



**NORTH MARIN  
WATER DISTRICT**

**NORTH MARIN WATER DISTRICT**  
**AGENDA - REGULAR MEETING**  
February 16, 2021 – 6:00 p.m.  
Location: Virtual Meeting  
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.

**ATTENTION: This will be a virtual meeting of the Board of Directors pursuant to Executive Order N-29-20 issued by the Governor of the State of California.**

There will not be a public location for participating in this meeting, but any interested member of the public can participate telephonically by utilizing the dial-in information printed on this agenda.

**Video Zoom Method**

**CLICK ON LINK BELOW:**

Go to: <https://us02web.zoom.us/j/8349174264>

**OR**

Password: 466521

**SIGN IN TO ZOOM:**

Meeting ID: 8349174264

Password: 466521

**Call in Method:**

Dial: +1 669 900 9128  
+1 253 215 8782  
+1 346 248 7799  
+1 301 715 8592  
+1 312 626 6799  
+1 646 558 8656

Meeting ID: 834 917 4264#

Participant ID: #

Password: 466521#

For clarity of discussion, the Public is requested to MUTE except:

1. During Open Time for public expression item.
2. Public comment period on agenda items.

*Please note: In the event of technical difficulties during the meeting, the District Secretary will adjourn the meeting and the remainder of the agenda will be rescheduled for a future special meeting which shall be open to the public and noticed pursuant to the Brown Act.*

Date Posted: 2/12/2021

Est. Time	Item	Subject																																			
6:00 p.m.		<b>CALL TO ORDER</b>																																			
	1.	<b>APPROVE MINUTES FROM REGULAR MEETING</b> , February 2, 2021																																			
	2.	<b>GENERAL MANAGER’S REPORT</b>																																			
	3.	<b>OPEN TIME: (Please observe a three-minute time limit)</b>  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.	<b>STAFF/DIRECTORS REPORTS</b>																																			
	5.	<b>MONTHLY PROGRESS REPORT</b>																																			
		<b>CONSENT CALENDAR</b>  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.																																			
		<table><tr><th><b>Consent - Approve Water Agreement</b></th><th><b>Type</b></th><th><b>DU</b></th><th><b>EU</b></th><th></th></tr><tr><td>6. Amendment No. 1 Hamilton Village Water Facilities (APN: 157-970-03)</td><td>THC</td><td>0</td><td>0</td><td>Resolution</td></tr><tr><td>7. <b>Consent Approve:</b> Amy Skews-Cox (ASC) – General Consulting Services Agreement</td><td></td><td></td><td></td><td></td></tr><tr><td>8. <b>Consent Approve:</b> Amend General Services Agreement - Miller Pacific Engineering Group</td><td></td><td></td><td></td><td></td></tr><tr><td>9. <b>Consent Approve:</b> General Services Contract for Coating Inspection Services</td><td></td><td></td><td></td><td></td></tr><tr><td>10. <b>Consent Approve:</b> Amend General Services Agreement – Cinquini and Passarino, Inc.</td><td></td><td></td><td></td><td></td></tr><tr><td>11. <b>Approve:</b> Consulting Services Agreement Amendment No. 2 – DeGabriele</td><td></td><td></td><td></td><td></td></tr></table>	<b>Consent - Approve Water Agreement</b>	<b>Type</b>	<b>DU</b>	<b>EU</b>		6. Amendment No. 1 Hamilton Village Water Facilities (APN: 157-970-03)	THC	0	0	Resolution	7. <b>Consent Approve:</b> Amy Skews-Cox (ASC) – General Consulting Services Agreement					8. <b>Consent Approve:</b> Amend General Services Agreement - Miller Pacific Engineering Group					9. <b>Consent Approve:</b> General Services Contract for Coating Inspection Services					10. <b>Consent Approve:</b> Amend General Services Agreement – Cinquini and Passarino, Inc.					11. <b>Approve:</b> Consulting Services Agreement Amendment No. 2 – DeGabriele				
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		<b>ACTION CALENDAR</b>																																			
	12.	<b>Approve:</b> Set Public Hearing to Consider a Water Conservation Ordinance in the Novato Service Area																																			
	13.	<b>Approve:</b> Set Public Hearing to Consider Amending Ordinance 39 in West Marin Service Area																																			
	14.	<b>Approve:</b> San Mateo 24-Inch Transmission Main Project for Fire Safety and Reliability Federated Indians of Graton Rancheria Tribal Monitoring Agreement																																			
	15.	<b>Approve:</b> Stafford Lake Backfeeding																																			
	16.	<b>Approve:</b> Renew Declaration of Local Emergency Related to COVID-19 Pandemic																																			
		<b>INFORMATION ITEMS</b>																																			
	17.	Gallagher Well No. 2 Project CEQA Addendum Update																																			
	18.	FY 2020-21 Second Quarter Progress Report – Water Conservation																																			
	19.	FY 2020-21 Second Quarter Progress Report – Engineering Department																																			
	20.	NBWA Meeting – February 5, 2021																																			

All times are approximate and for reference only.

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

Date Posted: 2/12/2021

Est. Time	Item	Subject
	21.	<p><b>MISCELLANEOUS</b></p> <p>Disbursements – Dated February 4, 2021  Disbursements – Dated February 11, 2021  Point Reyes Light - Salinity Notice – January 28, 2021  Reimbursement Program 2020</p> <p><u>News Articles:</u>  Press Democrat – Jim Harberson, former Sonoma County supervisor and Petaluma councilman, dies at 78  Marin IJ – Longtime Indian Valley Golf Club GM dies at 81  The Mercury News – Sierra snow grows, but Bay Area has 3<sup>rd</sup> biggest rainfall deficit since 1849  Marin IJ – Marin Voice – Advanced metering, desalination would bolster supply  Marin IJ – Editorial – Novato campus plan brings hope for future  Marin IJ – Editorial – State ignores community approach  Marin IJ – ‘Ominous’ Outlook – Dry Winter  Point Reyes Light – Inverness tax leaves big questions</p> <p><u>Social Media Posts:</u>  NMWD Web and Social Media Report – January 2021</p>
7:30 p.m.	22.	<p><b>ADJOURNMENT</b></p>

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DRAFT  
NORTH MARIN WATER DISTRICT  
MINUTES OF REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
February 2, 2021

**CALL TO ORDER**

President Grossi announced that due to the Coronavirus outbreak and pursuant to Executive Order N-29-20 issued by the Governor of the State of California this was a virtual meeting. President Grossi called the regular meeting of the Board of Directors of North Marin Water District to order at 6:00 p.m. and the agenda was accepted as presented. President Grossi added that there was not a public location for participating in this meeting, but any interested members of the public could participate remotely by utilizing the video or phone conference dial-in method using information printed on the agenda.

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 request a roll call of the Directors. A roll call was done, those in remote attendance established a quorum. Participating remotely were Directors Jack Baker, Rick Fraites, Jim Grossi, Michael Joly and Stephen Petterle.

President Grossi announced in the event of technical difficulties during the meeting, the District Secretary will adjourn the meeting and the remainder of the agenda will be rescheduled for a future special meeting which shall be open to the public and noticed pursuant to the Brown Act.

Mr. McIntyre performed a roll call of staff, participating remotely were Drew McIntyre (General Manager), Tony Williams (Assistant GM/Chief Engineer), Terrie Kehoe (District Secretary), Julie Blue (Auditor-Controller), Robert Clark (Operations/Maintenance Superintendent), Tony Arendell (Construction/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. Attendance from the public included Cindy Hall and Randall Lee. Additionally, Ken Levin from the Point Reyes Village Association joined remotely.

**MINUTES**

On motion of Director Joly seconded by Director Baker the Board approved minutes from the January 19, 2021 meeting by the following vote:

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

36 NOES: None  
37 ABSTAIN: None  
38 ABSENT: None

39 **GENERAL MANAGER'S REPORT**

40 Gallagher Well No. 2

41 Mr. McIntyre announced he and Mr. Williams have a meeting scheduled on the afternoon  
42 of February 4<sup>th</sup> with the Regional Water Quality Control Board to discuss their comments related  
43 to the proposed Gallagher Well No 2 project. Mr. McIntyre reported Mr. Ramudo will have an  
44 agenda item in February to discuss options for a salinity mitigation program in 2021 for customers  
45 who have salt restricted diets. He stated there have been good discussions with the Point Reyes  
46 Village Association to provide input on the feasibility of various options. Mr. McIntyre also reported  
47 salinity levels continue to be low, noting we only post a notice in the Point Reyes Light if the  
48 sodium level is 50mg or higher. He stated salinity levels have been down for four consecutive  
49 weeks so we will not run any additional notices at this time.

50 Huffman Potter Valley Project Ad Hoc Meeting

51 Mr. McIntyre apprised the Board that on January 29<sup>th</sup> he participated in Congressman  
52 Huffman's Potter Valley Ad Hoc Meeting. He stated it was a virtual meeting with about fifty-nine  
53 participants. Mr. McIntyre noted the primary focus was to provide a FERC update and also  
54 funding options for moving forward with studies that are estimated to cost eight to twelve million  
55 dollars over the next several years. He added FERC is late to respond and provide a study plan  
56 determination. Mr. McIntyre reported the good news was that a federal Omnibus Bill was passed  
57 that provides up to \$15 million annually for various fish improvement projects such as the local  
58 Eel-Russian River Two Basin Solution. He stated Congress will still need to appropriate the  
59 money, however it is still a good first step to potentially free up some money to help pay for these  
60 pending studies. Additionally, Mr. McIntyre stated there is also potential Prop 64 State Bond  
61 funding and PG&E funds, but noted that PG&E funding talks are moving very slowly.

62 WAC/TAC Meeting

63 Mr. McIntyre announced that he, Director Baker and Mr. Williams attended a WAC/TAC  
64 meeting on February 1<sup>st</sup>. He noted that the WAC voted to approve Mike Healy to fill the Vice  
65 Chair vacancy created when Dave King was not reappointed by the City of Petaluma. He added  
66 Mr. Healy has knowledge on these issues and also has served as the WAC Chair in the past.

67 Flood Control Zone 1 Advisory Board Meeting

Mr. McIntyre reported he and Director Grossi will attend a FCZ1 Advisory Board meeting on February 4<sup>th</sup>.

Director Joly asked about SCWA and what was happening with Lake Mendocino. He was interested if they got the approval for reducing the release of water. Mr. McIntyre replied that further discussion on this topic will be during the Dry Year Conditions agenda item.

### **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.

### **STAFF/DIRECTORS REPORTS**

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

Ms. Blue announced she has attended two budget subcommittee meetings with SCWA. She noted the FY2021-22 SCWA budget increase for NMWD was originally set as a 6.29% increase and several other agencies were also over 6%. Ms. Blue stated many agencies said that this was too high, especially considering the health pandemic conditions this year. She noted a second version of the budget placed NMWD with a 4.54% rate increase. The reduction was made by reducing the level of spending for capital projects in which they were able to reduce all the agencies rates down. Ms. Blue reported Lynne Rosselli from SCWA will be attending the NMWD Board virtual meeting to review the budget at the second meeting in March.

Director Joly clarified that the rate NMWD is looking at is 4.5% rather than the 6.3% increase. Ms. Blue confirmed, stating SCWA reduced the rate to 4.54% and added Ms. Rosselli will discuss this more at the March meeting.

### **QUARTERLY FINANCIAL STATEMENT**

Ms. Blue presented the Quarterly Financial Statement and noted Operating revenue came in at 7% over budget and Operating Expenses came in 8% over budget.

Ms. Blue presented the Quarterly Financial Statement ending December 31, 2020. She noted we are already half way through the fiscal year and this statement covers July 1<sup>st</sup> through December 31, 2020. Ms. Blue reported that on a seasonally adjusted basis the Operating Revenue came in at 7% over budget and Operating Expense came in 8% over budget. She added through December the net income was \$1.2M and \$1.6M has been spent towards capital projects. In Novato, Ms. Blue reported \$978,000 in net income and connection fees collected were \$1.7M, which is a good yet variable revenue stream. Ms. Blue stated that the Recycled Water Operating Revenue saw \$57,000 in net income and expenses were up due to dry winter conditions a result of providing more water than was expected. She added in West Marin the net

income was \$110,000 and capital improvement projects were at 76% or \$1.1M, noting projects were moving along as expected. Ms. Blue reported in Oceana Marin the net income through December was \$34,000 and there were no connection fees collected in West Marin or Oceana Marin.

**CONSENT ITEMS**

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

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

NOES: None

ABSTAIN: None

ABSENT: None

**GATEWAY COMMONS FIRE SERVICE, 44,46,48,50 AND 49L INYO CIRCLE, APN 152-241-61, 62, 63 AND 64**

The Gateway Commons Fire Service project is located at 44,46,48,50 and 49L Inyo Circle in Novato and includes a new common fire service to serve the multiplex unit due to recent building renovation after a fire.

**ESA CONSULTING SERVICES AGREEMENT AMENDMENT NO. 3 – POST CONSTRUCTION MONITORING SERVICES FOR GALLAGHER RANCH (LAGUNITAS CREEK) STREAMBANK STABILIZATION PROJECT**

The contract modification of \$19,748 is for post-construction monitoring and reporting in conformance with the permit conditions. Several other post-construction permit requirements will be completed by other project partners at no cost to the District. The streambank failure caused by the winter storm events in 2017 and 2019 threatened public services, including NMWD's water supply wells and pipelines. This project will prevent future bank failure along Lagunitas Creek near Point Reyes Station.

**BID ADVERTISEMENT BUDGETED FY21 COAT TOP OF CONCRETE CLEARWELLS PROJECT**

The scope of work for the FY21 Stafford Treatment Plant Coat Top of Concrete Clearwells Project includes preparing surfaces; protecting existing equipment and piping not to be coated; furnishing and applying elastomeric polyurethane with sand injection as a protective costing system to the concrete surfaces above the Anti-Floc Clearwell and Finished Clearwell. The total project cost estimate is \$123,000.

**ACTION ITEMS**

**AMENDMENT NO. 1 OF WATER SERVICE AGREEMENT RESIDENCE INN BY MARRIOTT –  
APN 143-011-06**

Mr. Williams reported this amendment will effectively add six months to the current financial milestone deadline of February 4, 2021 and change the deadline to start construction as set forth in section nine of the agreement from twelve months to eighteen months from the date of the agreement. He added this week he received another request for a similar project where the applicant is having COVID financial issues. Mr. Williams noted COVID has impacted the hotel industry and it has also increased the time it takes to get approvals and permits from other agencies. He added, there was a similar request for a housing project in October.

Mr. Williams apprised the Board that staff has not recommended a year extension, but does recommend six months. He stated beyond the six months it would be advisable for the applicant to cancel the agreement and reapply at a later date. Mr. Williams noted with a six-month extension there will likely be no cost impacts. Director Joly asked if we were on the hook for any receivables and if the District is at risk. Mr. Williams responded no, that all conditions of the agreement must be met.

On the motion of Director Fraites, and seconded by Director Petterle the Board approved authorization of Amendment No. 1 to the Residence Inn by Marriott Water Service Agreement by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

**RENAMING INDIAN VALLEY GOLF COURSE ACCESS DRIVEWAY TO JEFF McANDREW  
LANE**

Mr. McIntyre reminded the Board at the January 19<sup>th</sup> meeting he stated Glen Dunn, Indian Valley Golf Course Restaurant Manager, requested to name the golf course access driveway beyond the Stafford Plant to “Jeff McAndrew Lane” in honor of Jeff McAndrew who passed away in early January 2021. Mr. McIntyre noted Mr. McAndrew was an institution at IVGC and he worked closely with NMWD staff over many decades on issues related to golf course operations and good stewardship on the Stafford Lake watershed.

Director Joly commented that he thought it was great Mr. McAndrew was being memorialized in this way. Director Petterle stated he was lucky enough to know Jeff McAndrew. He stated for those who did not know him, he was quite a character. He added Mr. McAndrew always had something to say, always had an opinion and he was well liked and loved by many.

Director Petterle stated his friend will always remain in his memory for the rest of his life. Director Joly noted that he thought it was very fitting that Director Petterle moved the motion for approval. He shared that his son Nick golfed at IVGC since he was eight years old and had many touching stories about Mr. McAndrew, stating it was an honor to know him and he was a great role model in the community.

On the motion of Director Petterle, and seconded by Director Joly the Board approved naming the Indian Valley Golf Course access driveway "Jeff McAndrew Lane" in honor of Jeff McAndrew by the following vote.

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

NOES: None

ABSTAIN: None

ABSENT: None

#### **PROPOSED FY21/22 BUDGET REVIEW SCHEDULE**

Ms. Blue presented the proposed FY 2021-22 Budget Review Schedule which outlines the activities over the course of the budget approval cycle. She stated that the schedule is very similar to last year, with the review of the Capital Project and Equipment Budget Schedules in early May; and review of the Operations, Maintenance and Capital Budgets in late May. Ms. Blue stated on June 2<sup>nd</sup> we will continue to review the budgets and on June 16<sup>th</sup> we will go to Board for approval of the Novato and Recycled Water Budgets. Additionally, on June 23<sup>rd</sup> the West Marin Water Budget and the Oceana Marin Sewer Budget will be presented.

On the motion of Director Joly, and seconded by Director Baker the Board approved the proposed FY2021-22 Budget Review Schedule the following vote.

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

NOES: None

ABSTAIN: None

ABSENT: None

#### **PROPOSED FY 20/21 RATE HEARING SCHEDULE**

Ms. Blue presented the proposed FY 2021-22 Rate Hearing Schedule and noted that it lines up with the budget schedule and allows the Board to review the financial plan before the proposed rate increases are approved. She noted that it is similar to what we have seen in the past except for one major change which happened in FY 2020-21. Ms. Blue stated we moved the proposed rate increase for Novato from June 1<sup>st</sup> to July 1<sup>st</sup>. This lines up the rate increase with the Novato budget and also with the Oceana Marin and West Marin rate increase effective

202 dates. Ms. Blue stated this was one of the changes that occurred as a result of the Novato Water  
203 Rate Study.

204 Director Grossi asked if there is a workshop scheduled for West Marin this month. Ms.  
205 Blue confirmed and replied the West Marin Rate Study Workshop will be a Special Meeting held  
206 on February 23<sup>rd</sup>. She added members of the public who are interested can also attend. Director  
207 Baker asked if this would be a virtual meeting and Ms. Blue confirmed. She added staff is sending  
208 out notification to all the West Marin customers to encourage participation. Director Joly asked if  
209 the special meeting was just to review the findings of the study. Ms. Blue confirmed it would be  
210 a presentation and open for discussion.

211 On the motion of Director Joly, and seconded by Director Fraites the Board approved the  
212 proposed FY2021-22 Rate Hearing Schedule by the following vote.

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

214 NOES: None

215 ABSTAIN: None

216 ABSENT: None

217 **RENEW DECLARATION OF LOCAL EMERGENCY RELATED TO COVID-19 PANDEMIC**

218 Mr. McIntyre reminded the Board that staff has been operating under partial Emergency  
219 Operations Center (EOC) activation. On December 3, 2020 Governor Newsom announced that  
220 all sectors other than retail and essential operations will be closed in regions of California where  
221 less than 15% of intensive care unit (ICU) beds are available under a new Regional Stay Home  
222 Order. On January 25, 2021, CDPH lifted the Regional Stay-Home Order for the Bay Area and  
223 statewide. He stated all eleven counties in the Bay Area, including Marin, thereby moved into the  
224 purple or Tier 1 stage within the state's "Blueprint for a Safer Economy". Mr. McIntyre noted  
225 currently 7% of Marin residents are vaccinated and there are very limited weekly supplies. He  
226 stated health officials reported the vaccine will play a limited role in preventing any surges in the  
227 near term.

228 Mr. McIntyre announced maximum workplace spacing continues and walk in services  
229 remain suspended. He stated as typical with each memo a summary of any emergency actions  
230 taken and resulting cost impacts are provided. Mr. McIntyre reminded the Board that the reported  
231 costs are updated once a month and the next update is scheduled for the February 16<sup>th</sup> meeting.

232 Director Joly asked if any of the staff could be given emergency approval for early vaccine.  
233 Mr. McIntyre replied unless the county deviates from the state approved protocols that will not  
234 happen and estimated it could be two to three months before staff are eligible for the vaccine.  
235 Director Grossi commended staff for keeping COVID impact costs down, noting it is not as high

as some districts and staff has done a great job.

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.

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**

#### **PREPARING FOR DRY YEAR CONDITIONS**

Mr. McIntyre reported rainfall in the Lagunitas Creek watershed measured by Marin Municipal Water District (MMWD) totals 13.5-inches through January 27<sup>th</sup>, almost 15-inches below what is necessary for normal year classification (i.e., 28-inches or more by April 1<sup>st</sup>). He stated in West Marin, we continue to operate under the dry year condition which went into effect April 1, 2020 and resulted in the passing of Emergency Water Conservation Ordinance No. 39. Mr. McIntyre apprised the Board that this could be the third year that NMWD may have to operate with flows in Lagunitas Creek at less than 8 cfs during the summer. He noted if dry year conditions are still in effect on April 1<sup>st</sup>, NMWD will request a 15% voluntary reduction compared to the baseline normal year in 2013, from April 1<sup>st</sup> through June 30<sup>th</sup> and a 25% mandatory reduction from July 1<sup>st</sup> through November 1<sup>st</sup>. Mr. McIntyre clarified that the mandatory 25% reduction would be for the West Marin service area as a whole and does not impact individual residential customers.

Mr. McIntyre reminded the Board that NMWD's intertie agreement with MMWD enables us to request up to 250-acre feet of water to be released from storage to Lagunitas Creek for diversion by NMWD. He added the intertie agreement also requires that if MMWD has requested voluntary or mandatory water use reductions of its customers, NMWD would require its West Marin customers to reduce water use by a similar percentage. Mr. McIntyre noted it is not known at this time what MMWD's conservation requirements will be for their customers.

Mr. McIntyre reported Lake Mendocino holds just over 26,700 AF (40% of target water supply pool) and Lake Sonoma holds 156,000 AF (64% of water supply pool). He added locally the conditions are similar to 2014, however for SCWA these conditions are similar to 2009 which may lead to a reduction of deliveries of 25%.



Mr. McIntyre reported recent discussion with MMWD indicated they will most likely not request backfeeding in Stafford Lake this year. He noted the watershed soil has become more saturated with the recent rains, so it is hoped that Stafford Lake will continue to fill over the next couple of months. Mr. McIntyre added we won't know how overall 2021 water year conditions will end up until April 1<sup>st</sup>. He stated NMWD staff have been reviewing the Novato area water shortage contingency plan and emergency water conservation ordinance in addition to investigating alternative staff assignment for treatment plant operators as it is likely Stafford Treatment Plant production will be greatly reduced this summer. Mr. McIntyre apprised the Board that staff will also be looking at the benefits of NMWD backfeeding Stafford Lake at our cost once SCWA received the terms of the Temporary Urgency Change Order .

Mr. McIntyre concluded that SCWA and the water contractors have a collective commitment to continue to use water efficiently and eliminate any unnecessary use of potable water. He added a regional Sonoma Marin Saving Water Partnership winter outreach campaign has been launched and will be discussed in more detail by Mr. Grisso as part of another agenda item.

Director Joly asked about the TUCO and when SCWA will receive that order? He stated the reduction to 25 cfs is significant to address the declining reservoir level in Lake Mendocino. Mr. McIntyre replied SCWA expects to receive the order within the week. Director Joly expressed his concern to protect Lake Mendocino which is a vital resource, noting it was at 55% capacity in January and has now dropped down to 40%. He questioned why the decision from the State Water Board is taking so long. Mr. McIntyre stated he believed the delay had to do with COVID inefficiencies associated with remote working conditions compounded with new staff at the State Water Board.

Director Grossi stated it has always been a challenge to work with the state and regulatory agencies, noting COVID is only making everything harder. He added dry year conditions have occurred two years in a row and this is the first time he has seen no water running from the canyons near his property into the ranch lake. Director Grossi asked about how this will impact connection fees. He noted with hotels, housing and the push for the Fireman's Fund project, these projects will all take a considerable water entitlement. Director Grossi stated in the next couple of months he would like to see a long-term plan to get an idea of what we will need to supply all these new connections. Mr. McIntyre responded staff is already looking at future water use projections based on City of Novato development and that staff will bring back this analysis to the Board as part of the draft 2020 Urban Water Management Plan within the next couple of months. Mr. McIntyre reminded the Board that our UWMP is updated every five years and it is a

document that is updated regularly to look at current and projected water demands.

Director Joly commended Director Grossi for his comment. He stated he was reading in this year's congressional budget about economic ability to come back after the vaccinations. Director Joly added the report was optimistic and it is believed the economy will spring back faster than originally thought.

Director Grossi commented he was also impressed with the Congressional Budget Office reports. Director Fraites commented on potential state mandated new housing units in Novato adding that we need to know how it will affect our water supply.

#### **WINTER OUTREACH CAMPAIGN 2021**

Mr. Grisso stated due to the unusually low rainfall this winter Sonoma Water has requested a Temporary Urgency Change Petition (TUCP) with the State Water Resources Control Board, to retain as much supply as possible in storage should dry conditions continue. Mr. Grisso noted a campaign has been developed to be deployed on social media and the Partnership member websites to promote water conservation tips for this dry winter. He added NMWD used their own branding template to keep with the social media theme and also with the news story on the website. Mr. Grisso commended Kiosk for help with the design and branding.

#### **TAC MEETING – JANUARY 4, 2021**

Mr. McIntyre reported there was nothing new to report that was not already reflected in the minutes for the TAC meeting on January 4, 2021 unless the Board had any questions. The Board did not have any questions.

#### **MISCELLANEOUS**

The Board received the following miscellaneous items: Disbursements – Dated January 21, 2021, Disbursements – Dated January 28, 2021, Point Reyes Light – Salinity Notice – January 14, 2021, Point Reyes Light – Salinity Notice – January 21, 2021, Information - FY21 2<sup>ND</sup> Quarter Labor Cost Report, Increase in Directors' Compensation, County of Marin Paving Moratorium, City of Novato Paving Moratorium, Water Boards – Media Release – Survey results show COVID-19 financial impact on water systems, customers and NOAA Three-Month Outlook Temperature and Precipitation Probability.

The Board received the following news articles; Marin IJ –Editorial - McGuire is on track with housing bill; The Press Democrat – Sonoma County flirts with drought as reservoirs recede in water-poor winter; Marin IJ – THE COUNTY -Pension system outlook lowered; Point Reyes Light – Inverness scopes tax for fire, drought preparedness and Marin IJ – Fireman's Fund site sold; housing, businesses likely.

Director Joly asked Ms. Blue about a bill adjustment that was noted in disbursements for

338 over \$11,000. Ms. Blue replied that there was a large leak in the West Marin service area that  
339 resulted in a large adjustment. Director Joly asked if this issue was discussed at the Board level.  
340 Ms. Blue confirmed, this was the first time the Board was made aware of the adjustment. Mr.  
341 Grisso confirmed the leak did occur in West Marin and noted the consumer had a flume device  
342 installed. He added since the adjustment fell under the normal bill adjustment policy and the  
343 consumer did not request an additional adjustment it was not brought to the Board for discussion.

344 Director Grossi thanked Ken Levin from the Point Reyes Village Association for attending  
345 the meeting.

346 President Grossi adjourned the meeting at 7:05 p.m.

347 Submitted by

348

349 Theresa Kehoe  
350 District Secretary  
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**NORTH MARIN WATER DISTRICT**  
**MONTHLY PROGRESS REPORT FOR *January 2021***  
February 16, 2021

1.

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

Month	FY20/21	FY19/20	FY18/19	FY17/18	FY16/17	21 vs 20 %
July	341.7	317.7	341.1	331.0	310.3	8%
August	290.1	287.1	300.9	303.0	299.6	1%
September	225.6	280.5	255.0	292.4	302.3	-20%
October	307.8	286.0	265.6	273.7	202.8	8%
November	201.6	226.3	170.1	163.9	143.8	-11%
December	183.0	141.2	157.8	152.1	147.6	30%
January	156.6	111.9	114.7	130.6	120.8	40%
FYTD Total	1,706.2	1,650.6	1,605.1	1,646.6	1,527.1	3%

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

Month	FY20/21	FY19/20	FY18/19	FY17/18	FY16/17	21 vs 20 %
July	8.2	8.9	10.2	9.5	7.9	-8%
August	9.2	8.4	9.9	8.8	7.4	10%
September	7.9	7.8	9.5	8.4	6.4	1%
October	6.7	7.5	8.3	7.9	5.2	-11%
November	5.8	6.7	7.3	5.4	4.2	-15%
December	5.1	4.8	5.7	5.1	3.7	6%
January	4.2	4.1	5.0	4.5	3.6	2%
FYTD Total	47.1	48.3	55.8	49.6	38.4	-2%

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

Month	FY20/21	FY19/20	FY18/19	FY17/18	FY16/17	21 vs 20 %
July	105.8	68.2	78.6	112.6	69.9	55%
August	81.1	103.8	79.3	81.5	90.4	-22%
September	16.1	115.0	60.5	122.7	96.9	-86%
October	7.7	103.4	74.5	102.3	93.9	-93%
November	0.6	102.8	0.0	53.6	63.8	-99%
December	0.0	0.0	0.0	0.0	0.0	-
January	0.0	0.0	0.0	0.0	0.0	-
FYTD Total	211.3	493.0	292.9	472.6	415.0	-57%

**Recycled Water Production\* - in Million Gallons - FY to Date**

Month	FY20/21	FY19/20	FY18/19	FY17/18	FY16/17	21 vs 20 %
July	39.0	36.5	30.2	27.7	27.1	7%
August	43.2	33.3	30.6	26.1	26.0	30%
September	29.5	29.7	33.5	25.0	23.5	-1%
October	22.8	26.6	20.1	19.1	8.3	-14%
November	10.9	10.8	12.7	2.5	1.2	1%
December	0.2	0.5	1.5	0.8	0.4	-62%
January	0.3	0.6	0.9	1.0	0.3	-45%
FYTD Total*	145.9	138.1	129.4	102.2	86.8	6%

\*Excludes potable water input to the RW system: FY21=12.51MG; FY20=19.4; FY19=20.6 MG; FY18=15.8MG; FY17=1.4MG

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**2. Stafford Lake Data**

	January Average	January 2020	January 2021
Rainfall this month	5.68 Inches	1.89 Inches	3.77 Inches
Rainfall this FY to date	15.84 Inches	15.54 Inches	5.76 Inches
Lake elevation*	188.1 Feet	190.5 Feet	178.2 Feet
Lake storage**	864 MG	1016 MG	401 MG

\* Spillway elevation is 196.0 feet

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



**Temperature (in degrees)**

	<b>Minimum</b>	<b>Maximum</b>	<b>Average</b>
January 2020 (Novato)	38	77	55
January 2021 (Novato)	35	89	55

**3. Number of Services**

January 31	Novato Water			Recycled Water			West Marin Water			Oceana Marin Swr		
	FY21	FY20	Incr %	FY21	FY20	Incr %	FY21	FY20	Incr %	FY21	FY20	Incr %
Total meters installed	20,788	20,748	0.2%	99	97	2.1%	792	791	0.1%	-	-	-
Total meters active	20,570	20,544	0.1%	94	92	2.2%	784	783	0.1%	-	-	-
Active dwelling units	24,084	24,076	0.0%	-	-	-	834	833	0.1%	235	235	0.0%

**4. Oceana Marin Monthly Status Report (January)**

Description	January 2020	January 2021
Effluent Flow Volume (MG)	0.590	0.479
Irrigation Field Discharge (MG)	0.746	0
Treatment Pond Freeboard (ft)	6.7	5.5
Storage Pond Freeboard (ft)	7.9	8.3

**5. Developer Projects Status Report (January)**

Job No.	Project	% Complete	% This month
1.2820.00	Bahia Heights	95	2
1.2837.00	McPhails Phase 2A	99	4
1.2831.00	Landsea Homes	80	5
1.2844.00	Novato Library	75	50
1.2845.00	Marin Biologic Fire Service	90	90

**District Projects Status Report - Const. Dept. (January)**

Job No.	Project	% Complete	% This month
2.6263.20	Replace PRE Tank 4A	90	5
1.7183.00	Replace Plastic 2-inch – Scown Lane	100	5
1.7123.28	PB Replacements – San Ramon, Vivian, Verissimo	100	5
1.7123.29	PB Replacements – San Joaquin, Brooke, Wilson	100	5
1.7194.00	Redwood Blvd. Lowering	5	5
1.7193.23	PB Replacement - Buckpoint	5	5

**Employee Hours to Date, FY 20/21**

As of Pay Period Ending January 31, 2020

Percent of Fiscal Year Passed = 58%

Developer Projects	Actual	Budget	% YTD Budget		District Projects	Actual	Budget	% YTD Budget
Construction	757	1,400	54%		Construction	1,822	3,460	53%
Engineering	1094	1,504	70%		Engineering	1,775	2,722	65%

## 6. Safety/Liability

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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 21 through January	23	\$10,120	3	3	1	\$6,590
FY 20 through January	25	\$10,584	3	3	0	\$0
Days since lost time accident through January 31, 2021				75 Days		

\* Vehicle accident involving District vehicle and unoccupied parked vehicle during on-call event. Costs related to parked vehicle.

