

**NORTH MARIN
WATER DISTRICT**

**NORTH MARIN WATER DISTRICT
AGENDA - REGULAR MEETING
July 19, 2011 – 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 , July 5, 2011								
	2.	GENERAL MANAGER'S REPORT								
	3.	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.								
	4.	STAFF/DIRECTORS REPORTS								
	5.	PUBLIC HEARING/APPROVE – FINAL ENVIRONMENTAL IMPACT REPORT – AQUEDUCT ENERGY EFFICIENCY PROJECT								
	6.	MONTHLY PROGRESS REPORT w/Quarterly Customer Service Questionnaire								
		CONSENT CALENDAR The General Manager has reviewed the following items. To his knowledge, there is no opposition to the action. The items can be acted on in one consolidated motion as recommended or may be removed from the Consent Calendar and separately considered at the request of any person.								
		Consent - Approve Water Agreement								
		<table border="1"> <thead> <tr> <th>Type</th> <th>DU</th> <th>EU</th> <th></th> </tr> </thead> <tbody> <tr> <td>Gov't</td> <td>0</td> <td>3</td> <td>Resolution</td> </tr> </tbody> </table>	Type	DU	EU		Gov't	0	3	Resolution
Type	DU	EU								
Gov't	0	3	Resolution							
	7.	Novato Unified School District - Hamilton Elementary								
	8.	Consent – Approve Group Life Insurance Renewal								
		ACTION CALENDAR								
	9.	Approve Stafford Lake Park Irrigation System Lake Intake Upgrade								
	10.	Approve Recycled Water North Service Expansion - Plum Street Recycled Water Tank Rehabilitation Project: Award Construction Contract								
	11.	Approve Change Order No. 2 – Environmental Science Associates (ESA) for Environmental Support Services Contract (Recycled Water South Service Area)								

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
8:30 p.m.		<i>INFORMATION ITEMS</i>
	12.	TAC Meeting – July 11, 2011
	13.	<i>MISCELLANEOUS</i> Disbursements AWWA Service to Water Industry Plaque <u>News Articles:</u> Water regulations questioned Russian River to undergo water quality testing Marin Voice: Reasonable confusion on water rates Water main to be replaced this week Recycled water project moving forward Filmmaker George Lucas Donates \$2 Million
9:00 p.m.	14.	<i>ADJOURNMENT</i>

1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

DRAFT
NORTH MARIN WATER DISTRICT
MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
July 5, 2011

6 **CALL TO ORDER**

7 President Schoonover called the regular meeting of the Board of Directors of North Marin
8 Water District to order at 7:30 p.m. at the Dance Palace, Point Reyes Station, and the agenda was
9 accepted as presented. Present were Directors Rick Fraites, and Dennis Rodoni. Also present
10 were General Manager Chris DeGabriele, Secretary Renee Roberts, Auditor-Controller David
11 Bentley and Chief Engineer Drew McIntyre. Directors Jack Baker and Stephen Petterle were
12 absent.

13 There were six members of the public and District employees Robert Clark
14 (Operations/Maintenance Superintendent) and Tony Arendell (Pipeline Foreman) in the audience.

15 **MINUTES**

16 On motion of Director Rodoni, seconded by Director Fraites, the Board approved the minutes
17 from the previous meeting as presented by the following vote:

18 AYES: Directors Fraites, Rodoni, Schoonover

19 NOES: None

20 ABSTAIN: None

21 ABSENT: Directors Baker, Petterle

22 **GENERAL MANAGER'S REPORT**

23 Mr. DeGabriele informed the Board that on June 28, he was interviewed by Radio Station
24 KZST (Santa Rosa) on the subject of the Sonoma-Marin Saving Water Partnership.

25 **OPEN TIME**

26 President Schoonover asked if anyone in the audience wished to bring up an item not on the
27 agenda and there was no comment.

28 **STAFF / DIRECTORS' REPORTS**

29 President Schoonover asked if staff or Directors wished to bring up an item not on the
30 agenda and the following items were discussed:

1 Recycled Water Expansion Project

2 Drew McIntyre provided a brief update on the Recycled Water Expansion Project and stated
3 that the General Manager received Facilities Plan Approval from the State which is the first step in
4 securing the low interest rate loan for the North Service Area. He said the next document that is
5 expected very soon will be the Preliminary Funding Commitment; and once it is received, a Notice to
6 Proceed for Segment 1 will be issued. Mr. McIntyre stated that Segment 1 extends approximately
7 5,000 feet from the end of the existing recycled water pipeline on Atherton Avenue near Olive
8 Avenue along H Lane to Valley Memorial Cemetery.

9 Aqueduct Energy Efficiency Project

10 Mr. McIntyre advised that at the July 19 Board meeting, there will be a Public Hearing on the
11 Final Environmental Impact Report (FEIR) for the Aqueduct Energy Efficiency Project and the Board
12 will be asked to certify the FEIR and approve the project. He said that Winzler & Kelly, the District's
13 consultant on the project, has incorporated all comments on the Draft EIR and their responses in the
14 document. He advised that the responses to comments will be mailed to state agencies and
15 respondents tomorrow for their review.

16 **PUBLIC HEARING/ADOPT WEST MARIN FY 11/12 BUDGETS**

17 **FY 11/12 WEST MARIN WATER BUDGET**

18 Mr. Bentley stated that there are two public hearings tonight – the FY 11/12 West Marin and
19 Oceana Marin Sewer Budgets.

20 Mr. Bentley presented the West Marin Water FY 11/12 Budget wherein a 6% commodity
21 rate increase and a 33% increase to the bimonthly service charge is proposed. He said that the
22 average residential customer will see a 9% increase, approximately \$55 annually, and advised that a
23 letter was mailed to each customer detailing the proposed increase and inviting customers to the
24 meeting tonight. He further advised that a notice was published in the Point Reyes Light on June 30
25 and that one letter protesting the rate increase was received.

26 Mr. Bentley explained that the reason for the rate increase is because West Marin Water
27 Improvement District must repay Novato Water Improvement District for money borrowed to
28 complete the Long Range Improvement Projects Plan; West Marin Water owed Novato Water
29 \$352,000 at the end of May. He stated that the major project proposed this fiscal year is the Solids
30 Handling Facility next to the Point Reyes Treatment Plant; a \$720,000 project. He advised that one-
31 half of the cost of the project will be expended this fiscal year and the balance will be expended the
32 following fiscal year. He further advised that this project is relatively new to the Long Range

1 Improvement Projects Plan and projects have been deferred (rebuild the Paradise Ranch Estates
2 water tank, complete seismic retrofit on West Marin water storage tanks) to free up funds for this
3 project. Mr. Bentley stated that major future projects are the Gallagher Pipeline in FY 2016 and the
4 Rehabilitation of the Point Reyes Water Treatment Plant in FY 2015. He said that these major
5 projects will require funding assistance from the state and federal government before moving
6 forward because of the limited number of customers in West Marin to pay the significant costs. He
7 said that on an operating basis, a projected deficit of \$125,000 is budgeted due to the Point Reyes
8 Treatment Plant Solids Handling Project and will be covered by additional loan money from Novato
9 Water. Mr. Bentley informed the Board that no new connections to the system are projected; 11%
10 more revenue will be generated due to the proposed rate increase and expenditures for next year
11 will be decreased 11%. He stated that the 2011 Coastal Area Annual Water Cost Comparison
12 shows that, even with the rate increase, the West Marin median customer will pay less than any
13 other comparison coastal agency.

14 Director Rodoni asked Mr. Bentley to indicate the finance charges for the money loaned to
15 West Marin. Mr. Bentley stated that the District's policy is that the interest on an inter-District loan
16 will pay the rate earned on the District's treasury, now budgeted at 0.75%.

17 Director Rodoni stated that a customer asked him why individual letters were mailed rather
18 than being inserted into their water bill. Mr. Bentley said that customers must be notified within 45
19 days of the budget hearing, the standard letter does not fit into the bill envelope and he opined that
20 customers are more inclined to read a separately mailed letter than one included with one's bill.

21 Director Fraites queried why pumping charges are projected to increase from \$33,000 in FY
22 2011 to \$45,000 in FY 2012. Mr. Clark responded that pumping charges increased because of the
23 District's decision to join Marin Clean Energy at the "Deep Green" level.

24 President Schoonover opened the public hearing at 7:45 p.m. and hearing nothing, closed
25 the public hearing.

26 On motion of Director Rodoni, seconded by Director Fraites and carried by those Directors
27 present, the Board approved Resolution No. 11-18 entitled, "Resolution of the Board of Directors of
28 North Marin Water District Amending Regulation 54 – Water Rates."

29 On motion of Director Rodoni, seconded by Director Fraites and carried by those Directors
30 present, the Board adopted the FY 2012 West Marin Water System Budget as presented.

1 On motion of Director Fraites, seconded by Director Rodoni and carried by those Directors
2 present, the Board authorized the General Manager to pay demands arising from execution of the
3 budgeted West Marin Water expenditure plan.

4 **FY 11/12 OCEANA MARIN SEWER BUDGET**

5 Mr. Bentley presented the FY 11/12 Oceana Marin Sewer Budget and advised that staff is
6 recommending a 5% increase to the sewer service charge from \$55 to \$58 annually which will
7 generate an additional \$3,000. He noted that Oceana Marin Sewer has not had a rate increase
8 since 2004. He said that a letter was mailed to the 227 Oceana Marin customers on May 20
9 advising of the proposed increase and inviting them to the meeting tonight; a public notice was
10 published two times in the Point Reyes Light as required because the rate increase is being adopted
11 by ordinance as the charges will go on the annual property tax bill. Mr. Bentley stated that no
12 protest letters were received.

13 Mr. Bentley said the significant project in Oceana Marin is the completion of Phase one (of
14 four) replacement of the six-inch cross-country sewer line. He said that the replacement of 1,000
15 feet of pipe will be completed this fiscal year for the cost of \$80,000. Mr. Bentley advised that this
16 total project (four phases) is estimated at \$400,000 and will be done over time as finances permit.
17 He further advised that the rate increase will help pay for a portion of the cost. He stated that no
18 new connections are expected in Oceana Marin and operating expenditures will be equal to this
19 year's estimated actual - a decrease of 5% from the FY 11 budget. He stated that the Coastal Area
20 Annual Sewer Cost Comparison shows that Oceana Marin sewer rate is not at the top, but is still
21 above the median. Mr. Bentley advised that collecting the sewer service charge on the property tax
22 roll requires action by ordinance rather than resolution; the first reading was at the Board meeting on
23 June 21 and the second reading will be tonight to authorize the enactment of the \$3 increase
24 effective August 1. He informed the Board that there will be an additional amount posted to seven
25 sewer accounts equal to their delinquent charges plus interest spanning several years.

26 President Schoonover opened the public hearing at 7:50 p.m. and hearing nothing, closed
27 the public hearing.

28 On motion of Director Fraites, seconded by Director Rodoni and carried by those Directors
29 present, Ordinance 25 entitled, "Ordinance of the Board of Directors of North Marin Water District
30 Electing to have Oceana Marin Sewer Charges be Collected on the Tax Roll of the County of Marin,
31 State of California, Commencing Fiscal year 2011-12."

32 On motion of Director Fraites, seconded by Director Rodoni and carried by those Directors
33 present, the Board adopted the Fiscal Year 2011-12 Oceana Marin Budget as proposed.

1 On motion of Director Rodoni, seconded by Director Fraites and carried by those Directors
2 present, the Board authorized the General Manager to pay demands arising from execution of the
3 budgeted Oceana Marin expenditure plan.

4 **INFORMATION ITEMS – WEST MARIN**

5 **PETITION FOR CHANGE – NORTH MARIN WATER DISTRICT LAGUNITAS CREEK WATER**
6 **RIGHTS**

7 Mr. DeGabriele provided an update on the status of the Petitions for Change for water rights
8 license and permits on Lagunitas Creek. He reminded the Board that they authorized staff to submit
9 the petitions to the State Water Resources Control Board last December, and the District received a
10 notice in February that the petitions were reviewed and met all the requirements. He advised that
11 the petitions add the Gallagher Well as a new point of diversion for the water rights license and one
12 of the permits. Mr. DeGabriele further advised that his conversation with State Board staff indicated
13 that a public notice soliciting comments may not be required for the minor change petition and that
14 the State Board requested additional information to insure that there is no intervening water right
15 holder between the Gallagher point of diversion and the current point of diversion. He stated that
16 the letter containing the requested information is included in the Board packet and that the
17 Department of Fish and Game were also notified of the petitions. Mr. DeGabriele stated that staff is
18 anxiously awaiting the opportunity to conclude the legal requirement and make the move to the
19 Gallagher Well to solve the salinity intrusion challenge. He further stated there is nothing new to
20 inform the Board, but that it was a good opportunity to review the status since the meeting tonight is
21 being held in West Marin.

22 **WEST MARIN IMPROVEMENTS PROJECTS - FISCAL YEAR PROGRESS REPORT**
23 **(PRELIMINARY)**

24 Drew McIntyre presented a preliminary West Marin Improvements Projects report, noting
25 that the final financial numbers will be included when the final year-end report is available. He said
26 the fiscal year began with eleven improvement projects, there were no carryovers from the previous
27 fiscal year, three projects were dropped and two projects were added, resulting in ten projects for
28 the year; seven projects have been completed. He advised that West Marin water projects are
29 \$110,000 below budget and approximately \$122,000 below budget in Oceana Marin. He said that
30 \$250,000 was budgeted for the land acquisition and design for the Solids Handling Facility project.
31 Mr. McIntyre stated that approximately \$100,000 of this budget amount was saved when the District
32 acquired 1.3 acres of former railroad property and with the deferment of the PRE Tank #4 and Point
33 Reyes Tank Seismic Upgrade projects, a significant amount of money will be freed up for the Solids
34 Handling Facility Project at Point Reyes Treatment Plant. He said the Solids Handling Facility

1 preliminary design report has been received by Engineering Department staff and is being reviewed;
2 construction is estimated at \$600,000 and total project cost is \$720,000. He said he is hoping that
3 there will be areas to economize and reduce the project cost without jeopardizing the overall
4 effectiveness of the project.

5 Director Rodoni stated that the Long Range Improvement Projects were begun several
6 years ago, and all but one project on the list has been completed. He asked Mr. McIntyre to talk
7 about infrastructure improvements that have driven the rate increase in West Marin.

8 Mr. McIntyre stated that back in early 2000's, the West Marin Long Range Improvement
9 Plan had eleven projects with a \$2M budget and of those eleven, nine projects have been
10 completed. He recited the projects completed: pump station improvements and upgrades (Bear
11 Valley, Inverness Park and PRE-3), storage tank improvements (Olema, Point Reyes Station, PRE-3
12 and Inverness Park). He said the two outstanding projects are the replacement of PRE Tank 4A
13 and one final tank site seismic upgrade.

14 Director Rodoni pointed out that the new tanks are concrete and have a longer lifespan.

15 **CONSENT CALENDAR**

16 At the request of Director Rodoni, Item 8, Heidrun Meadery Fire Service, was pulled from the
17 consent calendar for further discussion.

18 **HEIDRUN MEADERY FIRE SERVICE**

19 The Heidrun Meadery Fire Service Project consists of installing an eight-inch water main,
20 one fire hydrant and a four-inch fire service for an existing milking barn to be remodeled into a
21 meadery. New water facilities include 380 feet of pipe, one commercial fire hydrant and a four-inch
22 fire service.

23 Director Rodoni asked if the property's former account was residential and is it shifting to a
24 commercial account? Mr. DeGabriele stated that he believed the property was originally a
25 residential account and it will become a commercial account. Director Rodoni stated that he agreed
26 that it should be a commercial account.

27 On motion of Director Rodoni, seconded by Director Fraites and unanimously carried by
28 those Directors present, the Board approved Resolution No. 11-19 entitled, "Authorization of
29 Execution of Water Service Facilities Construction Agreement with Point Reyes Farm LLC."

30 On the motion of Director Fraites, seconded by Director Rodoni and unanimously carried by
31 those present, the following item was approved on the consent calendar:

1 **RECYCLED WATER EXPANSION TO NORTH SERVICE AREA – SEGMENT 3 CONSTRUCTION**
2 **PROJECT - BID ADVERTISEMENT**

3 This project is for construction of Segment 3 of the Recycled Water Expansion Project –
4 North Service Area. This segment includes installation of 10,300 feet of new twelve-inch pipeline
5 along Summers Avenue and portions of Olive Avenue and Lea Drive. The project received 25%
6 federal grant funding from the American Recovery and Reinvestment Act of 2009 awarded to the
7 North Bay Water Reuse Authority by way of the Bureau of Reclamation.

8 The Board authorized bid advertisement of the Segment 3 construction project.

9 **ACTION CALENDAR**

10 **APPROVE AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE SAN**
11 **FRANCISCO BAY BASIN TO ADD SURFACE WATER BODIES AND DESIGNATE BENEFICIAL**
12 **USES (COMMENT LETTER)**

13 Mr. DeGabriele informed the Board that he received a Notice of Opportunity to Comment on
14 the proposed amendment to the Water Quality Control Plan for the San Francisco Bay Basin. He
15 stated that in his review of the plan amendment he noted that Stafford Lake is designated to enable
16 body contact recreation and designated to have cold water fishery and ecosystem benefit, and he
17 believes those designations are in error. He stated that he called the Regional Board to tell them his
18 opinion, and they indicated that there could not be any change to the designations without a Basin
19 Plan Amendment which Mr. DeGabriele opined that it is too expensive and time consuming to
20 pursue. He stated that it is worthwhile to go on record that the District believes the Stafford Lake
21 potential and existing beneficial uses should be classified appropriately; and a draft letter to the
22 Regional Board addressing same and reviewed by legal counsel is presented tonight for the Board's
23 authorization.

24 On motion of Director Rodoni, seconded by Director Fraites and unanimously carried by
25 those Directors present, the Board authorized the General Manager to send a letter to the State
26 Water Resources Control Board on the San Francisco Basin Plan Amendment.

27 **INFORMATION ITEMS**

28 **TAC MEETING – JULY 11, 2011**

29 Mr. DeGabriele advised that the Technical Advisory Committee is scheduled for Monday,
30 July 11 and the Local Supply/Recycled Water/ and Tier 2 Water Conservation (L/R/T2) program will
31 be discussed. He informed the Board that the program was started in the 2001 when there were
32 impairment conditions on the transmission system. He said that at that time, the Agency collected
33 money on the water rates to fund L/R/T2 project efforts in each of the Water Contractors' service
34 area. He said that the District was the first to receive funds to help build Stafford Treatment Plant

1 and that not all contractors have received their full allocation of L/R/T2 financing. Mr. DeGabriele
2 stated that \$13M was to be collected and allocated and there is \$4M yet to go. He stated that the
3 Water Contractors met in an ad hoc meeting last week and decided that something should be added
4 back on the Agency water rate and distributed to those Water Contractors that did not get their full
5 share provided that they have a suitable L/R/T2 project. He said that he was sure that the Water
6 Contractors will come up with a viable project.

7 **NORTH BAY WATERSHED ASSOCIATION MEETING – JULY 8, 2011**

8 Mr. DeGabriele presented the agenda for the North Bay Watershed Association meeting
9 scheduled for July 8, 2011 and Director Fraites said that he will attend.

10 **MISCELLANEOUS**

11 The Board received the following miscellaneous information: Disbursements, 2012 Medical
12 Plan Cost Increase and SB 931 Comment Letter.

13 The Board also received the following news articles: Movers & Shakers – YouTube video,
14 Board appoints seven members to revamped Marin parks panel, PD Editorial: Healthy signs of a
15 growing salmon fishery, Algebra Academies inspired by chamber leader are expanding, and
16 'Phenomenal' start to Russian River salmon restoration project.

17 President Schoonover adjourned the meeting at 8:41 p.m.

18 Submitted by

19

20

21

22

23

Renee Roberts
District Secretary

2

3

4

5

MEMORANDUM

To: Board of Directors Date: July 15, 2011
From: Drew McIntyre, Chief Engineer 
Subject: Aqueduct Energy Efficiency Project – Final EIR Certification and Project Approval
Z:\Folders by Job No\7000 jobs\7118\CEQA-NEPA\7118 FEIR Approval BOD MEMO 7-11.doc

RECOMMENDED ACTION: That the Board:

1. Certifies the North Marin Water District Final EIR and adopts the findings required by CEQA.
2. Approves the North Marin Water District Aqueduct Energy Efficiency Project.
3. Adopts the Mitigation Monitoring and Reporting Program.
4. Authorizes the General Manager to file a Notice of Determination with the County Clerk and Office of Planning and Research.

FINANCIAL IMPACT: \$8.5 million

Project Background

The North Marin Water District proposes to implement the Aqueduct Energy Efficiency (AEE) Project to eliminate energy use, greenhouse gas emissions, ongoing costs of operation and maintenance of the Kastania Pump Station and to improve water delivery reliability (see map in Attachment 1). The AEE Project would increase the diameter of portions of the relocated North Marin Aqueduct from 30" to 42" and is considered to be a separate action from CalTrans' Marin Sonoma Narrows Project. The proposed project also includes construction of a parallel pipeline in three locations where CalTrans is not relocating the existing aqueduct. The proposed project is being designed such that the aqueduct's rate of flow capacity would not increase compared to existing conditions. The proposed project is consistent the District adopted Policy No. 18, Energy Policy (most recently revised in September 2006) which states "it is the intent of the North Marin Water District to optimize energy use and continuously work toward a goal of energy self sufficiency...." If approved, the proposed project would be implemented at the time that CalTrans constructs the CalTrans Marin Sonoma Narrows (MSN) project to cost effectively increase the size of the aqueduct at the same time as the CalTrans MSN project necessitates relocating the aqueduct.

As authorized by the District's Board of Directors, NMWD entered into an agreement on September 20, 2009 with Winzler & Kelly (W&K) to provide environmental services. A Notice of Preparation (NOP) was issued for a Draft Environmental Impact Report (EIR) on September 27, 2010 and a public scoping meeting was held on October 26, 2010. W&K prepared the Draft EIR pursuant to the California Environmental Quality Act (CEQA) and the State CEQA

Guidelines. A Notice of Completion was filed with the State Clearinghouse on March 16, 2011. The Draft EIR was available for review by responsible and trustee agencies and interested parties from March 18, 2011 through May 2, 2011. The Board held a public hearing on April 19, 2011. A total of four comment letter were received by the District in response to the Draft EIR and no oral comments were received at the public hearing. After reviewing all comments received during the public review period, W&K prepared the Final EIR in accordance with CEQA and the State CEQA Guidelines. In addition, input from CEQA attorney, Ms. Barbara Schussman, who is working as an extension of our District legal counsel, Bold, Polisner, Maddow, Nelson & Judson, has been solicited as well.

On July 6, 2011, the Final EIR was sent to public agencies who commented on the EIR, as well as individuals that provided written comments to the DEIR. The Final EIR, provided as Attachment 2, has also been posted on North Marin Water District's website for review.

District staff recommends that the Board certify the Final EIR and adopt the findings required by CEQA (see Resolution provided as Attachment 3). The Final EIR and the attached findings address the District's ability to meet the project objectives, the potential environmental impacts and various components, and the concerns of the community. The Final EIR and the attached findings determine that with mitigation all project impacts would be less than significant and the project would not result in a significant adverse impact on the environment.

Following certification of the Final EIR, the Board is requested to consider approval of the proposed project.

RECOMMENDATION

That the Board:

1. Certifies the North Marin Water District Final EIR and adopts the findings required by CEQA.
2. Approves the North Marin Water District Aqueduct Energy Efficiency Project.
3. Adopts the Mitigation Monitoring and Reporting Program.
4. Authorizes the General Manager to file a Notice of Determination with the County Clerk and Office of Planning and Research.

PLEASE REFER TO DISTRICT WEBSITE HOME PAGE
(www.nmwd.com) FOR LINK TO THE FINAL
ENVIRONMENTAL IMPACT REPORT.

RESOLUTION NO. 11-

A RESOLUTION OF THE BOARD OF DIRECTORS OF NORTH MARIN WATER DISTRICT TO CERTIFY THE FINAL EIR AND ADOPT THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS, MITIGATION MEASURES, AND MITIGATION MONITORING PROGRAM FOR THE PROPOSED NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT AND TO APPROVE THE NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT

I. CERTIFICATION OF THE FINAL EIR

The North Marin Water District (NMWD) Board of Directors ("Board") as lead agency under the California Environmental Quality Act ("CEQA") has completed the Final Environmental Impact Report ("Final EIR" or "EIR") for the North Marin Water District Aqueduct Energy Efficiency Project (the "Project"). The Project is to replace portions of the existing water aqueduct with a larger diameter aqueduct, and to construct an additional pipeline parallel to the existing aqueduct in three locations. Together, these improvements will enable NMWD to operate the aqueduct using gravity flow, which will eliminate use of the existing Kastania Pump Station and the resulting energy demand, associated greenhouse gas emissions and costs. The Project would be undertaken in connection with work by Caltrans to relocate the existing aqueduct when Caltrans carries out its Marin-Sonoma Narrows (MSN) High Occupancy Vehicle (HOV) Widening Project.

The EIR evaluated the Proposed Project, as well as the Generation of Solar Energy at the Kastania Pump Station Alternative (Alternative 2), Alternative Alignments for the Parallel Reaches (Alternative 3), and "No Project" Alternatives (Alternatives 1a and 1b). The EIR identified the Proposed Project as the environmentally superior alternative.

The Final EIR comprises a project-level analysis. The Final EIR has State Clearinghouse No. 2010092071. The EIR assesses the potential environmental effects of implementation of the Project, identifies means to eliminate or reduce potential adverse impacts, and evaluates a reasonable range of alternatives. The Final EIR is comprised of the Draft EIR together with one additional volume that includes the comments on the Draft EIR submitted by interested public agencies, organizations, and members of the public; written responses to the environmental issues raised in those comments; and revisions to the text of the Draft EIR reflecting changes made in response to comments and other information. The Final EIR is hereby incorporated in this document by reference.

The Final EIR was provided to commenting agencies and made available to the public on July 6, 2011.

The Board certifies that it has been presented with the Final EIR and that it has reviewed and considered the information contained in the Final EIR prior to making the following certifications and findings in Section II and the approvals in Section III, below.

Pursuant to CEQA Guidelines Section 15090 (Title 14 of the California Code of Regulations, Section 15090) the Board certifies that the Final EIR has been completed in compliance with the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines. The Board certifies the Final EIR for the actions described in these findings and in the Final EIR, *i.e.*, the Project as described above.

II. FINDINGS

Having received, reviewed, and considered the Final EIR and other information in the record of proceedings, the Board hereby adopts the following findings in compliance with CEQA and the CEQA Guidelines:

Part A: Findings regarding the environmental review process and the contents of the Final EIR.

Part B: Findings regarding the environmental impacts of the Project and the mitigation measures for those impacts identified in the Final EIR and adopted as conditions of approval. As described in Part B, the Board hereby adopts the impact findings as set forth in Exhibit A to these findings.

Part C: Findings regarding alternatives and the reasons that such alternatives to the Project are not approved.

The Board certifies that these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental issues identified and discussed in the Final EIR. The Board adopts the findings and the statement in Parts A through C for approval of the Project.

In addition to the findings regarding environmental impacts, alternatives and overriding considerations, Part D, below, identifies the custodian and location of the record of proceedings, as required by CEQA.

Part E describes the Mitigation Monitoring Program for the Project. As described in Part E, the Board hereby adopts the Mitigation Monitoring Program as set forth in Exhibit B to these findings.

Part F, below, summarizes the findings and determinations regarding the Project.

A. Environmental Review Process

1. Development of the Project

The NMWD contracts with the Sonoma County Water Agency (SCWA) to receive potable water from the Russian River. The SCWA delivers water via its Petaluma Aqueduct to an SCWA-owned and operated storage tank (Kastania Tank) and pump station (Kastania Pump Station) in southern Sonoma County near Kastania Road. From this point, water is pumped via a 30-inch diameter pipeline owned by the NMWD that runs parallel to and on the west side of Highway 101 from Kastania Road to the NMWD's Novato Water Distribution System in northern Novato. The pipeline, known as the North Marin Aqueduct (Aqueduct), is approximately 50 years old, 7.1 miles long, and delivers approximately 80% of the water supply needs of the 61,000 residents in the NMWD Novato service area. Marin Municipal Water District (MMWD) deliveries of Russian River water are also conveyed through this Aqueduct, which provides approximately 25% of the water supply needs of the 190,000 residents in the MMWD service area. The Aqueduct currently operates near its capacity at approximately 18 million gallons per day (average day, peak month).

Portions of the Aqueduct will be relocated as part of the Marin-Sonoma Narrows (MSN) High Occupancy Vehicle (HOV) Widening Project. The MSN HOV Widening Project

(Caltrans MSN Project) is a joint project by the California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA). Caltrans approved the Caltrans MSN Project on July 27, 2009, and the Federal Highway Administration issued its Record of Decision on October 29, 2009. In connection with those actions, Caltrans prepared and certified an EIR for the Caltrans MSN Project.

The Caltrans MSN Project will widen and realign Highway 101 to accommodate HOV lanes and new and upgraded frontage roads and ramps along the entire length of the Caltrans MSN Project. The Caltrans MSN Project has been approved to improve or alleviate traffic congestion in the Highway 101 North Bay Corridor. The existing four-lane expressway includes open medians and driveways with direct access to the highway. The Caltrans MSN Project will replace the four-lane expressway with a six-lane, access-controlled freeway. The Caltrans MSN Project includes construction of a new freeway interchange at the Redwood Landfill Road and construction of new frontage roads between Kastania Road and the Redwood Landfill Road. The Caltrans improvements extend into portions of the NMWD pipeline easement for the existing Aqueduct, and therefore Caltrans must relocate much of the Aqueduct as part of the Caltrans MSN Project.

The Caltrans MSN Project EIR identified the need to relocate existing underground utilities such as the Aqueduct, and impacts from the relocation of the Aqueduct were identified, evaluated, and subject to mitigation in the same way as other impacts in the Caltrans MSN Project EIR.

In 2007, the NMWD Board of Directors instructed staff to investigate increasing the diameter of the Aqueduct to reduce pumping at the Kastania Pump Station. Preliminary hydraulic analysis performed by the NMWD indicated that upsizing portions of the Aqueduct from its existing 30-inch diameter to a 42-inch diameter would allow the Aqueduct to convey flows by gravity alone and completely eliminate the need for pumping at the Kastania Pump Station, thereby reducing energy consumption and production of greenhouse gases, as well as saving costs at the pump station and improving water delivery reliability.

2. Preparation of the EIR

On September 27, 2010, a Notice of Preparation of an EIR was mailed to interested individuals, organizations, and local residents. The Notice of Preparation was also distributed by the State Clearinghouse to the reviewing state agencies, triggering the start of a 30-day scoping period. On October 26, 2010, the NMWD held a Scoping Meeting at the District office located at 999 Rush Creek Place in Novato, to solicit input regarding the issues that should be addressed in the EIR. The scoping period ended October 27, 2010. Six letters were received during the scoping period, including two from state agencies, two from local agencies, and two from organizations.

