

**NORTH MARIN WATER DISTRICT
MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
January 5, 2021**

CALL TO ORDER

President Grossi welcomed the public to participate in the remote meeting and asked that they mute themselves, except during open time and while making comments on the agenda items. President Grossi noted that due to the virtual nature of the meeting he will conduct a roll call from the Directors. A roll call was done, all were in remote attendance therefore establishing a quorum. Participating remotely were Directors Jack Baker, Rick Fraiters, James Grossi, Michael Joly and Stephen Petterle.

Mr. McIntyre performed a roll call of staff, participating remotely were Drew McIntyre (General Manager), Terrie Kehoe (District Secretary), Julie Blue (Auditor-Controller), Tony Williams (Assistant General Manager/Chief Engineer), Tony Arendell (Construction/Maintenance Superintendent), Robert Clark (Operations/Maintenance Superintendent), Ryan Grisso (Water Conservation Coordinator) and Monica Juarez (Receptionist/Customer Service Assistant).

President Grossi announced for those joining the virtual meeting from the public to identify themselves. ESA consultants Jim O'Toole and Ally Sung-Jersek were in attendance for Item No. 6. Ken Levin from the Point Reyes Village Association and Carl Nelson the District's legal counsel also participated remotely.

MINUTES

Director Baker had a question for Mr. McIntyre in regards to page two in the minutes in reference to the request from the Marin County Ag Commissioner for a hydrant meter. Director Baker noted some years ago staff cleaned up the records to determine who were actually utilizing them. Director Baker stated many years have passed since those hydrant meter accounts were brought to the Board and he requested that this information be made available at a future meeting. Mr. McIntyre responded that staff will do so.

On motion of Director Fraiters, seconded by Director Petterle the Board approved the minutes from the December 15, 2020 meeting as presented by the following vote:

AYES: Director Baker, Fraiters, Grossi, Joly and Petterle

NOES: None

ABSTAIN: None

ABSENT: None

GENERAL MANAGER'S REPORT

West Marin Salinity Update

Mr. McIntyre announced that Operations staff confirmed that the Coast Guard Wells are no longer in operation except for some limited situations. He added as a result salinity continues to decrease and almost all water is coming from the Gallagher Well. Mr. McIntyre added that reporting to the Point Reyes Light will stop after we have four consecutive weeks with sodium less than 50 mg/L. He also advised the Board that Mr. Ramudo, the District's Water Quality Supervisor is working on a draft plan that he will bring to the Board that will present options for the 2021 summer/fall season to provide an alternate resource of low saline drinking water for those customers with low salt dietary restrictions.

Water Supply Conditions

Mr. McIntyre reported that rainfall to date for this water year has been minimal with 2.5 inches versus a historical year-to-date average rainfall of 10-inches. He stated Sonoma County Water Agency is planning to file a Temporary Urgency Change Petition on or before January 11th. Mr. McIntyre added that the Agency is working with the water contractors to push out a social media winter public awareness campaign regarding efficient water use. He noted water year conditions will be monitored monthly and updated as appropriate, adding our regions wettest months are still ahead in January, February and March.

West Marin Water Rate Study Update

Mr. McIntyre notified the Board that the first Water Rate Study Ad Hoc Committee Meeting is scheduled with staff and Directors Grossi and Joly next week on Tuesday, January 12th at 10 a.m.

Director Grossi asked when the decision will be made to start backfeeding Stafford Lake. Mr. McIntyre replied he is in communication with MMWD and most likely it will be at the end of the month. He added that in the most recent past, MMWD paid for the backfeeding.

Director Joly asked what the water supply outlook was for Lake Mendocino and Lake Sonoma. He shared he received an email from a customer in our District who was asking about desalination. Director Petterle and Mr. McIntyre stated they would like to see the inquiry. Director Joly responded that the customer was very proud of the Board, stating it was a brilliant decision to go forward with recycled water as an additional source of water supply.

STAFF/DIRECTORS REPORT

President Grossi asked if any Directors or staff wished to bring up an item not on the agenda and the following was discussed.

