reception Desk, or by calling the District Secretary at (415) 897-4133. A fee may be charged for copies. District facilities and meetings comply with the Americans with Disabilities Act. If special accommodations are needed, please contact the District Secretary as soon as possible, but at least two days prior to the meeting.

Est. Time	Item	Subject
7:30 p.m.		CALL TO ORDER
	1.	APPROVE MINUTES FROM REGULAR MEETING , June 17, 2014
	2.	APPROVE MINUTES FROM REGULAR MEETING , June 24, 2014
	3.	GENERAL MANAGER'S REPORT
	4.	OPEN TIME: (Please observe a three-minute time limit) This section of the agenda is provided so that the public may express comments on any issues not listed on the agenda that are of interest to the public and within the jurisdiction of the North Marin Water District. When comments are made about matters not on the agenda, Board members can ask questions for clarification, respond to statements or questions from members of the public, refer a matter to staff, or direct staff to place a matter of business on a future agenda. The public may also express comments on agenda items at the time of Board consideration.
	5.	STAFF/DIRECTORS REPORTS
	6.	MONTHLY PROGRESS REPORT w/Customer Service Questionnaire
		ACTION CALENDAR
	7.	Approve: Response to Marin Civil Grand Jury Report – The Scoop on Marin County Sewer Systems: Part I and Part II
	8.	Approve: General Services Agreement – Cinquini & Passarino, Inc – Land Surveying
		INFORMATION ITEMS
	9.	SWRCB Emergency Water Conservation Regulations
	10.	Central California Coast Steelhead Recovery Plan
	11.	TAC Meeting – July 7, 2014
	12.	NBWA Meeting – July 11, 2014
	13.	MISCELLANEOUS Disbursements 2014 West Marin Water System Master Plan – Comment Deadline to Administrative Draft 2015 Medical Plan Cost Decrease Scrap Metal Receipts Damage to District Facilities Letter regarding Water Research Foundation subscription

All times are approximate and for reference only.

The Board of Directors may consider an item at a different time than set forth herein.

(Continued)

Est. Time	Item	Subject
		<u>News Articles:</u> New rate hike and fees for NMWD users Marin grand jury calls for repair of private laterals 20,000 Salmon into the Sea Pam Torliatt drops out of Petaluma council race State issues new water curtailment orders, plans swifter crackdown on diversions Bay Area governments make big electric-vehicle buy Beautiful river, growing thirst, looming battle over the Eel River PD Editorial: Water bond is unfinished business
	14.	<i>Closed Session:</i> In accordance with California Government Code Section 54957 for Public Employee Performance Evaluation (One), Title: General Manager
9:00 p.m.	15.	<i>ADJOURNMENT</i>

1

1 **OPEN TIME**

2 President Rodoni asked if anyone in the audience wished to bring up an item not on the
3 agenda and there was no response.

4 **STAFF / DIRECTORS' REPORTS**

5 President Rodoni asked if staff or Directors wished to bring up an item not on the agenda
6 and the following items were discussed:

7 Mr. McIntyre updated the Board on the SMART pipeline casing extensions that are occurring
8 at Hanna Ranch and Roblar Road railroad crossings. He noted that the Hanna Ranch casing
9 extension has taken longer than anticipated due to high groundwater, thick concrete and unstable
10 soils. He informed the Board that District crews have been working hard on this project and are
11 hoping to finish up Hanna Ranch in a couple of weeks and then continue on to the Roblar Road
12 crossing.

13 Mrs. Young reminded the Board that the meeting next week would be held at Pt. Reyes
14 Station at 7:30 p.m. and if a Board member would like a ride to contact Mr. McIntyre.

15 Director Baker informed the Board and staff that he attended the North Bay Water
16 Association meeting and stated that it was a good meeting with knowledgeable speakers.

17 **PUBLIC HEARING/ADOPT**

18 **A. ADOPT PROPOSED FY15 EQUIPMENT BUDGET**

19 David Bentley provided the Board with the third and final review of the FY15 Equipment
20 Budget. He stated that there have been no changes since the Board's last review and the proposed
21 FY15 budgeted equipment expenditures is \$198,000.

22 President Rodoni opened the public hearing at 7:37 p.m. and hearing no comment, closed
23 the public hearing.

24 On motion of Director Baker, seconded by Director Fraites and unanimously carried, the
25 Board approved the FY15 Equipment Budget.

26 **B. ADOPT FY15 & FY16 NOVATO CAPITAL IMPROVEMENT PROJECTS BUDGET**

27 Mr. Bentley provided the Board with the third and final review of the FY15 &16 Capital
28 Improvement Projects Budget. He informed the Board that the budget is \$17.5M, the largest capital
29 budget ever undertaken by the District, but advised the Board that it is due to the Aqueduct Energy
30 Efficiency Project (\$13M). He reminded the Board that two-thirds of that project is funded by

1 CalTrans. Mr. Bentley stated that another significant project is the recoat and mixing system of the
2 Atherton Tank (\$2.2M).

3 President Rodoni opened the public hearing at 7:40 p.m. and hearing no comment, closed
4 the public hearing.

5 On motion of Director Schoonover, seconded by Director Fraites and unanimously carried,
6 the Board approved the FY 15 & 16 Capital Improvement Projects Budget.

7 **C. FY15 PROPOSED NOVATO WATER OPERATIONS BUDGET**

8 Mr. Bentley provided the Board with the final review of the FY15 Novato Operations Budget.
9 He stated that since the Board's last review the projected FY15 Novato Potable Water Expenditures
10 decreased and the Operating Income increased by \$127,000, to \$2,296,000, due primarily to the
11 payoff of the CalPERS Side-Fund which reduces the District's FY15 obligation to CalPERS by
12 \$235,000. Mr. Bentley stated that the budget projects a net "bottom line" cash deficit of \$5.1M, of
13 which 80% will be covered by the Bank of Marin loan reserve for the Aqueduct Energy Efficiency
14 Project.

15 Mr. Bentley stated that Connection Fee revenue is budgeted at \$1,281,000, based on 12
16 single-family dwellings planned for the Walnut Meadows Subdivision, 48 apartment units of senior
17 housing going in at Hamilton, 11 single-family homes being constructed on 4th Street, and an
18 expansion of the Shell Gas Station at Novato Square. He advised the Board that the wheeling
19 charge to Marin Municipal Water District is budgeted at \$120,000 and MMWD will pay the annual
20 fixed Aqueduct Energy Efficiency Project capital contribution of \$245,000 in accordance with the
21 terms of the Interconnection Agreement signed in February. He noted that the combination of the
22 two payments from MMWD is almost five times over the prior annual wheeling charge.

23 Mr. Bentley advised the Board that the Total Operating Expenditures are projected to
24 increase by 4% due to the 3.4% increase of water purchased from Sonoma County Water Agency
25 and 11% increase in water conservation expenses. He advised the Board that there are several
26 consultant projects budgeted including \$30K for the Stafford Lake Taste and Odor consultant, \$50K
27 for the hydromatic tank inspections, \$14K for the cyber liability audit and \$100K for Stafford Dam
28 Emergency Action Plan update. Mr. Bentley informed the Board that the proposed budget adds one
29 full time equivalent employee, bringing the authorized total to 51.5 full-time equivalent employees.

30 Mr. Bentley advised the Board that District legal counsel advised staff to request the Board
31 approve the authorization of the General Manager to pay demands throughout the year.

1 President Rodoni opened the public hearing at 7:47 p.m. and hearing no comment, closed
2 the public hearing.

3 On motion of Director Fraites, seconded by Director Petterle and unanimously carried, the
4 Board approved the FY15 Novato Operating Budget and authorized the General Manager to pay
5 demands arising from execution of the budgeted expenditure plan.

6 **D. FY15 PROPOSED RECYCLED WATER SYSTEM BUDGET**

7 Mr. Bentley provided the Board with the final review for the FY15 Recycled Water Budget.
8 He stated that the Recycled Water budget has increased since the last review by \$35,000 due to
9 increase in the projected water sales volume in FY14. He stated that laboratory staff time devoted to
10 the Deer Island facility has been reduced by half and a recycled water engineering report update
11 required by the state is project to cost \$8,000. He noted that by adding the CalPERS Side – Fund
12 payoff benefit, the changes combine to add \$36,000 to the Net Income, reducing the projected FY15
13 Net Loss to \$303,000. He informed the Board that consistent with the potable water rate increase, a
14 6.5% commodity rate increase became effective June 1, 2014 and will generate \$42,000 in
15 additional revenue annually.

16 President Rodoni opened the public hearing at 7:50 p.m. and hearing no comment, closed
17 the public hearing.

18 On motion of Director Petterle, seconded by Director Schoonover and unanimously carried
19 the Board approved the FY15 Novato Recycled Water System Budget and authorized the General
20 Manager to pay demands arising from execution of the budgeted expenditure plan.

21 Mr. DeGabriele thanked Mr. Bentley for all of his work and dedication in developing the
22 budgets.

23 **MONTHLY PROGRESS REPORT**

24 Mr. DeGabriele provided the Board with the Monthly Progress Report for May. He stated that
25 Novato water production is down 18% compared to last year and West Marin Water production is
26 down 15% for May. He stated that the customers are doing what the District has asked and reducing
27 water use. He informed the Board that Recycled Water sales are up 34% compared to last year. Mr.
28 DeGabriele advised the Board that this year the rainfall to date is 12.75" and Stafford Lake is at 52%
29 of capacity. He noted that Lake Mendocino is at 43% capacity and Lake Sonoma is at 73% of
30 capacity. Mr. DeGabriele informed the Board that the District had one lost time accident. He advised
31 the Board that a field service representative was assisting a consumer in locating a leak inside his
32 home and he removed his boots and slipped on the carpet and broke part of his left hand. He stated

1 that the employee was going above and beyond the call of duty and it was an unfortunate accident.
2 Mr. DeGabriele stated that the Summary of Complaints and Service Orders was very similar to a
3 year ago and FY to date.

4 Mr. Bentley provided the Board with the Monthly Report of Investments showing that the
5 District holds \$17.1M in reserves and that in May the reserves were at 89% of budgeted operating
6 expense. He stated that the portfolio is earning 0.36% in interest.

7 **ACTION CALENDAR**

8 **OCEANA MARIN SEWER SERVICE CHARGE INCREASE ORDINANCE – FIRST READING**

9 Mr. Bentley reminded the Board that pursuant to Health and Safety Code Section 5471 (a),
10 collecting the Oceana Marin Sewer Service Charge on the property tax roll requires action by
11 ordinance rather than resolution. He noted that the ordinance must be read at two consecutive
12 Board meetings, once tonight and the second reading at the next meeting on June 24th in Point
13 Reyes Station. Mr. Bentley stated that the monthly sewer service fee increase is \$68 per month
14 (\$816/year) and proposed to be effective July 1, 2014.

15 On motion of Director Petterle, seconded by Director Fraites and unanimously carried the
16 Board approved reading of proposed Ordinance No. 30 Electing to have Oceana Marin Sewer
17 Charges be collected on the tax roll of the County of Marin, State of California, Commencing Fiscal
18 Year 2014-15.

19 There has been a correction of the Ordinance Number, it was published and written as
20 Ordinance No. 28, when in fact it is Ordinance 30.

21 **BUDGETED FY15 ATHERTON TANK REHABILITATION – APPROVE BID ADVERTISEMENT**

22 Mr. McIntyre advised the Board that staff is ready to move forward with the bid
23 advertisement of the Atherton Tank Rehabilitation project. He informed the Board that it is a two
24 year project and includes interior/exterior re-coating, installation of a new mixing system,
25 miscellaneous improvements such as a second access hatch and flexible inlet/outlet piping and
26 structural repairs of corroded roof girders. He reminded the Board that the District hired KTA-Tator
27 Inc. to prepare new NMWD standard tank coating template specifications that will be used for the
28 Atherton tank and all future tank recoating projects. He noted that KTA-Tator did the inspection of
29 the inside of the tank along with the roof and determined that the roof showed significant corrosion.

30 Director Baker asked how many access hatches there were existing on the tank. Mr.
31 McIntyre stated that currently there is one man way access on the side of the tank but there will be
32 two when the project is completed.

1 Mr. McIntyre advised the Board that the existing tank coating was tested for lead and the
2 tank exterior contains lead based paint and that removal and disposal in accordance with regulations
3 will be required. He informed the Board that the tentative construction completion date is spring of
4 2015. He stated that the engineer's estimate for the project is \$2.2M and staff will keep the Board
5 apprised of the bids received.

6 Director Baker asked what staff will do with the water from the tank during rehabilitation. Mr.
7 McIntyre stated that staff is drawing down the water as low as possible but will still have to perform
8 minimal draining at the end of the draw down.

9 Mr. McIntyre advised the Board that the new specifications are more rigorous when it comes
10 to lead based paint and testing and believes that the project cost could be impacted. He stated that
11 staff will come back to the Board in the future for authorization of a third party inspection.

12 Director Baker asked how long Atherton Tank will be out of service. Mr. McIntyre responded
13 approximately 9 months.

14 Director Baker asked about the adjustments staff is making for fire protection. Mr. McIntyre
15 stated that staff has done testing with the tank out of service and that fire protection will not be
16 affected and that there are temporary tanks installed for operational service.

17 Director Baker suggested combining other maintenance projects around the tank site during
18 the project. Mr. McIntyre stated that at the end of the project staff plans to repave the perimeter of
19 the tank and potentially will repave the access road as well. Robert Clark, Operations/Maintenance
20 Supervisor stated that there are three dead pine trees that might be replaced near the tank site.

21 On motion of Director Schoonover, seconded by Director Petterle and unanimously carried,
22 the Board authorized bid advertisement of the Atherton Tank Rehabilitation project.

23 **INFORMATION ITEMS**

24 **SECOND REVIEW – FY15 WEST MARIN WATER AND OCEANA MARIN SEWER BUDGETS**

25 Mr. Bentley provided the Board with the second review of the FY15 West Marin Water and
26 Oceana Marin Sewer Budgets. He informed the Board that since the initial review the payoff of the
27 CalPERS Side Fund Liability reduced the West Marin Water labor cost by \$10,000 and the Oceana
28 Marin Sewer labor cost by \$4,000. He stated that consistent with the increase adopted for Novato
29 customers, a 5% increase for the typical West Marin Water residential customer is recommended,
30 comprised of a 7% commodity rate increase and no increase in the bimonthly service charge. He
31 noted that the proposed West Marin Water increase would total \$31 annually, \$2.58 per month, for

1 the typical residential customer. He stated that a 5% increase is proposed for the Oceana Marin
2 Sewer Service Charge as well, which will generate \$8,000 per year.

3 Mr. Bentley advised the Board that in West Marin the biggest improvement projects are the
4 Gallagher Well Pipeline (\$1.286M, fully funded by Prop 50 grant funding), \$100K for the modification
5 of the Olema Pump Station and \$120K to upsize pipelines in the Bear Valley Service area to
6 improve water delivery and fire flow. Mr. Bentley said in Oceana Marin the major projects include
7 \$40K to rebuild a disposal field fence that has been damaged by cattle and \$15K to relocate the
8 pond power connection as requested by Estero Mutual to remove NMWD's power feed from their
9 service box.

10 Mr. Bentley advised the Board that a public hearing to consider the proposed water rate
11 increases and to adopt the water and sewer budgets is scheduled for June 24th in Point Reyes
12 Station.

13 **WEST MARIN WATER OUTSIDE DISTRICT WATER CONSUMPTION (2011-2013)**

14 Mr. Bentley advised the Board that President Rodoni asked that the Board receive an
15 update on water service provided to customer residing outside the West Marin Water Service and/or
16 Improvement District boundaries. He stated that there are 13 customers residing outside District
17 boundaries and they cumulatively comprise about 7.5% of the total West Marin potable water use.
18 Mr. Bentley informed the Board that there are six customers who receive water via a private service
19 line in State Route 1 connected to a District master meter. He noted that the outside customers are
20 subject to a commodity rate that is 40% higher than the rate paid by customers residing within
21 District boundaries. He advised the Board the reason for the additional charge is to compensate for
22 the fact that outside boundary customer have not paid bond tax on property as do customers within
23 the Improvement District boundaries.

24 President Rodoni thanked Mr. Bentley for the good information provided to the Board and
25 asked if the numbers of outside customers were getting smaller.

26 President Rodoni asked how the District will deal with the mandatory restrictions for the
27 outside boundary customers. He suggested talking to each customer directly and making outreach
28 regarding the restrictions.

29 Mr. DeGabriele advised the Board that pursuant to the Water Shortage Contingency Plan it
30 depends on whether or not the customer has an outside service agreement or not. He stated that in
31 his perspective the District will require the outside customers to do what everyone else is required to
32 do, conserving 25% and paying the drought surcharge.

1 President Rodoni stated that staff needs to be clear with the message regarding the
2 surcharge and the mandatory restrictions.

3 Mr. DeGabriele stated that staff will make outreach to the customers and that the mandatory
4 requirements apply for everyone.

5 **CITY OF NOVATO GENERAL PLAN 2035 POLICY WHITE PAPER**

6 Mr. DeGabriele reminded the Board that he had been working with a City of Novato's intern
7 with a Stanford Master's degree in Public Policy who was doing a Coro fellowship in Civic Studies.
8 He stated that the City of Novato hired him to prepare a white paper on the City of Novato's water
9 supply for the General Plan update and present it to the city's Planning Commission and City
10 Council. He noted that the city's general plan was last updated in 1997 and the new plan will go
11 through 2035. Mr. DeGabriele stated that the intern did a great job and distilled a really complex
12 topic into a brief white paper.

13 Mr. DeGabriele advised that at the City of Novato's Planning Commission meeting last night,
14 the presentation of the white paper went well and there was a long discussion after the presentation.
15 He stated that the Planning Commission had a lot of questions regarding the city's perspective from
16 the white paper in regards to the climate change and water supply and asked questions regarding
17 the District's water conservation program. Mr. DeGabriele informed the Board that he assured the
18 Planning Commission that the District is trying to meet state requirements and that they could get
19 stricter in the future.

20 Mr. DeGabriele advised the Board that there was a motion by the Planning Commission to
21 pursue the option of requiring updated plumbing fixtures to current code requirements when
22 customers are doing a major remodel. He noted that it did not pass and several members on the
23 Planning Commission stated that it would be an expensive project for the homeowners to take on.
24 He stated that the Planning Commission asked for examples of how much water is used by different
25 types of developments, single family, apartment etc.

26 Mr. DeGabriele advised the Board that at the City Council meeting, they were more focused
27 on the recycled water expansion and the fees and connections associated with recycled water. He
28 noted that one council member was interested in dual plumbing and it was stated that the city is very
29 happy with the cooperative arrangement between the city and the District pursuant to the expansion
30 of recycled water.

31 Director Baker asked about the possibility of using recycled water for direct potable use. Mr.
32 DeGabriele stated that it was brought up and there could potentially be a change in permit

1 requirements in the future but it was suggested that it be held off until larger agencies begin that
2 process first. Director Baker asked if any major water companies were contemplating direct potable
3 reuse. Mr. DeGabriele stated that most agencies are supportive but are waiting on San Diego to
4 make an investment in its waste water treatment plant and initiate the first large scale direct potable
5 reuse program.

6 **MISCELLANEOUS**

7 The Board received the following miscellaneous information: Disbursements, Equipment
8 Inventory Summary, and Thank You Note from Customer.

9 The Board received the following news articles: PD Editorial: A second chance for James
10 Gore, Deb Fudge, City to study groundwater, Construction Starts on Russian River Fish Passage
11 Improvement Project, North Marin water, restricted this summer, could see rate hike, Board of
12 Supervisors Approves New LAFCO Executive Director, Costly Russian River project to ease fish
13 migration, and Bill Pisenti, longtime conservative activist, dies at 96.

14 The Board also received the following miscellaneous items at the meeting: Sonoma
15 County's cities reducing water use, but short of targets, Drought talking points from SCWA, and
16 West Marin Outside Customer Usage Chart.

17 Director Baker complimented President Rodoni on his guest column in the Point Reyes Light
18 regarding the District's history in West Marin and what is currently going on in the District.

19 **CLOSED SESSION**

20 President Rodoni adjourned the Board into closed session at 8:31 p.m. in accordance with
21 Government Code Section 54957 for Public Employee Performance Evaluation (One), Title: General
22 Manager.

23 **OPEN SESSION**

24 Upon returning to regular session at 8:58 p.m., President Rodoni stated that during the
25 closed session the Board had discussed the issue and no reportable action had been taken.

26 **ADJOURNMENT**

27 President Rodoni adjourned the meeting at 8:59 p.m.

28 Submitted by

29

30

31

32

33

Katie Young
District Secretary

2

1 ACWA Conference

2 Mr. DeGabriele informed the Board that he and David Bentley will be attending the ACWA
3 conference in Eureka on July 10 & 11 and Drew McIntyre will be acting General Manager in his
4 absence.

5 Next Board Meeting

6 Mr. DeGabriele reminded the Board that the next Board meeting will be on July 15, 2014.

7 **OPEN TIME**

8 President Rodoni asked if anyone in the audience wished to bring up an item not on the
9 agenda and the following items were discussed:

10 Bed and Breakfast owner, Susan Nelson, stated that she was attending the meeting to
11 represent the Pt. Reyes Lodging Bed and Breakfast owners. She said she wanted to express her
12 interest in getting materials to inform guests of the mandatory restrictions occurring and asked for
13 help regarding the drought surcharge. She is very concerned about the 200 gallon a day restriction
14 with having three guest rooms and only one meter.

15 **STAFF / DIRECTORS' REPORTS**

16 President Rodoni asked if staff or Directors wished to bring up an item not on the agenda
17 and there was no response.

18 **PUBLIC HEARING/APPROVE: WEST MARIN WATER FY 2014/15 BUDGET**

19 David Bentley informed the Board that the proposed increase in the cost of water for both the
20 typical residential and non-residential customer averages 5% and would be effective July 1, 2014.
21 He stated that a letter was sent on May 9th to all customers notifying them of the public hearing and
22 a notice of the public hearing was published in the June 19th edition of the West Marin Citizen and
23 Point Reyes Light, extending an invitation to attend the public hearing and/or exercise the right to
24 protest the proposed increase. Mr. Bentley advised the Board that there was one letter received by a
25 customer requesting the District reduce spending money on unnecessary infrastructure, and 16
26 phone calls, primarily regarding the proposed drought surcharge, and how it applies to the customer.
27 He stated that the rate increase would consist of a 7% commodity rate increase with no change in
28 the bi-monthly service charge. He noted that for the typical customer the proposed West Marin
29 Water increase would total \$31 annually (\$2.58 per month). Mr. Bentley advised the Board if the
30 proposed increase is enacted, it will generate \$41,000 in additional revenue next fiscal year.

1 Mr. Bentley advised the Board of reasons for the proposed rate increase which include
2 significant improvement projects such as \$1.25M in water treatment plant improvements and
3 replacement of the 25,000 gallon redwood tank that was destroyed in the Mount Vision fire. Mr.
4 Bentley pointed out that the Gallagher Well project (\$1.5M) will be fully funded by the Proposition 50
5 grant. He stated that with the West Marin Water System is in a dry year, Marin Municipal will be
6 releasing less water into Lagunitas Creek and the District experts to purchase water from Marin
7 Municipal in order to have ample water supply. He noted that with the Water Shortage Contingency
8 Plan in effect and the 25% mandatory water use restrictions, the District anticipates reduced water
9 sales revenue by \$75K.

10 Mr. Bentley advised the Board that staff is also proposing a drought surcharge be approved
11 to mitigate the revenue loss expected. He stated that staff proposes a \$2.50 per 1,000 gallon
12 surcharge for all water used by non-residential customers and for those who are classified as
13 residential, propose a \$2.50 per 1,000 gallon surcharge for any water use over 200 gallons per day
14 from July 1st through October 31st. He noted with the proposed surcharge for the median single
15 family water bill, if no water usage is reduced, they will see a \$4 a month additional charge and if
16 they reduce their water usage by the mandatory 25%, they will not pay the drought surcharge. Mr.
17 Bentley stated that for the non-residential customer the proposed surcharge would cost the
18 customer \$30 per month with no reduction of water usage and \$23 per month with the mandatory
19 25% reduction.

20 Mr. Bentley advised the Board that the budget shows a cash surplus of \$1K and staff is
21 projecting one new connection. He stated that the budget has decreased in water sales by 11%, and
22 operating expenses are up 11%. He noted that there is \$38K in the budget for anticipated water
23 purchased from MMWD and an additional \$18K in the budget for water conservation expenses.

24 President Rodoni opened the public hearing at 8:22 p.m.

25 Susan Nelson, Bed and Breakfast owner expressed her concern about having six guests in
26 her house and being charged the surcharge when she has no control on the amount of water used
27 by her guests. She stated that it was unfair and asked that the District provide information for guests
28 to help educate them on trying to conserve water.

29 Laura Arndt, resident of West Marin asked if a customer reduces the mandatory 25% will
30 they still be charged the surcharge.

31 Mr. Bentley responded that any usage below 200 gallons per day will not pay the surcharge
32 for residential customers.

1 Mrs. Arndt asked what the most effective way to reduce water usage by 25%. She asked if
2 the District's website could provide information. President Rodoni stated that all customers can go to
3 the District's website and look at their account information and their past water usage history. He
4 said that all customers should look at water conservation efforts such as low flow toilets, aerators,
5 low flow showerheads etc. President Rodoni informed Laura that she could call Ryan Grisso, Water
6 Conservation Coordinator, to come out and do water audit of her house and to look for leaks.

7 Mr. Bentley reminded the public for the two reasons for the drought surcharge are to send a
8 message to the customers that the drought is serious and to pay for the water that the District will
9 need to purchase from Marin Municipal when Lagunitas Creek does not have ample water supply.

10 Greg Ferando, a Bed & Breakfast owner stated that he has his own well and holding tanks
11 and does not know how he will be able to keep his usage under 200 gallons per day with his yard
12 and guests.

13 President Rodoni stated that all residents will have to make sacrifices during the drought and
14 that a bed and breakfast has similar issues as a single family home with children in it.

15 President Rodoni hearing no further comment closed the public hearing at 8:32 p.m.

16 On motion of Director Schoonover, seconded by Director Fraites and unanimously carried,
17 the Board approved the following: Resolution 14-14 entitled: "Resolution of the Board of Directors of
18 North Marin Water District Amending Regulation 54- Water Rates" amending Regulation 54
19 pertaining to water Rates and Charges to reflect an increase averaging 5% for the typical residential
20 customer in the West Marin Water Service Area effective July 1, 2014, Resolution 14-15 entitled:
21 "Resolution of the Board of Directors of North Marin Water District Amending Regulation 54- Water
22 Drought Surcharge" amending Regulation 54 pertaining to Water Rates and Charges to add a
23 provision for the Drought Surcharge applicable to the West Marin Service Area, the FY15 West
24 Marin Water System Budget and authorized the General Manager to pay demands arising from
25 execution of the budgeted FY15 West Marin Water expenditure plan.

26 All of the West Marin residents left the meeting.

27 **PUBLIC HEARING/APPROVE: OCEANA MARIN SEWER FY 2014/15 BUDGET**

28 Mr. Bentley advised the Board that staff is proposing a 5% increase in the sewer service
29 charge. He noted that the proposed increase would be \$3/month or \$36 per year on the property tax
30 roll. Mr. Bentley informed the Board that a letter was mailed to all Oceana Marin customers on May
31 9th advising them of the public hearing and the proposed rate increase.

1 Mr. Bentley advised the Board that \$30K is incorporated into next year's budget to update
2 the Oceana Marin Master Plan. He informed the Board that there has been an average of one new
3 connection seen over the last 5 years and there is a 15% increase in Operating Expenditures due to
4 the termination of the Phillips & Associates contract.

5 Director Fraites asked about the \$40K to rebuild the fence that was broken by cattle. He
6 asked if the District would receive reimbursement from the owners of the cattle. Mr. Clark stated that
7 the church who owns the land has no money and spends the money they have on the church.

8 President Rodoni asked if it was the church's cattle. Mr. Clark stated yes.

9 Director Baker expressed his frustration about the cattle continuing to damage the fence and
10 the District having to pay for it. Mr. Clark advised the Board that he would further investigate into the
11 agreement with the church and provide feedback to the Board.

12 President Rodoni opened the public hearing at 8:38 p.m. and hearing no comment, closed
13 the public hearing.

14 On motion of Director Petterle, seconded by Director Schoonover and unanimously carried,
15 the Board approved Ordinance 30 electing to have the Oceana Marin Sewer Service Charges be
16 collected on the tax roll of the County of Marin, Resolution Number 14- entitled "Revision of North
17 Marin Water District Regulation 109 Oceana Marin Sewer Service – Rates and Charges", amending
18 Regulation 109, effective July 1, 2014, to increase the Oceana Marin sewer service charge by 5% to
19 \$816 per dwelling unit, the FY15 Oceana Marin Sewer System Budget, and authorize the General
20 Manager to pay demands arising from execution of the budgeted FY15 Oceana Marin expenditure
21 plan.

22 It is noted that the ordinance for the Oceana Marin Sewer Service Charge was mis-
23 numbered in the draft and when published. The corrected Ordinance number is 30.

24 Mr. DeGabriele advised the Board that he will be attending the Oceana Marin Homeowners
25 meeting on July 19th and will update the customers on the adopted sewer service increase.

26 **INFORMATION – WEST MARIN**

27 **OVERVIEW OF THE WEST MARIN WATER SHORTAGE CONTINGENCY MEASURES**

28 Mr. DeGabriele provided the Board and the public with background information regarding
29 the Water Shortage Contingency Measures. He stated that in 1995 State Water Resources Control
30 Board amended all water rights on Lagunitas Creek to protect fish. He advised the Board that Water
31 Right Order 95-17 restricts diversions on Lagunitas Creek during summer months of a dry year. He
32 noted that "dry year" is defined as one where rainfall measured at Kent Lake is less than 28" on April

1 1st. Mr. DeGabriele stated that on April 1st Kent Lake measured just below 28" of rainfall. He
2 reminded the Board that the District entered into an agreement with Marin Municipal Water District
3 insuring West Marin customers receive water during a dry year. He stated with this agreement
4 MMWD will release up to 250AF for purchase by the District.

5 Mr. DeGabriele reminded the Board that on April 1st, a dry year was declared in West Marin
6 and Lagunitas and the District held a public hearing to declare a water shortage emergency and
7 enacted the Water Shortage Contingency Plan. He informed the Board that the Water Shortage
8 Contingency Plan was published in the Point Reyes Light, posted at the Post Office in West Marin,
9 and is available on the District's website. Mr. DeGabriele stated that in West Marin on April 1st,
10 Water Shortage Contingency Plan Stage 1 requirements were enacted with a 15% voluntary
11 reduction compared to the same billing period one year ago. He noted that customers have done a
12 great job conserving 17% in April, 15% in May and 8% through June 22nd. He stated that pursuant to
13 the Water Shortage Contingency Plan, starting July 1st, Stage 2 requirements go into effect with a
14 25% mandatory water use reduction.

15 Mr. DeGabriele stated that customers in West Marin were notified about the Water Shortage
16 Contingency Plan requirements through the *Water Line* newsletter and articles and letters to the
17 editor in both the Point Reyes Light and West Marin Citizen. He noted that staff is proposing a
18 summer *Water Line* that will be mailed out to customers in early July. Mr. DeGabriele advised the
19 Board that staff is preparing a Drought Drive-Up, similar to the one held in Novato, scheduled for
20 August 14th at the Dance Palace. Mr. DeGabriele provided examples of the Drought kits to the
21 audience and stated that the proposed time is 10 a.m. to 12 p.m. He noted that the Board could
22 suggest a different time or location.

23 Director Petterle asked if customers are unable to make the Drought Drive-Up day if they
24 could pick up the water conservation materials at the fire department or post office. Mr. DeGabriele
25 stated that staff would look into that option.

26 Mr. DeGabriele informed the public that staff is looking to hold a toilet giveaway similar to the
27 one completed in Novato. He stated that the toilet rebate has been raised to \$150.

28 Mr. DeGabriele advised the Board on June 16th the stream flows in Lagunitas Creek were
29 reduced from 10cfs and are expected to be maintained at 6cfs at the park gauge. He reminded the
30 Board that the District will most likely have to request additional stream releases from Marin
31 Municipal Water District when the only water in Lagunitas Creek is that released from MMWD's
32 reservoirs. He noted that the District is able to request 250AF per year and will pay \$190AF. He

1 stated that this was one of the reasons for the proposed drought surcharge. Mr. DeGabriele advised
2 the Board that staff is assured that salinity intrusion will occur and the watershed will dry up.

3 Mr. DeGabriele informed the Board that the State Water Resources Control Board held a
4 workshop in Sacramento for state and local officials outlining efforts to conserve. He noted that the
5 State board is debating on enacting mandatory restrictions at the state level and will discuss that
6 option at their July 15th meeting.

7 Mr. DeGabriele advised the Board that staff is handing out water saving tip cards to
8 customers, providing conservation efforts on the District website and Facebook and has handed out
9 cards to restaurants on conserving water. He advised Ms. Nelson that he would look into getting
10 more information to bed and breakfast establishments on ways for their guests to conserve water.

11 Mr. DeGabriele stated that commercial units pay the drought surcharge from the first gallon
12 used and residential customers will pay for any usage over 200 gallons per day. He noted that if the
13 customer has an additional legal second unit, they will be credited for another 200 gallons per day.

14 Susan Nelson asked what a Bed & Breakfast would be considered. Mr. DeGabriele stated
15 that that if classified as residential with one dwelling unit, they would be allowed 200 gallons per day.

16 Mr. McIntyre stated that customers with second units already paid additional fees to obtain
17 the second unit and pay an extra amount each billing period for that additional dwelling unit.

18 Director Fraites stated that staff should have the "Drought Drive-Up" on a Saturday to make
19 the water conservation materials more accessible to customers. President Rodoni informed the
20 Board that he would work with staff to choose a better date and time.

21 Michael Meng, a resident of West Marin asked what the 25% reduction was based from. Mr.
22 DeGabriele stated that the reduction is compared to the same billing period to the prior year.
23 Michael asked if there was data available online. Mr. DeGabriele stated that customer's can log into
24 their account on the District website, and find a chart for their past two years and a water cost
25 calculator to provide a target for the customer. He stated that the *Water Line* newsletter that was
26 mailed to customers has specific directions on how to view the chart. Mr. DeGabriele advised the
27 public to also visit www.wateroff.org to view the Sonoma Marin Saving Water Partnerships page
28 which provides a water use calculator and tips on ways to conserve water.

29 President Rodoni stated that the information is only available for the customer's personal
30 account and the District also has a Monthly Progress Report that is available in the agenda packets
31 that provides the total water usage information for Novato and West Marin customers as a whole.

1 Greg Ferando, a Bed & Breakfast owner, asked if his home is considered residential and if
2 he has a business license from the County, if he was considered a commercial or residential
3 customer. President Rodoni stated that the number of equivalent dwelling units and customer
4 classification is in the Districts billing system and that staff would be able to provide that information.

5 **WEST MARIN CAPITAL IMPROVEMENTS PROJECTS FY13-14 PRELIMINARY YEAR-END**
6 **PROGRESS REPORT**

7 Mr. McIntyre provided the Board with a preliminary year-end status report on the District's
8 performance in completing budgeted FY13-14 Capital Improvement Projects (CIP's) in West Marin
9 (including Oceana Marin) service territories. He stated that a total of eight CIP's were originally
10 budgeted in FY13-14, during the year, two were added and one was dropped. Mr. McIntyre informed
11 the Board that the overall progress in completing West Marin's CIP's was 67%. He noted with the
12 exception of the Gallagher Auxiliary Stream Gauge project, the remaining FY13-14 West Marin
13 project expenditures for all West Marin CIP's are estimated to be below the initial budget by
14 approximately \$80,000.

15 Mr. McIntyre advised the Board that in FY13 the Point Reyes Treatment Plant Solids
16 Handling project was put on hold pending changes to the Marin County Local Coastal Program and
17 on May 15, 2014 California Coastal Commission's approval of Marin County's LCP amendment
18 allows the County to approve the Solids Handling Project.

19 Mr. McIntyre informed the Board that the work on installing flexible piping on Pt. Reyes Tank
20 No. 2 has been postponed until wet weather season returns and the work on the RTU upgrade at
21 the Olema Pump Station is almost completed.

22 **2014 WEST MARIN WATER SYSTEM MASTER PLAN – ADMINISTRATIVE DRAFT**

23 Drew McIntyre provided the Board and staff with a PowerPoint presentation on the 2014
24 West Marin Water System Master Plan – Administrative Draft. He advised the Board that the intent
25 of the new master plan is to update the 2001 West Marin Long Range Plan so that the plan remains
26 fresh. He noted that District budgeted preparation of the West Marin Water System Master Plan
27 Update in 2013 with the intent that the West Marin Master Plan would be updated every 10 years.

28 Mr. McIntyre informed the Board that the 2014 Master Plan has been prepared utilizing in-
29 house staff. He stated that the overall project manager for preparation of the 2014 Master Plan and
30 coordinator of all of the sections prepared was the District's Associate Engineer, Carmela
31 Chandrasekera. He noted that other staff members participated in the project through interviews and
32 input into the development of individual sections. Mr. McIntyre stated that for Section 6, Water
33 Quality, was prepared by the District's Water Quality Supervisor, Pablo Ramudo, as well as Section

1 8, Asset Management, which was been prepared by the District's Operations and Maintenance
2 Superintendent, Robert Clark.

3 Mr. McIntyre stated that the West Marin Master Plan was an Administrative Draft and is
4 looking for comments from the Board. He requested that all comments/changes be given to staff by
5 the next Board meeting on July 15th.

6 President Rodoni stated that it was a good report and complimented Carmela
7 Chandrasekera on her work.

8 **CONSENT CALENDAR**

9 On the motion of Director Schoonover, seconded by Director Petterle and unanimously
10 carried, the following items were approved on the consent calendar:

11 **WALNUT MEADOWS SUBDIVISION**

12 The Walnut Meadows Subdivision subdivides an existing 3.4-acre parcel into 12 lots for
13 single-family homes, and includes a private roadway. The project is located at 840 McClay Road
14 between Center Road and Novato Blvd. This agreement will provide water service to twelve new
15 single family residences. New Zone 1 water facilities required include 420 feet of 8-inch PVC main,
16 65 feet of 8-inch steel pipe, 280 feet of 1-inch cooper, two residential fire hydrants, and twelve 1-
17 icnch meters.

18 **APPROVE CONTENT AND LAYOUT FOR SUMMER 2014 BILL INSERT/FLYER**

19 The Board approved a summer 2014 bill insert/flyer targeting Novato customers. This
20 insert/flyer contains information regarding conservation programs by the District. Staff has not
21 determined whether it will be a direct mail flyer or a bill insert but it is expected that the insert/flyer
22 will be mailed mid- July 2014.

23 **APPROVE TEXT FOR WEST MARIN WATER LINE, VOLUME 12**

24 The Board approved the text for the West Marin *Water Line*, Volume 12. This issue includes
25 a message from the General Manager reminding customers of the dry year conditions on Lagunitas
26 Creek and mandatory water use restrictions, Drought Drive-Up Day and Ultra High Efficiency Toilet
27 Giveaway, and a list of conservation programs offered. The summer West Marin *Water Line* is
28 expected to be mailed in early July 2014.

29 President Rodoni stated that he would work with Mr. DeGabriele and Ryan Grisso to find an
30 appropriate date, place and time for the Drought Drive-Up to make most efficient for residents in
31 West Marin.

1 **ACTION CALENDAR**

2 **ATHERTON AVENUE LAND DIVISION RENEWAL OF LETTER AGREEMENT WITH THE**
3 **NOVATO FIRE PROTECTION DISTRICT**

4 Mr. McIntyre reminded the Board that the Atherton Avenue Land Division Letter of
5 Agreement with the Novato Fire Protection District has been renewed since 1996. He advised the
6 Board that it is for three parcels adjacent to fire station 62 near the intersection of Olive and Atherton
7 Avenues. He noted that the Fire District bought the property from The Lutheran Church in 1996
8 where a water service agreement was in place. Mr. McIntyre stated that the Fire District has
9 expressed its intent to cause the land division to revert to acreage and to utilize the land for a new
10 classroom/storage facility. He advised the Board that staff updated the water agreement
11 with the most recent extension request, the initial charges and construction costs of \$145,662
12 remain unchanged from 2010. Mr. McIntyre advised the Board that the water agreement including
13 financial guarantee for this project must remain in effect as long as the three lots exist. He noted that
14 if the Fire District gets approval from the County of Marin for reversing the property to acreage,
15 the agreement can then be cancelled.

16 Director Baker asked if the Fire District has any plans of actually following through with the
17 plans and how long the District is going to keep renewing this letter.

18 Mr. McIntyre stated that it is not on the Fire District's immediate radar. He stated that next
19 year he would go back and speak with the Chief about the parcels.

20 On motion of Director Baker, seconded by Director Pettele and unanimously carried, the
21 Board authorized renewal of the letter agreement financial guarantee for another forty-eight months
22 with the Novato Fire Protection District.

23 **INFORMATION ITEMS**

24 **CHEMICAL BIDS**

25 The District is now participating in bay area bulk chemical bid process with the Bay Area
26 Chemical Consortium (BACC). The chemicals of interest to the District are sodium hydroxide, ferric
27 chloride, and sodium hypochlorite. The bid prices that came back for the chemicals were 38%, 25%,
28 and 64% lower than the District's current costs. Assuming Stafford Treatment Plant production of
29 2,300 acre feet per year the chemical savings would be approximately \$58,000 per year. Staff is
30 taking advantage of this opportunity to increase the purchasing power through the collaborative bulk
31 purchasing agreement with neighboring agencies.

1 **MISCELLANEOUS**

2 The Board received the following miscellaneous information: Disbursements and 2014
3 Equipment Auction Report.

4 The Board received the following news article: State Regulator regain right over Russian
5 River water drain. The Board also received the following news article at the meeting: Marin water
6 managers: Residents saving more than what state says.

7 Director Baker asked about the publicity of the Gallagher Well Pipeline and if the community
8 realizes the project is ongoing. President Rodoni stated that there are signs up and there have been
9 press releases. Mr. DeGabriele stated that residents will notice once traffic is impacted.

10 **ADJOURNMENT**

11 President Rodoni adjourned the meeting at 9:20 p.m.

12 Submitted by

13

14

15

16

17

Katie Young
District Secretary

3

4

5

6

NORTH MARIN WATER DISTRICT
MONTHLY PROGRESS REPORT FOR June 2014
 July 15, 2014

1.