The public comment period for the Draft EIR began on March 18, 2011, and lasted 45 days to May 2, 2011. The Notice of Availability of the Draft EIR was published in the Marin Independent Journal and posted with the Marin County Clerk on March 18, 2011. The Draft EIR was sent to the State Clearinghouse for distribution to state agencies. In addition, the Draft EIR was made available at the NMWD Office, the Novato Library, and the Petaluma Library. On April 19, 2011, a public hearing on the Draft EIR was held before the NMWD to receive oral comments. Five letters were received during the Draft EIR comment period, including three from state agencies, one from a local agency, and one from an individual.

The Final EIR was sent to those public agencies who commented on the Draft EIR ten days prior to certification of the EIR per CEQA Guidelines §15088. The Final EIR was completed and made available to public agencies and members of the public on July 6, 2011. The Final EIR comprises the Draft EIR plus all of the comments received during the public comment period, together with written responses to those comments which were prepared in accordance with CEQA and the CEQA Guidelines. The Final EIR also includes a description of Project refinements proposed in responses to comments on the Draft EIR.

The Board finds that the Final EIR provides adequate, good faith, and reasoned responses to all comments raising significant environmental issues.

3. Absence of Significant New Information

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR but before certification of the Final EIR. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. The Guidelines provide examples of significant new information under this standard.

The Board recognizes that the Final EIR incorporates information obtained since the Draft EIR was completed, and contains additions, clarifications, modifications, and other changes. With respect to this information, the Board finds as follows:

Changes to the Pipeline Connections and Aqueduct Flow Patterns.

Between preparation of the Draft EIR and Final EIR, several refinements of the pipeline connections near the Kastania Pump Station location occurred. The Final EIR describes the Aqueduct connections and flange installations necessary for Reach A and Reach A, Alternate to completely bypass the Kastania Pump Station. The Final EIR also describes the Aqueduct flow patterns associated with Reach A and Reach A, Alternate. The Board finds that these changes to the pipeline connections and disconnections provide additional detail to the operations of the Aqueduct and do not cause any new significant impacts. The Board finds these changes are of a minor, non-substantive nature and do not require recirculation of the EIR.

Changes to Mitigation Measures. As described in the Final EIR, a number of the mitigation measures proposed in the Draft EIR have been modified in response to comments received and as refinements and enhancement of the mitigation identified in the Draft EIR. The Board finds that these changes to the mitigation measures strengthen the mitigation measures compared to the mitigation measures included in the Caltrans MSN Final EIR and proposed in the AEE Project Draft EIR, but do not cause any new significant impacts. Therefore, in accordance with CEQA and the CEQA Guidelines, no recirculation of the EIR is necessary based on the changes and additions to the mitigation measures in the Final EIR.

Other Changes. Various minor changes and edits have been made to the text, tables, and figures of the Draft EIR, as described in the Final EIR. These changes are generally of an administrative nature, such as correcting typographical errors, making minor adjustments to the data, and adding or changing phrases to improve clarity. The Board finds these changes are of a minor, non-substantive nature and do not require recirculation of the EIR.

Based on the foregoing, and having reviewed the information contained in the Final EIR and in the record of Board's proceedings, including the comments on the Draft EIR and the responses thereto, and the above-described information, the Board hereby finds that no significant new information has been added to the Final EIR since public notice was given of the availability of the Draft EIR that would require recirculation of the EIR.

4. Differences of Opinion Regarding the Impacts of the Project

In making its determination to certify the Final EIR and to approve the Project, the Board recognizes that the Project involves a number of controversial environmental issues and that a range of opinion exists with respect to those issues. The Board has acquired an understanding of the range of this technical and scientific opinion by its review of the Draft EIR and the comments received on the Draft EIR and the responses to those comments in the Final EIR. The Board has reviewed and considered, as a whole, the evidence and analysis presented in the Draft EIR, the evidence and analysis presented in the comments on the Draft EIR, the evidence and analysis presented in the Final EIR, and the reports prepared by the experts who prepared the EIR, and by District staff, addressing those comments. The Board has gained a comprehensive and well-rounded understanding of the environmental issues presented by the Project. In turn, this understanding has enabled the Board to make its decisions after weighing and considering the various viewpoints on these important issues. The Board accordingly certifies that its findings are based on full appraisal of all of the evidence contained in the Final EIR, as well as the evidence and other information in the record addressing the Final EIR.

One commenter disagrees with the Draft EIR's determination that the Project will not be growth inducing, and contends that the Project will be growth-inducing, related to the delivery of additional water for urban uses. The commenter referenced SCWA's former proposal to deliver additional water from the Russian River to its contractors through the Petaluma Aqueduct, and stated that the SCWA may reactivate its long-pending water rights application to the State Water Resources Control Board and that the reactivation is a reasonably foreseeable activity. The commenter also stated that reconnection of the NMWD Aqueduct to the Kastania Pump Station remains a possibility so long as the SCWA may reactivate its proposal to divert additional water from the Russian River for delivery to customers in Marin County. The commenter concluded by stating that the NMWD ignored the possibility that the 2.4 miles of 30-inch diameter pipeline outside the Project area may be replaced with a larger pipeline in the future, and requested that the Draft EIR address the potential impacts of delivering more water for urban uses.

Evidence and analysis presented in the Final EIR supports the conclusion that the Project will not be growth inducing, and NMWD has not ignored the possibility for growth inducement. Chapter 5, CEQA-Required Sections, in the Draft EIR includes a section entitled Growth-Inducing Impacts. The growth-inducing analysis includes information about the hydraulic analysis and other NMWD system barriers to increasing the Aqueduct's capacity, as well as information on the capacity and supply constraints that prevent the Sonoma County Water Agency from delivering additional water.

Evidence and analysis presented in the Final EIR also supports the conclusion that delivery of additional water to the North Marin Aqueduct by the SCWA is not likely to occur. The commenter relies on information from documents dated 1999, which are no longer accurate. In 2009, the SCWA set aside its plans to increase diversions from the Russian River, in part because a biological opinion issued in 2008 by the National Marine Fisheries Service requires the SCWA to *reduce* summertime flows in the Russian River. The SCWA's current

plans are reflected in the 2010 Urban Water Management Plan (UWMP) that was adopted on June 21, 2011. The UWMP sets forth the SCWA's plans and proposals for only slightly increased water supplies and infrastructure projects that will be needed to accommodate the growth already planned in local jurisdictions' General Plans and reflected in projections from the Association of Bay Area Governments. The analysis presented in the 2010 UWMP assumes that the SCWA will obtain water rights approvals from the State Water Resources Control Board to reinstate its Russian River diversions to 75,000 acre-feet per year in 2027 and to increase its diversions to 80,000 acre-feet per year by 2035. For the SCWA to provide an increase in additional water deliveries to the North Marin Aqueduct, the SCWA would need to acquire additional water rights, construct additional production capacity, and construct the South Transmission System Project. Further studies and compliance with CEQA would also be necessary to implement such projects. Evidence supports the conclusion that the Project would not induce growth in the region beyond that already planned.

Considering the hydraulic and other NMWD system barriers to increasing water supply through the Aqueduct, the many difficult approvals which must be obtained for successful acquisition of additional water rights and construction of additional production and transmission capacity, and the length of time that the SCWA estimates it will take to implement its plans to accommodate already-planned growth, the Board finds that delivery of additional water to the North Marin Aqueduct by the SCWA to induce even more growth is not a reasonably foreseeable consequence of the Project. This conclusion is further supported by the requirements of SBx7-7 (the Water Conservation Act of 2009), which requires water agencies to achieve a 20% reduction in per capita water use by 2020.

B. Impacts and Mitigation Measures

These findings provide the written analysis and conclusions of the Board regarding the environmental impacts of the Project and the mitigation measures identified in the Final EIR and adopted by the Board as conditions of approval for the Project.

In making these findings, the Board has considered the opinions of other agencies and members of the public.

Exhibit A attached to these findings and incorporated herein by reference summarizes the environmental determinations of the Final EIR about the Project's impacts before and after mitigation. This exhibit does not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Instead, Exhibit A provides a summary description of each impact, describes the applicable mitigation measures identified in the Final EIR and adopted by the Board, and states the Board's findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Final EIR and these findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the Final EIR's determinations regarding the Project's impacts and mitigation measures designed to address those impacts. In making these findings, the Board ratifies, adopts, and incorporates the analysis and explanation in the Final EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation measures.

The Board adopts, and incorporates as conditions of approval of the Project, the mitigation measures set forth in the Mitigation Monitoring Program attached to these findings as Exhibit B to avoid or reduce the potentially significant and significant impacts of the Project. In adopting these mitigation measures, the Board intends to adopt each of the mitigation measures

identified by the Final EIR and applicable to the Project. Accordingly, in the event a mitigation measure recommended in the Final EIR has inadvertently been omitted from Exhibit B, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in Exhibit B fails to accurately reflect the mitigation measures in the Final EIR due to a clerical error, the language of the mitigation measure as set forth in the Final EIR shall control.

In comments on the Draft EIR, various measures were suggested by commenters as modifications to the mitigation measures identified by the Draft EIR. Some of the EIR's mitigation measures were modified in response to such comments. No additional mitigation measures for impacts were requested regarding issues where the Draft EIR identified mitigation measures that would reduce the identified impact to a less-than-significant level, and no mitigation measures were requested for impacts that were less than significant.

1. Further Findings Regarding Impacts and Proposed Mitigation Measures

The following mitigation measures have been modified between the Draft EIR and Final EIR for the following reasons:

Biological resources impacts. Comments expressed concerns regarding the adequacy of measures to mitigate impacts to biological resources and the identification of the responsible agency for implementation of the measures. Mitigation measures were modified to clarify the responsible agency for implementation of measure stating that NMWD will be responsible to ensure that either Caltrans contractually commits to implement mitigation measures listed in the EIR or the NMWD will implement the measures. The Board finds these modifications to the mitigation measures maintain impacts at less-than-significant levels.

As described in the Draft EIR, the Project will not have significant impacts on biological resources after mitigation. Special-status plant impacts will be mitigated to less-than-significant levels through the use of preconstruction surveys, by avoiding impacts to listed species habitat, and compensation measures for special-status plants that cannot feasibly be avoided during construction. In addition, mitigation has been modified to include California Department of Fish and Game (CDFG) review of mitigation plans. The Board finds these modifications to the mitigation measure maintain impacts at less-than-significant levels.

Special-status fish and wildlife impacts will be mitigated to less-than-significant levels through the use of preconstruction surveys, by avoiding impacts to listed species habitat, and by implementing protection measures to avoid mortality to the species. In addition, mitigations have been modified to include CDFG recommendations, including two-phase tree removal for bat protection, a change in the period of preconstruction surveying and a qualified biologist monitoring the work area for western pond turtle, a change in the period of preconstruction surveying for bird protection, and clarification of responsibility for implementing mitigation for the American badger. The Board finds these modifications to the mitigation measures maintain impacts at less-than-significant levels.

Sensitive natural community impacts will be mitigated to less-than-significant levels through replacement either on or off-site and monitoring of the replacement acreage. In addition, mitigation has been modified and strengthened to include CDFG recommendations to identify who will approve the management plan and under what conditions the plan will be evaluated for approval. The Board finds these modifications to the mitigation measure maintain impacts at less-than-significant levels.

Wetland impacts will be mitigated to less-than-significant levels by generally returning the site to original conditions following construction activities. In addition, mitigation has been modified and strengthened to include CDFG recommendations that the wetland restoration plan be prepared and approved prior to construction. The Board finds these modifications to the mitigation measure maintain impacts at less-than-significant levels.

Hydrology and Water Quality. Comments expressed concerns regarding the adequacy of measures to mitigate impacts to hydrology and water quality. As described in the Draft EIR, the Project will not have significant impacts on hydrology and water quality after mitigation. Impacts to water quality will be mitigated to less-than-significant levels through development of a frac-out and undercrossing contingency plan and management of disinfection and dechlorination water. In addition, mitigation has been modified and strengthened to include CDFG notification of a planned discharge. The Board finds these modifications to the mitigation measure maintain impacts at less-than-significant levels.

Other Topics. As described in the Draft EIR, the Project will not have significant impacts after mitigation. All mitigation has been modified to clarify mitigation responsibilities. The Board finds these modifications to the mitigation measures maintain impacts at less-than-significant levels.

C. Basis for the Board's Decision to Approve the Project

1. Summary of Discussion of Alternatives in the Final EIR

The Draft EIR considered a number of different alternatives, some of which were determined to be either infeasible or did not meet most of the project objectives, and therefore were not analyzed further. The EIR examined the environmental impacts of four alternatives, including two No Project alternatives, in comparison with the Project and the relative ability of each alternative to satisfy project objectives.

The EIR also summarizes the criteria used to identify a range of reasonable alternatives for review in the EIR and describes proposals that did not merit additional, more-detailed review either because they do not present viable alternatives to the originally Proposed Project or they are variations on the alternatives that are evaluated in detail.

2. The Board's Findings Relating to Alternatives

In making these findings, the Board certifies that it has independently reviewed and considered the information on alternatives provided in the Final EIR, including the information provided in comments on the Draft EIR and the responses to those comments in the Final EIR. The EIR's discussion and analysis of these alternatives is not repeated in these findings, but the discussion and analysis of the alternatives in the EIR is incorporated in these findings by reference.

The EIR describes and evaluates two No Project alternatives and two action alternatives. As set forth in section B above, the Board has adopted mitigation measures that mitigate the significant environmental effects of the Project. The Board finds that the Proposed Project would satisfy the Project Objectives. The Board finds that the alternatives would not fully satisfy the project objectives (both No Project Alternatives), would have greater environmental impacts (Alternative 2), or would not result in different impacts (Alternative 3).

In making this determination, the Board finds that when compared to the other alternatives described and evaluated in the Draft EIR, the Proposed Project, as mitigated, provides a reasonable balance between fully satisfying the project objectives and reducing potential environmental impacts to an acceptable level. Because mitigation measures will reduce all of the Project impacts to less-than-significant level, the Board need not reject alternatives as infeasible, and can instead exercise its discretion to approve the Project as mitigated instead of one of the alternatives to the Project. The Board hereby finds that the Project better achieves the Board's objectives than the alternatives, and approves it for that reason.

While not required, the Board provides the following additional reasons for rejecting the alternatives.

a. Description of Project Objectives

The Primary Objectives of the North Marin Water District Aqueduct Energy Efficiency Project are to:

- Eliminate energy use at the Kastania Pump Station;
- Eliminate generation of greenhouse gases associated with operation of the Kastania Pump Station;
- Eliminate ongoing costs of operation and maintenance (O&M) of the Kastania Pump Station;
- Eliminate costs associated with the need for future capital replacement of the Kastania Pump Station;
- Benefit from economy of scale cost savings and payment of relocation costs by Caltrans in connection with the Caltrans MSN Project; and
- Improve water delivery reliability.

b. Discussion and Findings Relating to the Alternatives Evaluated in the EIR

No-Project Alternatives (Alternatives 1A and 1B)

Under CEQA, a "No-Project Alternative" compares the impacts of proceeding with a proposed project with the impacts of not proceeding with the proposed project. A No-Project Alternative describes the environmental conditions in existence at the time the Notice of Preparation was published, along with a discussion of what would be reasonably expected to occur at the site in the foreseeable future, based on current plans and consistent with available infrastructure and community services.

The No-Project Alternative, Existing Conditions (Alternative 1A) would result in conditions remaining the same as existing conditions at the time of the Notice of Preparation. No improvements or development would occur, and the Kastania Pump Station would remain in service to convey water through the Aqueduct from Petaluma to Novato. The Kastania Pump Station would continue to use energy and result in the generation of greenhouse gas emissions. None of the project objectives would be met.

The No-Project Alternative, Reasonably Foreseeable Conditions (Alternative 1B) is the circumstances that would be reasonably expected to occur in the foreseeable future if the Project were not approved, based upon current plans and consistent with available infrastructure and community services. The reasonably foreseeable future condition includes the Caltrans MSN Project, as Caltrans will construct the MSN Project even if the Project is not built. Alternative 1B focuses on the geographic area in which the Project is proposed, and includes the Caltrans MSN Project, without the Project components that differ from the Caltrans MSN Project. Because the Project would not be implemented, however, energy use and greenhouse gas emissions resulting from operation of the Kastania Pump Station would be ongoing and this alternative would not have the beneficial impact of reducing greenhouse gas emissions. None of the project objectives would be met.

Generation of Solar Energy at the Kastania Pump Station

Alternative 2 is production of green energy using solar panels to offset the energy usage of the Kastania Pump Station, rather than constructing the AEE Project. Because the Caltrans MSN Project still would be reasonably expected to occur, Alternative 2 assumes construction of the Caltrans MSN Project, without the AEE Project components that differ from the Caltrans MSN Project. Alternative 2 would have no significant and unavoidable environmental impacts, but would require the permanent use of approximately 1.5 acres of land which would have greater impacts on views, glare, trees, and potential California red-legged frog habitat than the Project components that differ from the Caltrans MSN Project. Therefore, Alternative 2 would have greater environmental impacts than the Proposed Project.

Alternative Alignments for Parallel Reaches

Alternative 3 addressed alternative locations for the parallel reaches of the Project. Alternative 3 would not result in different impacts than the AEE Project because the Caltrans MSN Project would result in permanent or temporary impacts in the same locations as either the proposed alignments for AEE Project parallel reaches A and D, or the alternative alignments for parallel reaches A and D.

Proposed Project

The Proposed Project would increase the diameter of portions of the existing Aqueduct to eliminate use of the existing Kastania Pump Station and the resulting energy demand, associated greenhouse gas emissions and costs. The Proposed Project also includes construction of an additional pipeline parallel to the existing Aqueduct in three locations where Caltrans is not relocating the existing Aqueduct. The Proposed Project is being designed such that the Aqueduct's rate of flow capacity would not increase compared to existing conditions.

The existing Aqueduct between the Kastania Pump Station and Redwood Landfill Road is 4.6 miles long - 3.8 miles to be relocated by the Caltrans MSN Project plus 0.8 mile that would not be relocated by the Caltrans MSN Project. The Proposed Project consists of the following:

- **Relocation Pipeline Reaches** - 3.8 miles of the Aqueduct would be relocated by the Caltrans MSN Project. At the time that Caltrans relocates portions of the Aqueduct, a 42-inch diameter pipeline would be installed, instead of replacing in kind the existing 30-inch pipeline;

- **Parallel Pipeline Reaches** - 0.8 mile of the Aqueduct between Kastania Pump Station and Redwood Landfill Road would not be relocated by the Caltrans MSN Project. At the time that Caltrans relocates portions of the Aqueduct, the NMWD would install a new 36-inch or 42-inch pipeline parallel to its existing Aqueduct; and
- **Kastania Pump Station** – the existing pump station is owned and operated by SCWA. Following installation of the relocated and parallel pipelines, NMWD would install a blind flange at the existing North Marin Aqueduct where it connects to the discharge side of the Kastania Pump Station outlet piping to physically and permanently disconnect and isolate the Aqueduct from the pump station. NMWD expects that SCWA will then decide to remove the pump station from service, decommission the pump station or demolish the pump station.

In both relocated and parallel reaches, new pipelines would consist of the same materials as the existing Aqueduct: welded steel pipe with cement-mortar lining. If approved, the AEE Project would be constructed in advance of or at the time that Caltrans constructs the Caltrans MSN Project.

The Proposed Project would have no significant and unavoidable environmental impacts. It would temporarily disturb approximately 28 acres, all of which falls within the area to be impacted by the Caltrans MSN Project. The Proposed Project would have impacts on views, trees, potential California red-legged frog habitat, oak woodlands and riparian habitat, wetlands, cultural resources, water quality, noise, and hazards each of which would be mitigated to a level of less-than-significant. The Proposed Project would be subject to geologic hazards which would also be mitigated below the level of significance. The AEE Project would eliminate energy use at the Kastania Pump Station, and in so doing, would reduce greenhouse gas emissions by 500 metric tons of carbon dioxide equivalent annually.

The Proposed Project would meet the project objectives and it would result in equal or less environmental impacts than other alternatives.

Summary of Findings Regarding Alternatives. For all of the foregoing reasons, the Board has determined to approve the Project instead of one of the other alternatives to the Project.

c. Findings Regarding Suggestions for New Alternatives, Modifications to the Project and Variations on the Alternatives

Alternatives were suggested in the scoping period. These suggestions include increased water conservation and purchase of green energy to power the Kastania Pump Station. Under CEQA, alternatives must meet most of the Project objectives, be feasible, and reduce significant impacts of the Project. With respect to alternatives suggested by commenters, the Board hereby adopts and incorporates by reference the reasons set forth in the Draft EIR as its grounds for rejecting those alternatives.

Findings Regarding Adequacy of Range of Alternatives. The Board finds that the range of alternatives evaluated in the EIR reflects a reasonable attempt to identify and evaluate various types of alternatives that would potentially be capable of reducing the Project's environmental effects, while accomplishing most but not all of the project objectives. The Board finds that the alternatives analysis is sufficient to inform the Board and the public regarding the tradeoffs between the degree to which alternatives to the Project could reduce environmental impacts and the corresponding degree to which the alternatives would hinder the Board's ability to achieve most or all of the project objectives.

D. Record of Proceedings

Various documents and other materials constitute the record upon which the Board bases these findings and the approvals contained herein. The location and custodian of these documents and materials is District Secretary, North Marin Water District, 999 Rush Creek Place, Novato, CA 94945, (415) 897-4133.

E. Mitigation Monitoring Program

In accordance with CEQA and the CEQA Guidelines, the District must adopt a mitigation monitoring program to ensure that the mitigation measures adopted herein are implemented. The Board hereby adopts the Mitigation Monitoring Program for the Project attached to these findings as Exhibit B.

F. Summary

1. Based on the foregoing findings and the information contained in the administrative record, the Board has made one or more of the following findings with respect to each of the significant environmental effects of the Project identified in the Final EIR:

a. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects on the environment.

b. Those changes or alterations that are wholly or partially within the responsibility and jurisdiction of another public agency have been, or can and should be, adopted by that other public agency.

2. Based on the foregoing findings and information contained in the record, it is hereby determined that:

a. All significant effects on the environment due to approval of the Project have been eliminated or substantially lessened where feasible.

III. PROJECT APPROVAL

NOW, THEREFORE, based on the record of this proceeding and the foregoing findings and determinations, the Board does hereby take the following actions:

1. Approval of the North Marin Water District Aqueduct Energy Efficiency Project. The Board approves and declares its intent to carry out the Project.

2. Adoption of Mitigation Monitoring and Reporting Program. The Board adopts the Mitigation Monitoring and Reporting Program attached as Exhibit B and authorizes and directs the General Manager or his assigns to take all appropriate steps in accordance with that program to ensure that the required mitigation measures are carried out.

3. Notice of Determination. The Board directs the General Manager or his assigns to file a Notice of Determination with the County Clerk and the Office of Planning and Research in accordance with the provisions of CEQA, the CEQA Guidelines, and the District's procedures for implementation of CEQA, advising of the Board's approval of the Project.

* * * * *

I certify that the foregoing is a true and complete copy of the resolution duly and regularly adopted by the Board of Directors of NORTH MARIN WATER DISTRICT at a regular meeting of said Board held on the 19th day of July, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Renee Roberts, Secretary
North Marin Water District

EXHIBIT A

Aqueduct Energy Efficiency Project Impact and Mitigation Summary

Impact	Impact Significance	Mitigation Measure	Post-mitigation Significance
Aesthetics (AES)			
AES-1. Will the AEE Project have a substantial adverse effect on a scenic vista or substantially damage the existing visual character or quality of the site and its surrounding?	Significant	Mitigation Measure AES-1: Vegetation and Tree Avoidance and Protection Measures Mitigation Measure AES-2: Replacement Landscaping (Standard Highway Planting and Revegetation) Mitigation Measure AES-3: Revegetation Requirements Mitigation Measure AES-4: Kastania Road Tree Protection Measures	Less than Significant
AES-2. Will the AEE Project create a new source of substantial light or glare, adversely affecting day or nighttime views of the area?	No Impact	No mitigation is needed	No Impact
Agriculture and Forest Resources (AF)			
AF-1. Will the AEE Project cause loss of status farmland?	Less than Significant	No mitigation is needed	Less than Significant
AF-2. Will the AEE Project cause conflict with zoning for agricultural use or cause status farmlands to be converted to non-agricultural uses?	No Impact	No mitigation is needed	No Impact
AF-3. Will the AEE Project conflict with a Williamson Act contract?	No Impact	No mitigation is needed	No Impact
AF-4. Will the AEE Project result in loss of forest land or conversion of forest land to non-forest use?	Less than Significant	No mitigation is needed	No Impact
Air Quality (AIR)			
AIR-1. Will the AEE Project conflict with or obstruct implementation of the applicable air quality plan?	No Impact	No mitigation is needed	No Impact
AIR-2. Will the AEE Project violate an air quality standard or contribute substantially to an existing or projected air quality violation?	Less than Significant	No mitigation is needed	Less than Significant

EXHIBIT A

Aqueduct Energy Efficiency Project Impact and Mitigation Summary

Impact	Impact Significance	Mitigation Measure	Post-mitigation Significance
AIR-3. Will the AEE Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	Less than Significant	No mitigation is needed	Less than Significant
AIR-4. Will the AEE Project expose sensitive receptors or the general public to substantial levels of toxic air contaminants?	Less than Significant	No mitigation is needed	Less than Significant
AIR-5. Will the AEE Project create objectionable odors affecting a substantial number of people?	Less than Significant	No mitigation is needed	Less than Significant
Biological Resources (BIO)			
BIO-1. Will the AEE Project have a substantial adverse effect, either directly or through habitat modifications on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	Significant	Mitigation Measure BIO-1a: Minimize Loss of Special-Status Plant Species Mitigation Measure BIO-1b: Minimize Construction Impacts to CRLF Mitigation Measure BIO-1c: Minimize Impacts to Western Pond Turtle Mitigation Measure BIO-1d: Minimize Impacts to Birds Mitigation Measure BIO-1e: Minimize Impacts to American Badger Mitigation Measure BIO-1f: Minimize Impacts to Bats	Less than Significant

EXHIBIT A

Aqueduct Energy Efficiency Project Impact and Mitigation Summary

Impact	Impact Significance	Mitigation Measure	Post-mitigation Significance
<p>BIO-2. Will the AEE Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional Plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</p>	<p>Significant</p>	<p>Mitigation Measure: AES-1: Vegetation and Tree Avoidance and Protection Measures</p> <p>Mitigation Measure AES-3: Revegetation Requirements</p> <p>Mitigation Measure BIO-2: Oak Woodland Habitat Replacement</p>	<p>Less than Significant</p>
<p>BIO-3. Will the AEE Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrologic interruption or other means?</p>	<p>Significant</p>	<p>Mitigation Measure BIO-3: Restore Jurisdictional Wetlands and Waters Temporarily Affected by Construction</p>	<p>Less than Significant</p>
<p>BIO-4. Will the AEE Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites?</p>	<p>Significant</p>	<p>Mitigation Measure BIO-1b: Minimize Construction Impacts to CRLF</p> <p>Mitigation Measure HWQ-1: Frac-Out and Undercrossing Contingency Plan</p>	<p>Less than Significant</p>
<p>BIO-5. Will the AEE Project conflict with any local policies or ordinances protection biological resources, such as tree preservation policy or ordinance?</p>	<p>Significant</p>	<p>Mitigation Measure: AES-1: Vegetation and Tree Avoidance and Protection Measures</p> <p>Mitigation Measure AES-3: Revegetation Requirements</p> <p>Mitigation Measure AES-4: Kastania Road Tree Protection Measures</p>	<p>Less than Significant</p>
<p>BIO-6. Will the AEE Project conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state natural community habitat conservation plan?</p>	<p>No Impact</p>	<p>No mitigation is needed</p>	<p>No Impact</p>

EXHIBIT A

Aqueduct Energy Efficiency Project Impact and Mitigation Summary

Impact	Impact Significance	Mitigation Measure	Post-mitigation Significance
Cultural Resources (CR)			
CR-1. Will the AEE Project cause a substantial adverse change in the significance of a historical or unique archeological resource?	Significant	Mitigation Measure CR-1a: Memorandum of Agreement to Protect Archaeological Resources Mitigation Measure CR-1b: Assessment and Treatment of Unanticipated Archaeological Properties	Less than Significant
CR-2. Will the AEE Project impact a unique paleontological resource or site or unique geologic feature?	Less than Significant	No mitigation is needed	Less than Significant
CR-3. Will the AEE Project disturb any human remains, including those interred outside of formal cemeteries?	Significant	Mitigation Measure CR-2: Treatment of Human Remains	Less than Significant
Geology, Soils, and Seismicity (GEO)			
GEO-1. Will the AEE Project expose people or structures to substantial adverse effects from strong seismic ground shaking?	Less than Significant	No mitigation is needed	Less than Significant
GEO-2. Will the AEE Project expose people or structures to substantial adverse effects from ground rupture due to location near a surface trace of an active fault?	No Impact	No mitigation is needed	No Impact
GEO-3. Will the AEE Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site liquefaction, lateral spreading, subsidence, landslide or collapse?	Significant	Mitigation Measure GEO-1: Reduce Risk of Damage due to Liquefaction Mitigation Measure GEO-2: Slope Stabilization	Less than Significant
GEO-4. Will the AEE Project result in substantial soil erosion or loss of topsoil?	Less than Significant	No mitigation is needed	Less than Significant
GEO-5. Will the AEE Project be located on expansive soil or corrosive soil, creating substantial risk to life or property?	Less than Significant	No mitigation is needed	Less than Significant

EXHIBIT A

Aqueduct Energy Efficiency Project Impact and Mitigation Summary

Impact	Impact Significance	Mitigation Measure	Post-mitigation Significance
GEO-6. Will the AEE Project be located on soils incapable of supporting septic tanks or alternative wastewater disposal systems?	No Impact	No mitigation is needed	No Impact
Greenhouse Gases and Energy (GHG)			
GHG-1. Will the AEE Project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?	Less than Significant	No mitigation is needed	Less than Significant
GHG-2. Will the AEE Project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of reducing the emissions of GHGs?	Beneficial	No mitigation is needed	Beneficial
GHG-1C. Will the AEE Project plus cumulative projects generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?	Less than Significant	No mitigation is needed	Less than Significant
GHG-2C. Will the AEE Project plus cumulative projects conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of reducing the emissions of GHGs?	Beneficial	No mitigation is needed	Beneficial
Hydrology and Water Quality (HWQ)			
HWQ-1. Will the construction or operation of the AEE Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade ground water or surface water quality?	Significant	Mitigation Measure HWQ-1: Frac-Out and Undercrossing Contingency Plan Mitigation Measure HWQ-2: Management of Disinfection/Dechlorination Water	Less than Significant
HWQ-2. Will construction or operation of the AEE Project substantially deplete groundwater supplies such that there would be a lowering of the local groundwater table level?	Less than Significant	No mitigation is needed	Less than Significant