Ms. Kehoe announced the District recently had their IT consultant perform a network update that caused some people to be unable to access emails on their iPad. Ms. Kehoe requested if anyone is having a problem to contact her directly so she can plan for our IT consultant to correct the issue.

Director Fraites asked if the water levels of Lake Mendocino and Lake Sonoma were available. Mr. McIntyre responded Lake Mendocino was at 45% and Lake Sonoma was at 65%. Director Fraites asked if that included the flood control capacity managed by the Army Corps of Engineers. Mr. McIntyre responded no, the reported capacity only considers the water supply pool. Director Joly noted Lake Mendocino was at 55% in December and now it is 45% and asked if this is a normal seasonal drop. Mr. McIntyre replied there is not much inflow due to the lack of rain, yet they are still releasing water into the Russian River for fish protection. He added the lake reservoir level will continue to draw down if the state does not quickly approve the Temporary Urgency Change Petition.

Mr. Arendell reported that on January 2nd there was a leak near School Road Pump Station. He stated an eight-inch main broke and resulted in a loss of 200,000 gallons out of Zone 2 and 40,000 gallons out of Zone 1. Mr. Arendell said the leak occurred around 3:00 a.m. and seven members of staff responded. He reported it took twelve hours to repair the leak and additional time to clean up. Mr. Arendell noted the pressure on that line was 140 psi and at this time they do not know what caused the leak. Mr. McIntyre apprised the Board that Mr. Clark and Mr. Williams are working together to perform an after-action report. Director Grossi asked what the impact was on the neighbors. Mr. Arendell responded fortunately traffic was not an immediate issue due to the early morning hours and the water flowed down the road into nearby drainage basins. Director Baker requested staff give a report on the pipe and as to the cause of the break at a future Board Meeting.

OPEN TIME

President Grossi asked if anyone from the public wished to bring up an item not on the agenda and there was no response.

CONSENT CALENDAR

On the motion of Director Petterle, and seconded by Director Baker the Board approved the following item on the consent calendar by the following vote:

AYES: Director Baker, Fraites, Grossi, Joly and Petterle

NOES: None

ABSTAIN: None

ABSENT: None

CONSULTING SERVICES AGREEMENT AMENDMENT NO. 2 – MICHAEL BAKER INTERNATIONAL – 2020 EMERGENCY ACTION PLAN UPDATE

The Board approved the Consulting Services Agreement Amendment No. 3 with Michael Baker International for the 2020 Emergency Action Plan Update in the amount of \$10,200. The 2020 Stafford Dam Emergency Action Plan (EAP) has been updated and will be submitted to the California Office of Emergency Services (CalOES) for approval. This amendment will provide funds for additional work which is needed to address CalOES comments to the updated 2020 EAP.

ACTION ITEMS

GALLAGHER WELL NO. 2 PROJECT CEQA ADDENDUM REQUEST AUTHORIZATION TO CONDUCT COURTESY CEQA 30-DAY REVIEW

Mr. McIntyre reported that since the Initial Study/Mitigated Negative Declaration (IS/MND) was adopted for the Gallagher Wells and Pipeline Project in 2009, minor changes in the project and regulatory requirements, including the need for acquisition of a Local Coastal Permit, necessitate additional CEQA compliance in order to implement the project. He stated it is proposed the Addendum will be circulated to regulatory agencies and other interested parties as identified by Supervisor Rodoni for a 30-day courtesy comment period and the Board will be requested to consider adoption of the Addendum and project at the February 16, 2021 NMWD Board Meeting.

Mr. O'Toole stated that ESA has looked at District compliance with CEQA in the 2009 MND and is implementing a review to examine new impacts to the project by analyzing special items that have been added since the original 2009 CEQA study. Mr. O'Toole stated biological resources have reconfirmed minimal effects to fisheries in Lagunitas Creek, stream flow and capacity. Additionally, he stated in summary, no new or more severe impacts were identified when compared to the previous analysis. Mr. O'Toole noted if a previous project was considered, CEQA does not require a public review, however this is an opportunity to share the information to our regulatory agencies and stake holders and still consider comments to the Addendum and bring it back to the Board at the February 16th meeting. He added that ESA is working on a Local Coastal Permit with the County of Marin and this courtesy 30-day public review period will support this process.