## 7. Energy Cost

FYE	January			Fiscal Year-to-Date thru January		
	kWh	¢/kWh	Cost/Day	kWh	¢/kWh	Cost/Day
2021 Stafford TP	18,884	25.9¢	\$158	319,594	21.0¢	\$311
Pumping	87,198	25.1¢	\$664	994,324	25.2¢	\$1,172
Other*	61,342	22.6¢	\$420	348,715	27.4¢	\$447
	167,424	24.3¢	\$1,241	1,662,632	22.5¢	\$1,930
2020 Stafford TP	34,008	21.0¢	\$231	535,823	18.8¢	\$470
Pumping	66,458	22.9¢	\$507	906,389	23.4¢	\$995
Other*	38,874	18.9¢	\$245	333,844	25.7¢	\$403
	139,340	21.3¢	\$983	1,776,056	22.4¢	\$1,868
2019 Stafford TP	27,615	20.7¢	\$184	383,404	20.1¢	\$358
Pumping	64,425	20.3¢	\$423	663,964	20.7¢	\$635
Other*	41,370	21.5¢	\$287	324,316	24.9¢	\$374
	133,410	20.8¢	\$894	1,371,684	21.5¢	\$1,367

\*Other includes West Marin Facilities

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## 8. Water Conservation Update

	Month of January 2021	Fiscal Year to Date	Program Total to Date
High Efficiency Toilet (HET) Rebates	9	68	4,234
Retrofit Certificates Filed	23	144	6,550
Cash for Grass Rebates Paid Out	1	8	939
Washing Machine Rebates	4	15	6,819
Water Smart Home Survey	0	0	3,899

## 9. Utility Performance Metric

SERVICE DISRUPTIONS (No. of Customers Impacted)	January 2021	January 2020	Fiscal Year to Date 2021	Fiscal Year to Date 2020
PLANNED				
Duration Between 0.5 and 4 hours	1	11	77	29
Duration Between 4 and 12 hours				96
Duration Greater than 12 hours				
UNPLANNED				
Duration Between 0.5 and 4 hours	4		33	51
Duration Between 4 and 12 hours	21		23	12
Duration Greater than 12 hours			1	
SERVICE LINES REPLACED				
Polybutylene	5	0	58	40
Copper (Replaced or Repaired)	0	3	4	6

21 services 9 hrs on School Rd – Main leak at pump station 1-2-2021

# NORTH MARIN WATER DISTRICT

## Summary of Complaints & Service Orders January 2021

2/10/2021

Type	Jan-21	Jan-20	Action Taken January 2021
<b><u>Consumers' System Problem</u></b>			
Service Line Leaks	23	42	Notified Consumer
Noisy Plumbing	0	1	~
House Valve / Meter Off	4	11	Notified Consumer
Nothing Found	5	6	Notified Consumer
Low Pressure	1	3	80 PSI-Possible PRV failure. Advised to clear debris in aerator.
<b>Total</b>	<b>33</b>	<b>63</b>	
<b><u>Service Repair Reports</u></b>			
Meter Replacement	0	1	~
Box and Lids	1	1	Replaced
Water Off/On Due To Repairs	8	6	Notified Consumer
Misc. Field Investigation	7	12	Notified Consumer
<b>Total</b>	<b>16</b>	<b>20</b>	
<b><u>Leak NMWD Facilities</u></b>			
Service- Leak	2	1	Repaired
Services-Nothing Found	1	0	Notified Consumer
Fire Hydrant-Leak	0	3	~
Meter Leak	0	1	~
Meters-Nothing Found	1	0	Notified Consumer
Washer Leaks	4	0	Repaired
<b>Total</b>	<b>8</b>	<b>5</b>	
<b><u>High Bill Complaints</u></b>			
Consumer Leaks	0	1	Notified Consumer
Meter Testing	1	0	Notified Consumer
Meter Misread	1	2	Notified Consumer
Nothing Found	1	2	Notified Consumer
<b>Total</b>	<b>3</b>	<b>5</b>	
<b><u>Low Bill Reports</u></b>			
<b>Total</b>	<b>0</b>	<b>0</b>	
<b><u>Water Quality Complaints</u></b>			
<b>Total</b>	<b>0</b>	<b>0</b>	
<b>TOTAL FOR MONTH:</b>	<b>60</b>	<b>93</b>	<b>-35%</b>

## **Fiscal YTD Summary**

Consumer's System Problems	788	1,071
Service Repair Report	258	364
Leak NMWD Facilities	205	251
High Bill Complaints	92	248
Low Bills	0	8
Water Quality Complaints	18	31
<b>Total</b>	<b>1,361</b>	<b>1,973</b>

## **Change Primarily Due To**

-26%	Decrease In Nothing Found.
-29%	Decrease In Water Off/On Due to Repairs.
-18%	Decrease In Service Leaks.
-63%	Decrease In Nothing Found.
-100%	Decrease In Nothing Found.
-42%	Decrease in Other.
<b>-31%</b>	

## NORTH MARIN WATER DISTRICT

### Summary of Complaints & Service Orders January 2021

2/10/2021

<u>Type</u>	<u>Jan-21</u>	<u>Jan-20</u>	<u>Action Taken January 2021</u>
<b><u>"In House" Generated and Completed Work Orders</u></b>			
<b><u>Check Meter:</u></b> possible consumer/District leak, high bill, flooded, need read, etc.	118	160	
<b><u>Change Meter:</u></b> leaks, hard to read	6	29	
<b><u>Possible Stuck Meter</u></b>	1	3	
<b><u>Repair Meter:</u></b> registers, shut offs	5	5	
<b><u>Replace Boxes/Lids</u></b>	0	15	
<b><u>Hydrant Leaks</u></b>	0	1	
<b><u>Trims</u></b>	0	7	
<b><u>Dig Outs</u></b>	0	1	
	<u>130</u>	<u>221</u>	

### Bill Adjustments Under Board Policy:

#### January 21 vs. January 20

Jan-21	22	\$18,024
Jan-20	40	\$10,733

#### Fiscal Year vs Prior FY


20/21 FY	155	\$66,101
19/20 FY	201	\$54,223

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## MEMORANDUM

To: Board of Directors

February 12, 2021

From: Julie Blue, Auditor-Controller   
Nancy Holton, Accounting Supervisor

Subj: Auditor-Controller's Monthly Report of Investments for January 2021  
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**RECOMMENDED ACTION:** Information

**FINANCIAL IMPACT:** None

At month end the District's Investment Portfolio had an amortized cost value (i.e., cash balance) of \$24,699,629 and a market value of \$24,743,826. During January the cash balance decreased by \$182,929. The market value of securities held increased \$44,198 during the month. The ratio of total cash to budgeted annual operating expense stood at 139%, down 1% from the prior month.

At January 31, 2021, 79% of the District's Portfolio was invested in California's Local Agency Investment Fund (LAIF), 16% in Time Certificates of Deposit, 4% in the Marin County Treasury, and 1% retained locally for operating purposes. The weighted average maturity of the portfolio was 51 days, compared to 56 days at the end of December. The LAIF interest rate for the month was 0.46%, compared to 0.54% the previous month. The weighted average Portfolio rate was 0.72%, compared to 0.82% the previous month.

Investment Transactions for the month of January are listed below:

1/6/2021	US Bank	LAIF	\$250,000.00	Trsf to LAIF account
1/11/2021	Reliance Bank	US Bank	\$249,570.99	TCD Matured
1/12/2021	US Bank	LAIF	\$300,000.00	Trsf to LAIF account
1/25/2021	Iberia Bank	US Bank	\$249,348.30	TCD Matured
1/27/2021	US Bank	LAIF	\$300,000.00	Trsf to LAIF account

**NORTH MARIN WATER DISTRICT  
AUDITOR-CONTROLLER'S MONTHLY REPORT OF INVESTMENTS  
January 31, 2021**

Type	Description	S&P Rating	Purchase Date	Maturity Date	Cost Basis <sup>1</sup>	1/31/2021 Market Value	Yield <sup>2</sup>	% of Portfolio
<b>LAIF</b>	State of CA Treasury	AA-	Various	Open	\$19,459,053	\$19,503,251	0.46% <sup>3</sup>	<b>79%</b>
<b>Time Certificate of Deposit</b>								
TCD	Merrick Bank	n/a	2/8/19	2/8/21	249,000	249,000	2.60%	1%
TCD	Eaglebank	n/a	3/15/19	3/15/21	249,000	249,000	2.60%	1%
TCD	Central Bank	n/a	4/18/19	4/19/21	249,000	249,000	2.40%	1%
TCD	Morgan Stanley Private Bank	n/a	5/23/19	5/24/21	247,000	247,000	2.40%	1%
TCD	TIAA Bank	n/a	1/18/19	7/19/21	246,000	246,000	2.75%	1%
TCD	Capital One Bank NA	n/a	8/21/19	8/23/21	247,000	247,000	1.85%	1%
TCD	Capital One Bank USA	n/a	9/6/19	9/7/21	247,000	247,000	1.75%	1%
TCD	Goldman Sachs Bank USA	n/a	10/11/19	10/12/21	247,000	247,000	1.70%	1%
TCD	Flagstar Bank	n/a	11/15/19	11/15/21	247,000	247,000	1.75%	1%
TCD	Synovus Bank	n/a	12/9/19	12/9/21	247,000	247,000	1.65%	1%
TCD	Morgan Stanley Bank	n/a	1/16/20	1/18/22	247,000	247,000	1.75%	1%
TCD	Wells Fargo National Bank	n/a	3/6/20	3/7/22	248,000	248,000	1.35%	1%
TCD	American Express Natl Bank	n/a	4/7/20	4/7/22	248,000	248,000	1.35%	1%
TCD	Synchrony Bank	n/a	4/17/20	4/18/22	248,000	248,000	1.20%	1%
TCD	Pinnacle Bank	n/a	5/7/20	5/9/22	248,000	248,000	0.90%	1%
TCD	Enerbank	n/a	9/25/20	9/25/24	249,000	249,000	0.45%	1%
					<b>\$3,963,000</b>	<b>\$3,963,000</b>	<b>1.78%</b>	<b>16%</b>
<b>Other</b>								
Agency	Marin Co Treasury	AAA	Various	Open	\$1,045,107	\$1,045,107	1.60%	4%
Other	Various	n/a	Various	Open	232,469	232,469	0.41%	1%
<b>TOTAL IN PORTFOLIO</b>					<b>\$24,699,629</b>	<b>\$24,743,826</b>	<b>0.72%</b>	<b>100%</b>

Weighted Average Maturity = **51 Days**

LAIF: State of California Local Agency Investment Fund.

TCD: Time Certificate of Deposit.

Agency: STP State Revolving Fund Loan Reserve.

Other: Comprised of 5 accounts used for operating purposes. US Bank Operating Account, US Bank STP SRF Loan Account, US Bank FSA Payments Account, Bank of Marin AEEP Checking Account & NMWD Petty Cash Fund.

<sup>1</sup> Original cost less repayment of principal and amortization of premium or discount.

<sup>2</sup> Yield defined to be annualized interest earnings to maturity as a percentage of invested funds.

<sup>3</sup> Earnings are calculated daily - this represents the average yield for the month ending January 31, 2021.

<b>Interest Bearing Loans</b>	Loan Date	Maturity Date	Original Loan Amount	Principal Outstanding	Interest Rate
Marin Country Club Loan	1/1/18	11/1/47	\$1,265,295	\$1,148,923	1.00%
Marin Municipal Water - AEEP	7/1/14	7/1/32	\$3,600,000	\$2,224,108	2.71%
Employee Housing Loans (2)	Various	Various	525,000	525,000	Contingent
<b>TOTAL INTEREST BEARING LOANS</b>			<b>\$5,390,295</b>	<b>\$3,898,031</b>	

**The District has the ability to meet the next six months of cash flow requirements.**

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## MEMORANDUM

To: Board of Directors

February 12, 2021

From: Tony Williams, Assistant General Manager/Chief Engineer *AW*Subject: Amendment No. 1 of Water Service Agreement  
Hamilton Village Water Facilities – APN: 157-970-03\\nmwserver1\engineering\folders by job no\2800 jobs\2841 hamilton village\bod amendment\2841 bod memo amendment no. 1.doc**RECOMMENDED ACTION:** The Board approve authorization of this amendment.**FINANCIAL IMPACT:** None: Developer Funded

On October 6, 2020, the board authorized an agreement for the Hamilton Village project consisting of 75 three-story townhomes in 17 buildings (see Map in Attachment 1). To date, the applicant has executed the agreement as required. The next agreement milestone is payment of the financial arrangement (\$171,748) which is due by February 18, 2021.

In the attached letter from Mr. Drew Walstrum (Attachment 2), the Applicants manager, is a request for a one-time, three (3) month extension of time to complete the financial arrangements. The reason cited by Drew is to allow the project to secure final land use approval from the City of Novato. This request is consistent with Section 11 of the Agreement.

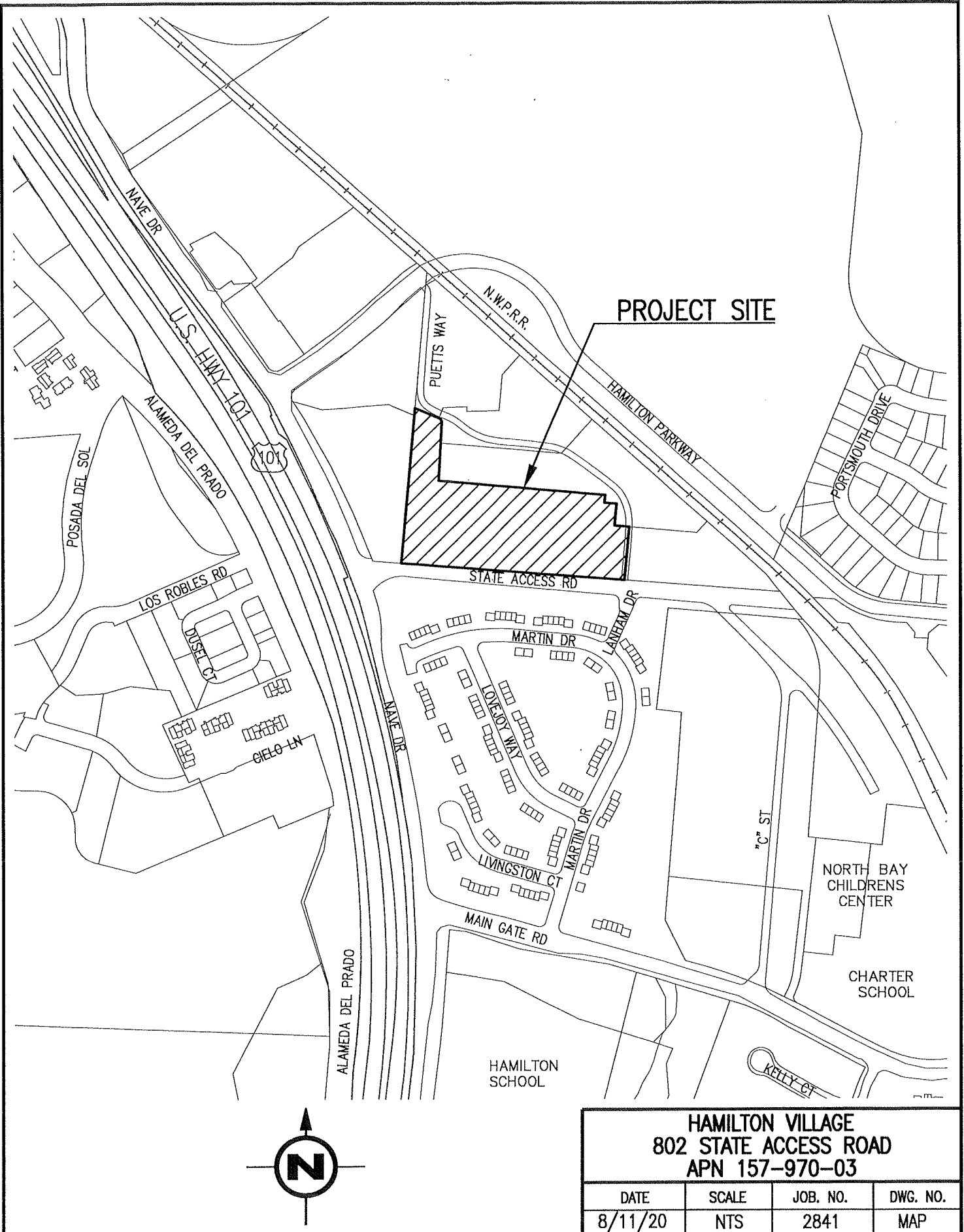
This amendment (Attachment 3) changes the deadline to complete financial arrangements as set forth in Section 9 of the agreement from six (6) months to nine (9) months from the date of the agreement which was executed on September 14, 2020. This amendment also changes the deadline to start construction as set forth on Section 9 of the agreement from twelve (12) to fifteen (15) months from the date of the agreement.

RECOMMENDATION:

That the Board approve authorization of Amendment No. 1 to the Hamilton Village Water Service Agreement.

Approved by GM *JB for GM*Date *02/12/21*





HAMILTON VILLAGE 802 STATE ACCESS ROAD APN 157-970-03			
DATE	SCALE	JOB. NO.	DWG. NO.
8/11/20	NTS	2841	MAP



City Ventures

RECEIVED

FEB 05 2021

North Marin Water District

February 2, 2021

Rosalia Solar  
North Marin Water District  
Engineering Services  
P.O. Box 146  
Novato, CA 94948

**RE: Extension Request For Payment of Initial Charges and Estimated District Costs for Hamilton Village NMWD File No. 1 2841.00**

Dear Ms. Solar:

We are writing to request an extension of the fees outlined in the Water Service Facilities Construction Agreement for Hamilton Village, which are to be advanced by February 18, 2021. In accordance with Section 11 of the Agreement, we are requesting a one-time extension for three months to allow the project to secure final land use approval from the City of Novato. This would move the deadline to advance funds to May 18, 2021.

Thank you for your consideration and we look forward to continuing to work together with NMWD on this Project.

Sincerely,

**CITY VENTURES, LLC**

Drew Walstrum  
Development Manager  
[dwalstrum@cityventures.com](mailto:dwalstrum@cityventures.com)

8. 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.

9. The District has determined that recycled water will be supplied for irrigation 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 provide connection of Applicant's irrigation system to the recycled distribution main. No private residential irrigation plumbing shall be connected to the recycled water system.

10. 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 **nine (9) 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 secured final land use approval for the project from the City of Novato or County of Marin, recorded a final map and diligently commenced construction of improvements required by those agencies and the District prior to expiration of **fifteen (15) 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.

11. All extensions of time granted by the City of Novato or the County of Marin for the Applicant to comply with conditions of land use approval or to construct improvements pursuant to a subdivision improvement agreement 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. The Applicant shall apply to the District for extension of this agreement prior to approval of the Applicant's requests for such extensions by either the City of Novato or the County of Marin.

12. 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.

AMENDMENT NO. 1 TO  
WATER SERVICE FACILITIES CONSTRUCTION AGREEMENT  
WITH

\_\_\_\_\_  
*THAT CERTAIN* "Part Water Service Facilities Construction Agreement for CITY VENTURES HOMEBUILDING - NOVATO – 802 State Access Road." dated February 16, 2021 by and between NORTH MARIN WATER DISTRICT, herein called "District," and CITY VENTURES HOMEBUILDING LLC, a Limited Liability Corporation, herein called "Applicant," is hereby amended as follows:

**Page 1-5 Section 10 of Part One shall be revised and shall read as set forth on replacement Pages 1-5A attached hereto and made a part hereof.**

*IN WITNESS WHEREOF*, the parties hereto have executed this amendment to their agreement on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**NORTH MARIN WATER DISTRICT**

"District"

**ATTEST:**

\_\_\_\_\_  
James Grossi, President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Theresa Kehoe, Secretary

(SEAL)

**CITY VENTURES HOMEBUILDING**  
A Limited Liability Company  
"Applicant"

(SEAL)

\_\_\_\_\_  
Phil Kerr, Chief Executive Officer

\_\_\_\_\_  
Date

**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 APPLICANT SIGNATURES MUST BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.**

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RESOLUTION NO. 21 -  
AUTHORIZATION OF EXECUTION  
OF  
AMENDMENT NO. 1 TO  
WATER SERVICE FACILITIES CONSTRUCTION AGREEMENT  
WITH  
HAMILTON VILLAGE

---

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 City Ventures Homebuilding LLC, an applicant, providing for the installation of water distribution facilities to provide domestic water service to that certain real property known as 802 State Access Road, Novato, Marin County Assessor's Parcel Numbers 157-970-03 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 16th day of February, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

(SEAL)

---

Theresa Kehoe, Secretary  
North Marin Water District

**7**

## MEMORANDUM

To: Board of Directors  
From: Tony Williams, Assistant GM/Chief Engineer *ABW*  
Subject: Amy Skewes-Cox (ASC) – General Consulting Services Agreement  
R:\WON JOB No ISSUES\Consultants\Skewes-Cox, Amy\_GSAIBOD Memos\_Agmts\ASC GSA BOD Memo Feb 2021.doc

Date: February 12, 2021

**RECOMMENDED ACTION:** Authorize the General Manager to execute a general consulting services agreement with ASC with a not to limit of \$20,000.

**FINANCIAL IMPACT:** \$20,000 (included in various CIP projects)

Background

Due to the need for California Environmental Quality Act (CEQA) compliance work related to various District Capital Improvement Projects (CIP), it is necessary to request these types of services on an as needed basis. The purpose of this memo is to request a new consulting services agreement with Amy Skewes-Cox (ASC) for periodic CEQA and related services to assist staff with District workload demands. ASC has a successful history of preparing CEQA documentation for complex projects in Marin County and beyond, and is recommended to provide consulting environmental services for the District. Most recently ASC prepared the CEQA documentation for the Old Ranch Road Tank No. 2 Project, which is currently in design.

Attached is an agreement for ASC to provide said CEQA support services with a not to exceed limit of \$20,000. If approved, the general consulting services agreement will be executed based on individual task orders on a job-by-job basis. One of the first task orders to be funded through this Agreement will be to provide CEQA documentation for the District Office Renovation project. This first task order will be in the amount of \$3,500.

RECOMMENDATION

That the Board authorize the General Manager to execute a Consulting Services Agreement with ASC with a not to exceed fee of \$20,000.

Approved by GM *JB for GM*Date *2/12/21*

## **AGREEMENT FOR CONSULTING SERVICES**

The following is an agreement between **North Marin Water District**, hereinafter "**NMWD**", and **Amy Skewes-Cox**, hereinafter, "**Consultant**".

**WHEREAS**, Consultant is a duly qualified consulting firm, experienced as an Environmental Analysis and Planning Consultant.

**WHEREAS**, in the judgment of the Board of Directors of the NMWD, it is necessary and desirable to employ the services of the Consultant to provide miscellaneous environmental consulting services.

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

### **PART A -- SPECIFIC PROVISIONS:**

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

- a. The scope of work and fee amount covered by this agreement shall be that specified on a task by task basis.
- b. The fee for the work shall be on a time and expense (T & E) basis utilizing the fee schedule included in Attachment A of this agreement and shall not exceed \$20,000 without prior written authorization by NMWD.

### **PART B -- GENERAL PROVISIONS**

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

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

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

- a. With respect to design professional services provided under this agreement, Consultant shall assume the defense of and defend NMWD, its directors, officers, agents, and employees in any action at law or in equity to the extent that liability is claimed or alleged to arise out of, pertain to, or relate to, either directly or indirectly, the intentional or willful



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

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

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

**4. PROSECUTION OF WORK:** The execution of this agreement shall constitute the Consultant's authority to proceed immediately with the performance of this contract. Performance of the services hereunder shall be completed by December 31, 2021, provided, however, that if the performance is delayed by earthquake, flood, high water or other Act of God or by strike, lockout or similar labor disturbance, the time for the Consultant's performance of this contract shall be extended by a number of days equal to the number of days the Consultant has been delayed.

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

North Marin Water District  
P.O. Box 146  
Novato, CA 94948  
Attention: Tony Williams

Consultant:  
Amy Skewes-Cox  
45 Laurel Grove Ave  
Kentfield, CA 94904

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

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

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

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

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

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

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

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

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

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

**12. EXTRA (CHANGED) WORK:** Extra work may be required. The Consultant shall not proceed nor be entitled to reimbursement for extra work unless it has been authorized, in writing, in

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

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

#### **14. INSURANCE REQUIREMENTS FOR CONSULTANTS**

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

##### **Minimum Scope of Insurance**

Coverage shall be at least as broad as:

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

##### **Minimum Limits of Insurance**

Consultant shall maintain limits no less than:

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

##### **Verification of Coverage**

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

##### **Subcontractors**

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

## **Self-Insured Retentions**

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

## **Other Insurance Provisions**

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

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

## **Acceptability of Insurers**

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

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

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

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

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

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

**NORTH MARIN WATER DISTRICT  
"NMWD"**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Drew McIntyre, General Manager

**"CONSULTANT"**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Amy Skewes-Cox

8

## MEMORANDUM

To: Board of Directors

Date: February 12, 2021

From: Tony Williams, Assistant GM/Chief Engineer *AW*Subject: Amend General Services Agreement - Miller Pacific Engineering Group  
R:\NON JOB No ISSUES\Consultants\MPEG\FY20-21 Contract\BOD Memos\_Agmt\MPEG FY20-21 genl servs agmt BOD memo.doc**RECOMMENDED ACTION:** Authorize the General Manager to amend the General Services Agreement Miller Pacific Engineering Group**FINANCIAL IMPACT:** \$60,000

Miller Pacific Engineering Group (MPEG) has a long and proven track record with the District of providing high quality and responsive geotechnical services at reasonable cost. On May 1, 2018 the Board approved a General Services Agreement for \$60,000. The purpose of this memo is to request an amendment to the General Services Agreement with MPEG. The current agreement and the associated funding has been allocated/expended. This amendment will increase funds for MPEG to provide as-needed geotechnical services.

A summation of contract billings for MPEG general engineering services for the last five years is provided as follows:

TABLE 1		
Contract Issuance Year	Billing Year	Total Billings
FY18	FY18, 19, & 20	\$27,671
FY16	FY16, 17 & 18	\$51,823
FY14	FY13 & 14	\$48,504
FY13	FY12 & 13	\$18,032

A cost breakdown for the \$60,000 FY18 contract by task is summarized as follows:

TABLE 2	
Starting FY18 Contract Amount	\$60,000
Carryover balance from FY16 Contract	\$617
Amended Balance	\$60,617
Projects (billings to date)	
Ridge Road Compaction Testing	<\$3,428>
Peer Review for Caltrans 101 Soldier Pier Wall	<\$613>
OM Treatment Ponds (Storm Damage)	<\$8,943>
San Mateo Tank 24-Inch Transmission Main	<\$4,546>
PRE Tank 1 Filters	<\$5,049>
Pre Tank 4A	<\$5,092>
Remaining Balance on Contract	\$32,946

Total billings under the FY18 contract are \$27,671 leaving a balance of \$32,946 on the contract. It is important to note that although there is \$32,946 left on the contract, there is an outstanding amount of funds previously authorized for open task orders in the amount of \$31,929, leaving a balance of \$1,017 of unallocated funds on this contract.

Approved by GM *JB for GM*Date *2/12/21*

RECOMMENDATION

Authorize the General Manager to amend the General Services Agreement for geotechnical services between NMWD and Miller Pacific Engineering Group, and increase the budget by \$60,000.



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## MEMORANDUM

To: Board of Directors  
 From: Tony Williams, Assistant GM/Chief Engineer *AW*  
 Subject: Approve General Services Contract for Coating Inspection Services  
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February 12, 2021

**RECOMMENDED ACTION:** Authorize the General Manager to execute a general services agreement with West Coast Coating Consultants with a not to exceed limit of \$45,000.

**FINANCIAL IMPACT:** \$45,000 (included in various CIP projects)

BACKGROUND:

The Stafford Treatment Plant (STP) Coat Top of Concrete Clearwells project consists of coating two clearwells: the Acti-Floc Clearwell and the Finished Clearwell. The Board authorized the advertisement of this project at the February 2, 2021 Board meeting. Staff requested proposals for third party coating inspection and received proposals from three firms: 1) West Coast Coating Consultants; 2) Gaya Coating Consulting, Inc., and 3) Billy Campbell Technical Services (BCTS) for inspection of contractor coating work. All three firms have inspectors with past experience working on District projects. The three proposals submitted were based on a time and expense basis, and estimated costs provided are summarized below.

Firm	Amount
1. West Coast Coating Consultants, Albany	\$10,976
2. Gaya Coating Consulting, Sebastopol	see below
3. BCTS, Novato	\$19,738

In Gaya's proposal, they indicated difficulty providing a fee estimate without the actual Contractor's schedule. A review panel of three staff members from Engineering and Operations Departments reviewed the proposals. Based on that review, staff recommends awarding the inspection work to West Coast Coating Consultants (WCCC), the highest-ranked firm.

In light of other potential needs for coating inspection work for District Capital Improvement Projects (CIP), and given that the recommended firm is qualified to do many types of coating inspection work, staff is recommending awarding a general services agreement to WCCC on a task-order basis for a not-to-exceed amount of \$45,000. One of the first task orders to be issued through this Agreement will be to perform the necessary inspection work for the STP Clearwells Project.

RECOMMENDATION

Board authorize the General Manager to execute a general services agreement with West Coast Coating Consultants of Albany for coating inspection services on a task order basis with a not to exceed limit of \$45,000.

Approved by GM

Date

*JB for GM*  
 2/12/21

## **AGREEMENT FOR CONSULTING SERVICES**

The following is an agreement between **North Marin Water District**, hereinafter "**NMWD**", and **West Coast Coating Consultants**, hereinafter, "**Consultant**".

**WHEREAS**, Consultant is a duly qualified consulting firm, experienced in third party coating inspections.

**WHEREAS**, in the judgment of the Board of Directors of the NMWD, it is necessary and desirable to employ the services of the Consultant to provide miscellaneous environmental consulting services.

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

### **PART A -- SPECIFIC PROVISIONS:**

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

- a. The scope of work and fee amount covered by this agreement shall be that specified on a task by task basis.
- b. The fee for the work shall be on a time and expense (T & E) basis utilizing the fee schedule included in Attachment A of this agreement and shall not exceed \$45,000 without prior written authorization by NMWD.

### **PART B -- GENERAL PROVISIONS**

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

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

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

- a. With respect to design professional services provided under this agreement, Consultant shall assume the defense of and defend NMWD, its directors, officers, agents, and employees in any action at law or in equity to the extent that liability is claimed or alleged to arise out of, pertain to, or relate to, either directly or indirectly, the intentional or willful misconduct, recklessness, or negligent act, error, or omission of Consultant (or any

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

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

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

**4. PROSECUTION OF WORK:** The execution of this agreement shall constitute the Consultant's authority to proceed immediately with the performance of this contract. Performance of the services hereunder shall be completed by February 28, 2023, provided, however, that if the performance is delayed by earthquake, flood, high water or other Act of God or by strike, lockout or similar labor disturbance, the time for the Consultant's performance of this contract shall be extended by a number of days equal to the number of days the Consultant has been delayed.

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

North Marin Water District  
P.O. Box 146  
Novato, CA 94948  
Attention: Tony Williams

Consultant:  
West Coast Coating Consultants  
727 Pomona Ave  
Solano, CA 94706  
Attention: Greg Whiting

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

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

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

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

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

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

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

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

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

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

**12. EXTRA (CHANGED) WORK:** Extra work may be required. The Consultant shall not proceed nor be entitled to reimbursement for extra work unless it has been authorized, in writing, in advance, by NMWD. The Consultant shall inform the District as soon as it determines work beyond the scope of this agreement may be necessary and/or that the work under this agreement cannot be

completed for the amount specified in this agreement. Said review shall occur before consultant incurs 75% of the total fee approved for any phase of the work. Failure to notify the District shall constitute waiver of the Consultant's right to reimbursement.

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

**14. INSURANCE REQUIREMENTS FOR CONSULTANTS**

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

**Minimum Scope of Insurance**

Coverage shall be at least as broad as:

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

**Minimum Limits of Insurance**

Consultant shall maintain limits no less than:

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

**Verification of Coverage**

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

**Subcontractors**

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

## **Self-Insured Retentions**

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

## **Other Insurance Provisions**

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

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

## **Acceptability of Insurers**

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

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

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

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

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

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

**NORTH MARIN WATER DISTRICT  
"NMWD"**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Drew McIntyre, General Manager

**WEST COAST COATING CONSULTANTS  
"CONSULTANT"**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Greg Whiting





## West Coast Coating Consultants

The Coating Experts

(415)244-6429

[www.westcoastcoatingconsultants.com](http://www.westcoastcoatingconsultants.com)

727 Pomona Ave

Albany, CA 94706

[gregwccc@gmail.com](mailto:gregwccc@gmail.com)

### WCCC 2021 Standard Fee Schedule

#### WCCC NACE Certified Level III Inspector Hourly Rates:

Straight time hourly rate \$98.00 per hour.