EXHIBIT A

Aqueduct Energy Efficiency Project Impact and Mitigation Summary

Impact	Impact Significance	Mitigation Measure	Post-mitigation Significance
HWQ-3. Will the AEE Project interfere substantially with groundwater recharge such that there would be a lowering of the local groundwater table level?	No Impact	No mitigation is needed	No Impact
HWQ-4. Will the AEE Project substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site or exceed the capacity of existing or planned stormwater drainage systems?	No Impact	No mitigation is needed	No Impact
HWQ-5. Will the AEE Project place housing or structures within a 100-year flood hazard area in a manner that would impede or redirect flood flows, or within an inundation area of a dam or levee?	No Impact	No mitigation is needed	No Impact
Land Use, Population & Housing (LU)			
LU-1. Will the AEE Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	No Impact	No mitigation is needed	No Impact
LU-2. Will the AEE Project physically divide an established community?	No Impact	No mitigation is needed	No Impact
LU-3. Will the AEE Project displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?	No Impact	No mitigation is needed	No Impact
Noise (N)			
N-1. Will AEE Project construction or operation result in exposure of persons or generation of noise levels in excess of standards established in the local general plans or noise ordinance, or applicable standards of other agencies?	Less than Significant	No mitigation is needed	Less than Significant

EXHIBIT A

Aqueduct Energy Efficiency Project Impact and Mitigation Summary

Impact	Impact Significance	Mitigation Measure	Post-mitigation Significance
N-2. Will AEE Project construction activities result in generation of excessive ground-borne vibration levels?	No Impact	No mitigation is needed	No Impact
N-3. Will operation of the AEE Project cause a substantial permanent increase in ambient noise levels above existing levels in the vicinity?	No Impact	No mitigation is needed	No Impact
N-4. Will AEE Project construction result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project?	Significant	N-1: Construction Noise Control Measures	Less than Significant
N-5. Will the AEE Project expose people in an area within the vicinity of a public or private airport to excessive noise levels?	No Impact	No mitigation is needed	No Impact
Public Health and Safety (PHS)			
PHS-1. Will the AEE Project expose workers or the public to hazards from a known hazardous waste site?	Significant	Mitigation Measure PHS-1a: Contaminated Materials Handling and Disposal Mitigation Measure PHS-1b: Utility Design to Prevent Migration of Contamination	Less than Significant
PHS-2. Will the AEE Project increase potential exposure of the public to hazardous materials due to a chemical release?	No Impact	No mitigation is needed	No Impact
PHS-3. Will the AEE Project emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?	No Impact	No mitigation is needed	No Impact
PHS-4. Will the AEE Project expose the public to safety hazards associated with operation of heavy machinery, vehicles, or equipment; or creation of accessible excavations (trenches, pits, or borings)?	Less than Significant	No mitigation is needed	Less than Significant

EXHIBIT A

Aqueduct Energy Efficiency Project Impact and Mitigation Summary

Impact	Impact Significance	Mitigation Measure	Post-mitigation Significance
PHS-5. Will the AEE Project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	Less than Significant	No mitigation is needed	Less than Significant
PHS-6. Will the AEE Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than Significant	No mitigation is needed	Less than Significant
PHS-7. Will the AEE Project result in a safety hazard for people residing or working within the area addressed in the Marin County Airport Gness Field Airport Land Use Plan?	No Impact	No mitigation is needed	No Impact
Public Services and Utilities (PSU)			
PSU-1. Will construction of the AEE Project disrupt public utilities to such a degree that accepted service standards are not maintained?	Less than Significant	No mitigation is needed	Less than Significant
PSU-2. Will the AEE Project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste needs?	Less than Significant	No mitigation is needed	Less than Significant
PSU-3. Will the AEE Project comply with federal, state, and local statutes and regulations related to solid waste?	No Impact	No mitigation is needed	No Impact

EXHIBIT A

Aqueduct Energy Efficiency Project Impact and Mitigation Summary

Impact	Impact Significance	Mitigation Measure	Post-mitigation Significance
PSU-4. Will the AEE Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable services ratios, response times, or other performance objectives for police, fire, schools, and parks and recreational facilities?	No Impact	No mitigation is needed	No Impact
PSU-5. Will the AEE Project require or result in the construction of new facilities or expansion of existing facilities, such as water, wastewater treatment and disposal, storm water, solid waste removal, electrical or gas facilities which could cause significant environmental effects?	No Impact	No mitigation is needed	No Impact
Transportation (TR)			
TR-1. Will the AEE Project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycles paths, and mass transit?	Less than Significant	No mitigation is needed	Less than Significant
TR-2. Will the AEE Project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	Less than Significant	No mitigation is needed	Less than Significant

EXHIBIT A

Aqueduct Energy Efficiency Project Impact and Mitigation Summary

Impact	Impact Significance	Mitigation Measure	Post-mitigation Significance
TR-3. Will the AEE Project substantially increase hazards due to a design feature or incompatible uses, or result in inadequate emergency access?	Less than Significant	No mitigation is needed	Less than Significant
TR-4. Will the AEE Project result in a change in air traffic patterns including either an increase in traffic levels or a change in location that results in substantial safety risks?	No Impact	No mitigation is needed	No Impact
TR-5. Will the AEE Project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or otherwise decrease the performance or safety of such facilities?	No Impact	No mitigation is needed	No Impact

Exhibit B

**North Marin Water District Aqueduct
Energy Efficiency Project**

Mitigation Monitoring and Reporting Program

July 19, 2011

State Clearinghouse #2010092071

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>Project Measure 1: Basic Construction Methods</p> <p>The measures presented in the Caltrans MSN Project EIR related to air quality were from the BAAQMD 1999 CEQA Guidelines. The measures presented below were updated by the BAAQMD in the 2010 CEQA Guidelines, which were not available at the time of Caltrans MSN Project EIR final approval. The contractor for the AEE Project shall implement the Bay Area Air Quality Management District's updated Basic Construction Measures:</p> <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). 	<p>NMWD/Caltrans</p>	<p>During construction</p>	<p>Ongoing during construction</p>	<p>Implement BMPs</p>

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
 EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>Clear signage shall be provided for construction workers at all access points.</p> <ul style="list-style-type: none"> • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. 				

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>Project Measure 2: Standard Engineering Methods for Expansive Soils</p> <p>The NMWD shall utilize a qualified engineer to conduct a detailed, facility-specific soil survey and determine which facilities require shrink/swell prevention measures. The survey shall record soil type and soil properties, including shrink/swell characteristics.</p> <p>Where the detailed pre-design soil analysis has identified the presence of expansive soils, the NMWD shall implement measures to substantially lessen or avoid potential impacts from expansive soils. The measures may include the following:</p> <ul style="list-style-type: none"> • Removal of native soil from the trench and replacement with an engineered fill material not prone to shrinking and swelling • Soil stabilization, such as lime treatment to alter soil properties to reduce shrink/swell potential to an acceptable level 	<p>NMWD</p>	<p>Prior to construction</p>	<p>Ongoing during construction</p>	<p>Complete soil survey and implement protective measures as necessary</p>
<p>Project Measure 3: Standard Engineering Methods for Corrosive Soils</p> <p>The NMWD shall utilize a qualified engineer to conduct a detailed, facility-specific soil survey and determine which facilities require corrosion prevention measures. The survey shall record soil type and soil properties, including pH, salinity, and active sulfides. The pipeline design in areas of highly corrosive soils shall include an active cathodic protection system other effective corrosion avoidance and/or protection methods.</p>	<p>NMWD</p>	<p>Prior to construction</p>	<p>Ongoing during construction</p>	<p>Complete soil survey and design, and implement cathodic protection system or other effective corrosion avoidance and/or protection methods as necessary</p>

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>Project Measure 4: Storm Water Pollution Prevention Plan</p> <p>Caltrans and the NMWD shall obtain coverage under State Water Resources Control Board Order No. 2009-0009-DWQ, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities. The NMWD shall ensure that a qualified Contractor assess the risk level of the site based on sediment transport and receiving water risks and prepare a Storm Water Pollution Prevention Plan (SWPPP) that meets the risk level requirements. The SWPPP shall address pollutant sources, non-storm water discharges such as trench dewatering, best management practices, and other requirements specified in the Order.</p> <p>The SWPPP shall include measures to manage the discharge of any groundwater generated from trench dewatering. Best management practices for trench dewatering may include, but would not be limited to, the following:</p> <ul style="list-style-type: none"> • Avoiding the discharge by dispersing pumped groundwater to a level dirt or landscaped area to allow infiltration or use for dust control. • At minimum, using a gravity bag filter (dewatering bag) or similar filtration device (following vendor instructions). • Building a sediment trap (temporary basin formed by excavation or earthen embankment across a low drainage area to detain sediment-laden runoff and allow sediment to settle out before discharging). 	<p>NMWD/Caltrans</p>	<p>Prior to construction</p>	<p>Ongoing during construction</p>	<p>Complete and submit SWPPP, implement SWPPP BMPs</p>

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<ul style="list-style-type: none"> Using a mobile weir tank, dewatering tank, or sand filter (following vendor instructions). <p>The SWPPP shall also provide a plan for managing trench dewatering in areas containing chemical contamination. In areas of suspected chemical groundwater contamination, or if odors, discoloration, or an oily sheen indicate contaminants, then groundwater samples shall be collected to assess the quality of the groundwater and to determine the appropriate disposal and treatment requirements. An area and a groundwater treatment system, if needed, shall be provided to process any chemically contaminated groundwater to remove the chemicals of concern. As an alternative, the NMWD may subcontract with a company to pump, transport, treat, and recycle any chemically contaminated groundwater.</p>				
<p>Project Measure 5: Construction Management Program</p> <p>Caltrans and the NMWD shall manage construction to avoid or minimize potential impacts to public health and safety, to the extent feasible. The NMWD shall develop and implement a Construction Management Program (Program), which may include the following measures, or equally effective measures, depending upon the hazard being addressed:</p> <ul style="list-style-type: none"> Construction machinery, vehicles, and equipment shall be operated in accordance with California Code of Regulation Title 8 regarding construction safety. 	NMWD/Caltrans	Prior to construction	Ongoing during construction	Develop and implement Construction Management Program

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<ul style="list-style-type: none"> • Excavations shall be guarded by readily visible barricades, rails or other effective means to avoid access by the public. • Local police, public works and fire departments for each county shall receive advance notification of construction activities. Local residents and businesses shall also be notified and access shall be maintained. • Clear dry vegetation or other fire fuels near staging areas or any other area where equipment would be operated during construction. Contractors shall use spark arrestors on construction equipment that use an internal combustion engine. 				
<p>Project Measure 6: Limit Disruptions to Existing Utilities</p> <p>Caltrans and the NMWD shall take the following measures to limit impacts to existing utilities:</p> <ul style="list-style-type: none"> • <i>Pre-Construction Utility Identification and Coordination:</i> Prior to construction activities, the NMWD shall locate overhead and underground utility lines, such as natural gas, electricity, sewer, telephone, fuel and water lines that may be encountered during excavation work. Pursuant to state law, the contractor shall notify Underground Service Alert of Northern California and Nevada ("USA North"). Information regarding the exact location of existing utilities shall be confirmed before construction activities begin. The contractor shall notify all affected utility service providers in advance of the project construction plans and schedule. Each 	NMWD/Caltrans	Prior to construction	Ongoing during construction	Identify utilities, notify appropriate utility services, and protect utilities during construction

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>provider would be responsible for marking the location of its underground utilities and coordinating with the contractor to avoid damage. The contractor shall make arrangements with these entities regarding the protection, relocation, or temporary disconnection of services prior to the start of construction, and promptly reconnect services, as required.</p> <ul style="list-style-type: none"> • <i>Protection of Other Utilities during Construction:</i> Detailed specification shall be prepared as part of the design plans to include procedures for the excavation, support and fill of areas around subsurface utilities, cables and pipes. If it is not feasible to avoid an overhead utility line during pipeline construction, the contractor shall coordinate with the affected utility owner to either temporarily or permanently support the line, or to de-energize the line while temporarily supporting the overhead line. • <i>Advance Notification.</i> The contractor shall coordinate with the appropriate utility service providers to ensure advance notification to residents, owners and business in the construction area of a potential utility service disruption two to four days in advance of construction. The notification shall provide information about the timing and duration of the potential service disruption. Service disruptions shall be eight hours or less in duration. 				

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>Project Measure 7: Develop and Implement a Traffic Control Plan</p> <p>A Traffic Management Plan (TMP) shall be developed for the AEE Project in consultation with the local emergency service providers. In the TMP, Caltrans and the NMWD shall identify the various emergency service providers in the cities of Novato and Petaluma and Marin and Sonoma counties. Provisions shall be included in the construction contract requiring the contractor to coordinate with these providers when developing temporary detour plans and lane closures. The construction contract documents shall also require the contractor to notify emergency service a minimum of two weeks in advance of any road closures and detour routes.</p>	NMWD/Caltrans	Prior to construction	Ongoing during construction	Develop and implement Traffic Control Plan
<p>Mitigation Measure AES-1: Vegetation and Tree Avoidance and Protection Measures</p> <p>NMWD will be responsible to ensure that Caltrans contractually commits to implement the mitigation measure or NMWD will implement the measure to minimize or avoid tree/vegetation removal due to construction:</p> <ul style="list-style-type: none"> • In areas where maximum protection of vegetation is desirable clearing and grubbing is only to occur within excavation and embankment slope limits. • Existing vegetation outside of clearing and grubbing limits shall be protected from the contractor's operations, equipment, and materials storage. 	NMWD/Caltrans	Prior to construction	Ongoing during construction	Implement tree avoidance and protection measures

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<ul style="list-style-type: none"> • Tree trimming by the contractor shall be limited to that required in order to provide a clear work area. • High visibility protective fencing shall be placed around trees to be protected prior to the commencement of construction. • All trees to be removed shall be field marked by the Engineer and approved by the Engineer prior to removal. • Wherever feasible, slope lines shall be adjusted to avoid tree removal. • Design exceptions shall be implemented where feasible to avoid removal of significant existing vegetation. Design exceptions may include reducing the width of the standard grading catch line to minimize vegetation removal; steepening of cut and fill slopes; installation of guardrails around selected trees to allow retention at the shoulder; or other measures as recommended in the field during the project design or construction phases. 				
<p>Mitigation Measure AES-2: Replacement Landscaping (Standard Highway Planting and Revegetation)</p> <p>NMWD will be responsible to ensure that Caltrans contractually commits to implement the mitigation measure or NMWD will implement the following vegetation planting requirements:</p> <ul style="list-style-type: none"> • Replacement landscaping shall be implemented per Caltrans safety standards. • Replacement landscaping shall be funded through the parent roadway contract and 	NMWD/Caltrans	During construction	Ongoing during construction	Implement vegetation planting requirements

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>completed as a separate contract within two years of completion of all roadwork.</p> <ul style="list-style-type: none"> Standard project landscaping and additional revegetation shall be employed to increase the existing amount of landscaping in the freeway visual foreground over the long term, in order to provide screening and enhance its vividness and intactness to compensate for corridor-wide loss of visual quality. 				
<p>Mitigation Measure AES-3: Revegetation Requirements</p> <p>NMWD will be responsible to ensure that Caltrans contractually commits to implement the mitigation measure or NMWD shall revegetate disturbed areas. All disturbed areas shall be provided with permanent erosion control grasses and, additionally, appropriate, locally native annual, shrub and tree species. Areas of disturbed native vegetation shall be replaced at a 5 to 1 ratio in place and in kind wherever feasible in the Central Segment. Where in- place planting is not practical, planting will be replaced, where feasible, off-site in the visual foreground of the corridor.</p>	NMWD/Caltrans	Prior to construction	Ongoing during construction	Implement revegetation requirements
<p>Mitigation Measure AES-4: Kastania Road Tree Protection Measures</p> <p>The NMWD shall have a certified arborist on site during construction activities in Kastania Road during pipeline trenching. The arborist shall provide guidance regarding construction methods required to protect the trees lining Kastania Road. Protection measures shall include trenching requirements to protect tree roots and pruning requirements to protect</p>	NMWD	Prior to construction	Ongoing during construction activities in Kastania Road	Implement road tree protection measures

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
 EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>tree vigor during and following construction activities.</p> <p>Tree protection measures shall include, but are not limited to the following:</p> <ul style="list-style-type: none"> • Prior to initiating any construction activity along Kastania Road, temporary protective fencing shall be installed at each protected tree in the immediate vicinity of construction. Fencing is to be located a minimum of one foot beyond the canopy dripline. • Install temporary protective fencing at the edge of the dripline or the edge of approved construction prior to any construction activities. Maintain fencing in place for the duration of construction. • Maintain the existing grade within the fenced portion of the dripline. Route drainage swales and underground work outside the dripline, where possible. • Place a 4-inch layer of chipped bark mulch over the soil surface within the fenced dripline prior to installing temporary fencing. Suitable bark must contain bark "fines." Maintain this layer of mulch throughout construction. • Identify and implement site specific trenching requirements were necessary to protect the health and vigor of trees lining Kastania Road. • Prune to clean and raise the canopy per International Society of Arboricultural pruning standards. 				

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>Mitigation Measure BIO-1a: Minimize Loss of Special-Status Plant Species</p> <p>NMWD will be responsible to ensure that Caltrans contractually commits to implement the mitigation measure or NMWD will implement the measure, which is identical to the measure in the Caltrans MSN Project EIR, with the exception of the inclusion of Sebastopol meadowfoam.</p> <p>Surveys will be conducted according to USFWS, CNPS, and CDFG protocols within potentially suitable habitat for the Sebastopol meadowfoam, Sonoma alopecurus, Contra Costa and Burke's goldfields, and the showy rancheria clover by botanists familiar with the local flora, and surveys will be floristic in nature.</p> <p>In adherence with the protocols, surveys will be conducted during the appropriate blooming season for these plants.</p> <p>If identified during the preconstruction surveys, consultation with the USFWS, and CDFG if appropriate, will be reinitiated.</p> <p>Caltrans will also implement several measures to avoid and minimize impacts to federal or state listed plants and their habitat including:</p> <ul style="list-style-type: none"> • Making minor design modifications to avoid effects to the species; • Designating any area where federally or state listed plants and/or populations have been observed within the temporary work area as an Environmentally Sensitive Area (ESA) and 	<p>NMWD/Caltrans</p>	<p>Prior to construction</p>	<p>Ongoing during construction</p>	<p>Conduct surveys, implement minimization measures, implement compensation measures as necessary</p>

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>mark it in the field with orange construction fencing;</p> <ul style="list-style-type: none"> Showing the location of all ESAs on project construction drawings and monitoring them during construction. <p>These areas shall be avoided if feasible, and compensation measures shall be implemented if impacts to special-status plants cannot feasibly be avoided during construction. Compensation shall be provided for permanent effects through the purchase (and/or creation) of habitat preservation based on the quality of the habitat and species affected. USFWS, and CDFG if appropriate, shall be consulted regarding the mitigation and monitoring plan. Compensation shall be consistent with one of the following:</p> <ul style="list-style-type: none"> Purchase of compensation credits at an existing bank or banks at a ratio that provides habitat, based on the quality of the habitat and species affected, and is at least 1:1. Purchase and preservation within 2 years after project implementation of a parcel known to support an extant population of special-status plant species affected. The ratio of preserved land to habitat lost shall depend upon the quality of the habitat lost and the number of individual plants affected, as well as the quality of the preserved habitat with suitable habitat. The ratio shall be at least 1:1. A combination of these two approaches. 				

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>Mitigation Measure BIO-1b: Minimize Construction Impacts to California Red-legged Frog (CRLF)</p> <p>NMWD will be responsible to ensure that Caltrans contractually commits to implement the mitigation measure or NMWD will be responsible for implementing this mitigation measure which is identical to the measure in the Caltrans MSN Project EIR.</p> <p>Off-site mitigation through private conservation covenants.</p> <p>Restriction of work to avoid critical time periods; use of exclusionary fencing; application of erosion control measures; preconstruction surveys; and monitoring by U.S. Fish and Wildlife Service approved biologist during construction as described in the USFWS Biological Opinion for the Caltrans MSN Project (refer to Draft EIR Appendix C.3).</p>	<p>NMWD/Caltrans</p>	<p>Prior to construction</p>	<p>Ongoing during construction</p>	<p>Conduct surveys, implement minimization measures</p>
<p>Mitigation Measure BIO-1c: Minimize Impacts to Western Pond Turtle</p> <p>NMWD will be responsible to ensure that Caltrans contractually commits to implement the mitigation measure or NMWD will implement the measure. Preconstruction surveys for the western pond turtle shall be conducted 48 hours prior to construction by a qualified biologist approved to conduct such surveys by CDFG. If western pond turtles are found in the AEE Project area during preconstruction surveys, CDFG shall be notified and individuals shall be captured by the qualified biologist and relocated to suitable areas above or below the AEE Project. If preconstruction surveys identify active western pond</p>	<p>NMWD/Caltrans</p>	<p>Prior to construction</p>	<p>Ongoing during construction</p>	<p>Conduct surveys, notify CDFG if needed, implement minimization measures as needed</p>

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>turtle nests, a qualified biologist shall establish a no-disturbance buffer zone around the nest using temporary orange construction fencing. The radius of the buffer zone and the duration of the exclusion shall be determined in consultation with CDFG. The buffer zone and fencing shall remain in place until the young have left the nest, as determined by a qualified biologist. The qualified biologist shall also remain present during construction in the area to inspect the work area, including construction equipment left on-site, for western pond turtles to ensure that individuals have not moved into the work area.</p>				
<p>Mitigation Measure BIO-1d: Minimize Impacts to Birds</p> <p>NMWD will be responsible to ensure that Caltrans contractually commits to implement the mitigation measure or NMWD will be responsible for carrying out this mitigation measure.</p> <p>If construction takes place outside of the nesting season (September to January), then preconstruction nest surveys would not be necessary. However, if construction takes place during the nesting season (February-August), then preconstruction nest surveys shall be conducted as follows to avoid potential impacts to nesting birds.</p> <p>A qualified biologist shall conduct preconstruction nesting surveys within 14 days prior to the start of construction. If raptors or special-status birds are nesting within 200 feet of the AEE Project area, a minimum 200-foot non-disturbance buffer shall be established around the nest site. If a non-special-</p>	<p>NMWD/Caltrans</p>	<p>Prior to construction</p>	<p>Ongoing during construction</p>	<p>Conduct surveys if necessary, implement minimization measures as needed</p>

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>status bird that is subject to the Migratory Bird Treaty is identified nesting on the project site or within 50 feet of the project site, a non-disturbance buffer of 50 feet shall be established around the nest site. The 200-foot nesting buffer may be modified to a minimum of 100 foot if a qualified biologist determines that the nesting birds are acclimated to human disturbance. Any reduction in the buffer size would require routine monitoring by a qualified biologist until such time that young fledge (leave the nest). The buffer shall stay in effect until the young have fledged as determined by a qualified biologist.</p>				
<p><i>Mitigation Measure BIO-1e: Minimize Impacts to American Badger</i></p> <p>NMWD will be responsible to ensure that Caltrans contractually commits to implement the mitigation measure or NMWD will implement the measure. Caltrans has agreed that it will carry out this mitigation measure prior to construction (personal communications, Yolanda Rivas, January 2011). Prior to the start of construction, a qualified biologist shall survey the Project area for badger burrows. In the event that a badger burrow is identified within the limits of construction prior to ground-disturbing construction activities (e.g., grading, excavation, trenching), the California Department of Fish and Game shall be contacted to determine if any setback requirements would be needed during AEE Project construction or if active trapping and relocation is an option. If a suspected badger burrow is identified during construction, construction shall temporarily cease in the immediate area, until the California Department of Fish and Game has been contacted.</p>	NMWD/Caltrans	Prior to construction	Ongoing during construction	Conduct surveys, implement minimization measures as needed

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>Caltrans shall relocate any badgers as directed by CDFG.</p>				
<p>Mitigation Measure BIO-1f: Minimize Impacts to Bats</p> <p>NMWD will be responsible to ensure that Caltrans contractually commits to implement the mitigation measure or NMWD will implement the measure.</p> <p>Preconstruction surveys for special-status bats shall be conducted by a qualified biologist before trees are pruned/trimmed or removed within the AEE Project area. If no bats are found during the survey, tree removal work shall be conducted within one month of the survey. If a maternity colony is found during the surveys, no eviction/exclusion shall be allowed during the breeding season (typically between April 15 and July 30). If a non-reproductive group of bats are found within a roost tree, they shall be passively evicted by a qualified biologist and excluded from the roost site prior to work activities during the appropriate time frame for bat eviction/exclusion (i.e., February 20 to April 14, and July 30 to October 15). The qualified biologist shall be available during construction to inspect the work area, including construction equipment left on-site, for bat species to ensure that individuals have not moved into the work area.</p> <p>Once a tree is cleared of habitation, trees shall be trimmed and/or removed in a two-phase system over two consecutive days. Limbs and branches shall be removed using chainsaws only during the afternoon of the first day. Limbs with cavities, crevices, or deep bark fissures would be avoided; only branches</p>	<p>NMWD/Caltrans</p>	<p>Prior to construction</p>	<p>Ongoing during construction</p>	<p>Conduct surveys, implement minimization measures as needed</p>

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>or limbs without those features would be removed. On the second day, the remaining branches would be removed or the entire tree removed, as needed.</p> <p>Mitigation Measure BIO-2: Oak Woodland Habitat Replacement</p> <p>NMWD will be responsible to ensure that Caltrans contractually commits to implement the mitigation measure or NMWD will implement the measure.</p> <p>During project development, project footprint was reduced to avoid large areas of oak woodland and oak savannah; for native and non-native trees that cannot be avoided, replacement oaks will be planted at an appropriate site(s), at a ratio of 3:1 for every acre of oak woodland habitat impacted. Prior to construction, an approved management plan shall be developed by a certified arborist or qualified biologist, then reviewed and approved by Caltrans biology staff. The plan shall be prepared pursuant to local and state requirements regarding oak woodlands. The management plan shall set forth specific requirements for the replacement site(s), as well as identify candidate replacement sites based on site characteristics. Management and monitoring will be conducted for a minimum of 10 years to ensure compliance and the sites will be maintained in perpetuity. Individual oak trees with at least one trunk of 6 inches or more DBH or multi-trunked native oaks with aggregate diameter of 10 inches or more will be replaced in kind in a suitable location.</p>	<p>NMWD/Caltrans</p>	<p>Prior to construction</p>	<p>Ongoing during construction, with monitoring continuing for 10 years</p>	<p>Develop management plan, replace oak woodland habitat, monitor replacement trees, maintain replacement trees</p>

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>Mitigation Measure BIO-3: Restore Jurisdictional Wetlands and Waters Temporarily Affected by Construction</p> <p>NMWD will be responsible to ensure that Caltrans contractually commits to implement the mitigation measure or NMWD will be responsible for implementation of this mitigation measure, which is identical to the measure in the Caltrans MSN Project EIR.</p> <p>Avoidance and minimization measures, including best management practices (BMPs), will be implemented to protect jurisdictional waters during construction. Materials and fluids generated by construction activities will be placed no closer than specified distances from wetland areas or drainages until they can be disposed of at permitted site; All natural communities and wetland areas located adjacent to the construction zone that could be affected by construction activities will be temporarily fenced off and designated as environmentally sensitive areas to prevent accidental intrusion by workers and equipment.</p> <p>In addition to the Caltrans mitigation measure from the Caltrans MSN Project EIR, Caltrans and NMWD shall also implement the following in areas where jurisdictional waters and wetlands cannot feasibly be avoided. Where wetlands and waters cannot be feasibility avoided, the disturbed wetlands and waters shall be restored after construction. A wetland and waters restoration plan shall be prepared and approved by the United States Army Corps of Engineers as part of the Section 404 permit process</p>	<p>NMWD/Caltrans</p>	<p>Prior to construction</p>	<p>Ongoing during construction</p>	<p>Prepare restoration plan, implement BMPs, implement restoration plan</p>

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>prior to construction. The restoration shall include, but not limited to, the following measures:</p> <ul style="list-style-type: none"> • Restore original contours and drainage patterns, both into and out of the wetland and waters. • Collect native seed stock or cuttings near the wetland. • Avoid use of soil amendments that would interfere with wetland viability, such as lime or fertilizers. • Spread a cover of straw, rice straw if available, over disturbed soils and work into soil. • Apply an organically based tackifier on disturbed areas to reduce air and water erosion of soils. • The first six inches of soil shall be stripped from areas to be excavated, graded, or filled. The stripped soil shall be stockpiled on-site, in designated areas and not mixed. The stockpiled soil shall not be contaminated with newly-introduced vegetation, trash, large stones, and other extraneous materials, to the extent possible. Stockpiled soil shall be protected from disturbance, rainfall, and erosion until it can be placed as final grade or otherwise reused. • Plants shall be installed, maintained, and replaced such that 100 percent of the design 				

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>plant density is present on the five-year anniversary of plant installation.</p> <ul style="list-style-type: none"> Plant survival shall be monitored and summarized in an annual report for five years. Annual reports shall include recommendations to be implemented to remediate the previous year's failures including replacement planting. 				
<p><i>Mitigation Measure CR-1a: Memorandum of Agreement to Protect Archaeological Resources</i></p> <p>To resolve adverse effects of the proposed project on the archaeological sites, FHWA and Caltrans has consulted with the SHPO and interested Native American groups. A Memorandum of Agreement (MOA) has been developed to identify mechanisms for treatment of historic properties, primarily through recovery of significant data that would be destroyed by construction of the project. The MOA will also outline the process for finishing identification of subsurface contexts that might contain historic properties that might be affected by the project and will also outline procedures for treatment of historic properties inadvertently discovered during construction. To protect sites not in the area of direct construction impacts, a provision for archaeological monitoring during construction will be stipulated. Under this MOA, a Historic Property Treatment Plan (Treatment Plan) will be prepared for the project prior to construction. The Treatment Plan will be consistent Secretary of the Interior Standards for the Treatment of Historic Properties in accordance with CEQA 15064.5 (b)(3). Interested Native Americans</p>	<p>NMWD/Caltrans</p>	<p>During construction</p>	<p>Ongoing during construction</p>	<p>Implement procedures outlined in MOA</p>

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>will be invited to participate in the development of the Treatment Plan.</p>				
<p><i>Mitigation Measure CR-1b: Assessment and Treatment of Unanticipated Archaeological Properties</i></p> <p>In the event of the unanticipated discovery of subsurface cultural materials during construction, the Contractor shall halt ground-disturbing work in the vicinity of the find. If cultural materials are identified within the State right-of-way during construction, immediate contact shall be made to the Caltrans District 4 Cultural Resource Studies Office at (510) 286-5618, and a Caltrans archaeologist shall evaluate the finds within one business day after contact. Archaeological resources may take the form of obsidian and chert flaked-stone tools (projectile points, knives, scraping implements) or toolmaking debris; culturally darkened soil ("midden") containing heat-altered rock, dietary bone and shellfish remains; and stone milling equipment (mortars, pestles, handstones, and milling stones). Historical materials might include stone or adobe footings or walls; building materials or other remains with square nails; and artifact - filled wells, privies, or other deposits of historic - period metal, glass, and/or ceramic artifacts. Work near such finds shall not be resumed until a qualified professional has evaluated the materials and offered recommendations for further action. If the deposit contains significant archaeological material, all work must be stopped in the immediate vicinity and the archaeologist shall undertake data recovery of the deposit unless the AEE Project can be modified to allow the materials</p>	<p>NMWD/Caltrans</p>	<p>During construction</p>	<p>Ongoing during construction</p>	<p>Cease work and report findings, as needed</p>