Director Petterle stated ten years ago he did an addendum to a Negative Declaration while working at the County of Marin. He noted an addendum is unusual in itself as you don't see it very often. Director Petterle added, the addendum he submitted was short in length and because it had minor insignificant changes there was not a lot of background. Director Petterle stated what

has been prepared is a 150-page document and if that was sent to him he would think the changes were not insignificant. He questioned if we need to do another complete study we should do so. Mr. O'Toole replied that the scale of the documents relates to our interest to submit a complete package for review, which includes the original 2009 MND with additional analysis in relation to pump information which was included in anticipation the regulatory agencies would be interested to review the findings. He stated the amount of material does not reflect a concern for CEQA, what is important is that the material is thorough and that we convey the local Gallagher Well No. 2 location change as a minor modification.

Director Joly noted we are having dry year conditions, we have only received a quarter of our normal rainfall for this time period, additionally we have salinity intrusion. He voiced his concern that the project may get delayed and we have a short window of time to get the project done. Mr. O'Toole responded that the 30-day courtesy review gives the regulatory agencies an opportunity for them to review the project and will link up nicely when applying for a Local Coastal Plan Permit. Mr. McIntyre added that County staff have reported that the Local Coastal Plan Permit process could take 3-6 months and outreach to regulatory agencies is advised to minimize any future surprises that could delay the schedule. Mr. McIntyre referred to the question regarding adequacy of utilizing an Addendum to the 2009 MND to Carl Nelson.

Carl Nelson, the District legal counsel, responded that the information reported by staff and ESA is accurate and the guidelines are clear. The District does not need to prepare a new document if there is a minor change. He added since 2009 there have been new elements added by CEQA and ESA's analysis identified that no changes were required. There was a general discussion about the merits of courtesy 30-day CEQA circulation. At the end of this discussion it was agreed to move forward with this approach.

Mr. Levin sent a Zoom chat stating the Point Ryes Station Village Association will be writing in support of this project. He also thanked the Directors and staff. Director Grossi thanked Mr. O'Toole and Mr. Nelson for their participation in the discussion on this item.

On the motion of Director Petterle, and seconded by Director Fraites the Board authorized staff's request to initiate a 30-day courtesy review period for the Gallagher Well No. 2 Project CEQA Addendum and to schedule action on the item for the February 16, 2021 Board meeting at which time the Board will consider adoption of the Addendum to the 2009 Mitigated Negative Declaration and approval of the Gallagher Well No. 2 Project by the following vote:

AYES: Director Baker, Fraites, Grossi, Joly and Petterle

NOES: None

ABSTAIN: None

ABSENT: None

RENEW DECLARATION OF LOCAL EMERGENCY RELATED TO COVID-19 PANDEMIC

Mr. McIntyre requested the Board find that there still exists a need to continue the State of Emergency due to the COVID-19 pandemic as reflected by Resolution No. 20-07.

Mr. McIntyre reminded the Board that staff has been operating under partial Emergency Operations Center (EOC) protocols and summarized various key measures implemented by the District's emergency management team since that time. He stated maximum workplace spacing continues and walk in services remain suspended, adding we will do what is necessary for the safety of our employees and the public.

Mr. McIntyre stated the winter surge is well underway and the District like many other agencies has seen an uptick in COVID-19 related issues. He noted while we have no reported work-related exposure issues to-date there have been some reports of non-work-related exposure. Mr. McIntyre reported the District continues to follow the quarantine and isolation guidelines developed in our COVID-19 preparedness plan. He noted the vaccine roll out comes as the current Bay Area Regional Stay At Home Order is approaching its January 8th expiration date. Mr. McIntyre added however, this expiration date will most likely be extended for at least another three weeks, because the regions Intensive Care Unit bed capacity remains well below 15%.