Novato Potable Water Prod - RR & STP Combined - in Million Gallons - FYTD

Month	FY13/14	FY12/13	FY11/12	FY10/11	FY09/10	14 vs 13 %
July	385	389	371	379	360	-1%
August	360	396	373	368	367	-9%
September	332	346	347	358	335	-4%
October	313	283	249	278	233	10%
November	229	166	183	164	176	38%
December	182	146	156	141	149	25%
January	168	151	178	146	140	11%
February	119	148	147	134	124	-20%
March	154	211	156	151	152	-27%
April	177	240	171	194	164	-26%
May	283	346	311	291	228	-18%
June	308	357	356	293	326	-14%
FYTD Total	3,010	3,179	2,997	2,897	2,754	-5%

West Marin Potable Water Production - in Million Gallons - FY to Date

Month	FY13/14	FY12/13	FY11/12	FY10/11	FY09/10	14 vs 13 %
July	9.3	9.8	9.2	9.9	10.0	-5%
August	9.3	9.7	9.4	9.9	10.6	-5%
September	8.5	8.3	8.7	9.2	9.6	3%
October	8.0	7.4	6.5	7.8	6.9	8%
November	6.8	5.2	5.1	4.9	5.6	31%
December	6.4	4.5	4.9	4.8	4.5	43%
January	5.9	5.0	4.8	4.3	4.2	18%
February	4.4	4.4	4.5	3.9	3.9	2%
March	5.0	5.4	4.4	5.6	5.7	-9%
April	5.0	6.0	5.4	4.9	4.3	-17%
May	7.3	8.5	7.1	6.9	5.9	-15%
June	8.3	8.5	8.8	7.2	8.0	-1%
FYTD Total	84.1	82.7	78.9	79.4	79.0	2%

Stafford Treatment Plant Production - in Million Gallons - FY to Date

Month	FY13/14	FY12/13	FY11/12	FY10/11	FY09/10	14 vs 13 %
July	98	49	115	109	152	101%
August	83	83	126	108	150	0%
September	56	72	77	112	155	-22%
October	82	88	113	111	80	-7%
November	5	64	106	95	0	-93%
December	2	0	49	0	0	-
January	0	21	0	0	0	-
February	0	57	0	0	0	-
March	0	61	0	52	32	-
April	0	67	0	98	36	-
May	75	105	0	97	94	-28%
June	78	89	0	101	103	-13%
FYTD Total	479	755	586	884	800	-37%

Recycled Water Production - in Million Gallons - FY to Date

Month	FY13/14	FY12/13	FY11/12	FY10/11	FY09/10	14 vs 13 %
July	27.6	11.2	11.0	11.9	12.0	147%
August	26.2	10.5	12.2	11.2	12.9	149%
September	18.6	8.5	9.6	9.5	10.2	119%
October	15.8	0.0	0.0	2.6	2.6	-
November	6.4	0.0	0.0	0.0	0.0	-
December	1.6	0.0	0.0	0.0	0.0	-
January	1.2	0.0	0.0	0.0	0.0	-
February	1.8	0.0	0.0	0.0	0.0	-
March	1.2	1.4	0.0	0.0	0.0	-9%
April	8.3	8.8	2.5	0.0	0.0	-6%
May	23.2	17.3	10.8	11.2	6.0	34%
June	24.9	23.1	11.1	7.7	11.1	8%
FYTD Total	131.9	57.6	46.1	46.4	43.8	129%

FY14 production excludes 10.9MG of potable water fed into the RW treatment plants.

2. Stafford Lake Data

	June Average	June 2013	June 2014
Rainfall this month	0.20 Inches	0.12 Inches	0 Inches
Rainfall this FY to date	28.26 Inches	19.38 Inches	12.74 Inches
Lake elevation*	190.4 Feet	189.0 Feet	184.2 Feet
Lake storage**	1,003 MG	922 MG	653 MG

* Spillway elevation is 196.0 feet

** Lake storage less 390 MG = quantity available for delivery

Temperature (in degrees)

	Minimum	Maximum	Average
June 2013 (Novato)	51	110	74
June 2014 (Novato)	47	109	72

3. Number of Services

June 30	Novato Water			Recycled Water			West Marin Water			Oceana Marin Sw		
	FY14	FY13	Incr %	FY14	FY13	Incr %	FY14	FY13	Incr %	FY14	FY13	Incr %
Total meters	20,751	20,748	0.0%	48	23	109%	820	819	0.1%	-	-	-
Total meters active	20,505	20,492	0.1%	44	17	159%	776	776	0.0%	-	-	-
Active dwelling units	23,948	23,940	0.0%	0	0	-	822	811	0.2%	229	227	0.9%

4. Oceana Marin Monthly Status Report (June)

Description	June 2013	June 2014
Effluent Flow Volume (MG)	0.492	0.455
Irrigation Field Discharge (MG)	0.408	0.489
Treatment Pond Freeboard (ft)	3.2	3.8
Storage Pond Freeboard (ft)	6.1	7.6

5. Developer Projects Status Report (June)

Job No.	Project	% Complete	% This month
2772	35 Rowland Way (Chick-Fil-A)	100	1
7142.00	Shields Lane 6" C.I. Replacement	75	35

District Projects Status Report - Const Dept (June)

Job No.	Project	% Complete	% This month
1723.14	Clay Ct. PB Replacement	100	2
7123.16	County PB Replacement (Novato)	100	5
7123.18	County PB Replacement (West Marin)	100	1
8738.03	SMART Crossing Rework – Hanna Ranch	80	20
7007.08	DCA Repair/Replacement	100	5
7134	Digital to Leveroni Looping	100	5
7139	City Measure A, Group 5 PB Replacement	100	5
7135.00	DeLong to Cain Looping	100	5

Employee Hours to Date, FY 13/14

As of Pay Period Ending June 30, 2014
Percent of Fiscal Year Passed =100%

Developer Projects	Actual	Budget	% YTD Budget	District Projects			
				Actual	Budget	% YTD Budget	
Construction	689	1,400	49	Construction	5,882	5,607	105
Engineering	859	1,480	58	Engineering	5,127	3,698	139

6. Safety/Liability

Industrial Injury with Lost Time				Liability Claims Paid		
Lost Days	OH Cost of Lost Days (\$)	No. of Emp. Involved	No. of Incidents	Incurred (FYTD)	Paid (FYTD) (\$)	
FY through June 14	81	35,544	2	1	2	872
FY through June 13	2	832	1	1	3	4,630

Days without a lost time accident through June 30, 2014= 1 day

7. Energy Cost

FYE		June			Fiscal Year-to-Date thru June		
		Kwh	¢/Kwh	Cost/Day	Kwh	¢/Kwh	Cost/Day
2014	Stafford TP	81,059	17.6¢	\$474	740,746	17.2¢	\$350
	Pumping	154,158	17.1¢	\$907	1,650,342	15.6¢	\$706
	Other*	43,812	23.5¢	\$355	511,742	20.3¢	\$284
		<u>271,097</u>	<u>18.7¢</u>	<u>\$1,752</u>	<u>2,894,898</u>	<u>16.9¢</u>	<u>\$1,339</u>
2013	Stafford TP	75,287	17.0¢	\$427	709,775	16.3¢	\$313
	Pumping	207,461	15.2¢	\$983	1,487,407	15.2¢	\$646
	Other*	49,245	22.2¢	\$342	462,631	19.9¢	\$262
		<u>331,992</u>	<u>16.6¢</u>	<u>\$1,780</u>	<u>2,659,813</u>	<u>16.3¢</u>	<u>\$1,232</u>
2012	Stafford TP	11,423	22.5¢	\$92	651,582	16.0¢	\$287
	Pumping	211,146	16.2¢	\$1,318	1,498,361	15.1¢	\$637
	Other*	47,534	21.2¢	\$325	431,488	19.5¢	\$231
		<u>270,103</u>	<u>17.4¢</u>	<u>\$1,738</u>	<u>2,581,431</u>	<u>16.1¢</u>	<u>\$1,134</u>

*Other includes West Marin Facilities

8. Water Conservation Update

	Month of June 2014	Fiscal Year to Date	Program Total to Date
High Efficiency Toilet (HET) Rebate (\$100 each)	26	348	2,972
Retrofit Certificates Filed	18	293	5,062
Cash for Grass Rebates Paid Out	9	52	574
Washing Machine Rebates	15	308	6,459
Water Smart Home Survey	17	366	1,780

9. Utility Performance Metric

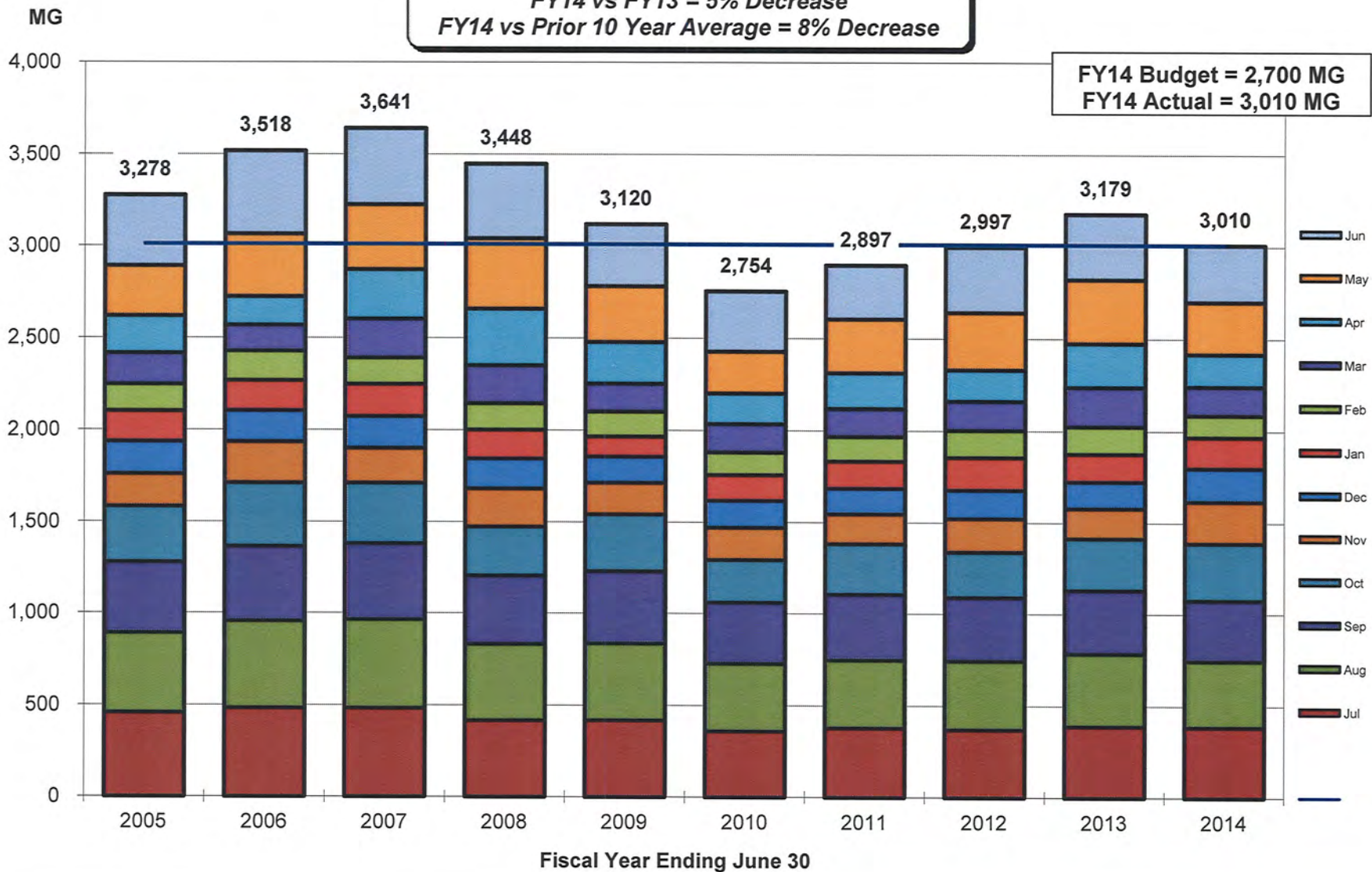
<u>SERVICE DISRUPTIONS</u>	June No. of Customers Impacted
PLANNED	
Duration Between 0.5 and 4 hours	12
Duration Between 4 and 12 hours	
Duration Greater than 12 hours	
UNPLANNED	
Duration Between 0.5 and 4 hours	7
Duration Between 4 and 12 hours	
Duration Greater than 12 hours	

<u>SERVICE LINES REPLACED</u>	June
Polybutylene	7
Copper (Replaced or Repaired)	6

Novato Potable Water Production

FY14 vs FY13 = 5% Decrease
FY14 vs Prior 10 Year Average = 8% Decrease

FY14 Budget = 2,700 MG
FY14 Actual = 3,010 MG



NORTH MARIN WATER DISTRICT

Summary of Complaints & Service Orders June 2014

7/9/2014

Type	Jun-14	Jun-13	Action Taken June 2014
<u>Consumers' System Problems</u>			
Service Line Leaks	23	13	Notified Consumer
Meter Leak Consumer's Side	0	0	~
House Plumbing	0	0	~
Noisy Plumbing	0	0	~
Seepage or Other	0	0	~
House Valve / Meter Off	2	8	Turned Back On
Nothing Found	4	4	Notified Consumer
Low Pressure	0	2	~
High Pressure	0	0	~
Water Waster Complaints	0	0	~
Total	29	27	
<u>Service Repair Reports</u>			
Register Replacements	0	0	~
Meter Replacement	1	2	Replaced
Meter Box Alignment	0	0	~
Meter Noise	0	0	~
Dual Service Noise	0	0	~
Box and Lids	0	0	~
Water Off/On Due To Repairs	7	5	Notified Consumer
Misc. Field Investigation	5	4	Notified Consumer
Total	13	11	
<u>Leak NMWD Facilities</u>			
Main-Leak	0	0	~
Mains-Nothing Found	0	0	~
Mains-Damage	0	0	~
Service- Leak	13	12	Repaired
Services-Nothing Found	4	2	Notified Consumer
Service-Damaged	0	0	~
Fire Hydrant-Leak	0	3	~
Fire Hydrants-Nothing Found	0	0	~
Fire Hydrants-Damaged	0	0	~
Meter Replacement	0	0	~
Meters-Leak	0	0	~
Meters-Nothing Found	0	0	~
Meters Damaged	0	0	~
Washer Leaks	13	7	Replaced
Total	30	24	
<u>High Bill Complaints</u>			
Consumer Leaks	1	4	Notified Consumer
Meter Testing	0	0	~
Meter Misread	4	0	Notified Consumer
Nothing Found	3	8	Notified Consumer
Projected Consumption	0	0	~
Excessive Irrigation	0	1	~
Total	8	13	

NORTH MARIN WATER DISTRICT

Summary of Complaints & Service Orders June 2014

7/9/2014

Type	Jun-14	Jun-13	Action Taken June 2014
<u>Low Bill Reports</u>			
Meter Misread	0	0	~
Stuck Meter	0	0	~
Nothing Found	0	0	~
Projected Consumption	0	0	~
Minimum Charge Only	0	0	~
Total	0	0	
<u>Water Quality Complaints</u>			
Taste and Odor	1	3	Customer reported strong chlorine odor. (6th St) Measured chlorine was high but within limits. Operators made adjustments. Customer was notified.
Color	0	1	~
Turbidity	0	0	~
Suspended Solids	0	1	~
Other	0	0	~
Total	1	5	
<u>TOTAL FOR MONTH:</u>	81	80	1%

Fiscal YTD Summary

Consumer's System Problems	369	407	-9%	<u>Change Primarily Due To</u>
Service Repair Report	122	148	-18%	Decrease In Service Line Leaks
Leak Complaints	302	280	8%	Decrease In Meter Replacement
High Bill Complaints	364	462	-21%	Increase In Services-Nothing Found
Low Bills	3	4	0%	Decrease In Nothing Found
Water Quality Complaints	60	37	62%	~
Total	1,220	1,338	-9%	Increase In Taste & Odor

NORTH MARIN WATER DISTRICT

Summary of Complaints & Service Orders June 2014

7/9/2014

<u>Type</u>	<u>Jun-14</u>	<u>Jun-13</u>	<u>Action Taken June 2014</u>
<u>"In House" Generated and Completed Work Orders</u>			
<u>Check Meter:</u> possible consumer/District leak, high bill, flooded, need read, etc.	215	225	
<u>Change Meter:</u> leaks, hard to read	2	3	
<u>Possible Stuck Meter</u>	0	3	
<u>Repair Meter:</u> registers, shut offs	0	0	
<u>Replace Boxes/Lids</u>	4	3	
<u>Hydrant Leaks</u>	0	0	
<u>Trims</u>	34	23	
<u>Dig Outs</u>	79	58	
<u>Letters to Consumer:</u> meter obstruction, trims, bees, gate access, etc.	0	0	
<u>Misc:</u> locate meter, get meter number, cross connection follow ups, kill service, etc.	0	0	
	334	315	

Bill Adjustments Under Board Policy:

June 14 vs. June 13

Jun-14	17	\$5,076
Jun-13	6	\$3,141

Fiscal Year to Date vs. Prior FYTD

13/14 FYTD	340	\$112,561
12/13 FYTD	340	\$119,560

c:\documents and settings\kyoung\local settings\temporary interr

Customer Service Questionnaire Quarterly Report
Quarter Ending 6/30/14



NMWD

t:\cons srvc\cons acct\cust. quest reports\2014\customer service question. rep jun14.xls\performan

6/30/2014

	Response		
	Agree	Neutral	Disagree
Water Quality			
Courteous & Helpful	1		
Accurate Information	1		
Prompt Service	1		
Satisfactorily Resolved	1		
Overall Experience	1		
	<u>5</u>	<u>0</u>	<u>0</u>

	Response		
	Agree	Neutral	Disagree
Pressure			
Courteous & Helpful	3		
Accurate Information	3		
Prompt Service	3		
Satisfactorily Resolved	3		
Overall Experience	3		
	<u>15</u>	<u>0</u>	<u>0</u>

	Agree	Neutral	Disagree
	Leak		
Courteous & Helpful	19	1	
Accurate Information	18	2	
Prompt Service	20		
Satisfactorily Resolved	17	3	
Overall Experience	19	1	
	<u>93</u>	<u>7</u>	<u>0</u>

	Agree	Neutral	Disagree
	Noisy Pipes		
Courteous & Helpful			
Accurate Information			
Prompt Service			
Satisfactorily Resolved			
Overall Experience			
	<u>0</u>	<u>0</u>	<u>0</u>

	Agree	Neutral	Disagree
	Billing		
Courteous & Helpful	3		
Accurate Information	3		
Prompt Service	3		
Satisfactorily Resolved	3		
Overall Experience	3		
	<u>15</u>	<u>0</u>	<u>0</u>

	Agree	Neutral	Disagree
	Other		
Courteous & Helpful	2		
Accurate Information	2		
Prompt Service	2		
Satisfactorily Resolved	2		
Overall Experience	2		
	<u>10</u>	<u>0</u>	<u>0</u>

Grand Total	<u>138</u>	<u>7</u>	<u>0</u>
	95%	5%	0%

Questionnaires Sent Out	85	100%
Questionnaires Returned	30	35%

Customer Service Questionnaire Quarterly Report
Quarter Ending 06/30/14

t:\cons srvc\cons acct\cust. quest reports\2014\customer service question. rep jun14.xls\comments

Customer Comments	Staff Response to Negative Comments	Issues NMWD Should Address In The Future
<p>Water Quality Thank you so much. Awesome service!</p> <p>Leaks Came right away & replaced leaking meter. I was very satisfied with the service. Immediate response by foreman. Office action above expectation. The staff was courteous. Thank you. Good service. We were out of town. Thankful FSR left us a message. Very prompt. Job well done, even clean gutter. Staff was very nice on phone & also at site. Very competent crew and worked effeciently. The guys were great. Corey was a hard worker. Thank You!</p> <p>Billing Rich went above & beyond. Very knowledgable person. We should hold on to him.</p> <p>Other Very quick & friendly service. Well done.</p> <p>Pressure Very good service.</p>		

7

MEMORANDUM

To: Board of Directors

July 11, 2014

From: Chris DeGabriele, General Manager CD

Subj: Response to Marin County Civil Grand Jury Report – The Scoop on Marin County Sewer Systems: Part 1I and Part II

t:\gmbod misc 2014\civil grand jury memo 071114.docx

Recommended Action: Approve Response

Financial Impact: None at this time

On June 10th, Marin County Civil Grand Jury issued two reports entitled: “The Scoop on Marin County Sewer Systems: Part I and Part II”. Findings from Part I related to North Marin Water District are:

F9 – There are many costs that are duplicated among waste water agencies, particularly with regards to management, administration, overhead and governance.

F12 – Districts are working together across the County, demonstrating an increasing level of commitment to cooperation and resource sharing. Most districts agree that there is potential for greater collaboration and cost reduction.

Additionally, Part I includes the following recommendations related to NMWD:

R1 – All districts must work to eliminate spills, through in-depth analysis and investment in infrastructure.

R3 – All agencies adopt an ordinance that will require private laterals to be inspected routinely and repaired as necessary.

R4 – All agencies conduct an analysis to determine the feasibility of using treated waste water for flushing pipes in routine maintenance work.

R5 – All agencies continue to cooperate with each other and find further ways to reduce costs.

A response form is included along with the report and a transmittal letter with explanations to our response as requested by the Grand Jury (Attachment 1).

Part II of the Grand Jury study identifies one finding and one recommendation related to NMWD.

F6 – Homestead Valley, Mill Valley, North Marin Water District, Richardson Bay, Sanitary District #5 (Tiburon), Tamalpais Community Services District, and Tomales Villages Community Services District have not posted their SSMP’s on their websites.

R5 – Homestead Valley, Mill Valley, North Marin Water District, Richardson Bay, Sanitary District #5, Tamalpais Community Services District, and Tomales Villages Community Services District post their SSMP's on their website.

The response and accompanying report is included as Attachment 2.

RECOMMENDATION:

Approve the proposed responses to Marin County Civil Grand Jury's report – The Scoop on Marin County Sewer Systems: Part I and Part II.

DRAFT

July 16, 2014

The Honorable Judge Faye D'Opal
Marin County Superior Court
PO BOX 4988
San Rafael, CA 94913-4988

Nadine A. Muller, Foreperson
Marin County Grand Jury
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: Marin County Civil Grand Jury Report - The Scoop on Marin County Sewer Systems: Part I

Dear Judge D'Opal – Foreperson Muller:

North Marin Water District provides sanitary sewage collection, treatment and disposal services to the Oceana Marin Improvement District in western Marin County. This small wastewater operation serves 229 connections with Fiscal Year 2014/15 operating budget of \$232,000, approximately 1.5% of NMWD's total operating budget for the Novato water service area. We believe the small improvement district benefits from the NMWD technical, financial, operational and management capability assembled to serve the much larger Novato Water Improvement District. Following is NMWD's response to the findings and recommendations in the referenced Civil Grand Jury Report – The Scoop on Marin County Sewer Systems: Part I.

Finding F12 – Districts are working together across the County demonstrating an increasing level of commitment to cooperation and resource sharing. Most districts agree that there is potential for greater collaboration and cost reduction.

NMWD agrees with this recommendation. Please see the response to the NMWD June 2012 Marin County Civil Grand Jury Report – Preschoolers Learn to Share, Can Local Governments, dated July 5, 2012 (Exhibit A).

R1 – All districts must work to eliminate spills through in-depth analysis and investment in infrastructure.

ATTACHMENT 1

Annually NMWD adopts a budget for the Oceana Marin Sewer Improvement District which includes proposed Capital Improvement Projects (Exhibit B). The Capital Improvement Projects Plan consists of a five-year look ahead of projects on the horizon and annually includes funding to identify infiltration and repair to the sewage collection system.

R3 – All agencies adopt an Ordinance that will require private laterals to be inspected routinely and repaired as necessary.

NMWD's existing Regulation 103g, Testing of Side Sewers (Exhibit C), currently addresses circumstances upon which side sewers (private laterals) must be tested. NMWD has recently smoke tested the entire collection system and identified no illegal connection to the sewer collection system. NMWD has participated with the North Bay Watershed Association in development of a private lateral inspection/replacement sample ordinance (http://www.nbwatershed.org/PDF/Lateral_Program_Report_120709.pdf) and will consider modifying Regulation 103g within the next six months consistent with the sample ordinance.

R4 – All agencies conduct an analysis to determine the feasibility of using treated waste water for flushing pipes and routine maintenance work.

This recommendation will be studied and considered within the next six months.

R5 – All agencies continue to cooperate with each other and find further ways to reduce costs.

This recommendation has been implemented, again please see Exhibit A.

Sincerely,

Chris DeGabriele
General Manager

Enclosures
CC:

Steve Kinsey, Supervisor Marin County Board of Supervisors

CD/kly

July 5, 2012

Michael Chernock, Foreman
Marin County Civil Grand Jury
3501 Civic Center Drive, Room 275
San Rafael, CA 94903

Re: Preschoolers Learn to Share - Can Local Governments?

Dear Mr. Chernock:

Following are North Marin Water District's responses to the three recommendations NMWD was invited to respond to in the referenced Civil Grand Jury report.

1. Recommendation 3: Every local government entity, when facing major capital expenditures (e.g., new facilities, equipment, vehicles or computer systems) seek out other entities to share the use and costs of the items.

The North Marin Water District agrees with this recommendation. NMWD has a long history of seeking out other entities to share the use and costs of major capital expenditures. For example, in 2007 NMWD, the City of Novato, and the Novato Unified School District together explored the possibility of acquiring a building together as a consolidated headquarters site for the three entities. While the idea did not ultimately come to fruition, it is a good example of local public agencies creatively working together to benefit their constituencies.

A project that did come to fruition is formation of the North Bay Water Reuse Authority (NBWRA), a coordinated effort among eight water and sanitation agencies in Sonoma, Marin and Napa Counties to offset potable water demand by promoting recycled water for irrigation use. This collaboration created economies of scale allowing the sharing of planning and engineering costs, and created the leverage to bring over \$15 million to date in state and federal grant funding to the North Bay. As part of the NBWRA program, NMWD is working collaboratively with both Novato Sanitary District (NSD) and Las Gallinas Valley Sanitary District (LGVSD). NMWD will distribute the highly treated recycled water produced by NSD to customers in north Novato and distribute highly treated recycled water produced by LGVSD in south Novato (Hamilton Field), both which will offset potable water supply now used for landscape irrigation.

2. Recommendation 4: All government officials make it a priority to identify institutional duplication within their sphere of influence and then bring leadership, vision and openness to new, more cost-effective alternatives.

The North Marin Water District agrees with this recommendation. NMWD is a leader in bringing cost-effective solutions to benefit the citizens living within its sphere of influence. For example:

- **In 2001 an agreement was reached with Marin Municipal Water District (MMWD) to reorganize boundaries at Hamilton Air Force Base coincident with the Novato City limits, eliminating an inefficient island of service provided by MMWD within Novato. NMWD now serves all areas within Novato.**
 - **In 2009 NMWD joined with the City of Novato, the Novato Fire Protection District, the Novato Unified School District and Novato Sanitary District (NSD) to explore areas of cooperation where the agencies could work together to share resources. This exercise fostered closer working relationships on a staff level between all of the local agencies serving primarily the same customer base.**
 - **In 2010 NMWD entered into a Mutual Aid Agreement with NSD which allows either agency to request personnel, equipment or supplies from the other. Both NSD and NMWD have called upon one-another for assistance under the agreement, most notably in the area of laboratory services for water testing.**
 - **In 2010 NMWD led the way in forming the Sonoma-Marín Saving Water Partnership. The Partnership includes ten water utilities in Sonoma and Marin counties who have joined together to provide a regional approach to water use efficiency. The utilities are the Cities of Santa Rosa, Rohnert Park, Petaluma, Sonoma, Cotati; North Marin, Valley of the Moon and Marin Municipal Water Districts, Town of Windsor and Sonoma County Water Agency. Establishing Water conservation projects across jurisdictional boundaries is more cost effective than it would otherwise be on an individual agency-by-agency basis.**
3. Recommendation 5: Public officials assume the obligation of informing and leading their citizens toward the changing paradigms of government that result in more cost-effective government.

North Marin Water District believes that Independent Special Districts are the most cost-effective form of government. Independent Special Districts are focused, largely single-purpose agencies, available to the public, and transparent. By focusing on a specific service, whether it be water delivery, fire protection, or sanitation service, special districts pay greater attention to both long-term planning and everyday customer and rate-payer feedback, than do agencies with multiple responsibilities and constituencies.

Michael Chernock, Foreman

July 5, 2012

Page 3

Each special district's specific focus allows it to perform its services without the distractions faced by larger, multi-purpose agencies. This focus leads to innovation as well as prudent long-term planning.

Special districts are open and transparent. All are welcome to attend their meetings and are encouraged to share their thoughts and concerns. Every Independent Special District annually undergoes an independent financial audit and provides an annual compensation report to the State Controller. Every special district board is required to comply with FPPC regulations, the Public Records Act, and all open meeting requirements in the Brown Act.

Voters created each of the Independent Special Districts in Marin to serve their needs. Ultimately, the power to reorganize local service delivery should rest with the local citizens who established them and depend on them.

Sincerely,

Chris DeGabriele
General Manager

Cc: Steve Kinsey, Supervisor, Marin County Board of Supervisors
Judy Arnold, Supervisor, Marin County Board of Supervisors
Michael Frank, City Manager, City of Novato
Beverly James, General Manager/Engineer, Novato Sanitary District
Mark Williams, General Manager, Las Gallinas Valley Sanitary District

Proposed Capital Improvement Projects

6/11/14

t:\acexcel\budget\15\5 yr cip fy15.xlsx\5 yr ip

	FY14 Budget	FY14 E/A	FY15	FY16	FY17	FY18	FY19
7. OCEANA MARIN SEWER SYSTEM							
a. Infiltration Repair	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
b. SCADA RTU Upgrade and Install	\$35,000	\$35,000					
c. Design/Install 8th Disposal Trench (300')				\$50,000	\$50,000		
d. Pond Power Relocation			\$15,000				
e. Disposal Field Fencing Upgrade			\$40,000				
f. Tahiti Way Lift Pumps Rebuild (2) (every 5 yrs)					\$20,000	\$20,000	
g. Pond Cleaning & Lining							\$350,000
	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$70,000</u>	<u>\$65,000</u>	<u>\$85,000</u>	<u>\$35,000</u>	<u>\$365,000</u>
SUMMARY - GROSS PROJECT OUTLAY							
GROSS PROJECT OUTLAY	<u>\$50,000</u>	<u>\$50,000</u>	<u>\$70,000</u>	<u>\$65,000</u>	<u>\$85,000</u>	<u>\$35,000</u>	<u>\$365,000</u>
Total Number of Projects	2	2	3	2	3	2	2

**NORTH MARIN WATER DISTRICT
REGULATION 103
SIDE-SEWER CONNECTIONS**

a. Agreement Required

In accordance with Section d. of Regulation 100 no person shall construct a side-sewer or make a connection with any sewer main without first entering into an agreement with the District and paying all fees, charges and estimated construction costs as required under Regulations 106, 108 and 109.

b. When Extension of Sewer Main Required

Extension of a District sewer main shall be constructed to serve new consumers whose lands do not have direct access to or do not abut a street or easement containing an adequate sewer main. Property with direct access to a street or easement containing an adequate sewer main, but which does not have a major frontage on the street or easement, will be served at such street or easement provided that such property and adjacent properties cannot be further subdivided or developed.

c. Construction Requirements

- (1) Construction of side-sewers shall be in accordance with the NMWD Standard Drawings, Sewer.
- (2) No person shall uncover or otherwise alter or disturb a side-sewer without first receiving the consent of the District.

d. Separate Side-Sewers

Each separate building shall be connected to the sewer main with a separate side-sewer except that one or more buildings located on property owned by the same person may be served by the same side-sewer if the District determines that it is unlikely that the property can or will be subdivided in the future. However, if for any reason the property is subsequently subdivided, each building under separate ownership shall be provided by the owner with a separate side-sewer and sewer main extension as required by the District. Continued use of such common side-sewer is prohibited.

e. Old Building Side-Sewers

An old building side-sewer may be used in connection with a new building only if, after inspection, the District determines that the side-sewer meets all current District requirements.

f. Maintenance of Side-Sewers

The maintenance of each side-sewer shall be the responsibility of the owner of the property served thereby. The cost of testing, inspecting, maintaining, repairing, replacing and relocating a side-sewer shall be borne by the owner of the property served thereby. The owner shall keep the side-sewer free of infiltration.

g. Testing of Side-Sewers

Side-sewers may be tested under the supervision of the District in each of the following circumstances:

- (1) on remodeling or enlargement of the property served involving the installation of any plumbing fixture,
- (2) on change of use of the building served as residential, commercial or industrial,

- (3) on repair or replacement of the side-sewer, and
- (4) on request of the District.

h. Sewers Too Low

In all buildings in which any building sewer is too low to permit gravity flow to the existing sewer main or side-sewer, the District will require that all other methods of obtaining gravity flow must be examined. Any new construction that is required in order to achieve gravity flow will be at the property owner's expense.

The District will determine if gravity flow sewer service to the property is not feasible. In this case, the sewage carried by such building sewer shall be lifted by a private pump system subject to District approval and discharged to the sewer main or side-sewer as determined by the District and at the expense of the owner. The Applicant shall enter into a recordable agreement running with the land to be served agreeing to accept such service and releasing the District from any liability and from all responsibility to provide gravity service and agreeing to maintain in good condition and repair without cost to the District the private pump system including:

- (1) collection basin
- (2) sewage pump or grinder pump as required
- (3) cleanouts appropriately located to remedy pipe blockages
- (4) check valve to prevent sewage in the District's sewer system from draining into the owner's private system.

RESPONSE TO GRAND JURY REPORT FORM

Report Title: The Scoop on Marin County Sewer Systems: Part I,

Report Date: June 10, 2014

Public Release Date: June 16, 2014

Response by: September 14, 2014

FINDINGS

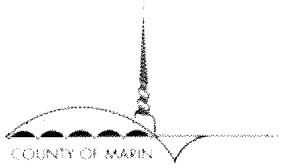
- I (we) agree with the findings numbered: F12
- I (we) disagree wholly or partially with the findings numbered: F9
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered R1 R5 have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered _____ have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered R3 R4 require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered _____ will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: _____ Signed: _____

Number of pages attached _____



RECEIVED

JUN 18 2014

Marin County Civil Grand Jury

North Marin Water District

Date: June 10, 2014

North Marin Water District

Dennis Rodoni, President of the Board of Directors
P.O. Box 146
Novato CA, 94948

Re: Grand Jury Report: *The Scoop on Marin County Sewer Systems: Part I*

Report Date: June 10, 2014

Dear Mr. Rodini;

Enclosed please find an **advance copy** of the above report. Please note that Penal Code Section 933.05(f) specifically prohibits any disclosure of the contents of this report by a public agency or its officers or governing body prior to its release to the public, **which will occur on June 16, 2014**

The Grand Jury requests that you respond in writing to the Findings and Recommendations contained in the report pursuant to Penal Code Section 933.05 (copy enclosed). The Penal Code is specific as to the format of responses. The enclosed *Response to Grand Jury Report Form* is provided for your use.

Governing bodies should be aware that the comment or response from the governing body must be conducted in accordance with Penal Code section 933 (c) and subject to the notice, agenda, and open meeting requirements of the Ralph M. Brown Act. The Brown Act requires that any action of a public entity governing board occur only at a noticed meeting for which an agenda has been provided.

The Penal Code is also specific about the deadline for responses. You are required to submit your response to the Grand Jury within 90 days of the report date:

1 hard copy to: The Honorable Judge Faye D'Opal
Marin County Superior Court
P.O. Box 4988
San Rafael, CA 94913-4988

1 hard copy to: Nadine A. Muller, Foreperson
Marin County Grand Jury
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Responses are public records. The clerk of the public agency affected must maintain a copy of your response. Should you have any questions, please contact me at 415-662-9660 (h) 415-203-0929 (c), namgrand@earthlink.net, or at the above address.

Sincerely,

Nadine A. Muller, Foreperson
2013-2014 Marin County Civil Grand Jury

RESPONSE TO GRAND JURY REPORT FORM

Report Title: *The Scoop on Marin County Sewer Systems: Part I,*

Report Date: June 10, 2014

Public Release Date: June 16, 2014

Response by: September 14, 2014

FINDINGS

- I (we) agree with the findings numbered: _____
- I (we) disagree wholly or partially with the findings numbered: _____
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered _____ have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered _____ have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered _____ require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed **six months from the date of publication of the grand jury report.)**
- Recommendations numbered _____ will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: _____ Signed: _____

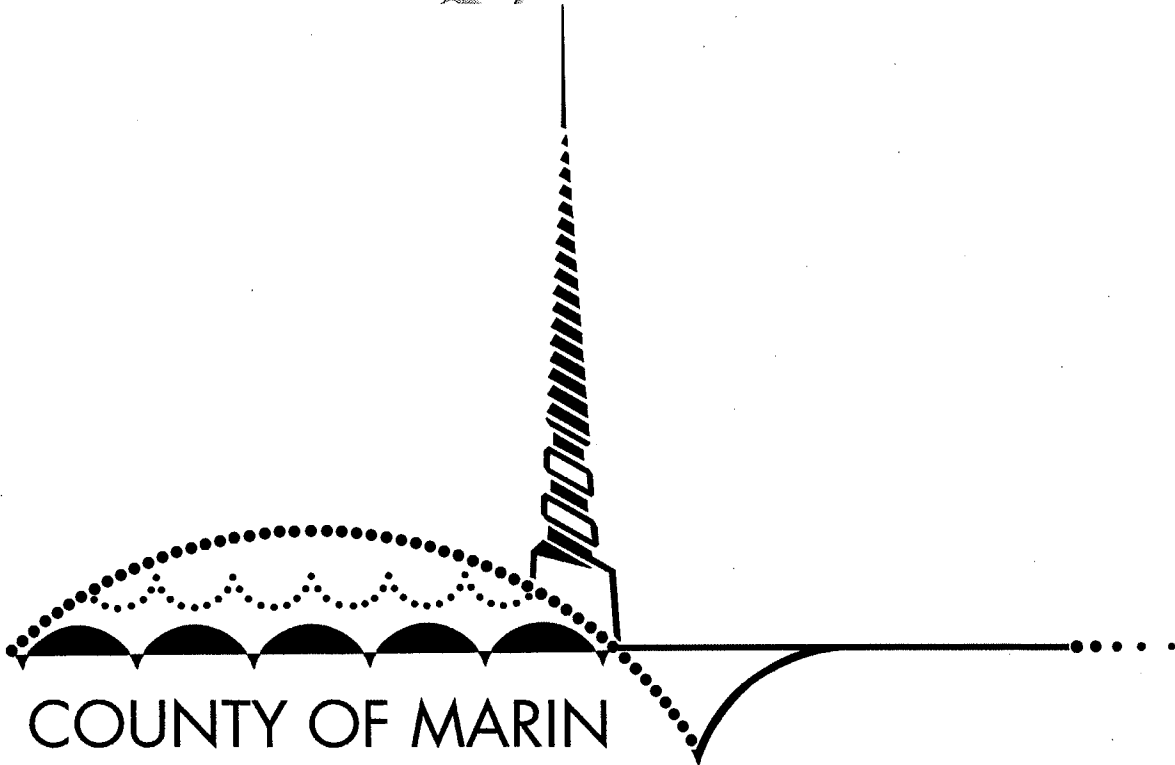
Number of pages attached _____

2013/2014 MARIN COUNTY CIVIL GRAND JURY

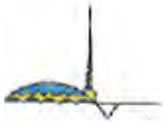
The Scoop on Marin County Sewer Systems: Part I

Report Date – June 10, 2014
Public Release Date – June 16, 2014

PUBLICATION



COUNTY OF MARIN



THE SCOOP ON MARIN COUNTY SEWER SYSTEMS: PART I

SUMMARY

The Marin County Civil Grand Jury determined that wastewater districts that collect, treat and dispose of wastewater from homes and businesses in Marin County received close to \$77M of tax and fee revenue in the fiscal year 2012-2013.¹ This represents approximately 58 percent of total tax and fee revenue going to independent special districts. In light of the amount of tax revenue going to wastewater special districts, the Grand Jury felt that this sector of special districts warranted some scrutiny.

In addition to special districts, we determined there are other government agencies operating in the wastewater business, including municipalities, park services and joint power authorities. In total, there are twenty-three wastewater agencies in Marin County, serving an estimated population of 258,000² people. That's a lot of agencies requiring oversight!

The Grand Jury conducted a survey of all wastewater agencies in Marin (except the park services), with the intention of shedding light on the operational, financial and governance aspects of these agencies. We also inquired about their experiences cooperating with each other and their views on consolidation. Additionally, we looked into the failed consolidation of four southern Marin sanitary districts in May 2013 and into the status of the Ross Valley Sanitary District (RVSD).

Due to the large amount of information gathered, we divided the report into two parts. Part I reports on the current state of affairs with wastewater agencies and is likely to be of greatest interest to taxpayers. It provides an agency overview, and it discusses aging infrastructure and asset management, sewer spills, duplications of costs, consolidation and the RVSD. Part II focuses exclusively on the data from the survey responses and attaches both the questionnaire and selected responses as appendices. The second report is potentially of greater interest to the wastewater community and the Marin Local Agency Formation Commission (LAFCO).

Marin County includes communities that were developed starting in the early 1900s. Many have aging sewer infrastructures that are susceptible to failure in wet weather, potentially resulting in health and environmental hazards, expensive repairs and fines.

¹ Marin County Tax Collector's Office report on Dependent/Independent Special Districts

² United States Census Bureau, State & County Quick Facts, Marin County, California, 2013 Estimate, <http://quickfacts.census.gov/qfd/states/06/06041.html>

In 2006 the State Water Resources Control Board (SWRCB) introduced legislation governing wastewater collection agencies that dramatically changed the operating environment and forced public agencies to take a critical look at their performance.

The last eight years have seen many improvements, but an alarming number of sewer spills continue to occur. According to the survey data, from 2011 to 2013 there were 96 reported Category 1 spills in Marin County. (A category 1 is a spill of any volume that reaches surface water and is considered to be the most serious spill category). A total volume of 688,548 gallons of wastewater spilled into neighborhoods, streams and the Bay in the same time period. In the last few years, the Novato Sanitary District and the RVSD have been charged fines amounting to \$1,839,100 for excessive sewer spill activity that occurred in previous years. For a County that prides itself on high environmental standards, Marin still has considerable room for improvement.

With the additional demand on financial and other resources created by a more rigorous regulatory environment, the issue of consolidation of agencies has been a hot topic in recent years. While there continues to be resistance to structural consolidation (two or more districts uniting into one district), as evidenced by the failed consolidation of four southern Marin wastewater districts in 2013, there is little or no resistance to functional consolidation (agencies working together in areas of mutual interest). We found that many districts are meeting and finding ways to cooperate for increased efficiency and effectiveness. Agencies are engaged in conversations and activities now that did not occur six years ago, and they recognize that there are additional opportunities for collaboration. We recommend that all agencies continue to pursue functional consolidation to reduce cost and increase value to taxpayers, as well as structural consolidation where possible.

Lastly, concerned by the ongoing problems at the Ross Valley Sanitary District, the Grand Jury interviewed management and a board member. We found that progress is being made in addressing the district challenges, but we believe that management and the board must remain vigilant in executing their financial plan and the capital improvement projects needed to stabilize the district. We suggest that the current situation merits ongoing attention from the Ross Valley taxpayers and future Grand Juries. In addition, the troubles of RVSD should serve as a reminder to all those serving on the boards of directors of special districts to keep informed, pay attention, and practice caution in exercising their responsibilities.

BACKGROUND

Regulation of wastewater treatment plants began in 1972 with the National Pollution Discharge Elimination System, a component of the Clean Water Act. The collection of wastewater from each home or business and transportation to a treatment plant, known as collection systems, was the last major component of wastewater management to be regulated. In 2006, the State Water Resources Control Board (SWRCB) adopted Statewide General Waste Discharge Requirements (WDRs) for Sanitary Sewer Systems

(Water Quality Order No. 2006-0003).³ The Order requires public agencies that own or operate sanitary sewer systems greater than one mile in length to develop and implement Sewer System Management Plans (SSMPs) and to report all Sanitary Sewer Overflows (SSOs) to the State Water Board's online SSO database.⁴ It also requires agencies to develop and implement an Overflow Emergency Response Plan that identifies actions to be taken in the case of a spill to protect public health and the environment.

The 2006 legislation significantly changed the regulatory landscape for wastewater agencies in California. It forced agencies to do the following:

- Monitor and report their performance more rigorously
- Assess the condition of their assets
- Develop capital improvement plans
- Raise money from their existing tax base to fund the necessary upgrades.

Upgrading the aging infrastructure in Marin is proving to be a difficult and expensive undertaking, particularly for the older agencies with older pipes. While there has been significant progress overall, there have been and continue to be sizable spills throughout the County. For example, based on our survey responses, the RVSD had spills totaling 161,000 gallons in 2013. Marin County emphasizes high environmental standards and quality of life; yet the performance of some of its wastewater agencies is not always in line with this goal.

During the last thirty years, there have been many discussions related to the consolidation of wastewater districts in Marin, with limited consolidation actually occurring. In 1993 the RVSD annexed the sewer activities of the City of Larkspur, and in 2005 Sanitary District #5 (Tiburon) annexed Belvedere. The Marin Local Agency Formation Commission (LAFCO) exists to discourage urban sprawl and to encourage the orderly formation and development of local government agencies. In May 2013, Marin LAFCO attempted to consolidate four of the agencies in southern Marin: Alto Sanitary District (Alto), Almonte Sanitary District (Almonte), Homestead Valley Sanitary District (Homestead Valley) and Richardson Bay Sanitary District (Richardson Bay). Although Marin LAFCO had the authority to force a consolidation under the provisions of California Government Code Section 56375.2,⁵ they chose not to use this power. The consolidation went to a public vote and failed to pass.