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>to be left in place. Data recovery efforts must follow standard archaeological methods.</p> <p>Mitigation Measure CR-2: Treatment of Human Remains</p> <p>Should human remains be encountered during Project construction, the following procedures shall be followed as required by Health and Safety Code § 7050.5.</p> <p>In the event of discovery or recognition of any human remains along the Project corridor, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the County Coroner has determined that the remains are not subject to his or her authority. If the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the State Native American Heritage Commission (NAHC). The NAHC shall assign a Most Likely Descendent (MLD), if one can be located. A qualified archaeologist, in consultation with any MLD, shall provide in writing recommendations regarding the treatment of the human remains and any associated cultural materials. Copies of the recommendations shall be provided to the NMWD, to any MLD, and the Northwest Information Center.</p>	<p>NMWD/Caltrans</p>	<p>During construction</p>	<p>Ongoing during construction</p>	<p>Cease work and report findings, as needed</p>

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>Mitigation Measure GEO-1 Reduce Risk of Damage due to Liquefaction</p> <p>NMWD will be responsible to ensure that Caltrans contractually commits to implement the mitigation measure or NMWD will be responsible for implementation of this mitigation measure, GEO-1, which is identical to the measure in the Caltrans MSN Project EIR.</p> <p>Caltrans or NMWD shall reduce the risk of damage caused by liquefaction. The liquefaction potential can be reduced by use of vibro or dynamic compaction methods on less cohesive soils. All liquefaction values will be confirmed by subsurface exploration and laboratory tests. In addition, specifically designed foundations for structures or ground improvement methods such as stone columns, dynamic compaction, placement of pipe joints and casing or removing liquefiable materials are among the possible mitigation measures.</p>	NMWD/Caltrans	Prior to construction	Ongoing during construction	Implement vibro or dynamic compaction methods and confirm liquefaction values, implement design measures as needed
<p>Mitigation Measure GEO-2 Slope Stabilization</p> <p>Caltrans or NMWD shall retain a licensed geotechnical engineer, to conduct construction-level geotechnical investigation for pipelines. If the geotechnical investigations identify hazards due to unstable slopes, the engineer shall identify slope stability risk areas and provide engineering design and construction recommendations that would result in stable slopes and low risk of pipeline rupture. Where unstable slopes are encountered, standard engineering practices, such as keying in of engineered slopes, retaining walls, slope stability monitoring, and dewatering systems may be required.</p>	NMWD/Caltrans	Prior to construction	Ongoing during construction	Conduct geotechnical investigation, implement design and construction recommendations, as needed

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>Caltrans or NMWD shall comply with the recommendations of the geotechnical investigation.</p> <p><i>Mitigation Measure HWQ-1: Frac-Out and Undercrossing Contingency Plan</i></p> <p>If bentonite is needed during construction, Caltrans or NMWD shall develop and follow procedures to prevent the bentonite mix used during drilling from being discharged into San Antonio Creek and other streams when installing pipelines using microtunnel or horizontal directional drilling. The plan will address how the contractor would manage pressures and the volume of lubricant used to prevent frac-out.</p> <p>The plan shall also address procedures to follow in the event a frac-out occurs. Drilling activities shall be visually monitored for any sign of lubricant frac-out and should frac-out occur, the contractor shall complete the following:</p> <ul style="list-style-type: none"> • Stop pumping lubrication. • Locate the point and cause of the frac-out. • Contain the spill to the maximum extent possible. • Clean up the spill to the maximum extent possible. • Wait at least two hours before pumping lubrication near the frac-out point to allow the ground to seal. • Reduce pumping pressure and volume in the area of the frac-out. 	<p>NMWD/Caltrans</p>	<p>Prior to construction</p>	<p>Ongoing during installation of pipelines beneath San Antonio Creek</p>	<p>Develop and implement contingency plan</p>

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<ul style="list-style-type: none"> Notify all designated authorities that a frac-out occurred, including but not limited to the California Department of Fish and Game. <p>Mitigation Measure HWQ-2: Management of Disinfection / Dechlorination Water</p> <p>Caltrans and the NMWD shall implement measures to manage the discharge of chlorinated water used for disinfection of the new pipeline. Best management practices for dechlorination and erosion control may include, but would not be limited to, the following:</p> <p><i>Notifications.</i> Within one week of a planned discharge, notify the Regional Water Quality Control Board, the California Department of Fish and Game, and the relevant departments of the counties within which the discharge will take place.</p> <p><i>Reuse.</i> Reuse or otherwise apply the water to upland areas wherever possible.</p> <p><i>Dechlorination.</i> For discharge to an infiltration basin, reduce chlorine residual to 0.05 mg/L by adding a proper dose of neutralizing chemical to water. For discharge to a stream, ditch, or storm water facility, add appropriate doses of neutralizing chemicals based on water flow rates to adjust pH to between 6.5 and 8.5 and to reduce chlorine residual to 0.05 mg/L. Use field meters and colorimeter tests to measure residual chlorine and pH in water prior to being discharged. If measurements indicate exceedance of the compliance standards provided above, adjust chemical feeds until compliance is achieved prior to discharge.</p>	NMWD/Caltrans	Prior to construction	Ongoing during construction	Implement BMPs

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p><i>Erosion Control.</i> For discharge to a stream, limit the discharge flow to less than 20 percent of the 2-year flow of the water body. Decrease the flow rate if visible signs of erosion are observed downstream of the point of discharge. At the riparian zone, tee discharge piping into a larger diameter perforated pipe to diffuse the flow and reduce the velocity of the discharge to 2-3 feet per second. Begin discharge at 40 to 200 gallons per minute to soak unhardened section of the channel and reduce the potential for scouring. Gradually increase the flow rate until the permitted discharge flow rate is achieved. Gradually reduce flow rates within the last 30 to 60 minutes of discharge.</p> <p><i>Turbidity Monitoring.</i> For discharges to a stream, collect turbidity measurements at points 100 feet upstream and downstream of the discharge point twice during the first hour of a discharge event and two additional times during daylight hours. If these points are inaccessible or unsafe to access, collect measurements at the closest practicable location. If the turbidity measurements indicate exceedance of the compliance standards provided below, reduce the flow rate and collect turbidity measurements every 30 minutes until compliance is achieved. Record turbidity measurements on a data sheet with chlorine residual and pH measurements.</p>				

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items										
<table border="1"> <tr> <td data-bbox="323 1633 574 1837">Ambient Stream Turbidity, A (Upstream Monitoring Location)</td> <td data-bbox="323 1360 574 1633">Compliance Standard (Downstream Monitoring Location)</td> </tr> <tr> <td data-bbox="574 1633 624 1837">< 50 NTU</td> <td data-bbox="574 1360 624 1627">< A + 5 NTU</td> </tr> <tr> <td data-bbox="624 1633 674 1837">50 – 100 NTU</td> <td data-bbox="624 1360 674 1627"><A + 10 NTU</td> </tr> <tr> <td data-bbox="674 1633 723 1837">> 100 NTU</td> <td data-bbox="674 1360 723 1627">< 1.1 X A</td> </tr> <tr> <td data-bbox="723 1633 806 1837">No upstream flow</td> <td data-bbox="723 1360 806 1627">1,000 NTU</td> </tr> </table> <p data-bbox="811 1285 834 1887">Source: Erosion Control Standard Operating Procedure (RMC 2008).</p> <p data-bbox="844 1285 905 1887">Mitigation Measure N-1: Construction Noise Control Measures</p> <p data-bbox="921 1285 1103 1887">NMWD will be responsible to ensure that Caltrans contractually commits to implement the mitigation measure or NMWD will be responsible for implementation of this mitigation measure, which is identical to the measure in the Caltrans MSN Project EIR.</p> <p data-bbox="1120 1285 1318 1887">The construction contractor will employ noise-reducing construction practices such that noise from construction does not exceed 90 dBA at noise-sensitive uses during daytime hours. Measures that can be used to limit noise may include, but not limited to, the following:</p> <ul data-bbox="1326 1285 1395 1887" style="list-style-type: none"> • Locating equipment as far as practical from noise-sensitive uses; 	Ambient Stream Turbidity, A (Upstream Monitoring Location)	Compliance Standard (Downstream Monitoring Location)	< 50 NTU	< A + 5 NTU	50 – 100 NTU	<A + 10 NTU	> 100 NTU	< 1.1 X A	No upstream flow	1,000 NTU	NMWD/Caltrans	Prior to construction	Ongoing during construction	Implement noise control measures
Ambient Stream Turbidity, A (Upstream Monitoring Location)	Compliance Standard (Downstream Monitoring Location)													
< 50 NTU	< A + 5 NTU													
50 – 100 NTU	<A + 10 NTU													
> 100 NTU	< 1.1 X A													
No upstream flow	1,000 NTU													

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<ul style="list-style-type: none"> • Using sound-control devices such as mufflers on equipment; • Using equipment that is quieter than standard equipment; • Selecting construction-access routes that affect the fewest number of people; • Using noise-reducing enclosures around noise-generating equipment; • Constructing barriers between noise sources and noise-sensitive land uses or taking advantage of existing barrier features (terrain, structures) to block sound transmission; and • Temporarily relocating residents during periods of high construction noise that cannot be reduced effectively by other means. <p>The construction contractor will prepare a detailed noise control plan based on the construction methods proposed. This plan will identify specific measures determined to be feasible by Caltrans that will be taken to ensure compliance with the noise limits specified above. The noise control plan will be reviewed and approved by Caltrans before any noise-generating construction activity begins.</p> <p>The construction contractor will designate a noise disturbance coordinator who will be responsible for responding to complaints regarding construction noise. The coordinator will determine the cause of the complaint and ensure that reasonable measures are implemented to correct the problem. A contact telephone number for the noise disturbance</p>				

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>coordinator will be posted conspicuously on construction site fences.</p> <p>Mitigation Measure PHS 1a: Contaminated Materials Handling and Disposal</p> <p>NMWD will be responsible to ensure that Caltrans contractually commits to implement the mitigation measure or NMWD will be responsible for implementing this mitigation measure, which is identical to the measure in the Caltrans MSN Project EIR.</p> <p>Caltrans or NMWD shall include in the construction contracts provisions to comply with regulations governing the transport and disposal of hazardous wastes, including a Waste Management and Disposal Plan, and Health and Safety Plan, and a Stormwater Pollution Prevention Plan. The Waste Management and Disposal Plan will outline procedures for the handling, storage, and disposal of contaminated materials. The Health and Safety Plan will be prepared in accordance with the Occupational Safety and Health Administration (OSHA) Hazardous Waste Operations and Emergency Response Standard 29 of the Code of Federal Regulations (CFR). The Health and Safety Plan will outline measures to protect site workers and neighbors during construction. The SWPPP will outline BMPs for construction and the handling of hazardous materials. Preparation of a SWPPP is required by the RWQCB in compliance with the NPDES under the federal CWA. The abovementioned plans will cover all potential hazardous materials, including contaminated soil and groundwater, naturally occurring asbestos, man-made asbestos, mine</p>	<p>NMWD/Caltrans</p>	<p>Prior to construction</p>	<p>Ongoing during construction</p>	<p>Include provisions in construction contracts, prepare plans, implement safety procedures described in plans</p>

NORTH MARIN WATER DISTRICT AQUEDUCT ENERGY EFFICIENCY PROJECT FINDINGS
 EXHIBIT B - MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Verify Compliance/ Monitoring Responsibility	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>tailings, and lead-containing materials. Specific requirements for material handling and disposal of hazardous materials will also be included in the special provisions.</p> <p>Mitigation Measure PHS-1b: Utility Design to Prevent Migration of Contamination</p> <p>Where the AEE Project would be installed at or near the groundwater table at petroleum-impacted sites, the design of the pipeline shall include minimization and mitigation measures so as not to cause preferential contaminant flow paths through the construction zone. Such measures may include the use of watertight pipe connections and the use of impermeable material for backfill.</p>	<p>NMWD/Caltrans</p>	<p>Prior to construction</p>	<p>Ongoing during construction</p>	<p>Design pipelines to prevent migration of contamination; install pipeline according to design</p>

6

NORTH MARIN WATER DISTRICT
MONTHLY PROGRESS REPORT FOR June 2011
 July 19, 2011

1.

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

Month	FY10/11	FY09/10	FY08/09	FY07/08	FY06/07	11 vs 10 %
July	379	360	419	417	484	5%
August	368	367	417	416	481	0%
September	358	335	393	374	415	7%
October	278	233	313	268	333	19%
November	164	176	173	208	190	-7%
December	141	149	143	164	171	-5%
January	146	140	107*	156	173	5%
February	134	124	136	142	143	8%
March	151	152	150	206	211	-1%
April	194	164	227	309	270	18%
May	291	228	303	382	355	28%
June	292	326	339	407	414	-10%
FYTD Total	2,897	2,754	3,120	3,448	3,641	5%

*Jan 2009 Kastania Meter Malfunction - water production understated by est 56MG

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

Month	FY10/11	FY09/10	FY08/09	FY07/08	FY06/07	11 vs 10 %
July	9.9	10.0	11.8	11.5	14.7	-1%
August	9.9	10.6	11.9	11.5	13.9	-6%
September	9.2	9.6	10.2	9.8	12.2	-4%
October	7.8	6.9	9.8	7.4	9.7	14%
November	4.9	5.6	7.2	6.9	6.9	-11%
December	4.8	4.5	6.9	5.8	6.4	6%
January	4.3	4.2	6.4	7.1	7.0	3%
February	3.9	3.9	5.5	4.6	6.5	1%
March	5.6	5.7	5.6	6.1	7.5	-1%
April	4.9	4.3	6.4	7.9	7.7	13%
May	6.9	5.9	7.5	9.7	9.9	17%
June	7.2	8.0	8.9	10.8	12.3	-10%
FYTD Total	72.2	71.1	89.2	88.2	102.6	2%

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

Month	FY10/11	FY09/10	FY08/09	FY07/08	FY06/07	11 vs 10 %
July	109	152	131	131	0	-28%
August	108	150	128	121	8	-28%
September	112	155	117	106	28	-27%
October	111	80	81	75	24	38%
November	95	0	0	30	0	-
December	0	0	0	11	0	-
January	0	0	0	0	0	-
February	0	0	0	0	19	-
March	52	32	0	0	56	64%
April	98	36	0	64	59	175%
May	97	94	12	92	75	4%
June	101	103	153	83	80	-1%
FYTD Total	884	800	623	712	349	11%

Recycled Water Production - in Million Gallons - FY to Date

Month	FY10/11	FY09/10	FY08/09	FY07/08	FY06/07	11 vs 10 %
July	11.1	12.0	13.6	13.4	-	-7%
August	11.9	12.9	13.6	12.7	-	-8%
September	11.2	10.2	10.9	9.4	-	10%
October	9.5	2.6	6.4	2.7	-	262%
November	2.6	0.0	0.0	0.0	-	-
December	0.0	0.0	0.0	0.0	-	-
January	0.0	0.0	0.0	0.0	-	-
February	0.0	0.0	0.0	0.0	-	-
March	0.0	0.0	0.0	0.1	-	-
April	0.7	0.0	8.8	2.1	-	-
May	11.2	6.0	9.5	0.6	-	85%
June	7.7	11.1	11.9	5.5	2.9	-31%
FYTD Total	66.0	54.9	74.7	46.5	2.9	20%

\\c:\data\water\use\production\10jmo.rpt

2. Stafford Lake Data

	June Normal	June 2010	June 2011
Rainfall this month	0.2 Inches	0.01 Inches	2.3 Inches
Rainfall this FY to date	28.6 Inches	29.35 Inches	30.06 Inches
Lake elevation*	192.3 Feet	192.6 Feet	192.4 Feet
Lake storage**	1131 MG	1151 MG	1137 MG

* Spillway elevation is 196.0 feet

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

Temperature (in degrees)

	Minimum	Maximum	Average
June 2010	43	104	64
June 2011	50	104	65

3. Number of Services

June 30	Novato Water			Recycled Water			West Marin Wtr			Oceana Marin Swr		
	FY11	FY10	Incr %	FY11	FY10	Incr %	FY11	FY10	Incr %	FY11	FY10	Incr %
Total meters	20,737	20,709	0.1%	3	3	0.0%	816	815	0.1%	-	-	-
Total meters active	20,464	20,438	0.1%	3	3	0.0%	770	769	0.1%	-	-	-
Active dwelling units	23,858	23,871	-0.1%	0	0	-	803	801	0.2%	227	225	0.9%

\\lac\excel\wtr usa\production.xls\service mo rpt

4. Oceana Marin Monthly Status Report (June)

Description	FY 09-10	FY 10-11
Effluent Flow Volume (MG)	504,610	523,157
Irrigation Field Discharge (MG)	0	0
Treatment Pond Freeboard (ft)	3.4	3.5
Storage Pond Freeboard (ft)	5.4	4.5

5. Developer Projects Status Report (June)

Job No.	Project	% Complete	% This month
2704	100 Toby Lane, Ritchey Residence	99	4
2751	Buck Institute Fire Service	95	5
2793	Novato Sanitary District- Lea Drive	95	20

District Projects Status Report - Const Dept (June)

Job No.	Project	% Complete	% This month
7122	Bel Marin Keys Looping	100	1
7067	So. Novato Blvd/Rowland Main Break Repair	10	5
8716.07	City Paving Coordination	100	8
7123.02	PB Replacements Sanchez Way	100	10
7123	PB Replacements- San Blas/Spinosa	100	50

Employee Hours to Date, FY 10/11

As of Pay Period Ending June 30, 2011

Percent of Fiscal Year Passed = 100%

Developer Projects	Actual	Budget	% YTD Budget	District Projects	Actual	Budget	% YTD Budget
Construction	2,139	1,800	119	Construction	2,875	4,315	67
Engineering	1,154	2,180	53	Engineering	7,623	4,858	157

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 11	8	3,024	2	2	6	15,668
FY through June 10	78	32,448	1	0	8	24,561

Days without a lost time accident through June 30, 2011 = 81 days

7. Energy Cost

FYE		May			Fiscal Year-to-Date thru May		
		Kwh	¢/Kwh	Cost/Day	Kwh	¢/Kwh	Cost/Day
2011	Stafford TP	75,326	16.9¢	\$440	792,834	15.6¢	\$371
	Pumping	148,013	15.6¢	\$769	1,347,801	14.7¢	\$565
	Other*	36,393	22.5¢	\$264	428,927	19.3¢	\$247
		259,732	16.9¢	\$1,420	2,569,562	15.7¢	\$1,179
2010	Stafford TP	70,501	17.9¢	\$486	679,876	16.0¢	\$324
	Pumping	121,705	15.5¢	\$590	1,154,071	15.0¢	\$515
	Other*	36,764	21.0¢	\$249	427,900	18.7¢	\$240
		228,970	17.1¢	\$1,308	2,261,847	16.0¢	\$1,078
2009	Stafford TP	17,100	26.1¢	\$149	586,298	14.9¢	\$260
	Pumping	131,344	15.2¢	\$713	1,546,643	13.9¢	\$640
	Other*	42,834	20.6¢	\$276	466,647	16.9¢	\$236
		191,278	17.4¢	\$1,147	2,599,588	14.7¢	\$1,130

*Other includes West Marin Facilities

t:\ac\excel\wtr use\production.xls]mo rpt

8. Water Conservation Update (June)

	Month of June 2011	FY 2010/2011 to Date	Program Total to Date
High Efficiency Toilet (HET) Rebate (\$150 each)	70	568	2186
Retrofit Certificates Filed	23	280	4183
Cash for Grass Rebates Paid Out	9	49	449
Washing Machine Rebates	33	468	5537
Water Smart Home Survey	31	345	1357

NORTH MARIN WATER DISTRICT

Summary of Complaints & Service Order June 2011

Prepared: 07/08/11

<u>Type</u>	<u>Jun-11</u>	<u>Jun-10</u>	<u>Action Taken June 2011</u>
<u>Consumers' System Problems</u>			
Consumer Service Line Leaks	32	0	Notified Customer
Meter Leak Consumer's Side	0	11	~
House Plumbing	0	0	~
Noisy Plumbing	0	0	~
Seepage or Other	0	0	~
House Valve / Meter Off	1	3	Turned Back On
Nothing Found	13	5	Notified Customer
Low Pressure	1	1	PRV failing. Customer Notified.
High Pressure	0	1	~
Water Waster Complaints	0	1	~
Total	47	22	
<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/or Lids	0	4	~
Water Off/On Due To Repairs	7	3	Notified Customer
Misc. Field Investigation	4	5	Notified Customer
Total	12	14	
<u>Leak Complaints</u>			
Main-Leak	0	0	~
Mains-Nothing Found	0	0	~
Mains-Damage	0	0	~
Service- Leak	8	23	Repaired
Services-Nothing Found	3	4	Notified Customer
Service-Damaged	0	0	~
Fire Hydrant-Leak	4	1	Repaired
Fire Hydrants-Nothing Found	0	0	~
Fire Hydrants-Damaged	0	0	~
Meter Replacement	2	0	Repaired
Meters-Leak	0	0	~
Meters-Nothing Found	0	0	~
Meters Damaged	0	0	~
Washer Leaks	8	14	Replaced
Total	25	42	
<u>High Bill Complaints</u>			
Consumer Leaks	14	9	Notified Customer
Meter Testing	0	0	~
Meter Misread	1	5	Notified Customer
Nothing Found	22	24	Notified Customer
Projected Consumption	0	0	~
Excessive Irrigation	0	1	~
Total	37	39	

NORTH MARIN WATER DISTRICT

Summary of Complaints & Service Order June 2011

Prepared: 07/08/11

Type	Jun-11	Jun-10	Action Taken June 2011
<u>Low Bill Reports</u>			
Meter Misread	0	0	~
Stuck Meter	0	0	~
Nothing Found	0	2	~
Projected Consumption	0	0	~
Minimum Charge Only	0	0	~
Total	0	2	
<u>Water Quality Complaints</u>			
Taste and Odor	2	2	<p>Customer reported a metallic taste in the water. (Plum St) Metallic taste is most likely due to chlorine. All results normal for NMWD water. Customer was notified of results.</p> <p>Customer reported bad taste in water. (Dolphin Isle) Bad taste is caused by backflow from pressurized hose. All results normal for NMWD water. Advised customer to install a vacuum breaker on hose tap.</p>
Color	0	1	~
Turbidity	0	0	~
Suspended Solids	1	0	<p>Customer reported sediment in wash basin. (Lomba Vista) All results normal for NMWD water. Customer was notified of results.</p>
Other	1	0	<p>Customer wanted chlorine checked. (San Felipe Way) Normal for NMWD water. Customer was notified of results.</p>
Total	4	3	
TOTAL FOR MONTH:	125	122	2%

Fiscal YTD Summary

Consumer's System Problems	362	283
Service Repair Report	169	101
Leak Complaints	288	310
High Bill Complaints	498	418
Low Bills	9	26
Water Quality Complaints	81	129
Total	1,407	1,267

Change Primarily Due To

28%	Increase In Consumer Line Leaks
67%	Increase In Replace Box & Lids
-7%	Decrease In "Nothing Found"
19%	Increase In "Nothing Found"
-65%	Decrease In "Nothing Found"
-37%	Decrease In Taste and Odor
11%	

"In House" Generated and

NORTH MARIN WATER DISTRICT

Summary of Complaints & Service Order June 2011

Prepared: 07/08/11

Type	Jun-11	Jun-10	Action Taken June 2011
<u>Completed Work Orders</u>			
<u>Check Meter:</u> possible consumer/District leak, high bill, flooded, need read, etc.	211	255	
<u>Change Meter:</u> leaks, hard to read	16	21	
<u>Possible Stuck Meter</u>	1	1	
<u>Repair Meter:</u> registers, shut offs	0	0	
<u>Replace Boxes/Lids</u>	20	16	
<u>Hydrant Leaks</u>	0	0	
<u>Trims</u>	92	163	
<u>Dig Outs</u>	143	185	
<u>Letters to Consumer:</u> meter obstruction, trims, bees, gate access, etc.	0	3	
<u>Misc:</u> locate meter, get meter number, cross connection follow ups, kill service, etc.	0	0	
	483	644	

Bill Adjustments Under Board Policy:

June 11 vs. June 10

Jun-11	16	\$3,522
Jun-10	13	\$3,730

Fiscal Year to Date vs. Prior FYTD

10/11 FYTD	295	\$86,185
09/10 FYTD	201	\$57,862

c:\documents and settings\vroberts.nmwd\local settings\temporar

Customer Service Questionnaire Quarterly Report

Quarter Ending 6/30/11



NMWD

\\cons.srv\cons acct\taust_quest reports\2011\customer service question_rep jun11.xls\performan

7/6/2011

	Response				Response		
	Agree	Neutral	Disagree		Agree	Neutral	Disagree
Water Quality							
Courteous & Helpful	4			4			
Accurate Information	4			4			
Prompt Service	4			4			
Satisfactorily Resolved	4			3		1	
Overall Experience	4			4			
	20	0	0	19	0	1	
Leak							
Courteous & Helpful	13		1	13			
Accurate Information	12	1	1	12			
Prompt Service	13	1		13			
Satisfactorily Resolved	12	1	1	12			
Overall Experience	13		1	13		0	0
	63	3	4	63	0	0	0
Billing							
Courteous & Helpful	9			9			
Accurate Information	4	3		4			
Prompt Service	8			8			
Satisfactorily Resolved	4	3	1	4		3	
Overall Experience	7	1		7		0	0
	32	7	1	32	0	0	0
Grand Total							
	152	10	6	152	10	6	
	90%	6%	4%	90%	6%	4%	
Questionnaires Sent Out	124	100%		124	100%		
Questionnaires Returned	35	28%		35	28%		

Customer Service Questionnaire Quarterly Report
Quarter Ending 6/30/11

t:\bons srvc\cons acct\cust. quest. reports\2011\customer service question. rep jun11.xls\comments

Issues NMWD Should Address In The Future

Staff Response to Negative Comments

Customer Comments

Water Quality

Thank you for your service. I was very impressed that the water was checked the same day I called. Thank you for your excellent work!

Leaks

Miguel was extremely knowledgeable, efficient and helpful. Determined where the leak was and suggested an efficient way to repair it. As a water district you should help your customers to find the problems in order to save water, not just by telling go find a plumber.

Darrell was fabulous, courteous, helpful and very professional. He went the extra step to help us and made sure our questions were answered. Perfectly on time, helpful and very knowledgeable. Thanks for the help.

Leak observed on Sunday morning. Crew was out within two hours to do repair. Returned promptly on Tuesday to install new lines.

Rich was very prompt and helpful. He found the source of our leak and explained everything very clearly. One of our best service experiences.

Darrell came out to check. He was courteous, polite and helpful.

Will need to re-check once potential leak is investigated. Rich was extremely courteous and highly professional.

Great job. Pleasure to work with. Very nice guy explained everything.

Billing

The service rep was very nice and eager to help. I want to have meter checked, big increase. I don't understand why usage was so high.

NMWD rep went out on 5/17/11. Consumer had a leak in the service line between the meter and the house.

NMWD rep found no leaks present.

Customer Service Questionnaire Quarterly Report

Quarter Ending 6/30/11

t:\icons srvc\icons acct\cust. quest reports\2011\customer service question. rep jun11.xls\comments

Issues NMWD Should Address In The Future

Staff Response to Negative Comments

Customer Comments

Billing Continued

My water consumption was extremely high at one period according to your statement even though my water system was shut down.
Rep showed me how to read the meter so I could check for water running.
My bill was twice the amount of the previous month.
No leaks in the system. I don't think I used more water.

Other

Nice staff. They said other workers may be able to stop the flow. They think gophers may be the problem
Excellent service.

Pressure

My experience with the service provided by NMWD was positive. From the courteous person answering the phone call to the man sent to assist with my questions.
Don't know who to contact regarding low water pressure on hot water. I will be renting my home soon and need pressure to work.

NMWD rep went out on 6/6 no leaks were present.

NMWD rep went out on 3/29/11 and determined water was due to run-off from a hill. Not a district or consumer leak.

NMWD rep went out on 6/20/11. Said pressure to house was good and problem could be from faulty water heater.

7

MEMORANDUM

To: Board of Directors

July 15, 2011

From: Drew McIntyre, Chief Engineer



Subject: Water Service Agreement – Novato Unified School District
Hamilton Elementary School Expansion (2011)

r:\folders by job no\2700 jobs\2754\2754 bod memo.doc

RECOMMENDED ACTION: The Board approve authorization of this agreement.

FINANCIAL IMPACT: None: Developer Funded

The 2011 Hamilton Elementary School Expansion project will provide a relocated 4-inch metered service and new fire protection to the proposed 16,400 square foot multi-purpose building; 3,100 square foot administration buildings, parking, playground and two 24' x 40' modular classrooms (see attached vicinity map). New facilities to serve the project include approximately 840 feet of 12" PVC, 160 feet of 8" PVC, three commercial fire hydrants, and one 6" fire service. The existing 4" turbo meter will be upgraded to a 4" compound meter and is adequate to serve the existing and new water use demand. The total additional water demand for this expansion project is estimated at three (3) equivalent dwelling units (EDU's). This existing water service was acquired in 2002 from Marin Municipal Water District as part of the Hamilton Boundary Reorganization (J 8699) of Hamilton Air Base. A review of the past nine (9) years of water use history shows an average annual peak bimonthly use of thirty four (34) Equivalent Dwelling Units (EDU's). Therefore, per Regulation 1.c, 34 EDU's is established as the historical entitlement and fees for three (3) additional Facilities Reserve Charges are to be collected (for a new total allotment of 37 EDU's). As has been customary with previous city, county and special district (i.e., NUSD and Novato Sanitary District) projects, the North Marin Water District will invoice NUSD for payment of actual costs upon completion of work.

Sewer service will be provided by the Novato Sanitary District.