Mr. McIntyre stated a financial impact update will be reported at the next meeting. Director Grossi announced he had a meeting with the County Health Department and the Marin County Office of Education and they noted that there is only one county in California that has a lower rate than Marin and that is Humboldt. He added the ICU bed availability is the controlling factor.

On the motion of Director Joly, and seconded by Director Fraites the Board approved renewal of the Declaration of Local Emergency Related to COVID-19 Pandemic by the following vote:

AYES: Director Baker, Fraites, Grossi, Joly and Petterle

NOES: None

ABSTAIN: None

ABSENT: None

INFORMATION ITEMS

WEST MARIN 2020 DRY YEAR WATER CONDITIONS REPORT – INITIAL REVIEW

Mr. Grisso provided an initial review of the West Marin 2020 Dry Year Water Conditions Report. He explained NMWD is required to prepare a report detailing the dry year summer month water conditions, including flow conditions in Lagunitas Creek per the 2003 Settlement Agreement

with West Marin NGOs. Mr. Grisso added the report provides detailed water conservation documentation and assesses the strengths and weaknesses of the West Marin Water Shortage Contingency Plan and the Salinity Intrusion Plan. He noted the final report will be submitted to the Board for acceptance at the subsequent NMWD Board Meeting.

Mr. Grisso stated that water consumption has gone up in some areas and it is believed that it may have to do with a higher occupancy rate in those areas due to people staying in their second homes during the COVID-19 Shelter in Place Order. Additionally, the Woodward Fire had an effect on water use. He reported there have been major use reductions compared to 2002 and this reflects customer awareness and conservation programs. Mr. Grisso also announced salinity intrusion will be further discussed in the next Emergency Operations Plan update.

Mr. Levin requested a copy of the report. Mr. Grisso responded he will email him the report and noted it is linked on our website and is a 180-page document. Mr. Levin also noted that in addition to second home water use, there are also many more people home during the pandemic, because they are not going over the hill to work.

Director Joly asked if Mr. Grisso could quantify the impact of water used due to the Woodward Fire. Mr. Grisso replied that in Section 3 of the report it shows that an estimated 1.2 million gallons of unmetered water was used to fight the fire, which accounted for 11% of production for August and 3% production for September. Mr. McIntyre added that any additional comments by the public or the Board need to be submitted by January 12th in order to include them in the final report.

Director Joly commended Mr. Grisso for a job well done.

TECHNICAL ADVISORY COMMITTEE MEETING – DECEMBER 7, 2020

Mr. McIntyre gave a brief summary on the Technical Advisory Committee Meeting on December 7, 2020. He announced Lynne Rosselli from SCWA will be coming to the March 16, 2021 Board Meeting to review the FY 2021/22 SCWA Budget. Additionally, Mr. McIntyre noted Ms. Blue will take part in the financial subcommittee meeting on January 20th.

Director Joly asked if Mr. McIntyre or Ms. Blue has any insight as why SCWA FY2019/20 expenditures were down \$13M below the CIP budget. Mr. McIntyre replied that SCWA has not moved as fast as they had expected on some of the larger CIP projects.

MISCELLANEOUS

The Board received the following miscellaneous items: Disbursements – Dated December 17, 2020, Disbursements – Dated December 31, 2020, Point Reyes Light - Salinity Notice – December 10, 2020, Point Reyes Light - Salinity Notice – December 17, 2020, NOAA Three-Month Outlook Temperature and Precipitation Probability and Marin County Fish and Wildlife

Commission.

The Board received the following news articles; Marin IJ – Cost for lawyers soars in rate war – MMWD; Marin IJ – Opinion- Marin towns targeted as agencies wage war on suburbs and Marin IJ – Editorial – Vaccine is a welcome sight, but we must stay vigilant.

Director Petterle announced that Jeff McAndrew recently passed away and requested the District send an acknowledgment to the family from staff and the Board. Director Petterle recognized Mr. McAndrew as a legacy in the community. Director Joly agreed that his loss was very sad news indeed.

ADJOURNMENT

President Grossi adjourned the meeting at 7:16 p.m.

Submitted by

A handwritten signature in cursive script that reads "Theresa Kehoe".

Theresa Kehoe
District Secretary