Overtime hourly rate \$118.00 per hour.

Double time hourly rate Sundays/Holidays \$138.00 per hour.

Inspection equipment is included in our hourly rates.

Company vehicle included in our hourly rates.

8 Hour daily minimum.

#### WCCC Anticipated Labor & Hours Not-To-Exceed:

112 – Straight time man hours @ \$98.00 per hour = \$10,976.00

0 – Overtime man hours @ \$118.00 per hour = \$0

0 – Double time man hours @ \$138.00 per hour = \$0

Total Coating Inspection Not-To-Exceed = \$10,976.00

President: Greg A. Whiting

West Coast Coating Consultants has a perfect safety record with zero recordable accidents in 18 years of service!

10

## MEMORANDUM

To: Board of Directors

February 12, 2021

From: Tony Williams, Assistant GM/Chief Engineer 

Re: Amend General Services Agreement – Cinquini &amp; Passarino, Inc.

R:\NON JOB No ISSUES\Consultants\Cinquini &amp; Passarino\Agmts\_BOD Memos\2021\C&amp;P Amend 2 Contract BOD memo 2-16-21.doc

**RECOMMENDED ACTION:** Authorize General Manager to Amend the General Services Agreement with Cinquini & Passarino, Inc.

**FINANCIAL IMPACT:** \$30,000

From time to time, it is necessary for the District to request surveying services from a California Licensed Land Surveyor. Cinquini and Passarino, Inc. (C&P) is a professional land survey firm located in Santa Rosa, CA. On July 1, 2014, the Board approved an Agreement with Cinquini & Passarino, Inc. (C&P) and established an initial budget of \$30,000. On February 5, 2019, the Board approved an amendment in the amount of \$30,000. The purpose of this memo is to request a second amendment to the General Services Agreement with C&P.

A summation of contract billings for C&P surveying services for the last six years is provided as follows:

TABLE I

Contract Issuance Year	Billing Years	Total Billings
FY15 – FY17	2014-2017	\$31,806
FY19-FY20	2019 – 2020	\$14,868
		<u>\$46,674</u>

A cost breakdown since FY14-15 contract by task order is summarized as follows:

TABLE 2

Starting Contract Amount	\$30,000
Projects (Authorized Task Orders)	
So. Novato Blvd. @ Rowland	<\$6,200>
Bear Valley Topo Survey	<\$10,000>
PRE Tank 4A Land Surveying	<\$9,990>
Remaining Balance on Contract	\$3,810
Contract Amendment 1	\$30,000
Projects (Authorized Task Orders)	
Ridge Road	<\$7,300>
San Mateo Tank Inlet/Outlet	<\$4,900>
PRE Tank 4A	<\$9,000>
New Gallagher Well No. 2	<\$7,520>
Remaining Balance on Contract	\$1,280

This amendment will increase funds for C&P to provide as-needed land surveying services. Currently their contract term goes through December 31, 2021. The first project to be

Approved by GM Date 2/12/21

authorized under the amended agreement will be for topographic and boundary survey work for the District Administration Building Renovation project for a proposed fee of \$16,060.

RECOMMENDATION

That the Board authorize the General Manager to amend the General Services Agreement between NMWD and Cinquini and Passarino, Inc., and increase the budget by \$30,000.

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## MEMORANDUM

To: Board of Directors

From: Drew McIntyre, General Manager 

Subject: Consulting Services Agreement Amendment No. 2 - DeGabriele  
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February 12, 2021

**RECOMMENDED ACTION:** Board authorize General Manager to amend Consulting Services Agreement with Chris DeGabriele

**FINANCIAL IMPACT:** Time Extension Only (No additional financial impact above the \$48,000 originally approved December, 2017)

At the December 5, 2017 meeting, the Board approved a \$48,000 Consulting Services Agreement with Chris DeGabriele to provide consulting services as may be required from time to time. Agreements of this nature have been used in the past for individuals who have retired from the District and we have retained their services to tap into their expertise as needed.

The contract ceiling amount approved at the December 2017 was \$48,000 and \$13,488 has been expended to date as summarized below:

Office Building Renovation	\$9,648
Upper Novato Creek Stream Habitat Assessment	\$2,928
MISC (Potter Valley Project, WM Water Rights)	\$ 912
Total	\$13,488

The original agreement was for a one year and the Board approved an extension at the January 14, 2019 meeting. It is requested that the Board approve a time extension through June 30, 2022. Mr. DeGabriele's services will continue be needed for the Office Building Renovation project and miscellaneous Stafford Lake, Lagunitas Creek and Russian River water supply issues (including the Potter Valley Relicensing Project). The billing rate of \$96 per hour remains unchanged.

**RECOMMENDATION**

Board authorize General Manager to approve Amendment No. 2 to the Consulting Services Agreement with Chris DeGabriele for a time extension through June 30, 2022.

Approved by GM Date 2/12/21

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## MEMORANDUM

To: Board of Directors  
From: Drew McIntyre, General Manager  
Ryan Grisso, Water Conservation Coordinator



February 12, 2021

Subject: Set Public Hearing to Consider A Water Conservation Ordinance in the Novato Service Area

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**RECOMMENDED ACTION:** Set the March 2, 2021 regular Board meeting as the date and time to hold a public hearing to consider a Water Conservation Ordinance for the Novato Service Area

**FINANCIAL IMPACT:** None at this time

At the February 2, 2021 Meeting, the Board received information on dry year conditions to-date in Novato. Obviously, we won't know conclusively how overall 2021 water year conditions will end up until April 1<sup>st</sup>. Nevertheless, NMWD staff has been reviewing the Novato area Water Shortage Contingency Plan and Emergency Water Conservation Ordinance and has been in discussions with legal counsel on the best course of action for 2021 given the water supply uncertainty at this time. The recommended action is to primitively approve a Water Conservation Ordinance with detailed conservation mandates to be approved by future resolutions once the final rainfall and water supply has been determined in April.

At this time the Board is asked to set a public hearing to consider approval of a general Water Conservation Ordinance which will have the flexibility to update by resolution in the future with specific percentage reduction levels, water waste and non-essential use prohibitions, and other changes as needed. A draft amended Ordinance will be provided in the public hearing agenda. This action has been recommended by legal counsel as the most efficient and effective way moving forward to navigate the evolving dry year conditions we may be faced with this year.

Recommendation

Board set the March 2, 2021 regular Board meeting as the date and time to hold a public hearing to consider a Water Conservation Ordinance in the Novato Service Area.



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## MEMORANDUM

To: Board of Directors

From: Drew McIntyre, General Manager  
Ryan Grisso, Water Conservation Coordinator

February 12, 2021

Subject: Set Public Hearing to Consider Amending Ordinance 39 in the West Marin Service Area  
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**RECOMMENDED ACTION:** Set the March 2, 2021 regular Board meeting as the date and time to hold a public hearing to consider amending Ordinance 39 in the West Marin Service Area

**FINANCIAL IMPACT:** None

This year rainfall in the Lagunitas Creek watershed measured by Marin Municipal Water District (Marin Municipal) totals 13.5-inches through January 27th, almost 15 inches below that necessary for normal year classification (i.e., 28-inches or more by April 1<sup>st</sup>). In West Marin, we are still operating under the dry year conditions which went into effect last April 1, 2020 and resulted in the Board adopting an Emergency Water Conservation Ordinance (No. 39) on May 5, 2020. If the Kent Lake rainfall does not equal or exceed 28-inches by April 1 of this year, the dry year designation on Lagunitas Creek will continue which means that summer flows beginning July 1<sup>st</sup> will be set at 6 cubic feet per second (cfs). Since the State Water Resources Control Board (SWRCB) Order 95-17 was issued in 1995, dry year conditions on Lagunitas Creek have occurred in 2014 and 2020. This could be the third year that the District may have to operate with flows in Lagunitas Creek at less than 8 cfs during the summer under dry year conditions.

Additionally, our intertie agreement with Marin Municipal enables the District to request up to 250 acre-feet (AF) of water to be released from storage to Lagunitas Creek for re-diversion by the District. For each AF of water released by Marin Municipal for this purpose we are to pay the cost of delivering Kent Lake water to Marin Municipal customers (approximately \$225 per acre/ft). The intertie agreement also requires that if Marin Municipal has requested voluntary or mandatory water use reductions of its customers, that the District would require its West Marin customers to reduce water use by a similar percentage. It is unknown at this time what level of conservation Marin Municipal will be requesting, but they are planning action at their February 16<sup>th</sup> meeting.

At this time the Board is asked to hold a public hearing to consider amending Ordinance 39 to allow flexibility to make changes to the Ordinance in the future by resolution. A draft amended Ordinance will be provided in the public hearing agenda. This action has been recommended by legal counsel as the most efficient and effective way moving forward to navigate the evolving dry year conditions we may be faced with this year. Possible future changes by resolution could

include, but are not limited to, date changes to reflect 2021 dry year conditions and voluntary and/or mandatory percentage reduction levels to match that approved by Marin Municipal. Staff will be closely monitoring rainfall levels and local actions to modify (by resolution) Ordinance 39 appropriately to fit this year's conditions.

Recommendation

Board set the March 2, 2021 regular Board meeting as the date and time to hold a public hearing to consider amending Ordinance 39 in the West Main Service Area.

**14**

## MEMORANDUM

To: Board of Directors February 12, 2021

From: Tony Williams, Assistant GM/ Chief Engineer *AW*  
Avram Pearlman, Assistant Engineer *AP*

Subject: San Mateo 24-Inch Transmission Main Project for Fire Safety and Reliability  
Federated Indians of Graton Rancheria Tribal Monitoring Agreement  
R:\Folders by Job No\7000 jobs\7150 San Mateo 24 Inlet\_Outlet\Memos\_BOD\Board Memos\BOD MEMO FIGR Tribal Monitoring Agmt 02.16.2021.docx

**RECOMMENDED ACTION:** Board authorize General Manager to execute the Federated Indians of Graton Rancheria Tribal Monitoring Agreement

**FINANCIAL IMPACT:** ~\$500/day, with a not-to-exceed limit of \$7,500

Background

The San Mateo Tank was built to serve the surrounding Zone 2 customers and additional development that was ultimately not completed. The undeveloped land became the Mount Burdell Open Space Preserve and trusted to the care of the Marin County Open Space District (MCOSD). A temporary 12-inch inlet/outlet transmission line from the tank to the Zone 2 distribution has been in operation since 1966. The small size of this line restricts flow from the San Marin Pump Station and reduces available fire flows.

The District owns a parcel of land for the tank site and easement for a 24-inch pipeline from San Mateo Tank to Palmo Way, as originally designed (see map in Attachment 1). This alignment passes through sensitive habitat and, after coordination with MCOSD, it was agreed to relocate the planned pipeline to minimize impacts to rare and endangered species. The current design for a new 24-inch pipeline follows an alternate route, connecting to existing Zone 2 infrastructure in San Mateo Way.

The District filed a Notice of Exemption (NOE) under CEQA after consultation with our consultant, GHD (Categorical Exemption 3.d – Water Mains Extensions). GHD also performed some technical studies of the project to determine the permitting requirements. The NOE was posted at the County of Marin on January 17, 2018 and received by the California State Clearinghouse on January 19, 2018. No comments were received during the 30-day notice period.

Project Status

Due to the pipeline alignment passing through open space habitat, including seasonal swales that drain waters of the State and the US, permits from the following agencies were required and subsequently obtained:

- US Army Corps of Engineers (USACE) under CWA Section 404
- California Department of Fish and Wildlife (CDFW) under F&G Code Section 1602
- San Francisco Bay Regional Water Quality Control Board (RWQCB) under CWA Section 401

In addition to the above resource agency permits, two other milestones are worth noting.

1. A Temporary Construction Easement Agreement (TCEA) between MCOSD as the landowner and the District is required. That agreement was signed by the General Manager on November 17, 2020 and executed by the County of Marin on December 8, 2020. As a condition of this agreement MCOSD must have the opportunity to review the drawings and bid specifications. On January 29, 2021, a 95% plans and specifications were sent to MCOSD and are currently under review.
2. In addition to the full on-site restoration of temporary impacts to approx. 0.01 acres (ac) of seasonal wetland swales from project implementation, the RWQCB has requested that additional compensatory mitigation be performed at a 0.1:1 ratio, to offset temporal losses. This results in a requirement for 0.001 ac (or ~45 sf) of compensatory mitigation. The RWQCB requested a proposal for accomplishing this additional compensatory mitigation, and has indicated that enhancement activities (such as vegetation enhancement) would satisfy this requirement. In coordination with MCOSD, another project on Mount Burdell was selected and the proposal was submitted to RWQCB. The compensatory mitigation measure was approved by the RWQCB on September 30, 2020. The District compensated MCOSD \$1,500 to offset restoration costs for the Two Brick Springs project (RWQCB Place ID 846331).

The following table summarizes the status of each required permit and agreement:

**Table 1: Permit and Agreement Status**

Permit/Agreement	Finalized	Expires	Note
CEQA Notice of Exemption	1/19/2018		Filed as a Class 3.d Categorical exemption (water main extensions)
USACE Permit	3/12/2020	3/18/2022	1-year extension if project has started before expiration date
CDFW Permit	4/14/2020	12/31/2024	1-year extension if project has started before 12/31/2024
Compensatory Mitigation Agreement	9/30/2020		Paid and transmitted 12/30/2020
RWQCB Permit	11/9/2020		Possible yearly renewal fees
Temporary Construction Easement Agreement	11/17/2021	12/31/2025	TCEA Completed with MCOSD

To comply with the USACE permit requirements the District must enter into a Tribal Monitoring Agreement with the Federated Indians of Graton Rancheria (FIGR). The agreement is



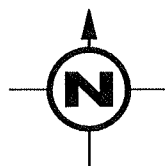
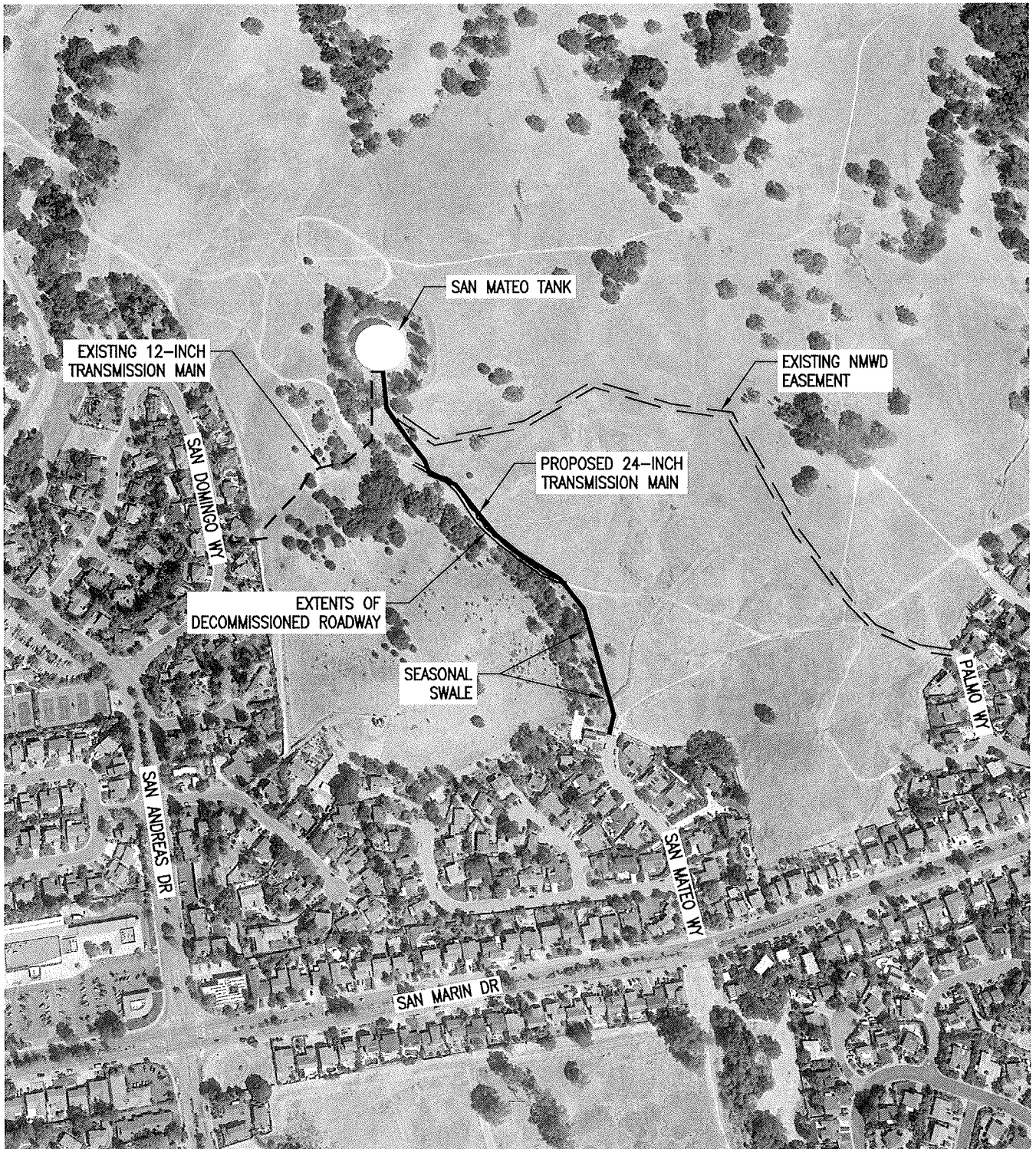
to have a Tribal Heritage Preservation Officer onsite for the duration of the project relating to grading, groundbreaking, excavation, and ground-disturbing activities as there is a potential to discover Native American human remains.

The Tribal Monitoring Agreement for this project is similar to an agreement the District had in place with FIGR in the past relating to the Recycled Water Program. Additionally, the District's legal counsel has reviewed the agreement and had a few corrections that were added to the agreement as it is written now. The signed FIGR Tribal Monitoring Agreement was received on February 8, 2021 (Attachment 2).

The cost of this monitoring will be approximately \$500/day. The duration of the project that will require monitoring is estimated to be two (2) weeks in total, including some exploratory borings scheduled to happen before the project breaks ground. Based on this estimate, a clause is included in the agreement for a not-to-exceed limit of \$7,500 without written permission.

#### RECOMMENDATION

That the Board authorize the General Manager to execute the FIGR Tribal Monitoring Agreement.



**SAN MATEO TANK - 24" TRANSMISSION MAIN  
FOR FIRE SAFETY AND RELIABILITY  
APNs 124-020-07, 124-020-24**

DATE	SCALE	JOB. NO.	DWG. NO.
2/10/21	NTS	7150	MAP



**AN AGREEMENT BETWEEN THE NORTH MARIN WATER DISTRICT AND THE  
FEDERATED INDIANS OF GRATON RANCHERIA FOR TREATMENT OF TRIBAL  
CULTURAL RESOURCES AND TRIBAL MONITORING FOR THE SAN MATEO  
TANK 24" TRANSMISSION MAIN FOR SAFETY AND RELIABILITY**

**I. PARTIES**

This Agreement is entered into as of the 8<sup>th</sup> day of February, 2020, by and between (1) the FEDERATED INDIANS OF GRATON RANCHERIA, a federally recognized Indian tribe ("TRIBE" or "FIGR") and (2) the North Marin Water District, ("NMWD"). TRIBE and the NMWD are collectively referred to as "PARTIES".

**II. SUBJECT MATTER**

This Agreement concerns a project known as "San Mateo Tank 24" Transmission Main For Safety and Reliability". NMWD approved a CATEGORICAL EXEMPTION (CLASS 3 – New Construction) for the new 24" main from the San Mateo Tank to the NMWD water distribution system at the end of San Mateo Way in Novato, California. NMWD is the California Environmental Quality Act ("CEQA") Lead Agency for the Project and is responsible for environmental compliance of the Project. The Marin County Coroner will be provided a copy of this Agreement by NMWD.

**III. PURPOSE**

This Agreement formalizes procedures for tribal monitoring during all grading, groundbreaking, excavation, and ground-disturbing activities performed in conjunction with the Project development, in areas the TRIBE has agreed to monitor within the project corridor. This Agreement is entered into pursuant to the Mitigation Measures of the Initial Study and Categorical Exemption under CEQA, Cal. Public Resources Code § 21000 et seq.

**IV. CULTURAL AFFILIATION**

The PARTIES agree that the Project area consists of land which has been traced to and traditionally occupied by the TRIBE. TRIBE is culturally affiliated to Marin and Sonoma counties and manages tribal cultural resources and sacred sites within its ancestral territory. Any human remains, and burial related items as defined in Section VII which are found in conjunction with the development of this Project shall be treated in accordance with Sections V through VIII of this Agreement. Tribal cultural resources shall be treated in accordance with Section XI of this Agreement. Significant sites shall be treated in accordance with Section XII of this Agreement.

## **V. MOST LIKELY DESCENDANT**

The TRIBE was determined to the Most Likely Descendant ("MLD") under California Public Resources Code Section 5097.98 by the Native American Heritage Commission ("NAHC"). If additional Native American human remains are found during development of this Project, the PARTIES understand that the determination of MLD under California Public Resources Code Section 5097.98 will be made by the NAHC. Until such time, neither the TRIBE nor NMWD guarantees that the TRIBE or one of its members will be so named. However, given the location of the site and the history and prehistory of the area, the PARTIES agree that their good faith belief is that if such Native American human remains are discovered at the Project site, the TRIBE or one of its members will be named the MLD.

Should the NAHC determine that a member of an Indian tribe other than the TRIBE is the MLD, the provisions of this Agreement relating to the treatment of such Native American human remains shall be null and void in their entirety.

## **VI. COORDINATION WITH CORONER'S OFFICE**

Pursuant to the mitigation measures of the Initial Study and Categorical Exemption, and in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5, the NMWD shall immediately contact the Marin County Coroner and the TRIBE in the event any human remains are discovered during the development of the Project.

## **VII. INADVERTANT DISCOVERIES**

The PARTIES' intent is to avoid disturbing human remains through consultation and appropriate avoidance, with mitigation as a secondary option. It is understood by the PARTIES that avoidance of the human remains, and grave goods may require changes to the Project plans and activities.

If Native American human remains are found during development of the Project, the following provisions shall apply:

1. The term "Native American human remains" encompasses more than human bones because the TRIBE's traditions call for burial of associated tribal cultural resources with the deceased (grave goods, funerary objects, ceremonial items, and objects of cultural patrimony), and any cremations or ceremonial burning of funerary objects, grave goods and animals. Ashes and other remnants of these burning ceremonies, as well as grave goods and funerary objects, associated with or buried with Native American remains, are to be treated in the same manner as bones, bone fragments and cremations.

2. The Coroner shall immediately be notified, ground disturbing activities in that location shall cease, and the remains shall be left in the place where they were discovered until the Coroner has had the opportunity to inspect the remains in place and make his/her determinations as required by State law, and until a final decision as to the treatment and/or disposition has been made pursuant to this Agreement and to State law.

3. Pursuant to the Archeological Management Data Recovery Plan, ground disturbing activities within sixty (60) feet of the discovery shall immediately cease, and the remains shall be secured in situ. The archeologist or cultural monitor shall immediately contact the FIGR Tribal Heritage Preservation Officer ("THPO") who will work with the MLD to schedule a site visit. The MLD, pursuant to California Public Resources Code Section 5097.98(a), shall be allowed to: (a) inspect the site of the discovery; (b) make recommendations to the property owner as to how the human remains and associated funerary objects should be treated and/or re-interred with appropriate dignity, if necessary. The recommendations will be issued by the TRIBE to the property owner within 48 hours or will request consultation with the property owner.

## **VIII. TRIBAL MONITORING**

Given the nature and sensitivity of the archaeological sites and tribal cultural resources that are or may be in the Project area, the TRIBE may designate one monitor representative to be retained as the Tribal monitor during all grading, groundbreaking, excavation, and ground-disturbing activities performed in conjunction with the Project development in areas the TRIBE has requested to monitor.

NMWD may have construction inspectors on the PROJECT site during ground disturbing activities. If human remains and burial of associated cultural items, as defined in this Agreement, are found during development of the Project, tribal monitors are empowered to instruct the NMWD and the onsite construction inspector to temporarily halt and/or relocate grading or excavation activities within one hundred (100) feet pending further evaluation by the TRIBE of the significance of the discovery and further investigation by the Marin County Coroner and the TRIBE, pursuant to California Health & Safety Code Section 7050.5.

For purposes of determining Tribal monitoring crew sizes, a written schedule of excavation, testing, grading, and ground-disturbing activities will be submitted by NMWD to the TRIBE two weeks in advance of the commencement of these activities. For purposes of this Agreement, "notice" must be given during normal business hours (*i.e.*, Monday-Friday from 8:00 a.m. to 5:00 p.m.) to be proper notice. Following any rescheduling or interruption of scheduled activities, the NMWD will give the TRIBE forty-eight (48) hours' notice before activities resume.

## **IX. COMPENSATION AND INSURANCE**

The PARTIES agree that the Tribal Monitors are employees of TRIBE, and that NMWD shall compensate TRIBE at an hourly rate of \$55.00 per hour for the time spent by the Tribal Monitor traveling to and from the Project site and at the Project site during ground-disturbing construction activities, based upon a daily monitoring log maintained by the Tribal Monitor. NMWD shall compensate TRIBE for the automobile transportation expenses of the Tribal Monitor at the mileage rate established by the United States, which is currently set at 57.5 cents per mile. NMWD agrees to provide personal protective equipment as required by COVID-19 orders to Tribal Cultural Monitors. TRIBE shall invoice NMWD for Tribal Monitoring expenses on a monthly basis and shall include copies of the daily monitoring logs supporting the hours reported on the invoice. NMWD shall remit payment to the TRIBE within 45 days of receipt of TRIBE invoices. The total compensation payable by NMWD to TRIBE for monitoring under this Agreement shall not exceed \$7,500 except by a written amendment of this Agreement approved by the PARTIES.

TRIBE recognizes that dangerous working conditions can exist as a work site, particularly during grading and excavation operations. The Tribal Monitor shall review safety procedures as specified by the Project manager and shall attend all safety meetings.

TRIBE will provide insurance coverage for the Tribal Monitor. The insurance includes workers' compensation, liability, use of a private vehicle and errors and omissions.

NMWD agrees TRIBE will invoice NMWD for the Tribal Monitors' compensation on a monthly basis. TRIBE will invoice NMWD at:

Tony Williams, NMWD  
999 Rush Creek Place  
Novato CA 94945  
(415) 897-4133  
twilliams@nmwd.com

NMWD agrees to remit payment in full to the following address within forty-five (45) days of receipt of the TRIBE's invoice:

Steven Garwood  
Chief Financial Officer  
Federated Indians of Graton Rancheria  
6400 Redwood Drive, Suite 300  
Rohnert Park, CA 94928  
Email: sgarwood@gratonrancheria.com  
Phone: 707.566.2288, Ext 126

All unpaid balances are subject to a monthly finance charge of 2% of the balance owed.

## **X. COVID-19 PROTECTIVE MEASURES**

NMWD shall comply, and shall secure compliance by its employees, agents and sub-contractors with all applicable health, safety and security laws and regulations, including, without limitation, federal, state and local laws and regulations, any health and safety plan issued by the federal government, the State of California and the County of Marin regarding COVID-19. NMWD agrees to comply with all social distancing protocols and guidelines set forth in any health and safety order. NMWD warrants that all such persons shall be fit and qualified to carry out the Work and shall take adequate precautions to protect human health in the project area. NMWD agrees to provide personal protective equipment as required by COVID-19 orders. NMWD shall ensure that such personal protective equipment is properly used by its employees, sub-contractors, and other invitees of the NMWD in the project area

## **XI. NON-DISCLOSURE OF LOCATION OF REBURIALS**

It is understood by the PARTIES that, unless otherwise required by law, the site of any reburial of Native American human remains shall not be disclosed and will not be governed by public disclosure requirements of the California Public Records Act, Cal. Govt. Code § 6250 et seq. The PARTIES agree that NMWD shall withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code Section 6254(r).

## **XII. TREATMENT OF TRIBAL CULTURAL RESOURCES**

The NMWD will treat all tribal cultural resources, including ceremonial items, associated funerary objects, sacred objects, and items of cultural patrimony, , consistent with the Tribe's cultural values and practices as determined by the Tribe.

## **XIII. SIGNIFICANT SITES IMPACTED BY PROJECT**

The PARTIES agree that if additional significant site or sites not identified as significant in the Project environmental review process, are identified by a qualified archaeologist within the Project site, they will be evaluated by a qualified archaeologist in coordination with the Tribe. Additional mitigation measures may be necessary to treat sites in a culturally appropriate manner consistent with CEQA guidelines for mitigation of impacts to tribal cultural resources and as described in the mitigation measures in the Initial Study and Categorical Exemption.

If an additional significant site or sites not previously recorded/identified as significant are discovered within the Project site, the PARTIES commit to developing an action plan within 48 hours to get the Project reinitiated which may include additional avoidance and/or mitigation measures to address Tribal Cultural Resource (TCR) protection and preservation.

#### **XIV. NOTICES**

All notices to the PARTIES, shall be given by hand delivery, United States mail, or email as set forth below:

To NMWD:

Tony Williams, NMWD  
999 Rush Creek Place  
Novato CA 94945  
(415) 897-4133  
twilliams@NMWD.com

To the Federated Indians of Graton Rancheria:

Buffy McQuillen, THPO  
Federated Indians of Graton Rancheria  
6400 Redwood Drive Rohnert Park, CA 94929  
Email: bmcquillen@gratonrancheria.com  
Phone: 707-566-2288

#### **XV. SUCCESSORS AND ASSIGNS**

This Agreement shall be binding upon and inure to the benefit of the heirs, successors, representatives, executors, administrators, and assigns of the PARTIES, including contractors and sub-contractors, and any person or entity obligated to comply with environmental and cultural/archaeological protection laws applicable to this Project.

#### **XVI. ENVIRONMENTAL COMPLIANCE**

Nothing in this Agreement shall excuse NMWD from its obligations under any applicable state or federal laws or regulations, including but not limited to the California Environmental Quality Act (CEQA); Public Resources Code § 21000 et seq., the National Historic Preservation Act ("NHPA") 16 U.S.C. § 470 et seq.; California Public Resources Code Sections 5097.98, 5097.98(c), and 5097.99; California Health and Safety Code Sections 7050.5(c); California Government Code Section 6254, 65040.2, 65092, 65351, 65352, 65560, 65352.3, 65352.4, 65562.5; California Civil Code 815.3; the Native American Graves Protection and Repatriation Act, 25 U.S.C. § 3001 et seq.; the California Native American Graves Protection and Repatriation Act of 2001, California Health and Safety Code §§8010 et seq.; the American Indian Religious Freedom Act, 16 U.S.C. § 1996, et seq., and the First Amendment to the United States Constitution. Nothing in this Agreement is intended to make any of the above-referenced laws applicable where such laws would otherwise be inapplicable.

## **XVII. SEVERABILITY**

Should any part of this Agreement be found by any court of competent jurisdiction to be to any extent invalid or unenforceable, the remainder of this Agreement shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

## **XVIII. LIMITATION ON SCOPE**

This Agreement is unique to this PROJECT only and does not set a precedent for other projects.

## **XIX. AUTHORITY TO EXECUTE**

Each of the persons executing this Agreement expressly warrants that he or she is authorized to do so on behalf of the entity for which he or she is executing this Agreement. Each party to this Agreement represents and warrants that this Agreement is executed voluntarily, with full knowledge of its significance.

## **XX. COUNTERPARTS**

This Agreement may be signed in two or more counterparts, including by electronic or digital means, and will be effective when all PARTIES and signatories have affixed their signatures to two or more of the counterparts and said counterparts have been delivered to all PARTIES, at which time the counterparts together will be deemed one original document.

**IN WITNESS WHEREOF**, the PARTIES have executed this Agreement as of the day, month and year first above written.

**NORTH MARIN WATER DISTRICT**

**FEDERATED INDIANS OF GRATON  
RANCHERIA**

\_\_\_\_\_  
DREW MCINTYRE, General Manager



\_\_\_\_\_  
LORELLE ROSS, Vice-Chair

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## MEMORANDUM

To: Board of Directors  
 From: Drew McIntyre, General Manager  
 Subject: Stafford Lake Backfeeding

February 12, 2021



\\nmwdserver1\administration\gm\water shortage 2021\lake backfeeding bod memo final.doc

**RECOMMENDED ACTION:** Approve Backfeeding Russian River Water to Stafford Lake

**FINANCIAL IMPACT:** Up to \$221,000 over next two months

At the February 2, 2021 meeting, the Board received information on dry year conditions to-date in both the Stafford Lake and Russian River watersheds. At that time, I informed the Board that the region, including NMWD, is experiencing drought conditions. Novato rainfall at 5.8" through the end of January is 37% of average and Stafford Lake holds 1240-acre feet or 46% of average at this time of year and storage is at 29% of full water pool capacity. At the last meeting I also mentioned that MMWD was not likely to pay for backfeeding Stafford Lake this year and that staff was looking at proceeding with backfeeding in any event.