Environmental Document Review

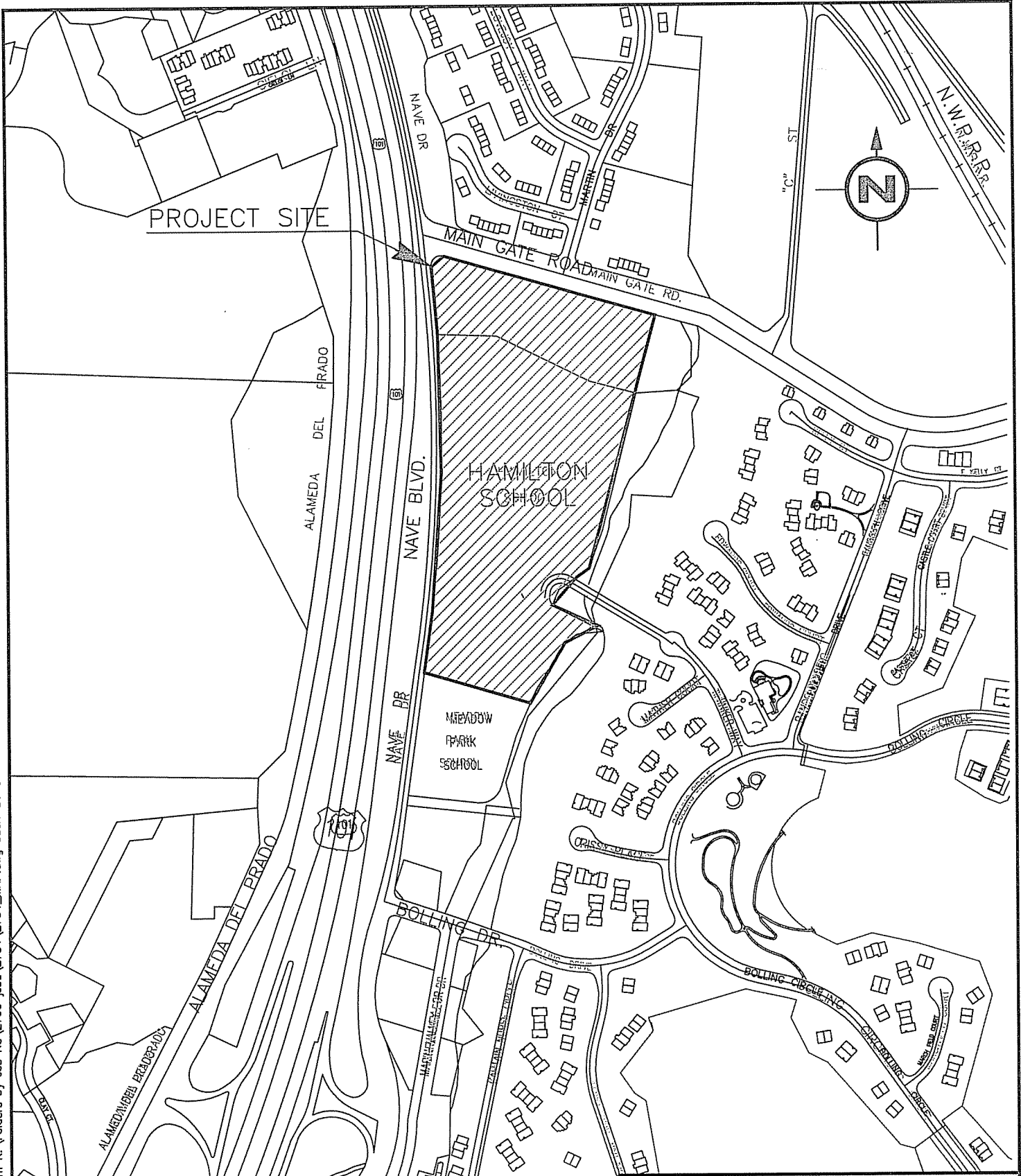
CEQA was completed in March 7, 2004 and the Notice of Determination filed on October 4, 2004.

RECOMMENDATION:

That the Board approve authorization of this agreement.

Approved by GM ED

Date 7/15/2011



NUSD HAMILTON ELEMENTARY SCHOOL
EXPANSION (2011)

DATE	SCALE	JOB.NO.	DWG.NO.
07/14/11	N.T.S.	2754	MAP

RESOLUTION NO. 11-
AUTHORIZATION OF EXECUTION
OF
WATER SERVICE FACILITIES CONSTRUCTION AGREEMENT
WITH
NOVATO UNIFIED SCHOOL DISTRICT

BE IT RESOLVED by the Board of Directors of NORTH MARIN WATER DISTRICT that the President and Secretary of this District be and they hereby are authorized and directed for and on behalf of this District to execute that certain water service facilities construction agreement between this District and Novato Unified School District, providing for the installation of water distribution facilities to provide domestic water service to that certain real property known as 1 MAIN GATE ROAD, Marin County Assessor's Parcel Number 157-180-23, NOVATO, CALIFORNIA.

* * *

I hereby certify that the foregoing is a true and complete copy of a resolution duly and regularly adopted by the Board of Directors of NORTH MARIN WATER DISTRICT at a regular meeting of said Board held on the 19th day of July, 2011, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

(SEAL)

Renee Roberts, Secretary
North Marin Water District

PART ONE
WATER SERVICE FACILITIES CONSTRUCTION AGREEMENT
FOR
NOVATO UNIFIED SCHOOL DISTRICT
HAMILTON ELEMENTARY SCHOOL EXPANSION (2011)

THIS AGREEMENT, which consists of this Part One and Part Two, Standard Provisions, attached hereto and a part hereof, is made and entered into as of _____, 2011, by and between NORTH MARIN WATER DISTRICT, herein called "District," and NOVATO UNIFIED SCHOOL DISTRICT, herein called "Applicant."

WHEREAS, the Applicant, is in the process of completing a construction project upon the real property in the District commonly known as Marin County Assessor's Parcel Numbers 157-180-23 and referred to as HAMILTON ELEMENTARY SCHOOL EXPANSION (2011);

WHEREAS, the Applicant is the owner of real property in the District commonly known as 1 Main Gate Road, Novato (Marin County Assessor's Parcel 157-180-23); and

WHEREAS, existing water service to the parcel was transferred to the District from Marin Municipal Water District in February, 2002 as part of the Hamilton Boundary Reorganization (J 8699); and

WHEREAS, in May, 2008 a water service agreement was executed by the Applicant and the District for the "Novato Unified School District-Hamilton Elementary Fire Hydrants", (J 1.2713); and

WHEREAS, the nine year historical water use on the property, from 2002 to 2010, is now calculated to be 34 EDUs, per District Regulation 1c.; and

WHEREAS, the 2011 expansion is projected to use three (3) additional EDUs resulting in a total allotment of 37 EDUs.

NOW THEREFORE, the parties hereto agree as follows:

1. The Applicant hereby applies to the District for water service to said real property and project and shall comply with and be bound by all terms and conditions of this agreement, the District's regulations, standards and specifications and shall construct or cause to be constructed the water facilities required by the District to provide water service to the real property and project. Upon acceptance of the completed water facilities, the District shall provide water service to said real property and project in accordance with its regulations from time to time in effect.

2. Prior to the District issuing written certification to the City, County or State that financial arrangements have been made for construction of the required water facilities, the Applicant shall complete such arrangements with the District in accordance with Section 5 of this agreement.

3. Prior to release or delivery of any materials by the District or scheduling of either construction inspection or installation of the facilities by the District, the Applicant shall:

a. deliver to the District vellum or mylar prints of any revised utility plans approved by the City or County to enable the District to determine if any revisions to the final water facilities construction drawings are required. The proposed facilities to be installed are shown on Drawing No. 1 2754.001, 1 2754.002 and 1 2754.003, entitled, "HAMILTON ELEMENTARY SCHOOL", a copy of which is attached, marked Exhibit "A", and made a part hereof. (For purposes of recording, Exhibit "A" is not attached but is on file in the office of the District.)

b. grant or cause to be granted to the District without cost and in form satisfactory to the District all easements and rights of way shown on Exhibit "A" or otherwise required by the District for the facilities.

c. deliver to the District a written construction schedule to provide for timely withdrawal of guaranteed funds for ordering of materials to be furnished by the District and scheduling of either construction inspection or construction pursuant to Section 5 hereof.

4. Except for fire service, new water service shall be limited to the number and size of services for which Initial Charges are paid pursuant to this agreement. Initial Charges for new services, estimated District costs and estimated applicant installation costs are as follows:

Initial Charges

Meter Charges (Domestic) (Included in Estimated District Costs)	@	\$	0.00	\$	0.00
Reimbursement Fund Charges	@	\$	0.00	\$	0.00
Facilities Reserve Charges.....	... Thirty Seven @	\$28,600.00		\$	1,058,200.00
Credit for Existing Service Entitlement (FRC's & RFC's) Thirty Four @	\$28,600.00		\$	<972,400.00>

Subtotal - Initial Charges..... \$ 85,800.00

Estimated District Costs

Pipe, Fittings & Appurtenances.....	\$	53,619.00
District Construction Labor.....	\$	60,271.00
Engineering & Inspection.....	\$	54,342.00
Bulk Materials.....	\$	12,369.00

Subtotal –Estimated District Costs..... \$ 180,601.00

Estimated Applicant Installation Costs

Installation Labor.....	\$	95,211.00
Contractor Furnished – Pipe Fittings & Appurtenances.....	\$	38,205.00
Bulk Materials.....	\$	32,469.00

Subtotal- Estimated Applicant Installation Costs..... \$ 165,885.00

TOTAL ESTIMATED WATER FACILITIES COSTS..... \$ 432,286.00

(Bulk materials are such items as crushed rock, imported backfill, concrete, reinforcing steel, paving materials, and the like, which are to be furnished by the contractor performing the work.)

5. In addition to the Initial Charges, Estimated District costs and Contributions, and Estimated Applicant Installation costs set forth in Section 4 above, the Applicant shall furnish at no cost to the District all PVC pipe (4-inch diameter and larger), valves and water line fittings shown on Exhibit "A" or otherwise required by the District. The quantities, type and quality of said materials shall be approved by the District prior to purchase by the Applicant and shall conform to District standards as stated and shown on Specifications (15100 Valves, 15056 Pipeline Fittings, 15064 Polyvinyl Chloride (PVC) Pressure Pipe) marked as Exhibit "B" attached hereto and made a part hereof and as otherwise may be required. (For purposes of recording, Exhibit "B" is not attached but is on file in the office of the District.) The cost of said materials is estimated to be **\$38,205**. The District reserves the right to reject and prohibit installation of all nonconforming materials furnished by the Applicant.

6. Financial Arrangements to be made by the Applicant shall consist of the following:

Initial Charges and Estimated District Costs

The Applicant shall either pay to the District or provide a two (2) year irrevocable letter of credit in form satisfactory to the District and payable at sight at a financial institution in the Novato area the sum of Initial Charges and Estimated District Costs as set forth in Section 4 hereof in the amount of **\$ 266,401**. If the Applicant provides the two (2) year irrevocable letter of credit, the District shall immediately draw down Initial Charges and shall draw upon the remaining funds guaranteed by the letter at any time the District deems appropriate to recover the Estimated District Costs which normally will be at least thirty (30) days prior to the anticipated start of construction for the ordering of materials to be furnished by the District.

Estimated Installation Costs

Alternate No. 1 – Installation By Applicant: If the Applicant elects to install the facilities or hire a private contractor to install the facilities, the Applicant shall provide financial guarantees satisfactory to the District in the form of a performance bond in the amount of **\$ 165,885** conditioned upon installation of the facilities and furnishing of bulk materials and a maintenance bond in the amount of **\$ 41,472** conditioned upon payment of the cost of maintaining, repairing, or replacing the facilities during the period of one (1) year following completion of all the facilities and acceptance by the District. Performance and maintenance bonds shall be executed by a California admitted surety insurer with a minimum A.M. Best rating of A-VII. In lieu of posting bonds, the Applicant may provide an irrevocable letter or letters of credit payable at sight at a financial institution in the Novato area guaranteeing funds in the same amounts. All financial guarantees shall be provided by the Applicant rather than the contractor. The Applicant or contractor, whichever performs the work, shall be properly licensed therefore by the State of California and shall not be objectionable to the District.

Alternate No. 2 – Installation By District: If the Applicant requests the District to install the facilities and the District consents to do so, the Applicant shall either pay to the District the total Estimated Installation Costs set forth in Section 4 hereof in the amount of **\$ 165,885** or shall include such amount in the irrevocable letter of credit provided for the Initial Charges and Estimated District Costs set forth first above. The District shall draw upon installation funds guaranteed by the letter at any time the District deems appropriate which normally will be at least thirty (30) days prior to the anticipated start of construction.

Whenever an irrevocable letter of credit is required by this agreement, the Applicant may substitute a certificate of deposit at a financial institution in the Novato area provided the certificate may be cashed at sight by the District at any time.

7. The applicant shall not resell any water furnished pursuant to this agreement. If multiple services from a single connection to the District's system through a master meter are allowed pursuant to District Regulation 4(b) the Applicant shall not submeter the individual services. The District's bills for water measured by a master meter shall be paid by the Applicant or a responsible homeowner's association. If a rental unit served through a master meter is converted into a separately owned unit the District may require the installation of a separate connecting main and meter for water service to the unit at the cost of the owner of the unit.

8. Water service through the facilities to be installed pursuant to this agreement will not be furnished to any building unless the building is connected to a public sewer system or to a waste water disposal system approved by all governmental agencies having regulatory jurisdiction. This restriction shall not apply to temporary water service during construction.

9. New construction in the District's Novato service area is required to be equipped with high efficiency water conserving equipment and landscaping specified in Regulation 15 sections e. and f. Applicant shall install front loading, horizontal axis washing machines with a modified water factor of 5.5 or less. Dishwashers shall be energy star rated and use no more than 5 gallons per load. Toilets shall be District approved High Efficiency Toilets that meet the EPA water sense specification. Applicant shall install District approved weather-based irrigation controllers, drip irrigation on non-turf areas, and is subject to turf limitations. Refer to the aforementioned water conservation regulation for a complete listing of all requirements.

10. The District has determined that recycled water may be supplied for irrigation in the future and requires that the Applicant's irrigation system be designed to use recycled water per District regulations and specifications. Provisions shall be made, as directed by the District, to allow for connection of Applicant's irrigation system to the recycled distribution main when it becomes available. In the interim, potable water shall be supplied through a potable irrigation water meter with a reduced pressure principle backflow device. When recycled water becomes available, the irrigation system will

be connected to the recycled water distribution main per District requirements at the time the connection is made.

11. All estimated costs set forth in this agreement shall be subject to periodic review and revision at the District's discretion. In the event the Applicant has not completed financial arrangements with the District in accordance with Section 6 hereof prior to expiration of six (6) months from the date of this agreement, all Initial Charges and estimated costs set forth in Section 4 hereof shall be revised to reflect then current District charges and estimates. In the event the Applicant has not diligently commenced construction of improvements required by those agencies and the District prior to expiration of one (1) year from the date of this agreement, the District may, at its option, either retract financial certifications issued to City, County and State agencies and terminate this agreement or require amendment of this agreement and review of all Initial Charges and estimated costs contained herein. The Applicant shall pay any balance due upon demand or furnish a guarantee of such payment satisfactory to the District.

12. All extensions of time required for the Applicant to construct improvements shall require concurrent extensions of this agreement and shall be cause for review and revision of all Initial Charges and estimated costs set forth in Section 4 hereof.

13. This agreement shall bind and benefit the successors and assigns of the parties hereto; however, this agreement shall not be assigned by the Applicant without the prior written consent of the District. Assignment shall be made only by a separate document prepared by the District at the Applicant's written request.

NORTH MARIN WATER DISTRICT
"District"

John Schoonover, President

ATTEST:

Renee Roberts, Secretary

(SEAL)

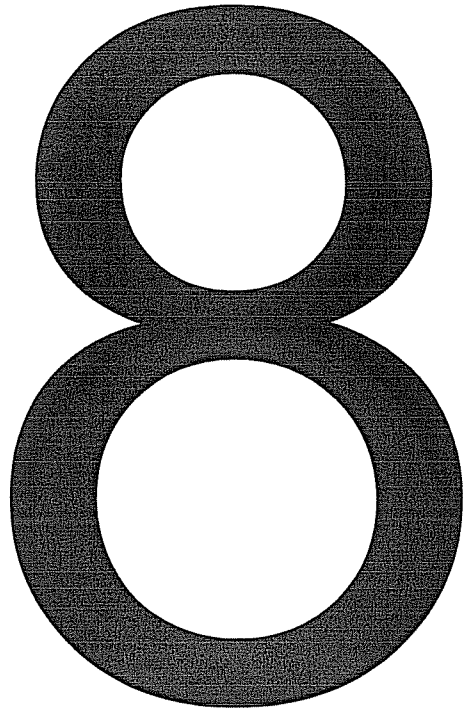
NOVATO UNIFIED SCHOOL DISTRICT
"Applicant"

Karen Maloney, Chief Financial Officer

NOTES: *If the Applicant executing this agreement is a corporation, a certified copy of the bylaws or resolutions of the Board of Directors of said corporation authorizing designated officers to execute this agreement shall be provided.*

This agreement must be executed by the Applicant and delivered to the District within thirty (30) days after it is authorized by the District's Board of Directors. If this agreement is not signed and returned within thirty days, it shall automatically be withdrawn and void. If thereafter a new agreement is requested, it shall incorporate the Initial Charges (connection fees) and cost estimates then in effect.

ALL SIGNATURES MUST BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.



MEMORANDUM

To: Board of Directors

July 15, 2011

From: David L. Bentley, Auditor-Controller



Subj: Approve: Group Life Insurance Renewal

t:\ac\word\personnel\life ins\11 renewal.docx

RECOMMENDED ACTION: Approve

FINANCIAL IMPACT: \$7,956 Annually

The District's benefit package includes a life insurance policy for regular employees with a benefit equal to their annual salary. The group life benefit also includes an accidental death and dismemberment policy (AD&D) that offers double indemnity in the event of accidental death and defined lump sum payments if there is loss of sight or appendage. The District's current provider is Lincoln Financial, at \$2.04/\$1,000 of payroll, which policy expires July 31, 2011.

Staff asked McNeil Benefits Insurance Services in Novato, the broker for our group life policy since 1957, to survey the current market pricing for renewal. Nine insurers provided a response. Their proposals are below. Unum came in with the lowest cost at \$2.04/\$1,000, which is the same rate we had been paying Lincoln Financial. Unum is one of the strongest companies in the industry, with a Best's Rating of A14 (Excellent financial strength with policyholder surplus between \$1.5 and \$2 billion). Their proposal includes a two-year rate guarantee, and the annual cost is within the amount budgeted.

Carrier	Life & AD&D Rate (% of Base Payroll)	Annual Premium ¹
Unum	0.2040%	\$7,956
Lincoln Financial	0.2160%	\$8,424
Reliance Standard	0.2400%	\$9,360
Standard	0.2520%	\$9,828
Sun Life	0.2580%	\$10,062
Guardian	0.2640%	\$10,296
CIGNA	0.2688%	\$10,483
Dearborn National	0.3000%	\$11,700
Prudential	0.3552%	\$13,853
Hartford Life	Declined to Quote	-
MetLife	Declined to Quote	-
Principal Life	Declined to Quote	-
Mutual of Omaha	Declined to Quote	-

¹ based on the current annual base payroll of \$3,900,000

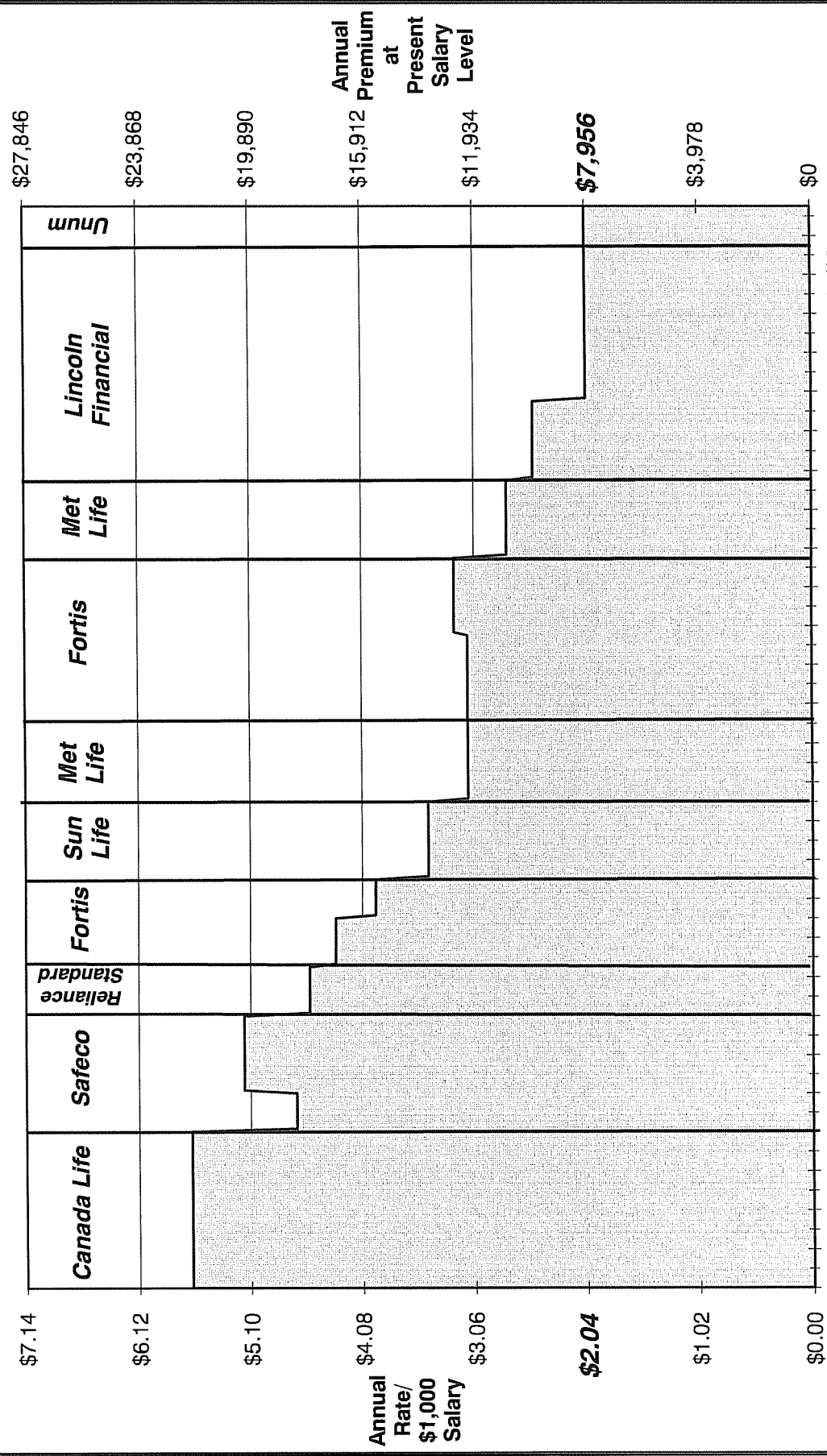
Approved by GM LD

Date 7/15/2011

Recommendation: Authorize the Auditor-Controller to renew the Group Life and Accidental Death and Dismemberment Insurance agreement with Unum at a rate of \$2.04 per \$1,000 of payroll for a two-year period commencing August 1, 2011.

NMWD Group Life & AD&D Insurance Premium History¹

7/7/11



¹ Based on current annual base salary of \$3,900,000

9

MEMORANDUM

To: Board of Directors
From: Drew McIntyre, Chief Engineer 
Subject: Stafford Lake Park Irrigation System Lake Intake Upgrade
Z:\NON JOB No ISSUES\Stafford Lake\Stafford Lake Irrigation BOD Memo 7-11.doc

Date: July 15, 2011

RECOMMENDED ACTION: That the Board approve the MOU agreement between Marin County Parks Department and North Marin Water District for installation of a new Stafford Lake Park intake and pump station.

FINANCIAL IMPACT: None, information only

Project Description

Marin County Parks Department (MCPD) has been working on a project to replace the existing irrigation pump system at Stafford Lake Park (Park) since July 2010. On a more frequent basis the Park is experiencing periods of time in the early fall where the lake level drops below a point for satisfactory operation of the existing suction intake. The existing pump, located above the high water level in the Park, connects to a 300-foot long suction line extending into Stafford Lake. The last 200 foot section of the suction pipe is perforated and is encased in a gravel bed at the lake bottom. The existing design is good wherein it permits all mechanical and electrical equipment to be located in the Park for easy access and maintenance. However, the problem primarily centers around the fact that the intake pipe is too shallow and needs to be moved to a deeper elevation. Both construction and permitting costs for excavation to extend the existing suction line another 200 feet into a deeper portion of the lake would be prohibitive. As a result, MCPD selected a project approach to use two submersible pumps/motors on a submersible skid to be located at an approximate lake bottom elevation of 168 feet (see Attachment 1). The submersible pump station would be connected to the existing irrigation system piping onshore through 40 foot sections of 6-inch high density polyethylene (HDPE) pipe. This pipe would essentially be laid on top of the existing lake bottom with no excavation until the high water level elevation (196 feet) was reached. As part of this project a 5'x6' concrete pad would be constructed (at an elevation of 208.5 feet) to house the new electrical panel and ancillary pump equipment. A 1-foot wide by 30-inch deep trench would be required between the lake edge and the electrical panel and a second trench of same size from the electrical panel to the existing pump station where a new main would tie into the existing 6-inch irrigation line. The existing pump station and the pipe would be left in place as a backup system.

Permits

In May 2011, staff was apprised by MCPD that the final Section 401 Permit for the project was obtained by the San Francisco Bay Regional Water Quality Control Board (RWQCB). This permit (provided as Attachment 2) stipulates that all work in Stafford Lake shall be completed no later than October 15 to minimize impacts to aquatic species and downstream water quality. MCPD staff are anticipating completing this work during this current 2011 construction season. The project was deemed to be Categorically Exempt in conformance with CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures) with Marin County acting as the local Lead Agency. In addition to the Section 401 Permit MCPD also obtained a Section 404 Permit from the U.S. Army Corps of Engineers (March 25, 2011) and a Stream Bed Alteration Permit from the California Department of Fish and Game (October 29, 2010).

NMWD-MCPD History Related to Stafford Lake Park

The following chronology is listed to provide a summary of the history in the development of Stafford Lake Park.

Year	Activity
1965	Marin County and NMWD discuss water and wastewater services to a proposed Stage 1 development of a County park at Stafford Lake.
March, 1971	NMWD General Manager updates the Board on progress in the development of Stafford Lake Park and includes a discussion regarding the use of raw water for landscape irrigation.
June, 1971	MCPD awards construction of the Stafford Lake Park to O.C. Jones Contractor
Sept. 1971	The Board enters into an agreement with the County of Marin. The agreement (Attachment 3) grants to the County a license to maintain and operate the park adjacent to Stafford Lake subject to use restrictions to protect Stafford Lake reservoir public water as a supply facility.
March 1972	General Manager apprises the Board that a raw water irrigation system installed for Stafford Lake Park will be equipped with a water meter provided by the District and paid for by the County. At that time it was estimated that park usage for the Stage 1 development would be less than 100 acre feet of raw water per year and that the charge to the County would be the same as the charge levied against Indian Valley Golf Course for raw water use.
April 1972	Fees were paid to NMWD to set a new 3-inch raw water meter for Stafford Lake Park for raw water irrigation.

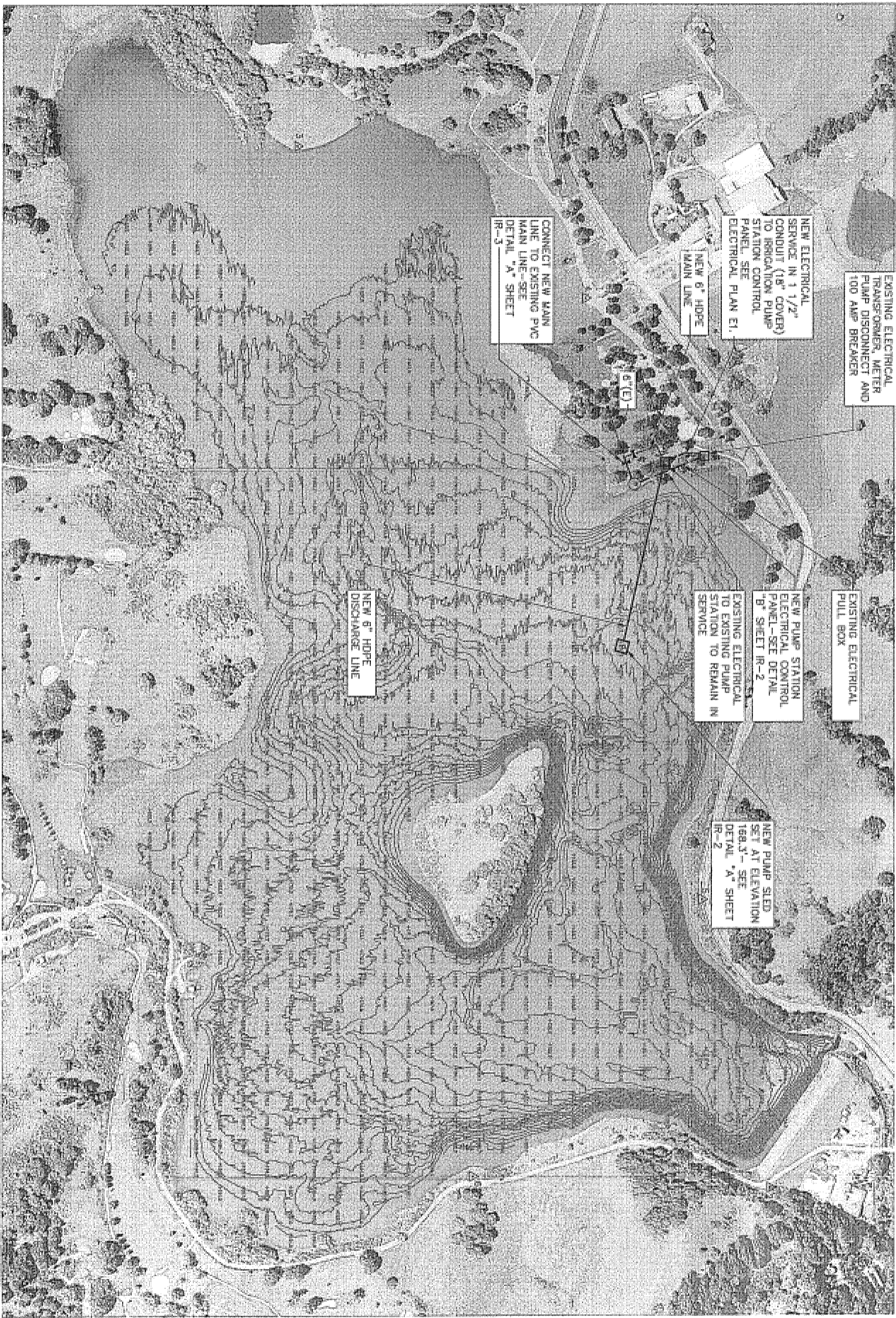
Memorandum of Understanding (MOU)

Since spring 2011, staff has been working with MCPD on the development of a new MOU to address the aforementioned improvements to the existing irrigation system. Per the License Agreement dated September 21, 1971, MCPD is required to obtain written permission from NMWD to construct any facilities on District property. The attached MOU (Attachment 4) grants permission to MCPD to install a new lake intake system and incorporates District comments. The MOU stipulates upon execution of the agreement and every five years thereafter that NMWD will perform an audit to determine annual water budgets for Stafford Lake Park (including requirements for non-irrigated areas). Furthermore, the MOU includes language that limits the diversion of Stafford Lake water by MCPD to existing new or combined uses to no more than 320 gallons per minute (or that established by an annual water budget). Other aspects of the MOU agreement include provisions where MCPD will agree to remove said equipment when no longer needed and that their project will comply with all environmental agency permits after the bulk of the project.

The term of MOU will be in effect for the duration of the existing 50-year license agreement which terminates in September 2021. It is staff's recommendation that the Board approve this MOU agreement.

RECOMMENDATION

That the Board approve the MOU agreement between MCPD and North Marin Water District for installation of a new lake intake and pump station.



NOTES:
 Installation work shall be completed by October 15th.
 New intake station controls shall be located at Elevation 208.5' (NAVD 29)
 (Confirm controls location/placement on site with owner prior to installation.)

Layout is shown schematically. Actual project feature locations are to be at depth or elevation specified.

Revision: 5-23-2011: Notes added at the request of NMWD, by MCPD.