³ State Water Resources Control Board Order No. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, May 2, 2006,

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2006/wqo/wqo2006_0003.pdf

⁴ State Water Resources Control Board, Sanitary Sewer Overflow (SSO) Incident Map,

http://www.waterboards.ca.gov/water_issues/programs/sso/sso_map/sso_pub.shtml

⁵ Originally introduced as AB 1232 of 2009, which added Section 56375.2 to the California Government Code,

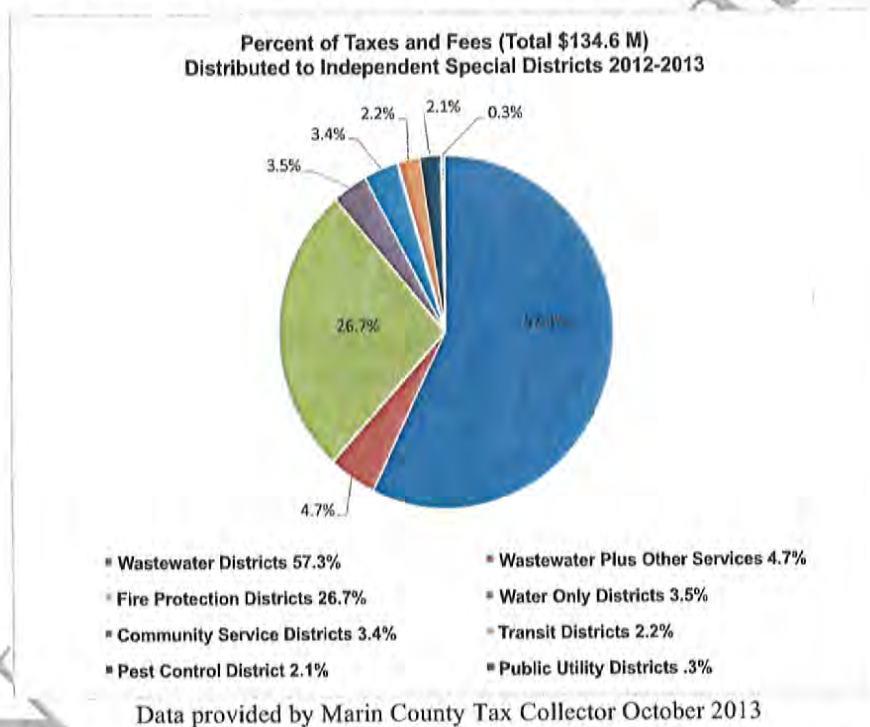
http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_1201-1250/ab_1232_bill_20091011_chaptered.html,

<http://maplight.org/california/bill/2009-ab-1232/682334/history>

Local media has focused in recent years on the mismanagement of the RVSD that has led to the indictment and potential trial of the former district manager. Oversight of independent special districts, such as RVSD, is the responsibility of each board of directors elected by citizens. Not surprisingly, most citizens are not very interested in the sewer business except when it comes to a rate increase or when their service is failing. As a result, public attendance at board meetings is low, and wastewater agencies have a reputation for operating with a certain level of obscurity and impunity despite the magnitude of tax dollars they receive.

APPROACH

The Grand Jury determined that over half (approximately \$77M) of total basic property tax and fee revenue going to independent special districts in 2013 went to wastewater districts. Fee revenue comprises parcel taxes, sewer fees, refuse fees, and improvement and obligation bonds that all appear on property tax statements.



With so much tax money going to these districts, we decided to investigate the performance of wastewater agencies and report on the critical topics in the sector. As part of our approach:

- We reviewed the last five years of Marin County Civil Grand Jury reports related to local governance and wastewater districts.
- We reviewed agency websites and researched press coverage of the last few years.
- We determined the total number of wastewater agencies.

- We sent a comprehensive survey to 21 agencies covering questions on size and scope, operations, finances, governance and consolidation. (See Appendix A for list of agencies surveyed.)
- We interviewed 9 wastewater agency managers, 3 agency board members and representatives of the Marin LAFCO.
- We attended 5 wastewater agency board meetings and a Marin LAFCO strategy meeting.
- We toured a wastewater treatment plant.

DISCUSSION

In assessing how best to present all the information gathered, the Grand Jury decided to present it in two parts. This report, Part I, covers the issues that are likely to be of greatest interest to the general public. We obtained the information for this report from the survey responses, website research, agency interviews and attendance at agency board meetings. Specifically, this discussion will cover these subjects:

- Agency Overview
- Aging Infrastructure and Asset Management
- Sanitary Sewer Overflows – Spills
- Recycled Treated Wastewater
- Duplication of Costs and Activities
- Consolidation
- Ross Valley Sanitary District

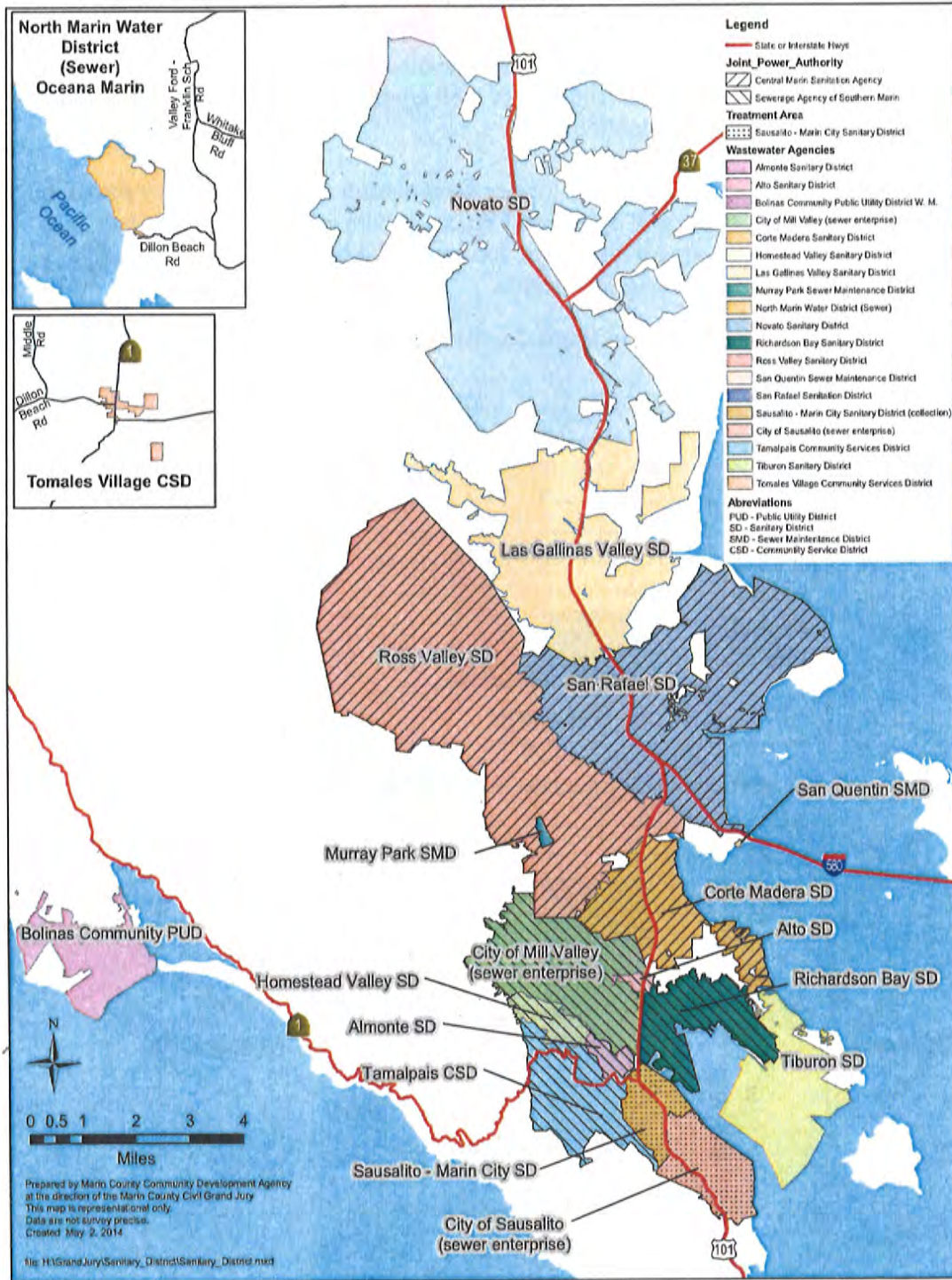
Part II of this report focuses on the survey responses, particularly in regards to operations, finances and governance. We attached the survey questionnaire and quantitative survey responses to Part II.

Agency Overview

The map on page 6 shows the location of wastewater agencies in Marin. In central and southern Marin, numerous smaller agencies provide collection services only. The smallest of these is the San Quentin Sewer Maintenance District, serving only 45 dwelling units. Most of the collection-only agencies are members of a Joint Power Authority (JPA) established to provide wastewater treatment service and governed by the member agencies. The JPAs are the Central Marin Sanitation Agency, serving the collection agencies of central Marin, and the Sewerage Agency of Southern Marin, serving the collection agencies of southern Marin. They are depicted on the map by hatched lines.

In the northern, more recently developed areas of Marin, there are larger agencies that collect, treat and dispose of wastewater. The largest district, Novato Sanitary District serves 56,000 people. In total, there are 17 special districts, 2 municipalities, 2 JPAs, the National Park Service and the California State Park Service providing wastewater services to a population of 256,000 in an area just over 100 square miles.

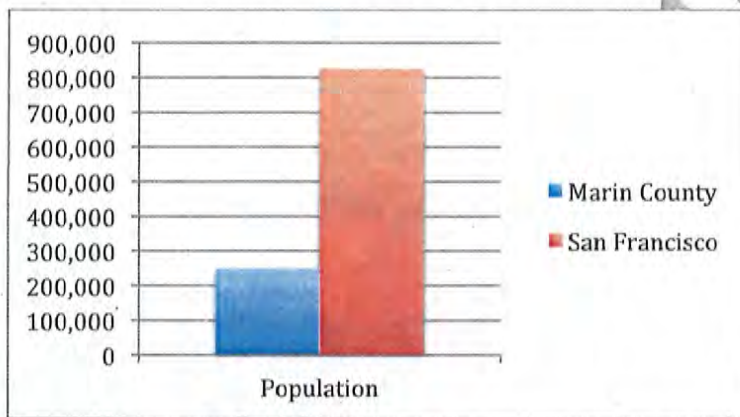
Marin County Wastewater Agencies



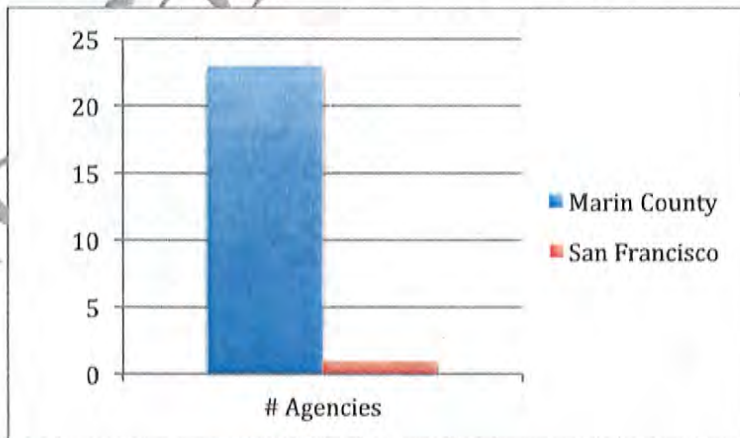
Recognizing that Marin County has a large number of wastewater agencies, the Grand Jury compared the number in our County with that of the two neighboring counties, Sonoma and Napa. We found that Napa and Sonoma have 9-19 wastewater agencies each. The three counties have rural beginnings where small communities, often geographically isolated from one another, each developed their own wastewater systems depending upon local terrain and the needs of their communities. These small wastewater districts still retain their local identities.

By contrast, the San Francisco Public Utilities Commission is the sole agency providing sewer sanitation services to the City of San Francisco, with an estimated population of 826,000⁶ in an area of 47 square miles. The following charts serve to emphasize that Marin has many agencies serving few people.

Population of Marin County and San Francisco



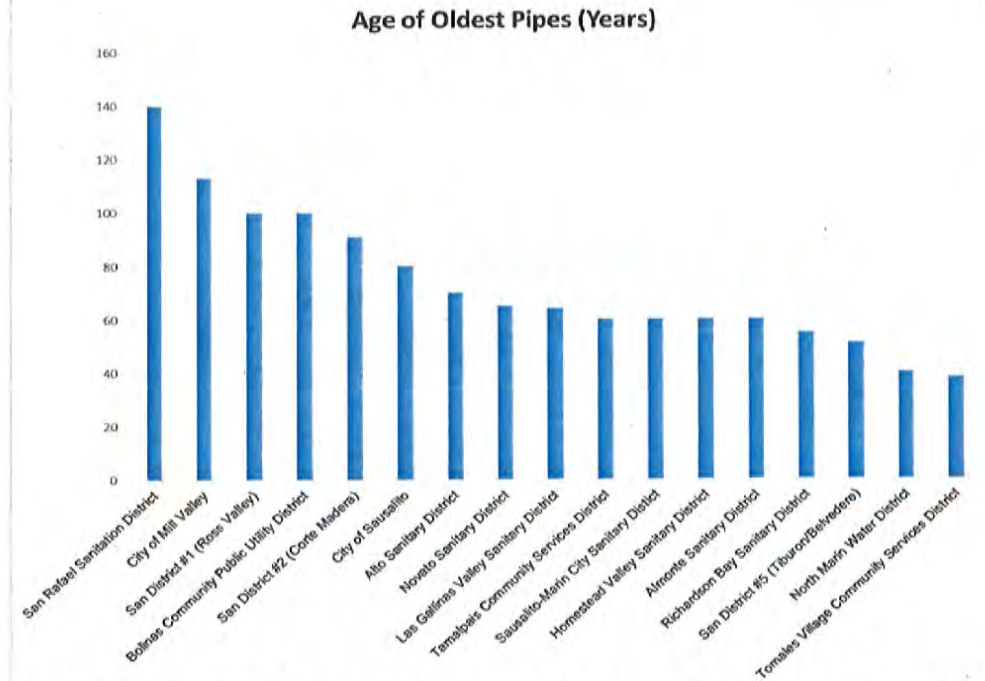
Number of Wastewater Agencies in Marin County and San Francisco



⁶ United States Census Bureau, State & County Quick Facts, San Francisco (city), California, Population, 2012 estimate, <http://quickfacts.census.gov/qfd/states/06/0667000.html>

Aging Infrastructure and Asset Management

There are approximately 950 miles of sewer system pipes across Marin, not including private laterals, which are pipes connecting homes and businesses to main sewer lines. As seen in the chart below there is a wide range in the age of the oldest pipes in each agency.



Data provided by the responses to the Marin County Civil Grand Jury Sanitation Agencies Survey. Murray Park Sewer Maintenance District and San Quentin Sewer Maintenance District did not report data.

With the life expectancy of sewer lines being 80 years (as reported by several agencies), potentially hundreds of miles of pipe need to be repaired or replaced in order to reduce wet weather inflow and sewer overflows. As pipes are underground and continually subject to damage from earth movement, tree root intrusion, and decay, this is an ongoing challenge. Televising the lines and evaluating the pipe conditions constitute a continuous process for most agencies.



Photo showing broken sewer pipe- Google image courtesy of Rick Adams

While the 2006 legislation forced agencies to focus on updating their infrastructure, the amount of aging infrastructure across the County is significant. Historically, sewer pipes in the County have been largely neglected, and now substantial expenditures must be made to catch up. Several of the district managers interviewed stated that Marin is 20 to 30 years behind other counties in the Bay Area with regard to upgrading sewer pipes and other infrastructure. All agencies except two reported that minimizing and managing sewer overflows is their top priority.

Most of the urbanized areas in central and southern Marin County are built out and have limited future development potential. As a result, financing of future capital improvement investments in infrastructure will be borne largely by existing tax and ratepayers. Annual household rates in Marin vary from \$246 (Richardson Bay) to \$1,928 (per Equivalent Dwelling Unit in Belvedere). However, this is not an apples-to-apples comparison, and comparing rates across wastewater agencies is misleading due to the uneven distribution of basic taxes that partially fund wastewater activities. Some districts have recently approved rate increases, and others are in the process of evaluating new rate structures. For example, the City of Sausalito and the RVSD have recently proposed 5-year rate increase plans.

Some district managers are concerned about the potentially large rate increases and the equity of those increases. Should the owners of a one-bedroom cottage with modest water usage pay the same as the owners of a six-bedroom home with much larger water demands? Can homeowners pay according to the amount of wastewater generated? We learned in the interviews that wastewater agencies have a large percentage of fixed costs (approximately 80 percent), and usage billing incurs the risk of not meeting necessary revenue targets to cover fixed costs. However, this could potentially be mitigated by a combination of fixed and volumetric charges, whereby larger consumers pay more. The City of Sausalito completed a rate study (February 27, 2014) and adopted a resolution in March 2014 whereby their rates will be increased over a 5-year period and a volumetric charge, based on annualized winter water consumption, will be incorporated into the base rate. The approach taken by this study could be considered by other agencies looking at rate increases and how to incorporate a usage element.

Private Laterals

The issue of private laterals (the privately owned portion of the sewer system that connects a home or business with the main line in the street) that have deteriorated and need replacement is equally pressing. Several district managers reported that this issue is as serious as the deteriorating pipe network owned by the collection agencies. Many agencies have developed financing and grant programs to assist homeowners wanting to repair or replace their sewer lateral. However, the issue of undetected problems and homeowners unwilling to upgrade their laterals persists. The City of Sausalito has a Sewer Ordinance that requires the inspection of a home's private lateral when there is a remodel or a proposed sale. The member agencies of Sewerage Agency of Southern Marin are currently working on creating a similar uniform ordinance for their agencies. In light of the reported problems with sewer laterals, the Grand Jury believes that it is in the

interests of the whole County for all agencies to adopt such an ordinance. We encourage other agencies to work together on a model ordinance that could be adapted for specific districts.

Sanitary Sewer Overflows - Spills

In 2013 the SWRCB adopted a revised Monitoring and Reporting Program that establishes monitoring, record keeping, reporting and public notification requirements for sanitary sewer overflows (spills). The SWRCB has three categories for spills, the worst being a category 1, which involves a spill of any volume that reaches surface water or a drainage channel tributary leading to surface water. (See Glossary for other Category definitions.) In 2013 there were 36 category 1 spills in Marin. An agency experiencing a category 1 spill of 1,000 gallons or more must now notify the California Office of Emergency Services within two hours of becoming aware of the spill.⁷

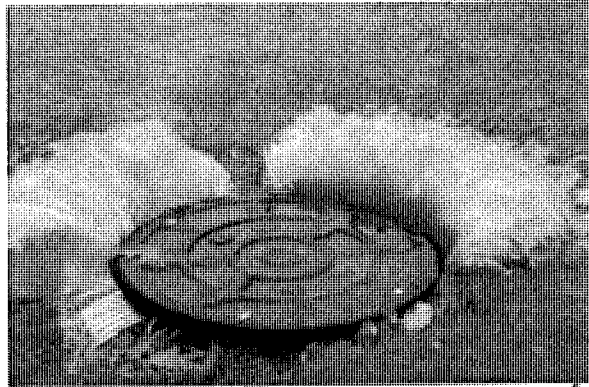


Photo of a Sanitary Sewer Manhole Overflowing⁸

Most wastewater agencies undertake routine pipe maintenance on a three to five year revolving basis. Despite this routine maintenance and the work done to upgrade old pipes, spills are still occurring. During wet winter months there can be a significant increase in rainwater infiltration and inflow through cracked pipes. The higher flow volumes present capacity and cost challenges for the treatment plants, which in some cases have to treat up to ten times the amount of dry weather flow. Keeping pipes clear of fats, oils, grease (FOG) and other debris helps to reduce the risk spills. District managers we interviewed agree that it is unlikely spills will ever be completely eradicated. We were told there was a perception that, since Marin is a semi-rural area, spills did not matter as much as they would in an urban environment. In fact, the reality is that most districts in Marin are adjacent to bodies of water; we therefore have a greater challenge and responsibility to prevent spills and protect our environment.

⁷ State of California Water Resources Control Board Order No. WQ 2013-0058-EXEC, Amending Monitoring and Reporting Program for Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, August 6, 2013, http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2013/wqo2013_0058exec.pdf

⁸ City of Raleigh, Sanitary Sewer Overflows, What You should Know! October 18, 2013, photograph, <http://www.raleighnc.gov/environment/content/PubUtilAdmin/Articles/SanitarySewerOverflows.html>

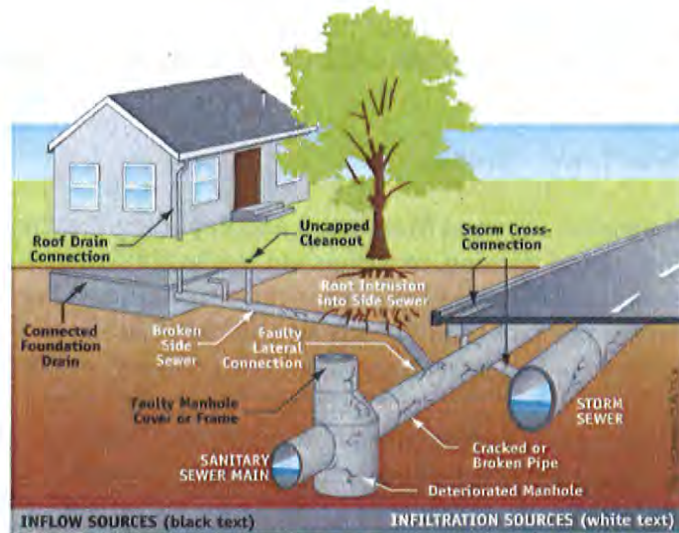


Diagram showing sewer connections and potential for inflow and infiltration⁹

The Ross Valley Sanitary District continues to have considerably higher numbers and quantities of spills than any other district. In 2011-2013, its total spill volume was 367,880 gallons, over three times more than the next highest spill total— City of Sausalito at 102,788 gallons. The Grand Jury recognizes that the accuracy of spill reports is somewhat subjective due to the inaccuracies of measuring spill flow, timing and accessibility of spill locations.

In 2012 and 2013, the San Francisco Bay Regional Water Quality Control Board (RWQCB) fined the Ross Valley Sanitary District and the Novato Sanitary District for spills related to previous years - \$1,539,100 and \$300,000 respectively. It was explained to the Grand Jury that RWQCB calculates the fine using a combination of factors including the volume of the spill and the impact to a water body. A typical fine ranges from \$0.30 to \$0.60 per gallon of spilled sewer. Paying fines reduces the amount of funds available for remediating infrastructure problems. Ultimately, the taxpayers are the ones paying the fines. As a community, we need to work harder at preventing spills.

Recycled Treated Wastewater

During the course of our work, the Grand Jury learned that the Central Marin Sanitation Agency (CMSA) is currently in the permitting process for using treated (recycled) water off site. Applications for treated water include dust control and sewer pipe flushing/maintenance. After CMSA receives the permit, the San Rafael Sanitation District hopes to use CMSA treated water for pipe flushing rather than using Marin Municipal Water District (MMWD) potable water. In a drought period, this is an important water conservation step for Marin. The Grand Jury recommends that all agencies consider using recycled treated water for pipe flushing.

⁹ King County, Washington, Department of Natural Resources and Parks, Wastewater Treatment Division, Regional Infiltration and Inflow Control Program, <http://www.kingcounty.gov/environment/wastewater/II.aspx>

Duplication of Costs and Activities

With so many wastewater agencies serving Marin, the question of duplication of administrative costs and activities arises. While each agency may have some unique characteristics, five district managers interviewed confirmed that a lot of time and money are spent doing the same things in different agencies. Some examples (from the survey responses and interviews) of duplicated costs related to management and administration include these:

- District managers' salaries and benefits: The total amount spent in fiscal year 2012-2013 for district managers' salaries and benefits (excluding pensions) in all agencies was close to \$2.4M.
- Board member expenses: The 109 board members serving on wastewater agencies received approximately \$250,000 in compensation last fiscal year.
- Board member time: Assuming each board member attends a two hour meeting once per month, they collectively spend close to 2,600 hours per year at board meetings.
- Legal Fees: The total amount of legal fees spent in the two years from July 2011 to June 2013 by all agencies was approximately \$2.9M. Some smaller agencies use County Counsel, but most hire outside law firms and often use more than one firm. Some district managers interviewed commented that their boards require legal counsel to be present at all board meetings and seek legal advice on almost every issue. Costs are also escalating due to union negotiations.
- Cost of SSMP: Each Agency is required to produce a Sanitary Sewer Management Plan (SSMP) and keep it current. Hiring a consultant to produce a plan can cost \$30,000-\$50,000. All agencies, regardless of the population size served, are required to conduct an internal audit of the SSMP every two years.¹⁰
- Insurance Coverage: Agencies are each paying \$25,000-\$150,000 per year for insurance coverage related to sewer system back-ups, spills, workers' compensation and other liabilities.

Other examples of duplicated activities include creating personnel policies and procedures, Memoranda of Understanding with employees, compliance with the Public Records Act, and compliance with State and regional reporting requirements.

Consolidation

With so many wastewater agencies serving relatively few people, the issue of consolidation has been a topic of conversation for many years among the central and southern Marin agencies. The Grand Jury interviewed district managers and board

¹⁰ Letter from San Francisco Bay Regional Water Quality Control Board dated October 3, 2102, subject "Discontinuation of Requirements for Annual Reports of Sanitary Sewer Overflows (SSOs), and annual Sewer System Management Plan (SSMP) Audits"

members and found there is a range of opinions on consolidation from “it needs to happen” to “everything works fine as it is.” Those who favor consolidation feel that the potential benefits are:

- Better management and governance
- Improved regional planning
- Improved ability to comply with federal and state regulatory requirements
- Administrative cost savings from having one manager, one administration, one Board and improving efficiencies in organization management
- Better customer service

Those against consolidation focus on the potential challenges:

- A potential loss of local control and knowledge
- Small districts could be overruled by a larger district and the interests of all citizens may not be represented equally
- Finances: how to handle different sewer rates and the protection of previously collected reserve funds
- Different asset conditions and capital investment levels among the districts
- Resolution of employee status (pay, retirement plans, benefits, etc.)
- Board consolidation
- The variety of topography in Marin and geographical specificity of each district

Through our interviews we learned that district managers see two approaches to consolidation: structural and functional. Structural consolidation is the uniting or joining of two or more cities located in the same county into a single new successor city or two or more districts into a single new successor district. Functional consolidation involves two or more districts working jointly on specific functions or activities that allow for greater efficiencies and cost savings. While most, but not all, agencies interviewed are not interested in pursuing structural consolidation, all of them are cooperating with other agencies and are effectively engaged in functional consolidation to some extent.

Functional Consolidation

While structural consolidation is viewed as a politically charged topic, functional consolidation can offer potential solutions to challenges presented by so many agencies operating in a small area while maintaining the local control that some residents value. Here are examples of functional consolidation activities:

- Equipment sharing
- Fleet management
- Joint education programs
- Joint safety programs
- Administrative work, including:
 - Human resource services
 - Back office functions
 - State reporting and public records

We also found that there are opportunities for managers to meet and discuss issues of common interest. For example, the Marin Association of Sanitation Systems (MASS) is a monthly forum for the districts involved in wastewater treatment. Additionally, the central Marin agencies that are part of CMSA have their own meetings. All managers interviewed confirmed that the meetings are useful for information sharing and lead to solutions that involve agencies working together in areas of mutual interest. The Grand Jury recommends that all agencies continue to pursue avenues for functional consolidation.

Central Marin

Consolidation of the wastewater agencies in central Marin (CMSA, the RVSD, the San Rafael Sanitation District, Sanitary District #2) has been studied formally on three occasions since 1984. In 2007 the agencies took some early steps toward consolidation but then halted when the RVSD declined to proceed. In 2012 the RVSD commissioned a consultant to produce a consolidation report that addressed the economic benefit to each district in different consolidation scenarios.¹¹ (A draft report was found on the RVSD's website, but it does not reflect the information available in the final report. The final report is not available on the RVSD's website. See recommendation R7.) In order to maintain impartiality to each agency involved, the study did not remove any operating or administrative costs that are potentially duplicative. The final report concluded that for any consolidation to be equitable to the four agencies, additional cost efficiencies to the tune of \$1,000,000 would be required. According to one of the agencies, by creating an optimized organizational structure, those savings (salary, benefits, board fees) and possibly more could be realized. The Grand Jury recommends that the central Marin agencies take the findings of this report and explore options for further functional consolidation and potential structural consolidation.

Southern Marin – SASM and its Member Agencies

Special provisions of the California Government Code Section 56375.2¹² provide the ability for Marin LAFCO to force the consolidation of the 6 member districts and SASM into one agency. In 2013, Marin LAFCO pushed for the consolidation of 4 districts in southern Marin (Alto, Homestead Valley, Almonte and Richardson Bay) but did not use its authority to enforce the consolidation. Ultimately, the consolidation was put to a special vote, Measure C. One district with less than 50 percent support vote, irrespective of voter turnout, was sufficient to defeat the measure. The voter turnout was 38 percent of registered voters, and three districts voted no. In reviewing this failed consolidation, the Grand Jury was told by several representatives of the districts in question that the voters were not well informed about the advantages of the consolidation or the ultimate goal. Marin LAFCO admits the process could have been handled better.

¹¹ StepWise Utility Advisors, LLC, *Final Report, The Economic Costs and Benefits of Four Potential Consolidation Scenarios Involving Sanitary District No.1 of Marin County, Sanitary District No.2 of Marin County, The Central Marin Sanitation Agency, and the San Rafael Sanitation District*, July 2, 2012, http://rvsd.org/Portals/0/Documents/pdfs/Exec_Summary_Marin_Consolidation_FINAL.pdf

¹² Originally introduced as AB 1232 of 2009, which added Section 56375.2 to the California Government Code, http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_1201-1250/ab_1232_bill_20091011_chaptered.html, <http://maplight.org/california/bill/2009-ab-1232/682334/history>

Alto, Homestead Valley and Almonte together serve just over 5,100 residents. In light of the failed consolidation, the Grand Jury wanted to understand these districts better and how they are positioning themselves to meet the ongoing challenges of the regulatory environment. We found:

- All three have one part-time employee each.
- For many years, one district manager managed both Alto and Homestead Valley; however, he has recently retired from his position with Homestead Valley. The current manager of Almonte will also manage Homestead Valley.
- Through interviews and attending board meetings, we learned that the potential exists for all three districts to be managed by the same person.
- Three members of the Alto Board of Directors have been on the board for more than 20 years. Managers interviewed told us there is some institutional knowledge benefit to long-term service, but with this comes a reluctance to change.
- Alto does not have an office, nor a website presence, and board meetings are posted at Whole Foods in Mill Valley. The District's SSMP is available for viewing at Nute Engineering in San Rafael.
- Alto and Homestead Valley contract with Roto Rooter for emergency response to spills, but neither District has an Overflow Emergency Response Manual for Roto Rooter staff.
- Homestead Valley failed to report some spills for 2011-2013 that were caught by the new incoming manager and later reported to SWRCB.
- Sewerage Agency of Southern Marin is facing a major plant upgrade in the \$20-\$25 million range that will have to be financed by its member agencies through rate increases. Homestead Valley also needs to raise funds for its own capital improvements. The district will need to present rate increases that provide for both major projects.
- SASM member agencies are committed to cooperating where possible, and managers believe there is room for further cooperation. Currently, they are working on a joint project to create a model ordinance concerning private laterals.
- We learned at a board meeting that private laterals are a big problem, but "it's difficult for the part time manager of a district to keep up with lateral replacements."
- Alto, Homestead Valley and Almonte are discussing merger activities.

While the southern Marin agencies interviewed continue not to be interested in structural consolidation at this time, a "merging" of the smallest districts, as reported to us, might be workable. Additionally, all the districts in SASM could continue to find additional avenues for functional consolidation.

City of Sausalito/Sausalito-Marin City Sanitary district (SMCSD)

The Grand Jury met with management from the City of Sausalito and SMCSD. We learned that these agencies are currently on the path of functional consolidation and that they see further opportunities for combined efforts and improved efficiencies. Examples include sharing resources, pre-treatment of FOG, pollution prevention, sewer collection

cleaning, disposal of bio solids, information sharing, water quality monitoring, joint training, emergency coordination, and upgrades to the private sewer lateral ordinance. The City of Sausalito and SMCSO are in the process of crafting a new agreement between the two agencies that will formalize functional consolidation activities.

Ross Valley Sanitary District (RVSD)

The Ross Valley Sanitary District has experienced a number of difficult years. Recently, in June 2012, the district was assessed \$1,539,100 in fines for spills between January 1, 2008, and April 21, 2011. In July 2012 the former district manager resigned and fled the country. He was apprehended and is now in County Jail awaiting the outcome of charges against him. In October 2012 the District was audited by staff of the Regional Water Quality Control Board (RWQCB) and received a notice of violation that included failing to allocate adequate resources for the proper operation, maintenance and repair of its collection system. In May 2013, the RWQCB served a Cease and Desist Order on the District to cease and desist discharging waste in violation of State requirements. In the fall of 2013, there were more large spills. The Grand Jury interviewed management and a board member to assess how the district is addressing its challenges. We found that progress is being made and the following steps have been taken:

- A new district manager with experience in public sector utility management and engineering consulting was hired one year ago.
- The district is undertaking financial restructuring and adopting a 5-year plan that will incorporate asset management and investment. For many years insufficient attention was paid to deteriorating district assets.
- The district has prepared a capital improvement plan that totals \$57,000,000. This would provide for a vastly improved, stable system that should quantifiably reduce the amount of spills.
- It will be necessary to increase rates to provide partial financing for the above capital improvement plan. At a May 2014 meeting, the board approved a 5-year rate increase schedule.
- Management and the Board are focused on enhancing the system of financial controls.
- Management is paying attention to personnel planning to meet the district's needs further down the road. The Grand Jury found that the average cost per employee is 15 percent higher than in other wastewater agencies in Marin. From an April 2014 board meeting, the Grand Jury learned that there are challenges with the approach being taken regarding human resource management.
- A forthcoming election will fill three Board positions.

Management and the Board will need to be vigilant in implementing the financial plan and capital improvements projects to stabilize the district. We feel that the current situation merits ongoing attention from Ross Valley taxpayers and future Grand Juries.

FINDINGS

The Grand Jury found:

- F1. A significant portion, representing 57 percent (\$77M), of the total tax and fee revenue going to independent special districts in Marin County in fiscal year 2012-2013 went to wastewater special districts.
- F2. Despite the stated priority that agencies have towards minimizing sanitary sewer overflows, Marin County still experiences an unacceptable level of overflows. During the period 2011-2013 a volume reported as 688,548 gallons of wastewater spilled into neighborhoods, streams and the Bay.
- F3. Taxpayers ultimately bear the burden of fines resulting from excessive sewer spill activity, which in the period 2011-2013 amounted to \$1,839,100.
- F4. The City of Sausalito's rate study dated February 27, 2014, presents a combination of fixed and variable fees to meet capital improvement projects and create greater equity among ratepayers.
- F5. The member agencies of Sewerage Agency of Southern Marin are addressing the critical problem of spills from private laterals by working on a model ordinance with triggers that will require private laterals to be inspected and repaired at the time of sale or remodels above a certain dollar amount.
- F6. CMSA is in the process of obtaining a permit to allow the use of treated wastewater for off-site purposes, such as sewer pipe flushing and maintenance. The water could be available to its member agencies and potentially other agencies, offering an important water conservation opportunity during a drought time.
- F7. The Final Report of the Ross Valley Sanitary District's July 2012 consolidation study is not posted on RVSD's website and therefore not easily accessible to the public.
- F8. The Final Report of the Ross Valley Sanitary District's July 2012 consolidation study states that for any consolidation to be equitable to the four central Marin agencies, additional cost efficiencies to the tune of \$1,000,000 would be required. This could represent significant savings to the taxpayers of Marin.
- F9. There are many costs that are duplicated among wastewater agencies, particularly with regards to management, administration, overhead and governance.
- F10. Alto, Almonte and Homestead Valley are merging some personnel and administrative functions and considering merging additional activities, potentially resulting in a more effective management approach for these very small agencies.
- F11. The City of Sausalito and Marin City-Sausalito Sanitation District are pursuing functional consolidation that could lead to improved practices, greater efficiencies and cost-savings.

- F12. Districts are working together across the County, demonstrating an increasing level of commitment to cooperation and resource sharing. Most districts agree that there is potential for greater collaboration and cost reduction.

RECOMMENDATIONS

The Grand Jury recommends:

- R1. All districts must work to eliminate spills, through in-depth analysis and investment in infrastructure.
- R2. The City of Sausalito share its rate study dated February 27, 2014, with all the collection agencies in Marin.
- R3. All agencies adopt an ordinance that will require private laterals to be inspected routinely and repaired as necessary.
- R4. All agencies conduct an analysis to determine the feasibility of using treated waste water for flushing pipes in routine maintenance work.
- R5. All agencies continue to cooperate with each other and find further ways to reduce costs.
- R6. Alto, Almonte and Homestead Valley pursue further merging of operations and administration, including creating one website for the three districts.
- R7. The Ross Valley Sanitary District place the July 2012 consolidation study final report on its website and have it be easily accessible to the public.
- R8. The central Marin agencies continue to pursue consolidation efforts, both functional and structural.

REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the grand jury requests responses as follows:

From the President of the Board of Directors of the following agencies:

- Almonte Sanitary District (F5, F9, F10, F12, R1, R3, R4, R5, R6)
- Alto Sanitary District (F5, F9, F10, F12, R1, R3, R4, R5, R6)
- Bolinas Community Public Utility District (F9, F12, R1, R3, R4, R5)
- Central Marin Sanitation Agency (F6, F8, F9, F12, R1, R3, R4, R5, R8)
- Homestead Valley Sanitary District (F5, F9, F10, F12, R1, R3, R4, R5, R6)
- Las Gallinas Valley Sanitary District (F9, F12, R1, R3, R4, R5)
- North Marin Waster District (F9, F12, R1, R3, R4, R5)
- Novato Sanitary District (F3, F9, F12, R1, R3, R4, R5)
- Richardson Bay Sanitary District (F5, F9, F12, R1, R3, R4, R5, R6)

- San Rafael Sanitation District (F6, F8, F9, F12, R1, R3, R4, R5, R8)
- Sanitary District #1 (Ross Valley) (F3, F6, F7, F8, F9, F12, R1, R3, R4, R5, R7, R8)
- Sanitary District #2 (Corte Madera) (F6, F8, F9, F12, R1, R3, R4, R5, R8)
- Sanitary District #5 (Tiburon) (F9, F12, R1, R3, R4, R5)
- Sausalito Marin City Sanitary District (F9, F11, F12, R1, R3, R4, R5)
- Sewerage Agency of Southern Marin (F5, F9, F12, R1, R3, R4, R5)
- Tamalpais Community Services District (F5, F9, F12, R1, R3, R4, R5)
- Tomales Village Community Services District (F9, F12, R1, R3, R4, R5)

From the Marin County Board of Supervisors for the following agencies:

- Murray Park Sewer Maintenance District (F9, F12, R1, R3, R4, R5)
- San Quentin Sewer Maintenance District (F9, F12, R1, R3, R4, R5)

From the City Council of the following municipalities:

- City of Mill Valley (F5, F9, F12, R1, R3, R4, R5)
- City of Sausalito (F4, F9, F11, F12, R1, R2, R3, R4, R5)

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted in accordance with Penal Code section 933 (c) and subject to the notice, agenda and open meeting requirements of the Brown Act.

BIBLIOGRAPHY

State Water Resources Control Board, <http://www.swrcb.ca.gov/>

California Environmental Protection Agency State Water Resources Control Board, Sanitary Sewer Overflow (SSO) Incident Map, http://www.waterboards.ca.gov/water_issues/programs/sso/sso_map/sso_pub.shtml

State Water Resources Control Board Order no. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2006/wqo/wqo2006_0003.pdf

State Water Resources Control Board Order no. WQ 2008-0002-EXEC, Adopting Amended Monitoring and Reporting Requirements for Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2008/wqo/wqo2008_0002_exec.pdf

State Water Resources Control Board Order No. WQ 2013-0058-EXEC, Amending Monitoring and Reporting Program for Statewide General Waste Discharge Requirements for Sanitary Sewer Systems,

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2013/wqo_2013_0058exec.pdf

Sewer System Management Plan (SSMP) Development Guide, July 2005
San Francisco Bay Regional Water Quality Control Board,

http://www.waterboards.ca.gov/rwqcb2/docs/SSMP_Development_Guide_Final.pdf

Ethics Training per California Government Code Article 2.4, originating as Assembly Bill 1234, http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_1201-1250/ab_1234_bill_20051007_chaptered.html

Marin Local Agency Formation Commission, *Southern Marin Sewer Agencies Service Review and Sphere of Influence Update*, July 2011

Letter from Almonte Sanitary District to Marin LAFCO dated October 10, 2011, Re: Comments on LAFCO Report, *Southern Marin Sewer Agencies Service Review and Sphere of Influence Update*, July 2011

Marin County Civil Grand Jury, *Ross Valley Sanitary District: Not Again!* June 2011, <http://www.marincounty.org/depts/gj/reports-and-responses/reports-responses/2010-11/~media/Files/Departments/GJ/Reports Responses/2010/Ross Valley Sanitary district.pdf>

Marin County Civil Grand Jury, *The Cost of Governance: Local Control Comes at a Price*, June 2010, http://www.marincounty.org/depts/gj/reports-and-responses/reports-responses/2009-10/~media/Files/Departments/GJ/Reports Responses/2009/cost_governance.pdf

Marin County Civil Grand Jury, *Central Marin Sanitation Agency: Bickering Board Breeds Discontent*, June 2009, http://www.marincounty.org/depts/gj/reports-and-responses/reports-responses/2008-09/~media/Files/Departments/GJ/Reports Responses/2008/central_bickering.pdf

Marin County Civil Grand Jury, *Southern Marin Sewers: Cracks in the System*, May 2009, http://www.marincounty.org/depts/gj/reports-and-responses/reports-responses/2008-09/~media/Files/Departments/GJ/Reports Responses/2008/southern_marin sewers.pdf

Please Note: Some of the links listed in the footnotes and bibliography may not be active and might require copying the information into a search engine. At the time this report was prepared, the information was available at the sites listed.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.

GLOSSARY

Agency – Term used to describe a governing organization, including but not limited to Cities, Joint Power Authorities, Special Districts.

Capital Improvement Plan – A document that defines the scope, schedule, and costs of infrastructure improvements.

Community Service District – A type of Special District that provides multi-function services to a specific community.

Equivalent Dwelling Unit (EDU) – A service unit measured in relation to the characteristics of the average daily discharge produced by a typical single dwelling unit.

Infiltration – Extraneous water that enters the sewer system over long periods of time (e.g., groundwater seepage.)

Inflow – Extraneous water that enters the sewer system as the direct result of rain or a high water table.

Joint Powers Authority (JPA) – A type of Special District that is formed when two or more agencies agree to create another legal entity, establish a joint approach to work on a common problem, or act as the representative body for a specific activity.

Local Area Formation Commission (LAFCO) – This State entity reviews/approves incorporations, annexations, and consolidations of cities and Special Districts; determines city and Special District spheres of influence; and conducts studies of existing governmental agencies.

Lateral – The portion of the sewer system that connects a home or business with the main line in the street. Laterals are often privately owned. Sometimes sewer system agencies own or maintain a portion of the lateral.

Overflow Emergency Response Plan – A written plan that establishes proper cleanup procedures and safety measures to be followed during sewage spill and remediation efforts.

Public Utility District – A special purpose district that provides public utilities (e.g., electricity, natural gas, sewage treatment, waste collection/management, water, etc.) to the residents of that district.