The District has been backfeeding Stafford Lake during dry year periods dating back to the 1976-1977 drought. In the early years, the District incurred the extra costs for this operation. In more recent years during 2009-2018, MMWD paid the costs for backfeeding as it benefited their operations. A summary of previous backfeeding events over the last 30 years is provided as follows:

Year	Back-Fed Amount (acre-feet)
1988	200
1989	782
1991	1000
2009	348
2014	359
2018	130

To expediently move water into Stafford Lake while it's available from the Russian River system, I am asking for the Board's authority to begin backfeeding immediately. The backfeeding cost is derived from the cost to pump SCWA water into Stafford Lake plus the marginal cost to re-treat SCWA water stored in Stafford Lake. The cost of pumping the water into the lake is \$48.31 per

acre foot) and the marginal cost (electricity, chemicals and sludge disposal) to re-treat the water is \$320 per acre-foot for a total cost of \$368.31 per acre foot. Note that these costs do not include the cost to purchase Russian River water (\$982.21 per acre foot) since it would be paid one way or the other. It is expected that ~300-acre feet can be backfed per month through mid-April for a total backfeed amount of 600 acre-feet at a cost of approximately \$221,000. The projected balance in the Water Treatment budget at fiscal year-end will be \$385,000 which will sufficiently cover the cost of backfeeding the requested 600 acre-feet.

Attachment 1 is a February 5, 2021 Press Release from Sonoma County Water Agency stating that Upper Russian River water year conditions are now Critical and the Lower Russian River water year conditions are Dry. The Press Release also states that SCWA is immediately reducing the amount of water it releases from Lake Mendocino after receiving a Temporary Urgency Change Order by the State Water Resources Control Board on February 4, 2021 (included as Attachment 2). As of February 8, 2021, Lake Mendocino water pool capacity is at 43% and Lake Sonoma water pool capacity is at 64%.

#### RECOMMENDATION

Board authorize backfeeding of Russian River water into Stafford Lake effective immediately.



(/)



## Lake Mendocino Releases to be Reduced to Preserve Water, State Water Board Approves Order

For Immediate Release - February 5, 2021

Contact: Brad Sherwood, 707-322-8192, [sherwood@scwa.ca.gov](mailto:sherwood@scwa.ca.gov) (<mailto:sherwood@scwa.ca.gov>)

(Santa Rosa, CA) The Sonoma County Water Agency (Sonoma Water) can immediately reduce the amount of water it releases from Lake Mendocino after receiving a Temporary Urgency Change Order by the State Water Resources Control Board. This action will preserve water in Lake Mendocino due to low water storage levels caused by dry weather conditions. View the Order at [www.sonomawater.org/tucp](http://www.sonomawater.org/tucp) (<https://www.sonomawater.org/tucp>). Lake Mendocino is currently only 40% of its target water supply storage.

The water year type for the Upper Russian River (the area of the Russian River between the confluence of Dry Creek and Lake Mendocino) is now Critical based on the February Lake Mendocino storage threshold. The minimum instream flow requirement for the Upper Russian River is 25 cubic feet per second (CFS). Had the State not issued the Order, the Upper Russian River would have been categorized as a Dry water year type with a minimum instream flow requirement of 75 CFS. The greater the CFS required in the Russian River, the more water is released from Lake Mendocino to meet the CFS requirement.

The water year type for the Lower Russian River (the area of the Russian River between the confluence of Dry Creek and Jenner) continues to be determined based Sonoma Water's water rights rule (not the State Order) and as of February 1 is a Dry water year type. The minimum instream flow requirement is 75 CFS for Dry Creek and 85 CFS for the Lower Russian River. The water year type for the Upper Russian River, Dry Creek and the Lower Russian River will be reassessed on March 1.

Learn more about the Temporary Urgency Change Order at [www.sonomawater.org/tucp](http://www.sonomawater.org/tucp) (<https://www.sonomawater.org/tucp>).

Sonoma Water continues to encourage its community to save water. Water saving tips can be viewed online at [savingwaterpartnership.org](http://savingwaterpartnership.org) (<http://www.savingwaterpartnership.org/>).

More: [Press Releases \(https://www.sonomawater.org/news/category/301/\)](https://www.sonomawater.org/news/category/301/)

STATE OF CALIFORNIA  
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
STATE WATER RESOURCES CONTROL BOARD

**DIVISION OF WATER RIGHTS**

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**In the Matter of Permit 12947A  
(Application 12919A)**

**Sonoma County Water Agency**

**ORDER APPROVING TEMPORARY URGENCY CHANGE**

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SOURCE: Russian River

COUNTIES: Sonoma and Mendocino Counties

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BY THE DEPUTY DIRECTOR FOR WATER RIGHTS:

**1.0 SUBSTANCE OF TEMPORARY URGENCY CHANGE PETITION**

On January 13, 2021, Sonoma County Water Agency (Sonoma Water) filed a Temporary Urgency Change Petition (TUCP) with the State Water Resources Control Board (State Water Board), Division of Water Rights (Division), requesting approval of a change pursuant to California Water Code section 1435. The TUCP requests implementation of an alternative hydrologic index based on Lake Mendocino storage values starting January 28, 2021 (proposed hydrologic index). The proposed hydrologic index is requested in lieu of the hydrologic index based on cumulative Lake Pillsbury inflow (the current hydrologic index). The hydrologic index is used to determine which minimum instream flow requirements in Term 20 of Permit 12947A will apply to the upper Russian River (from its confluence with the East Fork Russian River to its confluence with Dry Creek; Term 20.B). The proposed hydrologic index is as follows:

- a. Dry water supply conditions will exist when storage in Lake Mendocino is less than:

40,000 acre-feet as of January 1  
59,000 acre-feet as of February 1  
68,000 acre-feet as of March 1  
69,500 acre-feet as of March 16  
71,000 acre-feet as of April 1  
70,000 acre-feet as of April 16

69,000 acre-feet as of May 1  
67,500 acre-feet as of May 16  
65,000 acre-feet as of June 1

b. Critical water supply conditions exist when storage in Lake Mendocino is less than:

31,000 acre-feet as of January 1  
36,000 acre-feet as of February 1  
52,000 acre-feet as of March 1  
53,000 acre-feet as of March 16  
54,000 acre-feet as of April 1  
53,000 acre-feet as of April 16  
52,000 acre-feet as of May 1  
51,000 acre-feet as of May 16  
50,000 acre-feet as of June 1

c. Normal water supply conditions exist in the absence of defined Dry or Critical water supply conditions.

This temporary change is requested in response to 2020's extremely dry conditions, severely low storage levels in Lake Mendocino, and the current hydrologic index not aligning with observed hydrologic conditions in the Russian River watershed. No changes are requested in this petition for how minimum instream flow requirements are determined for Dry Creek or the lower Russian River (from its confluence with Dry Creek to the Pacific Ocean, Term 20.C).

## **2.0 BACKGROUND**

Sonoma Water controls and coordinates water supply releases from Lake Mendocino and Lake Sonoma to implement the minimum instream flow requirements in accordance with its water rights and Decision 1610, which the State Water Board adopted on April 17, 1986. Decision 1610 specifies minimum instream flow requirements for the upper Russian River, Dry Creek, and the lower Russian River. These minimum instream flow requirements vary based on water supply conditions specified in Decision 1610. The Decision 1610 requirements for the upper Russian River are contained in Term 20 of Sonoma Water's water right Permit 12947A (Application 12919A). Sonoma Water's operations are also subject to the National Marine Fisheries Service (NMFS) Russian River Biological Opinion issued in 2008.

### **2.1 Sonoma Water's Water Right Permit**

The TUCP involves Permit 12947A, which authorizes direct diversion of 92 cubic feet per second (cfs) from the East Fork Russian River and storage of 122,500 acre-feet per annum (afa) in Lake Mendocino from January 1 through December 31 of each year.

Term 20 of Sonoma Water's Permit 12947A states the following:

*For the protection of fish and wildlife, and for the maintenance of recreation in the Russian River, permittee shall pass through or release from storage at Lake Mendocino sufficient water to maintain:*

- A. *A continuous streamflow in the East Fork Russian River from Coyote Dam to its confluence with the Russian River of 25 cfs at all times.*
- B. *The following minimum flows in the Russian River between the East Fork Russian River and Dry Creek:*

- 1. *During normal water supply conditions when the combined water in storage, including dead storage, in Lake Pillsbury and Lake Mendocino on May 31 of any year exceeds 150,000 af or 90 percent of the estimated water supply storage capacity of the reservoirs, whichever is less:*

<i>From June 1 through August 31</i>	<i>185 cfs</i>
<i>From September 1 through March 31</i>	<i>150 cfs</i>
<i>From April 1 through May 31</i>	<i>185 cfs</i>

- 2. *During normal water supply conditions and when the combined water in storage, including dead storage, in Lake Pillsbury and Lake Mendocino on May 31 of any year is between 150,000 af or 90 percent of the estimated water supply storage capacity of the reservoirs, whichever is less, and 130,000 af or 80 percent of the estimated water supply storage capacity of the reservoirs, whichever is less:*

<i>From June 1 through March 31</i>	<i>150 cfs</i>
<i>From April 1 through May 31</i>	<i>185 cfs</i>

<i>If from October 1 through December 31, storage in Lake Mendocino is less than 30,000 acre-feet</i>	<i>75 cfs</i>
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- 3. *During normal water supply conditions and when the combined water in storage, including dead storage, in Lake Pillsbury and Lake Mendocino on May 31 of any year is less than 130,000 af or 80 percent of the estimated water supply storage capacity of the reservoirs, whichever is less:*

<i>From June 1 through December 31</i>	<i>75 cfs</i>
<i>From January 1 through March 31</i>	<i>150 cfs</i>
<i>From April 1 through May 31</i>	<i>185 cfs</i>

4. *During dry water supply conditions* 75 cfs

5. *During critical water supply conditions* 25 cfs

C. *The following minimum flows in the Russian River between its confluence with Dry Creek and the Pacific Ocean to the extent that such flows cannot be met by releases from storage at Lake Sonoma under Permit 16596 issued on Application 19351:*

1. *During normal water supply conditions* 125 cfs

2. *During dry water supply conditions* 85 cfs

3. *During critical water supply conditions* 35 cfs

*For the purposes of the requirements in this term, the following definitions shall apply:*

1. *Dry water supply conditions exist when cumulative inflow to Lake Pillsbury beginning on October 1 of each year is less than:*

*8,000 acre-feet as of January 1  
39,200 acre-feet as of February 1  
65,700 acre-feet as of March 1  
114,500 acre-feet as of April 1  
145,600 acre-feet as of May 1  
160,000 acre-feet as of June 1*

2. *Critical water supply conditions exist when cumulative inflow to Lake Pillsbury beginning on October 1 of each year is less than:*

*4,000 acre-feet as of January 1  
20,000 acre-feet as of February 1  
45,000 acre-feet as of March 1  
50,000 acre-feet as of April 1  
70,000 acre-feet as of May 1  
75,000 acre-feet as of June 1*

3. *Normal water supply conditions exist in the absence of defined dry or critical water supply conditions.*

4. *The water supply condition designation for the months of July through December shall be the same as the designation for the previous June. Water supply conditions for January through June shall be predetermined monthly.*



5. *Cumulative inflow to Lake Pillsbury is the calculated algebraic sum of releases from Lake Pillsbury, increases in storage in Lake Pillsbury, and evaporation from Lake Pillsbury.*
6. *Estimated water supply storage space is the calculated reservoir volume below elevation 1,828.3 feet in Lake Pillsbury and below elevation 749.0 feet in Lake Mendocino. Both elevations refer to the National Geodetic Vertical Datum of 1929. The calculation shall use the most recent two reservoir volume surveys made by the U. S. Geological Survey, U. S. Army Corps of Engineers, or other responsible agency to determine the rate of sedimentation to be assumed from the date of the most recent reservoir volume survey.*

## **2.2 Current Drought Conditions and Response**

During 2020, the Russian River Watershed experienced the third driest year in the past 127 years of record. Sonoma Water filed TUCPs with the State Water Board in June 2020, and the State Water Board issued an order approving temporary urgency changes to the Decision 1610 instream flow requirements for Permits 12947A, 12949, 12950, and 16596. These changes, along with water conservation efforts throughout the region, preserved storage in Lake Mendocino above the target water supply storage levels, thereby avoiding the need to further reduce flows. On December 27, 2020, the State Water Board's temporary urgency change order expired, and minimum instream flow requirements reverted to "Dry" water supply conditions for the remainder of 2020. On January 1, 2021, cumulative inflow into Lake Pillsbury between October 1, 2020 and December 31, 2020 exceeded the threshold criterion of 8,000 acre-feet, resulting in a "Normal" water supply condition for the Russian River. This water supply condition is reassessed at the beginning of each month through June under Decision 1610, including as specified in Term 20 of Permit 12947A.

As of January 6, 2021, the water supply storage level in Lake Mendocino was 28,206 acre-feet. This storage level is approximately 41 percent of the available water conservation pool for this time of year. The current low storage level is the result of the severe drought of 2020 and low rainfall in the region since January 1, 2020. As measured at Ukiah, recorded rainfall for 2020 was 11.32 inches, which amounts 31% of the average rainfall (37.01 inches) and the second lowest recorded rainfall since 1893. Furthermore, Pacific Gas & Electric (PG&E) has indicated that it intends to file a request with the Federal Energy Regulatory Commission (FERC) for a temporary variance to reduce its minimum instream flow requirements for the Potter Valley Project (PVP). The temporary variance would reportedly reduce the transfer of Eel River water through the PVP to the Russian River watershed from 45 cfs to 15 cfs if storage in Lake Pillsbury falls below 18,000 acre-feet and would expire once storage in Lake Pillsbury exceeds 30,000 acre-feet. The storage in Lake Pillsbury was 17,292 acre-feet at the end of December 2020. The temporary variance would result in a substantial reduction to inflow into Lake Mendocino from the PVP.



Sonoma Water's recent analysis of the current drought conditions indicates that unless additional mitigation measures are taken soon, there is a risk that Lake Mendocino could decline to critically low levels. Sonoma Water's projection based on modeled simulations using hydrology data from 1908 to 2017 indicates that Lake Mendocino storage levels could potentially decline below 20,000 acre-feet at the end of the current water year. The very low storage levels in Lake Mendocino would significantly impact the availability of water supplies for supporting survival of listed Russian River salmonid fisheries, agricultural and municipal uses, and recreation in the late summer and following water year. Additionally, the low storage levels may result in disturbance of sediment at the bottom of Lake Mendocino that may cause additional adverse impacts on water quality in Lake Mendocino and the Russian River.

The "Normal" water supply conditions designated by the current hydrologic index does not accurately reflect the severe drought conditions in the upper Russian River. Sonoma Water's proposed temporary urgency change would maintain the logic on which Decision 1610's minimum instream flow requirements are based by relying on the same statistical distribution of hydrologic conditions used by Decision 1610. Sonoma Water's proposed temporary urgency change would use Lake Mendocino storage, rather than cumulative inflow into Lake Pillsbury, as the basis for defining the applicable hydrologic condition. This proposed temporary urgency change would implement minimum instream flow requirements under Term 20.B of Permit 12947A that would adjust to changes in the upper Russian River watershed hydrologic conditions. Streamflow requirements would increase if additional seasonal rainfall results in Lake Mendocino storage increasing or remaining above the volumes specified in the proposed hydrologic index.

### **3.0 COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The State Water Board must comply with applicable requirements of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) (CEQA) prior to issuance of any order approving a TUCP. (Cal. Code Regs., tit. 23, § 805, subd. (b).) Sonoma Water determined that the requested change is statutorily and categorically exempt under CEQA, as the change is an action to prevent or mitigate an emergency. Sonoma Water determined that the requested change also meets the Class 1, 7, and 8 categorical exemption criteria set forth in the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.). Sonoma Water filed a Notice of Exemption on January 8, 2021. The State Water Board has reviewed the information submitted by Sonoma Water and has made its own independent finding that the requested temporary urgency changes to Permit 12947A are statutorily and categorically exempt from CEQA.

The changes sought by Sonoma Water in its January 13, 2021 TUCP are consistent with the following statutory and categorical CEQA exemptions for the following reasons:

- 1) Information provided by Sonoma Water demonstrates that continued releases of water pursuant to the current hydrologic index in Term 20 of Permit 12947A as it

applies to the upper Russian River could cause storage levels in Lake Mendocino to decline to unsafe levels. Extensive drought conditions in the Russian River watershed throughout 2020 and extending into 2021 have resulted in already low storage conditions in Lake Mendocino. Drought conditions that may persist through 2021 will result in continued low storage levels in Lake Mendocino. As discussed in this Order, if storage in Lake Mendocino is further depleted, there will be serious impacts to human health and welfare, and water will not be available to protect aquatic life, including threatened and endangered species in the Russian River. Approval of the TUCP is therefore necessary to respond to drought conditions and prevent and mitigate loss of, or damage to, the environment, fishery resources, property, public health, and essential public services. Accordingly, the project is statutorily exempt from CEQA because it is necessary to prevent or mitigate an emergency. (Pub. Resources Code, § 21080, subd. (b)(4); Cal. Code Regs., tit. 14, § 15269, subd. (c).)

- 2) A Class 1 exemption “consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.” (Cal. Code Regs., tit. 14, § 15301.) The proposed action consists of the operation of existing facilities involving negligible or no expansion of use beyond that existing, and accordingly is categorically exempt from CEQA under a Class 1 exemption. The proposed action will be within the range of minimum instream flows established by Decision 1610.
- 3) A Class 7 exemption “consists of actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment.” (*Id.*, § 15307.) The proposed action will ensure the maintenance of a natural resource (i.e., the instream resources of the Russian River) by increasing availability and improving the quality of salmonid rearing habitat in the upper Russian River and more closely mimicking natural inflow to the estuary, thereby enhancing the potential for maintaining a seasonal freshwater lagoon that could support increased production of juvenile steelhead. Accordingly, these changes are categorically exempt from CEQA pursuant to a Class 7 exemption.
- 4) A Class 8 exemption “consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.” (*Id.*, § 15308.) The proposed action will ensure the maintenance of the environment (i.e., the instream environment of the Russian River) in the same way as stated for the Class 7 exemption.

#### **4.0 PROCEDURAL REQUIREMENTS CONCERNING THE TEMPORARY URGENCY CHANGE PETITION**

On January 19, 2021, the State Water Board issued and delivered to Sonoma Water a notice of the temporary urgency change order pursuant to Water Code section 1438, subdivision (a). Pursuant to Water Code section 1438, subdivision (b)(1), Sonoma Water published the notice in *Ukiah Daily Journal* and *The Press Democrat* on January 19, 2021. In addition, the State Water Board posted the notice of the temporary urgency change order on its website and distributed the notice through its electronic notification system.

Any interested person may file an objection to a temporary urgency change. (*Id.*, subd. (d).) The State Water Board must promptly consider the objection and may hold a hearing on any objection. (*Id.*, subd. (e).) Pursuant to Water Code section 1438, the State Water Board may issue a temporary urgency change order in advance of the required notice. It was indicated in the public notice that the State Water Board may issue an order approving or denying the TUCP before the end of the notice period. The State Water Board will promptly consider all objections received, and may issue an amended order if necessary to address objections. This Order reflects consideration of all correspondence regarding the TUCP received by January 29, 2021; no objections were received as of this date. Any objections received will be considered in a separate memorandum or, if appropriate, an amended order.

By January 29, 2021, the Division has received letters from Mendocino County Russian River Flood Control and Water Conservation Improvement District (RRFC), the North Coast Regional Water Quality Control Board (North Coast Water Board), NMFS, and Russian Riverkeeper (RRK) in support of Sonoma Water's TUCP. Details of support of the North Coast Water Board and NMFS are included in Section 5 of this Order.

RRFC indicated in its letter submitted on January 8, 2021 that the severely low water levels in Lake Mendocino and the reclassification of water supply condition of the Russian River from Dry to Normal cause great concerns to RRFC and representatives of municipalities, agricultural users, and other water users of the Russian River. RRFC stated that Sonoma Water's TUCP clearly outlines the urgency and necessity of the proposed changes, and RRFC and Sonoma Water have increased communications to improve water resource management for the upper Russian River and to implement necessary steps to address impacts of the prolonged drought in the region.

On January 28, 2021, RRK submitted a comment letter supporting Sonoma Water's request of using the alternative hydrologic index to better conserve water stored in Lake Mendocino. RRK indicated modification of Term 20 would allow minimum flows in the Russian River to reflect more accurately the realities of available water supply within the Russian River watershed. RRK also noted the risk of water not being available for local municipal, agriculture, and environmental uses due to the extended drought if the TUCP is not approved. Additionally, RRK indicated that the TUCP and any subsequent order must consider: (1) the protection of public trust resources, (2) what RRK believes to be the continued allowance of waste and unreasonable use, and (3) requirements of CEQA.

Specifically, RRK requested the State Water Board: 1) require mandatory conservation measures by Sonoma Water Agency; 2) require mandatory conservation measures for other users in the Russian River watershed and/or use the established broad authority to curtail users to prevent waste and unreasonable use; 3) establish carry-over storage targets with an adequate margin of safety to prevent managing the River in a perpetual state of drought; 4) require updates to the Decision 1610 hydrologic index and Decision 1610 in its entirety, by expedited dates; 5) conduct CEQA review to mitigate and avoid the significant effects of Sonoma Water's and State Water Board's purported pattern and practice of TUCP approvals; and 6) establish a stakeholder committee comprised of both upper and lower Russian River users to develop a Drought Action Plan with additional emergency conservation measures for when storage or Eel River diversions drop below minimum thresholds to prevent deep cuts to flow in the next dry year.

The State Water Board has considered RRK's comments.

This Order includes terms and conditions that require Sonoma Water to report periodically on conservation activities and programs being implemented by Sonoma Water and its water contractors. The State Water Board will monitor the conservation efforts of Sonoma Water and will continue to evaluate whether additional conservation measures are necessary if dry conditions persist in the Russian River watershed during the period the Order is applicable.

RRK comments that both Sonoma Water and the State Water Board may not lawfully rely on statutory or categorical exemptions to CEQA when undertaking the proposed temporary urgency action. Apparently based upon prior orders for temporary urgency change, RRK's comment letter presupposes that the State Water Board will not make adequate findings in this Order. Although RRK recognizes that there exists an "actual, urgent need to protect the dwindling water supply at Lake Mendocino," RRK asserts that the emergency statutory exemption, discussed above, does not apply.

RRK appears to primarily argue that the clear and imminent danger to the environment, fishery resources, property, public health, and essential public services was not sudden or unexpected and, therefore, should not have required immediate action to prevent or mitigate such losses. RRK indicates that the emergency exemption is narrow, and it erroneously suggests that severe water supply shortage, whether due to infrastructure failure or hydrologic conditions, cannot constitute an emergency. RRK also states that the Class 1, Class 7, and Class 8 categorical exemptions do not apply in this instance due to alleged but unspecified potentially significant environmental impacts, including the alleged cumulative impacts of Sonoma Water's successive temporary urgency water right changes, that RRK states must be mitigated through, among other measures, additional mandatory water conservation requirements for Sonoma Water and other parties within the Russian River watershed.

RRK does not specify the alleged potentially significant impacts or effects of this temporary urgency change, alone or in conjunction with previous temporary urgency changes. RRK's assertions that "there is zero guarantee that there will be any flow" in the Russian River is contrary to the enforceable minimum instream flow requirements of Permit 12947A and this Order. Although Sonoma Water's TUCP and this Order address an urgent and emergency situation, the proposed temporary changes to Sonoma Water's existing operations remain comparatively minor, unless conditions remain dry or worsen to critically dry in the Russian River watershed while remaining normal in the Eel River watershed. Furthermore, contrary to RRK's assertion, maintenance, restoration, enhancement, or protection actions need not benefit natural resources or the environment immediately or "right now" to be effective.

In conjunction with RRK's arguments that successive temporary urgency changes to Sonoma Water's water rights permits are cumulative projects under CEQA, RRK alleges that Decision 1610 has "long standing and well-known inadequacies" that should have been addressed comprehensively through permanent changes. RRK's requests prompt revision of the Decision 1610 hydrologic index. When referring to a "flawed Biological Opinion," the uncertainty of future PVP operations, and the nascent Two-Basin Partnership in its comment letter, RRK also explicitly acknowledges some of the very complexities that have hindered comprehensive environmental review of and water right changes pursuant to any proposed amendment of Decision 1610. As RRK notes, Sonoma Water has filed long-term change petitions to modify the hydrologic index and other portions of Decision 1610. But many details of its actual proposal and the means by which the crucial issues referenced above, among other concerns, may be adequately addressed and resolved for this long-term change petition remain materially uncertain. This Order is conditioned on Sonoma Water's submitting a report detailing a schedule of milestones and completion dates for additional activities necessary for the State Water Board's consideration of, and potential action on, Sonoma Water's pending petitions to permanently change Permit 12947A and other related water rights.

Regarding RRK's urging the State Water Board to take various action on water diversions and uses under rights not held by Sonoma Water – both upstream and downstream of Lake Mendocino, in both the Russian River and Eel River watersheds – this falls outside the scope of what is being requested in the TUCP or may be included as a condition of this temporary urgency change approval. However, to improve information regarding and understanding of the dynamics of Russian River flows and water uses and to facilitate possible future action, if warranted, under other authorities held by the State Water Board, Condition 11 of this Order contains a condition requires Sonoma Water to develop an accounting methodology characterizing its inflows to and releases from Lake Mendocino.

## **5.0 CRITERIA FOR APPROVING THE PROPOSED TEMPORARY URGENCY CHANGE**

Water Code section 1435 provides that a right holder who has an urgent need to change the point of diversion, place of use, or purpose of use from that specified in the water right may petition for a conditional temporary change order. The State Water Board's regulations set forth the filing and other procedural requirements applicable to TUCPs. (Cal. Code Regs., tit. 23, §§ 805, 806.) The State Water Board's regulations also clarify that requests for changes to permits or licenses other than changes in point of diversion, place of use, or purpose of use may be filed, subject to the same filing and procedural requirements that apply to changes in point of diversion, place of use, or purpose of use. (*Id.*, § 791, subd. (e).)

Before approving a TUCP, the State Water Board must make the following findings: (1) the right holder has an urgent need to make the proposed change; (2) the proposed change may be made without injury to any other lawful user of water; (3) the proposed change may be made without unreasonable effect upon fish, wildlife, or other instream beneficial uses; and (4) the proposed change is in the public interest. (Wat. Code, § 1435, subd. (b)(1)-(4).)

A temporary change order does not result in the creation of a vested right, even of a temporary nature, but shall be subject at all times to modification or revocation in the discretion of the Board. (Wat. Code, § 1440.)

### **5.1 Urgency of the Proposed Change**

Under Water Code section 1435, subdivision (c), an "urgent need" means "the existence of circumstances from which the board may in its judgment conclude that the proposed temporary change is necessary to further the constitutional policy that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that waste of water be prevented . . . ."

In this case, an urgent need exists for the proposed change in the hydrologic index for determining minimum instream flow requirements in the upper Russian River because, as described in the TUCP, cumulative inflow into Lake Pillsbury does not reflect hydrologic or water supply conditions in the Russian River watershed; storage levels in Lake Mendocino are currently extremely low for January, but the current hydrologic index indicates conditions are normal. The changes in PVP operations since 2004, the FERC temporary variance anticipated to be sought by PG&E for the PVP, and the severe drought conditions that occurred in 2020 in the Russian River watershed further compound the urgency. Without the proposed change, Permit 12947A's applicable minimum instream flow requirements may require releases of water from Lake Mendocino at levels that would risk significant depletions of reservoir storage and potential elimination of water supplies for water users in Mendocino County and northern Sonoma County (above the confluence

with Dry Creek) during the summer and fall of 2021. Such depletions in storage and reductions or eliminations of water supplies would risk water supplies needed for fishery protection, municipal and agricultural supplies, and recreation use in the upper Russian River. Extremely low storage levels may result in loss of the cold-water pool in Lake Mendocino that is needed to support listed Russian River salmonid fishery species in the fall, and may cause increased total dissolved solid or mercury concentrations if lake-bottom sediments become displaced due to reservoir operation at low storage levels.

Water Code section 1435, subdivision (c) also states that the State Water Board shall not find a petitioner's need to be urgent if it concludes that the petitioner has not exercised due diligence either in petitioning for a change pursuant to provisions other than a TUCP or in pursuing that petition for change. In this case, Sonoma Water has submitted petitions pursuant to Water Code section 1700 et seq. to modify Decision 1610 (the long-term petitions), including but not limited to modifying the hydrologic index that establishes water year type for Permit 12947A. Sonoma Water continues to work on those pending long-term petitions, including efforts to meet the requirements of CEQA and to develop more certainty regarding the future of PVP operations and Biological Opinions affecting the Russian River watershed. Given the circumstances discussed in this Order, the State Water Board finds that Sonoma County has exercised due diligence to this point and that there is an urgent need for the petitioned temporary change to Permit 12947A. To assist State Water Board staff in determining whether Sonoma Water continues to pursue its long-term petitions with due diligence, this Order requires Sonoma Water to submit a schedule of milestones related to completion of CEQA documents related to the long-term petitions, and any related concurrent or subsequent activities necessary for State Water Board action on Sonoma Water's long-term petitions.

The actual hydrologic conditions in the upper Russian River watershed and the aforementioned issues that could otherwise occur in the late summer and fall create an urgent need for avoidance and mitigation actions now. Specifically, Sonoma Water has demonstrated an urgent need to preserve Lake Mendocino storage through temporarily adjusting the hydrologic index applicable to the upper Russian River under Permit 12947A.

## **5.2 No Injury to Any Other Lawful User of Water**

Under Decision 1610 and the terms and conditions of its associated water rights permits, Sonoma Water is required to maintain specified flows in the Russian River from Lake Mendocino to the Russian River's confluence with the Pacific Ocean. This Order retains these existing minimum instream flow requirements but, specifically for upper Russian River minimum instream flows under Permit 12947A, temporarily changes the circumstances under which "dry" or "critical" water supply conditions will apply. Because minimum instream flows will continue to be maintained under this Order consistent with hydrologic conditions within the upper Russian River watershed, it is anticipated that all other lawful users of water will be able to divert and use the amounts of water to which they are legally entitled during the period specified in this temporary urgency change order. Other legal users of water will not be injured by reduction in releases of previously

stored water because water released from storage is not available for diversion by downstream users with an independent basis of right. (See, e.g., *North Kern Water Storage Dist. v. Kern Delta Water Dist.* (2007) 147 Cal.App.4th 555, 570 [when the stored water is released for use, it is not part of the river's natural flow and redirection of this water does not count toward the appropriator's current allocation of river water]; *State Water Resources Control Bd. Cases* (2006) 136 Cal.App.4th 674, 737-745 [a riparian or appropriator has no legally protected interest in other appropriators' stored water or in the continuation of releases of stored water].)

The State Water Board will supervise diversion and use of water under this temporary urgency change order for the protection of all other lawful users of water pursuant to Water Code section 1439.

### **5.3 No Unreasonable Effect upon Fish, Wildlife, or Other Instream Beneficial Uses**

Prior to approval of a TUCP, the Board must find that the proposed change may be made without unreasonable effect upon fish, wildlife, or other instream beneficial uses. In addition, the State Water Board has an independent obligation to consider the effect of approval of Sonoma Water's petitions on public trust resources and to protect those resources where feasible. (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419 [189 Cal.Rptr. 346].) Public trust resources may include, but are not limited to, wildlife, fish, aquatic dependent species, streambeds, riparian areas, tidelands, and recreation in navigable waterways, as well as fisheries located in non-navigable waterways. It is also the policy of this state that all state agencies, boards, and commissions shall seek to conserve endangered species and threatened species and shall use their authority in furtherance of the purposes of the California Endangered Species Act (Fish & G. Code, § 2050 et seq.). State agencies should not approve projects that would jeopardize the continued existence of any endangered species or threatened species if there are reasonable and prudent alternatives available consistent with conserving the species or its habitat that would prevent jeopardy. (Fish & G. Code, §§ 2053 & 2055.)

Relying on Lake Mendocino storage thresholds to define the water supply conditions for determining upper Russian River minimum instream flow requirements may result in lower instream flows in the upper Russian River than might otherwise occur under the current hydrologic index in Term 20 of Permit 12947A. However, preservation of stored water in Lake Mendocino for subsequent releases is crucial to ensure sufficient water supply for municipal and agricultural uses, fish and wildlife, and other instream beneficial uses. It is possible that such reduced flows may impair instream beneficial uses, such as fish and wildlife, and recreational uses, in the upper Russian River, given that the temporary urgency changes approved under order will extend into the summer. However, any effects associated with such flow reductions would not be unreasonable, considering the potential impacts to fish, wildlife and other instream beneficial uses that could occur if dry conditions persist and reliance on the current hydrologic index led to reduced storage in Lake Mendocino or the dewatering of the upper Russian River later in the year.