SITE PLAN
 New Lake Intake System

STAFFORD LAKE PARK
 NOVATO BLVD/HICKS VALLEY RD
 NOVATO, CALIFORNIA

RUSSELL D. MITCHELL & ASSOC., INC.
 IRRIGATION CONSULTANTS
 2760 CAMINO DIABLO
 WALNUT CREEK, CALIFORNIA 94596
 TELEPHONE: 925-939-3985
 FAX: 925-932-5671

DESIGN: RDM

DRAWN: CG

CHECK: RDM

DATE: FEB. 3, 2011

REVISED:

SCALE: 1"=200'

SHEET: IR-1 of 3



California Regional Water Quality Control Board

San Francisco Bay Region



Linda S. Adams
Acting Secretary for
Environmental Protection

1515 Clay Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • Fax (510) 622-2460
<http://www.waterboards.ca.gov/sanfranciscobay>

Edmund G. Brown, Jr.
Governor

Date: May 5, 2011
Site Number: 02-21-C0808 (mll)
CIWQS Place No. 765284

Sent via electronic mail: No hard copy will follow.

Marin County Department of Parks and Open Space
3501 Civic Center Drive, Suite 260
San Rafael, CA 94903
Attn: Mr. Rand Knox
rknox@co.marin.ca.us

**SUBJECT: CONDITIONAL WATER QUALITY CERTIFICATION – MARIN COUNTY
DEPARTMENT OF PARKS AND OPEN SPACE, STAFFORD LAKE PARK IRRIGATION
SYSTEM SUPPLEMENTAL LAKE SOURCE INTAKE PROJECT, NOVATO, MARIN COUNTY.**

Dear Mr. Knox:

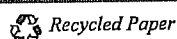
We have reviewed the water quality certification application (Application) submitted on behalf of the Marin County Department of Parks and Open Space (Applicant) for the construction of a new submersible pump facility on the bed of Stafford Lake, located west of the City of Novato, California. We have determined that the Project, as proposed, will not violate State water quality standards and accordingly issue conditional Clean Water Act Section 401 water quality certification (33 U.S.C. Section 1341) for the Project. You have also applied to the U.S. Army Corps of Engineers (Corps) for authorization under Nationwide Permit 18 (Minor Discharges) pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344).

Project: The Project is limited to the installation and operation of a submersible pump facility that will provide irrigation water at lower lake levels. This new system will supplement an existing pump that currently provides irrigation water for the park. The new facility will consist of a pair of pre-assembled sled-mounted well pumps set below the low-water level of the lake. The Project will place approximately ten cubic yards of material below Ordinary High Water and will impact approximately 0.008 acre of regulated waters. Additional project information is provided in the attached Project Information Checklist.

Water Board staff finds that the Applicant has undertaken and planned appropriate measures to minimize and then to mitigate impacts on the affected water bodies, as required in the Basin Plan.

Certification: I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of Sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ,

Preserving, enhancing, and restoring the San Francisco Bay Area's waters for over 50 years



ATTACHMENT 2

"General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification" which requires compliance with all conditions of this Water Quality Certification. The following conditions are associated with this certification:

Work Period

1. To minimize impacts to aquatic species and downstream water quality, work in Stafford Lake shall be confined to the period of June 15th to October 15th when lake waters are low.

Erosion Control Measures

2. Erosion control measures shall be utilized throughout all phases of operation where sediment runoff from exposed slopes threatens to enter waters of the State. At no time shall silt-laden runoff be allowed to enter the creek or directed to where it may enter other waters of the State.
3. All construction debris and associated materials shall be removed from the work site upon completion of this project. Any equipment or vehicles driven and/or operated within or adjacent to the site shall be cleaned of all external oil, grease, and materials that, if introduced to water, could be deleterious to aquatic life, wildlife or riparian habitat. Stationary equipment such as motors, pumps, generators, and welders, located within or adjacent to the marsh shall be positioned over drip pans.

Operation of Equipment

4. Refueling of mobile and/or portable equipment will not occur within 100 feet of a drainage or water body. When circumstances do not permit this, refueling of sedentary equipment will use catch basins and absorbent pads while refueling within 100 feet of a drainage or water body.
5. Hazardous materials (fuels, lubricants, solvents, etc.) will not be stored within 100 feet of a drainage or water body.

General Conditions

6. This certification action applies to the Project as proposed in the application materials. All work shall be implemented according to the plans and descriptions submitted as part of the Application and in addendum documents submitted to the Water Board.
7. All Standard and Special Conditions of the Corps' permit authorization shall be fully implemented.
8. All conditions of the Department of Fish and Game Streambed Alteration Agreement shall be fully implemented.
9. This certification action does not allow for the take, or incidental take of any State or Federal listed threatened or endangered listed species. The Applicant is required, as prescribed in the State or Federal endangered species acts, to consult with the

appropriate agency prior to commencement of the Project. Any unauthorized take of such listed species may result in prosecution.

10. A copy of this document must be provided to the contractor and all subcontractors and must be in their possession at the work site.

Standard Conditions

11. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Section 13330 of the California Water Code (CWC) and Section 3867 of Title 23 of the California Code of Regulations (23 CCR).
12. This certification action is not intended to and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to FERC license unless the pertinent certification application was filed pursuant to 23 CCR Subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
13. Certification is conditioned upon total payment of the full fee required in the State regulations (23 CCR Section 3833) and owed by the Applicant. The full fee of \$640.00.00 has been received.

Should new information come to our attention that indicates a water quality problem with this Project, the Water Board may issue Waste Discharge Requirements pursuant to 23 CCR Section 3857.

If you have any questions, please contact Marla Lafer at (510) 622-2348 or email at mllafer@waterboards.ca.gov.

Sincerely,

Shin-Roei Lee

Shin-Roei Lee acting for 2011.05.05 10:25:38
-07'00'

Bruce H. Wolfe
Executive Officer

Electronic cc (with Attachment):

SWRCB-DWQ, Bill Orme, Stateboard401@waterboards.ca.gov
U.S. EPA, Jason Brush, R9-WTR8-Mailbox@epa.gov
ACOE, SF Regulatory Branch
Mr. Dominic MacCormack, dominic.maccormack@usace.army.mil
Ms. Laurie Monarres, laurie.a.monarres@usace.army.mil
Mr. Cameron Johnson, Cameron.I.johnson@usace.army.mil
Ms. Jane Hicks, jane.m.hicks@usace.army.mil
DFG, Mr. Richard Fitzgerald, rfitzgerald@dfg.ca.gov

ATTACHMENT: PROJECT INFORMATION CHECKLIST

Project Name	Stafford Lake Park Irrigation System Supplemental Lake Source Intake Project
Applicant	Marin County Department of Parks and Open Space Contact – Rand Knox
Application Date	Electronic application received April 6, 2011
Project Location	<ul style="list-style-type: none"> • 3549 Novato Boulevard, Novato • APN No. 125-090-07 • 38.116347, -122.646924
County	Marin
Receiving Water(s)	Stafford Lake
Construction Schedule	Construction season 2011
Project Description (purpose/goal)	<ul style="list-style-type: none"> • Installation of a 7' by 9' submersible pump sled attached to a 700'-long by 6"-diameter HDPE water pipe. • Pipe would lie on the surface of the lake bottom until it reaches the high water mark elevation, at which point it will be placed in a trench to a new control station and connected into the existing system mainline in the park.
Fill/Excavation Area	~ 10 CY ~ 0.008 AC
Habitats of Concern	None.
Design & Construction Elements to Avoid Adverse Effects	<ul style="list-style-type: none"> • Operation of the diversion shall be at all times conducted such that it does not impair the ability of the North Marin Water District to release water for fish and wildlife. • Operation of the diversion shall be conducted such that it does not result in a measurable change in the water level or wetted area of Stafford Lake. • Implementation of BMPs during construction. • June 15 – October 15 work window (low water period at Stafford Lake) to minimize impacts to water quality and aquatic species.
Monitoring/Reporting	None required.
Compensatory Mitigation	None required. The Project will result in minimal impacts and minimal fill.
Water Board	Site No. 02-21-C808 CWIQS Place No. 765284
USACOE	File No. 2011-00036N, NWP 18 (Minor Discharges) Contact – Dominic MacCormack
FWS Consultation	None required.
NMFS Consultation	None required.
DFG Consultation	SAA No. 1600-2010-0275-R3 Contact – Richard Fitzgerald
Environmental Compliance	Categorical Exemption – CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures). Local lead agency – Marin County.
Application Fee	\$640.00

File Copy

A G R E E M E N T

THIS AGREEMENT, made and entered into this 21st day of September, 1971, by and between the COUNTY OF MARIN, a political subdivision of the State of California, hereinafter referred to as "County", and NORTH MARIN COUNTY WATER DISTRICT, a public corporation, hereinafter referred to as "District";

W I T N E S S E T H:

WHEREAS, the parties hereto are duly constituted public agencies; and

WHEREAS, District owns certain lands and water areas commonly known as "Stafford Lake", as outlined in green on Exhibit "A", attached hereto; and

WHEREAS, County owns certain land in the vicinity of "Stafford Lake" as outlined in red on Exhibit "A"; and

WHEREAS, County is willing to provide for the development, maintenance and operation of park facilities in both of the areas indicated in red and green on Exhibit "A";

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. District hereby grants to County a license to enter upon, construct improvements on, maintain and operate the same as a part of the public park, and further grants permission to the public to enter upon and use said area for park and recreational purposes, subject, however, to the following conditions:

(a) The said uses of the District's area shall at all times be subordinate to the primary and paramount thereof as a reservoir and public water supply facility. The District shall have the right, under emergency conditions to suspend or limit the use of said area by the County, its employees, agents, contractors and/or the general public, with or without notice to County, when the District considers such a suspension or limitation necessary to protect said paramount use of the District's area.

(b) County will not allow any act to be done in or about the park, nor allow any condition to exist which will

See Map file in Adm. Files

RECEIVED
SEP 16 1971
COUNTY OF MARIN
PLANS AND RESOLUTIONS

RECEIVED

SEP 24 1971

cause or threaten to cause a public health hazard or which will substantially reduce or impair the quality or quantity of water available to the District from said reservoir.

(c) County will construct, improve, operate and maintain the park and will provide reasonable patrolling and policing thereof without cost to the District.

2. County shall develop criteria for the operation of said park with particular consideration given to the protection of the District's water supply. Said criteria shall be submitted to District, and upon approval thereof by District, said criteria shall be deemed to be a part of this Agreement. District will furnish County with available advice and technical data which may be helpful in preparing said criteria.

3. County shall construct, improve, operate and maintain the park in accordance with the criteria discussed above.

4. County will not construct any facilities within the District's area without the prior written approval of District.

5. County shall allow access by District personnel and equipment over any part of the County area for maintenance purposes. If County improvements are to be affected by such maintenance work, District shall first obtain the written consent of County.

6. It is understood that no boating will be permitted and no boating facilities will be installed anywhere within the park without the prior written approval of District. The parties recognize the desirability, from a recreational standpoint of non-motorized boating within the park, and approval thereof will not be unreasonably withheld by the District.

7. County will hold District harmless from liability or claim of liability, for personal injury or property damage resulting from the County's construction, improvement, operation and/or maintenance of the park and the use thereof by the public.

8. District may terminate the consent granted herein in the event County fails to perform any of its undertakings herein,

RECEIVED
SEP 16 1971
MAIN COUNTY
PARKS AND RECREATION

provided such failure continues for more than 90 days after written notice thereof by District to County. Unless terminated as aforesaid this Agreement and the consent granted herein shall remain in full force and effect for a period of 50 years from the date of this Agreement.

9. This Agreement may be amended from time to time by the written consent of both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year above specified.

COUNTY OF MARIN

By *Ross M. Ryan*
Chairman of the Board of Supervisors

ATTEST:

[Signature]
Clerk

NORTH MARIN COUNTY WATER DISTRICT

By *[Signature]*
President

ATTEST:

[Signature]
Secretary

RECEIVED
SEP 16 1971
MARIN COUNTY
PARKS AND RECREATION

MEMORANDUM OF UNDERSTANDING
Between the
COUNTY OF MARIN
And the
NORTH MARIN WATER DISTRICT
For
INSTALLATION OF A NEW LAKE INTAKE AND PUMP STATION.

This Memorandum of Understanding (MOU), dated ____ / ____ / ____ is made and entered into by and between the County of Marin, (hereinafter MCPD--Marin County Department of Parks and Open Space) and the North Marin Water District (hereinafter NMWD), a California special district public water source management agency.

WHEREAS NMWD owns Stafford Lake and adjacent properties, upon which it has granted MCPD a 50 year License Agreement for public park purposes (Reference License Agreement dated September 21, 1971, between NMWD and MCPD); and

WHEREAS the License Agreement requires MCPD to obtain written permission from NMWD to construct facilities within NMWD's area prior to commencement of construction of any improvements; and

WHEREAS to support park facilities, the MCPD needs to improve the existing system to access water from deeper in the lake during autumn of dry years when Stafford Lake levels drop below safe operating level of the existing intake system; and

WHEREAS the NMWD needs to ensure that at such time that existing lake intake facilities are abandoned by MCPD, that MCPD will remove the abandoned facilities, subject to NMWD's approval, and subject to environmental permitting, and best management practices established at the time of such abandonment and removal.

AGREEMENT

NOW, THEREFORE the parties to this Agreement agree to:

1. NMWD grants permission to MCPD to install a new lake intake system and pump station as designed, proposed, and described in Exhibit "A", to supplement the existing lake intake system.
2. Upon execution of this agreement and every 5 years thereafter NMWD shall perform an audit to determine an annual water budget for Stafford Lake Park, including requirements for non-irrigated areas.

3. The diversion of Stafford Lake water by MCPD through the existing, new or combined existing and new lake intake system shall not exceed 320 GPM or the annual water budget pursuant to item #2 above.
4. MCPD agrees that when all or part of the system is no longer needed or is abandoned by MCPD, that MCPD will obtain NMWD's written approval to remove the existing facilities, in accordance with and subject to all applicable environmental agency permitting, and best management practices established at the time of existing facility removal.
5. MCPD agrees to comply with all environmental agency permits applicable to this project, and defend, indemnify and hold NMWD harmless for any claims by permitting agencies for non-compliance with permit requirements.
6. MCPD agrees to install the new lake intake system late in the autumn, but no later than October 15th, when the lake water level is lowest, to minimize disturbance of wetted areas of the lake in placing the new lake intake, pump station and mainline piping.
7. MCPD agrees to notify NMMWD two weeks prior to start of construction and submit a project schedule to allow scheduling of inspections by NMWD.

Access and Insurance Indemnification

NMWD hereby grants to MCPD, its employees, contractors and volunteers, the right to enter NMWD property on Stafford Lake and relevant shores, and uplands areas within what is known as Stafford Lake County Park and Stafford Lake proper for the purposes of installing the lake intake system and appurtenances thereto as described in the project plans, which are incorporated herein at Exhibit "A". MCPD will ensure that its employees, contractors and volunteers understand and comply with applicable codes, safety procedures, and permitting requirements, and ensure safe and responsible behavior while on NMWD property.

MCPD agrees to and shall defend, indemnify and hold NMWD harmless against all claims for damages or injuries which may arise out of the installation and operation of the supplemental irrigation system lake source pump station, including any such claims or lawsuits by MCPD employees, agents, volunteers, or park visitors.

MCPD will require any contractors retained by MCPD in connection with the implementation of the plan pursuant to this agreement to agree in their contract to indemnify NMWD against all claims or lawsuits for damages or injuries which may arise out of the performance of their contract, maintain a Comprehensive General Liability Insurance Policy with a limit of at least \$1,000,000 per occurrence, and provide the NMWD with a certificate of insurance and endorsement evidencing such coverage and naming NMWD as an additional insured in said policy coverage.

Contacts and Notices

All notices under this MOU shall be in writing (unless otherwise specified) delivered to the parties by hand, by commercial courier service, or by United States mail, postage prepaid, addressed to the parties at the addresses set forth below or such other addresses as the parties may designate by notice.

For MCPD:

Ed Hulme
Superintendent
Marin County Department of Parks and Open Space
3501 Civic Center Drive, #260
San Rafael, CA 94903

Phone: (415) 499-6387
Facsimile: (415) 499-3794

For NMWD:

Chris DeGabriele, General Manager
North Marin Water District
999 Rush Creek Place
Novato, CA 94945

PO Box 146 Novato, CA 94948-0146
Phone: 415-897-4133
Fax: 415-892-8043

Duration and Termination:

The terms of the MOU shall remain in full force and effect for the duration of the underlying 50 year License Agreement, which terminates on September 21, 2021. It may be amended and renewed by the mutual consent of both parties in writing. NMWD may terminate the consent granted in this MOU in accordance with the provisions of section number eight (8) of the original agreement dated September 21, 1971. IN WITNESS WHEREOF, the parties hereto have executed this agreement on the attached Signature Page.

COUNTY OF MARIN

By: Susan Adams
President, Board of Supervisors

Attest:

Secretary

NORTH MARIN WATER DISTRICT

By: John Schoonover
President, Board of Directors

Attest:

Secretary

Approved as to form:
COUNTY COUNSEL

By: _____

10

MEMORANDUM

To: Board of Directors

July 15, 2011

From: Drew McIntyre, Chief Engineer *DM*
Carmela Chandrasekera, Associate Engineer *CC*

Subject: Recycled Water North Service Expansion – Plum Street Recycled Water Tank Rehabilitation Project: Award Construction Contract

R:\Folders by Job No\6000 jobs\6055\BOD memos\6055 Construction Contract Award to Blastco Inc 7-19-11.docx

- RECOMMENDED ACTION:**
1. Reject Crosno Construction's bid as non-responsive.
 2. Approve award of the contract to Blastco Inc. and authorize the General Manager to execute an agreement with Blastco Inc.

FINANCIAL IMPACT: \$380,380 plus \$20,000 contingency (5%)

Background

The Plum Street Recycled Water Tank Rehabilitation Project (PSRWTP) includes rehabilitation of the 500,000 gallon capacity welded steel Plum Street Tank for storage of recycled water. Associated rehabilitation work includes complete recoating of the interior and exterior surfaces of the tank and installation of spiral stair and other miscellaneous metal work and modifications to the tank which has been out of service for more than a decade. The Board authorized bid advertisement for the above referenced project on May 3, 2011. The advertised date for this project was May 6, 2011 with a bid opening on June 14, 2011. The District advertised the project in the Marin IJ and mailed contract documents to twenty-three (23) interested contractors and builders exchanges in the greater bay area. Ten (10) contractors, including seven (7) prime contractors, attended the mandatory pre-bid meeting on May 27, 2011. The bid period was for approximately five (5) weeks and included one addendum. Three bids were received ranging from a low of \$377,220 to a high of \$482,545.

	CONTRACTOR	BID
1.	Crosno Construction	\$377,220
2.	Blastco Inc.	\$380,380
3.	CATS4U Inc.	\$482,545

The Engineer's Estimate was \$400,000. The bid span between the Number 1 and Number 2 low bidders Crosno Construction and Blastco, Inc. was at \$3,160 (for a variance of 1%).

Non-Responsive Bid by Crosno Construction

The bid advertisement and contract specifications clearly state that compliance with Clean Water State Revolving Fund (CWSRF) requirements are compulsory in order to be

considered responsive. Crosno Construction failed to submit CWSRF Form 4 with their bid. State Water Resources Control Board staff have advised that SRF funds cannot be used to pay for construction by a contractor that failed to submit Form 4 with its bid; without these funds, the District could not proceed with the project. Therefore, Crosno Construction's bid is deemed non-responsive and staff recommends it should be rejected. Carmela Chandrasekera, the project engineer verbally communicated the staff's recommendation to Crosno Construction via a phone call. Subsequently, a letter to this effect was prepared in cooperation with legal counsel and sent to Crosno Construction (Attachment 1). No communication has been received from Crosno Construction in response to the letter.

Bid Evaluation

Subject to the rejection of Crosno Construction's bid, Blastco Inc. of Downey, California, submitted the lowest responsive bid of \$380,380 which is \$19,620 (5%) below the Engineer's construction cost estimate of \$400,000. Blastco Inc.'s bid is \$102,165 (21%) below the next lowest bidder (CATS4U Inc.). A bid evaluation (Attachment 2) was performed by The Covello Group, the District's construction manager for said project. Covello's bid evaluation stated that other than an uncertainty with Blastco's compliance with SRF requirements, they appear to be responsive and responsible. Staff had the CWSRF staff review Blastco's bid documents and CWSRF staff confirmed that Blastco Inc. has complied with the SRF requirements. The attached analysis shows that the next lowest bidder (CATS4U) has not complied with the bidding requirements in all areas.

Project Financing and Update

The project receives 25% federal grant funding from the American Recovery and Reinvestment Act of 2009 via Bureau of Reclamation awarded to the North Bay Water Reuse Authority. The project will also receive a State Revolving Fund loan to finance the balance cost of the project. State Water Resources Control Board (SWRCB) Division of Financial Assistance executed the Facilities Plan Approval (FPA) and the Preliminary Funding Commitment (PFC) for the Recycled Water Expansion North Service Area on July 6, 2011. After receipt of the PFC, the District staff issued the Notice To Proceed for Segment 1 pipeline construction project on July 11, 2011. Staff also advertised the Segment 3 pipeline project for bid on July 8, 2011. The Segment 2 pipeline project (the last of the four North Service Area recycled water projects) is in design phase and staff expects to seek board authorization to advertise for bid in October 2011.

RECOMMENDATION

That the Board:

1. Reject Crosno Construction's bid as non-responsive.
2. Approve award of the contract to Blastco Inc. and authorize the General Manager to execute an agreement with Blastco Inc.



**NORTH MARIN
WATER DISTRICT**

999 Rush Creek Place
P.O. Box 146
Novato, CA 94948

PHONE
415.897.4133

FAX
415.892.8043

EMAIL
info@nmwd.com

WEB
www.nmwd.com

June 17, 2011

Wade Crosno
Crosno Construction
819 Sheridan Rd.
Arroyo Grande, CA 93420

RE: Plum Street Recycled Water Tank Rehab Project
NMWD File 5 6055.00

Dear Mr. Crosno:

The contract for the above referenced project is tentatively scheduled for award at the July 5, 2011 Board meeting. Staff's recommendation will be to reject Crosno Construction's bid (the lowest) for failure to submit State Revolving Fund (SRF) Form 4, as stated in Section 00820 and discussed during the mandatory pre-bid conference (the minutes of such were included in Addendum No. 1). State Water Resources Control Board staff have advised that SRF funds cannot be used to pay for construction by a contractor that failed to submit Form 4 with its bid; without these funds, the District could not proceed with the project.

If you have questions regarding this matter please contact Carmela Chandrasekera at 415-897-4133, extension 8670.

Sincerely,

Drew McIntyre
Chief Engineer

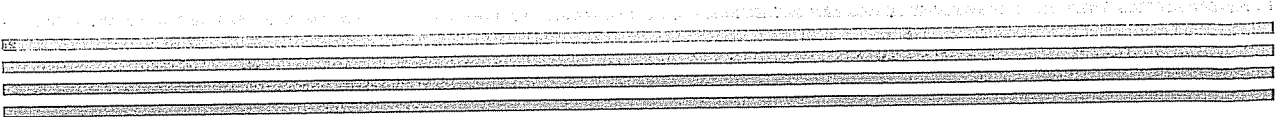
cc: Tony Kulczyk
Blastco, Inc.
11905 Regent View Ave.
Downey CA, 90241

Paul Bigelow
CATS4U
8755 Hwy 128
Healdsburg, CA 95448

DM:edb
Z:\Falders by Job No\6000 Jobs\6055\Plum Street Tank\Bid Phase\6055 Itr to Crosno Const 6-17-11.docx



The
Covello
Group



June 24, 2011

Letter No. 003

RECEIVED

Ms. Carmela Chandrasekera, P.E.
North Marin Water District
999 Rush Creek Place
Novato, CA 94945

JUL 11 2011

North Marin Water District

PROJECT: NMWD – Recycled Water Expansions North Service Area
SUBJECT: Plum Street Recycled Water Tank Bid Evaluation

Dear Carmela:

Bids for the Plum Street Tank Rehabilitation Project were received June 14, 2011 at 3:00 P.M. Three bids were received: Crosno Construction, Blastco Inc, and CATS 4 U Inc. It is my understanding that, because SRF Form 4 that is required to be submitted with the bid was not submitted by Crosno, the District has determined that Crosno is disqualified. Through Covello's review, we concur that SRF Form 4 was not included with Crosno's bid package. Therefore, although included in the bid tabulation summary, for purposes of the evaluation explained below, Crosno will not be considered. A bid tabulation summarizing the bids is attached for your use. Our evaluation is summarized as follows:

Pricing: Blastco Incorporated of Downey, CA is the apparent low bidder and the second low bidder is CATS 4 U Inc of Healdsburg, CA. The bid schedule includes eight items for the base bid and one alternative bid item. Blastco's base bid is \$380,381.00 and the alternative bid item is \$1,500.00. Note, the sum of Blastco's individual bid items is \$1 greater than what they entered in words and figures; the higher value is used for this evaluation. CATS 4 U's base bid is \$482,545.00 with the alternative bid item price of \$10,580.00. For the base bid, Blastco is \$101,164 lower than CATS 4 U's bid. Including the alternative bid item Blastco remains the low bidder.

The pricing by the three bidders for many of the bid items varies widely. No reason for this has been established. This is not unusual and is not considered a cause for concern. Blastco's bid is 95% of the engineer's estimate.

Bid Forms: The bid forms for Blastco were submitted as required and complete with one exception considered to be minor. The superintendent's resume was not submitted.

There are two concerns with the bid forms submitted by CATS 4 U. First, no experience information or a superintendent's resume was submitted. Experience information for the proposed superintendent of CATS 4 U's subcontractor Spiess Construction Company, Inc. was submitted. Secondly SRF Form 4, while submitted, was incomplete and not signed. The omissions with SRF Form 4 could be considered non-responsive.

ARRA Documentation: ARRA forms Attachment A, B, C, and D were not submitted by Blastco with the bid however, they are not due until 5 days after the bid opening per Section 00810-D.2. Covello contacted Blastco and they have submitted those forms.

The ARRA forms were not submitted by CATS 4 U with the bid and have not been requested.

SRF Documentation: The required documents include CWSRF "Form 4" and DBE "Good

2011.010-01.002.003

Attachment 2

Faith” documents including Forms 1, 2, 3 and 5 and supporting documentation demonstrating compliance with the prescribed steps in Section 00820-10-Section 3. Form 4 is to be submitted with the bid and the other documents are to be submitted within two weeks after the bid opening.

Blastco submitted the documents with their bid; however, there appears to be several deficiencies. First, it is not clear that the requirement to enlist the services of the U.S. Department of Commerce (USDOC) as required by the Good Faith Effort Process (GFE) Steps 3 and 5 have been satisfied. Clarification has been requested from Blastco. Secondly, GFE Step 3 requires that the U.S. Small Business Administration (USSBA) and USDOC DBE sites be notified of bid opportunities 15 days prior to the bid. Blastco notified the USSBA site 14 days in advance. Lastly, there are some inconsistencies between Form 2, 4, and 5 but these are considered minor. Otherwise, it appears that a genuine good faith effort was made and documented.

Blastco did not achieve the targeted DBE content goals and therefore must rely on the GFE to demonstrate compliance with the CWSRF requirements. It is recommended that clarification be obtained from CWSRF as to whether Blastco’s effort is sufficient.

CATS 4 U submitted Form 4 with their bid however it was incomplete and not signed. This may render them non-responsive although it appears that no DBE content was intended and that CATS 4 U would have to rely on the GFE to meet CWSRF requirements. Also, CATS 4 U notified USSBA 13 days in advance of the bid opening rather than 15 days as required. Supporting documentation for the GFE has not been requested from CATS 4 U.

Bidder and Subcontractor Experience: Blastco submitted documents which appear to substantiate that they have the necessary experience to perform the work. However, Blastco has not submitted the required resume for their superintendent. Covello contacted five references which accounts for approximately 15 tank projects. Four of the five references provided favorable feedback about Blastco’s performance and one reference reported that they were dissatisfied. The primary concerns of the dissatisfied District were that Blastco’s crew was inexperienced and poorly manage and that they were expected to finish about 1.5 months late. Although asked, the other references did not express such concerns or experience such problems. Based on the information obtained, Covello believes that Blastco is a capable contractor. (Discussion with one of the favorable references is not complete. The Senior Engineer contacted reported that he was happy with Blastco but suggested that his Associate Engineer could provide more detailed information on Monday June 27. If unfavorable information is obtained, a supplemental letter will be issued.) A license check was conducted and it was confirmed that Blastco has the required valid Class A Contractor’s license.

CATS 4 U did not submit experience information for themselves. They did submit experience for their subcontractor Spiess Construction Co. Inc. (SCCI) and SCCI’s superintendent. SCCI listed two projects that include removal and disposal of lead paint. They provided a long list of projects under the heading “EXPERIENCE SUMMARY PAINTING & COATING OF WELDED STEEL STORAGE TANKS WITH DAVE SCHAEFFER AS SUPERINTENDENT”. It is not clear if this experience is also for SCCI and the most recent project in the list is August 2008. It is not clear that CATS 4 U or SCCI is appropriately experienced. No further evaluation of this information was made.

Subcontractors: Blastco identified one subcontractor that they expect to perform work valued at more than one-half of one percent (0.5%) as required by the public contract code. The named subcontractor is “Steel Builders” who is to perform “fabrication ladder and stairs” work. Corpro was listed by Blastco in the Material and Equipment category but not as a subcontractor.



Blastco has subsequently confirmed that it is their intent to use Corpro as a subcontractor. Covello considers this to be a minor mistake as the intent to use Corpro is apparent and this error does not circumvent the intent of the public contract code that requires listing of subcontractors.

CATS 4 U listed an electrical subcontractor for "electrical/Instrumentation" and SCCI for "coatings, metals & cathodic". CATS 4 U listed Corpro as a Material and Equipment Manufacturer but not as a subcontractor given that appears to be committed to the electrical subcontractor. If there is a requirement for the percentage of work that must be performed by the Prime, it is not likely the CATS 4 U meets the requirement.

Material and Equipment Manufacturers: Blastco & CATS 4 U listed manufacturers for the five required items. At this time it has not been verified that the manufactures comply with the specifications but all named entities are well-known and are expected to be satisfactory.

Conclusion: As noted above, it has previously been determined that Crosno Construction is disqualified.

The bid by CATS 4 U has deficiencies that may render it non-responsive. Complete Good Faith Effort documentation has not been submitted by CATS 4 U and has not been requested. As such, a complete evaluation of the GFE has not been conducted. However, based on information submitted and deficiencies observed, it does not seem likely that CATS 4 U has sufficiently completed the Good Faith Effort process. Additionally, Cats 4 U bid is over \$100,000 or 27% higher than the next lower bidder; Blastco.

It is not certain that Blastco has fully complied with the CWSRF Good Faith Effort requirements. Otherwise, Blastco appears to be responsive and responsible. Consultation with CWSRF representatives is recommended before recommending acceptance of Blastco's bid.

Please contact me if you have any questions regarding this matter.

Sincerely,
The Covello Group, Inc.