San Francisco Bay Regional Water Quality Control Board (RWQCB) – This is one of nine Regional Water Quality Control Boards in the State of California. It is responsible for protecting the surface, ground and coastal water of the Bay Area.

Sanitary Sewer Overflow (SSO) – A spill, release, or unauthorized discharge of wastewater from a sanitary sewer system at any point upstream of a wastewater treatment facility that is caused by a problem in or with sewer system authorities' sewer lines, including laterals owned by the authorities.

SSO Category 1 – A spill of any volume that reaches surface water

SSO Category 2 – A spill of greater than or equal to 1,000 gallons that does not reach surface water.

SSO Category 3 – A spill of less than 1,000 gallons that does not reach surface water.

Sewer Collection – The collection of wastewater from homes and businesses through a network of pipes that transport the effluent to a sewage treatment facility.

Sewer Treatment – The process of removing contaminants from wastewater that includes physical, chemical, and biological processes to remove contaminants and render the water suitable for disposal.

Sewer Disposal – The disposal of treated wastewater into San Francisco Bay.

Sewer System Management Plan (SSMP) – The document that describes the activities that a wastewater agency uses to manage wastewater collection effectively. The requirements for the Plan are defined in the State Water Resources Control Board Water Quality Order No. 2006-0003.

Special District – A separate local government that delivers a limited number of public services to a geographically limited area

State Water Resources Control Board (SWRCB) – SWRCB is one of the five branches of the California Environmental Protection Agency and coordinates the State's nine Regional Water Quality Control Boards. Its mission is to oversee the allocation of California's water resources, and safeguard the cleanliness and purity of those resources.

Wastewater – All water used in homes, businesses and institutions that goes into the sewage system.

APPENDIX A – LIST OF WASTEWATER AGENCIES SURVEYED

- Almonte Sanitary District (Almonte)
- Alto Sanitary District (Alto)
- Bolinas Community Public Utility District
- Central Marin Sanitation Agency (CMSA)
- City of Mill Valley (Mill Valley)
- City of Sausalito (Sausalito)
- Homestead Valley Sanitary District (Homestead Valley)
- Las Gallinas Valley Sanitary District
- Murray Park Sewer Maintenance District
- North Marin Water District
- Novato Sanitary District
- Richardson Bay Sanitary District (Richardson Bay)
- San Quentin Sewer Maintenance District
- San Rafael Sanitation District (San Rafael)
- Sanitary District #1 (Ross Valley) (RVSD)
- Sanitary District #2 (Corte Madera)
- Sanitary District #5 (Tiburon)
- Sausalito Marin City Sanitary District
- Sewerage Agency of Southern Marin (SASM)
- Tamalpais Community Services District
- Tomales Village Community Services District

California Penal Code Sections

Penal Code 933

No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls.

Penal Code 933.05

- (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
- (1) The respondent agrees with the finding.
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.
- (b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
- (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.
- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two (2) working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

**RESPONSES TO GRAND JURY REPORTS
SUMMARY OF PENAL CODE 933.05**

Penal Code 933.05(F) states the grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two (2) working days prior to its public release and after the approval of the presiding judge.

Penal Code 933.05 also provides for only two (2) acceptable responses with which agencies and/or departments (respondents) may respond with respect to the **findings** of a Grand Jury report:

1. The respondent agrees with the finding.
2. The respondent disagrees wholly or partially with the findings, *in which case the respondent shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.*

Penal Code 933.05 provides for only four (4) acceptable responses with which agencies and/or departments (respondents) may respond with in respect to the **recommendations** of the Grand Jury.

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be in the future with a timeframe for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis, with a timeframe for the matter to be prepared for discussion by the officer or head of the agency/department being investigated or reviewed, including the governing body of the public agency when applicable. *This timeframe shall not exceed six (6) months from the date of publication of the Grand Jury Report.*
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with a detailed explanation therefore.

However, if a finding and/or recommendation of the Grand Jury addresses **budgetary** or **personnel** matters of a county agency/department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency/department.

Penal Code 933 states that the governing body of the public agency shall respond to the presiding judge within 90 days, and that an elected county officer or agency head shall respond to the presiding judge within 60 days.

DRAFT

July 16, 2014

The Honorable Judge Faye D'Opal
Marin County Superior Court
PO BOX 4988
San Rafael, CA 94913-4988

Nadine A. Muller, Foreperson
Marin County Grand Jury
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Re: Marin County Civil Grand Jury Report - The Scoop on Marin County Sewer Systems: Part II

Dear Judge D'Opal/Foreperson Muller:

North Marin Water District provides sanitary sewage collection, treatment and disposal services to the Oceana Marin Improvement District in western Marin County. This small wastewater operation serves 229 connections with Fiscal Year 2014/15 operating budget of \$232,000, approximately 1.5% of NMWD's total operating budget for the Novato water service area. We believe the small improvement district benefits from the NMWD technical, financial, operational and management capability assembled to serve the much larger Novato Water Improvement District. Following is NMWD's response to the referenced Civil Grand Jury Report – The Scoop on Marin County Sewer Systems: Part II.

R5 – Homestead Valley, Mill Valley, North Marin Water District, Richardson Bay Sanitary District #5 (Tiburon), Tamalpais Community Services District, and Tomales Villages Community Services District post there SSMP's on their website.

Please be advised that North Marin Water District will post its Sanitary Sewer Management Plan on its website within the next six months.

Sincerely,

Chris DeGabriele
General Manager

Enclosures

CC:

Steve Kinsey, Supervisor Marin County Board of Supervisors

CD/kly

t:\gm\2014 misc\response to civil grand jury2 071114.doc

ATTACHMENT 2

RESPONSE TO GRAND JURY REPORT FORM

Report Title: The Scoop on Marin County Sewer Systems: Part II,

Report Date: June 10, 2014

Public Release Date: June 16, 2014

Response by: September 14, 2014

FINDINGS

- I (we) agree with the findings numbered: FL6
- I (we) disagree wholly or partially with the findings numbered: _____

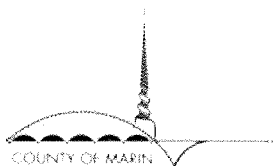
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered _____ have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered R5 have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered _____ require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered _____ will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: _____ Signed: _____

Number of pages attached _____



Marin County Civil Grand Jury

RECEIVED

JUN 13 2014

North Marin Water District

Date: June 10, 2014

North Marin Water District

Dennis Rodoni, President of the Board of Directors
P.O. Box 146
Novato CA, 94948

Re: Grand Jury Report: *The Scoop on Marin County Sewer Systems: Part II*,

Report Date: June 10, 2014

Dear Mr. Rodini;

Enclosed please find an *advance copy* of the above report. Please note that Penal Code Section 933.05(f) specifically prohibits any disclosure of the contents of this report by a public agency or its officers or governing body prior to its release to the public, **which will occur on June 16, 2014**

The Grand Jury requests that you respond in writing to the Findings and Recommendations contained in the report pursuant to Penal Code Section 933.05 (copy enclosed). The Penal Code is specific as to the format of responses. The enclosed *Response to Grand Jury Report Form* is provided for your use.

Governing bodies should be aware that the comment or response from the governing body must be conducted in accordance with Penal Code section 933 (c) and subject to the notice, agenda, and open meeting requirements of the Ralph M. Brown Act. The Brown Act requires that any action of a public entity governing board occur only at a noticed meeting for which an agenda has been provided.

The Penal Code is also specific about the deadline for responses. You are required to submit your response to the Grand Jury within 90 days of the report date:

1 hard copy to: The Honorable Judge Faye D'Opal
Marin County Superior Court
P.O. Box 4988
San Rafael, CA 94913-4988

1 hard copy to: Nadine A. Muller, Foreperson
Marin County Grand Jury
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Responses are public records. The clerk of the public agency affected must maintain a copy of your response. Should you have any questions, please contact me at 415-662-9660 (h) 415-203-0929 (c), namgrand@earthlink.net, or at the above address.

Sincerely,

Nadine A. Muller, Foreperson
2013-2014 Marin County Civil Grand Jury

RESPONSE TO GRAND JURY REPORT FORM

Report Title: *The Scoop on Marin County Sewer Systems: Part II,*

Report Date: June 10, 2014

Public Release Date: June 16, 2014

Response by: September 14, 2014

FINDINGS

- I (we) agree with the findings numbered: _____
- I (we) disagree wholly or partially with the findings numbered: _____
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered _____ have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered _____ have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered _____ require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered _____ will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: _____ Signed: _____

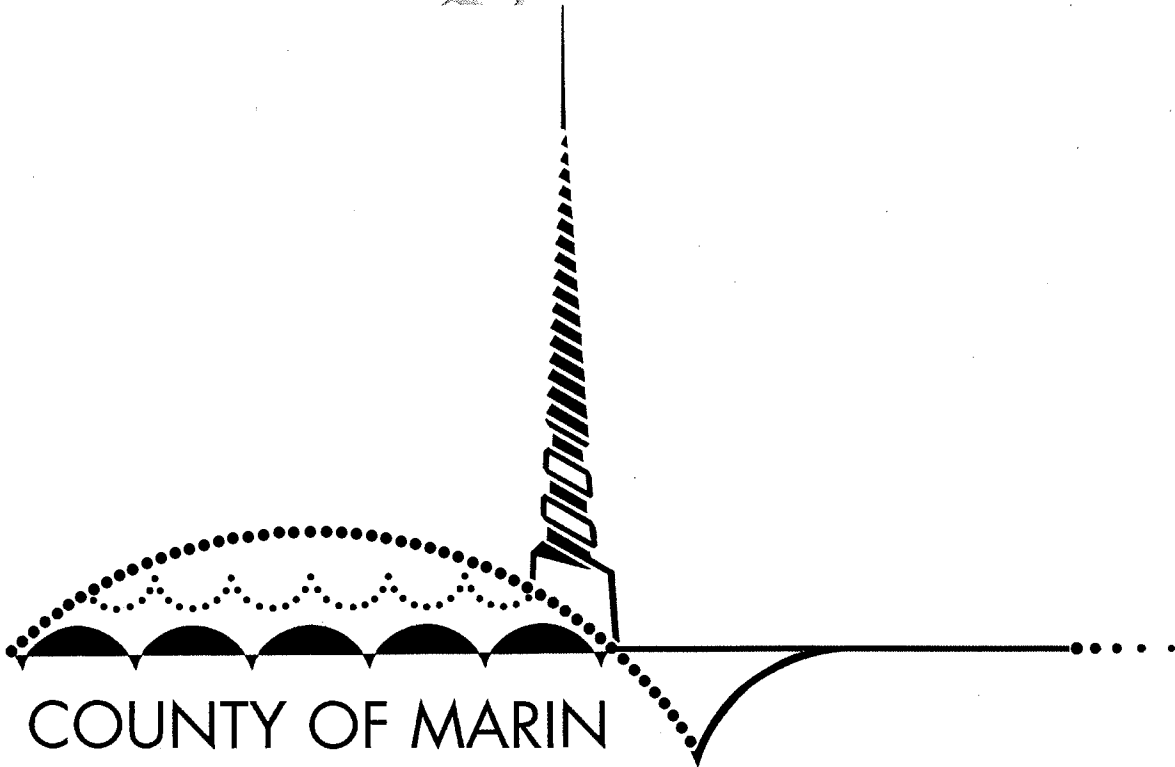
Number of pages attached _____

2013/2014 MARIN COUNTY CIVIL GRAND JURY

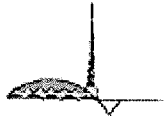
The Scoop on Marin County Sewer Systems: Part II

Report Date – June 10, 2014
Public Release Date – June 16, 2014

Publication



COUNTY OF MARIN



THE SCOOP ON MARIN COUNTY SEWER SYSTEMS PART II

SUMMARY

The Marin County Civil Grand Jury conducted a survey of 21 wastewater agencies in Marin to better understand the operational, financial and governance performance metrics of these agencies. We found all agencies to be very cooperative in responding in a timely manner and providing follow-up information.

Part I of this report focused on aging infrastructure, asset management, sewer spills and consolidation. Part II focuses on the agencies' compliance with Sewer System Management Plans, as required by State Water Resources Control Board (SWRCB) Order 2006-0003-DWQ¹ and SWRCB Order No. WQ 2013-0058-EXEC², financial best practices, transparency and governance.

We believe that all wastewater agencies in Marin should meet the requirements of state law, regardless of their size and should make key documentation easily available to the public, at a defined accessible place and on an internet website.

We discovered from the survey responses:

- Four agencies do not have capital improvement plans as required by the Operation and Maintenance Program of SWRCB Order 2006-0003-DWQ.
- Five agencies do not have financial reserve policies.
- Two agencies do not report having any designated financial reserves.
- Two agencies do not have Overflow Emergency Response Plans as outlined by the Overflow Emergency Response Plan of SWRCB Order 2006-0003-DWQ.
- Two agencies have not reported their spills in the required time frame as specified by SWRCB Order No. WQ 2013-0058-EXEC.
- Two agencies do not have websites and are therefore unable to communicate important information easily to their customer base and provide transparency

¹ State Water Resources Control Board Order No. 2006-0003-DWQ, State General Waste Discharge Requirements for Sanitary Sewer Systems, May 2, 2006,

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2006/wqo/wqo2006_0003.pdf

² State of California Water Resources Control Board Order No. WQ 2013-0058-EXEC, Amending Monitoring and Reporting Program for Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, August 6, 2013, http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2013/wqo2013_0058exec.pdf

- All of the board members at one agency are not up to date with ethics training as mandated by California Code.³ Another three agencies have between one and four board members whose ethics training has lapsed.

We recommend that agencies address their operational, financial and governance deficiencies as reported as soon as possible.

BACKGROUND

See The Scoop on Marin County Sewer Systems Part I.

APPROACH

The Grand Jury prepared a comprehensive survey for all agencies involved in some or all aspects of wastewater services (sewage collection, treatment and disposal). To determine which questions to ask, we researched all available Marin wastewater agency websites, and the State Water Resources Control Board website. We also interviewed experts in the wastewater business.

Agencies surveyed:

- Almonte Sanitary District (Almonte)
- Alto Sanitary District (Alto)
- Bolinas Community Public Utility District
- Central Marin Sanitation Agency (CMSA)
- City of Mill Valley (Mill Valley)
- City of Sausalito (Sausalito)
- Homestead Valley Sanitary District (Homestead Valley)
- Las Gallinas Valley Sanitary District
- Murray Park Sewer Maintenance District
- North Marin Water District
- Novato Sanitary District
- Richardson Bay Sanitary District (Richardson Bay)
- San Quentin Sewer Maintenance District
- San Rafael Sanitation District (San Rafael)
- Sanitary District #1 (Ross Valley) (RVSD)
- Sanitary District #2 (Corte Madera)
- Sanitary District #5 (Tiburon)
- Sausalito Marin City Sanitary District
- Sewerage Agency of Southern Marin (SASM)
- Tamalpais Community Services District
- Tomales Village Community Services District

³ Ethics Training per California Government Code Article 2.4, Sections 53234-53235.2.

The survey questionnaire and partial survey responses are found in appendices A and B. Due to the nature of some of the questions and responses, it was not feasible to attach the entirety of the survey responses.

DISCUSSION

The survey (Appendix A) asked questions about general, operational, asset management, financial and governance issues. In Appendix B we included the responses to these questions. The findings and recommendations in this report are based on the survey responses and website research. This report is intended to raise public awareness about the performance of wastewater agencies in Marin County and, at the same time, to provide potentially useful data for the entire wastewater community and the Marin Local Agency Formation Commission (LAFCO).

Some questions in the survey generated more qualitative and lengthier answers. The findings from those responses are discussed in The Scoop on Marin County Sewer Systems Part I.

FINDINGS

Based on the survey responses, the Grand Jury found:

- F1. Bolinas Community Public Utility District, Mill Valley, Tamalpais Community Services District, and Tomales Village Community Services District do not have Capital Improvement Plans as required by SWRCB Order 2006-0003-DWQ, p.11 item iv – Operation and Maintenance Program.
- F2. Bolinas Public Utility District, Mill Valley, Murray Park Sewer Maintenance District, San Quentin Sewer Maintenance District, Tamalpais Community Services District and Tomales Village Community Services District do not have financial reserve policies.
- F3. It is difficult to compare reserves across agencies due to different financial reserve policies and reporting approaches.
- F4. Alto and Homestead Valley did not report any financial reserves.
- F5. Almonte, Homestead Valley, and Tomales Village Community Services District have not completed audits of their SSMPs in the last two years as required by SWRCB Order 2006-0003-DWQ, p.14, SSMP Program Audits. The Bay Regional Water Quality Control Board (RWQCB) no longer allows for this requirement to be waived for agencies with a population of less than 10,000 as outlined in their letter dated October 3, 2012.⁴

⁴ Letter from San Francisco Bay Regional Water Quality Control Board dated October 3, 2012, subject “Discontinuation of Requirements for Annual Reports of Sanitary Sewer Overflows (SSOs), and annual Sewer System Management Plan (SSMP) Audits”

- F6. Homestead Valley, Mill Valley, North Marin Water District, Richardson Bay, Sanitary District #5 (Tiburon), Tamalpais Community Services District, and Tomales Villages Community Services District have not posted their SSMPs on their websites.
- F7. Alto and Homestead Valley reported that they do not have Overflow Emergency Response Plans (OER), as required by SWRCB Order 2006-0003-DWQ, p.12, Overflow Emergency Response Plan, item vi.
- F8. Alto, Bolinas Community Public Utility District, Homestead Valley, Mill Valley and Tomales Village Community Services District do not have Overflow Emergency Response training manuals.
- F9. Alto, San Rafael, Sanitary District #2 (Corte Madera) and SASM do not have websites to provide information to their customer bases.
- F10. All board members at Sanitary District #2 and some board members at Almonte, San Rafael and Sausalito have not renewed their ethics training in the last two years as required by Government Code Article 2.4.
- F11. The SSMPs for Alto and Homestead Valley are not maintained at an appropriate location as required by SWRCB Order 2006-0003-DWQ, p.17, WDRs and SSMP Availability.
- F12. Las Gallinas Valley Sanitary District and Mill Valley are not reporting their category 1 spills within the time frame required by State Water Resources Control Board Order No. WQ 2013-0058-EXEC

RECOMMENDATIONS

The Grand Jury recommends:

- R1. Bolinas Community Public Utility District, Mill Valley, Tamalpais Community Services District and Tomales Village Community Services District develop capital improvement plans by the end of 2014.
- R2. Bolinas Public Utility District, Mill Valley, Murray Park Sewer Maintenance District, San Quentin Sewer Maintenance District, Tamalpais Community Services District and Tomales Village Community Services District develop financial reserves policies.
- R3. Alto and Homestead Valley establish designated annual financial reserve amounts.
- R4. Almonte, Homestead Valley and Tomales Village Community Services District complete audits of their SSMPs by August 2, 2014, as required by RWQCB.
- R5. Homestead Valley, Mill Valley, North Marin Water District, Richardson Bay, Sanitary District #5, Tamalpais Community Services District and Tomales Villages Community Services District post their SSMPs on their websites.

- R6. Alto and Homestead Valley develop Overflow Emergency Response Manuals that describe the Overflow Emergency Response Plan per SWRCB Order 2006-0003-DWQ, p.12, Overflow Emergency Response Plan, item vi.
- R7. Alto, Bolinas Public Utility District, Homestead Valley, Mill Valley and Tomales Village Community Services District develop Overflow Emergency Response Training Manuals.
- R8. Alto, San Rafael, Sanitary District #2 and SASM develop and operate an internet website. The website should include, at a minimum, details of the agency and its leadership, board meeting agendas and minutes, an annual budget, audited financial statements, and the SSMP including the OER.
- R9. The board members at Almonte, Sanitation District #2, San Rafael and Sausalito update their ethics training to be in compliance with state law.
- R10. Alto and Homestead Valley make their SSMPs available at an accessible location within the communities in which they are located.
- R11. Las Gallinas Valley Sanitary District and Mill Valley report their Category 1 spills within two hours of becoming aware of the spill, as required by State Water Resources Control Board Order No. WQ 2013-0058-EXEC.

REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the grand jury requests responses as follows:

From the President of the Board of Directors of the following agencies:

- Almonte Sanitary District (F5, F10, R4, R9)
- Alto Sanitary District (F4, F7, F8, F9, F11, R3, R6, R7, R8, R10)
- Bolinas Public Utility District (F1, F2, F8, R1, R2, R7)
- Homestead Valley Sanitary District (F4, F5, F6, F7, F8, F11, R3, R4, R5, R6, R7, R10)
- Las Gallinas Valley Sanitary District (F12, R11)
- North Marin Water District (F6, R5)
- Richardson Bay Sanitary District (F6, R5)
- Sanitary District #2 (F9, F10, R8, R9)
- Sanitary District #5 (F6, R5)
- San Rafael Sanitation District (F9, F10, R8, R9)
- Sewerage Agency of Southern Marin (F9, R8)
- Tamalpais Community Services District (F1, F2, F6, R1, R2, R5)

- Tomales Village Community Services District (F1, F2, F5, F6, F8, R1, R2, R4, R5, R7)

From the Marin County Board of Supervisors for the following agencies:

- Murray Park Sewer Maintenance District (F2, R2)
- San Quentin Sewer Maintenance District (F2, R2)

From the City Councils of the following municipalities:

- City of Mill Valley (F1, F2, F6, F8, F12, R1, R2, R5, R7, R11)
- City of Sausalito (F10, R9)

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted in accordance with Penal Code section 933 (c) and subject to the notice, agenda and open meeting requirements of the Brown Act.

Please Note: Some of the links listed in the footnotes may not be active and might require copying the information into a search engine. At the time this report was prepared, the information was available at the sites listed.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.

GLOSSARY

Capital Improvement Plan – A document that defines the scope, schedule, and costs of infrastructure improvements.

Community Service District – A type of Special District that provides multi-function services to a specific community.

Equivalent Dwelling Unit (EDU) – A service unit measured in relation to the characteristics of the average daily discharge produced by a typical single dwelling unit.

Infiltration - Extraneous water that enters the sewer system over long periods of time (e.g., groundwater seepage.)

Inflow - Extraneous water that enters the sewer system as the direct result of rain or a high water table.

Joint Powers Authority (JPA) - A type of Special District that is formed when two or more agencies agree to create another legal entity, establish a joint approach to work on a common problem, or act as the representative body for a specific activity.

Local Area Formation Commission (LAFCO) – This State entity reviews/approves incorporations, annexations, and consolidations of cities and Special Districts, determines city and Special District spheres of influence, and conducts studies of existing governmental agencies.

Lateral – The portion of the sewer system that connects a home or business with the main line in the street.

Overflow Emergency Response Plan (OER)– A written plan that establishes proper cleanup procedures and safety measures to be followed during sewage spill and remediation efforts.

Public Utility District – A special purpose district that provides public utilities (e.g., electricity, natural gas, sewage treatment, waste collection/management, water, etc.) to the residents of that district.

San Francisco Bay Regional Water Quality Control Board (RWQCB) – This is one of nine Regional Water Quality Control Boards in the State of California. It is responsible for protecting the surface, ground and coastal water of the Bay Area.

Sanitary Sewer Overflow (SSO) – A spill, release, or unauthorized discharge of wastewater from a sanitary sewer system at any point upstream of a wastewater treatment facility that is caused by a problem in or with sewer system authorities' sewer lines, including laterals owned by the authorities.

SSO Category 1 – A spill of any volume that reaches surface water

SSO Category 2 – A spill of greater than or equal to 1,000 gallons that does not reach surface water.

SSO Category 3 – A spill of less than 1,000 gallons that does not reach surface water.

Sewer Collection – The collection of wastewater from homes and businesses through a network of pipes that transports the effluent to a sewage treatment facility.

Sewer Treatment – The process of removing contaminants from wastewater that includes physical, chemical, and biological processes to remove contaminants and render the water suitable for disposal.

Sewer Disposal – The disposal of treated wastewater into San Francisco Bay.

Sewer System Management Plan (SSMP) – The document that describes the activities that a wastewater agency uses to manage wastewater collection effectively. The requirements for the Plan are defined in the State Water Resources Control Board Water Quality Order No. 2006-0003.

Special District - A separate local government that delivers a limited number of public services to a geographically limited area

State Water Resources Control Board (SWRCB) – SWRCB is one of the five branches of the California Environmental Protection Agency and coordinates the State's nine Regional Water Quality Control Boards. Its mission is to oversee the allocation of California's water resources and to safeguard the cleanliness and purity of those resources.

Wastewater – All water used in homes, businesses and institutions that goes into the sewage system.

APPENDIX A

Marin County Civil Grand Jury Sanitation Agencies Survey, December 2013

GENERAL

1. What year was the Sanitation Agency established?
2. How many full time (or full time equivalent) employees work in the Agency?
3. Please check below the Sanitation Sewer Activity(ies) of the Agency?
 Collection Treatment Disposal
4. What size is the Agency? Please complete the following:
 - a. The number of active residential connections served by the Agency
 - b. The number of active non-residential connections served by the Agency
 - c. The number of residents served by the Agency
 - d. The number of square miles within the Agency's boundaries
5. How many miles of sewer pipe are in the Agency's boundaries?
 - a. Gravity pipes
 - b. Force Main Pipes
6. What is the age of the oldest pipes? yrs
7. What is the average age of the pipes? yrs
8. What is the age of the newest pipes? yrs
9. How many pumping stations are in the Agency's boundaries?
10. How many flow meters are in the Agency's system?

OPERATIONS

A. Sanitation Sewer Management Plan

1. Does the Agency have a current Sanitation Sewer Management Plan (SSMP)?
Yes No If Yes, please provide a copy. If No, please explain.
2. Did the public provide input into the SSMP? Yes No
3. When was the most recent audit of the SSMP? Date

4. Is the SSMP available for public review? Yes _____ No _____
If Yes, please explain how/where it can be viewed.
5. Please provide the Agency's Average Sewer Flows for a dry day _____ gallons
6. Please provide the Agency's Average Sewer Flows for a wet day _____ gallons
7. Please provide the Agency's Peak Wet Day flow _____ gallons
8. What is the capacity rating of the Agency's treatment system? _____ gallons

B. Sanitary Sewer Overflows

9. How does the Agency communicate Sanitary Sewer Overflows to the public?
Please explain.
10. How much time does it take to alert the public that a spill has occurred?
_____ hrs
11. Does the Agency have a Sewer Overflow Response Manual? Yes ___ No ___
If Yes, please provide a copy.
12. Does the Agency have a Sewer Overflow Response Training Manual?
Yes _____ No _____ If Yes, please provide a copy.
13. How many sewer spills have occurred in your Agency in the last three years?
(The Categories are defined by the SWRCB). How much do the spills in each
year add up to in gallons?
 - a. 2011 Category 1 ____, Category 2 ____, Category 3 ____ Total _____ gallons
 - b. 2012 Category 1 ____, Category 2 ____, Category 3 ____ Total _____ gallons
 - c. 2013 Category 1 ____, Category 2 ____, Category 3 ____ Total _____ gallons

C. Asset Management Plan

14. Please provide information about violations or citations related to sewer
spills in 2011, 2012 and 2013.
15. Does your Agency use a Geographic Information System to map sewer mains,
pump stations, valves and storm drains? Yes _____ No _____
16. Has the Agency identified all the problem pipes that require
rehabilitation/replacement? Yes _____ No _____

17. Has the Agency established a plan for rehabilitating/replacing the problem pipes? Yes ___ No ___
18. Does the Agency have a Capital Improvement Plan? Yes ___ No ___
If Yes, please provide a copy.

D. Co-Operation with Other Agencies

19. Has the Agency co-operated with other Sanitary Agencies on any activities? If Yes, please provide details. Yes ___ No ___
20. Has the Agency considered consolidation, annexation or other re-organization? Yes ___ No ___
If Yes, please provide a brief summary. If not, please explain why not.

FINANCIAL

1. Please specify the Agency's fiscal year months i.e. Jan-Dec, July-June
2. What is the current annual sewer rate per household in the Agency? \$ _____
3. What is the current annual non-residential sewer rate in the Agency? \$ _____
4. Please provide a copy of the Budget for the Current Year.
5. Does the Agency have Audited Financial Statements for the last two fiscal years? Please provide copies. Yes ___ No ___
6. Does the Agency have a policy on reserves?
Please provide details.
7. Please provide information on your reserve allocations as follows:
- | | |
|--|----------|
| <input type="radio"/> Operating Reserves | \$ _____ |
| <input type="radio"/> Rate Stabilization reserves | \$ _____ |
| <input type="radio"/> Emergency Repair reserve | \$ _____ |
| <input type="radio"/> Capital Reserve | \$ _____ |
| <input type="radio"/> Other purpose (please specify) | \$ _____ |
| <input type="radio"/> Total Combined Reserves | \$ _____ |
8. Please provide the average annual cost per employee including total compensation and benefits (exc. Pensions benefits) \$ _____
9. Please provide the total annual compensation and benefits (exc. Pension) of the General Manager. \$ _____
10. Does the Agency have an Unfunded Pension Liability? Yes ___ No ___

Please provide a copy of the last actuarial valuation of the Pension Plan.

11. What is the date of the Agency's last Actuarial Valuation for Other Post Retirement Benefits (OPEB)? Date _____

Please provide a copy.

12. Does the Agency have an unfunded liability for OPEB? Yes ____ No ____

If so, what is the amount? \$ _____

13. What were the Agency's Capital expenditures in the last fiscal year? \$ _____

14. What are the Agency's anticipated capital expenditures in the current fiscal year? \$ _____

15. How much has the Agency spent on Legal Fees in 2012 and 2013?

2012 \$ _____ 2013 \$ _____

GOVERNANCE

1. Please complete the following chart:

Board Member Name	Length of Term (yrs)	Years on the Board	Term Expires	Elected (E) or Appointed (A)	Date of Last Ethics Training*	Total Compensation Paid last fiscal year \$

*Ethics Training per Code CA AB1234, Article 2.4 and CA Government Code Section 53234-53235.2

2. Please describe the role of the Board for the Agency

OTHER

1. Please rank the following activities 1-3, in order of importance for the Agency, with 1 being the most important.

- Establishing and Monitoring the Asset Management Plan _____
- Installing Flow Meters _____

- Minimizing and Managing Sanitary Sewer Overflows _____
- 2. Would you consider billing customers by usage? Yes ____ No ____
- 3. Are there challenges with this approach? Yes ____ No ____
If so, please explain
- 4. What are the advantages of local control for sewer system agencies?

Survey Completed by: _____ (name) _____ (date)
_____ (title)

**SANITATION AGENCY SURVEY
DOCUMENT CHECK LIST**

PLEASE PROVIDE COPIES OF THE FOLLOWING DOCUMENTS:

	<u>Check if Included</u>
Sanitation Sewer Management Plan	_____
Sewer Overflow Response Manual	_____
Sewer Overflow Response Training Manual	_____
Capital Improvement Plan	_____
Budget for the current fiscal year	_____
Audited Financial Statements for the last 2 fiscal years	_____
Actuarial Valuation of the Agency's Pension Plan	_____
Agency's last Actuarial Valuation for Other Post Retirement Benefits (OPEB)	_____

If a document is not included, please explain.

APPENDIX B: SURVEY RESPONSES (FOOTNOTES AFTER LAST TABLE)

General:																
Survey Question Number	Gen 1	Gen 2	Gen 3	Gen 3	Gen 3	Gen 4.a	Gen 4.b	Gen 4.c	Gen 4.d	Gen 5.a	Gen 5.b	Gen 6	Gen 7	Gen 8	Gen 9	Gen 10
	Year Established	FTEs	Collection	Treatment	Disposal	Number Residential Connections	Number Non-Residential Conn.	Number of Residents Served	Number Square Miles	Miles Gravity Pipes	Miles Force Main Pipes	Age of Oldest Pipes (Years)	Average Age of Pipes (Years)	Age Newest Pipes (Years)	Number of Pumping Stations	Number of Flow Meters
15,000+ Connections																
Novato Sewerage District	1925	21	Yes	Yes	Yes	22,890	6,814	56,000	25	211	18	65+	37	<1	39	6
San Rafael City Services District	1899	33	Yes	No	No	15,971	1,043	50,000	27	194	8	100	60+	<1	19	4
1,500-15,000 Connections																
City of Mill Valley	1900	144	Yes	No	No	5,189	343	13,903	5	59	0	113	60	0	2	0
City of Sausalito	1953	9.1	Yes	No	No	3,367	397	7,037	2.3	34.6	2.5 ²	>80	>50	<1	7 ¹	0
Las Gallinas Valley Sanitary District	1954	19	Yes	Yes	Yes	6,811	299	29,057	12	105	7	64	41	1	34	16
Richardson Bay Sanitary District	1949	4	Yes	No	No	2,945	53	9,500	3	40	4	55	20	<1	NA	3
San District #2 (Corte Madera)	1901	3	Yes	No	No	4,420	820	12,000	4	45	5	91	40	<1	19	4
San District #5 (Tiburon/Belvedere)	1928	10	Yes	Yes	Yes	3,075	762	8,400	4	30	4	51	30-50	2-6	24	2
San Rafael Sanitation District	1947	15	Yes	No	No	9,758	1,105	41,062	13	133	13	140	57	<1	32	0
Sausalito-Marín City Sanitary District	1950	12	Yes	Yes	Yes	6,200	271	18,000	5	7.5	4	60	20	1	7 ¹	4
Tamapels Community Services District	1965	2.8	Yes	No	No	2,552	25	7,000	2	29	1	60	40	1	4	1 ⁷
< 1,500 Connections																
Almonte Sanitary District	1949	0.3	Yes	No	No	631	18	1,478	0.4	6.3	0	60	Unknown ³	<1	0	0
Alto Sanitary District	1946	<1	Yes	No	No	516	21	1,200	0.2	3.3	0	70	Unknown	<1	0	0
Bollinas Community Public Utility District	1908	1	Yes	Yes	Yes	141	23	650	3	3	1	100	40	20	1	0 ⁴
Homestead Valley Sanitary District	1931	<1	Yes	No	No	1,050	15	2,500	0.8	11	0	60	Unknown	0.0	0	0
Murray Park Sewer Maintenance District	1949	0	Yes	No	No	89	0	90	35 acres	1	0	Unknown	Unknown	1	0	0
North Marin Water District	1973	50	Yes	Yes	Yes	229	0	400	1	5	0.5	40	30	1.0	2	2
San Quentin Sewer Maintenance District	1964	<1	Yes	No	No	37	0	Not reported	0.0	0.3	0.1	Unknown	Unknown	6	1	0
Tomales Village Community Services District	1999	1	Yes	Yes	Yes	82	17	210	0.2	2.3	0.9	38	30	5	1	1
JPA's Providing Treatment																
Central Marin Sanitation Agency (CMSA)	1979	41 ⁵	Yes	Yes	Yes	30,149	2,968	105,000+	44	371 ⁶	28	140	50+	<1	72	4
Sewerage Agency of Southern Marin (SASM)	1979	15	Yes	Yes	Yes	12,706	2,055	28,468	9	6	9	60	35	6	72	0

Operations: Sanitation Sewer Management Plan and Sanitary Sewer Overflows (page1)

Survey Question Number	Oper 1	Oper 2	Oper 3	Oper 4	Oper 4	Oper 5	Oper 6	Oper 7	Oper 8
	SSMP	Public Input to SSMP	Most Recent Audit of SSMP	SSMP Avail. For Public Review	Where Avail. For Review	Avg. Sewer Flows_Dry_Gallons per Day	Avg. Sewer Flows_Wet_Gallons Per Day	Peak Wet Flow_Gallons Per Day	Capacity Rating_Gallons per Day
15,000+ Connections									
Novato Sanitary District	Yes	No	8/2013	Yes	www.novatosan.com	4.2 M	7.6 M	20.3 M	52 M
San Rafael Valley Sanitary District	Yes	No	12/2013	Yes	www.rsvd.org	3.8 M	9.4 M	54 M	NA
1,500-15,000 Connections									
City of Mill Valley	Yes	Yes	2/2013	Yes	City Hall	1 MGD	5 M	9 M	NA
City of Sausalito	Yes	Yes	12/2013	Yes	City Hall, Department of Public Works	0.6 M	0.7 M	2.8 M	NA
Las Gallinas Valley Sanitary District	Yes	Yes	10/2013	Yes	Hard copy in district office and website	2.2 M	3.6 M	8.7 M	2.9 M
Richardson Bay Sanitary District	Yes	No	2014 in process	Yes	Office	4.1 M	6.5 M	8 M	NA
San District #2 (Corte Madera)	Yes	Yes	3/2012	Yes	Town of Corte Madera	1 M	1.7 M	9.7 M	NA
San District #5 (Tiburon/Belvedere)	Yes	No	Updated Annually	Yes	At main plant; need to request to review	0.6 M	0.8 M	0.9 M	6.7 M
San Rafael Sanitation District	Yes	No	2012	Yes	Office	3.2 M	3.8 M	5.9 M	NA
Sausalito-Marín City Sanitary District	Yes	Yes	2013	Yes	www.sausalitomarincitysanitarydistrict.com	1.5 M	Varies	Varies	6 M
Tamalpais Community Services District	Yes	N/A	2013	Yes	Office	0.3 M	0.5 M	3.7 M	NA
< 1,500 Connections									
Almonte Sanitary District	Yes	No	2010	Yes	www.almontesd.org	140,000	NA	1.6 M	NA
Alto Sanitary District	Yes	No	2012	Yes	Nute EngineeringSan Rafael	90,000	90,000	0.9 M	NA
Bolinas Community Public Utility District	Yes	Yes	8/2012	Yes	On website and in office	30,000	50,000	64,000	65,000
Homestead Valley Sanitary District	Yes	No	Blank	Yes	Nute EngineeringSan Rafael	180,000	180,000	1.8 M	NA
Murray Park Sewer Maintenance District	No ¹	See RVSD	See RVSD	Yes	via RVSD	Not avail	Not avail	Not avail	NA
North Marin Water District	Yes	Yes	10/2013	Yes	Upon request	13,000	36,000	69,000	122,000
San Quentin Sewer Maintenance District	Yes	No	Unknown	Thru CMSA	At CMSA	Not reported	Not reported	Not reported	NA
Tomaes Village Community Services District	Yes	No	Never	Yes	Office	16,000	20,000	100,000	42,000
JPAs Providing Treatment									
Central Marin Sanitation Agency (CMSA)	No ²	NA	NA	NA	NA	6-7 M	Variable	116.5 M	125 M ³
Sewerage Agency of Southern Marin (SASM)	Yes	Yes	7/3	Yes	Office	2.2 M	7.6 M	18.9 M	24.7 M

NA: Not applicable

Operations: Sanitation Sewer Management Plan and Sanitary Sewer Overflows (page 2)															
Survey Question Number	Oper 10	Oper 11	Oper 12	Operations 13 2011				Operations 13 2012				Operations 13 2013			
				Time to Commicate Overflows (hrs)	Overflow Response Manual	Overflow Training Manual	Cat 1 Spill	Cat 2 Spill	Cat 3 Spill	Total Spill (gal)	Cat 1 Spill	Cat 2 Spill	Cat 3 Spill	Total Spill (gal)	Cat 1 Spill
15,000+ Connections															
Alto Sanitary District	<2	Yes	Yes	8	6	0	21,663	7	11	0	24,792	5	1	4	11,315
San District #1 (Pescadero)	2-8	Yes	Yes	9	2	24	39,840	10	3	21	167,083	10	0	9	160,957
1,500-15,000 Connections															
City of Mill Valley	<24	Yes	No	1	0	14	1,204	2	0	21	3,949	1	1	15	22,025
City of Sausalito	<2	Yes	Yes	3	0	5	2,250	2	0	6	607	8	1	4	102,788
Las Gallinas Valley Sanitary District	6	Yes	Yes	1	1	0	2,220	5	0	3	56,190	2	0	0	1,067
Richardson Bay Sanitary District	1-2	Yes	Yes	0	2	0	80	0	1	0	150	1	0	0	375
San District #2 (Corte Madera)	0.5	Yes	Yes	0	0	3	5	0	0	1	10	0	0	2	22
San District #5 (Tiburon/Belvedere)	<2	Yes	Yes	2	7	0	2,472	1	6	0	10,461	5	8	8	2223
San Rafael Sanitation District	1-2	Yes	Yes	1	1	22	2,495	1	0	28	1,606	3	1	35	11,409
Sausalito-Marin City Sanitary District	1-2	Yes	Yes	2	0	0	6,570	2	0	0	3,775	0	0	1	50
Tamalpais Community Services District	.5-1	Yes	Yes	1	0	4	3,275	0	0	8	750	0	0	5	990
< 1,500 Connections															
Almonte Sanitary District	Not reported	Yes	Yes	0	0	2	600	0	0	5	320	1	0	1	750
Alto Sanitary District	Not reported	No	No	0	0	0	0	0	0	0	0	0	0	0	0
Bollnas Community Public Utility District	1-2	Yes	No	1	0	0	300	0	0	0	0	0	0	0	0
Homestead Valley Sanitary District	Not reported	No	No	0	Not reported	Not reported	1,090	0	Not reported	Not reported	20,005	0	0	Not reported	255
Murray Park Sewer Maintenance District	See RVSD	See RVSD	See RVSD	None	None	None	None	None	None	None	None	None	None	None	None
North Marin Water District	2	Yes	Yes	0	0	0	0	0	0	0	0	0	1	0	300
San Quentin Sewer Maintenance District	< 24 hrs	See CMSA	See CMSA	0	0	0	0	1	0	0	600	0	0	0	0
Tomales Village Community Services District	Not reported	Yes	No	0	0	0	0	0	0	0	0	0	0	0	0
JPAs Providing Treatment															
Central Marin Sanitation Agency (CMSA)	<2	Yes	Yes	0	0	0	0	0	0	0	0	0	0	0	0
Sewerage Agency of Southern Marin (SASM)	<24	Yes	Yes	0	0	0	0	0	0	0	0	0	0	0	0

Operations: Asset Management					
Survey Question Number	Operations C.14	Operations C.15	Operations C.16	Operations C.17	Operations C.18
	Received Violation or Citation for Sewer Spills	Have GIS Map of System	Identified All Problem Pipes	Plans to Rehab./ Replace Bad Pipes	Capital Improvement Plan
15,000+ Connections					
Novato Sanitary District	Yes; 2012 ¹	Yes	No	Yes	Yes
San District #1 (Ross Valley)	Yes; 2012, 2013 ²	Yes	No ³	Yes	Yes
1,500-15,000 Connections					
City of Mill Valley	None	Yes	Project in progress	Yes	No
City of Sausalito	None	Yes	Yes	Yes	Yes
Las Gallinas Valley Sanitary District	None	Yes	Yes	Yes	Yes
Richardson Bay Sanitary District	None	Yes	Yes	Yes	Yes
San District #2 (Corte Madera)	None	Yes	Yes	Yes	Yes
San District #5 (Tiburon/Belvedere)	None	Yes	Yes	Yes	Yes
San Rafael Sanitation District	None	Yes	Yes	Yes	Yes
Sausalito-Marin City Sanitary District	None	Yes	Continuous Process	Yes	Yes
Tamalpais Community Services District	None	Yes	Yes	Ongoing	No
< 1,500 Connections					
Almonte Sanitary District	None	Yes	Yes	Yes	Yes
Alto Sanitary District	None	Yes	No	Yes	Yes
Bolinas Community Public Utility District	None	No	Yes	Yes	No ⁴
Homestead Valley Sanitary District	None	Yes	No	Yes	Yes
Murray Park Sewer Maintenance District	None	Yes ⁵	Yes	Yes	Yes ⁵
North Marin Water District	None	None	Yes	Yes	Yes
San Quentin Sewer Maintenance District	None	Yes	Yes	Yes	Yes
Tomaes Village Community Services District	None	No	Yes	Yes	No
JPAs Providing Treatment					
Central Marin Sanitation Agency (CMSA)	None	Yes	Not applicable	Not applicable	Yes
Sewerage Agency of Southern Marin (SASM)	None	Yes	Yes	Yes	Yes