### **5.3.1 Consultation with Other Agencies**

Sonoma Water has consulted with the California Department of Fish and Wildlife (CDFW), NMFS, and North Coast Water Board regarding filing the TUCP and the effects of the proposed change.

On January 20, 2021, the North Coast Water Board submitted a letter supporting Sonoma Water's TUCP. The North Coast Water Board staff agreed with the need to reduce flow releases from Lake Mendocino to avoid adverse impacts to beneficial uses resulting from poor water quality conditions that occur when the reservoir reaches low storage levels. Specifically, the North Coast Water Board noted that reservoir sediments may be entrained into the reservoir's discharge as the water elevation declines, which would result in elevated turbidity and suspended sediment concentrations released downstream. Among other things, such discharges can cause impacts to downstream spawning gravels from settleable solids, and could be further complicated by the fact that Lake Mendocino is listed on the list of impaired waterbodies under Clean Water Act section 303(d) (303(d) list) due to mercury. While storage levels lower than current conditions have been experienced during droughts, there is the possibility of Lake Mendocino storage levels decrease to unprecedented levels and it is unclear how water quality, including mercury levels, may change at such unprecedented conditions. This uncertainty is addressed by conditions in this Order requiring Sonoma Water to conduct ongoing monitoring and to confer with the North Coast Water Board if conditions indicate additional monitoring or changes to the Order are necessary.

The North Coast Water Board also noted concerns about harmful algal blooms of cyanobacteria (cyanoHABs) and elevated pathogen concentrations that occur when low stream flow conditions coincide with warm weather in the Russian River and its tributaries. The Russian River is listed as impaired on the 303(d) list for pathogen conditions, leading to the North Coast Water Board's adoption of the Action Plan for the Russian River Watershed Pathogen Total Maximum Daily Load in August 2019. These conditions often pose a threat to public health and have resulted in public health advisory postings on the Russian River in recent years. The North Coast Water Board notes that past streamflow monitoring in the lower Russian River indicates that high rainfall following a dry year is not adequate to restore baseflows in the late summer. Given that the 2020 water year (Oct. 1, 2019-Sept. 30, 2020) was exceptionally dry, late summer baseflows are likely to be critically low in 2021 even if rainfall occurs in the coming months, further supporting the rationale for ongoing monitoring and coordination between Sonoma Water, the North Coast Water Board, and the State Water Board.

NMFS submitted a letter on January 22, 2021 in support of Sonoma Water's plan to conserve water storage in Lake Mendocino for its potential benefits to listed salmonids. NMFS's 2008 Biological Opinion calls for Sonoma Water to annually petition the State Water Board to reevaluate the minimum flow requirements in Decision 1610, and specifically to lower the minimum flow requirement at Healdsburg and Guerneville to

125 cfs and 70 cfs, respectively, during summer months. NMFS has requested additional terms and conditions be included to any order issued by the State Water Board to provide water needed to protect the adult and juvenile fall Chinook salmon, winter steelhead, and coho salmon in the Russian River. NMFS's requested terms and conditions in the January 22, 2021 letter are included in this Order to prevent unreasonable effects on fish and wildlife while preserving water needed for protecting salmonid species in the Russian River.

To allow for adaptive management of releases from Lake Mendocino, this Order requires Sonoma Water to provide weekly updates to the State Water Board, CDFW, NMFS, and the North Coast Water Board regarding the current hydrologic and water quality conditions for the Russian River and provide weekly updates on fishery conditions. This Order also requires Sonoma Water to initiate additional consultation with the North Coast Water Board on additional water quality monitoring activities if any water quality issues of concern are observed. This information will assist the State Water Board in determining whether additional actions or modifications to this Order are necessary.

### **5.3.2 Conservation**

Sonoma Water is actively engaged in water conservation to reduce demands on water stored in Lake Mendocino for municipal supply. Sonoma Water and its water contractors have continued implementing water use efficiency programs to comply with the California Water Conservation Act since the establishment of the Sonoma-Marín Water Saving Partnership (Partnership) in 2010. The Partnership represents twelve North Bay water utilities in Sonoma and Marin counties that have joined to provide regional solution for water use efficiency.

In summer 2020, the Partnership conducted a successful multi-media public outreach campaign from June through September called "Saving Water Ensures Water for What You Love" which emphasized the importance of water conservation for long-term water supply reliability, fisheries, and summertime recreation in the Russian River. This campaign was a contributing factor in the successful preservation of storage in Lake Mendocino and the avoidance of further reduced flows in the Russian River this past summer. In addition to public outreach, the Partnership continued to offer a wide variety of water-use-efficiency incentive programs, workshops, trainings, school classes, and other resources for customers in spite of limitations and restrictions on in-person activities during the ongoing novel coronavirus (COVID-19) pandemic. The Partnership members also continue winter water savings messaging to customers using advanced metering infrastructure (AMI) billing software, more traditional bill inserts, website posts, E-news, local radio, and direct customer outreach, in addition to social media advertisement. Should dry conditions persist, the Partnership will implement a further escalation of the winter outreach campaign, along with consideration to include a regional reduction target aligned with needed savings.

To ensure continuation of these conservation activities, this Order includes a condition that requires Sonoma Water to provide monthly updates to the Board when the Order results in lower minimum instream flows than would have been required pursuant to the Lake Pillsbury cumulative inflow index regarding conservation activities and programs being implemented by Sonoma Water and its water contractors.

With the conditions imposed by this Order, including ongoing efforts to support water conservation and regular monitoring and reporting of conditions by Sonoma Water, the State Water Board finds that granting the proposed temporary changes will not have an unreasonable effect on fish, wildlife, or other instream beneficial uses and protects public trust resources to the extent feasible. The State Water Board will continue to evaluate conditions in the watershed throughout the duration of this Order and consider other actions that may further the protection fish, wildlife, and other instream beneficial uses. The State Water Board will review the monthly conservation efforts of Sonoma Water and will continue to evaluate whether additional conservation measures are necessary to respond to dry conditions in the Russian River watershed and/or low storage in Lake Mendocino.

#### **5.4 The Proposed Change is in the Public Interest**

During ongoing review of information submitted by Sonoma Water throughout operations under the State Water Board's temporary urgency change order issued July 28, 2020 and expiring December 27, 2020, State Water Board staff observed that the Russian River appeared to experience significant losses of water downstream of Lake Mendocino. A comparison between the flowrates of water that were released from Lake Mendocino or Lake Sonoma and the flows measured at downstream gages following these releases suggests that some or all of the diminishing flows is the result of diversions by other users downstream of the reservoirs. As noted above, water released from reservoir storage is not natural flow and is not available for diversion by downstream users with an independent basis of right.

Diversions of water released from storage by Sonoma Water exacerbate the low flow conditions in the Russian River watershed and the risks to future water supply that this Order is — and the July 28, 2020 order was — intended to address. In addition to potentially injuring Sonoma Water, the diversions would be unreasonable given that they contribute to the risks of low storage in Lake Mendocino. The diversions may also be unauthorized diversions. The State Water Board has authority to take all appropriate actions to prevent injury to water users or public trust resources, or to prevent unreasonable diversion or use of water. (See, e.g., Cal. Const., art. X, § 2; Wat. Code, §§ 100, 183, 275, 1058.5, & 1831.) North Coast Water Board staff have also expressed support for actions to address diversions of other users in the watershed that contribute to low flow conditions and the resulting potential water quality impairments.

However, in order to issue notices of a potential lack of available water to diverters, or to take action to prevent unauthorized diversions, State Water Board staff need more specific information from Sonoma Water on the source and basis of right of water released from Lake Mendocino and how Sonoma Water's water rights are exercised. This Order requires Sonoma Water to provide an accounting methodology and subsequent ongoing information on what water is released from Lake Mendocino so that State Water Board staff are better equipped to take actions to respond to continued drought conditions, and ensure downstream diversions are not contributing to a risk to water supplies and listed Russian River salmonid fishery species that this Order is addressing. This Order requires Sonoma Water to report on diversion and rediversion activities with more specificity in the event drought conditions persist.

State Water Board staff also observed that the program of real-time 3-day advance forecasts of diversions by irrigation and municipal users within Mendocino County Russian River Flood Control and Water Conservation Improvement District (District) required by Condition 11 of the July 28, 2020 temporary urgency change order often resulted in demand forecasts that differed from estimates of actual diversions. Given that diversion data would assist in reducing unnecessary releases from Lake Mendocino and thereby assist in preserving storage, this Order includes a condition directing Sonoma Water to present recommendations on what additional diversion data could be collected should dry conditions persist into the summer. The recommendations will assist the State Water Board in ensuring the public interest is adequately served during implementation of this Order. Based on Sonoma Water's recommendations and State Water Board staff's independent research and oversight, the State Water Board will evaluate whether other information gathering authorities may be relevant to ensuring the adverse impacts of low storage levels in Lake Mendocino are avoided to the extent feasible.

This Order will likely help conserve stored water in Lake Mendocino. If drought conditions persist, stored water can be released to maintain instream flows for the benefit and protection of all uses of the Russian River, including the salmonid fisheries and recreation as well as consumptive uses. It is in the public interest to preserve water supplies for these beneficial uses given the extreme hydrologic circumstances and reasonable possibility of reduced water supplies within the Russian River.

Should the conditions that support the approval of this Order change, whether in alterations to water supply or identification of additional impacts to aquatic habitat, water quality, or other matters within the public interest, the State Water Board has the authority to revoke this approval or modify the terms and conditions of this Order as necessary to promote the interests of the public.

## 6.0 CONCLUSIONS

The State Water Board has adequate information in its files to make the evaluation required by Water Code section 1435. The findings of this Order are based on unique circumstances created by drought, and are independent from any findings to be made in connection with the related change petitions filed by Sonoma Water in 2009 and revised in 2016 pursuant to Chapter 10 of Division 2 of Part 2 of the Water Code.

I conclude that, based on the available evidence:

1. The right holder has an urgent need to make the proposed change;
2. The proposed change will not operate to the injury of any other lawful user of water;
3. The proposed change will not have an unreasonable effect upon fish, wildlife, or other instream beneficial uses; and
4. The proposed change is in the public interest.

## ORDER

**NOW, THEREFORE, IT IS ORDERED THAT:** the petition filed by Sonoma Water for a temporary urgency change in Permit 12947A is approved and effective from the date of this Order until July 26, 2021.

All existing terms and conditions of the subject permit remain in effect, except as temporarily amended by the following terms:

1. The minimum instream flow requirements for the upper Russian River (from its confluence with the East Fork of the Russian River to its confluence with Dry Creek) will be established using a hydrologic index based on water storage in Lake Mendocino. The definitions included in Term 20 of Permit 12947A shall be modified as follows as the definitions apply to the upper river:
  - a. Dry water supply conditions will exist when storage in Lake Mendocino is less than:
    - 40,000 acre-feet as of January 1
    - 59,000 acre-feet as of February 1
    - 68,000 acre-feet as of March 1
    - 69,500 acre-feet as of March 16
    - 71,000 acre-feet as of April 1

70,000 acre-feet as of April 16  
69,000 acre-feet as of May 1  
67,500 acre-feet as of May 16  
65,000 acre-feet as of June 1

- b. Critical water supply conditions exist when storage in Lake Mendocino is less than:

31,000 acre-feet as of January 1  
36,000 acre-feet as of February 1  
52,000 acre-feet as of March 1  
53,000 acre-feet as of March 16  
54,000 acre-feet as of April 1  
53,000 acre-feet as of April 16  
52,000 acre-feet as of May 1  
51,000 acre-feet as of May 16  
50,000 acre-feet as of June 1

- c. Normal water supply conditions exist in the absence of defined dry or critical water supply conditions.

2. During each week or partial week that water supply conditions result in lower minimum instream flows per this Order than would have been required pursuant to the Lake Pillsbury cumulative inflow index (Term 20 of Permit 12947A), Sonoma Water shall conduct the following fisheries monitoring tasks and associated recording and reporting requirements. A summary of the fisheries monitoring tasks described below shall be submitted to the State Water Board's Deputy Director for Water Rights (Deputy Director), CDFW, and NMFS by October 1, 2021 in accordance with NMFS and CDFW annual reporting requirements as more fully described in the NMFS Russian River Biological Opinion.

- a. If flow conditions allow, Sonoma Water shall continue monitoring and recording daily numbers of adult salmon and steelhead moving upstream past the life cycle monitoring station at the Mirabel Dam fish ladder. The Mirabel Dam fish ladder and video counting station only functions when Mirabel Dam is in operation. Adult salmonid monitoring at this location can cease if high river flow necessitates deflation of Mirabel Dam. Mirabel fish ladder numbers shall be included in weekly the hydrologic status reports submitted to the Deputy Director, CDFW, NMFS, and the North Coast Water Board pursuant to Condition 4 of this Order.
- b. If suitable water clarity allows redd and spawning surveys, Sonoma Water shall monitor the spawning activity of adult salmon and steelhead in representative reaches in Dry Creek, Alexander Valley, and the Upper River.

- c. Sonoma Water shall provide fisheries status updates with the weekly reports described in Condition 4 of this Order. Sonoma Water shall consult at least biweekly with NMFS and CDFW. During consultation meetings, Sonoma Water shall share all relevant ongoing fisheries data including information gathered pursuant to the NMFS Biological Opinion and CDFW Coastal Monitoring Plan. Sonoma Water shall submit a summary report of consultation details to the Deputy Director within one week of each consultation meeting.
  - d. To protect against stranding of fish when releases from Lake Mendocino are reduced under this Order, flow in the East Fork Russian River immediately below Coyote Dam shall not be reduced by more than 12 cfs/hr., with a minimum of 4 hours between the end of each flow reduction. Flow reduction shall not exceed 24 cfs per day. NMFS Santa Rosa Office (North Coast team) and CDFW shall be notified by email 48 hours in advance of ramping events that will reach 24 cfs per day. Ramping rates specified in this term may be revised upon consultation and concurrence with NMFS and CDFW and approval by the Deputy Director. If seeking such a revision, Sonoma Water shall submit to the Deputy Director a summary report of consultation details and documentation showing NMFS and/or CDFW concurrence that the Order should be amended to incorporate the revised ramping rates.
3. Sonoma Water shall continue ongoing monitoring in coordination with the United States Geological Survey (USGS) at the existing multi-parameter water quality sonde sites on the Russian River. By April 16, 2021, Sonoma Water shall consult with the North Coast Water Board to discuss possible water quality impacts of the reduced flows and whether additional water quality monitoring activities should be required to document water quality conditions in the Russian River. If any water quality issues of concern are observed from the continuous monitoring or water sampling required by this Order, Sonoma Water shall initiate additional consultation with the North Coast Water Board. Sonoma Water shall submit a summary report of consultation details and a description of proposed monitoring activities to the Deputy Director within one week of the consultation. Any necessary revisions to the terms and conditions of this Order may be made following consultation with the North Coast Water Board and approval by the Deputy Director.
4. During each week or partial week that water supply conditions result in lower minimum instream flows per this Order than would have been required pursuant to the Lake Pillsbury cumulative inflow index (Term 20 of Permit 12947A), Sonoma Water shall report, or make available on a publicly accessible website, to the Deputy Director, the North Coast Water Board, CDFW, and NMFS on a weekly basis regarding the current hydrologic condition of the Russian River system, including current Lake Mendocino reservoir level, the rate of decline for Lake Mendocino, a 16-day cumulative rainfall forecast, current inflow from the Potter

Valley Project, and Mirabel fish ladder numbers, and a summary of the available water quality data.

5. This Order does not authorize any act that results in the taking of a candidate, threatened or endangered species, or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, § 2050 et seq.) or the federal Endangered Species Act (16 U.S.C § 1531 et seq.). If a “take” will result from any act authorized under this Order, Sonoma Water shall obtain authorization for an incidental take permit prior to operation of the project. Sonoma Water shall be responsible for meeting all requirements of the applicable Endangered Species Act for the temporary urgency changes authorized under this Order.
6. The State Water Board reserves jurisdiction to supervise the temporary urgency changes under this Order, and to coordinate or modify terms and conditions, for the protection of vested rights, fish, wildlife, instream beneficial uses and the public interest as future conditions may warrant.
7. By April 1, 2021, Sonoma Water shall submit to the Deputy Director a report detailing a schedule of milestones and completion dates for additional activities necessary for the State Water Board’s consideration of, and potential action on, Sonoma Water’s pending petitions to permanently change Permit 12947A and other interrelated water rights. Such activities detailed in the report shall include, but are not limited to, Sonoma Water’s completion of review, analysis, and documentation to meet the requirements of the California Environmental Quality Act.
8. Sonoma Water shall immediately notify the Deputy Director if any significant change in storage conditions in Lake Mendocino occurs that warrants reconsideration of this Order.
9. If the hydrologic index described by Condition 1 of this Order indicates conditions are Dry or Critically Dry following March 1, Sonoma Water shall submit to the Deputy Director a monthly Water Conservation Status Report for Sonoma Water’s service area and other areas served by Lake Mendocino for the preceding month, starting April 1, 2021, and continuing until the expiration of this Order (July 26, 2021). The report shall specify the water conservation measures being implemented in the areas served by Lake Mendocino, and shall specify the water savings resulting from the measures during the term of this Order. Sonoma Water shall submit a final Water Conservation Report no later than August 31, 2021.
10. If the hydrologic index described by Condition 1 of this Order indicates conditions are Dry or Critically Dry following March 1, to facilitate releases of Lake Mendocino stored water with minimal operational buffers, Sonoma Water shall provide to the Deputy Director recommendations on what additional diversion information from other water users in the watershed may support improved real-time demand



forecasts and reduced operational buffers for Lake Mendocino. Sonoma Water shall coordinate with the Mendocino County Russian River Flood Control on developing the recommendations and shall submit the recommendations by April 1, 2021.

11. Sonoma Water shall submit a proposed accounting methodology to the Deputy Director that characterizes the source and basis of right of water flowing into (inflow) and released from Lake Mendocino and the subsequent redirection of this water by Sonoma Water or its contractors. The accounting methodology shall be sufficient to define, distinguish, and quantify the following:
  - a. Inflows from water native to the watershed and flows originating from the Potter Valley Project (PVP) or the Eel River.
  - b. Releases from Lake Mendocino that constitute bypass of water native to the watershed, bypass of water from the Eel River or PVP, water released from storage for downstream deliveries, or water released from storage to maintain instream flows.
  - c. Releases from Lake Mendocino that are redirected by Sonoma Water or its contractors.
  - d. Sonoma Water may choose to include additional inflow or outflow categories not listed under a, b, and c in the accounting methodology. Explanations for each category and how it is defined shall be included in the proposed accounting methodology.

The proposed methodology shall be submitted by April 1, 2021, and any revisions requested by the Deputy Director shall be incorporated within 30 days of being provided to Sonoma Water. If the hydrologic index described by Condition 1 of this Order indicates conditions are Dry or Critically Dry following May 1, 2021, Sonoma Water shall submit, or make available on a publicly accessible website, weekly reports of daily average release rates and characterize those releases based on the accounting methodology approved by the Deputy Director.

STATE WATER RESOURCES CONTROL BOARD

ORIGINAL SIGNED BY:

*Erik Ekdahl, Deputy Director*  
*Division of Water Rights*

Date: FEB 04 2021

16

## MEMORANDUM

To: Board of Directors  
 From: Drew McIntyre, General Manager   
 Subject: Renew Declaration of Local Emergency Related to COVID-19 Pandemic  
L:\gmbod misc 2021\renew covid emergency declaration #21 2\_12\_21.doc

February 12, 2021

**RECOMMENDED ACTION:** Approve continuation of the local emergency resulting from the COVID-19 pandemic as declared in District Resolution No. 20-07

**FINANCIAL IMPACT:** ~\$144,810 as of January 31, 2021 (total fiscal impacts are currently unknown)

On March 4, 2020, the Governor of the State of California declared a State of Emergency as a result of the coronavirus (COVID-19) pandemic. On March 13, 2020, the President of the United States declared a National Emergency as a result of the threat of COVID-19.

On March 16, 2020, the County of Marin by Order of the Health Officer issued a Shelter in Place Order limiting the travel of all county residents and ordering county businesses to cease all non-essential activities and to take further actions as described in said Order through April 7, 2020. The order limits activity, travel and business functions to most essential needs.

On March 16, 2020 the General Manager, as the District's Emergency Manager activated the District's Emergency Operations Plan.

On March 19, 2020, Governor Newsom issued Executive Order N-33-20 ordering all individuals living in California to stay home at their place of residence, with certain exceptions for critical services and other qualifying exceptions. This shelter-in-place order has no specified termination date.

On March 31, 2020, the County of Marin by Order of the Health Officer issued an extended Shelter in Place Order through May 3, 2020 that is more restrictive than the original order. The new order continues to provide an exception for the operations and maintenance of "Essential Infrastructure," which includes, but is not limited to, water, wastewater, and recycled water service. Exemptions are also in place for Essential Government Functions, for certain "Minimum Basic Operations," for emergency management functions, for certain narrowly prescribed "Essential Business" functions, and for certain qualifying private construction, such as housing projects meeting low-income needs.

On April 29, 2020, Marin County and the other six Bay Area Public Health Officers issued a new order effective May 4, 2020 through May 31, 2020. Marin's public health order concerning use of face coverings does not have an end date and will remain in place until further notice. Under the May 4th Shelter-In-Place order, construction activities, certain businesses that operate primarily

outdoors, and some outdoor activities will be allowed to resume with specific conditions.

On May 15, 2020, Marin County issued a new order allowing a limited number of additional businesses and activities to resume operations subject to specified conditions. In particular, office spaces were allowed to resume operation on June 1, 2020 subject to strict compliance with specific Marin County requirements. This new order has no end date and is to remain in effect until rescinded or superseded.

On July 13, 2020 Governor Newsom issued a statewide order to dial back on recent loosening of restrictions due to a significant increase in the number of confirmed cases. As a result, various activities in Marin County were once again closed down, including: office space for non-essential operations, indoor malls, hair salons/barbershops and indoor seating at restaurants.

On September 15, 2020, Marin County successfully appealed to the California Department of Public Health (CDPH) to move into Tier 2 in the state's COVID-19 response framework. Moving from Tier 1, or "widespread" COVID-19 community risk (or purple) status, to the Tier 2 "substantial" (or red) status risk category allowing more businesses to reopen.

On October 27, 2020 Marin County was notified that California was moving the county from Tier 2 or "substantial risk" status to the Tier 3 or "moderate risk" level due to fewer daily cases, and a reduction in the positivity rate.

On November 16, Governor Gavin Newsom announced that CDPH officially moved Marin County from orange Tier 3 ("moderate risk") to the more restrictive red Tier 2 ("substantial risk") on its Blueprint for a Safer Economy. The step back comes just three days after the Marin County Department of Health and Human Services (HHS) notified local businesses and agencies about preemptive restrictions to stem the virus' spread locally.

On December 3, 2020 Governor Newsom announced that all sectors other than retail and essential operations will be closed in regions of California when less than 15% of intensive care unit (ICU) beds are available under a new Regional Stay Home Order. Marin County proactively implemented the State's Regional Stay Home Order at noon on December 8<sup>th</sup> and the state officially issued said Order to Marin County (as part of the Bay Area region) on December 17<sup>th</sup>.

On January 25, 2021, CDPH lifted the Regional Stay-Home Order for the Bay Area and statewide. All 11 counties in the Bay Area, including Marin, thereby moved into the purple (or Tier 1) stage within the State's "Blueprint for a Safer Economy". With 7% of Marin residents vaccinated and very limited weekly supplies, health officials noted that the vaccine will play a limited role in preventing any surges soon.

On April 7<sup>th</sup>, the Board of Directors approved Resolution No. 20-07 proclaiming the existence of a local emergency, granting the General Manager to take actions necessary for emergency response due to the COVID-19 pandemic until the State of Emergency is terminated.

Since April 21, 2020, the Board of Directors has, at every regular meeting, approved continuation of the local emergency resulting from the COVID-19 pandemic as declared in District Resolution No. 20-07.

District emergency planning has been aggressively implemented since March 16, 2020. The District's current COVID-19 Preparedness and Response Plan has been prepared to maintain optimum health and safety working conditions. As a result of the Plan, the District has adopted various housekeeping and physical distancing protocols and also instituted modified work schedules as appropriate. Initially approximately 50% of the District's staff were physically separated as much as possible by rotating shifts and having some employees work from home, but all critical operations needed to maintain essential services continue. Relocation of additional staff back to the District buildings, and certain other projects and activities has occurred and the District is now operating with 86% of staff on-site or in the field full time. The balance of staff are teleworking from home with most coming into the office at least one day each week. Walk-in customer service is still suspended. A summary of key emergency actions taken and current estimated costs is provided in Attachment 1.

As the COVID-19 emergency continues in our service area, Staff is requesting the Board find that there still exists a need to continue the State of Emergency reflected by Resolution No. 20-07.

RECOMMENDED ACTION:

Approve continuation of the local emergency resulting from the COVID-19 pandemic as declared in District Resolution No. 20-07.

## Emergency Actions Summary

### Emergency Operations Team Actions

- Water treatment plants have been closed to all non-essential staff and the public; expanded social distancing and safety measures for essential plant staff.
- Public lobby in the District Administration building has been closed and customers have been provided with alternative methods for communicating with District staff.
- Developed guidelines for social distancing in the office and in the field; distributed guidance to all employees and posted social distancing protocol at facility entrances.
- Developed an initial rotational schedule for operations and maintenance staff to reduce staffing density on-site and minimize the number of employees on duty while completing essential work. (This approach reduced productivity, but improved the likelihood of healthy backup staff.)
- During initial response, shifted ~50 percent of employees to rotating schedule and/or rotating work currently ~15% of employees are on full or partial temporary telework assignments.
- Procured additional District cell phones for field staff to have better access to District communications and direct contact with supervisors.
- Disinfected District vehicles and reconfigured vehicle assignments to accommodate single occupancy to allow for social distancing, including re-deployment of vehicles scheduled for auction.
- Suspended discretionary water service turn-offs for the duration of the emergency declaration.
- Continuing coordination with local agency, county and state contracts to share information and implement best practices.
- Participating in weekly multi agency coordination calls through Marin County Office of Emergency Services (OES).
- Updating public website, messaging and social media posts as necessary including messages on suspension of walk-in services and water safety and reliability.
- Spring 2020 Waterline newsletter, direct mailed to all customers, included COVID-19 messaging with information on water safety and reliability.
- Posted magnetic signage on vehicles to inform public to respect distancing around crews.
- Issued guidance on face coverings in compliance with Centers for Disease Control and Prevention and County recommendations; revised to address April 29 County order generally requiring members of the public and workers to wear face coverings.
- Developed and rolled out an employee self-assessment screening questionnaire for use by any District employee or vendor prior to entering a District workspace; self-assessment questions are reviewed and updated as needed.
- Continue to procure necessary face coverings and personal protective equipment, including disposable masks, face covering and N95 equivalent masks.
- Tracking customer delinquency and comparing to last year to assess potential revenue impacts.

- Developing a living “lessons learned” document.
- Installed hand disinfecting stations at District facilities.
- Expanded use of District’s on-call requirements to ensure construction crew staff maintain their work “bubbles” to ensure adequate back-up staff availability.
- Increased janitorial services to include disinfection of frequently touched areas (door handles, knobs, etc.).
- Modified work spaces to improve physical separation between staff.
- Developed a COVID-19 Preparedness and Response Plan and provided training.
- Implemented a daily self-assessment reporting program for all staff reporting to work.
- Modifying District office front lobby in preparation of re-opening walk-in services (Date to be determined).
- Installed “No Touch” drinking fountains in both Administration Building and Construction Building.

#### **General Manager Authorizations**

- Extended vacation accrual maximums from July 1, 2020 to September 30, 2020.
- Extended FY 2019/20 vision insurance reimbursement eligibility from July 1 to August 31, 2020.

## COVID Cost Summary

### PROCUREMENT EXPENSES

Vendor Purchases	Procurement Type	Total Purchase Order Amount	Date
Durkin Signs & Graphics	Magnetic "Social Distance" Signs	\$1,077	4/14/2020
Winzer Corporation	Surgical Masks (2,000)	\$3,751	4/15/2020
Boucher Law	COVID Protection Plan + Ongoing Support	\$8,243	3/2020-12/2020
JCA Construction	Misc. Office Social Distancing Modifications	\$13,177	6/30/2020
Winzer Corporation	Surgical Masks (2,000)	\$1,592	7/6/2020
Novato Glass	Plexiglass	\$3,969	6/9/2020
Amazon	Face Masks (12)	\$54	6/30/2020
USA Bluebook	Digital Forehead Thermometers (2)	\$218	7/30/2020
Amazon	Digital Thermometers (20)	\$144	6/24/2020
Amazon	Face Masks (120)	\$405	8/20/2020
Winzer Corporation	Surgical Masks (2,000)	\$570	1/14/2021
<b>Total Procurement Amount To-Date</b>		<b>\$33,200</b>	



**Internal Labor Expenses**

Increased on-call labor costs: ~\$73,025 thru December 31, 2020  
~\$81,750 thru January 31, 2021

Families First Coronavirus Response Act (FFCRA)  
Allows employees to take time off for COVID  
medical reasons and/or childcare. ~\$24,380 thru December 31, 2020

Payroll Collection Costs ~\$5,480 October 2020 -January 2021

**Water Bill Delinquency Impacts**

	<u>12/2019</u>	<u>12/2020</u>	<u>1/2020</u>	<u>1/2021</u>
Customer Accounts Past Due (count)	1.9%	4.3%	<b>1.8%</b>	<b>3.7%</b>
Delinquent Balances % Due on Account	4.1%	11.8%	<b>5.7%</b>	<b>10.6%</b>
Delinquent Balances \$ Due on Account	\$52,000	\$124,00	<b>\$50,000</b>	<b>\$144,000</b>

**17**

## MEMORANDUM

TO: Board of Directors  
FROM: Drew McIntyre, General Manager  
SUBJECT: Gallagher Well No. 2 Project CEQA Addendum Update  
r:\folders by job no\6000 jobs\6609.20 new gallagher well #2\bod memos\ceqa addendum update bod memo 2\_12\_21

Date: February 12, 2021

**RECOMMENDED ACTION:** Information Only**FINANCIAL IMPACT:** None at this time.

At the December 15, 2020 Board meeting, staff provided an update for the Gallagher Well No. 2 project and discussed the proposed CEQA strategy recommending an addendum to the 2009 Gallagher Wells and Pipeline Project IS/MND. This approach was supported by Environmental Science Associates (ESA) and also confirmed by District legal counsel. At the January 5<sup>th</sup> Board meeting, staff, legal counsel and ESA consultants presented an overview of the Draft Addendum to the 2009 Mitigated Negative Declaration (MND) and Initial Study (IS) for the Gallagher Wells and Pipeline Project and the Board approved staff's request that the draft Addendum be circulated to regulatory agencies and other interested parties as identified by Supervisor Dennis Rodoni for a 30-day courtesy comment period and that formal adoption of the Addendum and approval of the project be publicly noticed on a future agenda as part of a regularly scheduled NMWD Board meeting. The 30-day courtesy review period begin on January 8, 2021 and ended February 8, 2021.

Two comment letters have been received on the CEQA Addendum to-date. It was initially anticipated that this item would be scheduled for consideration at the February 16, 2021 meeting. However, staff and our consultants need more time to provide thorough responses to said letters. As such, Board action to consider adoption of Addendum and project approval will be delayed until the first or second meeting in March. An updated CEQA documentation schedule is provided in Attachment 1.

**ATTACHMENT 2**  
**GALLAGHER WELL No. 2 PROJECT**  
**CEQA REVIEW PROCESS TIMELINE**

<b>Description</b>	<b>Date</b>	<b>Current Status/Comments</b>
Board Meeting – Discuss Proposed CEQA Strategy	December 15, 2020	Complete
Board Meeting – Request Approval to Initiate Courtesy CEQA Review	January 5, 2021	
30-day Courtesy Review Period Begins	January 6, 2021	
30-day Courtesy Review Period Ends	February 5, 2021	
Board Meeting – Adopt Addendum	February 16, 2021	

Updated: December 29, 2020

18

## MEMORANDUM

To: Board of Directors

February 12, 2021

From: Ryan Grisso, Water Conservation Coordinator

Subject: FY 2020-21 Second Quarter Progress Report – Water Conservation

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**RECOMMENDED ACTION:** Information**FINANCIAL IMPACT:** NoneWater Conservation

This memo provides an update on water conservation and public outreach activities implemented during the first half of Fiscal Year 2020/2021 (FY 21). Water Conservation participation numbers for the first quarter of the current and previous two fiscal years are summarized in Table 1 below.