Steven P. Wrightson
Construction Manager

cc:



North Marin Water District

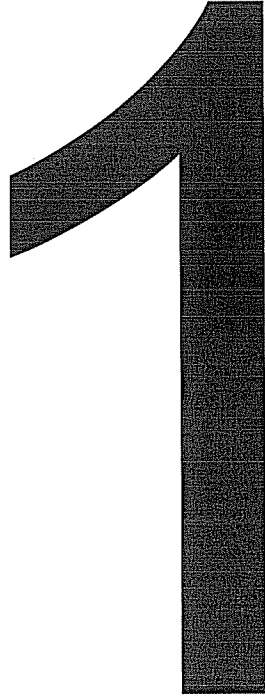
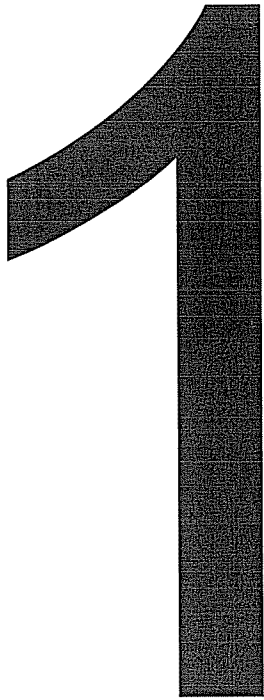
Plum Street Recycled Water Tank Rehabilitation

Bid Items From Bid Schedule (00310)				Engineers Estimate		Crosno Construction		Blastco Inc.		CATS 4 U Inc.			
Item No.	Qty.	Unit	Description of Items	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1	1	LS	Mobilization/demobilization				15,000		18,897		18,803		
2	1	LS	Remove and dispose of spent abrasive and interior coating residue.				4,100		8,494		110,860		
3	1	LS	Prepare surfaces, furnish and apply material for a full interior coating				100,000		129,962		42,320		
4	1	LS	Remove and dispose of spent abrasive and exterior coating residue.				4,500		4,000		109,710		
5	1	LS	Prepare surfaces, furnish and apply material for a full exterior coating				117,500		63,026		28,865		
6	24	Hrs	Grinding			130	3,120	110	2,640	no unit provided	3,588		
7	1	LS	Design and Installation of Tank Cathodic Protection Facilities (sacrificial CP system), complete and operational.				11,000		15,333		14,030		
8	1	LS	Installation of all appurtenances and rehabilitation work as specified in drawings and all items not specifically included in other bid items.				122,000		138,039		154,369		
Total Base Bid :					\$400,000		\$377,220		\$380,381		\$482,545		\$0
Additive Bid Items:													
8		Tons	Removal, reporting, handling and disposal of waste material classified as hazardous						1,500		10,580		
Total Additive Bid Items					\$0	No est qty	\$10,000	est 2 tons	\$1,500		\$10,580		\$0
Grand Total Base Bid + Additive Bid Items					\$400,000		\$387,220		\$381,881		\$493,125		\$0

Bid Forms:					
"IN" Stamped before bid closing (00010)			No stamp; assume ok	No stamp; assume ok	No stamp; assume ok
Bid multiplies out and sums correctly			yes	sums \$1 higher than entered in bid	yes
Bid value in word agrees with numerals			yes	yes	yes
License Checks Out (00300) Possesses valid Class A			yes	yes	yes
Bid Form (00300) Addendum 1 acknowledged			yes	yes	yes
Bid Form - Signed by Authorized Individual (00300)			signed by corp secretary; seems appropriate	signature different from print; signed by GM; seems appropriate	signed by corp president/secretary; seems appropriate
Bid Form - Board Authorization Resolution (00300)			n/a	n/a	n/a
Bid Form - Material and Equipment Manufacturers			yes, provided	yes; provided	yes; provided
Bid Form - List of Subcontractors			yes, provided	yes, provided	yes; provided
Bid Form - Contractor's Licensing Statement			yes, provided	yes, provided	yes; provided
Bid Form - Contractor's Experience Statements			experience submitted; superintendent resume not submitted; removal and disposal of haz waste not addressed	experience submitted; superintendent resume not submitted	none submitted for prime; no superintendent resume submitted; experience of subcontractor's (Spiess Construction Co) superintendent submitted
Bid Form - Contractor's Equipment Available			yes, provided	yes, provided	yes; provided
Bid Bond (00415)			yes, provided	yes, provided	yes; provided
Escrow Agreement (00490)			submitted; not requested	acknowledged; not requested	submitted; not requested
CWSRF Form 4 Selected M/WBE (00810-BP31)			not submitted	yes, provided; not consistent with Forms 2 & 5.	incomplete and not signed
Bidders Affidavit of Non-Collusion (00480)			yes, provided	yes, provided	yes; provided
ARRA Attachment A - S/W/M Business Utilized (00810) (Due 5 days after bid)			not submitted	Submitted per 6/17/11 request	not submitted
ARRA Attachment B - Statement of Compliance w/ S/W/MBE (00810) (Due 5 days after bid)			not submitted	Submitted per 6/17/11 request	not submitted
ARRA Attachment C - Compliance Statement w/ EO 11246 (00810) (Due 5 days after bid)			not submitted	Submitted per 6/17/11 request	not submitted
ARRA Attachment D - Cert of Nonsegregated Facilities (00810) (Due 5 days after bid)			not submitted	Submitted per 6/17/11 request	not submitted
SRF Loan Provisions - MBE/WBE Goals or Good Faith Effort (00900) - Good Faith Effort made and Documented? (Due within 10 working days of bid opening.)			Submitted; not yet reviewed	Submitted; not clear that DOC was contacted as required by Steps 3 & 5. Also local SBA/MBDA were notified of bid opportunity 14 days rather than the required 15 days in advance of bid. Otherwise effort looks to have been reasonably made.	Some by not all information was submitted. Request was not made for the post-bid information. Local MBDA (DOC) was notified of bid opportunity 13 days rather than the required 15 days in advance of bid. Not apparent that USSBA was utilized but that may be part of post bid information.
SRF Loan Provisions - DBE Form 1: Submitted? (Due within two weeks of bid opening)			not yet submitted	yes; complete	Submitted with bid but no entries were made. Post bid submittal has not been requested. If there is no additional information it appears that Good Faith Effort was not made
SRF Loan Provisions - DBE Form 2: Submitted? (Due within two weeks of bid opening)			not yet submitted	yes; complete; not perfectly consistent w/ Forms 4 & 5	Submitted with bid but no entries were made. Post bid submittal has not been requested. If there is no additional information it appears that Good Faith Effort was not made
SRF Loan Provisions - DBE Form 3: Submitted? (Due within two weeks of bid opening)			not yet submitted	Not yet submitted	n/a since no DBE's selected
SRF Loan Provisions - DBE Form 5: Submitted? (Due within two weeks of bid opening)			not yet submitted	yes; complete; not perfectly consistent w/ Forms 2 & 4	yes; provided
SRF Loan Provisions - Certification of Nondiscrimination Clause: Submitted? (Due within two weeks of contract award)			not yet submitted	Not yet submitted	yes; provided
SRF Loan Provisions - Certification of Non-Segregated Facilities: Submitted? (Due within two weeks of contract award)			not yet submitted	Not yet submitted	yes; provided
SRF Loan Provisions - Drug-Free Workplace Certification: Submitted? (Due within two weeks of contract award)			not yet submitted	Not yet submitted	yes; provided

Subcontractors:					
Fabrication - Ladder & Stairs			Listed	Listed	Listed
Cathodic Protection			Corpro	Steel Builders	
Electrical / Instrumentation					John Ridge Electric
Coatings/Metals/Cathodic					SCCI

Material & Equipment Manufacturers:							
	Specified	Bid	Comply	Bid	Comply	Bid	Comply
Cathodic Protection System	requirement not yet reviewed	Corpro		Corpro; compliance not yet confirmed		Corpro	
Pressure Transmitter	requirement not yet reviewed	Rosemount		Rosemount; compliance not yet confirmed		Rosemount	
Paint	requirement not yet reviewed	International/Devoe		Devoe/International; compliance not yet confirmed		Tnemec	
Butterfly valves	requirement not yet reviewed	Pratt		DeZurik; compliance not yet confirmed		DeZurik	
Tank roof hatch	requirement not yet reviewed	Crosno		Shape Corp; compliance not yet confirmed		Bilco	



MEMORANDUM

To: Board of Directors
From: Drew McIntyre, Chief Engineer



Date: July 15, 2011

Subject: Approve: Change Order No. 2 - Environmental Science Associates (ESA)
for Environmental Support Services Contract (Recycled Water South Service Area
Z:\Folders by Job No\7000 jobs\7127\ESA RW CEQA Work\Board Memos\7127 ESA Change Order No. 2 BOD MEMO.doc

RECOMMENDED ACTION: The Board authorize the General Manager to execute Change Order No. 2 to ESA to perform additional CEQA permit-related tasks for the Recycled Water South Service Area project in the amount of \$35,000.

FINANCIAL IMPACT: \$35,000 increase (already included in FY11-12 Improvement Project Recycled Water Budget)

Background

At the June 21, 2011 meeting, the Board approved a new contract with ESA to perform environmental monitoring services for the Recycled Water North Service Area project in the amount of \$37,965. This scope of services was needed to ensure proper implementation of various mitigation measures that the North Marin Water District is responsible for implementing during construction of the North Service Area project. At the same meeting, the Board was apprised that staff would be returning at a subsequent meeting to request a budget increase for additional CEQA and permit-related tasks for the Recycled Water South Service Area project.

Change Order No. 2

At the December 7, 2010 meeting, the Board approved Change Order No. 1 to ESA to perform additional CEQA and permit-related tasks for both the North and South Service Area recycled water projects. With approval of Change Order No. 1, the District had authorized ESA to expend no more than \$55,000 related to miscellaneous CEQA tasks including preparation of an addendum to the EIR required for both the North and South Service Area SRF loan applications. A breakdown of the authorized \$55,000 is provided as follows:

<i>Service Area</i>	<i>Contract Amount</i>	<i>Status</i>	<i>Summary of Tasks</i>
North	\$25,000	Complete	<ul style="list-style-type: none"> Respond to SRF inquiries and cultural resources* work Additional SRF coordination for Addendum preparation
South	\$30,000	Contract Amount expended, additional tasks pending	<ul style="list-style-type: none"> Addendum preparation Permitting (USACE, RWQCB and CDFG)
Summary of Contract Amount	\$55,000 total authorized and expended		

*Section 106 of the National Historic Preservation Act

From the above tabulation it can be seen that ESA's initial estimate for Addendum preparation and CEQA work for the South Service Area was \$30,000. At that time, ESA identified potential extra costs of \$20,000 should additional work be required as the design phase of the project developed. Six months have now passed since ESA's original \$30,000 cost proposal and the project design has progressed from a conceptual level to final detailed design level. As a result, the permitting requirements are better defined now and, in fact, are more rigorous than what was originally estimated by ESA in December 2010. As a result, the District recently received a request from ESA for additional funds related to the South Service Area permitting work. This request is summarized as follows:

Task	Approved Budget	Requested Additional Funds	Revised Total
EIR Addendum	\$15,000	\$5,000	\$20,000
Wetland Delineation, 404 Nationwide Permit and 401 RWQCB Permit	\$15,000	\$15,000	\$30,000
Section 106 ¹	\$0	\$10,000	\$10,000
CA. DFG Streambed Alteration Agmt	\$0	\$5,000	\$5,000
Total	\$30,000	\$35,000	\$65,000

RECOMMENDATION

The Board authorize the General Manager to execute Change Order No. 2 to ESA to perform additional CEQA permit-related tasks for the Recycled Water South Service Area project in the amount of \$35,000.

¹ State Historic Preservation Office (aka Cultural Resources)

12

MEMORANDUM

To: Board of Directors

July 15, 2011

From: Chris DeGabriele 

Subject: Technical Advisory Committee – July 11, 2011

T:\GMISC\WAITAC minutes and agenda\2011\TAC CD Notes 071111.doc

RECOMMENDED ACTION: Information Only

FINANCIAL IMPACT: None

Agenda attached.

2. Public Comment.

During the public comment period, David Keller asked whether the TAC will make comments on the State Water Resources Control Board proposed Russian River Frost Protection Regulation. I replied that Mr. Keller had asked this at the June 6th TAC meeting, and at that time, I had agreed to review the proposed regulation and provide comment if I thought appropriate. I advised that in my review, I believe it is likely the State Board will adopt the proposed regulations, that I had discussed the proposed regulation with Sonoma County Water Agency staff and folks familiar with the proposed regulation in Sacramento. The Water Contractors do not hold water rights on the Russian River, and the Agency's water rights do not include specific beneficial use of frost protection; so, notwithstanding the fact that the diversion of water for frost protection may affect stream flows, it appears we are not to be affected. I closed by indicating that it is my belief that the State Board will adopt the regulations and it will take some time to put them into practice.

3. Recap from June 6, 2011 TAC Meeting and Approval of Minutes

The minutes were approved as mailed and are attached.

4. L/R/T2 Program Update

I advised the TAC members that in 2001 the Agency began a Local Supply/Recycled Water/Tier 2 water conservation funding program, along with the impairment MOU adopted that year. The program proposed collecting \$13M over ten years and allocating that to the Water Contractors and Marin Municipal. I advised that to date, only \$10M has been collected and five contractors have not received their full allocation. I advised that the parties should consider fulfilling the commitment and begin collecting L/R/T2 funds for disbursement to those that have not received their allocation so that each participant can be made whole. Solicitation for L/R/T2 projects will be mailed this fall and we should expect to include a L/R/T2 funding component in next year's Agency budget.

5. SCWA Water Supply/Transmission System Operations Status

Scott Carpenter from SCWA made a presentation on the Sonoma booster station, its capacity and limitations. The station is approximately 50 years old and is in need of an electrical upgrade. He recounted a recent problem over the July 4th holiday wherein there was insufficient pumping capacity to meet the demands in Sonoma Valley. The Agency is planning new transformers, new electrical lines and new motor control centers along with potentially a new emergency generator for the Sonoma booster station. The TAC suggested that a portable emergency generator be looked at.

6. 2011 TUCP Status

Pam Jeane updated the TAC on the Temporary Urgency Change Petition. This year, as in last

year, dedicated irrigation customers will use 60% ET for calculating irrigation budgets. Pam also noted that the Water Quality Monitoring Plan and Weekly Fishery Monitoring reports are being submitted to the State Board.

7. Biological Opinion Status Update

Pam Jeane distributed and reviewed the Russian River Biological Opinion update for July 2011 (attached).

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



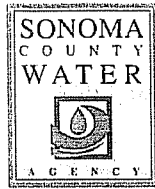
TECHNICAL ADVISORY COMMITTEE

MONDAY: JULY 11, 2011

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

9:00 a.m. (Note Location)

1. Check In
2. Public Comment
3. Recap from June 6, 2011 TAC Meeting and Approval of Minutes
4. L/R/T2 Program Update
5. SCWA Water Supply/Transmission System Operations Status
6. 2011 TUCP Status
7. Biological Opinion Status Update
8. Items for next agenda
9. Check Out



Russian River Biological Opinion Update – July 2011

The Sonoma County Water Agency is continually planning and implementing the Russian River Biological Opinion requirements. To better communicate the progress and timeline of this work, the Water Agency has provided the below outline of project updates. For more detailed information about these activities, please visit www.sonomacountywater.org.

Dry Creek Demonstration Project

- The Dry Creek Demonstration Project is at a 60% design level. Discussions with landowners regarding access and construction have begun, and permitting requests to regulatory agencies will be made this summer.
- An Initial Study environmental document on the demonstration project was released on June 3. The document is available online, and public comments will be accepted until 5 p.m. July 18, 2011.

Dry Creek Habitat Enhancement Study & Bypass Pipeline Study

- The Dry Creek bypass pipeline and Dry Creek Habitat Enhancement draft feasibility studies were released in April. The WAC, the Dry Creek Advisory Group and Dry Creek residents received briefings on the studies in May.
- The Water Agency, National Marine Fisheries Service, Department of Fish & Game and the U.S. Army Corps of Engineers are working with consultants, ESSA, to develop clear success measures for habitat enhancement. The plan should be completed later this year.
- Three creek restoration/passage projects are slated for construction this summer and fall: Crane Creek, Grape Creek, and Wallace Creek – all in the Dry Creek watershed.
- 2011 fish monitoring activities are underway, with rotary screw traps placed in Dry Creek and in the Russian River.

Wohler Pond Modification Project

- The National Marine Fisheries Service has approved design plans and the Water Agency has received all construction permits. Project implementation will begin in early summer 2011.

Mirabel Screen and Fish Ladder Replacement

- The Water Agency received a \$255,000 California Department of Fish and Game Fishery Restoration Grant for design of the project. The Water Agency executed an Agreement for Engineering Design services with HDR Engineering on June 21st.

Russian River Estuary Management Project

- The Estuary Management Project final Environmental Impact Report will be released this summer.
- The Water Agency received a Marine Mammal Incidental Harassment Authority (IHA) in April. The IHA is a temporary permit that allows the agency to breach the sand bar and implement the lagoon channel management plan. Similar to last year's permit, the new IHA requires rigorous monitoring of seals and other pinnipeds (mammals with flippers) occurs year-round, before, during and after the Water Agency manages the sand bar.
- 2011 fish monitoring activities are underway, with the fyke net placed in the estuary, rotary screw traps installed at the mouths of three creeks that drain into the estuary and invertebrate monitoring and seining underway.
- Water quality monitoring is underway.

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. Later this year, staff will make a presentation to the Board of Directors summarizing the project status and the comments made during the scoping period.
- EIR Schedule
 - Release Draft EIR in summer 2012
 - Release Final EIR in summer 2013
 - BO requires Board to certify Final EIR by September 24, 2013
 - EIR will be prepared by Water Agency staff, with assistance from consultants on some areas of impact analysis, including recreation, socioeconomics and possibly water quality.

Interim Flow Changes

- On June 1, the State Water Resources Control Board issued an order in response to the Water Agency's petition to modify minimum instream flow requirements for this summer. Similar to the 2010 order, the 2011 order requires weekly fisheries reports, water quality monitoring and for the contractors to require their irrigation customers to "achieve a maximum applied water allowance of 60 percent ETo."

Public Outreach

- The Dry Creek Advisory Group met in May to review the habitat enhancement and pipeline feasibility draft studies.
- A Dry Creek Community Meeting was held on May 25 to discuss the habitat enhancement project and the pipeline feasibility draft studies. Approximately 75 members of the public attended.
- Advertisements were placed in The Press Democrat and Ukiah Daily Journal notifying people about the petition for temporary modifications to D1610 flow requirements this summer.

Draft Minutes of Technical Advisory Committee
35 Stony Point Road, Santa Rosa, California
June 6, 2011

Attendees: Susan Gorin, City of Santa Rosa
Miles Ferris, City of Santa Rosa
Glen Wright, City of Santa Rosa
Jennifer Burke, City of Santa Rosa
Linda Hall, City of Santa Rosa
Toni Bertolero, City of Sonoma
Damien O'Bid, City of Cotati
Drew McIntyre, North Marin Water District
Chris DeGabriele, North Marin Water District
Remleh Scherzinger, City of Petaluma
Pamela Tuft, City of Petaluma
Craig Scott, Town of Windsor
Krishna Kumar, Valley of the Moon Water District
Spencer Bader, SCWA
Carrie Pollard, SCWA
Jay Jasperse, SCWA
Pam Jeane, SCWA
Dale Roberts, SCWA

Public Attendees: Brenda Adelman, RRWPC
J. Dietrich Stroeh, CSW/Stuber-Stroeh Engineering
Bob Anderson, United Wine Growers
Dawna Gallagher
David Keller, FOER
Julie Inman, Black & Veatch
Mike Espejo, Derceto
Wes Wood, Derceto

1. Check-in

TAC Chair Chris DeGabriele called the meeting to order at 9:07 a.m.

2. Public Comment

David Keller inquired if the TAC would comment on the SWRCB Proposed Russian River Frost Protection Regulation. The comment deadline is July 5 and a hearing is scheduled September 20. Chris DeGabriele advised that the TAC currently has not considered comments and that he would review the proposed regulation.

3. UWMP Update

Chris DeGabriele reports the NMWD draft plan has been released to the public and Board and there will be a public hearing in two weeks. SCWA released draft on May 9, going to board on June 21. The City of Santa Rosa has had the first hearing and approval by the Board of Public

Utilities, with minor changes made, going to City Council on June 14. Valley of the Moon public hearing is tomorrow. Petaluma is adopting soon. Cotati releases this week for June 22 adoption. Windsor released on May 31, with June 15 to adopt. Marin Municipal releases this week with June 21 discussion and July 6 adoption. Chris thanked Jennifer Burke for all her work to coordinate development of the contractor plans.

4. Sonoma-Marin Saving Water Partnership

Carrie Pollard reported print ads are being developed and most are finalized with Rohnert Park and Cotati still in process. Movie ads and radio spots are done. Ads will be posted to the website – savingwaterpartnership.org. The May 21st Eco-Friendly Garden Tour with 200 participants was successful. Next steps - CUWCC reports need to be submitted to Carrie as a basis for preparing the S-MSWP Annual Report.

5. SCWA Water Supply/Transmission System Operations Status

Joe Horack from PG&E introduced Wes Wood who reviewed the PowerPoint presentation which detailed the Derceto Aquadapt program which could reduce energy costs and manage water aging to optimize water system efficiency. The presentation is available from PG&E for anyone interested. The program is currently being used by seven water utilities including East Bay MUD and Eastern Municipal Water District. The Water Agency is looking for a water contractor to participate in a pilot program in the North Bay.

6. 2010 & 2011 TUCP Status

Information on unaccounted-for water has been gathered from the Water Contractors. The report has been submitted for 2010. The 2011 Temporary Urgency Change Order has just been issued on June 1st. Pam Jeane expects an additional element to be included – water quality monitoring.

7. Biological Opinion Status Update

Pam Jeane reviewed the status update which was distributed.

8. Items for next agenda

TAC – July 11

Proposition 84 update

WAC – August 1

Presentation of Long Range Financial Plan

9. Check out

The next regular TAC meeting will be held July 11, 2011. The next regular WAC/TAC meeting will be held August 1, 2011.

Meeting adjourned at 10:13am.

13

DISBURSEMENTS - DATED JULY 6, 2011

Date Prepared:7/5/11

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 6/30	\$120,965.79
EFT*	Bank of the West	Federal & FICA Taxes PPE 6/30	45,308.73
1*	Calif Public Health Services	Reg Fee: Water Distribution Operator Exam - D2 (Joe Corda)	65.00
2	AICPA Subscriptions	Subscription Renewal (8/11-8/12) (Landeros) (Budget \$70)	69.00
3	AJ Printing & Graphics	Washing Machine Rebate Application Forms (420)	237.68
4	Alliance for Water Efficiency	Membership Dues (7/8/11-7/7/12) (Grisso) (Budget \$230)	214.41
5	American Family Life Ins	June Employee Contrib for Accident, Disability & Cancer Ins	3,471.90
6	American Water Works Assoc	Annual Dues (7/1/11-6/30/12) (Chandrasekera) (Budget \$255)	231.00
7	Aquinagalde, Ignacio	Novato "Toilet Rebate" Program	150.00
8	Baker, Jack	June Director's Fee (\$200) & NBWA Meeting - 6/3 (\$100)	300.00
9	Bay Alarm	Quarterly Fire Alarm Monitoring Fee (STP)	278.22
10	Bender, Matthew	CA Gov't Codes Updates	338.29
11	Bialkin, Lisa	Novato "Washer Rebate" Program	75.00

Seq	Payable To	For	Amount
12	Bold & Polisner	May Legal Services: AEEP Loan (\$98), Aqueduct Reloc-Non-Reimb (\$241), Aqueduct Reloc-Litigation (\$480), Black Pt Partners Wtr Srvc Assignment (\$203), Prop 218 Letter (\$245), Public Records Act Request (\$111), R W Expansion North (\$74), STP SRF Loan Amendment (\$98) (Less Credit for Prior Month Overbillings \$315)	1,235.00
13	Booth, Dennis	Novato "Toilet Rebate" Program	239.97
14	Borjian, Loretta	Novato "Toilet Rebate" Program	159.98
15	Burnham, Shannon & Jay	Novato "Washer Rebate" Program	75.00
16	Cagwin & Dorward	Novato "Toilet Rebate" Program	800.00
17	State of California	State Tax & SDI PPE 6/30	9,315.21
18	Carfagno, Allen	Novato "Toilet Rebate" Program	150.00
19	Cervantes Const, S.E.	Remove Dirt Spoils from District Yard (294 yds)	3,528.00
20	Cheda, Loretta	West Marin "Toilet Rebate" Program	300.00
21	Cole-Parmer Instrument	Phosphoric Acid (STP) (2.5 liters)	219.26
22	Cook, Nancy	Novato "Toilet Rebate" Program	150.00
23	CSW/Stuber-Stroeh Engineering	Engineering Services: So Novato Blvd (\$6,955), Stafford Dam Concrete Apron Repair (\$519), Reservoir Hill Easement (\$3,720), Pt Reyes Easement (\$742) (Balance Remaining on Contract \$26,806), Waterline Easement Over Lands of Lohmeyer (\$1,382) & Pt Reyes Tank Seismic Piping Upgrade (\$594) (Balance Remaining on Contract \$24,830)	13,913.14
24	Cummings Trucking	Rock (24 tons)	1,427.84
25	Dawson, Bruce	Novato "Toilet Rebate" Program	150.00
26	Deere Landscapes, John	Irrigation Supplies (Crest Tank)	341.90
27		Vision Reimbursement	133.97
28	Durham, Greg	Novato "Washer Rebate" Program	75.00

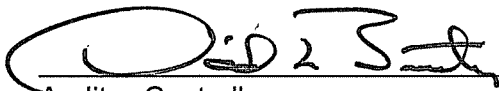
Seq	Payable To	For	Amount
29	Eberhart Software Consulting	Support Plus Renewal Fee ABRA HR (7/21/11-7/20/12) (Budget \$825)	766.77
30	Eliaser, Peter	Novato "Washer Rebate" Program	75.00
31	Fesler, Steven	Refund Alternative Compliance Reg 15 Deposit	315.00
32	Fraites, Rick	June Director's Fee	200.00
33	Friedman Brothers	1" X 20' PVC Pipe (7)	44.25
34	Golden Gate Petroleum	Gasoline (\$3.78/gal) & Diesel (\$4.09/gal)	3,993.75
35	Gong, Jervis	Novato "Cash for Grass" Program	187.00
36	Grainger	Air Filters for HVAC System (12) (\$148), Rod, Coupling Nuts (15) (\$77) & Hex Cap Screws (2) (\$31)	294.34
37		Cafeteria Plan - Child Care Reimbursement	263.79
38	Hach	Chlorine Reagent (\$330), Standard (\$167) & Endo Ampules (60) (\$85) (Lab)	582.76
39	Hanahan, Donald	Novato "Washer Rebate" Program	75.00
40	Hurst, Leigh	Refund Alternative Compliance Reg 15 Deposit	315.00
41	Hydec	Altitude Valve Control Repair Kit for Air Base Tank	259.63
42	Kemira Water Solutions	Ferric Chloride (10.06 tons)	7,440.17
43	Keyes, Peter	Novato "Toilet Rebate" Program	150.00
44	Krajewski, Mitch	Novato "Toilet Rebate" Program	300.00
45	Kruger, Curt	Vineyard Road Maintenance (3/17 Share)	408.00
46	Lee, Richard	Novato "Toilet Rebate" Program	150.00
47	Levin, Lelah	Novato "Toilet Rebate" Program	630.00
48	Littman, Tajali	Novato "Washer Rebate" Program	75.00
49		Cafeteria Plan - Child Care Reimbursement	416.66
50	Mack, Trudi	Novato "Toilet Rebate" Program	150.00

Seq	Payable To	For	Amount
51	Maltby Electric	Transfer Switch for Generator Connections to Pump Stations (4) (Budget \$3,500)	2,616.49
52		Vision Reimbursement	41.58
53	McLellan, WK	Misc Paving: Novato Area (1,524 S.F.)	16,799.89
54	Merz, Peggy	Novato "Toilet Rebate" Program	150.00
55	Meyer, Will	Novato "Washer Rebate" Program	75.00
56		Wage Assignment Order	284.00
57	Nannery, Nicole	Novato "Toilet Rebate" Program	450.00
58	Novato, City of	Fee for Working on Moratorium Street (1241 Leafwood Hts)	500.00
59	Novato Lock	Keys for District Offices (11)	70.88
60	Novato Sanitary District	Discharge to Novato Sanitary - Residual Water in Crest Tank No 1	1,656.93
61	O'Brien, James	Novato "Toilet Rebate" Program	150.00
62	Ockert, Cindy	Novato "Cash for Grass" Program	300.00
63	O'Malley, Mary	Novato "Toilet Rebate" Program	150.00
64	Osmidoff, Lena	Novato "Toilet Rebate" Program	300.00
65	Pace Supply	Gaskets (35)	117.15
66	ParcelQuest	Parcel Data Information CD w/Semi-Annual Updates - Sonoma & Marin Counties (7/1/11 - 6/30/12)	696.89
67	Parkinson Accounting Systems	May, June & July Accounting Software Support (\$1,500) & Mas 90 Annual Maintenance Renewal (\$7,689) (7/21/11-7/31/12) (Budget \$8,750)	9,189.22
68	PERS Retirement System	Pension Contribution PPE 6/30	37,698.89
69	Petterle, Stephen	June Director's Fee	200.00
70	Piekny, Ken	Novato "Toilet Rebate" Program	150.00
71	Pinder, Dorothea	Novato "Toilet Rebate" Program	450.00

Seq	Payable To	For	Amount
72	Power Industries	Brush Set (4) (for Cleaning Injection Pump Motor)	97.73
73	Rice, Richard	Novato "Toilet Rebate" Program	150.00
74	Rising Sun Energy Center	Residential Water Audits (29)	638.00
75	Roberts & Brune	6" Double Check Detector Assembly (\$3,090) & Nipples (3)	3,099.78
76		Cafeteria Plan - Child Care Reimbursement	278.25
77	Rodoni, Dennis	June Director's Fee	200.00
78	San Andreas Place HOA	Novato "Cash for Grass" Program	1,200.00
79	Schoonover, John	June Director's Fee Less Deferred (\$150) & North Bay Water Reuse Authority Board Meeting - 5/23 (\$100)	250.00
80	Sequoia Safety Supply	Safety Glasses (24) (\$86), Disposable Gloves (500) (\$104), Earmuffs (3) (\$44) & Earplugs (400) (\$54)	288.78
81	Seval-Viswam, Vidhyah	Novato "Washer Rebate" Program	75.00
82	Shirrell Consulting Services	July Dental Ins Adm Fee	299.45
83	Sierra Chemical	Chlorine (2 tons)	1,013.33
84	Siragusa, Marlene	Novato "Toilet Rebate" Program	150.00
85	Skezas, Amy	Novato "Toilet Rebate" Program (\$150) & "Water Smart Landscape "Efficiency Rebate" Program (\$200)	350.00
86	Soroptimist International of Novato	Annual Dues (Roberts) (7/1/11-6/30/12) (Budget \$175)	175.00
87	SST Insurance Brokers	FY12 Umbrella Liability Ins Annual Premium	51,500.00
88	Stann, Dale	Novato "Toilet Rebate" Program	148.00
89	Steel Structures Painting Council	Membership Renewal (McIntyre) (7/11-6/12) (Budget \$100)	95.00
90	Stein, Robin	Novato "Washer Rebate" Program	75.00
91	Sterns, Mark	Novato "Toilet Rebate" Program	450.00

Seq	Payable To	For	Amount
92	Stivers, Laura	Novato "Toilet Rebate" Program	450.00
93	Syar Industries	Asphalt (5.97 tons)	735.32
94	Tripac Marketing	Tracer Wire (2,000')	414.06
95	Union Bank of California	Quarterly Admin Fee - Treasury Securities (3/1/11 - 5/31/11)	625.00
96	United Rentals	Replacement Handle Assembly for Jackhammer	525.40
97	US Geological Survey (USGS)	1/3 Share FY12 Gallagher Stream Gauge Maintenance	7,475.00
98	Verizon Wireless	June CIMIS Station Data Transfer Fee (2)	19.14
99	Winzler & Kelly	Engineering Services: Aqueduct Relocation (Balance Remaining on Contract \$16,482)	15,950.43
100	Workforce Boots & Clothing	Safety Boots (Siragusa) (\$150 Paid by Novato Sanitary District & Billed to NMWD)	50.00
101	Yee, John or Catherine	Novato "Cash for Grass" Program	650.00
		TOTAL DISBURSEMENTS	<u>\$380,486.00</u>

The foregoing payroll and accounts payable vouchers totaling \$380,486.00 are hereby approved and authorized for payment.