Financial:												
Survey Question Number	Fin 5 Audited Financial Statement	Fin 6 Policy on Reserves	Fin 7 Total Reserves	Fin 8 Avg. Cost Emp. Comp + Ben.	Fin 9 General Manager Comp + Ben.	Fin 10 Unfunded Pension Liability	Fin 11 Date of Last Pen Valuation- OPEB	Fin 12 Amt of OPEB Unfunded Liability	Fin 13 Capital Exp. In Last Year	Fin 14 Capital Exp. In Current Year	Fin 15 Legal Fees 2012	Fin 15 Legal Fees 2013
15,000+ Connections												
Novato Sanitary District	Yes	Yes	\$6,275,000	\$121,230	\$215,181	Yes	7/1/2012	\$5,347,276	\$11,682,842	\$15,097,031	\$125,870	\$136,213
San District #1 (Redwood Valley)	Yes	Yes	\$10,064,022	\$141,951	\$203,000	Yes	12/1/2012	\$449,604	\$1,979,279	\$10,970,858	\$777,739	\$689,340
1,500-15,000 Connections												
City of Mill Valley	No	No	\$6,765,360	\$89,470	NA	Yes	10/2013	\$24,481,977 ⁴	\$1,842,440	\$3,736,370	Not reported	Not reported
City of Sausalito	Yes	Yes	\$211,838	\$104,733	\$76,342 ³	Yes	7/2012	\$231,269	\$1,057,978	\$2,073,480	Not reported	Not reported
Las Gallinas Valley Sanitary District	Yes	Yes	\$4,862,025	\$106,402	\$242,124	Yes	7/1/2013	\$1,844,973	\$2,347,307	\$9,505,163	\$106,732	\$132,797
Richardson Bay Sanitary District	Yes	Yes	\$3,292,174	\$659,956 = total for all employees	\$154,695	No	12/12/2012	NA	\$2,358,092	\$2,338,500	\$34,108	\$64,320
San District #2 (Corte Madera)	Yes	Yes	In budget	NA	NA	No	No	\$0	\$2,005,000	\$3,717,000	\$5,719	\$10,081
San District #5 (Tiburon/Belvedere)	Yes	Yes	\$3,172,602	\$122,558	\$173,200	Yes	7/1/2011	\$707,627	\$8,878,461	\$6,490,821	\$85,204	\$219,937
San Rafael Sanitation District	Yes	Yes	\$10,913,000	\$112,562	\$189,591	No ¹	NA	\$0	\$555,629	\$5,955,000	\$18,399	\$14,606
Sausalito-Marín City Sanitary District	Yes	Yes	\$4.3M	\$119,106	\$199,100	Yes	2013	\$2.6M	\$2,600,000	\$4,700,000	\$82,000	\$72,000
Tamalpais Community Services District	Yes	No	\$415,463	\$84,248	\$69,756 ²	Yes	2009	\$405,906	\$65,505	\$100,000	\$20,297	\$31,482
< 1,500 Connections												
Almonte Sanitary District	Yes	Yes	\$400,000	\$54,200	\$54,200	No	NA	\$0	\$21,500	\$585,000	\$0	\$1,076
Alto Sanitary District	Yes	Yes	Not reported	\$18,720	\$18,720	No	NA	\$0	\$145,000	\$175,000	<1000	<1000
Bolinas Community Public Utility District	Yes	No	\$166,636 ⁵	\$85,434	\$125,359	Yes	NA	\$0	\$26,200	\$52,400	\$0	\$0
Homestead Valley Sanitary District	Yes	Yes	Not reported	\$29,120	\$29,120	No	NA	\$0	\$225,000	\$250,000	<1000	<1000
Murray Park Sewer Maintenance District	No	No	\$113,994	NA	NA	NA	NA	\$0	\$0	\$15,700	\$0	\$0
North Marin Water District	Yes	Yes	\$263,734	\$113,463	\$215,022	Yes	7/18/2013	\$0	\$8,700,000	\$6,100,000	\$30,489	\$23,051
San Quentin Sewer Maintenance District	Not reported	No	\$246,525	Not reported	Not reported	Not reported	Not reported	Not reported	Not reported	\$18,236	\$0	\$0
Tomaes Village Community Services District	Yes	No	\$136,024	No Employees	\$79,054	No	NA	\$0	\$3,339	\$0	\$813	\$256
JPAs Providing Treatment												
Central Marin Sanitation Agency (CMSA)	Yes	Yes	\$13,529,358	\$125,619	\$246,692	Yes	7/1/2013	\$2,550,845	\$4,229,201	\$4,498,486	\$100,514	\$62,065
Sewerage Agency of Southern Marin (SASM)	Yes	Yes	\$1,426,000	\$106,884	\$131,436	No	10/2/2013	\$4,332,260	\$688,957	\$2,556,946	\$12,756	\$14,781

Governance:	Board Member #1				Board Member #2				Board Member #3				Board Member #4				Board Member #5			
	Name	Years on Board	Date of Last Ethics Training	Total Compensation Last Year	Name	Years on Board	Date of Last Ethics Training	Total Compensation Last Year	Name	Years on Board	Date of Last Ethics Training	Total Compensation Last Year	Name	Years on Board	Date of Last Ethics Training	Total Compensation Last Year	Name	Years on Board	Date of Last Ethics Training	Total Compensation Last Year
15,000+ Connections																				
Vallejo Community District	Michael Di Giorgio	8	11/13	\$12,845	William C. Long	12	8/12	\$11,963	Jean Mariani	2	11/13	\$8,728	Geralki Peters	2	11/13	\$8,719	Brant Miller	0	11/13	\$0
San Geronimo Community District	Mary Sylla	1.5	1/14	\$6,257	Peter Sullivan	5.5	10/13	\$7,315	Pamela Meigs	3.5	11/13	\$8,799	Patrick Guasco	7.5	11/13	\$11,956	Frank Egger	3	2/13	\$8,773
1,500-15,000 Connections																				
City of Mill Valley	Stephanie Mouton-Peters	7	2012	\$4,200	Kenneth Wachtel	7	2012	\$4,200	Gary Lion	7	2012	\$4,200	John McCauley	1	2014	\$4,200	Jessica Jackson	1	2014	\$4,200
City of Sausalito	Mayor Ray Withy	1	1/13	Not reported*	V. Mayor T. Theodores	1	1/13	Not reported*	Councilmember Jonathan Leone	7	1/11	Not reported*	Councilmember Linda Pfeifer	5	1/11	Not reported*	Councilmember Herb Weiner	7	1/11	Not reported*
Las Gallinas Valley Sanitary District	Megan Clark	12	8/2012	\$13,221	Rabi Elias	<1	5/13	\$3,032	Russ Greenfield	16	8/12	\$13,220	Craig K. Murray	6	8/12	\$12,461	Judy Schriebman	6	2/12	\$10,866
Richardson Bay Sanitary District	Bruce Abbott	5	2013	\$3,625	Roy Benvenuti	15	2013	\$2,125	Ron Kosciusko	2	2013	\$1,625	Forrest Morphew	33	2013	\$1,875	Edward Sotello	35	2013	\$1,750
San District #2 (Corte Madera)	Michael Lappert	12	5/10	\$0	Carla Condon	12	5/10	\$0	Sloan Bailey	1	Not yet	\$0	Diane Furst	4	5/10	\$0	Bob Ravasio	6	5/10	\$0
San District #5 (Tiburon/Belvedere)	Catharine Benediktsson	12	2/13	\$1,900	Michael Lasky	2	1/14	\$1,800	Roy Pedotoff	4	2/13	\$1,800	John Caraplet	<1	1/14	\$0	Richard Snyder	2	2/13	1800
San Rafael Sanitation District	Gary Phillips	2	2011	\$1,300	Barbara Heller	6	2012	\$1,200	Katie Rice	2	2013	\$1,100	Andrew McCullough	2	2013	\$0	Steve Kinsey	1	2013	\$100
Sausalito-Marin City Sanitary District	Ann Arnott	8	12/12	\$5,280	Don Beers	32	12/12	\$3,840	James DeLano	0	11/13	\$0	Dan Rheiner	2	12/12	\$3,520	William Ring	4	12/12	\$4,000
Tamalpais Community Services District	Jim Jacobs	10	2013	\$1,149	Jeff Brown	4	2013	\$1,041	Steffen Barschat	10	2013	\$1,722	Gretchen Stagg	6	2013	\$789	Steven Levine	0	2013	\$0
< 1,500 Connections																				
Almonte Sanitary District	Kevin Rielly	7	Due	\$1,580	Lew Kious	5	2/13	\$1,680	Loretta Figoeroa	20	6/11	\$960	Emily Landin	2	12/11	\$960	Frank Leahy	0.3	Due	\$0
Alto Sanitary District	S Bransgrove	>20	2013	\$1,125	J Miles	>20	Not reported	\$1,175	F Femia	>20	2013	\$1,800	R Gainer	1	2014	\$1,100	T Kennedy	7	2014	\$1,000
Bollinas Community Public Utility District	Jack Sledman	20	2/13	\$3,000	Vic Amoroso	26	2/13	\$3,000	Don Smith	10	2/13	\$3,000	Grace Godino	<1	12/13	\$0	Lyndon Comstock	<1	1/14	0
Homestead Valley Sanitary District	E Asbo	15	2013	\$1,000	B. Tregouing	5	2013	\$1,000	S Noble	15	2013	\$0	R Westbrook	5	2013	\$800	A Leibof	1	2013	\$1,200
Murray Park Sewer Maintenance District	Marin County BOS	NA	Not reported	NA	Marin County BOS	NA	Not reported	NA	Marin County BOS	NA	Not reported	NA	Marin County BOS	NA	Not reported	NA	Marin County BOS	NA	Not reported	NA
North Marin Water District	Jack Baker	30	4/12	\$2,700	Rick Frates	10	3/12	\$3,300	Stephen Pellerie	12	3/12	\$2,300	Dennis Rodoni	18	3/12	\$3,100	John Schoonover	29	3/12	\$3,000
San Quentin Sewer Maintenance District	Marin County BOS	NA	Not reported	NA	Marin County BOS	NA	Not reported	NA	Marin County BOS	NA	Not reported	NA	Marin County BOS	NA	Not reported	NA	Marin County BOS	NA	Not reported	NA
Tomasles Village Community Services District	Bill Bonini	New	Not yet	\$0	Deborah Parish	New	1/13	\$0	Patty Oku	4	11/12	\$0	Sue Sims	1.5	2/13	\$0	Brian Lamoreux	new	Not yet	0
JPA's Providing Treatment																				
Central Marin Sanitation Agency (CMSA)	Alberj Boro	24	2/13	\$700	John Dupar	9.5	11/12	\$1,440	Kathy Hartzell	4	4/13	\$1,700	Barbara Heller	4	8/12	\$900	Pat Guasco	3.5	11/13	\$1,100
Sewerage Agency of Southern Marin (SASM)	Pedro Femenia	20	11/13	\$0	Lew Kious	4	2/13	\$0	Bruce Abbott	7	4/13	\$0	Einar Asbo	15	3/13	\$0	Jim Jacobs	10	2013	0

Appendix B Footnotes

General:

¹Three owned by the City of Sausalito and four owned by the Sausalito-Marín City Sanitary District (SMCSD). SMCSD operates the pumping stations owned by the city.

²Sausalito-Marín City Sanitary District Facilities

³Over 35 percent replaced in last 5 years

⁴Two will be added in 2014.

⁵Share a Safety Director with Novato Sanitary District

⁶In agency boundaries + San Quentin

⁷Plus four temporary

Operations: Sanitation Sewer Management Plan

¹RVSD maintains and its SSMP is used.

²CMSA does not own any of the service area sewer system, pipelines, and forcemains and is not required to have an SSMP.

³Primary Treatment: 125+ MGD; Secondary Treatment: 30 MGD; Disinfection: 125+ MGD; Disposal: 150+ MGD (MGD: million gallons per day)

Operations: Asset Management

¹Order R2-2012-0011 for spills between 9/24/07 and 1/4/2011

²Order R2-2012-0055 for spills between 1/1/08 and 4/21/2011 (Fined \$1,539,100); May 2013 Water Quality Board issued a Cease and Desist Order (R2-2013-0020) that requires the District to achieve financial performance objectives and capital improvement/rehabilitation/replacement performance objectives.

³District conducting CCTV inspections. Effort should be 100% complete by 2016.

⁴5 year capital improvement plan is under development.

⁵Done by Ross Valley Sanitary District

Financial:

¹SRSD has no employees-staffed by city employees.

²For 40 percent of full time

³50 percent of full time; does not include benefits.

⁴Includes all of Mill Valley

⁵Approx. \$800,000 additional in unrestricted reserves

Governance:

¹San Rafael has six board members. Sixth member is Mary Beth Bushey, who recently joined the Board.

²Central Marin Sanitation Agency has six board members. The sixth member is Frank Eggers (1.5 years on board, ethics training up-to-date, \$800 in compensation last year).

³Sewerage Agency of Southern Marin has six board members. The sixth member is John McCauley who recently joined the Board.

**RESPONSES TO GRAND JURY REPORTS
SUMMARY OF PENAL CODE 933.05**

Penal Code 933.05(F) states the grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two (2) working days prior to its public release and after the approval of the presiding judge.

Penal Code 933.05 also provides for only two (2) acceptable responses with which agencies and/or departments (respondents) may respond with respect to the **findings** of a Grand Jury report:

1. The respondent agrees with the finding.
2. The respondent disagrees wholly or partially with the findings, *in which case the respondent shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.*

Penal Code 933.05 provides for only four (4) acceptable responses with which agencies and/or departments (respondents) may respond with in respect to the **recommendations** of the Grand Jury.

1. The recommendation has been implemented, with a summary regarding the implemented action.
2. The recommendation has not yet been implemented, but will be in the future with a timeframe for implementation.
3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis, with a timeframe for the matter to be prepared for discussion by the officer or head of the agency/department being investigated or reviewed, including the governing body of the public agency when applicable. *This timeframe shall not exceed six (6) months from the date of publication of the Grand Jury Report.*
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with a detailed explanation therefore.

However, if a finding and/or recommendation of the Grand Jury addresses **budgetary** or **personnel** matters of a county agency/department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency/department.

Penal Code 933 states that the governing body of the public agency shall respond to the presiding judge within 90 days, and that an elected county officer or agency head shall respond to the presiding judge within 60 days.

California Penal Code Sections

Penal Code 933

No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls.

Penal Code 933.05

- (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
- (1) The respondent agrees with the finding.
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.
- (b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
- (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.
- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two (2) working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

8

MEMORANDUM

TO: Board of Directors
FROM: Drew McIntyre, Chief Engineer 
RE: Cinquini & Passarino Consulting Services Agreement - Land Surveying
R:\WON JOB No ISSUES\Consultants\Cinquini & Passarino\C&P GSA BOD memo 7-2014.doc

July 11, 2014

RECOMMENDED ACTION: Authorize General Manager to execute a Consulting Services Agreement between NMWD and Cinquini & Passarino with a not to exceed limit of \$30,000

FINANCIAL IMPACT: \$30,000

BACKGROUND

Due to the varied type of engineering work related to District Capital Improvement Projects (CIP), it is necessary to request surveying services from a California Licensed Land Surveyor on an as needed basis. The purpose of this memo is to request a new consulting services agreement with Cinquini & Passarino (C&P) for periodic surveying services to assist staff with District workload demands. C&P has a proven track record with the District going back to 2010 with the Stafford Lake Sediment Survey Project.

Attached is an agreement for C&P to provide said survey support services with a not to exceed limit of \$30,000. If approved, the consulting services agreement will be executed based on individual task orders on a job-by-job basis. One of the first task orders to be funded through this agreement will be for the topographic survey of So. Novato Blvd. (from Rowland to Sunset Parkway) as part of the FY15 budgeted CIP to replace ~1100 feet of aging 12-inch cast iron pipe. The amount of this first task order will be \$6,200.

Cinquini & Passarino was the only firm to respond to the District's June 26, 2014 request for proposals to perform the survey on So. Novato Blvd. A total of four firms received the RFP (Cinquini & Passarino, Michael Ford Surveying, White & Prescott, and Winzler & Kelly).

RECOMMENDATION

Board authorize the General Manager to execute a Consulting Services Agreement between NMWD and Cinquini & Passarino with a not to exceed limit of \$30,000

AGREEMENT FOR CONSULTING SERVICES

The following is an agreement between **North Marin Water District**, hereinafter "**NMWD**", and **Cinquini & Passarino**, hereinafter, "**Consultant**".

WHEREAS, Consultant is a duly qualified consulting firm, experienced in land surveying.

WHEREAS, in the judgement of the Board of Directors of the NMWD, it is necessary and desirable to employ the services of the Consultant for various surveying projects on an as-needed basis.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

PART A -- SPECIFIC PROVISIONS:

1. DESCRIPTION OF SERVICES AND PAYMENT: Except as modified in this agreement, the services to be provided and the payment schedule are:

- a. The scope of work and fee amount covered by this agreement shall be that specified on a task by task basis.
- b. The fee for all task orders assigned as part of work of this agreement shall not exceed \$30,000 without prior written authorization by NMWD.

PART B -- GENERAL PROVISIONS

1. ASSIGNMENT/DELEGATION: Except as above, neither party hereto shall assign, sublet or transfer any interest in or duty under this agreement without written consent of the other, and no assignment shall be of any force or effect whatsoever unless and until the other party shall have so consented.

2. STATUS OF CONSULTANT: The parties intend that the Consultant, in performing the services hereinafter specified, shall act as an independent contractor and shall have the control of the work and the manner in which it is performed. The Consultant is not to be considered an agent or employee of NMWD, and is not entitled to participate in any pension plan, insurance, bonus or similar benefits NMWD provides its employees.

3. INDEMNIFICATION: NMWD is relying on the professional ability and training of the Consultant as a material inducement to enter into this agreement. The Consultant hereby warrants that all its work will be performed in accordance with generally accepted professional practices and standards, as well as the requirements of applicable federal, state and local laws, it being understood that neither acceptance of the Consultant's work by NMWD nor Consultant's failure to perform shall operate as a waiver or release.

- a. With respect to professional services under this agreement, Consultant shall assume the defense of and defend NMWD, its directors, officers, agents, and employees in any action at law or in equity in which liability is claimed or alleged to arise out of, pertain to, or relate to, either directly or indirectly, the intentional or willful misconduct, recklessness, or negligent act, error, or omission of Consultant (or any person or organization for whom Consultant is legally liable) in the performance of the activities

necessary to perform the services for District and complete the task provided for herein. In addition, Consultant shall indemnify, hold harmless, and release NMWD, its directors, officers, agents, and employees from and against any and all actions, claims, damages, disabilities or expenses, including attorney's fees and witness costs, that may be asserted by any person or entity including the Consultant, arising out of, pertaining to, or relating to, the negligent acts, errors or omissions, recklessness, or intentional or willful misconduct of the Consultant (or any consultant or subcontractor of Consultant) in connection with the activities necessary to perform the services and complete the task provided for herein, but excluding liabilities due to the sole negligence or willful misconduct of NMWD.

- b. With respect to all other than professional services under this agreement, Consultant shall indemnify, hold harmless, release and defend NMWD, its agents and employees from and against any and all actions, claims, damages, disabilities or expenses, including attorney's fees and witness costs that may be asserted by any person or entity, including the Consultant, arising out of or in connection with the activities necessary to perform those services and complete the tasks provided for herein, but excluding liabilities due to the sole negligence or willful misconduct of NMWD.

This indemnification is not limited in any way by any limitation on the amount or type of damages or compensation payable by or for the NMWD or its agents under workers' compensation acts, disability benefit acts or other employee benefit acts.

4. PROSECUTION OF WORK: The execution of this agreement shall constitute the Consultant's authority to proceed immediately with the performance of this contract. Performance of the services hereunder shall be completed by December 31, 2015, provided, however, that if the performance is delayed by earthquake, flood, high water or other Act of God or by strike, lockout or similar labor disturbance, the time for the Consultant's performance of this contract shall be extended by a number of days equal to the number of days the Consultant has been delayed.

5. METHOD AND PLACE OF GIVING NOTICE, SUBMITTING BILLS AND MAKING PAYMENTS: All notices, bills and payment shall be made in writing and may be given by personal delivery or by mail. Notices, bills and payments sent by mail should be addressed as follows:

North Marin Water District
P.O. Box 146
Novato, CA 94948
Attention: Drew McIntyre

Consultant:
Cinquini & Passarino
1360 N. Dutton Ave., #150
Santa Rosa, CA 95401
Attention: Jim Dickey

and when so addressed, shall be deemed given upon deposit in the United States Mail, postage prepaid. In all other instances, notices, bills and payments shall be deemed given at the time of actual delivery. Changes may be made in the names and addresses of the person to whom notices, bills and payments are to be given by giving notice pursuant to this paragraph.

6. MERGER: This writing is intended both as the final expression of the agreement between the parties hereto with respect to the included terms of the agreement, pursuant to California Code of Civil Procedure Section 1856 and as a complete and exclusive statement of the terms of the agreement. No modification of this agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.

7. SEVERABILITY: Each provision of this agreement is intended to be severable. If any term of any provision shall be determined by a court of competent jurisdiction to be illegal or invalid for any reason whatsoever, such provision shall be severed from this agreement and shall not affect the validity of the remainder of the agreement.

8. TERMINATION: At any time and without cause the NMWD shall have the right in its sole discretion, to terminate this agreement by giving written notice to the Consultant. In the event of such termination, NMWD shall pay the Consultant for services rendered to such date.

9. TRANSFER OF RIGHTS/OWNERSHIP OF DATA: The Consultant assigns to NMWD all rights throughout the work in perpetuity in the nature of copyright, trademark, patent, and right to ideas, in and to all versions of any plans and specifications, reports and document now or later prepared by the Consultant in connection with this contract.

The Consultant agrees to take such actions as are necessary to protect the rights assigned to NMWD in this agreement, and to refrain from taking any action which would impair those rights. The Consultant's responsibilities under this contract will include, but not be limited to, placing proper notice of copyright on all versions of any plans and specifications, reports and documents as NMWD may direct, and refraining from disclosing any versions of the reports and documents to any third party without first obtaining written permission of NMWD. The Consultant will not use, or permit another to use, any plans and specifications, reports and document in connection with this or any other project without first obtaining written permission of NMWD.

All materials resulting from the efforts of NMWD and/or the Consultant in connection with this project, including documents, reports, calculations, maps, photographs, computer programs, computer printouts, digital data, notes and any other pertinent data are the exclusive property of NMWD. Re-use of these materials by the Consultant in any manner other than in conjunction with activities authorized by NMWD is prohibited without written permission of NMWD.

Consultant shall deliver requested materials to NMWD in electronic format including but not limited to engineering calculations, plans (AutoCad, current edition) and specifications (MS Word, current edition).

10. COST DISCLOSURE: In accordance with Government Code Section 7550, the Consultant agrees to state in a separate portion of any report provided NMWD, the numbers and amounts of all contracts and subcontractors relating to the preparation of the report.

11. NONDISCRIMINATION: The Consultant shall comply with all applicable federal, state and local laws, rules and regulations in regard to nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition or physical handicap.

12. EXTRA (CHANGED) WORK: Extra work may be required. The Consultant shall not proceed nor be entitled to reimbursement for extra work unless it has been authorized, in writing, in advance, by NMWD. The Consultant shall inform the District as soon as it determines work beyond

the scope of this agreement may be necessary and/or that the work under this agreement cannot be completed for the amount specified in this agreement. Said review shall occur before consultant incurs 75% of the total fee approved for any phase of the work. Failure to notify the District shall constitute waiver of the Consultant's right to reimbursement.

13. CONFLICT OF INTEREST: The Consultant covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. The Consultant further covenants that in the performance of this contract no person having any such interest shall be employed.

14. INSURANCE REQUIREMENTS FOR CONSULTANTS

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the consultant, his agents, representatives, employees or subcontractors.

Minimum Scope of Insurance

Coverage shall be at least as broad as:

1. Commercial General Liability coverage
2. Automobile Liability
3. Workers' Compensation insurance as required by the State of California.
4. Professional Liability insurance appropriate to the consultant's profession. Architects' and engineers' coverage is to be endorsed to include contractual liability.

Minimum Limits of Insurance

Consultant shall maintain limits no less than:

1. General Liability (including operations, products and completed operations.): **\$1,000,000** per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: **\$1,000,000** per accident for bodily injury and property damage.
3. Workers' Compensation Insurance: as required by the State of California.
4. Professional Liability, **\$1,000,000** per occurrence.

Verification of Coverage

Consultant shall furnish the District with original certificates and amendatory endorsements effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the District before work commences. The District reserves the right to require at any time complete and certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications.

Subcontractors

Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor to the District for review and approval. All coverage for subcontractors shall be subject to all of the requirements stated herein.

Self-Insured Retentions

Any self-insured retentions must be declared to and approved by the District. At the option of the District, either: the insurer shall reduce or eliminate such self-insured retentions as respects the District, its officers, officials, employees and volunteers; or the Consultant shall provide a financial guarantee satisfactory to the District (such as a surety bond) guaranteeing payment of losses and related investigations, claim administration, and defense expenses.

Other Insurance Provisions

The commercial general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. The District, its officers, officials, employees, and volunteers are to be covered as insureds with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the Consultant.
2. For any claims related to this project, the Consultant's insurance coverage shall be primary insurance as respects the District, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the District, its officers, officials, employees, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the District.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII.

15. DISPUTE RESOLUTION: Any dispute or claim in law or equity between District and Consultant arising out of this agreement, if not resolved by informal negotiation between the parties, shall be mediated by referring it to the nearest office of Judicial Arbitration and Mediation Services, Inc. (JAMS) for mediation. Mediation shall consist of an informal, non-binding conference or conferences between the parties and the judge-mediator jointly, then in separate caucuses wherein the judge will seek to guide the parties to a resolution of the case. If the parties cannot agree to mutually acceptable member from the JAMS panel of retired judges, a list and resumes of available mediators numbering one more than there are parties will be sent to the parties, each of whom will strike one name leaving the remaining as the mediator. If more than one name remains, JAMS arbitrations administrator will choose a mediator from the remaining names. The mediation process shall continue until the case is resolved or until such time as the mediator makes a finding that there is no possibility of resolution.

At the sole election of the District, any dispute or claim in law or equity between District and Consultant arising out of this agreement which is not settled through mediation shall be decided by neutral binding arbitration and not by court action, except as provided by California law for judicial review of arbitration proceedings. The arbitration shall be conducted in accordance with the rules of Judicial Arbitration Mediation Services, Inc. (JAMS). The parties to an arbitration may agree in writing to use different rules and/or arbitrators.

16. BILLING AND DOCUMENTATION: The Consultant shall invoice NMWD for work performed on a monthly basis and shall include a summary of work for which payment is requested. The invoice shall state the authorized contract limit, the amount of invoice and total amount billed to date. The summary shall include time and hourly rate of each individual, a narrative description of work accomplished, and an estimate of work completed to date.

17. REASONABLE ASSURANCES: Each party to this agreement undertakes the obligation that the other's expectation of receiving due performance will not be impaired. When reasonable grounds for insecurity arise, with respect to performance of either party, the other may, in writing, demand adequate assurance of due performance and until the requesting party receives such assurance may, if commercially reasonable, suspend any performance for which the agreed return has not been received. "Commercially reasonable" includes not only the conduct of the party with respect to performance under this agreement but also conduct with respect to other agreements with parties to this agreement or others. After receipt of a justified demand, failure to provide within a reasonable time, not to exceed 30 days, such assurance of due performance as is adequate under the circumstances of the particular case is a repudiation of this agreement. Acceptance of any improper delivery, service, or payment does not prejudice the aggrieved party's right to demand adequate assurance of future performance.

18. PREVAILING WAGE REQUIREMENTS: Prevailing Wage Rates apply to all Consultant personnel performing work under the Agreement for which wage determinations have been made by the Director of Industrial Relations pursuant to California Labor Code Sections 1770-1782,. Consultant shall comply with all applicable prevailing wage labor code requirements

**NORTH MARIN WATER DISTRICT
"NMWD"**

Dated: _____

Chris DeGabriele, General Manager

**CINQUINI & PASSARINO
"CONSULTANT"**

Dated: _____


James Dickey

9

MEMORANDUM

To: Board of Directors

July 11, 2014

From: Chris DeGabriele, General Manager Subj: State Water Resources Control Board Emergency Water Conservation Regulations
l:\gm\water shortage 2014\swrcb emergency water conservation requirements.docx**RECOMMENDED ACTION:** Information Only**FINANCIAL IMPACT:** None at this time

On July 15th the State Water Resources Control Board will consider enacting Emergency Regulations to further promote water conservation during this drought year. On January 17, 2014 the Governor declared a drought state of emergency. On April 25th the Governor signed an executive order directing the State Water Board to adopt Emergency Regulations as it deems necessary to ensure that urban water suppliers implement drought response plans to limit outdoor irrigation and other wasteful water practices.

The Emergency Regulations proposed to be adopted on July 15th would become effective on August 1st and remain in effect for up to 270 days (9 months) through April 2015. A copy of the proposed text of the Emergency Regulations and a fact sheet is included as Attachment 1.

The State Board's May 2014 drought survey results indicated that urban water conservation efforts statewide could be augmented to minimize potential risks of threatened severe water supply shortages. The State Board believes Emergency Regulation improves local water agencies ability to quickly and effectively implement and enforce mandatory water conservation measures during the current drought emergency to help preserve the state's supplies through a continuing drought that could last through 2015 or beyond.

NMWD declared a water shortage emergency in Novato and West Marin on April 1st, enacted Water Shortage Contingency Plans and adopted Emergency Water Conservation Ordinances. The proposed State Emergency Regulation consists of three requirements, a prohibition on certain types of water use (water waste prohibition which the District currently implements both in Novato and West Marin), an order for all urban water suppliers to implement mandatory conservation measures (this is currently in place in West Marin) and an order for water suppliers with 3,000 or more service connections to provide monthly data on water production.

In Novato, NMWD would be required to implement the Water Shortage Contingency Plan at a level that includes mandatory outdoor water use restrictions. The State Board believes

this is necessary to promote conservation to address the drought emergency because mandatory restrictions have proven effective at reducing water use. One of the options for mandatory outdoor water use restrictions is limiting outdoor irrigation to no more than 2 days per week. For NMWD, this provision as shown in section X.2 (b) on the proposed text of the Emergency Regulations would be difficult to administer since the Novato Water Shortage Contingency Plan hinges on triggers enacted by Sonoma County Water Agency, not on the State Board's Emergency Regulations. District staff has requested legal counsel opinion on whether we can comply with the Emergency Regulations by just adopting a revised or new Emergency Water Conservation Ordinance including the outdoor mandatory water use restrictions.

A copy of the District's current Water Shortage Contingency Plan and Emergency Water Conservation Ordinance is included as Attachment 2.

In West Marin, the adopted Water Shortage Contingency Plan and Emergency Water Conservation Ordinance already includes mandatory outdoor water use restrictions, so no further course of action is necessary. District staff is ready to issue the *West Marin Water Line* (Attachment 3) and requests that the Board concur with the message currently stated in the *West Marin Water Line* newsletter.

PROPOSED TEXT OF EMERGENCY REGULATIONS

Article X. Prohibition of Activities and Mandatory Actions During Drought Emergency

Sec. X Findings of Drought Emergency

(a) The State Water Resources Control Board finds as follows:

- (1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;
- (2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;
- (3) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist;
- (4) The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and
- (5) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to further promote conservation.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

Sec. X.1 Prohibited Activities in Promotion of Water Conservation

(a) To promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

- (1) The application of water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
- (2) The use of a hose to wash an automobile, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
- (3) The application of water to any hard surface, including but not limited to driveways, sidewalks, and asphalt; and
- (4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

(b) The taking of any action prohibited in subdivision (a) of this section is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

PROPOSED TEXT OF EMERGENCY REGULATIONS

Sec. X.2 Mandatory Actions by Water Suppliers

(a) The term “urban water supplier,” when used in this section, refers to a supplier that meets the definition set forth in Water Code section 10617.

(b) To promote water conservation, each urban water supplier shall implement all requirements and actions of the stage of its water shortage contingency plan that imposes **mandatory restrictions on outdoor irrigation**.

(c) To promote water conservation, each urban water supplier that does not have a water shortage contingency plan or has been notified by the Department of Water Resources that its water shortage contingency plan does not meet the requirements of Water Code section 10632 shall, within thirty (30) days, limit outdoor irrigation by the persons it serves to no more than two days per week or shall implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

(d) In furtherance of the promotion of water conservation each urban water supplier shall prepare and submit to the State Water Resources Control Board by the 15th of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including treated water provided by a wholesaler, in the preceding calendar month. The monitoring report shall also estimate the gallons of water per person per day used by the persons it serves. In its initial monitoring report, each urban water supplier shall state the number of persons it serves.

(e) To promote water conservation, each distributor of a public water supply, as defined in Water Code section 350, that is not an urban water supplier shall, within thirty (30) days, take one or more of the following actions:

(1) Limit outdoor irrigation by the persons it serves to no more than two days per week; or

(2) Implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105; 350; 10617; 10632.



Fact Sheet

The State Water Board to Consider Proposed Emergency Water Conservation Regulations

On January 17 Governor Edmund G. Brown Jr. issued a drought emergency proclamation following three dry or critically dry years in California. [Extreme drought now covers nearly 80 percent of the state](#) and these conditions will likely continue into the foreseeable future.

More than, 400,000 acres of farmland are expected to be fallowed, thousands of people may be out of work, communities risk running out of drinking water and fish and wildlife species are in jeopardy. Many communities are down to 50 gallons a day or less per person for basic sanitation needs. With our inability to predict the effect of the next rainy season, water saved today can improve a region's water security and add flexibility to systems that may need to withstand another year or more with precipitation below average.

There are many ways to boost local water supplies such as recycling treated wastewater and reusing some household or industrial water onsite. However, conservation is the easiest, most efficient and most cost effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. In a survey conducted by the State Water Board in June, while many communities have significantly reduced their water demand over time, it is clear that more can be done.

Conservation Actions Needed

Because of these dire conditions and the need to conserve more, the State Water Resources Control Board (State Water Board) is proposing that individuals and water agencies take necessary steps to conserve water supplies both for this year and into 2015, and is recommending that individuals and water agencies do even more voluntarily to manage our precious water resources.

Most Californians use more water outdoors than indoors. In some areas, 50 percent or more of our daily water use is for lawns and outdoor landscaping. Some urban communities have been investing in conservation, particularly indoors, for years, but reducing the amount of water used outdoors can make the biggest difference of all.

The proposed emergency conservation regulations are primarily directed at reducing outdoor urban water use.



These emergency conservation measures target both individual water use, by identifying the practices from which every Californian should abstain during this drought emergency, as well as the steps that local water suppliers should be taking to reduce water demand in their service areas. These restrictions set a minimum level of effort in this time of emergency and everyone should do more voluntarily. As the drought wears on, the State Water Board may revisit these regulations and consider other measures.

Temporary Water Restrictions

All Californians will be affected by the ongoing drought conditions in one form or another, especially if these conditions persist or worsen in 2015. To promote water conservation statewide, the emergency regulations would prohibit each of the following, except in case of health or safety needs or to comply with a term or condition in a permit issued by a state or federal agency:

- The direct application of water to any hard surface for washing.
- Watering of outdoor landscapes that cause runoff to adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots or structures.
- Using a hose to wash an automobile, unless the hose is fitted with a shut-off nozzle.
- Using potable water in a fountain or decorative water feature, unless the water is recirculated.

Violations of prohibited activities are considered infractions and are punishable by fines of \$500 for each day in which the violation occurs. Any employee of a public agency charged with enforcing laws may write and issue a ticket to the violator.

Action by Urban Water Suppliers Required

To reduce water demand, the regulations would require urban water suppliers to implement their Water Shortage Contingency Plans at a level that triggers mandatory restrictions on outdoor water use. Almost all urban water suppliers (those with more than 3,000 water connections) have these plans; about 40 of these larger agencies do not.

If an urban water supplier does not have a Water Shortage Contingency Plan or its Plan does not meet the requirements of the water code, the supplier must, within 30 days, require customers to limit outdoor irrigation to no more than two days per week or implement another mandatory conservation measure to achieve a comparable reduction in water consumption by the people it serves relative to the amount consumed in 2013.

Water suppliers serving fewer than 3,000 connections must also, within 30 days, require customers to limit outdoor irrigation to no more than two days per week or implement another mandatory conservation measure to achieve a comparable reduction in water consumption by the people it serves relative to the amount consumed in 2013.

Urban water suppliers that violate mandatory actions could be subject to cease and desist orders for violating emergency regulations with fines up to \$10,000 per day per violation. Or, the matter could be referred to the Attorney General's office for further action.

Keeping Track of Urban Water Use

Each urban water supplier will keep track of its water use and compare it to the same period last year. Reports that include the amount of potable water the supplier produced in the preceding month and an estimate of gallons of water per person per day used by its customers will be submitted to the State Water Board by the 15th of each month.

Looking Forward

The State Water Board is providing the following tips to water suppliers to educate their customers about the new requirements:

- Retail water suppliers should provide notice of the regulations in English and Spanish in one or more of the following ways: newspaper advertisements, bill inserts, website homepage, social media, notices in public libraries;
- Wholesale suppliers should include reference to the regulations in all of their customer communications;
- All water suppliers should provide signage where recycled or reclaimed water is being used for activities that the emergency regulations prohibit with the use of potable water, such as operation of fountains and other water features;
- All water suppliers should train personnel on the regulations; and
- All water suppliers should set conservation targets, measure their service area's progress and make this information available to their customers.

In addition to letting customers know about the new requirements, water suppliers should also:

- Have an easy way for customers to report leaks and water waste via phone or electronic submittal (website form, or email); and
- Request that police and fire departments and other local government personnel report leaks and water waste they encounter during their routine duties/patrols

If drought conditions continue, additional actions by the State Water Board and local water suppliers will likely be necessary to further increase conservation. All water suppliers are encouraged to be prepared and plan for a possible dry 2015 now.

Next Steps

The proposed emergency regulations will be considered by the State Water Board at its July 15th meeting. Written comments are due by 12 noon on July 14, 2014. If adopted and subsequently approved by the Office of Administrative Law, they would go into effect on or about August 1st.

**NORTH MARIN WATER DISTRICT'S
WATER SHORTAGE CONTINGENCY PLAN
FOR GREATER NOVATO AREA
APRIL 1, 2014**

**NORTH MARIN WATER DISTRICT
WATER SHORTAGE CONTINGENCY PLAN
FOR GREATER NOVATO AREA**

April 2014

Customer Notification

1. NMWD notifies customers by bill message
 - A. Dry water supply conditions exist on the Russian River. Please reduce your water use by 20%. Consult the NMWD website for water saving tips and the latest news on water supply status.
 - B. Critical dry water supply conditions exist on the Russian River. A mandatory _____% reduction in water use is required. Consult the NMWD website for more information.
2. Special issue of NMWD WaterLine will be mailed to all customers stipulating requirements.

Specific Triggers

Stage 1 Trigger: When the Sonoma County Water Agency advises Dry Conditions¹ prevail for at least 30 days on the Russian River system.

Stage 2 Trigger: When the Sonoma County Water Agency enacts its' water shortage allocation methodology provided that storage is not projected to fall below 100,000-acre feet in Lake Sonoma.

Stage 3 Trigger: When the Sonoma County Water Agency advises that storage in Lake Sonoma falls below 100,000 acre feet.

Consumption Limits

Stage 1: (Request for up to 20% voluntary reduction)

Residential:	20% voluntary reduction in water use from prior year for similar billing period
Commercial and Industrial	20% voluntary reduction in water use from prior year for similar billing period (exceptions may be granted in order to preserve

¹ Dry Conditions are defined in State Water Resources Control Board Decision 1610 as follows:

Date	Cumulative Inflow to Lake Pillsbury
January 1	8,000 acre feet
February 1	39,200 acre feet
March 1	65,700 acre feet
April 1	114,500 acre feet
May 1	145,000 acre feet
June 1	160,000 acre feet

jobs)

Stage 2: (Up to 30% mandatory reduction)

Residential	30% reduction in water use from prior year for similar billing period
Commercial and Industrial:	30% reduction in water use from prior year for similar billing period (exceptions may be granted in order to preserve jobs)

Stage 3: (Up to 50% mandatory reduction)

Residential:	Equivalent to X ² gallons per person per day
Commercial and Industrial	50% reduction in water use from prior year for similar billing period (exceptions may be granted to preserve jobs)

Stages of Action

Stage 1 Voluntary - achieve up to a 20% reduction³ in water use by implementation of the following

- a. Encourage voluntary rationing
- b. Pursue vigorous enforcement of water wasting regulations and provisions of District's Water Conservation Regulation 15 which requires water saving devices in new construction, prohibits installation of certain wasteful types of turf configurations, and encourages turf avoidance
- c. Request customers to make conscious efforts to conserve water
- d. Request other governmental agencies to demonstrate leadership and implement restrictive water use programs
- e. Distribute water saving kits upon customer request, to assure availability to existing and new customers. (Note: Similar kits were distributed system wide to all customers during the 1976-77 California drought.)
- f. Encourage private sector to use alternate water sources such as recycled water or use of private wells.
- g. Encourage the non-commercial washing of privately owned motor vehicles, trailers and boats only from a bucket and except that a hose equipped with a shut-off nozzle may be used for a quick rinse.
- h. Encourage nighttime irrigation
- i. Request restaurants to serve water only upon request
- j. Implement detailed measures from other stages to meet desired objective

Stage 2 Mandatory - achieve up to a 30% reduction³ in water use by declaring a water shortage emergency and implementing Phase 1 (introductory) and Phase 2 (mandatory) of the District's Emergency Water Conservation Ordinance

- a. Under Phase 1, the following uses are declared to be non-essential:

² gpcd is to be determined when the water shortage emergency is declared

³ Exact amount and Districtwide measurement of goal and method of achievement to be established by Board of Directors after examining projected supplies from SCWA, Stafford Lake and treatment plant and emergency well sources and after holding water shortage emergency hearing.

- (1) washing sidewalks, driveways, parking areas, tennis courts, patios or other exterior paved areas except by the Novato Fire Protection District or other public agency for the purpose of public safety;
 - (2) refilling a swimming pool;
 - (3) Non-commercial washing of privately-owned motor vehicles, trailers and boats except from a bucket and except that a hose equipped with a shut-off nozzle may be used for a quick rinse.
- b. The following additional uses are declared to be non-essential under Phase 2:
- (1) any use of water from a fire hydrant except for fighting fires, human consumption, essential construction needs or use in connection with animals;
 - (2) watering of any lawn, garden, landscaped area, tree, shrub or other plant except from a hand-held hose or container or drip irrigation system except sprinklers can be used if customer maintains a 30% reduction compared to prior year's use in same billing period;
 - (3) watering any portion of a golf course except the tees and greens except where private well or recycled water supply is used;
 - (4) use of water for dust control at construction sites;
 - (5) initial filling of any swimming pool;
 - (6) use by a vehicle washing facility in excess of 30% less than the amount used by it during the corresponding billing period in prior year;
 - (7) any non-residential use in excess of 30% less than the amount used by the customer during the corresponding billing period in prior year

Stage 3 Mandatory - achieve up to a 50%² reduction in water use by enacting Phase 3 of the District's Emergency Water Conservation Ordinance.

- a. The following additional uses are declared to be non-essential:
- (1) Watering any residential lawn, or any commercial or industrial area lawn maintained for aesthetic purposes, at any time day or night during the period of March 1, through September 30, when a Stage 3 rationing plan is in progress. (These designated lawns will be allowed to dry up for the summer. Affected customers will be advised on tested methods for re-greening the lawns at minimum expense beginning on October 1, during a Stage 3 rationing period if operating conditions permit. By following the prescribed instructions, the affected customers will likely avoid the cost of replacing the lawns.)
 - (2) Planting any new landscaping, except for designated drought resistant landscaping prescribed by the District.
 - (3) Public agencies may apply to the General Manager for exemptions for watering specific public lawns used extensively for community wide recreation. Such public area lawn watering shall only be done under methods and time periods prescribed by the General Manager. Such exemptions will only be given by the General Manager, if a 50% or greater conservation level can otherwise be achieved on a service area basis.