**Table 1: Water Conservation Program Participation (July through December)**

Program	FY19	FY20	FY21
Water Smart Home Surveys	165	83	0
Water Smart Commercial Surveys	1	1	0
Toilet Replacements (Residential)	68	80	59
Toilet Replacements (Commercial)	1	0	3
Retrofit on Resale (Dwellings Certified)	94	103	121
High Efficiency Washing Machine Rebates	7	6	11
Cash for Grass Rebates	10	8	7 <sup>1</sup>
Water Smart Landscape Rebates	3	8	5
Smart Irrigation Controller Rebates	7	8	17
New Development Sign-offs (Residential Units)	9	11	4 (131 Units)
New Development Sign-offs (Commercial Units)	10	12	7

<sup>1</sup> Cash for Grass participants removed 4,965 square feet in FY21 compared to 7,135 square feet in FY20

**Water Conservation Programs**

Water conservation participation has continued with lower participation this fiscal year (consistent with other water utilities), although the decline in participation has appeared to level out in most programs since the post drought period. The COVID-19 period has also hindered participation in some of the conservation programs. The Water Smart Home Survey (WSHS) Program, which has remained fairly consistent even during the drought recovery period, has es-

entially been put on hold (for in person home visits) due to COVID-19, however, staff does continue to offer water use consultations by phone and site visits for brief leak or irrigation related issues if staff can remain outdoors and maintain a safe distance. The notable increases in participation are the Retrofit on Resale Program (demonstrating that the real estate market has not been affected by COVID-19 in Novato) and the Weather Based Irrigation Controller rebates, which jumped dramatically in the first half of FY 21. There was also a minor increase in the clothes washer rebates, but still far below historical numbers. With increased social media and other communications actions slated for this fiscal year, hopefully the water conservation program participation can rebound.

#### Public Outreach and Conservation Marketing

In the first half of FY21, the District kicked off a year-long enhanced social media campaign with weekly planned posts in Facebook, Twitter and Instagram. These posts include everything from Board Meeting advertisements, to historically significant events, to conservation programs and many others planned over the next year. Recently a winter “Dry Year” outreach campaign was initiated due to low rainfall levels in cooperation with the Sonoma Marin Saving Water Partnership to advise customers of the situation and to provide winter time water conservation tips. The District continues to monitor and review the new website and make changes and updates as needed to keep it fresh and easily navigable. Most notably the website news stories are being updated regularly and the rotating news flash on the front page is adjusted for the most pertinent news stories for the given time period. Staff is also using the WaterSmart AML dashboard and customer portal as a public outreach tool to help inform customers on water use patterns and leaks and has also used the group messenger function to deploy emails to customers. The Fall Waterline newsletter was distributed to all Novato customers and again focused on In the West Marin Service Area, a Summer Waterline newsletter was mailed in early September to remind customers of the water shortage emergency in effect.

All of the outreach efforts (including social media, website, print-ads and newsletters) for the preceding month are provided to the Board in a report on the miscellaneous calendar typically at the second meeting of each month.

#### Budget and Staffing

Table 2 summarizes the first half expenditures between the three fiscal years for (July-September). FY21 expenditures are consistent with FY20 and higher than FY19, although they continue to be below historical levels due to reduced program participation (mainly Cash for Grass and Water Smart Home Surveys).

**Table 2: Water Conservation and Outreach Expenditures (July through December: FY 2019 - 2021)**

	FY 19	FY 20	FY 21
Total Budget	\$380,000	\$390,000	\$390,000
July-December Actual	\$157,800	\$152,439	\$146,692

### **Staffing**

Water Conservation continues to be staffed by one full time Water Conservation Coordinator. The District also has a partnership with Sonoma County Water Agency through the Sonoma-Marin Saving Water Partnership to implement and staff some of the District Water Conservation Programs including the WSHS program (estimated at 250 hours per quarter), however SCWA staff has had very limited involvement with the District programs during the COVID-19 period.




19

## MEMORANDUM

To: Board of Directors

Date: February 12, 2021

From: Tony Williams, Assistant GM/Chief Engineer 

Subject: FY2020-21 Second Quarter Progress Report – Engineering Department

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The purpose of this memo is to provide a mid-year status report to the Board on the District's performance in completing budgeted FY2020-21 Capital Improvements Projects (CIP) with a primary emphasis on planned (i.e., baseline) versus actual performance. The following information supplements the progress report summary provided to the Board each month.

SUMMARY

<u>Service Areas</u>	<u>Project Costs (\$)</u>		<u>% Complete</u>		<u>Earned Value (\$)</u>	
	Budget (\$)	Forecast (\$)	Planned	Actual	Planned	Actual
Novato Water	4,987,000	4,041,097	12	11	498,592	476,031
Novato Recycled	100,000	100,000	0	0	0	0
West Marin	1,775,000	2,054,453	61	56	1,259,340	1,149,857
TOTAL	6,682,000	6,195,550	28	26	1,757,932	1,625,888

The above table summarizes the detailed tabulation of CIPs for both Novato and West Marin (including Oceana Marin) systems provided in Attachment A. In summary, CIP expenditures for the Novato Water and Novato Recycled Water service areas are forecasted to be just below the approved FY2020-21 budget level. The West Marin service area is forecasted to be above the FY2020-21 budget level. With respect to planned versus actual completion for the second quarter, the Novato Water, Novato Recycled Water and West Marin service areas (including Oceana Marin) are generally on track with planned progress, given that many projects are still in a design phase.

Performance Status for Improvement Projects

As shown on the following table (Page 3), a total of twenty-three (23) projects (versus 34 in FY19-20) were originally budgeted in FY2020-21 for the Novato, West Marin and Oceana Marin service areas. Sixteen (16) new projects have been added, five (5) have been carried over and one project has been deleted resulting in a new total of forty-three (43) projects. Of the forty-three Capital Improvement Projects budgeted, 27 (versus 22 in FY19-20) are under the lead responsibility of the Engineering Department for completion (20 in Novato and 7 in West Marin). The remaining 16 (versus 12 in FY19-20) CIP projects are under the responsibility of the other departments (i.e., 11 – Operations, 1 - Maintenance, and 4 - Admin) (Refer to the tabulation in Attachment A for a complete line item listing).

### Novato Service Area Project Costs Variances

As shown in Attachment A, all of the FY2020-21 Novato CIPs all are currently projected to be completed at or below original budget.

Eleven new projects have been added: Loop Southern and Northern Zone 2 at Indian Valley College, Polybutylene Replacements: Vivian and Verissimo (21), Replace Plastic Thin Walled Pipe <4-Inch – Wilson, Replace 6" AC Pipe (810') – Glen Rd., Polybutylene Replacements : Black Point (20) and Vineyard, San Joaquin, Wilson, Brooke (14), Redwood Blvd Pipe Lowering, Novato Blvd Widening – Diablo to Grant, Watershed Property – Vineyard Fence, STP – Upgrade Plant Water Booster Pump Station, and STP – Coat Top of Concrete Clearwells. Five projects have been carried over: Plastic Thin Walled Pipe <4-Inch – Scown Ln, Replace CI Pipe – Grant Ave., MSN B2 – Utility Agreement Costs, AEEP Post Construction Costs, and Asset Management Software Procurement/Implementation. One project has been deleted: Replace 12" CI Pipe (785lf) So. Novato Blvd (between Rowland/Adele), but has essentially been replaced with the Novato Blvd Widening project which includes replacement of 12" CI pipe.

### West Marin Service Area (including Oceana Marin) Project Costs Variances

As shown in Attachment A, all but two of the FY2020-21 West Marin CIPs expenditures are currently projected to be within the original budget (exceptions are New Gallagher Well #2 and Gallagher Ranch Streambank Stabilization). Five projects have been added: Replace Plastic Thin Walled Pipe <4-Inches – Blackberry Lane, Replace PRE 2" Galvanized Pipe – Balboa, Drakes View, Baywood, Polybutylene Replacements: State Route 1 Pt. Reyes – Caltrans, Olema Pump Station Wireless to Tank, and PRE Pump Station #2 Pumping Equipment. No projects have been carried over or deleted/deferred.

### Engineering Department Labor Hours

The Engineering Department provides a multitude of functions supporting overall operation, maintenance and expansion of water facilities. The major work classifications are: (1) General Engineering, (2) Developer Projects and (3) District (i.e., CIP) Projects. Out of the approximately 14,900 engineering labor hours available annually (less Conservation), the FY2020-21 labor budget for Developer Projects and District Projects is 1,504 (10% of total) and 2,722 (18% of total), respectively. A chart of actual hours expended versus budgeted hours for both Developer and District projects during FY2020-21 is provided in Attachment B. At the end of the second quarter, actual engineering labor hours expended for Developer work was 128% (962 hours) versus 50% (752 hours) budgeted. With respect to District Projects, 1,587 engineering labor hours (117% of budget) have been expended on Capital Improvement Projects.

FY 2020-21  
CAPITAL IMPROVEMENTS PROJECTS

	NOVATO SERVICE AREA	WEST MARIN/ OCEANA MARIN	TOTAL
PROJECTS BUDGETED			
Original Budget	16	7	23
Added	11	5	16
FY 19-20 Carryover	5	0	5
Deferred/Dropped	-1	0	-1
Adjusted Budget	31	12	43

**FY19-20 CARRYOVER**

**Date Brought to Board**

Novato

Replace Plastic Thin Walled Pipe <4-Inch – Scown Ln

First Quarter Report

Replace CI Pipe – Grant Ave

First Quarter Report

MSN B2 – Utility Agreement Costs

First Quarter Report

AEEP Post Construction Costs

First Quarter Report

Asset Management Software Procurement/Implementation

First Quarter Report

West Marin

None

**DEFERRED/DROPPED**

Novato

Replace 12" CI Pipe (785lf) So. Novato Blvd (between Rowland/Adele)

Second Quarter Report

West Marin

None

**PROJECTS ADDED**

Novato

Replace Plastic Thin Walled Pipe <4-Inch – Wilson

First Quarter Report

Loop Southern and Northern Zone 2 at IVC

First Quarter Report

PB Replacements: Vivian, Verissimo (21)

First Quarter Report

Watershed Property – Vineyard Fence

First Quarter Report

STP – Upgrade Plant Water Booster Pump Station

First Quarter Report

PB Replacements: Vineyard, San Joaquin, Wilson, Brooke (14)

Second Quarter Report

PB Replacements: Black Point (20)

Second Quarter Report

Replace 6" AC Pipe (810') – Glen Rd

Second Quarter Report

Redwood Blvd Pipe Lowering

Second Quarter Report

Novato Blvd Widening – Diablo to Grant

Second Quarter Report

STP – Coat Top of Concrete Clearwells

Second Quarter Report

West Marin

PB Replacements: SR 1 Pt Reyes – Caltrans

First Quarter Report

Olema Pump Station Wireless to Tank

First Quarter Report

PRE PS #2 Pumping Equipment

First Quarter Report

Replace PRE Galvanized Pipe – Balboa, Drakes View, Baywood

Second Quarter Report

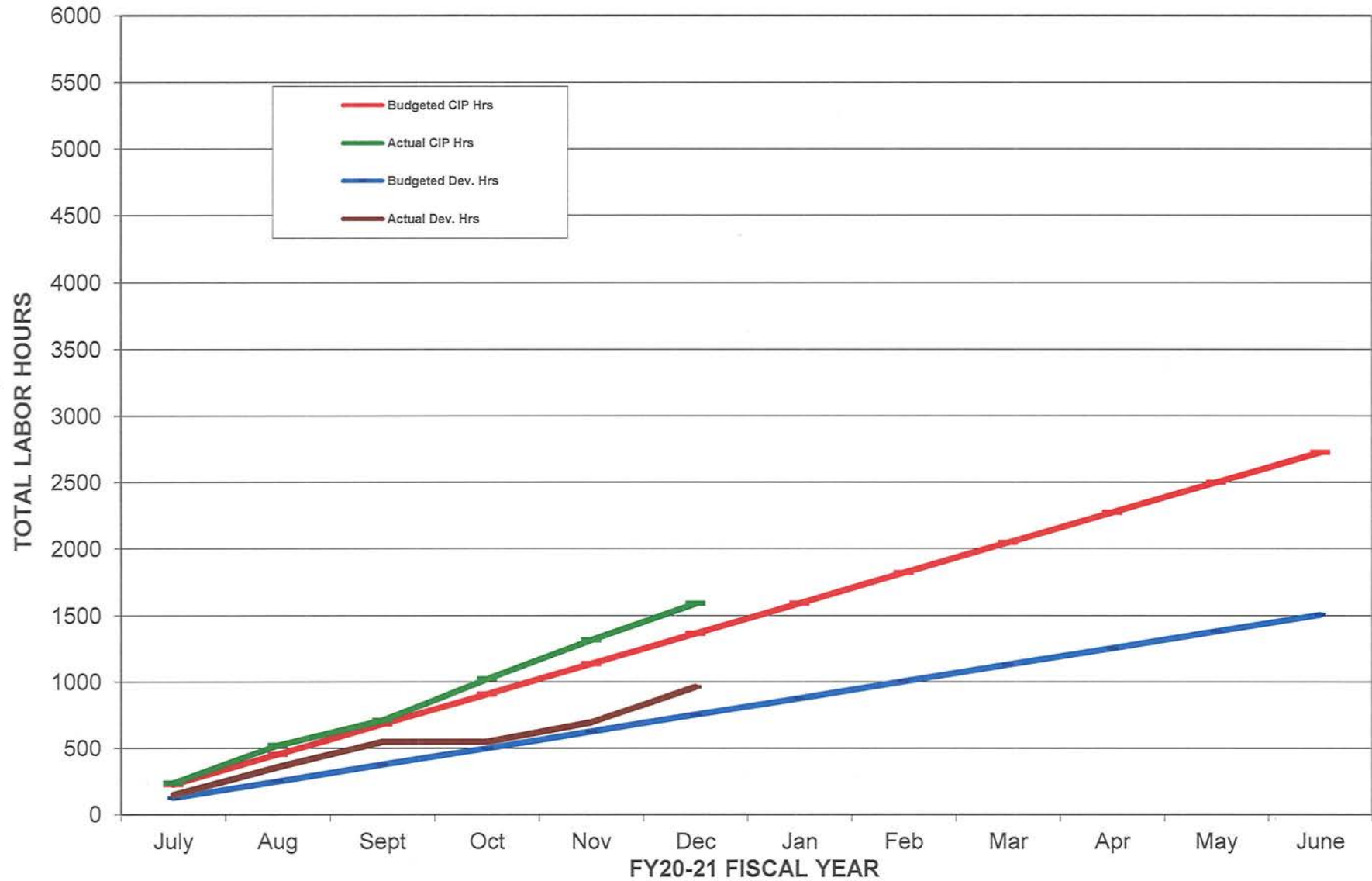
Replace Plastic Thin Walled Pipe <4-Inch – Blackberry Ln

Second Quarter Report

NOVATO SYSTEM CAPITAL IMPROVEMENT PROJECTS SUMMARY FY20-21										
AS OF DECEMBER 31, 2020										
STATUS	DEPT	ITEM #	PROJECT NO.	DESCRIPTION	PROJECT COSTS		% COMPLETE		EARNED VALUE	
					Budget	Forecast	Baseline	Actual	Planned	Actual
				1. PIPELINE REPLACEMENTS/ADDITIONS						
	Eng		1.a.1	Repl 12" CI Pipe (785ft) S. Novato Blvd <del>(between Rowland/Adele)</del> - DELETED	\$100,000	\$0				
			1.a.2	Replace Plastic Thin Walled Pipe <4-inch	\$150,000					
	Eng	1	1.a.3	<Replace Plastic Thin Walled Pipe <4-inch - Scown Ln>	\$0	\$100,000	85	83	\$85,000	\$83,187
C	Eng	2	1.a.4	Replace Plastic Thin Walled Pipe <4-inch - Wilson	\$0	\$15,793	100	100	\$0	\$15,793
PC	Eng	3	1.a.5	<Replace CI Pipe - Grant Ave>	\$0	\$170,000	5	10	\$8,500	\$5,325
PC	Eng	4	1.a.6	Replace 6" AC Pipe (810') - Glen Rd	\$0	\$100,000	5	7	\$5,000	\$6,654
PC	Eng	5	1.a.7	Redwood Blvd Pipe Lowering	\$0	\$45,000	40	32	\$18,000	\$14,447
	Eng	6	1.a.8	Novato Blvd Widening - Diablo to Grant	\$0	\$50,000	5	9	\$2,500	\$4,369
			1.a.9	Other Main Replacements (60+ yrs old)	\$200,000	\$20,000				
PC	Eng	7	1.b.1	San Mateo 24" Inlet/Outlet Pipe	\$910,000	\$910,000	5	5	\$45,500	\$46,643
C	Eng	8	1.b.2	Loop Southern and Northern Zone 2 at IVC	\$0	\$8,612	100	100	\$0	\$8,612
			1.b.3	Other Main/Pipeline Additions	\$150,000	\$0				
			1.c.1	Replace PB in Sync w/City Paving	\$70,000	\$0				
			1.c.2	Other PB Replacements	\$80,000	\$0				
C	Eng	9	1.c.3	PB Repl: Vivian, Verissimo (21)	\$0	\$70,000	100	100	\$70,000	\$69,343
C	Eng	10	1.c.4	PB Repl: Vineyard, San Joaquin, Wilson, Brooke (14)	\$0	\$35,000	100	100	\$35,000	\$30,046
PC	Eng	11	1.c.5	PB Repl: Black Point (20)	\$0	\$75,000	5	3	\$3,750	\$2,483
			1.d.1	Other Relocations to Sync w/City & County CIP	\$70,000	\$70,000				
				SubTotal	\$1,730,000	\$1,669,405				
PC	Admin	12	1.e.1	<MSN B2 - Utility Agreement Costs>	\$0	\$15,000	50	50	\$7,500	\$8,100
C	Admin	13	1.e.2	<AEPP Post Construction Costs>	\$0	\$2,000	100	100	\$2,000	\$2,160
				SubTotal	\$0	\$17,000				
				2. SYSTEM IMPROVEMENTS						
C	Eng	14	2.a	DCDA Repair/Replace	\$100,000	\$90,000	100	97	\$90,000	\$87,259
	Eng	15	2.b	Anode Installations	\$10,000	\$10,000				
C	Ops	16	2.c	<Asset Management Software Procurement/Implementation>	\$0	\$6,239	100	100	\$6,239	\$6,239
	Ops	17	2.d	Facilities Security Enhancements	\$25,000	\$25,000				
	Eng	18	2.e	San Marin Aqueduct Valve Pit (STP to Zone 2)	\$110,000	\$110,000				
C	Admin	19	2.f	Watershed Property - Vineyard Fence	\$0	\$35,453	100	100	\$35,453	\$35,453
				SubTotal	\$245,000	\$276,692				
				3. BUILDINGS, YARD, & S.T.P. IMPROVEMENTS						
PC	Eng	20	3.a.1	Office/Yard Building Renovation	\$1,000,000	\$300,000	5	1	\$15,000	\$3,855
PC	Eng	21	3.c.1	Leveroni Creek Embankment Repair	\$192,000	\$10,000	5	0	\$500	\$0
			3.c.2	Other TP Improvements	\$100,000	\$0				
	Ops	22	3.c.3	Efficiency Improvements	\$100,000	\$25,000	0	0	\$0	\$0
	Ops	23	3.c.4	STP Chemical System Upgrades (Tank R&R)	\$75,000	\$75,000				
	Ops	24	3.c.5	STP - High Service Pump #3 Replacement	\$20,000	\$15,000				
	Ops	25	3.b.6	Filter Underdrain/Media R&R	\$20,000	\$20,000	25	1	\$5,000	\$181
C	Ops	26	3.b.7	STP - Upgrade Plant Water Booster Pump Station	\$0	\$5,000	100	100	\$5,000	\$4,814
PC	Eng	27	3.b.10	STP - Coat Top of Concrete Clearwells	\$0	\$123,000	5	1	\$6,150	\$1,356
				SubTotal	\$1,507,000	\$573,000				
				4. STORAGE TANKS & PUMP STATIONS						
PC	Eng	28	4.a.1	Old Ranch Rd Tank No. 2	\$500,000	\$500,000	5	4	\$25,000	\$22,126
	Maint	29	4.b.1	Hydropneumatic Tank Repairs	\$30,000	\$30,000				
	Eng	30	4.c	Lynwood PS Motor Control Center	\$400,000	\$400,000				
PC	Eng	31	4.d	Crest PS (design/const)/Reloc School Rd PS	\$550,000	\$550,000	5	3	\$27,500	\$17,586
			4.e	Other Tank & PS Improvements	\$25,000	\$25,000				
				SubTotal	\$1,505,000	\$1,505,000				
				Novato Water Total	4,987,000	\$4,041,097	12	12	\$498,592	\$476,031
				5. RECYCLED WATER FACILITY						
			5.a	Other Recycled Water Expenditures	\$100,000	\$100,000	0	0	\$0	\$0
				Novato Recycled Total	\$100,000	\$100,000	0	0	\$0	\$0
				Total Novato	\$5,087,000	\$4,141,097	12	11	\$498,592	\$476,031
C - Completed				PROJECT FORECAST REVISED						
PC - Partially completed				Baseline projects with revised forecast budget increases (indicated by shaded box)						
				Baselined projects to be deferred (indicated in strikeout)						
				New projects added (indicated in bold)						
				Prior year projects carried over indicated in italics and brackets <>						

WEST MARIN CAPITAL IMPROVEMENT PROJECT SUMMARY FY20-21											
AS OF DECEMBER 31, 2020											
STATUS	DEPT	ITEM #	PROJECT NO.	DESCRIPTION	PROJECT COSTS		% COMPLETE		EARNED VALUE		
					Budget	Forecast	Baseline	Actual	Planned	Actual	
			6. West Marin Water System								
			System Improvements								
PC	Eng	32	6.a	Replace PRE Tank #4A	\$1,000,000	\$800,000	100	79	\$800,000	\$631,217	
PC	Admin	33	6.b	New Gallagher Well #2 (1st of 2 years)	\$75,000	\$335,000	25	30	\$83,750	\$100,109	
			6.c	PB Replace in Sync w/County Paving	\$50,000	\$25,000					
C	Eng	34	6.d	Gallagher Ranch Streambank Stabilization	\$260,000	\$335,440	100	100	\$335,440	\$335,832	
PC	Eng	35	6.e	Lagunitas Creek Bridge Pipe Replacement (Caltrans)	\$100,000	\$25,000	5	3	\$1,250	\$736	
C	Eng	36	6.f	PB Repl: SR1 Pt. Reyes - Caltrans	\$0	\$37,652	100	100	\$0	\$37,652	
C	Ops	37	6.g	Olema PS Wireless to Tank	\$0	\$0	100	100	\$0	\$168	
C	Ops	38	6.h	PRE PS #2 Pumping Equipment	\$0	\$8,361	100	100	\$0	\$8,361	
PC	Eng	39	6.i	Repl PRE 2" Galv Pipe - Balboa,Drakes View,Baywood	\$0	\$120,000	5	4	\$6,000	\$5,310	
PC	Eng	40	6.j	Replace Plastic Thin Walled Pipe <4" - Blackberry Ln	\$0	\$78,000	5	3	\$3,900	\$2,490	
				SubTotal	\$1,485,000	\$1,764,453					
			7. Oceana Marin Sewer System								
	Ops	41	7.a	Infiltration Repair	\$40,000	\$40,000	10	0	\$4,000	\$0	
	Ops	42	7.b	Tahiti Way Lift Pump 1 Assembly	\$25,000	\$25,000	10	0	\$2,500	\$0	
PC	Eng	43	7.c	OM Treatment Pond Rehab	\$225,000	\$225,000	10	12	\$22,500	\$27,982	
				SubTotal	\$290,000	\$290,000					
				Total West Marin	\$1,775,000	\$2,054,453	61	56	\$1,259,340	\$1,149,857	
				FY20-21 TOTAL	\$6,862,000	\$6,195,550	28	26	\$1,757,932	\$1,625,888	
1C - Completed				PROJECT FORECAST REVISED							
PC - Partially completed				Baseline projects with revised forecast budget increases (indicated by shaded box)							
				Baselined projects to be deferred (indicated in strikeout)							
				New projects added (indicated in bold)							
				Prior year projects carried over indicated in italics							

## ENGR. DEPT DEVELOPER & DISTRICT CAPITAL IMPROVEMENT PROJECTS (CIPs)



20



# North Bay Watershed Association

## Board Meeting - Agenda

February 5 | 9:30 – 11:30 a.m.

IN ACCORDANCE WITH THE GOVERNOR'S EXECUTIVE ORDERS N-25-20 AND N-29-20 WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE BROWN ACT, THIS MEETING WILL BE HELD VIRTUALLY VIA REMOTE CONFERENCING SERVICE — NO PHYSICAL MEETING LOCATION

### Zoom Meeting:

<https://us02web.zoom.us/j/89045973861?pwd=NnFYMzFLK2JsZlFhNzQ2cndIN3Uvdz09>

**Meeting ID:** 890 4597 3861 **Password:** 465908

**Dial by your location** find your local number: <https://us02web.zoom.us/j/89045973861?pwd=NnFYMzFLK2JsZlFhNzQ2cndIN3Uvdz09>

Agenda and materials will be available the day of the meeting at:  
[www.nbwatershed.org](http://www.nbwatershed.org)

## AGENDA

Time	Agenda Item	Proposed Action
9:30	<b>Welcome and Call to Order – Roll Call and Introductions</b> <i>Jack Gibson, Chair</i>	N/A
9:35	<b>General Public Comments</b> This time is reserved for the public to address the Committee about matters NOT on the agenda and within the jurisdiction of the Committee.	N/A
9:40	<b>Agenda Review and Approve Past Meeting Minutes</b> <i>Jack Gibson, Chair</i>	Approve
9:45	<b>Treasure's Report</b> <i>Jack Gibson, Chair</i>	Accept
9:50	<b>Guest Presentation– Highlights from The Bay Regional Monitoring Program and the Newly Developed Regional Watershed Model</b> <i>Melissa Foley, Ph.D., Program Manager</i> <i>Tan Zi, Ph.D., Environmental Scientist</i> <i>Clean Water Program, Bay Regional Monitoring Program, SFEI</i>  Melissa and Tan will provide an overview of the San Francisco Bay Regional Monitoring Program (RMP) including highlights of programs and initiatives and introduce key aspects and potential future uses of a new regional water quality model.	Presentation

10:45	<b>Executive Director Report</b> <i>Andy Rodgers, Executive Director</i>  Andy will provide an update on active projects, communications, committees, activities, and developing initiatives since the December 4 Board meeting.	Questions/input
10:55	<b>Board Information Exchange</b> <i>Members</i>  Members will highlight issues and share items of interest.	N/A
11:15	<b>Agenda Items for Future Meetings</b> <i>Andy Rodgers, Executive Director</i>  Andy will outline ideas for next and future Board meeting topics and solicit feedback.	N/A
11:25	<b>Announcements/Adjourn</b> <b>Next Board Meeting: March 5, 2021</b>	N/A

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**DISBURSEMENTS - DATED FEBRUARY 4, 2021**

Date Prepared 2/1/21





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
*90353	US Bank Card	Leadership Training LX Evolve (2/1-12/2/21-3 Hours per Month) (4 Employees)	\$5,000.00
1	All Star Rents	Compressor Rental for Hydro Tank (1 Day)	206.09
2	American Family Life Insurance	January AFLAC Employee Paid Benefit	3,085.53
3	Arrow Benefits Group	January Dental Admin Fee	259.90
4	Borges & Mahoney	Plumbing Supplies (STP)	112.44
5	Centrisys	Pressure Transmitter & Filler Cap (STP)	752.08
6	DeGabriele, Chris	Prog Pymt#11: Consulting Services Office/Yard Building Refurbish (Balance Remaining on Contract \$1,718)	1,226.88
7	Delacerda, Patricia	Refund Overpayment on Open Account	147.72
8	Demsey, Filliger & Associates	FY20 OPEB (GASB 75) Disclosure Report	500.00
9	Diesel Direct West	Diesel (600 gal)	2,086.56
10	Fernandes, Robert	Novato "Toilet Rebate" Program	200.00
11	Fiserv/Bastogne	Return Checkfree Payment	242.07
12	Friedman's Home Improvement	Sump Pump Parts (O.M. Lift Station)	52.47
13	GHD	Prog Pymt#30: PRE Water Tank 4A Replacement (Balance Remaining on Contract \$13,413)	596.25
14	Gomez, Iracema & Neldo	Refund Overpayment on Open Account	865.80
15	Grainger	Vertical Floats for Sump Pump (2) (\$460), Digging Bars (3) (\$202) & Miscellaneous Maintenance Tools & Supplies (\$197)	859.29
16	Jim-n-i Rentals	Signs "Steel Plates Ahead" (4)	28.58

Seq	Payable To	For	Amount
17	Jones, Ted	Refund Overpayment on Open Account	302.76
18	JW Mobile	Hydraulic Hoses (7) ('04 Backhoe)	226.64
19	Keeton Industries	Air Hose (50') (STP)	70.68
20	McLellan, WK	Misc Paving	5,531.20
21	Mutual of Omaha	February Group Life Insurance Premium	957.25
22	Novato, City of	Encroachment Inspection (Grant & Virginia-Grant Ave Pipeline Replacement)	1,393.25
23	Pace Supply	Pipe Fittings (4) (\$85) & Pipe Wrench for Cross Connection Control (\$88)	173.18
24	Pape Machinery	Bearings ('15 JD Skip Loader)	497.46
25	Pedro, Maria Honoria	Novato "Cash for Grass" Rebate Program	97.50
26	Ralph Andersen & Associates	Prog Pymt#3: Recruitment for Assistant General Manager/Chief Engineer (Balance Remaining on Contract \$0)	10,600.00
27	R & B	Angle Meter Stops (80) (\$4,218), Flanges (2) (\$76) & Couplings (2) (\$903)	5,197.58
28	Roy's Sewer Service	Prog Pymt#1: Pumping Services for O.M. (Balance Remaining on Contract \$6,050)	3,950.00
29	Scott Technology Group	Monthly Maintenance Engineering Copier (1/21/21-2/20/21) (\$183) & Contract Overage Charge	208.69
30	Soiland	Rock (73 tons)	1,475.73
31	Syar Industries	Asphalt (6 tons)	930.65
32	VWR International	Ascorbic Acid (Lab)	37.77
33	Waste Management	Green Waste Removal	412.48
34	Wilson Bohannon	Brass Locks (80)	766.25

Seq	Payable To	For	Amount
35	Winzer	3 Ply Face Masks (2,000)	569.88
<b>TOTAL DISBURSEMENTS</b>			<b><u>\$49,620.61</u></b>

The foregoing payroll and accounts payable vouchers totaling \$49,620.61 are hereby approved and authorized for payment.