Auditor-Controller

7/5/11

Date



General Manager

7/5/2011

Date

NORTH MARIN WATER DISTRICT CHECK REQUEST

(Check Request form to be used only when payee cannot provide an invoice or statement)

PAYEE: BAKER, JACK 425 CORTE NORTE NOVATO, CA 94949	DATE <u>6/6/11</u> TOTAL <u>100.00</u>
---	---

PURPOSE: DIRECTOR'S FEE

CHARGE TO:

DISPOSITION OF CHECK

- MAIL TO PAYEE
- HOLD FOR
- OTHER

Prepared By <u>[Signature]</u>	Accounting Review	POST DATE <u>6/11</u>	Vendor No. BAKE01	NORTH MARIN WATER DISTRICT
-----------------------------------	-------------------	--------------------------	----------------------	----------------------------

Invoice Number	Invoice Date	Invoice Amount
<u>CKRD 060611</u>	<u>6/6/11</u>	<u>100.00</u>

NMWD Comment

N BNA meeting - 6/3
(Chrg)

Job Number	GL Account	Amount
	56001.01.11	<u>100.00</u>
TOTAL		<u>100.00</u>

REQUESTED BY _____

APPROVED TO PAY BY _____

NORTH MARIN WATER DISTRICT CHECK REQUEST

(DO NOT USE IF THERE IS A VENDOR INVOICE)

PAYEE: JOHN SCHOONOVER	DATE: MAY 23, 2011
	AMOUNT: \$100.00

PURPOSE: ATTENDANCE AT NORTH BAY WATER REUSE Authority Board Mtg.

Date: MAY 23, 2011

CHARGE TO:

DISPOSITION OF CHECK

MAIL TO PAYEE

HOLD FOR OTHER

JOB ACCOUNTING REVIEW

J. Schuman
REQUESTED BY

APPROVED TO PAY BY

\\NMWDSRV1\ADMINISTRATION\FORMS\CHECK REQUEST.DOC Rev. 0510

Prepared By	Accounting Review	POST DATE	Vendor No.
<i>msd</i>		5/11	School



Invoice Number (CK Req. ID)	Invoice (CK Req.) Date	Invoice (CK Req.) Amount
CKRQ 053111	5/23/11	100.00

NMWD Comment:

North Bay Water Reuse Authority Board meeting 5/23

Job Number	GL Account	Amount
	51601.01.11	100.00
TOTAL		100.00

DISBURSEMENTS - DATED JULY 13, 2011

Date Prepared:7/12/11

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	Able Tire & Brake	Tires (4) ('02 Dodge Dakota-\$221 & '05 Ford Ranger-\$245)	\$466.49
2	Alpha Analytical Labs	Lab Testing (Novato)	110.00
3	AT&T	Telephone Charges: Leased Lines (\$590), Local (\$84) & Minimum (\$510)	1,184.28
4	Automation Direct	Spare PLC Parts for Pump Controllers (Budget \$2,500)	1,930.00
5	Basic Chemical Solutions	Sodium Hypochlorite (1,070 gals)	3,864.59
6	Bay Area Barricade Service	Blue Marking Paint (48), White Spray Chalk (24), Blue Spray Chalk (12), Purple Marking Paint (12) & Grey Paint (6)	363.92
7	Bennett, Ronald	Refund Alternative Compliance Reg 15 Deposit	630.00
8	Bentley, David L.	Exp Reimb: Lodging, Travel Expenses & Meals (Special District Institute Cost Control Workshop Held in San Diego 6/11/11)	505.27
9	Bexton, W. Harold	Novato "Toilet Rebate" Program	150.00
10	Borland, Lloyd R.	"Water Smart Landscape Efficiency Rebate" Program (\$52) & Novato "Cash for Grass" Program (\$62)	114.62
11	Buckeye Nursery	New Trees for Crest Tank #2 (9) (Budget \$5,000)	4,245.55
12	Building Supply Center	Plumbing Fittings, Plumbing Supplies & White Traffic Paint	33.25
13	California State Disbursement	Wage Assignment Order (3)	1,478.50
14	Carbon Activated	Replace Granular Activated Carbon in Two of Four Filters @ STP (Budget \$84,000)	81,835.60

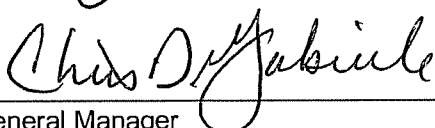
Seq	Payable To	For	Amount
15	Collins, Don	Novato "Toilet Rebate" Program	450.00
16	Cook Paging	July Pager Rental (STP) (2)	16.50
17	CSW/Stuber-Stroeh Engineering	Prog Pymt #4: Aqueduct Energy Efficiency Project (Balance Remaining on Contract \$188,966)	15,846.06
18	Cummings Trucking	Rock & Sand (24 tons ea)	3,461.04
19	Curry Discount	Toner (Billing)	60.23
20	De Gabriele, Chris	Exp Reimb: June Mileage	119.85
21	Friedman Brothers	3" Trenching Shovels (5)	119.25
22	Arthur J. Gallagher	Excess Workers' Comp Ins (7/1/11-6/30/12)	45,546.00
23	Grainger	Filter Bags (20) (\$84) (Crest Tank) & Safety Gas Can Spouts (4) (\$30)	114.91
24	Groeniger	Meter Flanges (5) (\$65), SS Nuts & Bolts (100 ea) (\$1,015), Brass Plug (4) & Bushing	1,088.04
25	Hach	Standards (\$246) & Portable Turbidity Sample Cell (2) (STP)	271.18
26	Hansen, Tilden	Novato "Toilet Rebate" Program	75.00
27	Hertz Equipment Rental	Excavator Rental (1 day) (RW North Service Area)	736.07
28		Vision Reimbursement	368.00
29	Idexx Laboratories	Comparators (2) (Lab)	37.74
30	Industrial Vacuum Equipment	Rental of Vacuum Loader for the Change Out of GAC @ STP (Budget \$4,100)	4,000.00
31	Kelly-Moore Paint	Paint (3 gal) (OM)	256.29
32	Larsengines	Chain Saw Blade Sharpener for Grinding Wheel	29.94
33	Leighton Stone	Altitude Valve Control Solenoid for Air Base Tank	91.56
34	Lincoln Life	Deferred Compensation PPE 7/15	9,384.83
35	Maltby Electric	Copper Wire (1,000') (\$289) & Electrical Supplies (\$158)	447.74

Seq	Payable To	For	Amount
36	Marin Landscape Materials	Concrete (25 sacks) & Crushed Rock (3 CY)	673.17
37	McAghon, Andrew	Top Soil Mix for Crest Tank Landscape (\$459) & June Sludge Removal (12 loads) (\$3,360)	3,819.90
38	Mouer, John	Refund Alternative Compliance Reg 15 Deposit	1,260.00
39	National Safety Council	Membership Renewal (Clark) (8/11-7/12) (Budget \$360)	365.00
40	National Deferred	Deferred Compensation PPE 7/15	750.00
41	Nicolaisen, Gary	Novato "Washer Rebate" Program	75.00
42	North Marin Auto Parts	Oil Filters (7) (\$75), Air Filters (3) (\$109), Paint for Exhaust Pipe, Exhaust Pipe, Clamp, Spray Paint (4 cans) (\$32), Wire Brushes for Welding Shop, Auto Shop Gloves (1,000) (\$109), Mirror, Thread Locker (\$27), Electrical Toggle Switch, Headlight, Oil Seal Repair Sleeve (\$42) (STP), Shocks (4) (\$197) ('02 Dodge Dakota), Roll Pins (10), Motor Oil (12 qts) (\$48), Air Brake Part for Trailer & Gas Caps (2)	767.69
43	North Bay Gas	Oxygen (\$32) & June Cylinder Rental (\$308)	339.80
44	Novato Builders Supply	Wire, Concrete Nails, Lumber, Concrete Mold (\$33), Rebar, Concrete & Wheel Barrel (\$120)	205.62
45	Novato Sanitary District	Fee for Additional Treatment/Disposal of Residual Water in Crest Tank	60.00
46	Nute Engineering	Engineering Services: Oceana Marin Sewer Rehabilitation Project (Balance Remaining on Contract \$18,119)	594.00
47	O'Reilly Auto Parts	Car Wax, Bug Remover & Chain Saw Oil (\$39)	67.24
48	Pini Hardware	Washer Fitting, Wire Brush, Polymer Pump (RWF), Circuit Breaker, Ell, Plumbing Supplies (\$45), Car Wash Supplies, 21" & 30" Loppers (\$51), Pipe Nipples (\$37), Drill Bits (2), Electrical Supplies, Concrete Anchors (\$42), Roofing Supplies (\$42), Door Handle, Plate & Electrical Cord (25')	319.29
49	Ramudo, Pablo	Exp Reimb: Mileage (ACWA Water Quality Committee Mtg-Sacramento)	119.34

Seq	Payable To	For	Amount
50	Rytter, Verena	Novato "Toilet Rebate" Program	387.00
51	Sacramento Flow Control	Repair Parts for Fire Services	1,223.74
52	Sebastopol Bearing & Hydraulic	Replacement Hose for Pressure Washer (\$199), Ball Bearings (2) (\$81), Seals (2) & Bushing	328.18
53	Shamrock Materials	Concrete (42 sacks)	197.46
54	SHI	Microsoft Office 2010 Pro Plus Licenses (37) (Budget \$13,000)	12,750.57
55	Shirrell Consulting Services	June Dental Expense	7,136.85
56	Siemens Water Technologies	Service on Lab Deionized Water System	184.00
59	Spelman, Leland	Refund Overpayment on Closed Account	131.31
60	Stahl, Beverly	Novato "Washer Rebate" Program	50.00
61	Syar Industries	Asphalt (7.30 tons)	899.14
62	US Postal Service	Meter Postage	1,000.00
63	Verizon California	Telephone Charges: Leased Lines (\$923) & Minimum (\$37)	960.73
64	Walls, Sharon	Novato "Toilet Rebate" Program	387.00
65	Workforce Boots & Clothing	Safety Boots (Jones)	200.00
		TOTAL DISBURSEMENTS	<u>200.00</u> <u>\$214,684.33</u>

The foregoing payroll and accounts payable vouchers totaling \$214,684.33 are hereby approved and authorized for payment.


 Auditor-Controller 7/12/11
 Date


 General Manager 7/12/2011
 Date



**American Water Works
Association**

RECEIVED

JUL 13 2011

Memo

6666 West Quincy Avenue
Denver, CO 80235-3098
T 303.794.7711
F 303.795.1440
www.awwa.org

North Marin Water District

The Authoritative Resource on Safe WaterSM

To: Chris DeGabriele
North Marin Water District

From: David LaFrance, Executive Director

Date: June 30, 2011

Re: Service to the Water Industry Plaque

A handwritten signature in black ink, appearing to read "D. LaFrance".

Congratulations on 50 years of membership in the American Water Works Association. Please accept the enclosed plaque as a token of our appreciation of your long and valuable service to the water profession. I hope you will proudly display it in a prominent place in your company. At the Water Industry Luncheon held during the Association's recent annual conference in Washington D.C., the names of all of the companies being honored this year were announced and shown on a slide. Long-standing, loyal members are what make AWWA great! Thanks again.

SF:ff:awd\plaques\swi
070
Enclosure

n't believe killer's story

ll testified Keller was coming to so he could sing "Happy Birthday" to their

by Deputy District Attorney Charles Revere how he got his pants, Mitchell, "I don't know. I answered that."

ll drove with his mother to Auburn, intended to meet the family's attorney William Callinan and was

arrested in Citrus Heights after he ran out of gas. His daughter was not injured.

The prosecution claimed the slaying was the culmination of a series of domestic violence incidents committed by Mitchell against Keller.

The verdicts also came four years to the day after Mitchell's father Jim died.

Mitchell's father, strip club owner and porn film producer Jim Mitchell, was convicted of killing his brother Artie in 1991.

District wins award

revenue, mostly from parking, and that doesn't appear to show up in the near

1 percent is what we got 10 years ago looking at 6-8 percent a year," Revere said. "So a lot of money has been changed and constantly trying to get it back."

Revere looks at the fire departments in other cities. In Marin Districts, he feels that the fire department is the preserver of the future. He is the fire chief in the View, Montevideo and Carlsbad, and Novato five

they are trying to succumb to being succumbed to by trying to accumbent the situation five years down the road," he said, adding that the taxes provided revenue for the fire department that they banked that day."

did while the fire District tries to lead, he still considers the district as being alive.

our present situation I think we can handle for years to come," he said.

ared to other cities and the issues being faced

in those areas, we feel good about what's going on in our district," he said, adding that when this date rolls around in 2012, there may be negotiations with the three bargaining groups or there could also be another extension of the memorandum of understanding.

Novato is a special case because the district only has to deal with fire issues, while the City of Novato covers everything else, which makes it easier for Revere and his staff to have a single focus.

For example, the Novato Fire District Board concentrates on fire issues, while other cities have their boards and councils deal with a multitude of subjects.

"Our employees understand what the situation is and what it will take to be sustainable," said Revere, whose district covers 75 square miles. "Our employees understand and want to help."

Revere said "at our core, we are here to serve the community, adding that "it works here because our employees support what we're trying to do."

To contact Bruce Meadows, email editor@marinscope.com.

Water regulations questioned

Local, state government wrestle over stormwater

By RACHEL DOVEY
Marinscope Newspapers

Tightening regulations on rain water that flows through a city's gutters and pipes to arrive at natural waterways may be counterproductive for cash-strapped local governments.

At least that's what the North Bay Water Association decided on July 8, when it unanimously voted to write a letter to the State Water Resources Control Board protesting a new permit.

Under the Clean Water Act, local agencies are required to keep pollutants from leaking into the waterways around them. To help implement the federal law, the state created a set of permits in 2003 and 2004, called Phase I and Phase II Stormwater Permits. The document under dispute is an updated — and much more comprehensive — draft of the Phase II permit, to be adopted in January 2012.

But that's only one way of putting it. Association members also described the permit as "onerous," "draconian bureaucracy on steroids" and "a great project for a grad student."

The main difference between the two permits is the amount of reporting they require said Terri Fashing, a Stormwater Pollution Prevention Program administrator with Marin County.

For example, if an inspector noticed water pouring out of a pipe and into a creek during a dry sum-

mer month under the current permit, that inspector could deduce that a nearby resident was overwatering his lawn, go directly to the resident and leave him an educational flier, Fashing said.

Under the updated permit, however, the scenario would look more like this: The inspector would see the excess water, collect a sample, take it to a lab, screen it for pollutants and then trace whatever pollutants were found back to the source. All of that would have to be done within 72 hours of collecting the sample.

Other requirements include inspecting any new construction site over an acre within 48 hours of rainfall, training specialized inspectors for various building projects, conducting business inspections, coming up with a storm-

get-crippled local government, Fashing responded: "We have to comply and we'll have to find a way to comply, but that is something that is a concern."

George Kostyrko, a spokesperson for the State Water Resources Control Board, said the updated permit provides more specificity, not to overburden local inspectors, but to streamline their job.

Under the existing permit, municipalities are required to develop their own stormwater management program, he said, and the permit's development — as well as any changes made to it — were subject to public review and approval by regional water boards.

"In some instances, this process delayed the implementation of the program, and could limit the flexibility to change the program over time," Kostyrko said. "By providing specificity, the stormwater management programs do not have to be submitted to the regional water boards for public review and approval. Through the permit and required annual reports, local municipalities can adapt the program to local conditions more quickly than before."

If the two sides differ in their opinion of the draft permit, they agree on the need for stormwater regulation.

"Stormwater is an issue that should be a priority for local government, because runoff has been found to be a significant source of pollutants to surface waters," said Kostyrko.

Fashing agreed. "We're not against regulation at all," she said. "We value our creeks and our fish, and want to protect those things, but we want to be as careful with public money while doing that as we can."

Association members also described the permit as 'onerous,' 'draconian bureaucracy on steroids,' and 'a great project for a grad student.'

water pollution prevention plan and developing a trash abatement plan, among many others.

The detailed reporting and tracking will "take considerable staff time and also add a fair number of requirements, which will be challenging for municipalities that have limited staff and limited ability to raise funds and staff," Fashing said.

In response to a question about whether the permit's intricacies could actually hamper regulation for bud-

BOD MISC

pressdemocrat.com

This copy is for your personal, noncommercial use only. You can order presentation-ready copies for distribution to your colleagues, clients or customers [here](#) or use the "Reprints" tool that appears above any article. [Order a reprint of this article now.](#)

Russian River to undergo water quality testing

Published: Wednesday, July 13, 2011 at 11:55 a.m.

The Sonoma County Water Agency has begun testing water quality year-around in 23 locations in the Russian River from Cloverdale to Jenner as part of a federal mandate to do more to protect salmon and steelhead.

The program will cost \$100,000 to \$200,000 for twice weekly testing in the river during the low-flow periods and twice monthly at other times, according to water agency engineer George Lincoln.

The federal National Marine Fisheries Service is requiring the water agency to lower summertime flows in the Russian River to protect the habitat of chinook salmon and steelhead, which are on the threatened list.

Lincoln said federal regulators also want the testing program to measure whether the lower flows will degrade the quality of the river, which already has occasional problems that can result in summertime health warnings and even beach closings.

The same requirements require the water agency to change how it breaches the sandbar at Jenner and to construct fish habitat in Dry Creek.

- Bob Norberg

Copyright © 2011 PressDemocrat.com — All rights reserved. Restricted use only.



Marin Voice: Reasonable confusion on water rates

By Rachel Ginis
Guest op-ed column

Posted: 07/07/2011 03:00:00 AM PDT

THE FOUR PERCENT rate hike the Marin Municipal Water District approved has sparked another round of confusion concerning water prices.

I understand it is counterintuitive that rates go up when we have a healthy supply of water and demand is down.

One writer said, "In a normal business model, greater supply plus lower demand should result in lower cost."

So let us get this straight once and for all — this is not a business model, it is a watershed.

I am amazed that more people do not realize how lucky we are to have the system that we do. No drying up rivers. We have a pristine collection of interconnected lakes set on land as pretty as any park I have ever seen.

The water district maintains a business model dependent on the whims of the weather in a semi-arid environment.

Our water is pumped and cleaned through facilities that make the district the largest energy user in the county. And it maintains an infrastructure that is bordering on antique, one that goes through every kind of terrain imaginable, across land that sometimes shakes a lot. All of this comes to us at a cost of less than half a cent per gallon.

I'm afraid I do not understand what the problem is.

Let's be perfectly clear — water is cheap.

If your bill is expensive, then you are using a lot of it. I blame the water district in part for this confusion.

Our bills should

reflect the dual nature of our costs; the cost of maintaining the water district and the cost of the water each household is using.

An IJ editorial even recommended this strategy in a post election editorial last November.

No worries right, if you're willing to pay the price?

Wrong. The problem is that less than a year ago the district voted to move forward on spending \$100 million to build a desalination plant to address our water shortfall.

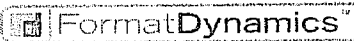
If that desalination plant was built, it would

Send flowers
for any occasion

Bouquets
from **\$19.99**
+s/h



ProFlowers
Offer **ONLY** available at
proflowers.com/happy
or call 1.877.804.1133

Print Powered By  FormatDynamics™



have raised our rates by 11 percent and we still would have had a 4 percent rate hike, because we still need to account for rising costs. It seems to me the time is now to put a goal on our conservation program and to send a clear message that we are looking for permanent ways to reduce our water consumption.

A four percent increase that keeps the water district financially solvent also helps make people more aware of their water consumption.

I do not want to spend one penny on a desalination plant because others in my community are completely oblivious to their water use and the simple solutions that can save a lot.

If you ask me, district director Larry Russell's dissenting vote has only confused matters more by suggesting the other four board members had a choice in their decision.

He even suggests after the district has gone through what I can only imagine has been a difficult process of cutting \$22.7 million over the past two years, that 4 percent of fat was somehow overlooked.

Could the board and the general manager kindly step forward to clear this matter up?

I believe it is important to protect the people who truly can't afford their basic water needs and educate the rest of us, so that we can live within our natural watershed.

If the price of water goes up again, and it will, so be it.


There are changes each of us can make to prepare ourselves for the rising costs of our most precious resource.

Rachel Ginis of Corte Madera is a volunteer with the Marin Chapter of the Citizens Climate Lobby, an organization working for a sustainable climate



Send flowers
for any occasion
Bouquets
from **\$19.99**
+s/h

ProFlowers
Offer ONLY available at:
proflowers.com/happy
or call 1.877.804.1133

Print Powered By  FormatDynamics™



Novato Advance > News

Novato in Brief

By Staff

Print Page

Published: Wednesday, July 6, 2011 12:51 PM PDT

Water main to be
replaced this week

Today through July 29, the North Marin Water District construction crews will replace a cast-iron water main in South Novato Boulevard near the Rowland Boulevard intersection. Road traffic control will be in place as needed, and motorists are asked to use caution while driving in the area. Minor traffic delays may occur.

NMWD crews will install isolation valves so customers' water service will not be interrupted. NMWD crews and an outside contractor will then "pipe burst" 600 feet of deteriorated 12-inch cast-iron pipe and pull in new fusible PVC pipe in its place. Home-owners in the nearby area may experience some noise during night work, which will be kept to a minimum.

The district apologizes in advance for any inconvenience the work may cause to residents or motorists.

No tax on grocery bag surcharges

Some Marin County cities – but not Novato – have enacted ordinances that prohibit retailers from providing plastic bags to customers. In addition to the ban on bags, under certain ordinances, the customer is often required to pay the retailer a specific amount for each paper bag that is provided.

The California state Board of Equalization has ruled that the bag surcharge is imposed against the customer, not the retailer. As such, the charge is not included in the retailer's gross receipts and hence is not subject to sales or use tax.

For more information, consult the website at boe.ca.gov or call toll-free, (800) 400-7115.

Copyright © 2011 - Marinscope Newspapers

[x] Close Window



Novato Advance > News

Recycled water project moving forward

By Bruce Meadows
Contributor

Print Page

Published: Wednesday, July 6, 2011 12:51 PM PDT

With concerns for the California red-legged frog habitat as well as possible Indian burial remains addressed, work is starting on the first segment of a recycled water project in Novato.

"The manager is lined up, environmental monitoring is lined up and we have an agreement with the Federated Indians of Graton Rancheria," said Chris DeGabriele, general manager of the North Marin Water District.

DeGabriele said the environmental review has been completed and a contractor, Ghilotti Construction, has been secured.

"This is the first segment of a recycled water project in the north Novato area," he said, explaining that recycled water will be taken from Atherton Avenue at Fire Station 64 and brought up Atherton Avenue to Valley Memorial Cemetery. The next segment will run up Olive Avenue to Redwood Boulevard, ending at Fireman's Fund.

The project involves an 8-inch pipeline covering less than a mile, and is expected to be completed by October.

Concerns about the California red-legged frog habitat as well as the possibility of disturbing Native American burial remains required the water district to move slowly on the project, which has been in the planning stages for a decade, DeGabriele said.

An environmental review indicated the presence of the frog habitat, but because the pipeline construction will be beneath roadways already built, DeGabriele doesn't expect problems. The same applies to the burial grounds.

"The environmental review showed the existence of the frog habitat so we have had monitoring in place," he said, adding that because the frog habitat is in a low-lying area apart from the road, he doesn't anticipate an issue.

"There is also the possibility of potential Indian remains in the area," said DeGabriele. "But we don't expect to encounter anything under the present roadway."

Decreasing the odds of encountering problems with either the frog habitat or possible remains is the method being used to install the pipeline.

DeGabriele said "trenchless technology" will be implemented, which involves digging a pit at one end of a particular short stretch and doing the same thing at another spot. The pipeline path is then dug under the roadway, minimizing the need to tear up existing pavement.

DeGabriele said that even though this is a more efficient and less invasive method, some traffic control will be required.

Money — or the lack thereof — also prolonged the project, DeGabriele said.

The cost of the project is estimated at \$2.5 million and funds will come in the form of a grant.

NMWD is affiliated with the North Bay Water Reuse Authority, which includes Sonoma County Water Agency, Napa Sanitation District, Sonoma Valley County Sanitation District, Las Gallinas Valley Sanitary District as well as Novato Sanitary District, Napa County and NMWD.

"We work with them (NBWRA) and other sanitary districts and water agencies in the North Bay," explained de Gabriel. "Collectively, there was \$8.3 million in federal grant money that went to Napa County, Sonoma County and North Marin."

Novato is authorized to receive more than \$4 million in federal stimulus through NBWRA that is being matched with approximately \$15 million in local funds from NMWD, Novato Sanitary District and Las Gallinas Valley Sanitary District.

According to NMWD, the local share is planned to be covered by loans repaid with new development connection fees.

NMWD is "pursuing both short-term and long-term improvements to water supply reliability in Novato," according to the district. "Expanding the use of recycled water as a sustainable local water supply in Novato is one such improvement."

NMSD has identified various properties with large landscape areas in Novato as potential sites (cemeteries, parks, schools, etc.) to use recycled water for irrigation and is working to install new pipelines to deliver that water.

"This is tertiary treated water with excellent quality," DeGabriele explained.

According to NMWD, "recycled water is highly treated wastewater that meets strict health and safety standards set by federal, state and local authorities." It is not permitted to be used as drinking water.

"Projects such as this offset the use of potable water for irrigation," said DeGabriele. "It then makes potable water available to others."

Recycled water users will presumably save on their water bills because they will no longer have to pay the 8 plus percent seasonal rate currently in place on non-residential water use from May through November.

Properties using recycled water will benefit by having a reliable water supply even during water shortages.

To contact Bruce Meadows, email scope@marinscope.com.

Copyright © 2011 - Marinscope Newspapers

[x] Close Window

FILMMAKER GEORGE LUCAS DONATES \$2 MILLION TO PRESERVE CORDA RANCH IN MARIN COUNTY

Filmmaker George Lucas Donates \$2 million to Preserve Corda Ranch in Marin County

Lucasfilm Foundation, the private charitable enterprise founded by legendary filmmaker George Lucas, has contributed \$2 million to the Marin Agricultural Land Trust (MALT) towards the purchase of an agricultural conservation easement on the historic Corda Ranch near Novato.

The Corda family received a total \$2,913,000 for the agricultural easement on their 1,214-acre property located just west of Novato. The remainder of the acquisition funds were provided by the USDA Natural Resources Conservation Service through its Farm and Ranch Lands Protection Program.

MALT's conservation easement will help keep this fifth-generation family-run ranch in agricultural production, prevent future subdivision or non-agricultural development on the property, and protect the headwaters of Novato Creek, the primary tributary of Stafford Lake, an important part of Novato's water supply.

George Lucas has taken an active interest in the landscape of Marin since bringing his Lucasfilm operations to Skywalker Ranch near Nicasio in the late 1970's. Today, Skywalker Properties owns several ranches in the area covering more than 6,100 acres, most of which are protected by MALT agricultural conservation easements.

"As a long-time resident of Marin, the county's natural open spaces are very important to me," Lucas explained. "Since we first made the move here in 1979, we've always worked to preserve the landscape and the environment. We need to respect and protect the land while we're here, so that future generations can also appreciate its beauties and its benefits."

"The farms and ranches of Marin are an important resource for the entire Bay Area," Lucas continued. "By supporting MALT's protection of the Corda Ranch, we're helping to ensure that these diverse habitats are monitored and well-managed now and in the future."

Across the United States, two acres of farmland are paved over for development every minute. In Marin County, however, a coordinated effort by concerned citizens, ranchers

and farmers, government agencies and non-profit organizations, has been bucking this trend for over 30 years. Since its founding in 1980, MALT has permanently protected more than 40% of the private family farm and ranch land in Marin County.

Robert Berner, Executive Director at MALT, explained the importance of protecting agricultural properties such as the Corda Ranch, saying, "Family farms and ranches in Marin face tremendous pressure to give in to residential development. Large properties such as the Corda Ranch are threatened as the market for country-style luxury homes and estates keeps increasing. By permanently preserving this ranch for agricultural uses, we're helping to maintain the critical mass of farming operations required to sustain agriculture as a viable component of Marin County's economy for generations to come."

The Corda family has owned this spectacular ranch since the early 1900's. Agricultural operations on the ranch include raising beef cattle and dairy heifers, as well as silage crop production for a local dairy. Without the sale of a conservation easement to MALT, the family would have likely been forced to subdivide the ranch and sell parcels to settle estate issues.

"Our family has been tending this land for over a hundred years," said Fred Corda, who will retain ownership of the property, along with his wife and two adult sons, and continue agricultural operations. "I'm sure that in the beginning, no one ever dreamed that property values would grow so high and the pressure to sell would be so great. But now, thanks to MALT, we know this ranch will always be protected for agriculture, and that's really important to us as stewards of the land."

A special feature of the Corda Ranch is that it comprises 13% of the Stafford Lake watershed, including the headwaters of Novato Creek, the primary tributary to Stafford Lake and an important part of Novato's drinking water system. MALT's easement will help permanently protect water quality through the establishment of special creek conservation areas, which will be managed according to a plan that is approved by MALT and updated at least every ten years. Additionally, the pro-



Film maker George Lucas and Robert Berner of MALT on the Corda Ranch in Novato (Photography courtesy of MALT).

tection of the Corda Ranch will preserve the many natural habitats that exist there, including wet meadows and native grasslands, rare oak woodland savannahs, chamise chaparral hillsides, and well-vegetated riparian corridors.

Lincoln "Ed" Burton, California State Conservationist for the USDA's Natural Resources Conservation Service (NRCS), which contributed \$950,000 for the Corda Ranch easement, says the project is important for both agriculture and the environment. "The Corda Ranch project fully embodies the intentions of our Farm and Ranch Lands Protection Program," he said. "We at NRCS share with MALT and the Lucasfilm Foundation the vision of keeping agriculture an important part of the California landscape where all types of ecosystem

services may be sustained - from fresh local foods, to open space, to healthy functioning ecosystems. We value the public-private partnership that this easement demonstrates."

Marin Agricultural Land Trust (MALT) is a member-supported, nonprofit organization created in 1980 by a coalition of ranchers and environmentalists to permanently preserve Marin County farmland. Some of the Bay Area's most highly acclaimed dairy products and organic crops are produced on farmland protected by MALT conservation easements, which total more than 41,800 acres on 66 family farms and ranches. To learn more about Marin's family farms and the food they produce, visit www.malt.org.