- (4) Golf courses may only use private well or recycled water for general irrigation. Golf courses may apply to the General Manager for specific exemptions to water greens only, and then only under methods and time periods prescribed by the General Manager. Such exemptions will only be given by the General Manager, if a 50% or greater conservation level can otherwise be achieved on a service area basis.
 - (5) All day and nighttime sprinkling will be discontinued. Any and all outside watering will be done only with a hand held nozzle. An exception will be made to permit drip irrigation for established perennial plants and trees using manual or automatic time controlled water application sufficient only for assured plant survival.
 - (6) No new annual plants, vegetables, flowers or vines may be planted until the Stage 3 emergency is over. An exception will be made for customers who are eliminating existing thirsty landscaping and replacing same with drought resisting landscaping prescribed by the District, as in (2) above.
 - (7) Limit deliveries of water to outside service area customers to that needed for human consumption, sanitation and public safety or as stipulated in outside service agreements.
- b. The following additional voluntary actions will be recommended for District customers:
- (1) Navy style showering will be promoted (e.g., turn on water to wet person or persons, turn off water, lather up, scrub, then turn on water for a quick rinse, then turn off shower).
Customers will be provided push button showerhead control valves upon request, and at no direct charge to them, to better allow them to take "Navy style showers."
 - (2) Customers will be urged not to regularly flush their toilets for disposal of urine only.

Plan Preparation

This plan has been coordinated with the Sonoma County Water Agency and the other regular contractors which utilize the Sonoma County Water Agency Aqueduct System and the City of Novato, and County, State and Federal Emergency Services Offices.

Adoption of Plan

The emergency rationing plan will be enacted after public hearing required by the District's Emergency Water Conservation Ordinance and a determination by the District's Board of Directors that a Water Shortage Emergency exists.

Monitoring of Actual Water Use

Monitoring of water use will be by meters with data analysis using the District's computers.

Mandatory Prohibitions

Wasting of water is prohibited by Regulation 15 of the North Marin Water District.

Phase 2 and Phase 3 of the Emergency Ordinance contain specific mandatory provisions.

Revenue and Expenditure Analysis

Drought Surcharge

In the event a mandatory reduction in water use is triggered (Stage 2 or Stage 3 herein), a Drought Surcharge will be implemented simultaneous with enactment of the mandatory stage. The Drought Surcharge will serve to mitigate the revenue loss resulting from a reduction in water use, as well as the liquidated damages assessed by the Sonoma County Water Agency

pursuant to the water shortage and apportionment provisions of the Restructured Agreement for Water Supply. The Drought Surcharge shall be a quantity charge for each 1,000 gallons as specified in District Regulation 54.

**NORTH MARIN WATER DISTRICT
NOVATO SERVICE AREA
EMERGENCY WATER CONSERVATION ORDINANCE NO. 28**

APRIL 1, 2014

Section 1. Declaration of a Water Shortage Emergency	1
Section 2. Purpose and Authority	1
Section 3. Effect of Ordinance	2
Section 4. Suspension of New Connections to the District's Water System	2
Section 5. Waste of Water Prohibited.....	2
Section 6. Prohibition of Non-Essential Use of Water.....	3
Stage 1 - Introductory Stage.....	3
Stage 2 - Moderate Mandatory Rationing (30% reduction)	3
Stage 3 - Severe Mandatory Rationing (50% reduction)	4
Section 7. Variances	4
Section 8. Violations	4
Section 9. Signs on Lands Supplied from Private Wells or Recycled Water	5
Section 10. Drought Surcharge.....	5

EMERGENCY WATER CONSERVATION ORDINANCE

ORDINANCE NO. 28

AN ORDINANCE OF NORTH MARIN WATER DISTRICT DECLARING THE EXISTENCE OF A WATER SHORTAGE EMERGENCY CONDITION WITHIN THE NOVATO SERVICE AREA OF THE DISTRICT, PROHIBITING THE WASTE AND NON-ESSENTIAL USE OF WATER, AND PROVIDING FOR THE CONSERVATION OF THE WATER SUPPLY OF THE DISTRICT

BE IT ORDAINED by the Board of Directors of North Marin Water District as follows:

Section 1. Declaration of a Water Shortage Emergency

This Board of Directors does hereby find and declare as follows:

(a) A public hearing was held on April 1, 2014, on the matter of whether this Board of Directors should declare a water shortage emergency condition exists within the water service area of this District which is served by Stafford Lake and the North Marin Aqueduct.

(b) Notice of said hearing was published in the Novato Advance and Marin Independent Journal, newspapers of general circulation printed and published within said water service area of the District.

(c) At said hearing all persons present at said hearing were given an opportunity to be heard and all persons desiring to be heard were heard.

(d) Said hearing was called, noticed and held in all respects as required by law.

(e) This Board heard and has considered each protest against the declaration and all evidence presented at said hearing.

(f) A water shortage emergency condition exists and prevails within the portion of the territory of this District served by Stafford Lake and the North Marin Aqueduct. Said portion of this District is hereinafter referred to as the Novato Service Area and consists in all the territory of this District except the portions hereof in the western part of Marin County denominated Annexations 2, 3, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15 and 16 generally known as Point Reyes Station, Inverness Park, Olema, Oceana Marin, and territories on the east shore of Tomales Bay. Said water shortage exists by reason of the fact that the ordinary demands and requirements of the water consumers in the Novato area cannot be met and satisfied by the water supplies available to this District in the Novato Service Area without depleting the water supply to the extent that there would be insufficient water for human consumption, sanitation and fire protection.

(g) On April 1, 2014 the Board of Directors enacted the North Marin Water District Water Shortage Contingency Plan for the Greater Novato Area (Plan) and said Plan defines specific triggers for stages of action applicable to District customers, and pursuant to this ordinance. The specific triggers for stages of action vary and are determined based on advice and action of Sonoma County Water Agency regarding water supply conditions on the Russian River and in Lake Sonoma from which approximately eighty percent of the District's water supply for the Novato Service Area is delivered through the North Marin Aqueduct.

Section 2. Purpose and Authority

The purpose of this ordinance is to conserve the water supply of the District for the greatest public benefit with particular regard to public health, fire protection and domestic use, to conserve water by reducing waste, and to the extent necessary by reason of drought and the existing water

shortage emergency condition to reduce water use fairly and equitably. This ordinance is adopted pursuant to Water Code Section 350 to and including 358, and Sections 31026 to and including 31029.

Section 3. Effect of Ordinance

This ordinance shall take effect on April 1, 2014, shall be effective only in the Novato Service Area, shall supersede and control over any other ordinance or regulation of the District in conflict herewith, and shall remain in effect until the Board of Directors declares that the water shortage emergency has ended.

Section 4. Suspension of New Connections to the District's Water System

(a) From the date the Board of Directors, by resolution, determines that Stage 2, Moderate Mandatory actions are to be implemented, until, the Board of Directors by resolution declares that the water shortage has ended, which period is hereinafter referred to as the suspension period, no new or enlarged connection shall be made to the District's water system except the following:

- (1) connection pursuant to the terms of connection agreements which prior to the date Stage 2, mandatory actions are implemented, had been executed or had been authorized by the Board of Directors to be executed;
- (2) connections of fire hydrants;
- (3) connections of property previously supplied with water from a well which runs dry.
- (4) connection of property for which the Applicant agrees to defer landscape installation until after the suspension period.
- (5) Recycled Water connections.

(b) During the suspension period applications for water service will be processed only if the Applicant acknowledges in writing that such processing shall be at the risk and expense of the Applicant and that if the application is approved in accordance with the District's regulations, such approval shall confer no right upon the Applicant or anyone else until the suspension period has expired, and that the Applicant releases the District from all claims of damage arising out of or in any manner connected with the suspension of connections.

(c) Upon the expiration of the suspension period, the District will make connections to its water system in accordance with its regulations and the terms of connection agreements for all said applications approved during the suspension period. The water supply then available to the District will be apportioned equitably among all the customers then being served by the District without discrimination against services approved during the suspension period.

(d) Nothing herein shall prohibit or restrict any modification, relocation or replacement of a connection to the District's system if the General Manager determines that the demand upon the District's water supply will not be increased thereby.

Section 5. Waste of Water Prohibited

No water furnished by the District shall be wasted. Waste of water includes, but is not limited to, the following:

- (a) permitting water to escape down a gutter, ditch or other surface drain;
- (b) failure to repair a controllable leak of water;

- (c) failure to put to reasonable beneficial use any water withdrawn from the District's system.

Section 6. Prohibition of Non-Essential Use of Water

(a) No water furnished by the District shall be used for any purpose declared to be non-essential by this ordinance for the following stages of action as determined by the Board of Directors after considering specific triggers consistent with the Water Shortage Contingency Plan for the Greater Novato Service Area.

Stage 1 - Voluntary Stage (up to 20% reduction). Achieve up to 20% reduction in water usage compared to the corresponding billing period in 2013 by encouraging voluntary rationing, enforcement of water wasting regulations and water conservation Regulation 15, requesting customers to make conscious efforts to conserve water, request restaurants to serve water only upon request, encourage private sector to use alternate source and encourage night irrigation.

- (b) The following uses are declared to be non-essential from and after April 1, 2014:
- (1) washing sidewalks, driveways, parking areas, tennis courts, patios or other exterior paved areas except by the Novato Fire Protection District or other public agency for the purpose of public safety;
 - (2) refilling a swimming pool drained after July 1, 2014;
 - (3) non-commercial washing of privately-owned motor vehicles, trailers and boats except from a bucket and except that a hose equipped with a shut-off nozzle may be used for a quick rinse.

Stage 2 - Moderate Mandatory Rationing (up to 30% reduction)

(c) From and after the date that the Board of Directors, by resolution, determines that the following additional uses are declared to be non-essential:

- (1) any use of water from a fire hydrant except for fighting fires, human consumption, essential construction needs or use in connection with animals;
- (2) watering of any lawn, garden, landscaped area, tree, shrub or other plant except from a handheld hose equipped with an automatic shut-off nozzle, container or drip irrigation system except overhead sprinkler irrigation can be used if customer maintains an overall 30% reduction in water use compared to the corresponding billing period in 2013 (Customers using less than 300 gallons per day are permitted to water their landscapes without a required 30% reduction), and properly operates the irrigation system in a non-wasteful manner between the hours of 7:00 p.m. and 9:00 a.m. the next day. If sprinkler water is used in a wasteful manner, the General Manager may prohibit sprinkling by that customer.
- (3) watering any portion of a golf course except the tees and greens except as provided in Section 10 hereof or where private well or recycled water supply is used;
- (4) use of water for dust control at construction sites;
- (5) initial filling of any swimming pool for which application for a building permit was made after April 1, 2014;
- (6) use by a vehicle washing facility in excess of up to 30% less than the amount used by it during the corresponding billing period in 2013. If the facility was not operating in 2013, an assumed amount shall be computed by the District from its records. This subsection shall not apply to any facility that recycles water in a manner satisfactory to the District.

- (7) any non-residential use in excess of up to 30% less than the amount used by the customer during the corresponding billing period in 2013. If connection to the District system was not in existence or use in 2013, an assumed amount will be computed from the District's records.

Stage 3 - Severe Mandatory Rationing (up to 50% reduction)

(d) From and after the date that the Board of Directors, by resolution, determines that the water shortage emergency requires severe rationing, the following additional uses are declared to be non-essential:

- (1) Watering any residential lawn, or any commercial or industrial area lawn maintained for aesthetic purposes, at any time of the day or night during the period of March 1, through September 30, when a Stage 3 is in progress.
- (2) Planting any new landscaping, except for designated drought resistant landscaping prescribed by the District.
- (3) All day and nighttime sprinkling will be discontinued. Any and all outside watering will be done only with a hand held nozzle. An exception will be made for carefully timed drip irrigation for established perennial plants and trees. Only sufficient water for assured plant survival may be applied.
- (4) No new annual plants, vegetables, flowers or vines may be planted during the Stage 3 emergency period. An exception will be made for customers who are eliminating existing thirsty landscaping and replacing same with drought resisting landscaping prescribed by the District, as in (2) above.

The combined rationing including Stage 1, 2, and 3 is designed to achieve a minimum reduction of 50% or more in Novato service territory water consumption as compared with normal annual usage.

(e) The percentages stipulated in Stage 2 and Stage 3 may be increased by the General Manager for any class of customer if the General Manager determines that such increase is necessary to protect the public health, safety and welfare or to spread equitably among the water users of the District the burdens imposed by the drought and the shortage in the District's water supply.

Section 7. Variances

Applications for a variance from the provisions of Section 6 of this ordinance may be made to the General Manager. The General Manager may grant a variance to permit a use of water otherwise prohibited by Section 6 if the General Manager determines that the variance is reasonably necessary to protect the public health and safety and/or economic viability of commercial operation. Any decision of the General Manager under this section may be appealed to the Board of Directors.

Section 8. Violations

(a) If and when the District becomes aware of any violation of any provision of Section 5 or 6 of this ordinance, a verbal warning will be given, then if the violation continues or is repeated, a written notice shall be placed on the property where the violation occurred and mailed to the person who is regularly billed for the service where the violation occurs and to any other person known to the District who is responsible for the violation or its correction. Said notice shall describe the violation and order that it be corrected, cured and abated immediately or within such specified time as the General Manager determines is reasonable under the circumstances. If said order is not complied with, the District may forthwith disconnect the service where the violation occurs.

(b) For the first offense, a fee of \$50 shall be paid for the reconnection of any service disconnected pursuant to subsection (a) during the suspension period. For each subsequent violation of Section 8 (a), the fee for reconnection shall be \$75.

(c) No service which is disconnected twice because of a violation of Section 5 or 6 of this ordinance during the suspension period, shall be reconnected unless a device supplied by the District which will restrict the flow of water to said service is installed. Furthermore, the fee for reconnection of such a service during the suspension period shall be \$100 in lieu of the fee required by subsection (b) hereof.

(d) In the event the District determines that water furnished by the District has been used to fill a swimming pool in violation of Section 5 or 6 hereof, service shall be disconnected and shall be reconnected pursuant to Section 8 (b) hereof, as applicable, except that the reconnection fee shall be \$200 for each subsequent offense.

Section 9. Signs on Lands Supplied from Private Wells or Recycled Water

The owner or occupant of any land within the Novato water service area that is supplied with water from a private well or with recycled water shall post and maintain in a conspicuous place thereon a sign furnished by the District giving public notice of such supply.

Section 10. Drought Surcharge

In the event a mandatory reduction in water use is triggered (Stage 2 or Stage 3 herein), a Drought Surcharge will be implemented simultaneous with enactment of the mandatory stage. The Drought Surcharge will serve to mitigate the revenue loss resulting from a reduction in water use, as well as the liquidated damages assessed by the Sonoma County Water Agency pursuant to the water shortage and apportionment provisions of the Restructured Agreement for Water Supply. The Drought Surcharge shall be a quantity charge for each 1,000 gallons as specified in District Regulation 54.

* * * * *

I hereby certify that the foregoing is a true and complete copy of an ordinance duly and regularly adopted by the Board of Directors of North Marin Water District at a regular meeting thereof held on April 1, 2014 by the following vote:

AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover
NOES: None
ABSENT: None
ABSTAINED: None

(SEAL)



Katie Young
District Secretary
North Marin Water District



**NORTH MARIN
WATER DISTRICT**

THE WATER LINE

WEST MARIN'S WATER CONSERVATION NEWSLETTER • VOLUME 12 • SUMMER 2014

It's A Drought – Save Water!

Dry year conditions exist on Lagunitas Creek

NMWD water supply for our West Marin customers is diverted from shallow wells adjacent to Lagunitas Creek near the U.S. Coast Guard Housing Facility in Point Reyes Station. Flow in Lagunitas Creek is 25% below the normal summer flow. This is the first summer in which NMWD has operated the West Marin Water System with such low creek flow and without the Giacomini Ranch summer dam to prevent salinity intrusion into the water supply.

A mandatory 25% reduction in water use is in place, but there is currently no individual rationing required. Together, as a community we expect customers will work to conserve so that Lagunitas

Creek water will be available for both people and fish. You can see your water use history and target to reduce 25% by visiting the NMWD website www.nmwd.com.



nmwd.com, select the YOUR ACCOUNT tab and click on Account Balance & Consumption. Once you determine your water use reduction target, visit www.wateroff.org and access the WATER

SAVINGS CALCULATOR link under the TIPS button to explore water saving measures that you can undertake to reach your target.

Residential customers using less than 200gpd (gallons per day) are already in compliance, but are requested to conserve more if possible. Commercial accounts and residential customers using more than 200gpd are subject to a "drought surcharge" of \$2.50/1000 gallons.

NMWD customers are encouraged to use water efficiently during this drought period and to participate in NMWD Water Use Efficiency Programs described elsewhere in this *Water Line*.

Drought Drive-Up

**Saturday, August 9th
9:00am - 12:00noon**

Visit our drive-up for your
FREE "drought tool kit"

**Location: White House Pool
Parking Lot**

**BUILD YOUR CUSTOM
DROUGHT TOOL KIT FROM
THE FOLLOWING WATER
FRIENDLY GADGETS:**

FREE aerators
dye tabs
showerheads
conservation tip card
bucket
hose nozzle

www.nmwd.com

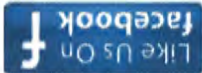
**There's a Drought On.
Turn the Water Off.**



Water Smart Savings Program Call (415) 761-8944 for program details or visit www.nmwd.com

North Marin Water District wants to help customers use water efficiently. That's why we've put all of our water saving promotions under one umbrella. The *Water Smart Savings Program* encompasses all you need to get started on saving water and saving money. Call (415) 761-8944 for program details or visit www.nmwd.com.

- ◆ **Water Smart Home Survey:** This free service includes indoor and outdoor water efficiency checks: a landscape irrigation system evaluation and basic leak detection test.
- ◆ **Water Conserving Fixtures:** Free showerheads, faucet aerators and self-closing hose nozzles are available upon request.
- ◆ **High Efficiency Toilet Rebate:** Customers who replace an old water-guzzling toilet with a high efficiency toilet are eligible for a rebate.
- ◆ **High Efficiency Clothes Washer Rebate:** NMWD offers a rebate to customers when they purchase a qualifying high efficiency clothes washer.
- ◆ **Cash for Grass Rebate:** Get Cash for removing irrigated and maintained lawn and replacing it with low water use plants or synthetic lawn: Prequalification required.
- ◆ **Water Smart Landscape Rebate:** Rebates available for water efficient landscape equipment, like a new drip irrigation system replacing a spray system or a rain shut off device.
- ◆ **Smart Controller Rebate:** A Smart Controller uses weather data and site specific information to automatically adjust run times.
- ◆ **Rainwater Catchment Rebate:** Rebate for collection and storage of rainwater for reuse.
- ◆ **Greywater Rebate:** Rebate for the reuse of water from washing machine, shower or bathroom sink to water landscape plants.



Printed on Recycled Paper



NORTH MARIN WATER DISTRICT

www.nmwd.com

999 Rush Creek Place
PO Box 146
Novato, CA 94948
(415) 897-4133



Ultra High Efficiency Toilet Giveaway

NMWD will be distributing a limited number of FREE Ultra High Efficiency Toilets in summer 2014. The free toilets are available only to customers who are replacing toilets installed prior to the year 1993. Toilets previously rebated or provided by NMWD will not be eligible for replacement with the new Ultra High Efficiency Toilets. Post inspection to verify installation will be required.

NMWD is collecting a list of interested customers and will select recipients from the list of eligible customers. Send an email to waterconserve@nmwd.com with your name, address, phone number and email address to get your name on the list.



Niagara Stealth 0.8 gallons per flush

10

RECOVERY PLAN

NORTH CENTRAL CALIFORNIA COAST RECOVERY DOMAIN

CALIFORNIA COASTAL CHINOOK SALMON

NORTHERN CALIFORNIA STEELHEAD

CENTRAL CALIFORNIA COAST STEELHEAD



Photo Courtesy of Cathy Myers, Dos Rios, Eel River California Coastal Chinook Salmon

CO-MANAGER REVIEW DRAFT

Version: May 19, 2014

National Marine Fisheries Service

West Coast Region

Santa Rosa, California



DISCLAIMER

Recovery plans delineate such reasonable actions as may be necessary, based upon the best scientific and commercial data available, for the conservation and survival of listed species. Plans are published by the National Marine Fisheries Service (NMFS), sometimes prepared with the assistance of recovery teams, contractors, State agencies, and others. Recovery plans do not necessarily represent the views, official positions or approval of any individuals or agencies involved in the plan formulation, other than NMFS. They represent the official position of NMFS only after they have been signed by the Assistant Administrator. Recovery plans are guidance and planning documents only; identification of an action to be implemented by any public or private party does not create a legal obligation beyond existing legal requirements. Nothing in this plan should be construed as a commitment or requirement that any Federal agency obligate or pay funds in any one fiscal year in excess of appropriations made by Congress for that fiscal year in contravention of the Anti-Deficiency Act, 31 U.S.C 1341, or any other law or regulation. Approved recovery plans are subject to modification as dictated by new findings, changes in species status, and the completion of recovery actions.

ADDITIONAL COPIES MAY BE OBTAINED FROM:

National Marine Fisheries Service
Office of Protected Resources
1315 East-West Highway, 13th floor
Silver Spring, MD 20910
301-713-1401 or 301-713-2322

Final Recovery plans can be downloaded from the NMFS website:

<http://www.nmfs.noaa.gov/pr/recovery/plans.htm>

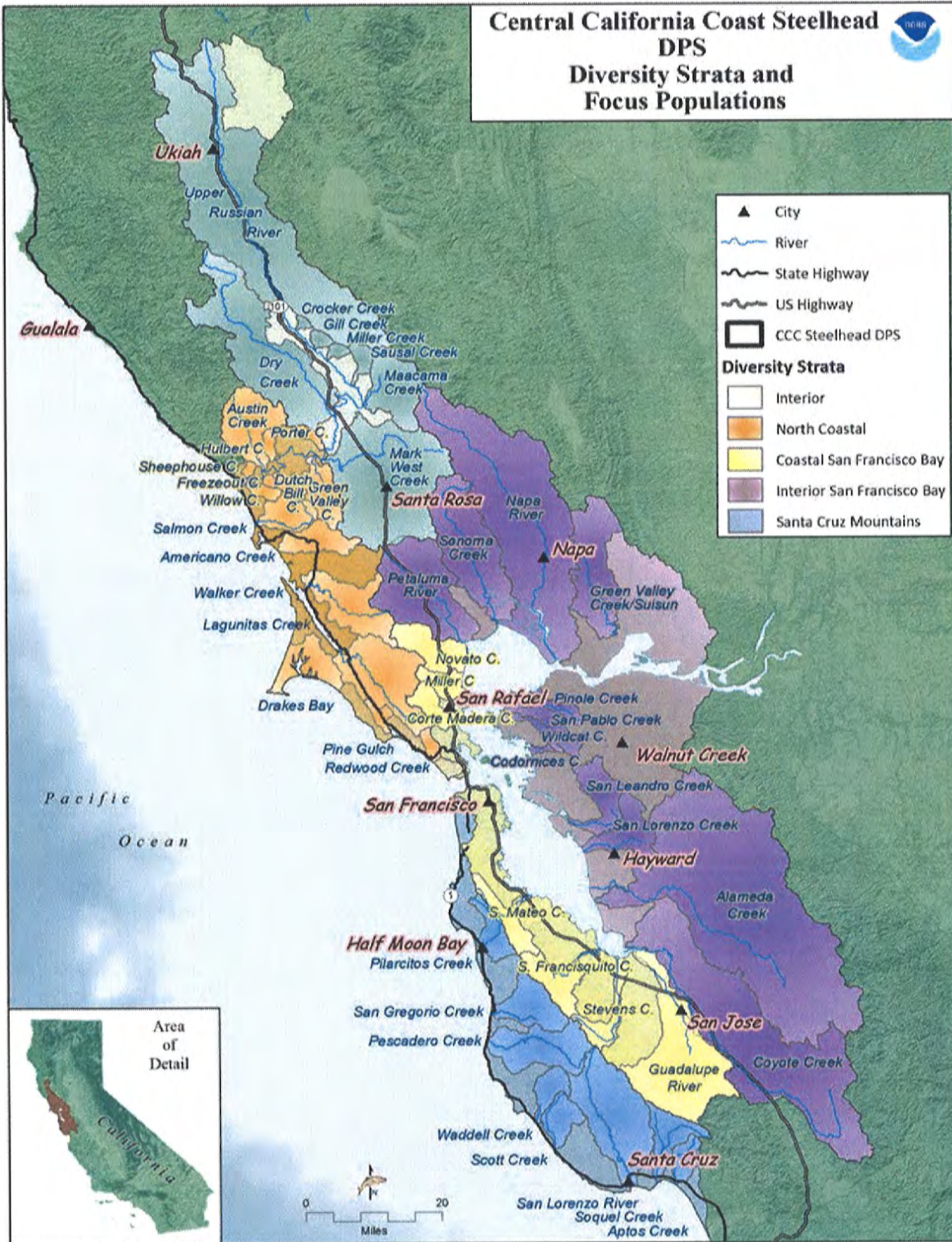
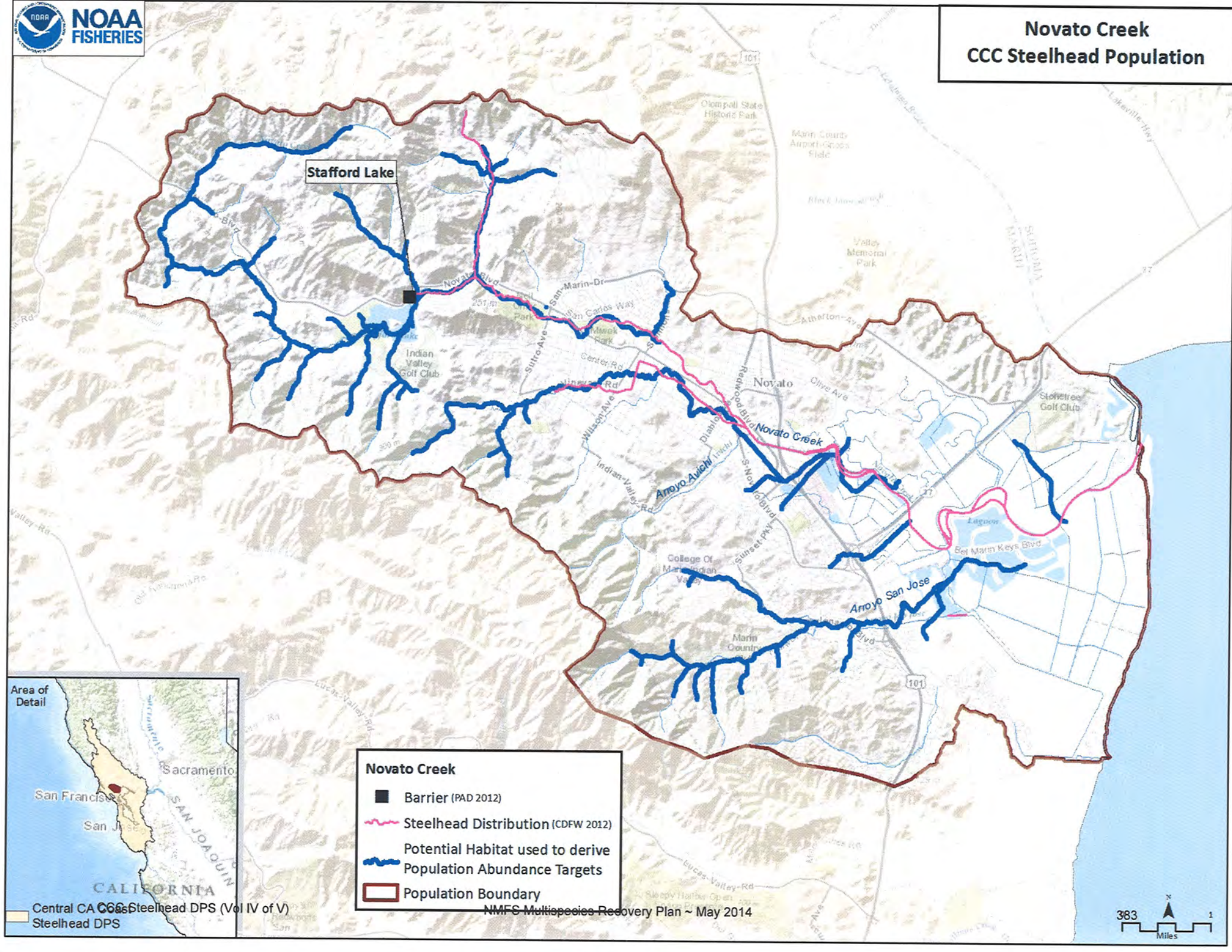



Figure 1: CCC Steelhead DPS, Diversity Strata, and Focus Populations

Novato Creek CCC Steelhead Population



11

MEMORANDUM

To: Board of Directors
 From: Chris DeGabriele, General Manager 
 Subject: Technical Advisory Committee Meeting – July 7, 2014
L:\gmsowa\fac minutes and agenda\2014\fac cd notes 070714.doc

July 11, 2014

RECOMMENDED ACTION: Information Only
FINANCIAL IMPACT: None

Agenda Attached with July 2014 Biological Opinion Update

3. Water Supply Conditions and Summer Water Conservation

Pam Jeane advised that Lake Mendocino is approximately 40% full and Lake Sonoma is 70% full. The minimum in stream flows are being maintained pursuant to Decision 1610 – Dry year criteria, similar to last summer. Pam advised that there has not been any noticeable impact of upper Russian River water conservation action on the river flows. Stream flows are currently 90cfs at Healdsburg (75cfs is the minimum), 139cfs is being released from Warm Springs (25cfs is the minimum Dry Creek flow), and at Hacienda on the lower river, stream flow is 95cfs (85cfs is the minimum). The Agency in managing the river for urban, agriculture and environmental uses and does not plan to petition for another Temporary Urgency Change Order at this time, but that could change with changing circumstances. It's expected that at least one exceedance of the minimum flow along Dry Creek will be used this summer pursuant to the Biological Opinion. The exceedance would be used for Dry Creek flow over 120cfs but less than 140cfs.

Carrie Pollard reported on the continuing water conservation outreach, indicating that the Agency is gearing up for the Sonoma County Fair, has started new advertisements and is working with the City of Santa Rosa on an outdoor "drought boot camp" scheduled for August 23rd. If successful, the boot camp could be replicated at other water contractor venues. The Agency continues to work with upper Russian River urban water users including Healdsburg, Cloverdale, Ukiah, Redwood Valley Water District, Hopland, Mendocino County, Sonoma County and the City of Fort Bragg.

CalTrans has begun using their overhead highway information signs publicizing: "Severe Drought" "Help Save Water."

Leonard Olive from the City of Petaluma indicated that Petaluma saw a lot of traffic at its outreach at the Sonoma Marin Fair.

Jennifer Burke indicated Santa Rosa would have a separate booth at the Sonoma County Fair, has started water waste patrols and is making personal visits to restaurants.

Paul Piazza, Town of Windsor, advised that they are limiting outdoor irrigation to three times per week, have provided customers who use recycled water or private wells with lawn signs, and are publicizing the drought restrictions with their movable construction electronic message boards.

I reported on North Marin's progress to date. In June, water use is down 14% compared to one year ago and for the period February through June water use is down 20%

compared to one year ago. North Marin plans another direct mail newsletter to all customers, coming up later in July and has held a Native Plant Seminar and a Sheet Mulch Seminar.

4. Water/Energy Nexus

Cordell Stillman from Sonoma County Water Agency reported on the ACWA Energy Committee and Energy/Water Nexus subcommittee activities. He advised there are two Senate bills currently working their way through the legislature. SB1420 will require that Urban Water Management Plans quantify unaccounted for water and SB1036 adds a voluntary calculation or estimation of the energy intensity of urban water systems to the Urban Water Management Plans. Cordell also advised that the CPUC is contemplating a change to the net energy rules beginning in 2017, so that solar power offset from energy uses would be calculated differently. He also advised that CPUC is urging investor owned utilities to partner with water agencies to calculate the avoided cost for water based on the cost of expanding desalination as a source of water supply.

5. Integrated Regional Management Plan(s) Update

There was no report.

6. Water Bond Coalition Update

The parties were informed that the State Senate did not pass Senator Wolk's SB848, new Water Bond Legislation, thus the fallback position is the \$11.2B 2009 Comprehensive Water Bond.

7. Biological Opinion Status Update

Pam Jeane reviewed the status report for July 2014, included herein.

Next Meeting:

The next meeting is a combination WAC/TAC meeting on August 4, 2014.

FOR ACCESSIBLE
MEETING INFORMATION
CALL: (707) 543-3350
ADD: (707) 543-3031



TECHNICAL ADVISORY COMMITTEE

MONDAY, JULY 7, 2014

9:00AM

Utilities Field Operations Training Center
35 Stony Point Road, Santa Rosa, CA

1. Check In
2. Public Comment
3. Water Supply Conditions and Summer Water Conservation
4. Water/Energy Nexus
5. Integrated Regional Water Management Plans Update
6. Water Bond Coalition Update
7. Biological Opinion Status Update
8. Items for Next Agenda
9. Check Out



Russian River Biological Opinion Update – July 2014

The Sonoma County Water Agency is continually planning and implementing the Russian River Biological Opinion requirements. The following project updates provide a brief synopsis of current work. For more detailed information about these activities, please visit www.sonomacountywater.org.

Dry Creek Habitat Enhancement and Demonstration Project

- Construction of the remainder of the one-mile demonstration project continues this summer, with construction underway on June 16. Hanford Applied Restoration & Conservation, out of Sonoma, is constructing the project.
- Site identification, outreach to landowners, preliminary environmental studies and topographic surveys are underway for the second and third miles of habitat enhancement. Two firms, Interfluve and ESA PWA, are designing the second and third miles of habitat enhancement. Draft 10% conceptual designs are complete, and discussions with landowners will begin in July.
- Water Agency staff is working closely with the US Army Corps of Engineers on a Continuing Authorities Program (CAP) project that should allow the Corps to contribute funding for a portion of the mile 2-3 phase of Dry Creek Habitat enhancement.

Fish Monitoring

Monitoring is underway for juvenile fish, with downstream migrant traps installed at Dry Creek and the Russian River at Mirabel. Traps are checked daily. Water Agency staff are regularly consulting with National Marine Fisheries Service and California Department of Fish and Wildlife regarding the status of the migration and plans for reservoir releases.

Tributary Habitat Enhancement Projects

Habitat monitoring was conducted in Grape Creek this fall, and won't be conducted again until 2015, per requirements of the Biological Opinion.

Mirabel Screen and Fish Ladder Replacement

On June 10, the Water Agency Board of Directors approved a contract with F&H Construction for the Mirabel Fish Passage Project. Construction on the fish screen/fish ladder project will begin in early July with the installation of a coffer dam upstream of Wohler Bridge. The seismic upgrade project (not required by the Biological Opinion) has been completed and corrective measures are being taken to ensure that the required performance is met.

Russian River Estuary Management Project

- All permits for the Lagoon Management Project have been received. The 2014 Lagoon Management Period began on May 15. Downstream migrant fish sampling is underway at Austin Creek and with an antenna at Duncans Mills that can read passive integrated transponders (PIT) tags. Biological and water quality monitoring, including fisheries and invertebrate sampling are ongoing. Monthly baseline monitoring of seals and other pinnipeds is ongoing. The Estuary Management Project Community Meeting was held on June 2, with about 50 people attending.

- Field investigations of the jetty have begun. Work was conducted in early March, including the installation of monitoring wells, and will resume in July after the harbor seal pupping season. The purpose of the studies is to determine if and how the jetty impacts the formation of the barrier beach and lagoon water surface elevation.

Fish Flow Project

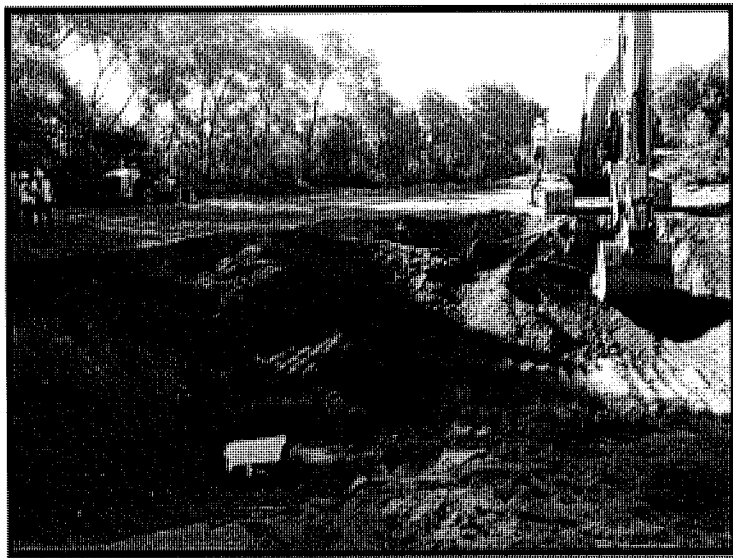
Work is occurring internally on the preparation of the draft Environmental Impact Report for the Fish Habitat Flows and Water Rights Project. The EIR is being prepared by Water Agency staff, with assistance from consultants on some areas of impact analysis (on June 24 the Board of Directors approved a contract with M. Cubed, Inc. for the socioeconomic analysis). A draft EIR is anticipated to be released in 2014.

Interim Flow Changes

Between June 1 and June 29, under a TUC issued by the State Water Resources Control Board in December, the minimum flows were 75cfs in the upper Russian River and 85 cfs in the lower river. While the order ended on June 29, on March 7, the State Water Board amended the order to include new terms, including a drought action plan (submitted to the State Water Board on 3/28) and an update on activities on water use efficiency due October 31. Post-June 29, since conditions remain “dry”, minimum flows are governed by D1610, which calls for minimum flows of 75cfs in the upper river and 85 cfs in the lower river. Water Agency staff consult regularly with resource agencies and upper river users regarding Lake Mendocino conditions.

Public Outreach, Reporting & Legislation

- The Water Agency is working with contractors through the Sonoma-Marín Saving Water Partnership on an ad campaign messaging: There’s a Drought on. Turn the Water Off.
- A community meeting attended by more than 50 people was held on June 2 in Monte Rio regarding the estuary.
- Outreach on Dry Creek construction activities is occurring through direct mail, website, enews, signs and partnerships with the Dry Creek Valley Association and the Winegrape Growers of Dry Creek Valley.



Dry Creek Habitat Enhancement, June 19, 2014

12

**NOTICE OF MEETING OF
NORTH BAY WATERSHED ASSOCIATION**

Notice is hereby given that a meeting of the North Bay Watershed Association will be held as follows:

Date: Friday, July 11, 2014
Time: 9:30 a.m. – 11:30 a.m.
Location: Marin Community Foundation
5 Hamilton Landing, Suite 200
Redwood Room
Novato, CA 94949

<u>Item</u>	<u>AGENDA</u>	<u>Recommendation</u>
1.	Call to Order (Jack Gibson, Chair)	
2.	Public Comment	
3.	Approval of the Agenda (1 min.)	Approve
4.	Approval of Minutes	Approve
5.	Treasurer's Report (1 min.)	Accept
6.	Stormwater Technical Guide Project (45 min.) Guest Speaker: Terri Fashing, Marin County	Information
7.	Freshwater Flows and the Health of the (45 min.) San Francisco Estuary Guest Speaker: Darcie Luce, Friends of the Estuary	Information
8.	Items of Interest	
9.	Items for Next Agenda	

Next Meeting Information:

NO AUGUST MEETING

Next Meeting: September 5, 2014
Novato Sanitary District
500 Davidson Street
Novato, CA 94945

NORTH BAY WATERSHED ASSOCIATION

Minutes for the meeting of the North Bay Watershed Association (NBWA) Board of Directors.

Date: June 6, 2014
Time: 9:30 a.m.
Location: Novato Sanitary District
500 Davidson Street
Novato, CA 94945

Directors Present: Directors present included:

<u>Board Member</u>	<u>Agency/Organization</u>	<u>Board Member</u>	<u>Agency/Organization</u>
Keith Caldwell	Napa County Flood Control and Water Conservation District	Kathy Hartzell	Central Marin Sanitation Agency
Adrian Cormier	Bel Marin Keys Community Services District	Liz Lewis	County of Marin
Rick Frait	North Marin Water District	Pamela Meigs	Ross Valley Sanitary District
Jack Gibson	Marin Municipal Water District	Brant Miller	Novato Sanitary District
		Judy Schriebman	Las Gallinas Valley Sanitary District
		Pamela Tuft	City of Petaluma

Directors present represented 10 out of the 16 agencies signatory to the Association MOU.

Board Actions:

1. **Call to Order.** Jack Gibson, Chair, called the meeting to order at 9:43 a.m.
2. **Public Comment.** None.
3. **Approval of the Agenda.** (See Handout) The Board unanimously approved the agenda.
4. **Approval of the Minutes of the Board Meeting held May 2, 2014.** (See Handout) The Minutes of the Board Meeting held on May 2, 2014 were unanimously approved, with one abstention by Pamela Meigs.
5. **Treasurer's Report.** (See Handout) The Treasurer's Report was accepted as presented by Harry Seraydarian.
6. **Regulatory Update.** Bruce Wolfe, Executive Officer, Oakland Regional Water Quality Control Board (RWQCB) began with an update on changes to the RWQCB structure. Based on legislation the 9 member board has been reduced to 7 members, 6 experts and one general public member, however only 6 of the 7 positions are currently filled. Bruce then highlighted the RWQCB budget which had been decreasing and has now leveled off and will likely allow for one new staff position. The most interesting change is the shift of the Safe Drinking Water Program from the Department of Health to the State Water Resources Control Board (SWRCB). The Program will keep an office in Richmond for the Bay Area initially. Bruce then described the emphasis in a "drought year" on recycling requirements and the SWRCB's recent adoption of an order that also includes requirements for Salt and Nutrient Management Plans. He also noted the draft SWRCB permit for Potable Water Discharges (concern over chlorine impacts) that is underway. Bruce then reviewed the amendments to the Ocean Plan that will update requirements for desalination projects and mentioned the Bay Area efforts including CCWD, SFPUC, Alameda WD, SCVWD, and EBMUD. Bruce pointed out the energy costs for desalination and segued into a new emphasis on composting and the need to tie into energy use. Bruce then moved on to Onsite Wastewater Treatment Systems (Septic Tanks) and the RWQCB's initiative to develop a general order based on statewide policy, which will require each county to develop a management plan. Bruce summarized the ongoing efforts by the SWRCB to develop a statewide wetlands policy and the RWQCB's parallel effort on a stream and wetlands policy. He highlighted the Santa Clara program which had developed a stream maintenance manual. The RWQCB is looking at an approach that will avoid an annual permit. Bruce then continued on to TMDL efforts for Mercury and PCBs and noted the progress of wastewater treatment plants as compared to legacy sources. He also described RWQCB work on Grazing Waivers and a vineyard program related to sediment and pathogen TMDLs in the North Bay. Bruce revisited recycling and discussed State Revolving Fund money available at the \$800 million level with a 1% loan rate. He also mentioned the continuing challenge of distribution and the potential for direct potable reuse. Bruce highlighted ReNUWit – Re-Inventing the Nation's Urban Water Infrastructure-<http://www.renuwit.org/> which is trying to address this issue. Bruce then acknowledged the Ora-Loma Project which will use wastewater to help build wetland vegetation and address sea level rise and also provided other examples of projects anticipating sea level rise. Bruce described other initiatives such as the San Francisco Bay Restoration Authority and Flood Control 2.0. Bruce concluded with a summary of new efforts by the RWQCB on nutrient discharges from WWT plants; their ongoing efforts to minimize overflows; and recent efforts

regarding SMART permitting. The NBWA Board Members had several questions. Will effluent from desalination be blended with WWT outfalls and will this reduce incentive for recycling? (Issue is complicated with energy usage in addition to waste load; water suppliers play key role.) What about pilot for recycled water and moving storage off stream? (RWQCB working with SCWA to broaden storage while avoiding overflows and water rights issues.) What is nutrient loading from lawns? (Looking at all loading WWT and runoff – focus on facilities greater than 10 MGD first.) Is there any funding for replacing “old” collection systems? (SRF may include as a “need” in the future.) What is the latest update concerning the Lagunitas TMDL? (RWQCB Hearing next week.) When will we have a level playing field in all counties regarding Ag Waste Discharge Requirements? (RWQCB started with Napa and is now expanding to a region-wide approach: working on the correct regulatory mechanism.) The NBWA Board Members requested that Bruce return to present an annual update at an NBWA Board Meeting.