	
Auditor-Controller	Date
	
General Manager	Date

## ***DISBURSEMENTS - DATED FEBRUARY 11, 2021***

Date Prepared 2/9/21

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:

<u>Seq</u>	<u>Payable To</u>	<u>For</u>	<u>Amount</u>
P/R*	Employees	Net Payroll PPE 1/31/21	\$142,030.03
90354*	Internal Revenue Service	Federal & FICA Taxes PPE 1/31/21	63,746.28
90355*	State of California	State Taxes & SDI PPE 1/31/21	14,354.47
90356*	CalPERS	Pension Contribution PPE 1/31/21	37,756.69
90351*	CalPERs	February Health Insurance Premium (Employer \$49,601, Retirees \$12,485 & Employee Contribution \$10,677)	72,763.34
1	ACWA	Advertisement for Senior Engineer Position	475.00
2	ARB	Refund Security Deposit on Hydrant Meter Less Final Bill	769.85
3	Arrow Benefits Group	January Dental Expense	663.20
4	Asbury Environmental Services	Oil Disposal	160.00
5	AT&T	Telephone (\$69), Fax (\$89), Leased Lines (\$142) & Data (\$286)	586.09
6	Bay Area Barricade Service	Signs "Share the Road w/ Bike Symbol" (4)	333.21
7	BHM Construction	Refund Security Deposit on Hydrant Meter Less Final Bill	601.74
8	Bold & Polisner	December Legal Fees-General (\$8,100) & Potter Valley FERC (\$135)	8,235.00
9	Boucher Law	December Labor & Employment Law Matters	1,675.00
10	Bromich	Refund Excess Advance for Engineering (To Prepare Cost Est) Over Actual Job Cost-First & Grant Development	3,352.43
11	Buck's Saw Service	Chain Saw Blade & Gas for Small Tools (16 Qts) (\$113)	142.90
12	Building Supply Center	Tees (3) (PRTP)	15.23

Seq	Payable To	For	Amount
13	CA Assoc of Mutual Water Co	Annual Membership Dues (1/21-1/22)	500.00
14	CDW-Government	Cell Modem Antennas for Novato Communications	48.78
15	DataTree	January Subscription to Parcel Data Info	100.00
16	Diesel Direct West	Diesel (389 gal) (\$1,357) & Gasoline (750 gal) (\$2,416)	3,773.27
17	Ditch Witch West	Tip for Pressure Washer	258.17
18	Electrical Equipment	Breaker (\$371) & Starter (\$334) for Hayden Pump Station	704.94
19	Enterprise FM Trust	Monthly Leases for Chevy Colorado, F250's (2), Nissan Rouges (2), Nissan Frontier & F150's (4)	5,040.54
20	Fastenal	Stainless Steel Screws (550) (STP)	86.47
21	Fedak & Brown	January Progress Billing (FY20 Financial Audit) (Balance Remaining on Contract \$2,325)	625.00
22	Ferguson Waterworks	2" Turbine Meter (\$1,038), 6' Antenna, 5/8" Meters (42) (\$10,253), & 5/8" Registers (15) (\$3,304) (Less Credit of \$8,072 Adjusted Price for 80 1.5" Meters)	6,579.82
23	Fishman Supply	Safety Gloves (24) (\$74) & Hand Lotion (10) (\$78)	152.96
24	Grainger	Hooks for Trailers (4) (\$159), Valve for Backflows (4) (\$239) & Miscellaneous Maintenance Tools & Supplies (\$650)	1,047.84
25	Hach	Reagent Set (STP)	171.00
26	HERC Rentals	Service Truck Rental (1 month)	2,165.37
27	Hinckle, Carmen	Refund Overpayment on Open Account	2,060.00
28	International Fire	Annual Fire Extinguisher Service (80)	1,786.79
29	Keeton Industries	Compressor Repair Kits (2) (STP)	365.68
30	Kern, Ron	Novato "Cash for Grass" Rebate Program	166.50
31	LGVSD	Recycled Water Deliveries (10/1/20-12/31/20)	21,117.12
32	Lincoln Life	Deferred Compensation PPE 1/31/21	8,351.42



Seq	Payable To	For	Amount
33	McLellan, WK	Misc Paving	38,219.33
34	Mitch's Certified Classes	Backflow Prevention Assembly Tester Workshop (6/24-6/25) (Kurfirst & Lemos)	1,400.00
35	Nationwide Retirement Solution	Deferred Compensation PPE 1/31/21	920.00
36	Nibbi, Janet	Novato "Cash for Grass" Rebate Program	90.00
37	North Marin Auto Parts	Service Parts ('15 Ford Escape, '02 Chevy Silverado, O.M. Generator, '20 Nissan Rouge, '17 F350, '13 Excavator & Trailer, Compressor) (\$723), Gas Cans for Small Equipment (2) (\$52), Gloves for Auto Shop (\$49), Wiper Blades for Fleet (10) (\$207), Brake Fluid & Cleaner for Fleet	1,066.65
38	North Bay Gas	Nitrogen (\$115), Breathing Air (STP) & January Cylinder Rental	181.00
39	Olbrantz, Paul & Danielle	Refund Overpayment on Closed Account	52.63
40	O'Reilly Auto Parts	Wiper Fluid for Fleet	51.95
41	Pace Supply	Coupling (4) (\$217), Wrench Reeds (2) (\$88), Valves (12) (\$1,893), Bolts (100) (\$319), Bushings (2) & Nipples (4)	2,535.43
42	Pape Machinery	Lights ('09 JD Backhoe)	55.08
43	Pini Hardware	Miscellaneous Maintenance (\$157) & STP (\$236) Tools & Supplies	392.49
44	Recology Sonoma Marin	January Trash Removal	541.78
45	Silva, Catherine	Novato "Toilet Rebate" Ultra High Efficiency Toilet Program	300.00
46	Soiland	Asphalt Recycling (5 tons)	54.20
47	Staples Business Credit	Toner (\$395) & Misc Office Supplies (\$159)	553.62
48	State Water Resources Control	T2 Certification Renewal (Clark) (Budget \$90)	60.00
49	Synectic Technologies	Quarterly Phone System Maintenance	446.70
50	Tagliaferri, Brian	Refund Excess Advance for Engineering Over Actual Job Cost-Tagliaferri Deli	1,498.33
51	Township Building Services	Janitorial Supplies	98.56

Seq	Payable To	For	Amount
52	Uline	Storage Racks (2) (STP)	543.42
53	Verizon Wireless	Cellular Charges: Data (\$1,059), Airtime (\$88) & iPads for Asset Management (\$200)	1,347.35
54	Verizon Wireless	SCADA & AMI Collectors (\$650)	810.88
55	Volvo Construction Equipment	Service Parts ('09 JD Backhoe-\$399 & Compressor-\$373)	771.97
56	Wittmann, Julie	Novato "Toilet Rebate" Program	200.00
		<b>TOTAL DISBURSEMENTS</b>	<b><u>\$454,953.50</u></b>

The foregoing payroll and accounts payable vouchers totaling \$454,953.50 are hereby approved and authorized for payment.

Julie Blue                      2/10/2021  
Auditor-Controller                      Date

[Signature]                      2/10/2021  
General Manager                      Date

**Notice:**

In July 2020, seasonal salinity intrusion occurred into two of North Marin Water District's wells serving the West Marin communities of Point Reyes Station, Olema, Inverness Park, and Paradise Ranch Estates. North Marin Water District has been publishing this notice weekly to keep you informed about the sodium concentration in drinking water so you may be able to make informed dietary choices. Now that the sodium level in water we serve has been below 50 milligrams per liter for over four weeks we will stop publishing this data weekly. Information about the high quality of the drinking water we serve as well as all our programs to deliver clean, good tasting water to your tap are in our annual water quality report- available on our website [www.nmwd.com](http://www.nmwd.com) or by calling 415-761-8929.

The table below lists the most recent concentrations for sodium in the West Marin water supply. While there is no direct health concern from salt for most people at this concentration, customers that are on sodium restricted diets should consult their physicians to see if additional sodium is a concern for them.

Date	Sodium	Chloride	Units
12/29/20	21.4	44.4	mg/L
12/5/21	13.3	16.5	mg/L
1/12/21	21.6	15.2	mg/L
1/19/21	11.8	13.9	mg/L

\*milligrams per liter

## MEMORANDUM

To: Board of Directors  
From: Nancy Williamson – Sr. Accountant *NW*  
Subj: Reimbursement Program 2020  
t:\finance\reimb program\reimbmemo2020.doc

February 12, 2021

**RECOMMENDED ACTION:** Information Only

**FINANCIAL IMPACT:** \$0 Reimbursement Payment to Developers

Regulation 30 (attached), Reimbursement for Extension of Pipelines that Benefit Others, allows developers to receive reimbursement for pipelines they are required to install which are not within the developer's property. Reimbursement eligibility is determined by the District prior to execution of the Water Service Agreement, and is based upon the benefit to be derived from other potential users of the extended pipeline. The reimbursement entitlement is available only for installation of six-inch diameter pipeline and larger, and the first one hundred feet of said pipeline and fittings are not eligible for reimbursement.

Regulation 30 provides that each year following the first full year after completion of the extension, the District pays to each developer having a reimbursement entitlement a pro-rata share of all Reimbursement Fund Charges held by the District in its Reimbursement Fund Account. Reimbursement fund charges in Novato are \$420 for a 5/8" residential meter and \$1,055 for a 1" residential meter. Reimbursement fund charges in West Marin are \$1,950 for a 5/8" residential meter and \$4,950 for a 1" residential meter. Reimbursement Fund Charges received and reimbursement entitlements are accounted for separately for the Novato and West Marin Service Areas (the current year schedule is attached). A developer's reimbursement entitlement expires upon payment thereof by the District in full without interest, or on the tenth year of payment, whichever occurs first.

There were no participants in the Novato Reimbursement Program in 2020. There was \$59,587 remaining in the Reimbursement Fund in 2019 after the two remaining entitlements were paid in full. We collected \$89,740 in Reimbursement Fund Charges during calendar year 2020 which leaves a balance of \$149,327 in the Novato Reimbursement Fund.

There were no participants in the Reimbursement Program for West Marin in 2020. The balance in the West Marin Reimbursement fund was \$11,100 at December 31, 2018 and we did not collect any additional Reimbursement Fund Charges in 2019 or 2020. That balance will be carried over to next year's Reimbursement Program.

## **NORTH MARIN WATER DISTRICT**

### **REGULATION 30**

#### **REIMBURSEMENT FOR EXTENSION OF PIPELINES THAT BENEFIT OTHERS**

a. Reimbursement Entitlement for Off Tract Pipelines

The Reimbursement Entitlement for pipelines paid for by the Applicant but not within the Applicant's property shall be based upon the benefit to be derived by other potential users of said pipelines as estimated and determined by the District in its sole discretion. Reimbursement Entitlement will be considered only for pipelines and fittings of six-inch diameter and larger. The first one hundred feet of said pipelines and fittings except for the oversized portion are not eligible for Reimbursement Entitlement. In determining the Reimbursement Entitlement any pipeline footage traversing land in other water service zones or paralleling an existing water main shall not be considered eligible for reimbursement unless the District determines that such footage can reasonably be expected to be of benefit to abutting lands. The maximum Reimbursement Entitlement shall not exceed the maximum potential benefit to be derived by other users of the facilities paid for by the Applicant as determined by the District in its sole discretion.

b. Reimbursement Payments

In January of each year following the first full year after completion of the extension, the District will pay to each Applicant having a Reimbursement Entitlement, a portion of the total amount of Reimbursement Fund Charges established by Regulation 1.c. and received by the District from Applicants located within the same service area during the previous calendar year. Said portion shall be determined by multiplying said total amount of Reimbursement Fund Charges received by the quotient obtained by dividing the Applicant's unexpired reimbursement entitlement by the total of all unexpired reimbursement entitlements within the same service area. For the purpose of this Regulation, the Point Reyes and Paradise Ranch Estates Service Areas shall be considered one service area called the West Marin Service Area. Reimbursement Fund Charges received and unexpired Reimbursement Entitlements shall be accounted for separately for the Novato and West Marin Service Areas.

c. Expiration of Reimbursement Entitlement

The Applicant's unexpired Reimbursement Entitlement for a given year shall be determined by subtracting all prior reimbursement payments made to said Applicant from said Applicants' Reimbursement Entitlement. An Applicant's Reimbursement Entitlement shall expire and become invalid upon payment thereof by the District in full without interest, or on December 31 of the tenth year of payment on account thereof pursuant to Regulation 30.b. whichever shall first occur.

d. Acknowledgment of Necessity

Anyone who pays, deposits or agrees to pay all or part of the cost of any extension or improvement of the District's Water Distribution system hereby acknowledges that such extension or improvement is necessary and reasonable and releases the District from any liability based on a claim that a determination made by the District pursuant to Regulation 21 is or was unnecessary or unreasonable.

e. Assignment of Reimbursement Entitlement

The District will not recognize any assignment or attempted assignment of a Reimbursement Entitlement unless the assignment is in a form satisfactory to and approved in writing by the District and is signed and acknowledged by the assignor. The District will furnish forms of assignment on request. Except with the prior written approval of the District, no assignment of a Reimbursement Entitlement shall be effective until the first payment thereon from the reimbursement fund is paid or payable.

f. Liens of Reimbursement Entitlement

The District shall have a lien upon all money payable as a Reimbursement Entitlement for any indebtedness to the District of the holder of said entitlement. The District may exercise said lien without notice by transferring the appropriate amount from Reimbursement Fund Charges paid to the District at the time annual reimbursement payments are made.

g. Non-Applicability

This Regulation 30 shall not apply to extension or construction of recycled water facilities. The District may, however, enter into reimbursement arrangements for recycled water systems it deems reasonable and fair on a case by base basis.

**NORTH MARIN WATER DISTRICT  
REIMBURSEMENT PROGRAM - 2020  
Allocation Calculations  
GL Acct 22700-01**

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Job Number	PROJECT	FIRST YEAR	FINAL YEAR	ORIGINAL ENTITLEMENT	- TOTAL PRIOR REIMB PAID	= ENTITLEMENT REMAINING at 12/31/2020	REIMB PAID This year (pd in 2021 for 2020)	GRAND TOTAL REIMB PAID	ENTITLEMENT REMAINING at 12/31/2020
<b>NOVATO:</b>									
				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Total Invested			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	% Earned						Entitlements Expiring this year		\$0.00
							<b>Remaining Entitlement Balance</b>		<b>\$0.00</b>
Amt Remaining in Reimb Acct from 2019				\$59,586.94					
Reimb collected 1/1/20 - 12/31/20 (22700-01)				89,740.00					
Balance in Reimb Fund at 12/31/20				149,326.94					
Paid out this year				0.00					
Remaining in Reimb Acct after payments				\$149,326.94					

There were two entitlements remaining in the Novato Reimbursement program last year and both were paid in full.  
No new entitlements to add in 2020.

**WEST MARIN:**

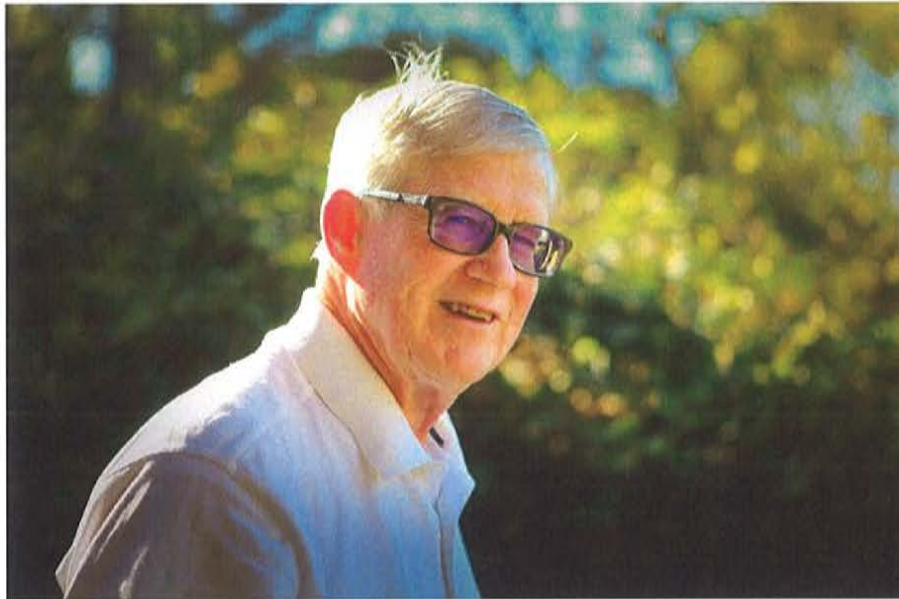
				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Total Invested			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	% Earned						Entitlements Expiring this year		\$0.00
							<b>Remaining Entitlement Balance</b>		<b>\$0.00</b>
Amt Remaining in Reimb Acct from 2019				\$11,100.00					
Reimb collected 1/1/20 - 12/31/20 (22700-02)				0.00					
Balance in Reimb Fund at 12/31/20				11,100.00					
Paid out this year				0.00					
Remining amount in reimbursement account				\$11,100.00					

There have been no new entitlements added to the West Marin Reimbursement Program, since the last two that expired in 2016.



# Jim Harberson, former Sonoma County supervisor and Petaluma councilman, dies at 78

GUY KOVNER AND CHRIS SMITH  
THE PRESS DEMOCRAT  
January 29, 2021, 5:17PM



Former longtime Sonoma County supervisor and Petaluma City Council member Jim Harberson.  
(Crissy Pascual / Argus-Courier)

Jim Harberson, who blended a Southern gentleman's manners with an engineer's acumen and served a quarter century in elected office in Sonoma County, died Jan. 22 at age 78.

Harberson, a genuine and affable man who lived nearly 50 years in Petaluma, where he was a City Council member before being elected the south county supervisor, considered his signature political achievement the 1990 formation of a tax-supported agency that has preserved from development more than 120,000 acres of Sonoma County land.

There aren't many things you can say will last forever, but that's one of them," he said to about 300 guests at his 1999 retirement dinner in Petaluma.

A native of the foothills of North Carolina's Blue Ridge Mountains and a Vietnam War veteran, Harberson was a sprinter at Georgia Tech and for decades afterward was an avid recreational runner and cyclist. Marathon precinct-walking helped him win seats on the Petaluma council and county Board of Supervisors.

"Nobody walked like I did," Harberson told Harlan Osborne, a columnist with the Petaluma Argus-Courier last fall.



Harberson's career in local politics, among the longest in recent history, spanned from his election to the Petaluma council in 1973 to his retirement in 1998 after 14 years on the county board.

Personal hallmarks throughout were his amiable nature and the respectful regard with which he treated even his political adversaries.

He and Paul Ingalls, a retired Press Democrat editor who covered the Board of Supervisors as a reporter during part of Harberson's tenure, engaged in many political discussions over the decades. Ingalls recalled once remarking to Harberson that a certain local official seemed ill-equipped for the position, but he was certainly a nice guy.

Harberson responded, "There's a whole lot of good politics in being a nice guy."

"So true," Ingalls said, "and especially so true of him."

Former four-term county supervisor Paul Kelley of Healdsburg said Harberson was a "great colleague" endowed with a charming accent and genteel manners, and also the "ordered mind of an engineer."

Kelley said he watched as Harberson, wielding the chairman's gavel, managed supervisors' public sessions, which were occasionally contentious.

"He had a good way of being in control," Kelley said. "He was able to run a meeting, get the board's business done while getting everyone heard."

"He showed me how to take care of my district like he did," Kelley said.

Harberson, who died at home, had open-heart surgery last spring and he was largely confined to bed in recent months because of debilitating pain from arthritis in his back.

James L. Harberson was born Feb. 24, 1942, in Hendersonville, North Carolina. He grew up there, then went to the Georgia Institute of Technology to earn a degree in mechanical engineering. His passion for that college, and its football team, and his fraternity brothers would stay with him all his life.

"He was a great lover of Georgia Tech, all things Georgia Tech. Especially football," said his wife of five decades, Patty Harberson. She said that for many years as a proud alumnus he traveled back to the campus in Atlanta to attend a Yellow Jackets game and hang with his frat buddies.

While a student at Georgia Tech, Harberson trained in ROTC. The Vietnam War was escalating when he was activated into the U.S. Army in 1966 as a 2nd lieutenant in the Corps of Engineers.

Harberson went to Vietnam in 1967 and spent a year there. "He told me that he very much enjoyed the engineering that he did there," Patty Harberson said. "But he wasn't taken with the war and the danger they were in.

"He was very happy to get back stateside."

Following his tour of duty, Lt. Harberson was stationed at Fort Leonard Wood in the Missouri Ozarks when he met his future wife, then a student at the University of Missouri.

They married in 1969 and went together to Fort Lauderdale, Florida, where he found work as a sales engineer with an air conditioning firm.

He hadn't been there long when he learned of a job with a distinct bonus: it was located in Northern California. Harberson had spent time in San Francisco while he was at Georgia Tech and he'd loved the area.

He and Patty moved to a rental in San Rafael and he went to work as a sales engineer for a company that provided equipment to the petroleum industry

In 1972, the Harbersons set out to buy a home and found they could afford one in Petaluma. They'd been in the river town and former Egg Basket of the World only about a year when Jim Harberson decided to run for City Council.

An interest in political matters hadn't just come to him. "He was interested in politics when he was a student," Patty Harberson said. As she recalls, he was student body president at both his high school in North Carolina and at Georgia Tech.

He won a council seat and was 31 when he made his start as an elected official. He would serve on the Petaluma council for 11 years. During that time, he switched careers and began teaching math at Napa Valley College.

In 1984, southern Sonoma County's widely beloved representative on the Board of Supervisors, Helen Putnam, died at the age of 75. She and Harberson had served together on the Petaluma City Council.

Harberson applied to complete her second four-year term on the board. Then-Gov. George Deukmejian, like Harberson, a Republican, appointed him to take Putnam's seat.

Voters kept him on the board in 1986 and again in 1990 and 1994.

"He loved what he did," Patty Harberson said. "That was his thing. He liked talking to people. He did it very easily."

Jim Harberson did not seek reelection in 1998. He retired from the board and resumed teaching math part-time at the two-year college in Napa.

Petaluma's Mike Kerns, who succeeded Harberson and served three terms on the board, said he was "a great guy with a great sense of humor" who thrived on camaraderie.

"The joke is that Jim never missed a free lunch," Kerns said, referring to the lunches open to former supervisors during the Sonoma County Fair's midsummer run.

The Sonoma County Agricultural Preservation and Open Space District, pushed by supervisors and funded with a quarter-cent sales tax approved by county voters in 1990, is the cornerstone of Harberson's political legacy, Kerns said.

The agency's land acquisitions maintained the county's scenic vistas, and also saved farm operators by paying them cash for easements that assured their land would remain largely undeveloped in perpetuity.

Supervisor David Rabbitt, who succeeded Kerns in the south county seat, said he thoroughly enjoyed every interaction with Harberson, including the "institutional knowledge" of the 2nd District he offered.

Casually, the two talked football, with Harberson a steadfast Georgia Tech fan and Rabbitt partial to his alma matter, the University of Oregon.

Rabbitt, who is in his third term, said the county has grown more liberal since Harberson's tenure in office, noting that government regulation has expanded since then, along with a more pronounced strain of "distrust in government."

Media and political consultant Brian Sobel, who served on the Petaluma City Council from 1985 to 1994, said Harberson was by that time "a huge presence in south county."

"He understood what made Petaluma and Sonoma County tick," Sobel said. "Jim seemed to be everywhere," he said, joking that Harberson "would attend the opening of an envelope."

He had a simple formula for winning elections, Sobel said. "He outworked people," tirelessly campaigning door to door, a strategy that "translates into votes."

Harberson once offered his own footnote to his career as a local elected official. He said, "I don't know if anybody will like the job as much as I did," he said.

In addition to his wife in Petaluma, Harberson is survived by daughter Julia Harberson of Petaluma, son Jim Harberson of Colorado Springs, Colorado; sister Nancy Dotson and brother Lamar Harberson, both of Hendersonville, North Carolina, and four grandchildren.

A public celebration of Harberson's life has been postponed due to the pandemic.

Memorial donations may be made to the Hendersonville Alumni Association Scholarship Fund, 1 Bearcat Blvd., Hendersonville, N.C. 28791 in memory of Jim Harberson, class of 1960; or Petaluma Valley Baptist Church, 580 Sonoma Mountain Parkway, Petaluma 94954.

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# County water supply 'in good shape' S WBP

By CHRIS COURSEY  
Staff Writer

Barring future drought, Sonoma County has the capability to supply water to its residents for at least 40 years, a comfortable situation that has the county's northern and southern neighbors casting covetous eyes on the Russian River.

And while the long-term water picture is good, the last three weeks of rain have made the short-term picture even better, said Bob Beach, manager of the Sonoma County Water Agency.

"Our water supply report today is indeed rosy," Beach told the Board of Supervisors on Monday in a special water workshop.

Water levels at the three dams storing water for Sonoma County have shot up since March 1, he said. Three weeks ago, it

appeared Russian River flows would be limited over the summer to ensure an adequate water supply next year. Now, "we're in good shape."

"Even if next year is as dry as 1977 was, we'll still end the year with more than 100,000 acre-feet of water in storage at Warm Springs Dam," Beach said. "This is now a 'normal' year (for water supplies). We'll be able to maintain high stream flows."

Lake Sonoma behind Warm Springs Dam now is at 72 percent of capacity, its level rising 20 feet since March 1. Lake Mendocino near Ukiah is at 95 percent of capacity, with water being released from that dam to the Russian River at a rate of 2,000 cubic feet per second, compared to 128 cfs on March 1. Lake Pillsbury in Lake County, only half full on March 1, now also is at 95 percent of

capacity, Beach said.

The county agency supplies water to a variety of municipal water companies, including Santa Rosa, Petaluma, Rohnert Park, Sonoma and the North Marin Water District, which in turn sell the water to their customers. Beach said that projecting the contractors' needs out to the year 2010 indicates they will then need about 84,000 acre-feet of water per year, and the system now is capable of delivering 110,000 acre-feet.

"We can probably safely say we're in good shape all the way to 2030," Beach said. "We are in enviable shape."

Those envious of Sonoma County's situation could include any number of districts around the state hurting for water after two drier-than-normal winters.

"Our water supply report today is indeed rosy"

BOB BEACH,  
COUNTY WATER AGENCY

Mendocino County, for example, has the Russian and Eel rivers coursing through it and is home to the 90,000-acre-foot Lake Mendocino, but in dry years the Ukiah and  
*See Water, Page B5*

*Continued from Page B1*

Hopland valleys don't have the rights to enough water for their residents, Beach said. He said when Coyote Dam was built 30 years ago, the 8,000 acre-feet allocated to Mendocino County was enough. But now it isn't, and Sonoma County owns the rest of the water in Lake Mendocino.

Beach acknowledged a widely held suspicion that thousands of acre-feet of water each year are illegally diverted from the Russian River into southern Mendocino County. The two counties for years have been trying to work out a deal to give Mendocino the rights to more water — particularly since the addition of Warm Springs Dam. But the deal has yet to come to fruition, partly because of fears that giving more water to the north will dry up the Russian River between Hopland and Healdsburg.

"We don't necessarily need the water supply from Lake Mendocino, we need a reliable stream flow," Beach said. He presented a draft agreement to the supervisors

that would give Mendocino County an extra 13,000 acre-feet of water in exchange for specific controls on how much water is diverted from the river. He said the agreement would guarantee river flows and only give the extra water "when it is available."

But Supervisor Nick Esposti, who represents the northern part of the county, said he still worries about maintaining flows in the Russian. "I don't trust the controls," he said.

The alternative to reaching an agreement with Mendocino is to put the entire Russian River water supply into the courts. "That's an ugly alternative," said Beach.

Supervisors asked Beach to bring back more information about the deal in the next few weeks. They then turned their attention to the south, where the Marin Municipal Water District also wants a bigger share of Russian River water.

That district, which serves most of central and southern Marin County, gets most of its water from its own reservoirs. That supply has

proven inadequate in dry years; the district this month imposed a building moratorium and slapped strict mandatory conservation measures on its customers because of the current dry spell.

Marin Municipal has informed Sonoma County that it wants to add 10,000 acre-feet to its current allotment of 4,300 acre-feet from the water agency, and it is looking further for additional supplies.

Supervisor Jim Harberson said he was "torn" about the decision. More water, he said, would mean more houses in Marin, which in turn would reduce the number of commuters on Highway 101. "But Marin Municipal made a series of conscious decisions not to participate in our aqueduct, so I don't feel obligated to bail them out now."

Supervisors also asked Beach for more information about the Marin request, particularly concerning laws that may require the water agency to sell "surplus" supplies to its neighbors.

The Press Democrat  
March 21, 1989

*Free*



# Longtime Indian Valley Golf Club GM dies at 81



**JEFF MCANDREW: 1939-2021**

**By Ian Ross**

[iross@marinij.com](mailto:iross@marinij.com)

## ***Marin Independent Journal***

During the early days, superintendent Terry Leach estimates that Indian Valley Golf Club went through about five different golf pros in the span of about five years.

Jeff McAndrew arrived at the Novato club from Merced in 1964 and never left, spending more than 55 years in a variety of roles — golf pro, general manager, majority owner. Mr. McAndrew, 81, died on Jan. 1 of complications from COVID-19. “He came to the course in 1964 and, at the time, there was nothing. We were out in the boonies,” Leach said of Indian Valley, which is located next to Stafford Lake. “The biggest employee in Novato at the time was Hamilton Air Force Base so what Jeff basically did was build up the membership from very few members at the time when he came to pretty much what it is today.

“He basically was Indian Valley. He was here seven days a week working and back in the day, he was one heck of a player, too.”

Mr. McAndrew’s son, also named Jeff, started moving carts at the golf club at the age of 6 and is the current general manager.

“He made a big commitment to invest any money we had back into the course,” Jeff McAndrew said. “That was his influence. That’s what we continue to do. If you have money, you put it back in the course and keep going. That’s what’s driven the improvements over the years.”

Mr. McAndrew often referred to Indian Valley as a “working man’s club” and was proud of the blue-collar roots and family atmosphere that he helped create.

“He could get along with a lot of different people,” Jeff McAndrew said. “He was a really good face for a golf course — like our type of course. ... He was always proud that we were an every-person golf course. Everybody could come out there, everybody belonged, everybody was welcome.”

Mr. McAndrew was born on Aug. 9, 1939 to Adrian and Christine McAndrew in Stamford, Texas. The family moved to California when Mr. McAndrew was young and settled in Merced, where his love of golf began.

Mr. McAndrew was introduced to the game at the age of 10 by Lyle Wehrman, then the golf pro at Merced Golf and Country Club. Mr. McAndrew played golf for Merced High, which defeated the Fresno State University team twice during his tenure.

Mr. McAndrew met his wife, Linda Lee Barlow, in Merced. They were married for 59 years and had two children — a son, Jeff and a daughter, Kelly — both born in Novato.

Mr. McAndrew played a key role as the golf pro in growing the membership at Indian Valley, which opened six years earlier in 1958.

“When he came to Indian Valley, there weren’t people knocking down our doors to play,” Leach said. “There was nobody out here. He basically got a group of guys starting out and playing. That’s what they did — played three to four days a week. They got very competitive by playing. That’s basically how the club somewhat grew.”

Mr. McAndrew remained involved with the golf club up until his death last month.

“I still ran things off of him right up until the end,” Jeff McAndrew said. “He wasn’t working the counter but he was still involved.”

Mr. McAndrew is survived by his wife, Linda, sister Mary Snow Roach, children Jeff and Kelly, plus three grandsons, Casey, Beau and Chase.

The family asks that donations in Mr. McAndrew’s name be made to the Northern California Alzheimer’s Association, to honor his wife and countless others. A barbecue will be held later this year to raise a toast in celebration of Mr. McAndrew.



Jeff McAndrew, longtime general manager and majority owner of Indian Valley Golf Club in Novato, died from complications of COVID-19 on Jan. 1. Then-San Marin coach Bob Lacy and golfer Madi Brown are shown practicing on the course in 2014.

ALAN DEP — MARIN INDEPENDENT JOURNAL, FILE

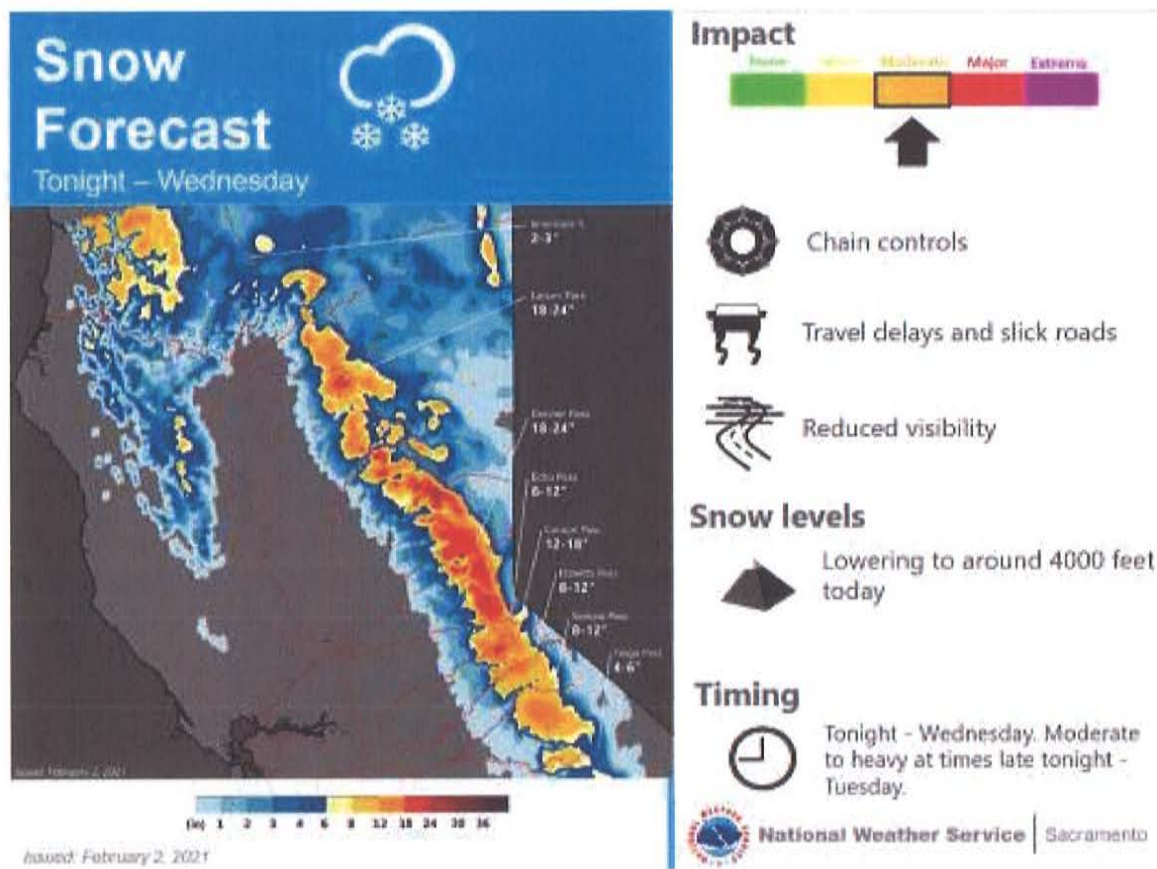
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# Sierra snow grows, but Bay Area has 3rd biggest rainfall deficit since 1849

Tale of two regions: Snow pack improving, Bay Area rain totals among worst in 172 years

**The Mercury News**



A winter storm that began Tuesday Feb. 2, 2021 is expected to continue through Wednesday, bringing up to 2 feet of new snow in the Sierra. (National Weather Service)  
By [Paul Rogers](mailto:progers@bayareanewsgroup.com) | [progers@bayareanewsgroup.com](mailto:progers@bayareanewsgroup.com) | Bay Area News Group  
PUBLISHED: February 2, 2021 at 3:08 p.m. | UPDATED: February 3, 2021 at 9:27 a.m.