7. **BAIRWMP Update.** Harry Seraydarian presented a PowerPoint beginning with a quick update on Round 2 funding. Harry highlighted the North Bay projects included in Round 2 and indicated a grant award was imminent. Harry then described the Round 3 Process as originally designed and explained how that process was modified when Round 3 became devoted to “Drought Preparedness.” He described the Legislative action to devote \$200 million statewide for drought projects in an “expedited round” and DWR’s definitions for eligible projects. Harry described the expedited schedule in DWR’s April Project Solicitation Package (PSP) and summarized the regional and sub-regional concepts submitted (54 concepts totaling over \$ 420 million). Harry then presented the Regional and North Bay Concepts that were considered drought eligible. He described the basis for a Bay Area target of \$32 million and presented the factors used in ranking projects, both general and drought factors (AFY, \$/AFY, timing, duration). Harry then elaborated on how the Project Screening Committee reached consensus on 11 projects totaling just over \$32 million by using ranking, first choices of entities with multiple projects, need, a straw proposal that set caps on project amounts by category, and striving for sub-regional balance. Harry elaborated on how “need” focused on isolated coastal areas including Stinson Beach. Harry then presented the final projects selected after adding Calistoga as a recycling project which also addressed needs and adding additional funding for conservation for a total of 11 projects at \$33 million. He then highlighted the North Bay projects including the allocation of funds for conservation. Harry emphasized the sub-regional target allocations and North Bay’s share to date and provided the DWR schedule for the next funding round. Harry then moved on to the 2013 Plan Update and raised the question – should the NBWA Board adopt the Plan Update? The Board agreed to adopt the Plan Update and suggested placing this item on the September meeting agenda. Harry concluded with a summary of the Water Bond Coalition’s efforts to support future IRWM funding and noted the opportunity to attend a June 11 event in Sacramento to support Coalition interests in the drafting of the 2014 Water Bond ballot language to protect provisions most critical to Northern and Coastal California communities.

8. **Conference Feedback.** Harry Seraydarian provided a PowerPoint and summarized the evaluations from the 2014 Conference including feedback, in general, on the facility and the speakers. Harry also presented the budget results compared to our 2012 Conference. Harry concluded with a summary of suggestions for future conferences from the Conference Committee including a suggestion to add a Napa representative to the Committee for the 2016 Conference.

9. **Items of Interest.** None.

10. **Items for Next Agenda.**

- * Stormwater Technical Guide Project – Terri Fashing, Marin County
- * Freshwater Flows and the Health of the San Francisco Estuary – Darcie Luce, Friends of the Estuary

Jack Gibson, Chair, adjourned the meeting at 11:29 a.m.

SUBJECT TO BOARD APPROVAL

Submitted By: Elizabeth O. Preim-Rohtla
Assistant to the Executive Director

NEXT MEETING INFORMATION:

July 11 – Marin Community Foundation, 5 Hamilton Landing, Suite 200, Redwood Room, Novato, CA 94949

NO AUGUST MEETING

September 5 – Novato Sanitary District, 500 Davidson Street, Novato, CA 94945

The Marin Community Foundation - Map and Directions

Marin Community Foundation

5 Hamilton Landing
Suite 200
Novato, CA 94949

main phone: 415.464.2500

fax: 415.464.2555

Come through the courtyard between the two buildings (Hanger 5 and Hanger 6) and enter through the automatic door in the center of Hanger 5. There is an elevator or stairs to the second level. Our meeting room is called "The Redwood Room"

Going north:

a) Going north on Highway 101, take the Hamilton Field/Nave Dr. Exit. Veer right at the end of the exit ramp and follow Nave Drive going north, parallel to 101. Take a right at Main Gate Road, which leads into Hamilton. (At Crescent, Main Gate Road becomes Palm Drive.)

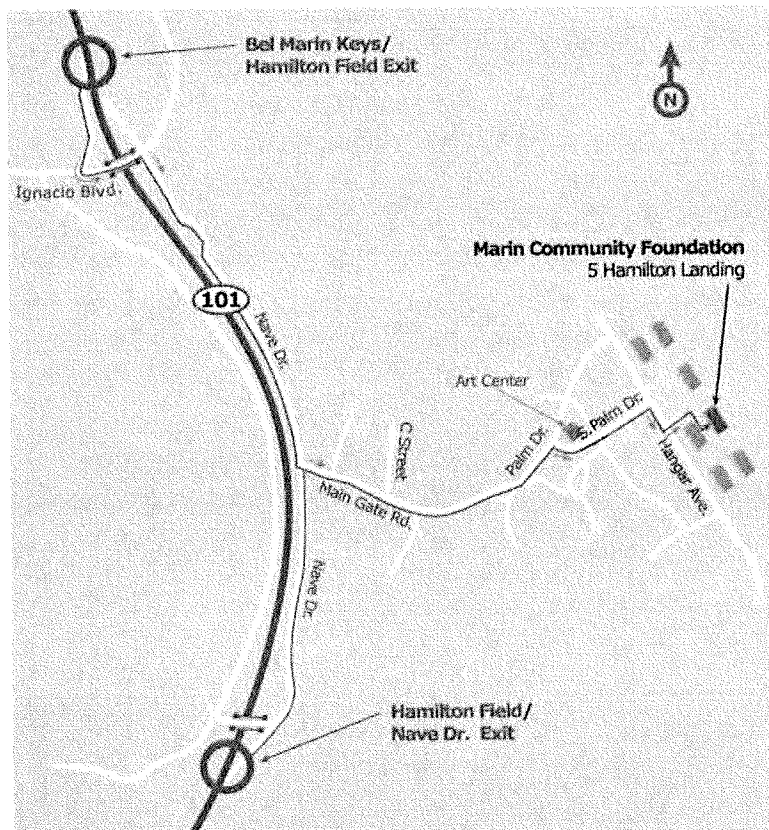
b) Continue until you reach the Arts Center, then bear right onto South Palm Drive. Take South Palm Drive to the end, turn right onto Hangar Avenue, and take an immediate left into the parking lot. MCF is in Hangar 5, at 5 Hamilton Landing. The entrance is down the pathway between Hangar 5 and Hangar 6.

Going south:

Going south on Highway 101, take the Bel Marin Keys/Hamilton Field Exit. At the end of the exit ramp, take a right onto Ignacio Blvd. After crossing the freeway, take an immediate right onto Nave Drive. Take a left onto Main Gate Road, which leads into Hamilton. (At Crescent, Main Gate Road becomes Palm Drive.) Then follow directions "b" above.

From the east bay:

Cross the Richmond-San Rafael Bridge and continue on 580 until it merges onto 101 North. Then follow the directions for "going north."



13

DISBURSEMENTS - DATED JUNE 26, 2014

Date Prepared: 6/24/14

The following demands made against the District are listed for approval and authorization for payment in accordance with Section 31302 of the California Water Code. being a part of the California Water District Law:

Seq	Payable To	For	Amount
P/R*	Employees	Net Payroll PPE 6/15/14	\$117,274.17
EFT*	US Bank	Federal & FICA Taxes PPE 6/15/14	50,809.75
EFT*	State of California	State Taxes & SDI PPE 6/15/14	9,077.13
1	Aberegg, Michael	Drafting Services: Atherton Tank As-Builts (Balance Remaining on Contract \$13,738)	330.00
2	Agile Business & Technology	Accounting Software MAS 90 Upgrade - Initial Testing & Troubleshooting	926.25
3	All Star Rents	High Weed Mower (1 Day)	345.17
4	Alpha Analytical Labs	Lab Testing	174.00
5	Alvero-Wilkes, Maioni	Novato "Cash for Grass" Program	215.00
6	American Family Life Ins	July Employee Contribution for Accident, Disability & Cancer Insurance	4,195.49
7	Arsanis, Lynn	Novato "Washer Rebate" Program	50.00
8	Athens Administrators	February 2014 Bill Review Fee	66.02
9	Backflow Distributors	Repair Parts for Various Failed Fire Services	2,504.16
10	Bank of Marin	Loan Principal & Interest (Pymt 32 of 240)	46,066.67
11	Borges & Mahoney	Grab Rings (2) & 'O' Rings & Connectors (2)	34.10
12	Bosserman, Coleen	Novato "Toilet Rebate" Program	100.00
13	Brodnik, Robert	Novato "Toilet Rebate" Program	100.00
14	BVA Scientific	Replacement Certified Thermometer (Lab)	575.52
15	Calif Dept of Water Resources	FY15 Annual Dam Fee	8,380.00
16	CalPERS Retirement System	Pension Contribution PPE 6/15/14	47,042.71
17	Cal Test	Lab Testing (O.M.)	35.00

Seq	Payable To	For	Amount
18	Cole-Parmer Instrument	Graduated Cylinders (10) (Lab)	259.53
19	CSW/Stuber-Stroeh Engineering	Engineering Services: AEEP (Balance Remaining on Contract \$73,236)	29,309.05
20	Dublin San Ramon Svcs District	Bid Participation Costs for Bay Area Chemical Consortium	858.00
21	Electrical Equipment	Capacitors for Motorized Gates (2) (District Yard)	50.95
22	Environmental Express	Sample Bottles (66)	131.27
23	Ferragamo, Ron	Novato "Water Smart Landscaping Efficiency" Program Residential	97.75
24	Fisher Scientific	Ammonia, Sodium (\$106), Phosphorus, Nitrate Standard, Nitrite Standard, Beakers (110) (\$204), Chloride Standard (\$104), Pipets (500) (\$60), Flasks (12), Brushes (12), Sulfuric Acid, Double Burrete Clamp, Lead Standard & Bottle Droppers (10) (Lab)	788.08
25	Flint, Rita	Novato "Washer Rebate" Program	50.00
26	Gabriel, David	Novato "Toilet Rebate" Program	300.00
27	Garrett, Karen	Novato "Toilet Rebate" Program	100.00
28	Gates, Doris	Novato "Water Smart Landscape Efficiency" Program	100.00
29	GHD	Engineering Services: AEEP (Balance Remaining on Contract \$44,572)	2,604.00
30	Ghilotti Construction	Construct AEEP Reaches A-D/MSN B3 Pipeline Project (Balance Remaining on Contract \$12,124,617.00)	74,100.00
31	Golden Gate Petroleum	Gasoline (\$3.99/gal) & Diesel (\$3.88/gal)	4,242.48
32		Cafeteria Plan: Uninsured Medical Reimbursement	23.91
33	Grainger	Light Ballasts (12) (STP) (\$146), Fluorescent Light Lens & Insulated Screwdrivers (2)	190.43
34	Hach	Reagent	34.70
35	Harrington Industrial Plastics	Electric Valve Opener (O.M.)	768.50

Seq	Payable To	For	Amount
36	Hutchinson, Eileen	Novato "Washer Rebate" Program	50.00
37	Industrial Vacuum Equipment	Filters for Vac Trailer (4)	360.02
38	InfoSend	May Processing Fee for Water Bills (\$1,508) & Postage (\$4,039)	5,448.03
39	Jim-n-i Rentals	Shoring Steel Plate Rental (3) (4 weeks) (\$742)	872.34
40		Cafeteria Plan: Uninsured Medical Reimbursement	56.65
41	Kessler, Sue	Exp Reimb: 11" x 17" Copy Holder	51.55
42	Leighton Stone Corp	GAC Filter (STP)	208.46
43		Vision Reimbursement	103.50
44	Marin, County of	Annual Septic Permit (25 Giacomini Rd)	425.00
45	Mauch, Susan	Novato "Washer Rebate" Program	50.00
46	McAghon, Andrew	Sludge Removal (1/28-5/31/14) (8 yds)	2,240.00
47	MegaPath	DSL Internet (6/12-7/12/14)	142.88
48	New Pig	All Purpose Wipes (12" x 12") (1,500)	176.77
49	Novato, City of	Street Excavation Moratorium Fee for 1044 5th Street, Novato	500.00
50	Novato Disposal Service	May Trash Removal	419.94
51	NSI Solutions	Volume Control Sample (Lab)	75.00
52	Office Depot	Legal Pads (12), Binder Clips (216), Removable Scotch Tape (8) (\$33), Recycled Waste Basket & Sharpies	70.50
53	Pace Supply	Double Check Valve (\$105), Couplings (2), Steel Pipe (42) (\$336), Flanges (2), Bell Restrainers (2) (\$149), Elbows (2), Nipples (10), 6" & 8" Tees(3) (\$503), Polyurethane Foam Swab, PVC Pipe (180) (\$1,644) & Valve (\$297)	3,263.25
54	Pape Machinery	Air Filters (6) (\$182), Oil Filter, Hydraulic Filters (2) ('09 JD Backhoe) & Hydraulic Hose Fittings (2) (\$343) ('04 JD Backhoe)	595.73
55	Parkinson Accounting Systems	May Accounting Software Support	877.50

Seq	Payable To	For	Amount
56		Vision Reimbursement & Cafeteria Plan: Childcare Reimbursement	429.73
57		Cafeteria Plan: Childcare Reimbursement	8.03
58	Safeguard	Payroll Checks (500)	155.02
59	Schuster, Cathy	Novato "Cash for Grass" Program	400.00
60	Sebastopol Bearing & Hydraulic	Transmission Hoses ('02 Dump Truck)	345.89
61	Shamrock Materials	Smart Crossing-Hanna Ranch Controlled Density Fill (Balance Remaining on Contract \$4,474)	862.70
62	Sonoma County Water Agency	May Contract Water	413,167.26
63	Staples Business Advantage	Copy Paper (60 reams) (\$224), Post-its (24), Colored Paper (2 reams) (\$31) & Calculator	281.82
64	State Water Resources Control	Annual Permit Fee - Waste Discharge Requirement (4/1/14-3/31/15) (RW Exp South/Bolling Circle)	563.00
65	Strahm Communications	West Marin Spring 2014 Water Quality Report (100) (\$393) & Postage for 2014 West Marin Summer Waterline	581.97
66	Terryberry	Service Awards (4)	414.94
67	Thomas Scientific	Petri Dishes (600)	180.54
68	Township Building Services	May Janitorial Services	1,588.84
69	Ultra Scientific	Mineral Sample (Lab)	240.50
70	United Site Services	Porta-Potty Rental (6/3 - 6/30/14) (Shields Lane)	156.09
71	USA BlueBook	Disposable Wipes (1,568) (STP)	145.71

Seq	Payable To	For	Amount
72	U.S. Bank Credit Card	AWWA W2C/Whole Water Conference (DeGabriele) (\$395), Standard Plans Const Book (\$111) (McIntyre), Autoclave Bearing Spacer (\$52) (Lab), Calf Build Code Book (\$369) (McIntyre), Temp Position Posting (\$75), Standards Specs Book (\$67) (Mulliner), ACWA Region 1 Conf Registration Fee (DeGabriele & Bentley) (\$140), Digital Measuring Wheel (\$98) (Eng), Mice (2) (Adm & Eng) (\$83), Notary Supplies (\$16) & Sawzall Blades (2) (\$264)	1,569.49
73	U S Department of Commerce	Annual Drought Loan Principal & Interest (West Marin) (\$2,703) & Annual Drought Loan Principal & Interest (Novato) (\$18,424)	21,127.17
74	Wiley Price & Radulovich	Counsel Re: 15 Gustafson Ct., Domestic Partner Question & Discipline	163.00
75	Wilson Bohannan	Brass Locks (40)	326.16
76	Winzer	Bolts, Nuts Wire Connectors for Auto Shop	58.92
77	Wood, Beth	Novato "Cash for Grass" Program	200.00
78	Zimmerman, Danielle & Peter	Novato "Washer Rebate" Program	50.00
		TOTAL DISBURSEMENTS	<u>\$861,313.69</u>

The foregoing payroll and accounts payable vouchers totaling \$861,313.69 are hereby approved and authorized for payment.


Auditor-Controller

6/24/14
Date


General Manager

6/24/2014
Date

DISBURSEMENTS - DATED JULY 3, 2014

Date Prepared: 7/1/14

The following demands made against the District are listed for approval and authorization for payment in accordance with Section 31302 of the California Water Code, being a part of the California Water District Law:

Seq	Payable To	For	Amount
1	Alliance for Water Efficiency	Annual Membership Dues Renewal (7/14-7/15) (Budget \$220)	\$500.00
2	All Star Rents	High Weed Wacker Rental (1 Day)	174.94
3	AT&T	Telephone Charges: Leased Lines	63.30
4	Automation Direct	RTU Parts	1,356.00
5	Baker, Jack	June Director's Fee	600.00
6		Vision Reimbursement	388.93
7	Bold & Polisner	Brown Act (\$53), Electronic Bidding (\$111), Gustafson Ct Home (\$37), Public Records Act (\$35), O.M. Rate Increase (\$265), Rudnick Estates (\$93), RW South Ph 1b (\$836) & SCWA (\$71)	1,500.50
8	Brodnik, Robert	Novato "Cash for Grass" Program	400.00
9	Buerger, Robert	Novato "Washer Rebate" Program	50.00
10	California State Disbursement	Wage Assignment Order	1,018.50
11	CalPERS	Health Insurance Premium (Employees \$52,712, Retirees \$10,105 & Employee Contrib \$9,860)	72,677.51
12	Caniglia, Steve	Novato "Toilet Rebate" Program	100.00
13	Core Utilities	Consulting Services: May IT Support: (\$5,000), Program New Replacement RTU for Tahiti Way Lift Station, Reprogram Trumbull, Center & Wildhorse RTU's (\$4,700), Troubleshoot CT Alarm (\$50) (STP), Convert Water Use Chart on Bills to GPD, Modify Utility Billing Log-in Status (\$675), Added RFP/Bid Notices to Website, Created Water Quality Report URL/Revise Web Page, On-line Payment Web Page Revision (\$650) & Lockbox & On-Line Payment Calculator (\$550)	11,625.00


Seq	Payable To	For	Amount
14	CPI International	Standards (Lab)	187.97
15	Environmental Express	Endo Broth & Lead Standard (\$103) (Lab)	206.80
16	Environmental Science Assoc	AEEP B3 Phase 1a/Tree Removal Project	15,383.07
17	Everson, Nori	Novato "Cash for Grass" Program	151.50
18	Ferrando, Greg & Doris	West Marin "Washer Rebate" Program	50.00
19	Fisher Scientific	Potassium Iodide (\$220) (STP) & Temperature Calibration Strips (25) (Lab)	362.05
20	Fraites, Rick	June Director's Fee (\$600) & North Bay Watershed Association on 6/6/14 (\$200)	800.00
21	Arthur J. Gallagher	FY15 Excess Workers' Comp Ins Premium FY15 (\$50,708), FY15 Property, Excess Liability, Public Officials Errors & Omissions, Employee Fidelity & Auto Physical Damage (\$86,956) & FY15 Cyber Liability (\$8,244)	145,907.62
22	Gates, John	Novato "Washer Rebate" Program	50.00
23	Gause, Cleoni	Vineyard Road Maintenance (Stafford Watershed)	393.00
24	Grainger	Tank Overflow Switches (6) (\$332), 'D' Batteries, Tarp (3) (\$64), Screwdrivers (3), Sockets (2), Bayonet Filters (12) (\$85), Cat 5 Cable Ends, Thread Cap Handle, Hex Cap Screws (2) (\$41) & Hex Nut	666.70
25	Groeniger	Couplings (2) (\$83), PVC Pipe (140) (\$2,358) & 14" Steel Pipe (60) (\$7,194)	9,634.40
26	Harris and Associates	AEEP B1 Pipe Inspection & Testing Services (Balance Remaining on Contract \$19,538)	2,806.00
27	Hedgpeth, Joel	Novato "Toilet Rebate" Program	100.00
28	Hertz Equipment Rental	Excavator Bucket Rental (5/5-6/4/14) (\$4,699), Fire Hose Rental (5/6-5/22/14) (\$326), Compactor Rental (\$643) & Storage Tank Rental (5/6-6/5/14) (\$3,265)	8,934.69
29	Irish & Son Welding	Welding Services (Smart Crossing @ Hanna Ranch) (Balance Remaining on Contract	1,320.00

Seq	Payable To	For	Amount
30	Jim-n-i Rentals	Shield (\$1,113), Sling (\$140) & Steel Plate Rental (\$667)	1,920.80
31	Kaiser Foundation Health Plan	DOT/DMV Physical (Sjoblom)	70.00
32	Kemp, Daniel	Novato "Toilet Rebate" Program	200.00
33	Lab Support	Temporary Staffing Due to Pregnancy Leave (Lab) (23 hrs) (Balance Remaining on Contract \$10,511)	945.00
34	Lincoln Life	Deferred Compensation PPE 6/30/14	12,920.87
35	Los Robles Mobile Home Park	Novato "Washer Rebate" Program	50.00
36	Maltby Electric	1 1/2" PVC Conduit (150)	93.10
37	Marin County	Certified Mail Fee-Hardiman Const 6" AC Pipe Damage - Small Claims Court	15.00
38	McLellan, WK	Misc Paving (\$2,319) & Asphalt Patch Paving @ Santana, Topaz & Albatross (\$16,355)	18,674.39
39		Cafeteria Plan: Uninsured Medical Reimbursement	401.00
40		Vision Reimbursement	368.00
41	McMaster-Carr Supply	Capacitors for Pump Motor (2), Bolts (2) & Lock	46.86
42	Moss, Teresa	Novato "Toilet Rebate" Program	200.00
43	Mutual of Omaha	July Group Life Ins Premium	709.41
44	National Safety Council	Membership Renewal (Clark) (8/14-7/15) (Budget \$380)	395.00
45	Nationwide Retirement Solution	Deferred Compensation PPE 6/30/14	1,025.00
46	Pace Supply	Garlock Gaskets (27)	75.25
47	Pape Material Handling	Throttle Cable ('01 Forklift) (2)	133.90
48	ParcelQuest	Parcel Data Informative CD with Semi Annual Update - Sonoma & Marin Counties (7/14-6/15) (Budget \$770)	753.84
49	Perez, Jess	Novato "Washer Rebate" Program	50.00

Seq	Payable To	For	Amount
50	Personnel Concepts	Subscription Renewal (\$248) (Landeros) (7/14-6/15) (Budget \$220) & Labor Law Posters (3)	336.13
51	PES Environmental	Consulting Services: Gallagher Ranch Hydraulic Design Plan (Balance Remaining on Contract \$4,991)	918.75
52	Peterson Trucks	Replacement Dump Truck (\$107,328) (Budget \$115,000), Fuel Filter, Air Filter & Oil Filter ('02 Dump Truck)	107,435.14
53	Petterle, Stephen	June Director's Fee	600.00
54	PG&E	Panel Meter Relocation (4900 Redwood Hwy-Petaluma) (AEEP - Caltrans Reimbursable)	41,225.58
55	Red Wing Shoe Store	Safety Boots (Bynum) (Less Credit Received \$105 for Return of Damaged Boots)	135.67
56		Cafeteria Plan: Childcare Reimbursement	208.33
57		Cafeteria Plan: Childcare Reimbursement	310.51
58	Rodoni, Dennis	June Director's Fee (\$600) & WAC/TAC Meeting on 6/2/14 (\$200)	800.00
59	Rolling Hills Club	Novato "Cash for Grass" Program	1,719.00
60	Roy's Sewer Service	Sewer Line TVing & Smoke Testing @ O.M. (Total Project Cost \$9,440)	4,720.00
61	Schoonover, John	June Director's Fee (\$600) Less Deferred	550.00
62	Sequoia Safety Supply	Safety Vests (2)	46.83
63	Shamrock Materials	Smart Crossing Hanna Ranch Controlled Density Fill (Balance Remaining on Contract \$2,903)	1,570.74
64	Sonoma County Water Agency	Correction of July-April Contract Water Charge	37,996.26
65	Soroptimist International of Novato	Annual Dues (Young) (7/14-12/14) (Budget \$180)	175.00
66	SPG Solar	Energy Delivered Under Solar Services Agreement (5/1-5/31/14)	14,399.87
67	Stompe, Brad	Exp Reimb: Lunch with DPH Staff & Safety Snacks	58.49

Seq	Payable To	For	Amount
68		Cafeteria Plan: Uninsured Medical Reimbursement	45.00
69	Strahm Communications	Novato 2014 Water Quality Report (750)	1,227.48
70	Univar	Ferric Chloride (16,442 lbs) (STP)	5,909.17
71	Van Bebber Bros	3/16" Plate (15" X 15")	124.72
72	Verizon California	Telephone Charges: Leased Lines & DSL	539.93
73	Verizon Wireless	June CIMIS Station Data Transfer Fee	26.30
74	Walker, Jeanne	Novato "Washer Rebate" Program	50.00
75	Young, Katie	Exp Reimb: June Mileage	44.13
		TOTAL DISBURSEMENTS	<u>\$537,628.93</u>

The foregoing payroll and accounts payable vouchers totaling \$537,628.93 are hereby approved and authorized for payment.

 _____
 Auditor-Controller Date 7/1/14

 _____
 General Manager Date 7/1/2014

NORTH MARIN WATER DISTRICT CHECK REQUEST

PAYEE RICK FRAITES	
50 Forrest Rd	DATE <u>06/17/14</u> (TODAY'S DATE)
Novato, CA 94947	AMOUNT: \$200.00

I attended the North Bay Watershed Association on 06/06/14
(NAME OF MEETING OR WORKSHOP) (DATE OF MEETING)

and wish to be compensated as provided under the Board Compensation Policy.

Rick Fraites
SIGNATURE

CHARGE TO: 56001-01-11

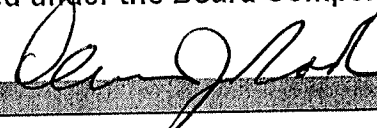
<p>DISPOSITION OF CHECK</p> <p><input checked="" type="checkbox"/> MAIL TO PAYEE</p> <p><input type="checkbox"/> HOLD FOR _____</p> <p><input type="checkbox"/> OTHER _____</p> <hr/> <p>APPROVED TO PAY BY _____</p> <p style="font-size: small; margin-top: 20px;">T:\FORMS\CHECK REQUEST FOR BOARD.DOC REV. 0213</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; padding: 2px;">Prepared By</td> <td style="width: 15%; padding: 2px;">Accounting Review</td> <td style="width: 15%; padding: 2px;">POST DATE</td> <td style="width: 15%; padding: 2px;">Vendor No.</td> <td rowspan="2" style="width: 40%; text-align: center; padding: 5px;"> </td> </tr> <tr> <td style="height: 20px;"></td> <td style="height: 20px;"></td> <td style="height: 20px;"></td> <td style="padding: 2px;">FRAI02</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <th style="width: 30%; padding: 2px;">Invoice Number (CK Req ID)</th> <th style="width: 20%; padding: 2px;">Invoice (CK Req) Date</th> <th style="width: 50%; padding: 2px;">Invoice (CK Req) Amount</th> </tr> <tr> <td style="padding: 2px;">CKRQ</td> <td style="padding: 2px;"></td> <td style="text-align: right; padding: 2px;">\$200.00</td> </tr> </table> <div style="border: 1px solid black; height: 100px; margin-top: 5px; padding: 2px;"> <p style="font-size: small; margin-top: 0;">NMWD Comment</p> </div> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 30%; padding: 2px;">Job Number</th> <th style="width: 40%; padding: 2px;">GL Account</th> <th style="width: 30%; padding: 2px;">Amount</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;"></td> <td style="text-align: center; padding: 2px;">56001-01-11</td> <td style="text-align: right; padding: 2px;">\$200.00</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px;"></td> <td style="padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px;"></td> <td style="padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;"></td> <td style="padding: 2px;"></td> <td style="padding: 2px;"></td> </tr> <tr> <td colspan="2" style="text-align: right; padding: 2px;">TOTAL</td> <td style="text-align: right; padding: 2px;">\$200.00</td> </tr> </tbody> </table>	Prepared By	Accounting Review	POST DATE	Vendor No.					FRAI02	Invoice Number (CK Req ID)	Invoice (CK Req) Date	Invoice (CK Req) Amount	CKRQ		\$200.00	Job Number	GL Account	Amount		56001-01-11	\$200.00										TOTAL		\$200.00
Prepared By	Accounting Review	POST DATE	Vendor No.																															
			FRAI02																															
Invoice Number (CK Req ID)	Invoice (CK Req) Date	Invoice (CK Req) Amount																																
CKRQ		\$200.00																																
Job Number	GL Account	Amount																																
	56001-01-11	\$200.00																																
TOTAL		\$200.00																																

NORTH MARIN WATER DISTRICT CHECK REQUEST

PAYEE DENNIS RODONI	DATE <u>6 2 14</u>
P.O. Box 872	(TODAY'S DATE)
Pt. Reyes Station, CA 94956	AMOUNT: \$200.00


I attended the WAC/TAC meeting in SROSA on 6 2 14
(NAME OF MEETING OR WORKSHOP) (DATE OF MEETING)

and wish to be compensated as provided under the Board Compensation Policy.



 SIGNATURE

CHARGE TO: 56001-01-11

DISPOSITION OF CHECK <input type="checkbox"/> MAIL TO PAYEE <input type="checkbox"/> HOLD FOR _____ <input checked="" type="checkbox"/> OTHER: <u>ACH PAYMENT</u>	Prepared By	Accounting Review	POST DATE	Vendor No.	 <small>NORTH MARIN WATER DISTRICT</small>																
				RODO01																	
	Invoice Number (CK Req ID)	Invoice (CK Req) Date	Invoice (CK Req) Amount																		
	CKRQ		\$200.00																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 80%;">NMWD Comment</th> <th style="width: 20%;"></th> </tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>						NMWD Comment															
NMWD Comment																					
APPROVED TO PAY BY <small>T:\FORMS\CHECK REQUEST FOR BOARD.DOC REV. 0213</small>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">Job Number</th> <th style="width: 30%;">GL Account</th> <th style="width: 30%;">Amount</th> </tr> </thead> <tbody> <tr> <td></td> <td style="text-align: center;">56001-01-11</td> <td style="text-align: right;">\$200.00</td> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr> <td colspan="2" style="text-align: right;">TOTAL</td> <td style="text-align: right;">\$200.00</td> </tr> </tbody> </table>			Job Number	GL Account	Amount		56001-01-11	\$200.00										TOTAL		\$200.00
Job Number	GL Account	Amount																			
	56001-01-11	\$200.00																			
TOTAL		\$200.00																			
<small>t:\finance\accounts payable\paytag.xls\sheet1 Rev. 0510</small>																					

DISBURSEMENTS - DATED JULY 10, 2014

Date Prepared: 7/8/14

The following demands made against the District are listed for approval and authorization for payment in accordance with Section 31302 of the California Water Code, being a part of the California Water District

Seq	Payable To	For	Amount
P/R*	Employees	Net Payroll 6/30/14 PPE	\$115,841.93
EFT*	US Bank	Federal & FICA Taxes 6/30/14 PPE	50,001.36
EFT*	State of California	State Taxes & SDI 6/30/14 PPE	8,832.72
EFT*	US Bank	June Credit Card Fees	1,788.84
EFT*	US Bank	Quarterly Bank Analysis Charge (Less \$3,725 Credit)	451.54
1	Able Tire & Brake	Tires (2) ('09 Peterbilt)	791.04
2	Alpha Analytical Labs	Lab Testing	220.00
3	Athens Administrators	July Workers' Comp Admin Fee	1,000.00
4	AT&T	June Internet Service @ PRTP	70.00
5	Automation Direct	RTU Network Switches (4)	396.00
6	Backflow Distributors	Freeze Protection Bag for Fire Service (36" x 36")	303.19
7	Bay Alarm	Quarterly Fire Alarm Monitoring Fee (STP) (7/1-9/14)	322.08
8	Buck's Saw Service	Weed Eater Line (782')	59.94
9	Business Card	Display Ad: Initiation for Atherton Tank Bid (\$468) (Engineering) & Water Conservation Marketing (\$29)	497.43
10	Calif Dept of Toxic Substance	Annual Fee for EPA Verification (Shipping Hazardous Waste Material)	150.00
11	CalPERS Retirement System	Pension Contribution PPE 6/30/14	47,663.73
12		Vision Reimbursement	164.25
13		Vision & Cafeteria Plan: Uninsured Medical Reimbursement	674.98
14	DeAvila, Joseph	Novato "Toilet Rebate" Program	100.00

Seq	Payable To	For	Amount
15	DeGabriele, Chris	Exp Reimb: June Mileage	33.60
16	Downtown Ford Sales	F250 4X4 & F150 4X2 (Budget \$58,000)	44,806.66
17	Evans, Darlene	Novato "Toilet Rebate" Program	100.00
18	Golden Gate Petroleum	Gasoline (\$3.80/gal) & Diesel (\$3.76/gal)	3,204.76
19	Grainger	Hex Cap Screws (3) (\$72), Tie Down Chain Hooks (4) (\$165), Chainsaw Blades (3), Socket Adaptor, Reciprocating Blades (2) (\$68) & Tool Tote	333.61
20	Hertz Equipment Rental	Dump Truck Rental (5/12-6/11/14)	1,362.50
21	International Dioxide	Hydro Valve Kit (\$164), Gasket & Hydro Upper Body (\$218) (STP)	475.52
22	Jim-n-i Rentals	Shoring Shield & Sling Rental (Shields Lane)	598.68
23	Journey Ford/Lincoln	Brake Pads, Grease Seals (\$285) ('05 Ford Ranger), Brake Hardware, Bed Mat (2) (\$262), Brake Caliper Pins (2) (\$84), Seat Foam & Cover Assembly (\$482) ('10 F150), Thermostat, Gasket, Radiator Hose & Thermostat Housing (\$62)	1,285.53
24		Vision Reimbursement	268.11
25	Maltby Electric	Conduit Elbows (11), Coupling & 1 1/2" Strut Clamps (30) (\$57)	102.03
26	Metrohm USA	Guard Column for IC Instrument (Lab)	255.59
27	Nerviani's Backflow	Contract Testing for Fireman's Fund R.P. Devices	90.00
28	North Marin Auto Parts	Transmission Filter, Air Filter (2), Oil Filter, 2 Cycle Oil, Epoxy, Shop Rags (6 lbs) (\$120), Epoxy Repair Putty, Electric Brake Controller, Circuit Breaker, Wire Socket, Fuse, Fuse Holder, Automotive Wire Set, Wheel Chock (\$50), Hand Oiler, Paint, Windshield Washer Pump, Retainer Clips for Door Panel, Alternator (\$200) ('04 Chevy Silverado) & Heater Hose	733.89
29	North Bay Gas	Carbon Dioxide, Nitrogen (\$458) (STP), Oxygen, Acetylene (Lab) (\$407) & Cylinder Rental (\$116)	1,063.17
30	Novato Builders Supply	Concrete (2 yds/with Cart) (\$299), Bolts (4), Nuts (4) & Lumber	319.25

Seq	Payable To	For	Amount
31	Novato Sanitary District	Recycled Water - April 2014	5,590.11
32	NTU Technologies	Anionic Polymer Emulsion (2,250) (STP)	3,622.50
33	Pace Supply	3/4" Couplings (72)	1,326.70
34	Pascoe, Kira	Novato "Washer Rebate" Program	50.00
35	Peterson Trucks	Cabin Air Filters (4) ('12 Dump Truck)	110.98
36	Protection Engineering	Coal Tar Tape (6" X 50') (48)	1,588.44
37	Red Wing Shoe Store	Safety Boots (Castellucci)	153.79
38		Cafeteria Plan: Uninsured Medical Reimbursement	156.74
39	Sebastopol Bearing & Hydraulic	Bearings (3)	123.29
40	Shirrell Consulting Services	June Dental Expense	4,694.00
41	Sonoma County Water Agency	District Allocation of FY15 North Bay Water Reuse Authority Budget	61,076.00
42	Steel Structures Painting Council	Membership Renewal (McIntyre) (7/14-6/15) (Budget \$100)	95.00
43	Tharsing, Tom	Novato "Cash for Grass" Program	400.00
44	Thomas Scientific	Cylinder Holders (10), Safety Gloves (2,000) (\$173) & Petri Dishes (3) (\$65) (Lab)	289.81
45	Verizon Wireless	Cellular Charges: (5/23-6/22) Data (\$106) & Airtime (\$114)	220.08
		TOTAL DISBURSEMENTS	<u>\$363,859.37</u>

The foregoing payroll and accounts payable vouchers totaling \$363,859.37 are hereby approved and authorized for payment.



Auditor-Controller

7/7/14

Date



General Manager

7/8/2014

Date

MEMORANDUM

To: Board of Directors

Date: July 11, 2014

From: Drew McIntyre, Chief Engineer



Subject: 2014 West Marin Water System Master Plan – Comments to Administrative Draft

R:\Folders by Job No\8000 jobs\8600st\8687 (West Marin)\8687.01 WM Master Plan Update 2013_14\BOD Memos\2014 WM Master Plan BOD Memo.doc

RECOMMENDED ACTION: Information only

FINANCIAL IMPACT: None

At the June 24, 2014 meeting staff provided the Board with the West Marin Water System Master Plan Administrative Draft. An oral presentation was also provided to highlight the critical elements and provide key background information contained within the report. At that time, staff requested receipt of final Board comments no later than the July 15 regularly scheduled Board meeting. Upon receipt of any comments from the Board staff will final the 2014 West Marin Water System Master Plan and return back to the Board for adoption (tentatively scheduled for the August 19, 2014 meeting).

MEMORANDUM

To: Board of Directors

July 11, 2014

From: David L. Bentley, Auditor-Controller

Subj: Information - 2015 Medical Plan Cost Decrease
t:\acl\word\personnel\health\health ins cost increase 2015.docx

RECOMMENDED ACTION: Information Only

FINANCIAL IMPACT: \$33,800 (3%) Decrease in 2015 Group Medical Insurance Contribution

CalPERS has released the 2015 medical insurance premium amounts negotiated with its providers. The NMWD Employee Association MOU provides for a District contribution of up to \$3,830 per year¹ to the CalPERS Health Plan. In addition, the District contributes \$137 plus 85% of the Kaiser Basic Medical Plan premium amount, based upon each employee's family status (single, couple, or two or more dependents), less \$3,830¹, into each employee's cafeteria plan account. Effective January 1, 2015, the Kaiser premium amount will decrease 3.8%. This is the first decrease in the past 18 years.

Ten employees have alternative medical insurance coverage for their family and have opted-out of the District's group medical plan, saving the District \$38,300 in foregone medical insurance contributions to CalPERS. These ten employees will see a 2% decrease in the District's contribution to their cafeteria plan, which all have elected to receive as taxable income.

The District's 2015 obligation toward employee medical insurance will be \$797,500, a decrease of \$32,200 (3.9%) from the current year.² This 3.9% decrease compares to a 9.3% budgeted increase.

The District's labor agreement also provides for a contribution toward retiree medical insurance. Retirees between age 55 and 65 with more than twelve years of service receive up to 90% of the Kaiser 2-party premium amount³. All other annuitants receive up to the amount contributed on behalf of employees (\$3,830). There are 32 annuitants participating in the District's group medical plan, down from 35 one year ago. Twenty of the annuitants retired prior to the 2005 labor agreement that enhanced the retirement plan to 2.5% at age 55 and capped the retiree medical benefit at \$3,830 per year. The District continues to honor the higher medical benefit amount promised to the twenty pre-2005 annuitants who do not benefit from the enhanced retirement plan. The District's 2015 cash outlay for retiree medical insurance will be \$163,000, an increase of \$1,600 (1%).⁴

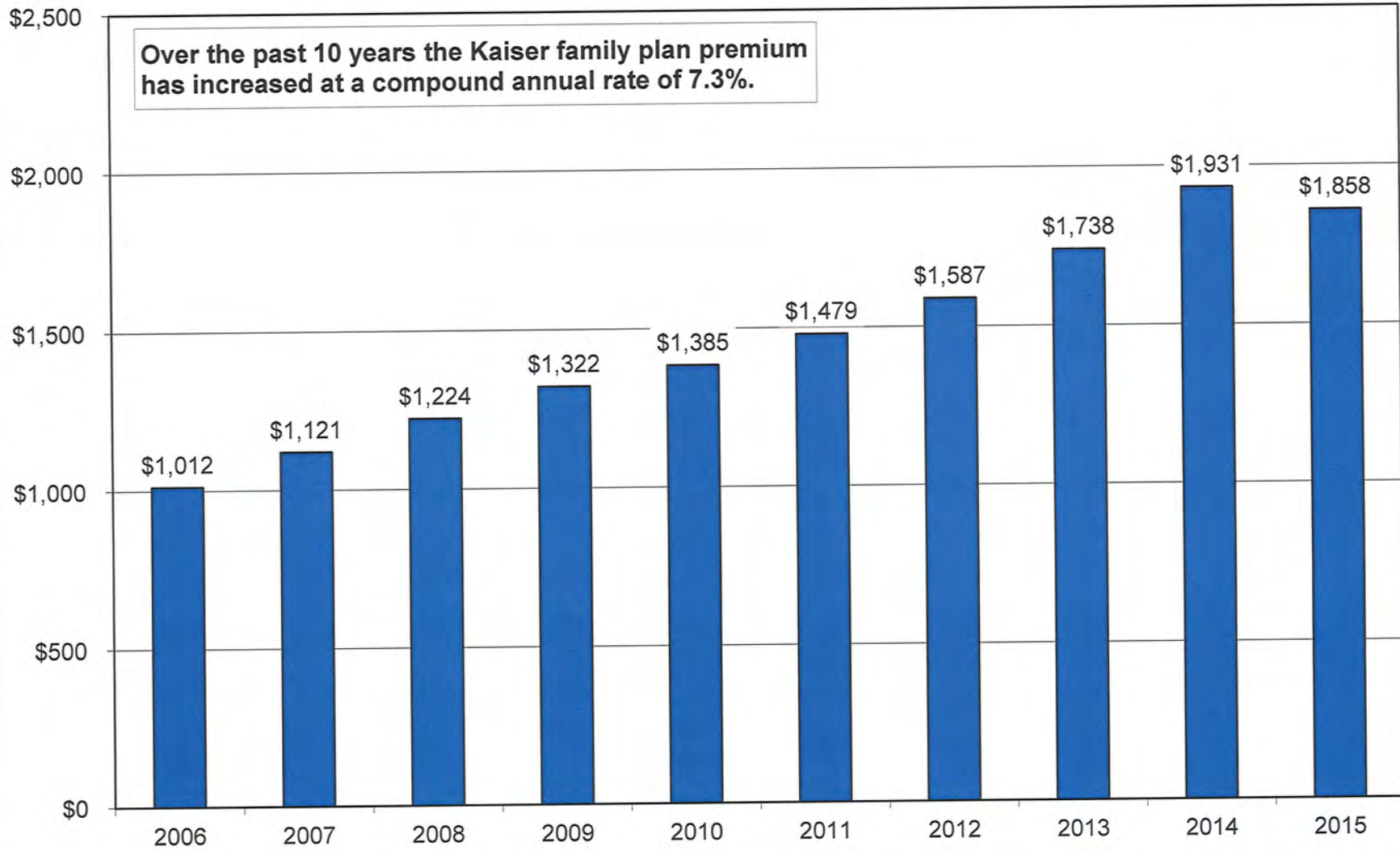
¹ Proportionate to the employee's full-time equivalent (FTE) status.

² Based on the budgeted employee demographic.

³ Employees retiring subsequent to the 2012 MOU receive up to 85% of the Kaiser 2-party premium amount.

⁴ Based on the current retiree population.

CalPERS Kaiser Health Plan Monthly Family Premium



MEMORANDUM

To: Board of Directors
 From: Dianne Landeros, Accounting Supervisor *DL*
 Subject: Information: Scrap Metal Receipts
t:\finance\memos\bod scrap metal receipts fy14.doc

July 11, 2014

RECOMMENDED ACTION: None
FINANCIAL IMPACT: \$6,242 Receipts

Periodically, staff sells scrap aluminum, copper, iron, and brass to recyclers of metal materials. The following table shows what scrap metals were sold last fiscal year ended June 30, 2014 and the amount the District received for them.

Date	Description	Amount Received
7/16/2013	<i>Steel Mill Supply of Napa</i> 15,860 lbs. Iron ⁴ (\$0.12/lb)	\$1,546.35
9/2/2013	<i>World Wide Recycling Industries</i> 330 lbs. Copper ¹ (\$2.40/lb) 232 lbs. Brass ² (\$1.25/lb) 636 lbs. Dirty Brass ³ (\$.50/lb)	\$1,400.00
2/20/2014	<i>World Wide Recycling Industries</i> 167 lbs. Copper ¹ (\$2.25/lb) 191 lbs. Brass ² (\$1.14/lb) 547 lbs. Dirty Brass ³ (\$.50/lb)	\$916.59
3/4/2014	<i>Steel Mill Supply of Napa</i> 10,510 lbs. Iron ⁴ (\$0.09/lb)	\$893.35
4/2/2014	<i>Steel Mill Supply of Napa</i> 8,930 lbs. Iron ⁴ (\$0.09/lb)	\$759.05
6/30/2014	<i>Steel Mill Supply of Napa</i> 5,140 lbs. Iron ⁴ (\$0.09/lb) 116 lbs. Copper ¹ (\$2.30/lb) 8 lbs. Plumbing Copper ⁵ (\$1.25/lb)	\$726.55
	TOTAL FY14	\$6,241.89

¹Copper was comprised of used pipe pieces pulled from the ground and short pieces of new pipe.
²Brass was comprised of old water meters.
³Dirty brass was old check valves.
⁴Iron was old metal scrap iron, pipe, valves, fittings, brake rotors, fire service lids, truck bed
⁵Soldered fittings

MEMORANDUM

To: Board of Directors
From: David L. Bentley, Auditor-Controller
Subj: Damage to District Facilities
t:\aclword\memo\14\damage to facilities history.docx



July 11, 2014

RECOMMENDED ACTION: Information

FINANCIAL IMPACT: None

Director Baker inquired as to the District's success rate in collecting reimbursement for damages incurred to District facilities. The attached schedule from January 2008 through June 2014 shows that there were only three invoices in the past 6.5 years that proved uncollectable.

There were 73 incidents of damage to District facilities that occurred over the 6.5 year period, costing \$164,000. The average number of incidents per year was eleven, and the average annual cost was \$25,000.

The attached schedule details all 25 incidents wherein the District was unable to obtain reimbursement, all but three of which were never invoiced, as investigation indicated the District had some complicity in the event, or the damage was incurred in a hit and run incident where the perpetrator was never identified.

Overall, the District successfully collected reimbursement for 2/3 of the damage amount incurred. For analysis, the incidents where collection was unsuccessful have been divided into three categories:

Category	Uncollectable Incidents over 6.5 Year Period	Avg Annual Damage Amount Absorbed (Written-Off)	% of Total Annual \$ Write-Off
Hit and Run	14	\$4,000	46%
District Error Involved	8	\$3,700	43%
Invoiced - Uncollectable	3	\$1,000	11%
Total	25	\$8,700	100%

Uncollectable Invoices & Unreimbursed Damage to Facilities

January 2008 through June 2014

6/30/14

t:\finance\invoices written off.xlsx|jan 2008-june 2014

Damage to Facilities - Written-Off as Uncollectable

Invoice #	Write-off Date	Amount	Reason Invoice Written-Off	
1	11357	5/22/08	\$5,378	Claim for damaged hydrant. Perpetrator moved without a forwarding address.
2	11447	12/2/08	298	Claim for damage to service - non-responsive - sent to collection
3	11933	12/28/10	706	2" Main-Center Rd Damaged by backhoe - Main incorrectly marked
		Total	\$6,382	
		Annual Average	\$1,000	

Damage to Facilities - Never Invoiced - Hit & Run

Job#	Date	Amount	Description	
4	1.1066.08	4/17/08	\$495	Hangar Ave-Stolen Hydrant Caps
5	1.1073.08	6/15/08	\$569	Damaged Service-12 Van Buren Ct-Hit & Run
6	1.1092.09	11/25/08	1,044	Damaged Hydrant-Vineyard Rd-Hit & Run
7	1.1098.09	4/3/09	671	Damaged Hydrant-Marion Ave-Hit & Run
8	1.1009.10	9/30/09	740	Damaged Hydrant-Valley View Ct-Hit & Run
9	1.1022.10	6/20/10	2,357	Damaged Hydrant-Alameda Del Prado-Police interviews unsuccessful
10	1.1025.11	7/22/10	615	Damaged Main by trenching-Cannot locate contractor responsible
11	1.1032.11	10/30/10	4,846	Damaged Hydrant-1000 Cambridge-Hit & Run
12	1.1034.11	12/20/10	2,537	Damaged Service/Stolen PRV-Fireman's Fund-Vandals
13	1.1036.11	12/24/10	905	Damaged Hydrant-Ignacio/Entrada-Hit & Run
14	1.1042.12	9/9/11	3,542	Damaged Hydrant-1381 Joyce St-Hit & Run
15	1.1053.12	5/30/12	3,622	Damaged Hydrant-809 Diablo Ave-Hit & Run
16	1.1072.13	2/25/13	131	Damaged Backflow-Redwood & Susan-Hit & Run
17	1.1107.14	3/26/14	3,772	Damaged Hydrant-Indian Valley & Indian Springs-Hit & Run
		Total	\$25,844	
		Annual Average	\$4,000	

Damage to Facilities - District Responsibility - Charged Off to Expense

Job#	Date	Amount	Description	
18	1.1054.12	6/11/12	\$676	Damaged 3/4" K Service-775 Olive Ave.-Not contractor's responsibility
19	1.1055.13	7/10/12	17,161	Damaged 16" Main @ Bolling & Kelly Dr-Not contractor's responsibility
20	1.1061.13	10/15/12	2,358	Damaged TM Cable-Bolling Circle-Written off to maint of telemetering equip
21	1.1070.13	2/12/13	1,437	Dig In -PG&E - written off to main of mains-mismarked
22	1.1075.13	3/29/13	190	Damaged Service-Hamilton Dr-No recollection by Const Superintendent
23	1.1077.13	4/30/13	745	Buried Valve Riser-Main Gate-negotiated trade with contractor
24	1.1094.14	10/17/13	113	Repair Damaged Svc-written off to maint of meters
25	1.1106.14	2/6/14	1,115	Repair 2" Svc; mis-marked per Const Supt, move to maint of mains
		Total	\$23,794	
		Annual Average	\$3,700	



P 303.347.6100 F 303.730.0851

www.WaterRF.org

6666 W. Quincy Ave., Denver CO 80235-3098

MOD MISC

RECEIVED

JUN 30 2014

Chris DeGabriele

June 30, 2014

Chris DeGabriele
North Marin Water District
999 Rush Creek Place
Novato, CA 94945-2426

Dear Mr. DeGabriele:

Sonoma County Water Agency recently renewed your 2014 subscription commitment to the Water Research Foundation (WRF). Through the support and participation of organizations such as yours, the utility-focused research sponsored by the Foundation can continue to move forward.

WRF serves as the hub of the biggest international network of water providers, industry consultants and suppliers, universities, laboratories, regulators, and public health agencies focused on safe, available, and affordable drinking water. Your organization plays an important role in this centralized research effort.

As a subscriber to WRF, your organization can participate and use the many benefits available in a number of ways:

- Complete access to the Foundation's research information via the Web site at WaterResearchFoundation.org
- Free research reports and pdfs of reports, published at the completion of each project
- The opportunity to have input into the research agenda
- Access to the Foundation's network of researchers and drinking water experts
- The opportunity to participate in projects or serve on one or more committees that provide ongoing peer review of research
- Complimentary registration at conferences, workshops, and online seminars sponsored by the Foundation
- The opportunity to submit proposals for research projects, including Tailored Collaboration proposals.
- The Foundation's monthly and bimonthly periodicals

As a token of appreciation, we are pleased to send you the enclosed 2014 certificate of participation. You may display it proudly, knowing that you and your organization are part of the water research effort.

If you have any suggestions or questions about WRF and its work, please contact me. We at the Water Research Foundation know subscribers' commitment to WRF remains strong. Water Research Foundation is committed to provide you and the water community with scientifically credible knowledge and a research program that is ever-vigilant of the needs of the water-supply community.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert C. Renner", written over a light blue horizontal line.

Robert C. Renner, P.E., B.C.E.E.
Executive Director

RCR:kcp:68

the regional water quality board. Karl Drexel, the administrator for the district, said the audit wasn't due yet; when it is, in August, it will be submitted. His district, he added, is in the process of working on a capital improvement plan. The Light was unable to reach a BCPUD representative for comment. — *Samantha Kimmey*

New rate hike and fees for NMWD users

North Marin Water District approved a rate hike on Tuesday, effective July 1, which will increase yearly water bills by about five percent, or \$31 for the typical customer. The district says it needs to raise prices to help fund a \$1.25 million project to make its West Marin water treatment plant more efficient. The sand filtration system, which removes iron and manganese from the district's ground water that comes from Lagunitas Creek, must be backwashed to clean out the system and remove clumps that get trapped in the sand. "Essentially the sand plugs up," said the district's chief engineer, Drew McIntyre. But this backwashed water is currently released into the ground. A 100,000-gallon tank and pump system the district plans to build would allow it to store that water; the small particulates will settle to the bottom so they could recover an estimated 250,000 gallons of water a month. (The project is now at the end of the design phase.) The district is also planning to build a \$500,000 concrete water tank on top of a hill in Paradise Ranch Estates. It's postponed replacing a redwood tank destroyed in the Mount Vision fire, but can no longer defer it, officials say, citing emergency water needs. "[The new tank] will meet not so much the operational needs but the emergency needs. In an emergency, we can move the water quickly down the hill," to other tanks, said David Bentley, the acting general manager while the manager is on vacation. The board on Tuesday also approved a "drought surcharge," which will

charge residential customers \$2.50 for every 1,000 gallons of water that exceeds 200 gallons of water use per day during the mandatory water use restriction period that starts in July and requires a 25 percent decrease in use. (Customers already using less than 200 gallons a day are not required to make further reductions.) The district's non-residential customers will pay an extra \$2.50 per 1,000 for all water use. The surcharge is meant to cover the expected decline in revenue when less water is used during the drought, as well as the likely purchase of extra water from Marin Municipal Water District resulting from restrictions on NMWD's water rights during dry summers. — *Samantha Kimmey*

Report finds Marin not prepared for seniors

Preparedness for a "silver tsunami" is the focus of a civil grand jury report released last week, titled "Aging in Marin: What's the Plan?" The report questioned whether the county has done enough to fund social services and develop a financial strategy for a growing contingent of senior citizens. "Marin County is home to more older adults—as a percentage of the population—than any other county in the state," the jury wrote. "If nothing changes more Marin County seniors will fall through the 'safety net,' and find themselves unable to meet their needs for food, housing, transportation and medical care." The federal government provides multiple assistance programs for those below the poverty level of \$15,730 for a couple, but the funding is barely enough for "marginal living" in Marin. Other seniors fall into a gap: they are considered middle-income but watched their retirement plans take a hard hit during the recession and now may need to hire someone to clean, cook or drive. The difficulties are exacerbated in rural West Marin and the southern hills, the jury found. Vast distances complicate in-home care and a lack of infrastructure like emergency medical care or senior housing is forcing some seniors to move over the hill or to San Francisco, said Pam Osborn, the program director for West Marin Senior Services. "Seniors over

the hill can call out for food or take a taxi when they're in trouble, but here we have to find rides and housing," Ms. Osborn said. "We're always looking for ways to keep people out here as long as possible." The nonprofit manages up to 300 clients, two-thirds of whom are at the poverty level for Marin, a staffer told the jury. With the added help of the Marin Community Foundation and fundraisers like the upcoming Holstein 100 bike ride, the group provides home care or referrals, delivers meals for homebound seniors three times each week and assists with transportation for shopping or medical appointments on a shuttle or with drivers. In following up on a 2007 report that found there was a void when it came to having "a real plan" for the increasing elder population, the jury said the situation was no better today. The watchdog group recommended that the county develop a long-term strategic plan, continue to fund nonprofits so there is not a waitlist for services, improve the referral process between agencies, work with nonprofits on outreach and develop a contingency plan for when federal or state funding is cut. — *Christopher Peak*

Supervisors approve budget, without cuts

Marin County supervisors approved a \$490 million budget last week, a 5.8 percent increase from last fiscal year bolstered by a turnaround on the housing market. The budget did not cut any services and gave a 2.8 percent cost-of-living raise to public employees, totaling \$7.3 million. Supervisors approved a 10 percent raise for themselves to bring their salaries to \$109,000. A \$4 million facility improvement program will direct money to repairs for the Woodacre fire station and renovations for West Marin Health and Human Services. Funds also went to subsidize drought relief for farmers and temporary toilets in Point Reyes at \$125,000 each. Additional funds for expanded childcare and fixes to the emergency radio system will be sought at the ballot box in two November measures. Supervisor Steve Kinsey suggested an informal community meeting in September to revisit how the budget is aligning with community needs and spending priorities, particularly

Marin grand jury calls for repair of private laterals

By Richard Halstead

rhalstead@marinij.com @HalsteadRichard on Twitter

POSTED: 06/22/2014 03:37:31 PM PDT

4 COMM

A new Marin County Civil Grand Jury report on the county's 23 sewer agencies recommends that all the agencies require repair of private sewer laterals when properties are remodeled or sold.

The report also advocates the use of treated wastewater, instead of potable water, to flush sewer pipes.

"In a drought period, this is an important water conservation step for Marin," the report says. And the grand jury urges agencies to consider merging or at least working more collaboratively.

The grand jury's first two recommendations coincide with initiatives that have already been launched by several Marin sewer agencies.

On Wednesday, the Ross Valley Sanitary District's Board of Directors voted unanimously to adopt an ordinance requiring that laterals be inspected when properties are listed for sale or prior to issuance of a permit for a remodel valued at \$75,000 or more.

"Based on staff recommendation and an usual consensus on our board, we passed it," said Mary Sylla, president of the Ross Valley Sanitary District board of directors.

Then on Thursday, the Sewerage Agency of Southern Marin's Board of Commissioners also approved unanimously a model ordinance that would require sewer laterals to be inspected prior to the transfer of property title or issuance of a permit for a remodel valued at \$50,000 or more.

Sausalito and Belvedere already require sewer lateral inspections when property is sold.

The grand jury said several district managers told it that the issue of leaky sewer laterals "is as serious as deteriorating pipe network owned by the collection agencies."

That is because during wet winter months a significant amount of rainwater enters through cracks in the privately owned laterals, which connect homes and businesses with sewer main lines. Because that additional water flows to treatment plants, treatment costs are increased significantly.

"It could be on the order of 50 percent of the total flow in a year according to the numbers we looked at within the city of Mill Valley," said Jill Barnes, Mill Valley's director of public works, who oversees the Sewerage Agency of Southern Marin.

"We know that it has a large economic impact," Barnes said. "It also puts us at risk for overflows."

Now that the Sewerage Agency of Southern Marin commissioners have approved the model ordinance, will be sent on for consideration by the boards of the agency's six member districts: Almonte, Alto, Homestead Valley, Richardson Bay, Tamalpais and the city of Mill Valley.

The ordinance is opposed, however, by the Marin Association of Realtors.

Blaine Morris, the association's president, said most real estate agents in Marin are already advising their clients to have their laterals inspected.

"We all know it's a problem," Morris said. "So what this will do — for the most part — is insert bureaucratic oversight into an activity that is already occurring."

In addition, Morris said, the ordinance would be ineffective because it takes about 47 years for housing stock to change hands in Mill Valley.

"If this is such a public health crisis," Morris said, "we feel the Sewerage Agency of Southern Marin should come up with a real plan to solve the problem, instead of a 50-year plan."

The Sewerage Agency of Southern Marin disagreed with MAR's assessment. The agency's staff estimates that 40 percent of Mill Valley homes would be inspected within five years.

In addition to property sales and remodels, the inspection requirement would be triggered whenever the construction on a sewer main or road near a private sewer lateral.

The Marin Association of Realtors made no effort to oppose the Ross Valley Sanitary District ordinance because the ordinance's adoption was required as part of a cease-and-desist order issued by the San Francisco Bay Regional Water Quality Control Board. The order was issued after repeated sewage spills required that the district generate the revenue needed to better maintain its 200 miles of pipe.

As for the grand jury's recommendation that districts boost their use of recycled wastewater for such use as pipe flushing, the Central Marin Sanitation Agency is already in the process of seeking the necessary regulatory permits to do this.

Thomas Gaffney, who was elected to the Ross Valley Sanitary District's board in June and served as its financial consultant from the early 1970s until 2007, says that during the state's last major drought significant amounts of potable water had to be used to flush pipes.

A certain amount of fluid is required to move solid waste through sewer pipes to treatment plants. As people flush their toilets less often to conserve water, the amount of water in the system is reduced.

Jason Dow, manager of Central Marin Sanitation Agency, said, "Historically, wastewater agencies have always gotten meters from the water district and connected up to fire hydrants and filled up their sewer flushing vehicles with drinking water."

West Marin News

20,000 Salmon into the Sea

by Eric Ettlinger

Salmon in California have evolved to follow the seasonal rhythms of wet and dry periods as they migrate between their natal streams and the ocean, and then back again. The fall rains that swell Lagunitas Creek and herald the return of adult salmon to Marin County also encourage young coho salmon to begin their downstream journey to the ocean. In normal years, winter is the time when many of these young salmon migrate from headwater tributaries down to lower Lagunitas Creek, where they transform into silver smolts in preparation for the ocean phase of their life cycle. These smolts wait in the lower creek until April and May before entering the ocean, just in time to take advantage of the spring plankton bloom.

Dry period yields more coho fry

Years 2013 and 2014 have not been normal, however. Fall rains were infrequent and light, and January was the driest on record. The drought caused a significant delay in salmon spawning and resulted in a much smaller coho run than expected. The extended dry period did, ironically, seem to benefit the young salmon preparing to emigrate to the ocean. Many coho fry were unable to migrate downstream until the rain finally arrived in February, which meant that they weren't packed together in lower Lagunitas Creek. The habitat in the lower creek can't support very many young salmon through the winter, which appears to be one of the principal factors limiting the size of the entire coho salmon population. This year, salmon fry spent the winter spread throughout the watershed, and likely spent little time crowded in the lower watershed.

More salmon possible in 2015

The result was the largest emigration of salmon smolts yet seen in Lagunitas Creek. Biologists with the Watershed Stewards Project, the Marin Municipal Water District, the National Park Service, and the Salmon Protection and Watershed Network counted coho smolts every day between late March and early June as they migrated past traps on Lagunitas, Olema, and San Geronimo Creeks. In typical years the lower watershed doesn't appear to be able to support more than approximately 11,000 juvenile coho salmon through the winter. This year nearly 20,000 coho smolts emigrated to the ocean. What does this mean for the future of coho salmon in Marin County? In the short term, if food is abundant in the ocean we could see 2,000 adult coho return to Lagunitas Creek in 2015 (the most in more than half a century). On the other hand, this year's smolts were fairly small and may not survive well. Over the longer term, while we can't recreate this year and prevent coho from migrating to the lower watershed, we can provide more habitat there.

A grant currently being considered by the California Department of Fish and Wildlife would fund the construction of five projects in lower Lagunitas Creek to expand side channels and floodplains for coho salmon winter habitat. Hopefully this grant will be funded and the projects will achieve their goals. As with the seasonal migrations of salmon, we'll just have to wait and see.

Eric Ettlinger is an aquatic ecologist with the Marin Municipal Water District

Noble Endeavor Goes on Hiatus

By Mary Olsen

The core founders of the Foodshed, despite their formidable energy, have reached their tipping point. Having tried six ways to Sunday to get more members to share the workload, Maggie, Molly, Luke, Aaron and Catherine cried "Uncle!" Tuesday night at the Dance Palace 25 rank and file members showed up to hear what changes were afoot for the Foodshed.

Free legal advice in Tomales

Legal Aid of Marin and OneJustice are bringing free legal advice to West Marin this summer to offer much needed help to residents of Tomales and Point Reyes Station.

The special project has been dubbed "The Justice Bus" and carries a team of volunteer attorneys, staff from Legal Aid of Marin and OneJustice staff, who host free clinics.

The first of three clinics was held on June 19th at the Tomales Community Center, where 40 underserved West Marinites were able to get help with employment matters, consumer concerns, landlord-tenant issues.

The next Justice Bus clinic will be held from 10:00 am to 12:00 pm at Tomales Town Hall with the law firm Hanson & Hanson. The final clinic will be held from 5:15 pm on Friday, July 25 at the Dance Palace in Point Reyes Station with the law firm Fenwick & West.

"I half expected to feel judged," said a participant who included volunteer attorneys from the San Francisco Bay Area. "But the attitude of the people organizing this clinic calmed me down. Thank you for the good attention and support. Participant told OneJustice and Legal Aid of Marin."

During the clinics, pro bono attorneys will be available to help with legal issues.



Jenna Finkle and Renee Schomp of OneJustice are providing free legal advice in Tomales. Photo courtesy of Legal Aid of Marin.

answer questions about a wide variety of legal issues including consumer debt and elder law. All events are free.

The Press Democrat

Pam Torliatt drops out of Petaluma council race

By LORI CARTER THE PRESS DEMOCRAT on June 30, 2014, 4:40 PM

Pam Torliatt, a former Petaluma mayor and councilwoman, has bowed out of the November race for council, throwing her support behind two political allies.

Torliatt, 47, announced her intentions to quit the campaign, which she began in 2012, in a Facebook posting over the weekend. She didn't return a call seeking comment Monday.

In her written statement, she said serving on the council amounts to a full-time job.

"After careful consideration of my current business and personal commitments, it is apparent my schedule will not allow me the time to serve our community at the level it deserves," the announcement said.

She said she will support Mayor David Glass in his race against Mike Harris, a three-time councilman, who won't seek reelection to his council seat, but will challenge Glass for the separately elected mayoral position.

Torliatt is also supporting Councilwoman Teresa Barrett in her run for reelection to a third council term.

In addition to the mayor's seat, three council positions are on the ballot: Harris' open seat and those of Barrett and Chris Albertson. Both incumbents will face challenges from Dave King and Ken Quinto.

Torliatt served for 14 years as a council member and mayor before unsuccessfully seeking election to the state Assembly and the county Board of Supervisors. She has been out of public office since 2010.

She is the chief financial officer of Superior Systems, which designs and installs dairy and cheese equipment, and works with her boyfriend in Progressive Pastures, a grass-fed beef operation they started in 2006.

Torliatt said although she won't be running this year, she implied is not leaving the political scene.

"I look forward to serving again, it will just not be in 2014," her statement said.

Torliatt had accumulated about \$6,100 in political contributions since she began fund-raising in late 2012, according to campaign documents through the end of 2013, the most recent available.

You can reach Lori A. Carter at 762-7297 or lori.carter@pressdemocrat.com.

Pam Torliatt, a former Petaluma mayor and councilwoman, has bowed out of the November race for council, throwing her support behind two political allies.

Torliatt, 47, announced her intentions to quit the campaign, which she began in 2012, in a Facebook posting over the weekend. She didn't return a call seeking comment Monday.

BOD MISC

The Press Democrat

State issues new water curtailment orders, plans swifter crackdown on diversions

By GLENDA ANDERSON THE PRESS DEMOCRAT on July 2, 2014, 3:00 AM

State officials on Wednesday issued new water curtailment orders to thousands of users and adopted emergency regulations that allow them to more quickly crack down on people who ignore orders to stop diverting water from drought-stricken rivers and streams, including the upper Russian River.

“Water rights holders who fail to comply with the regulations face immediate fines or administrative actions,” state Water Resources Control Board officials said in a news release.

The action, which included the approval of fines for noncompliant users, came on the second day of board discussion about drought-driven regulations.

During the public hearing the day before, some water users voiced strong objection to the new regulations, particularly measures that allow the state to fine noncompliant users up to \$500 a day without a hearing. Those cited can ask for a hearing after they’re fined.

“Due process doesn’t mean you shoot the person and then give them a trial,” said Robert Mehlhaff, general counsel at Naglee Burke Irrigation District near Tracy, the Sacramento Bee reported.

But state officials said the new regulations were necessary because nearly 70 percent of the 7,910 curtailment orders already issued statewide in the past two months have been ignored.

For affected users, compliance includes responding to the state’s letter providing notice of curtailment.

The state water board began suspending some junior water rights throughout the state in mid-May, citing state law that protects senior water rights when there is not enough supply to meet all water rights.

Users with junior rights in the Sacramento and San Joaquin watersheds were among the first to be notified.

About 650 water rights issued after 1954 on the upper Russian River were suspended in late May. Altogether, there are about 1,250 water rights issued by the state for the upper Russian River, the section north of Healdsburg. Further restrictions are expected.

The orders have forced Russian River-dependent farmers to utilize other water sources, such as wells and reservoirs, and to greatly reduce their water use.

The move — along with the action Wednesday to add punitive measures for non-compliance — have both draw strong opposition from some water users, including agricultural interests.

“We’re talking about people’s livelihoods,” said Paula Whealen, a water rights consultant and principal with Wagner & Bonsignore Consulting Civil Engineers in Sacramento. The firm currently is working with between 75 and 100 farmers on water projects on the Russian River.

The state on Wednesday added the main stem and north fork of the Eel River and its Van Duzen tributary to the growing list of streams under curtailment orders. The north fork of the Eel River originates in Trinity County and a short portion flows through Mendocino County. The Van Duzen River flows through Humboldt and Trinity counties. The main stem Eel River originates in Mendocino County above Potter Valley and flows north to Humboldt County.

It was unclear late Wednesday whether or how the water rights suspensions on the main stem of the Eel River would affect the diversion that shunts water south through a power plant to Potter Valley, then through a series of canals to Lake Mendocino and the Russian River.

You can reach Staff Writer Glenda Anderson at 462-6473 or glenda.anderson@pressdemocrat.com.

State officials on Wednesday issued new water curtailment orders to thousands of users and adopted emergency regulations that allow them to more quickly crack down on people who ignore orders to stop diverting water from drought-stricken rivers and streams, including the upper Russian River.

“Water rights holders who fail to comply with the regulations face immediate fines or administrative actions,” state Water Resources Control Board officials said in a news release.

The action, which included the approval of fines for noncompliant users, came on the second day of board discussion about drought-driven regulations.

During the public hearing the day before, some water users voiced strong objection to the new regulations, particularly measures that allow the state to fine noncompliant users up to \$500 a day without a hearing. Those cited can ask for a hearing after they’re fined.

“Due process doesn’t mean you shoot the person and then give them a trial,” said Robert Mehlhaff, general counsel at Naglee Burke Irrigation District near Tracy, the Sacramento Bee reported.

But state officials said the new regulations were necessary because nearly 70 percent of the 7,910 curtailment orders already issued statewide in the past two months have been ignored.

For affected users, compliance includes responding to the state’s letter providing notice of curtailment.

The state water board began suspending some junior water rights throughout the state in mid-May, citing state law that protects senior water rights when there is not enough supply to meet all water rights.

Users with junior rights in the Sacramento and San Joaquin watersheds were among the first to be notified.

About 650 water rights issued after 1954 on the upper Russian River were suspended in late May. Altogether, there are about 1,250 water rights issued by the state for the upper Russian River, the section north of Healdsburg. Further restrictions are expected.

The orders have forced Russian River-dependent farmers to utilize other water sources, such as wells and reservoirs, and to greatly reduce their water use.

The move — along with the action Wednesday to add punitive measures for non-compliance — have both draw strong opposition from some water users, including agricultural interests.

500 MISC

The Press Democrat

Bay Area governments make big electric-vehicle buy

By ASSOCIATED PRESS on July 8, 2014, 1:01 PM

SAN FRANCISCO — A group of San Francisco Bay Area cities, counties and water agencies has joined forces for what is being billed as one of the largest single government purchases of all-electric vehicles in the country.

The six cities, two counties and two water agencies, including the Sonoma County Water Agency, have gone in together to buy 90 electric vehicles with the help of a \$2.8 million grant from the Metropolitan Transportation Commission, a regional transportation agency, officials with the Bay Area Climate Collaborative said on Tuesday. Some of the vehicles will be on display at a news conference on Tuesday.

The vehicles will save more than \$500,000 in fuel costs and about 2 million pounds of carbon dioxide emissions over five years, Bay Area Climate Collaborative Executive Director Rafael Reyes said.

The collaborative — a public-private partnership started by three Bay Area mayors — developed the proposal for funding that was submitted to the Metropolitan Transportation Commission.

"The Bay Area is clearly in a leadership role here," Reyes said.

The vehicles include the Ford Focus and the Nissan Leaf. The total cost was \$5 million, with the rest of the money coming from funds set aside by the governments and agencies to buy new vehicles.

The 10 governments and agencies are: San Francisco, San Jose, Oakland, Santa Rosa, Fremont, Concord, the Sonoma County Water Agency, Marin Municipal Water District and Alameda and Sonoma counties.

San Jose and three other Bay Area cities bought 50 all-electric vehicles last year, Reyes said.

The all-electric vehicles are a small part of the cities, counties and water agencies' overall fleets. But Reyes said the purchases shows what can be done.

"We're just scratching the surface," he said.

~~SAN FRANCISCO — A group of San Francisco Bay Area cities, counties and water agencies has joined forces for what is being billed as one of the largest single government purchases of all-electric vehicles in the country.~~

~~The six cities, two counties and two water agencies, including the Sonoma County Water Agency, have gone in together to buy 90 electric vehicles with the help of a \$2.8 million grant from the Metropolitan Transportation Commission, a regional transportation agency, officials with the Bay Area Climate Collaborative said on Tuesday. Some of the vehicles will be on display at a news conference on Tuesday.~~

~~The vehicles will save more than \$500,000 in fuel costs and about 2 million pounds of carbon dioxide~~

BOD MISE

Beautiful river, growing thirst, looming battle over the Eel River

By Susan Sward

Special to The Bee

Published: Sunday, Jul. 6, 2014 - 12:00 am

Last Modified: Sunday, Jul. 6, 2014 - 12:12 am

In the third-largest watershed in California, the Eel River rambles through some of the state's most stunning landscape. Nothing about the river, with its clusters of redwoods along its sandy banks, hints at the looming battle over its blue-green water.

In about three years, though, a federal commission will begin reviewing an application by Pacific Gas & Electric Co. to re-license its Potter Valley Project. The project includes a mile-long tunnel that began diverting Eel water to the Russian River more than a hundred years ago.

That Eel water becomes part of the Russian River flow now relied upon by 650,000 people in Mendocino, Sonoma and Marin counties and by farmers in Sonoma and Mendocino counties who irrigate millions of dollars' worth of crops. Water users say the diversion project is vital for them. Environmental groups, however, want the project's two dams removed to restore access to many miles of prime fish-spawning territory on the upper Eel, saying the project's presence undermines recovery of fish in the river.

This license review follows more than a century of harm – including extensive timber harvesting, the Potter Valley Project dams and destruction of an estuary that functioned as a nursery for juvenile salmon. This has imperiled the river's fish: The National Marine Fisheries Service has classified coho salmon, Chinook salmon and steelhead in the Eel as threatened.

“There is nothing quite so bad as preventing the salmon and steelhead from gaining access to their spawning grounds,” Gordon Becker, a senior scientist with the Oakland-based Center for Ecosystem Management and Restoration, told me. “In some cases, political circumstances trump the fish habitat argument for removing a dam, at least for a while, and in those cases we try to do mitigation to leave the fisheries in the best condition we can.”

This is a quintessential California drama. You have two of the state's loveliest rivers, environmentalists, PG&E, water agencies and a growing, thirsty band of powerful urban and agricultural water users.

At the heart of this disagreement is the strikingly beautiful Eel, named by settlers who mistook the river's Pacific lamprey for eels. Though the river is not well known to many Californians because it flows through sparsely populated land in Northern California, the Eel is a mighty waterway: Its watershed includes portions of Lake, Mendocino, Humboldt, Trinity and Glenn counties, and, in all of California, only the Sacramento and San Joaquin rivers' watersheds are larger than the Eel's.

The Potter Valley Project, consisting today of the diversion tunnel and the Cape Horn and Sycamore dams, has been draining water from the Eel River since 1908. The Eel water c



the Russian River amounts to 1.8 percent of the river's flow at its mouth and 22 percent of the Eel's main-stem fork where the water is diverted, according to PG&E. Scott Dam, according to federal estimates, blocks fish from 100 to 150 miles of spawning habitat.

Here is how the diversion project works: It generates little electricity, enough for about 6,900 homes, but delivers Eel water for hundreds of farmers in Potter Valley, about 100 miles north of San Francisco. Downstream, the Russian River – with its infusion from the Eel – is relied upon as a crucial municipal water source for many communities from Mendocino County on the north to Marin County on the south, and as irrigation water for vineyards and other crops in the Russian River Valley.

For a sense of the value of crops in the region, consider this: Sonoma County's 2013 crop production was valued at \$848 million, with wine grapes constituting \$605 million of that total. At the same time, more people have moved to the area: Sonoma County's population is up by 142 percent since 1970, Mendocino County by 71 percent and Marin County by 25 percent.

During the Federal Energy Regulatory Commission review of the project, those affected – including PG&E, cities, irrigation districts, Indian tribes, farmers, vintners, fishermen, ranchers and environmental groups – will be voicing their views. One issue certain to be raised by diversion foes is their argument that the Eel region has never been compensated for its diverted water.

In the tug-of-war, Friends of the Eel wants the project's dams removed on the grounds that they interfere with recovery of the fish population, while water users such as the Sonoma County Water Agency and the Potter Valley Irrigation District oppose removing the dams, arguing it would inflict great economic damage on municipal and agricultural users dependent on the diverted water. Whether there is a way to deal effectively with both concerns will play out in years to come.

Environmentalists tend to see what has happened to the Eel as part of a larger picture.

"The entire state and the West have been re-plumbed to deliver water to people who can pay for it," Becker said. "Environmentalists can't afford to pay for water the fish need, but fortunately the laws of California mandate that fish get the first water."

Becker, whose 2009 study for the California State Coastal Conservancy found the Eel's steelhead and rainbow trout in a perilous state, added: "This issue is more than 100 years old and the proportions of the problem are staggering. Look at this like the canary in the mine. If a stream can't support fish, it can't support other life, including us. That's why we have the Endangered Species Act."

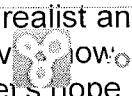
Becker made his comments as I set out to talk to organizations and water experts in an attempt to assess whether the project is headed for litigation or a possible compromise.

My look into the conflict over the Eel was prompted by my admiration for the river: Since the 1990s, I have camped with my family in state parks along the river. I know how the Eel looks at dawn, dusk and midnight. I know how cold its deep pools are on a hot summer day. And if I close my eyes, I can hear the river's murmurings.

Like me, I wish the diversion project had never been built. But I am a realist and I know those who doubt the diversion will be halted completely, given how vital municipal and agricultural entities have come to depend on it. So let's hope



Friday, The Bee's Award-winning News Coverage



the federal relicensing process – leading to a 2022 decision – can be a catalyst for a compromise that would result in improved fish habitat and an approach acceptable to all sides.

Of particular interest is what I heard from experts who have been involved in some of the state's major water wars, including the fight over siphoning Trinity River water into the Sacramento River; the battle on the Klamath River; and court fights over water in Mono Lake and the Owens Valley.

First, consider the view of Dick Butler, who recently retired as the U.S. National Marine Fisheries Service's supervisor overseeing much of the Eel. During his 18-year tenure, his agency issued two opinions on the Eel and Russian rivers – one in 2002 that considerably reduced Eel diversions and another in 2008 requiring lower flows on the Russian in the interest of creating better salmon habitat there.

Butler said that “whether through the Eel River Forum or other collaborative efforts, I have faith people can come to an agreement, balancing their interests and the use of the water in the Eel. When people understand the needs of fish, they usually want to do the right thing.”

In the case of the Trinity River, Congress authorized the electricity-producing diversion of water to the Sacramento River in 1955. When Trinity Dam was constructed near Weaverville a decade later, “an average of 82 percent of the Trinity Basin's water volume was diverted into the Sacramento Basin,” said Scott McBain, a hydrology consultant who for 25 years has represented the Hoopa Valley tribe, which relies on salmon from the Trinity. He added, “When the dam came in, flows were reduced, the river changed and the salmon population started to plummet.”

The 9th U.S. Circuit Court of Appeals eventually upheld a U.S. Interior Department decision made in 2000 that only about 52 percent of the Trinity could be diverted, and since then work has been done restoring fish habitat, McBain said. Each year, he added, flows are set by federal, state and tribal agencies, which consult with Trinity River stakeholders.

Looking at the Trinity outcome, McBain said he thinks a resolution could be reached on the Eel. “The first thing is to develop a science-based solution that results in an improvement in the river and tries to strike a balance between water usage and the fish,” McBain said. “The second part is implementing it: So much depends on the decision-making process and how individuals work together.”

On the Klamath River, which flows from southern Oregon to the ocean, court fights dragged on for years. Finally, 42 parties signed agreements in 2010 calling for removal of four dams, with the costs to be paid for by PacifiCorp ratepayers and the state of California; guaranteed water deliveries for farmers; and habitat restoration, said Curtis Knight, a CalTrout conservation director. Legislation approving these agreements is pending in Congress.

The trigger for the agreements was a federal court ruling mandating that PacifiCorp, which owns the dams, build fish ladders to enable fish to get around the dams to spawn, Knight said. That cost proved enormous, and settlement talks got underway.

“We found a way to sit down and work out our differences that wasn't focused on the courts, and that seems to be working out fantastically,” Knight said. “It is remarkable to see the tribes, farmers, conservation groups and fishermen all as a team saying, ‘This is the right thing to do.’”



Enjoy The Best
Award-Winning News Coverage.



East of the Sierra Nevada, bitter fights over water that the Los Angeles Department of Water and Power took from the Owens Valley and streams in the Mono Lake Basin lasted for decades. Today an agreement among environmental groups, Inyo County and the L.A. water department requires flows in the Lower Owens River and other habitat improvements; in the Mono Lake Basin, a recent settlement “requires DWP to build infrastructure and collaboratively manage their facilities to provide more natural creek flows to improve fish habitat,” said Peter Vorster, a consultant to the Mono Lake Committee and also a consultant to the Sierra Club and the Owens Valley Committee for the Lower Owens River Project.

Vorster, a hydrologist for The Bay Institute in San Francisco, added: “Nothing ever succeeded in California water fights without litigation or the threat of litigation. But once stakeholders are willing to go through a consensus process and develop a common understanding of what the science is and what it means if you do this or that, you have the basis for a successful conclusion.

“Whenever water agencies have to change how they have been operating for 50, 80, 100 years, they aren’t going to change in five to 10 years. You have to be incredibly patient, grit your teeth and hope you write a good enough agreement to protect your interests. If you don’t have that kind of staying power, don’t even bother.”

The potential for consensus on the Eel may exist in the respected Eel River Forum, an effort by CalTrout’s Darren Mierau to bring the affected parties together. The forum’s 22 members include the Sonoma County Water Agency, PG&E, the Potter Valley Irrigation District, Indian tribes, state and federal agencies and environmental groups.

Mierau, CalTrout’s North Coast regional manager, told me: “The river needs help. There is such a great opportunity for a huge recovery of the Eel.”

In the years that come, I hope the magnificent Eel does get that help – through a compromise that finances recovery of the fish in exchange for granting at least some of what is sought by those now using the diverted Eel water.

Susan Sward is a writer who lives in San Francisco.

• Read more articles by Susan Sward

Share

Facebook

Twitter

Share

StumbleUpon

Email

 Order Reprint



Enjoy The Bee's
Award-winning News Coverage.



BOD MISC

The Press Democrat

PD Editorial: Water bond is unfinished business

on July 9, 2014, 3:00 AM

California legislators left for a month-long vacation with one of this year's most pressing issues unfinished: scaling a "Big Gulp" water bond down to a more manageable size.

The \$11.1 billion bond was cobbled together during a late-night legislative session in 2009, with, at the time, "earmarks added like ornaments." Since then, the bond measure has been removed from the ballot twice because it seemed destined to fail.

As of now, however, it's scheduled to be Proposition 43 when voters go to the polls on Nov. 4. Unless legislators hack away a hefty amount of pork, its prospects for approval won't be any better than they were in 2010 and 2012.

Despite 18 months of trying, lawmakers have been unable to agree on a more responsible proposal.

Three years of drought have underscored the need for California to address its water storage and delivery system, much of which was constructed in the 1960s and '70s when the Golden State had about half as many residents as it does today.

The impacts of the drought are all around us: dead and dying lawns, dirty cars, fields left fallow. In much of the state, water agencies are urging people to use 20 percent less than last year. In some places, it's worse, with mandatory rationing limiting people to about 70 gallons a day.

With the likelihood that more frequent and more severe droughts will accompany climate change, California needs to invest in conservation and environmental restoration – the least expensive methods of protecting our water supplies.

But bonds aren't free money – even in an era of low interest rates. They must be repaid, and those payments come from the state's general fund before anything goes to education and other public services.

The bond act drafted in 2009 includes including \$3 billion for water storage, \$2.25 billion for Delta restoration, \$1.25 billion for water recycling projects and \$1 billion for groundwater restoration and protection. It also includes millions for pet projects, such as local parks, watershed education programs, dam removal and trails.

In a break with past practice, the beneficiaries of new storage, i.e. dams and reservoirs, aren't expected to repay the full cost of the project. Unlike Warm Springs Dam in Sonoma County, which is financed through local property taxes, these expansions would be paid from the state's general fund. And, as an independent analysis by the Pacific Institute pointed out, funding is less targeted than in past bonds based on economic need.

Clearly, there's room for improvement. But there isn't much time left. The deadline to place measures on the statewide ballot was June 28, but the Legislature has waived it in the past, and they'll do so again if a deal can be reached.

The state Senate considered, and rejected, a bill to reduce the bond to \$10.5 billion, before floating a \$7.5 billion plan. Several other proposals are circulating. Gov. Jerry Brown called on legislators to cut the bond down to \$6 billion, which would be easier to swallow.

None of the plans addresses Brown's \$25 billion proposal to dig two 35-mile-long tunnels beneath the Delta to deliver more water to the California aqueduct. It won't be missing from the debate this fall. Neither will the price tag on whatever bond reaches the ballot, where it could wilt like a drought-stricken lawn if legislators can't control their taste for pork.

California legislators left for a month-long vacation with one of this year's most pressing issues unfinished: scaling a "Big Gulp" water bond down to a more manageable size.

The \$11.1 billion bond was cobbled together during a late-night legislative session in 2009, with, at the time, "earmarks added like ornaments." Since then, the bond measure has been removed from the ballot twice because it seemed destined to fail.

As of now, however, it's scheduled to be Proposition 43 when voters go to the polls on Nov. 4. Unless legislators hack away a hefty amount of pork, its prospects for approval won't be any better than they were in 2010 and 2012.

Despite 18 months of trying, lawmakers have been unable to agree on a more responsible proposal.

Three years of drought have underscored the need for California to address its water storage and delivery system, much of which was constructed in the 1960s and '70s when the Golden State had about half as many residents as it does today.

The impacts of the drought are all around us: dead and dying lawns, dirty cars, fields left fallow. In much of the state, water agencies are urging people to use 20 percent less than last year. In some places, it's worse, with mandatory rationing limiting people to about 70 gallons a day.

With the likelihood that more frequent and more severe droughts will accompany climate change, California needs to invest in conservation and environmental restoration – the least expensive methods of protecting our water supplies.

But bonds aren't free money – even in an era of low interest rates. They must be repaid, and those payments come from the state's general fund before anything goes to education and other public services.

The bond act drafted in 2009 includes including \$3 billion for water storage, \$2.25 billion for Delta restoration, \$1.25 billion for water recycling projects and \$1 billion for groundwater restoration and protection. It also includes millions for pet projects, such as local parks, watershed education programs, dam removal and trails.

In a break with past practice, the beneficiaries of new storage, i.e. dams and reservoirs, aren't expected to repay the full cost of the project. Unlike Warm Springs Dam in Sonoma County, which is financed through local property taxes, these expansions would be paid from the state's general fund. And, as an independent analysis by the Pacific Institute pointed out, funding is less targeted than in past bonds based on economic need.

Clearly, there's room for improvement. But there isn't much time left. The deadline to place measures on