California's water picture is heading in two different directions.

A major storm last week and a more modest system Tuesday continued to boost the Sierra Nevada snowpack, the source of one-third of the state's water supply, in promising ways. But the Bay Area and most cities across Northern California remain stuck in one of the worst two-year rainfall deficits seen since the 1849 Gold Rush, increasing the risk of water restrictions and dry wildfire conditions locally next summer.

Less than weeks ago on Jan. 24, the Sierra Nevada snowpack, a vast frozen reservoir of water, was at 38% its historic average. By Tuesday, like a dazed prize fighter getting up off the mat, the snowpack had climbed to a respectable 68% after last week's atmospheric river dumped more than 7 feet of new snow across the Tahoe Basin, and up to 9 feet at Mammoth Mountain. And that's not all. On Tuesday, the National Weather Service issued a winter storm warning through Wednesday morning for the Central and Northern Sierra, with chain controls on I-80, and up to 2 more feet of snow is expected to fall by late Wednesday.



Alpine Meadows ski resort is covered in snow on Jan. 31, 2021. (Courtesy of Lisa Krieger)

That should send the statewide Sierra snowpack above 70% of normal when officials from the state Department of Water Resources conduct their monthly manual snow survey Wednesday at Phillips Station near Lake Tahoe.



“There’s been a significant jump,” said Eric Kurth, a forecaster with the National Weather Service in Sacramento. “It hasn’t brought us back to average but it has gone a long way in making up the deficit.”

The story farther west is not as bright. Or wet. Historic and increasingly ominous rainfall shortages continue closer to the coast, due to a dry winter last year, and a still-dry winter so far this year.



Donner Lake is seen in the snow-covered Sierra Nevada mountain range, Saturday, Jan. 30, 2021, in Truckee, Calif. (Elias Funez/The Union via AP)

Even including rainfall totals from last week’s big atmospheric storm, which soaked Big Sur and the Santa Cruz Mountains more than the Bay Area, San Francisco has received only 17.13 inches of rain during the 19-month period from July 1, 2019 to Jan. 31, 2021. That’s just 46% of the historic average for that 19-month stretch. Put another way, San Francisco is 20.13 inches behind normal for last winter, and this winter so far, combined. That makes the past 19 months the third-driest such period in San Francisco in 172 years, when records first began in 1849.

“If you look at the amount of rain that has fallen over the last 19 months, most places are about half of normal,” said Jan Null, a meteorologist with Golden Gate Weather Services in Half Moon Bay who compiled the data. “Last year we began digging a big

hole. And this year we continued digging. We would need something monumental and probably catastrophic to get out of it.”

The only two similar 19-month periods that were drier than the current one were from July 1975 to January 1977 — the middle of a historic drought — and July 1897 to January 1899. The rainfall deficit is drawing increasing attention from water managers, who say that unless February and March bring numerous major storms to boost reservoir levels, water restrictions may return to Northern California communities this summer.

“California has always been able to weather one dry year,” Null said. “Typically when we see back-to-back dry years that’s when you start to see different areas of the state talking about drought.”

San Jose has had the third-driest 19-month period since its records began 128 years ago. It received just 11.15 inches of rain over that time, or 49% of the historical average. The only two periods that were drier were the same 19-month stretch from July 1975 to January 1977 and a stretch at the beginning of California’s last major drought, from July 2012 to January 2014.

Not to be left out, Sacramento is in the middle of its fifth-driest 19-month period in its 81 years of modern records. And the forecast for the next 10 days is mostly dry across Northern California.

Reservoirs around the state are in OK shape. Still benefitting from wet winters in 2017 and 2018, Shasta Lake, the largest reservoir in the state, on Tuesday was 47% full, of 69% of its historic average for Feb. 2. Shasta’s level has risen by 3 feet in the last two weeks as the watershed around the reservoir has become increasingly saturated and runoff from storms grows. The lake has added about 50,000 acre-feet since Jan. 18, or enough water to supply 250,000 people for a year. Many of the state’s other major Northern California reservoirs, including Oroville, Folsom and San Luis, are about half of the capacity where they normally are by early February, on average.

By some measures, it’s better for California’s water picture to have the Sierra snowpack at higher levels than urban rainfall totals. Local rain helps small local reservoirs, and helps boost groundwater levels and reduce local fire risk. But many of California’s large urban areas, including the East Bay, San Francisco, and San Jose, along with millions of acres of Central Valley farmland, depend on melting snow for much of their water.

“Certainly groundwater is affected by precipitation that falls in an area,” Kurth said. “But a lot of areas receive a good chunk of their water from far-away reservoirs. That water supply depends on snowpack and rainfall in the mountains. I would weight the snowpack as being a much bigger factor than what’s falling locally.”



Interstate 80, eastbound, at Soda Springs, near Donner Pass, on Tuesday afternoon Feb. 2, 2021. (Caltrans web cam)

## **Paul Rogers** | Natural resources and environment reporter

Paul Rogers has covered a wide range of issues for The Mercury News since 1989, including water, oceans, energy, logging, parks, endangered species, toxics and climate change. He also has worked as managing editor of the Science team at KQED, the PBS and NPR station in San Francisco, and has taught science writing at UC Berkeley and UC Santa Cruz.

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Follow Paul Rogers @PaulRogersSJMN

# ***Advanced metering, desalination would bolster supply***

**Marin Voice**

**By Rick Johnson**

**Marin Independent Journal**

Samuel Coleridge's poem "The Rime of the Ancient Mariner" features the phrase, "Water, water, everywhere, nor any drop to drink."

Unlike the Ancient Mariner who was trapped on a salt-water ocean without fresh water, we in Marin County have fresh water surrounded by a salty bay and ocean.

Water reality is too often overlooked when legislators and regional agencies impose quotas for building more housing, Marin is split into two water districts. Southern Marin is represented by the Marin Municipal Water District and northern Marin by the North Marin Water District.

MMWD obtains 75% of its water from its in-county watershed reservoirs with the other 25% purchased via pipeline from the Russian River. NMWD purchases 80% of its water from Lake Sonoma while 20% of it comes from the Stafford Lake watershed area.

Combined the two agencies represent 80,000-meter connections or about 45% that of the 182,000 connections in San Francisco.

Unlike San Francisco, Marin County's reliance on outside sources of water makes it a hostage of California water rights. As tail-end users, Marin's imported water comes with no guarantee of supply, but it, like Blanche DuBois in "Streetcar Named Desire," relies on the kindness of strangers.

Further exacerbating Marin's problem is the abandonment of the right of way that served to bring water over the Richmond-San Rafael Bridge from the East Bay Municipal Utility District during the 1970s drought. That right of way is now a bicycle path.

If Marin is to fulfill the Regional Housing Needs Allocation growth mandates, it will need infusions of cash from both the state and those contractors who wish to build in Marin.

First and foremost, MMWD will have to convert from in-person meter reading to remote an advanced metering infrastructure (AMI) system. Why? Because AMI will allow Marin Water to monitor its meter connections remotely in a timely fashion.

Currently MMWD monitors water usage monthly for commercial and bimonthly for residential accounts. A leak occurring between read periods could run for 29-60 days. AMI sends immediate notification of a leak, thus lessening wasted water and cost spikes.



An AMI system would cost MMWD about one third of the \$63 million spent by San Francisco, or about \$21 million. NMWD, with 80% of its water coming from outside, has already implemented an AMI system at an estimated cost of \$9 million.

Second, if the natural water supply doesn't meet the water needs of an increased population, Marin is going to have to revisit the idea of building a desalination plant. Currently, the largest U.S. desalination plant in San Diego produces 50 million gallons daily at a cost of one cent per gallon. That cost is kept low given the San Diego's plant is adjacent to a power station.

If Marin had to draw its power from MCE or Pacific Gas and Electric Co., the cost would rise to 1.33 cents per gallon or \$10 per billing unit over and above normal water charges. Again, the state and eager builders should partner to provide the necessary funds, estimated at a cost of \$100 million dollars for construction with a supplemental fund to operate the plant.

Should the state and builders persist in pushing housing growth, they must be prepared to cover the added water construction and daily plant operation.

Before any of this happens both MMWD and NMWD need to perform an environmental impact study to assess the condition of their water systems. That assessment should give an overview of just how many additional housing units their water systems can absorb.

Should the state pass more housing legislation that forces Marin's water districts to incur more expense they may fashion an albatross of water shortages around the necks of the current Marin users. *Rick Johnson, of Novato, worked 40 years with the San Francisco Water Department as a senior inspector and revenue recovery project manager.*

**MMWD and NMWD need to perform an environmental impact study to assess the condition of their water systems. That assessment should give an overview of just how many additional housing units their water systems can absorb.**

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# *Novato campus plan brings hope for future*

## **Editorial**

### **Marin Independent Journal**

For more than 30 years, the Fireman's Fund complex in Novato hosted Marin's largest employer.

The complex was home to the insurance giant that was expected to endure the economy's twists and turns.

It was a local landmark, built at the eastern gateway to San Marin. At its height, it was occupied by 2,400 workers. Fireman's Fund was Marin's largest employer and itself an economic engine for Novato. In fact, Fireman's Fund was a primary force behind the establishment of the Sonoma-Marin Area Rail Transit train, figuring that it would be its largest generator of commute passengers.

Since 2015, Fireman's Fund has stood mostly vacant. The three giant concrete office buildings and huge parking lots have been left nearly vacant after the company's now-German owner decided it was time to downsize and move its smaller operation to Petaluma.

Since 2015, the 63 acres also provided a canvas for thinking about the property's future.

It wasn't that long ago that a Southern California developer was pushing plans to turn the acreage into an environmentally sustainable village, filled with homes, businesses and services. The recession derailed that plan.

City Hall has talked about turning the property into a biotech hub, complementing the nearby Buck Institute for Research on Aging and the bustling bio-tech hub that's grown in the Bel Marin Keys Industrial Park.

There were also widespread rumors that Google was eyeing the site for a North Bay campus.

Now, a development company has purchased the property and is building a team to transform the acreage into a blend of housing, businesses and community improvements.

Led by Bay West Development and its founder Marin resident Bill Poland, the team says its objective is shaping a development that responds to Novato's needs. The team is planning an extensive community outreach campaign to help shape its proposal.

Novato officials are impressed by that promise.

They are also impressed by the opportunity to meet much of Novato's state-required 30-year quota for new housing, especially housing that's affordable for workers and seniors. Housing should be a foundation of any well-designed redevelopment of that site.

The property has been sitting idle for too long. Its size and the probability that the three office buildings would have to be razed set a higher bar for any developer.

It isn't a perfect blank canvas, the mostly flat ranchland that it used to be.

But it is an opportunity — a site that is ripe for redevelopment and in a community receptive to a proposal that responds to the needs of residents — affordable housing, community improvements, local business opportunities and jobs. It is an exciting, long-awaited opportunity for Novato.

Few such opportunities are available in Marin, which is mostly built out or protected as open space and ranchland.

From its initial vision and its plan to engage the community in forming its plan, it looks like Bay West Development is getting off on the right foot.

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Sunday, 02/07/2021 Page .A20

# *State ignores community approach*

Editorial

## **Marin Independent Journal**

For years, Sacramento set regional housing goals for communities.

Those goals were mostly ignored by politicians, other than having to invest tax dollars into writing a plan for meeting those quotas, a plan that once approved largely collected dust. Not anymore. In recent years, with California facing a statewide housing crisis, Sacramento lawmakers have toughened the state's approach, turning a goal into a demand, both eroding local control and significantly upping its numbers.

For a small county, with few wide-open development opportunities, the state's higher quotas are perplexing.

Marin is largely built out and most of its open land is local, state and federal parkland or protected ranchland.

Marin is a community where five- or six-story buildings are a rarity. There are a few even taller.

But Sacramento is paving the way for more.

That's why county supervisors are challenging the numbers presented by the Association of Bay Area Governments.

Since the 1980s, Marin has been a county where growth has been slow and small. The local political hurdles facing development proposals have driven up real estate prices and costs as well as forced more of Marin's local workforce into lengthy commutes.

The lack of local affordable housing has also widened racial- and social-equity gaps, pricing lesser-income households out of the county to increasing overcrowding of apartments and homes.

In recent years, local jurisdictions have been turning toward a more proactive attitude in trying to address Marin's need for affordable housing, including senior housing.

It's been slow, but that progress is too slow for Sacramento lawmakers who have passed laws that allow developers to circumvent reasonable planning that respects those who would be impacted by what's built.



Concerns about traffic, parking and public safety are being trumped by the state's top-down approach. Concerns about design and size that complement the surrounding community are being ignored by the state's approach.

In short, the state has pushed the pendulum too far the other way, in a direction that actually sidesteps addressing local housing concerns and the need for affordable housing instead of luxury homes.

ABAG has come up with numbers that show a lack of respect for the geography and environments of small towns, like those that make up most of Marin.

For Marin's unincorporated areas, ABAG would have the county supervisors come up with plans to build more than 3,500 housing units.

County supervisors intend to get that number revised downward, but the county still faces a deadline to come up with realistic plans for meeting the higher quota.

Falling short of that quota opens the door to Sacramento enabled shortcutting the normal public planning process, which has already led to county staff's approval of a five-story apartment complex in Marin City and a plan submitted for expedited approval in Novato for a six-story building at 1020 Fourth St.

Thanks to Sacramento lawmakers, the local stage has been set for building housing complexes that are out of scale with their surroundings.

In a letter to ABAG, which drafted the quotas, Supervisor Katie Rice wrote that Marin may not be able to meet the higher quotas while also protecting environmentally sensitive areas, respecting valid concerns about fires, flooding and sea-level rise.

Certainly, it is important that Marin meet its regional fair share. But those quotas should be realistic and achievable without sacrificing good planning that recognizes community concerns and real constraints.

Certainly, issues such as racial and social equity must be at the forefront in coming up with realistic plans for needed housing, but the state is wrong to grease the skids for developments that are out of scale with the communities in which they are built.

The county and Marin municipalities are right to push back.

# ‘OMINOUS’ OUTLOOK

## DRY WINTER

Marin water suppliers consider drought restrictions

### **Marin Independent Journal**

**By Will Houston**

[whouston@marinij.com](mailto:whouston@marinij.com)

Marin County water districts are weighing the need for mandatory conservation actions in the face of abnormally low rainfall and what could be another prolonged drought.

Marin’s two largest suppliers — the Marin Municipal Water District and the North Marin Water District — plan to begin with voluntary conservation measures before considering more restrictive options such as rationing and irrigation bans similar to those of the 2014 drought.

“Absent rain, we may need to increase that level of conservation through the summer,” said Paul Sellier, director of operations with the Marin Municipal Water District.

Meanwhile, the community of Bolinas is considering mandatory water rationing that could begin as soon as March 1.

Unlike other areas of the state that rely on snowpack, the bulk of Marin’s water supply comes from local reservoirs that rely on rain runoff. Nearly halfway through the rainy season, these reservoirs are well below average levels, with most water agencies recording less than half of their normal rainfall.

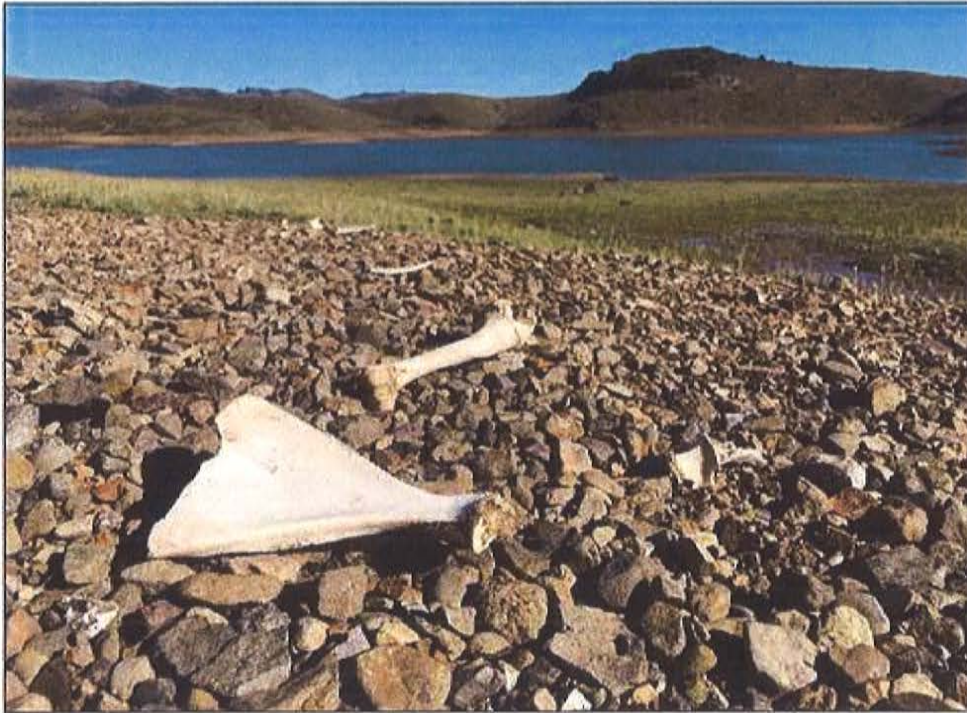
“February is normally one of our wettest months,” Sellier said. “We really do need some significant rainfall.”

Storms in recent weeks doused regions south of San Francisco Bay and packed more snow in the Sierra Nevada mountains. But they did little to alleviate nearly a year of dry conditions in Marin. Water districts are hoping for more rain to soak the parched ground and allow for more runoff into reservoirs.

Long-range forecasting models show a chance of rain arriving later this week and further into the month, but those are subject to change.

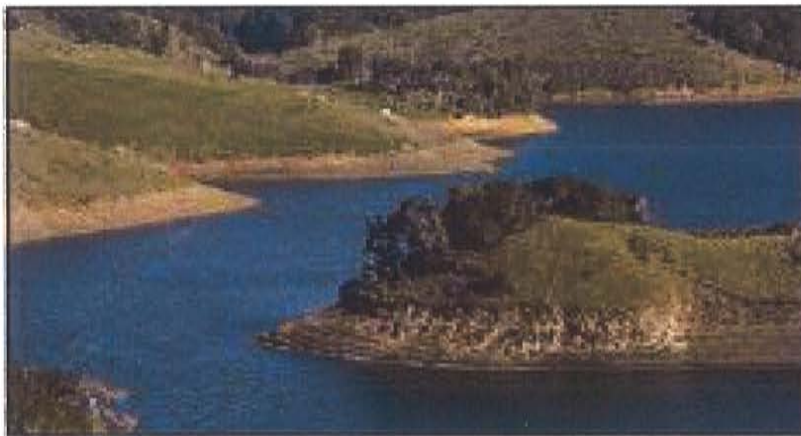
The North Marin Water District, which serves about 64,000 people in the greater Novato area, recorded just 6 inches of rain at its Stafford Lake reservoir from July through Sunday.

“It’s the lowest rainfall recording to date since records have been obtained since 1916,” district general manager Drew McIntyre.



Desiccated animal bones lie at the parched edge of the Nicasio Reservoir in western Marin County on Saturday. The Marin Municipal Water District reported its seven reservoirs were at 57% capacity as of Sunday.

PHOTOS BY SHERRY LAVARS — MARIN INDEPENDENT JOURNAL



A dry strip marks the diminished water level of the Soulajule Reservoir in rural Marin on Friday. MMWD is planning a rare draw from the basin this month.

About 14 inches of rain had fallen at Stafford Lake during this period last year. The lake, which provides about a quarter of the district's water supply, was at 29% capacity at the end of January with about 1,200 acre-feet of water. Normally, the reservoir would have 2,600 acre-feet at this time, McIntyre said.

The district's board of directors will consider next week whether to pump Sonoma County water into Stafford Lake to bolster summer supplies, a more costly but potentially necessary measure, McIntyre said. A staff report on the cost had not been published as of Monday. The district has only had to take this action six times since 1988, according to McIntyre.

About 75% of the district's water supply is purchased from Sonoma Water. The district draws from Stafford Lake more during the summer, when residents typically have higher water use.

Marin's largest water supplier, the Marin Municipal Water District, plans to consider a voluntary water use reduction target for its 191,100 customers at its Feb. 16 board of directors meeting. A 20% target is being vetted by staff, though Sellier said that is subject to change.

Normally, the district's water shortage protocols would have it wait until April 1 to decide whether to enact voluntary or mandatory conservation measures, depending on the water supply. If reservoir levels fall below 50,000 acre-feet, the plan calls for a 10% voluntary reduction to be made. If the supply falls below 40,000 acre-feet, a 25% mandatory reduction target can be put into effect. If water levels are projected to be below 30,000 acre-feet by Dec. 1, the district can enact up to a 50% reduction target.

MMWD reported its seven reservoirs were at 57% capacity as of Sunday, with about 45,600 acre-feet of supply. The average capacity for this time of year is about 84%. Last year at this time, reservoirs were at 94% capacity.

Even if no rain fell by April 1, the reservoirs likely wouldn't drop below 40,000 acre-feet by that point, Sellier said.

"But does that mean we have a party? I'd be really concerned about water supply at that point," Sellier said.

The district is hoping to avoid these decisions by acting early.

"We don't want to wait until April 1," Sellier said.

MMWD staffers are hoping this February won't be a repeat of last year, when only a hundredth of an inch of rain fell at Lake Lagunitas. About an inch of rain has fallen so far this month. About 15 inches of rain have fallen at Lake Lagunitas from July through Sunday, less than half of the average 32 inches it normally receives during this period. About 27 inches of rain were recorded at this time last year.

The lack of rainfall is causing the district to draw from rarely used reservoirs. Sellier said it planned to draw this month from its SoulaJule Reservoir, which has only been used once since it was built in 1979 for a drought in the early 1990s.

About a quarter of the Marin Municipal Water District's supply is purchased from Sonoma Water. Anticipating a drier than normal winter, the district board of directors approved a plan

to accelerate imported water purchases from Sonoma to extend the life of its reservoirs. By the end of January, the district imported more than 4,500 acre-feet of Sonoma water, about 2,500 acre-feet more than it normally would at this time of year, Sellier said. Typically, the district imports about 5,300 acre-feet of water per year.

Though the water is more expensive than the local supply, Sellier said the bet appears to be paying off.

Sonoma Water is facing similar struggles with its two main reservoirs at Lake Sonoma and Lake Mendocino, which could have repercussions for local water agencies if conditions don't change. The reservoirs, which serve about 600,000 people in Sonoma and Marin, were at 64% and 40% capacity, respectively.

"These are really low levels for both of these reservoirs for this time of year," Sonoma Water principal engineer Don Seymour said.

Bolinas is already considering mandatory conservation targets starting in March. The Bolinas Community Public Utility District board met on Monday evening to discuss conservation targets that could be put into effect on March 1. The district has a limited water supply from Arroyo Hondo Creek, has a moratorium on any new water connections and enacted voluntary conservation actions this summer.

The district's general manager, Jennifer Blackman, was unavailable for comment on Monday.

The Inverness Public Utility District, which has no reservoirs and relies entirely on rainfall runoff from the Inverness Ridge, recorded half of its typical rainfall for this time of year with 11 inches since July, said district customer service manager Wade Holland. The district's storage tanks that supply the 517-customer district are all full, but the coming weeks could quickly change the situation.

"We've seen worse years in the past but got enough rain in February and March that it wasn't a problem," Holland said. "But it looks ominous this year."

The district has already asked customers to reduce water use and has some restrictions, such as not accepting any new connections. The next steps would be limiting outdoor irrigation every other day, banning outdoor irrigation and ultimately water rationing in a worst-case scenario, Holland said. The district has never had to go beyond limiting outdoor irrigation to every other day, he said.



Courtney Robinson and boyfriend Wes Worswick, both Petaluma residents, fish on an exposed point along the shore of the Nicasio Reservoir in rural Marin on Saturday.

SHERRY LAVARS — MARIN INDEPENDENT JOURNAL

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Tuesday, 02/09/2021 Page .A01

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# POINT REYES LIGHT

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## Inverness tax leaves big questions

By Francine Allen  
02/03/2021

Everyone can agree with the frightening opening to the Inverness Foundation's solicitation for the adoption of another Inverness Public Utility District tax: "We don't want Inverness to be like Paradise...ravaged by...fire."

Alarmed Inverness residents are then presented with a property tax proposition authored by Seahaven residents rather than our utility district. This tax, they claim, will provide funds to alleviate the wildfire threat and Inverness's water problems—essentially leaks and inadequate storage capacity. Yet combining wildfire danger with IPUD's water issues creates a scattershot approach to two separate and complex situations. And a cursory analysis of the proposal's enormous ambitions reveals that its expenditures will clearly exceed its generated income.

Inverness exists within a wildfire zone. Fighting the Woodward Fire required pooled resources of the federal, state and county governments. Yet the Inverness Foundation claims its tax could diminish the likelihood of wildfire by providing "sufficient funds to pay for ALL the costs of fuel control and ecological restoration on lands adjacent to Inverness in Tomales Bay State Park and Point Reyes National Seashore."

Does the foundation think that our small community has adequate resources to do this—and should be responsible for managing state and federal lands that millions of people utilize every year? Can IPUD obtain the necessary federal and state permits to provide this level of management? Has a wildfire expert designed or verified the potential effectiveness of the proposal, or did the idea originate with Seahaven residents who hope to maintain a firebreak on public lands adjacent to their homes, using all Inverness residents' tax money to do it?

The utility district would manage the tax revenue, but would its use of the income be pre-determined by the proposition? Can the Seahaven firebreak be eliminated if the district determines this is neither a priority nor an effective approach to community safety from wildfires?

The portion of the proposition dealing with wildfire presents a placebo, not a solution, for collective fear. Creating defensible space around houses and within a neighborhood is a reasonable goal but cannot provide safety from wildfire. Inverness lies within a vast, forested parkland. As individuals, we can accept this reality or move.

As for our water problems, if IPUD needs increased revenue, it should propose an additional property tax—one developed from a reliable budget analysis and targeted toward specified needs and uses.

When I asked the Inverness Foundation what input IPUD had in the development of the tax, I received this response from Jerry Meral: "[A]n I.F.-sponsored measure would need a majority to pass. An IPUD-sponsored measure would need 2/3.... IPUD can only take a position once the text is final. To preserve the majority vote option, we cannot work closely with IPUD on an official basis.... IPUD cannot be officially involved if we want to preserve the majority vote option."



If an Inverness Foundation proposition reaches the ballot, it needs to receive only a simple majority rather than the 67 percent majority that IPUD, a government body, would need to pass a new tax. The proposition will have been generated and shaped by a few unnamed citizens who were able to receive Inverness Foundation sponsorship without a vote or even a public discussion of its merits by the Inverness Association's own general membership.

This tax proposal should propel our town into a community discussion of wildfire threat, water supply and the variety of solutions that exist. It elicits many questions. Is a new property tax Inverness's only choice? Has IPUD exhausted all other avenues, such as alternative sources for funding, fines for excessive use, targeted education and incentives for conservation? Should property owners who have assumed their individual and community responsibility by spending thousands of dollars to create defensible space around their homes receive a tax break if IPUD uses tax funds to create defensible space around neighborhoods or homes? Should residents who own water-efficient appliances or who very carefully use our precious supply receive water rate cuts, or a tax break? And, finally, if a new property tax is necessary to fund IPUD, shouldn't IPUD generate it and determine how it be used?

Jerry Meral will present the Inverness Foundation's tax proposal at IPUD's next board meeting, on Feb. 24. The community can attend this meeting on Zoom. Sending letters to board members, the Light, and the Inverness Foundation is another way to participate in this dialogue.

*Francine Allen lives in Inverness.*





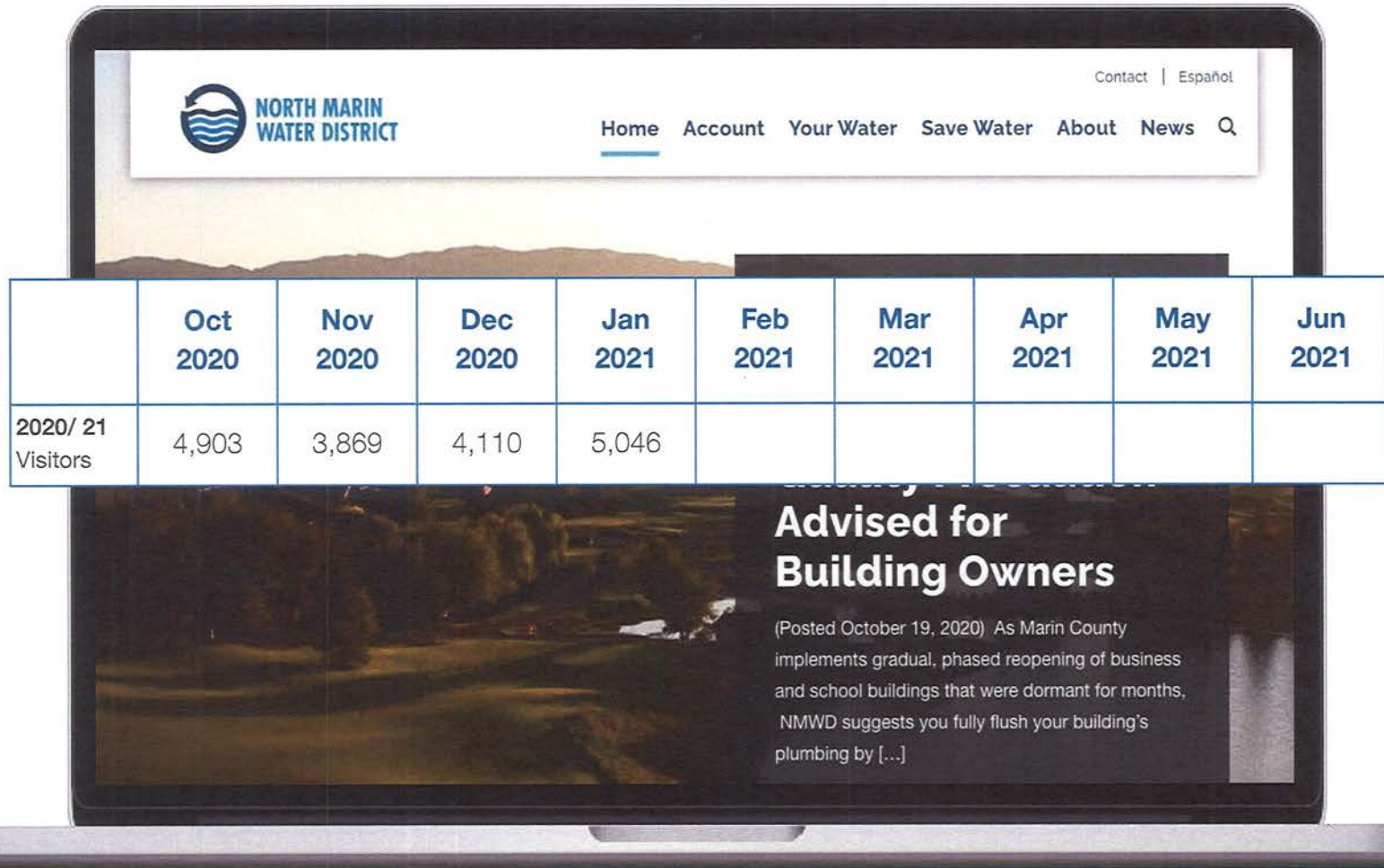
**NORTH MARIN  
WATER DISTRICT**

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# **Web & Social Media Report**

January 2021

## Website Statistics



## Social Media Followers

	Oct-2020	Nov-2020	Dec-2020	Jan-2021	Feb-2021	Mar-2021	Apr-2021	May-2021	Jun-2021
 Facebook Likes	1,185	1,186	1,188	1,186					
 Twitter Followers	14	14	17	21					
 Instagram Followers	402	414	431	439					



## NMWD Most Visited Pages

Pages	Unique Pageviews	% of Total
<a href="#">Home</a>	3058	31.05%
<a href="#">Online Billing</a>	1942	21.57%
<a href="#">Watersmart</a>	391	4.53%
<a href="#">Your Water Statistics</a>	386	4.52%
<a href="#">Service Quality</a>	239	2.21%
<a href="#">Service Charge</a>	239	2.03%
<a href="#">/ywnjb3vudf</a>	231	2.00%
<a href="#">Employment Opportunities</a>	228	1.94%
<a href="#">Novato Water</a>	186	1.91%
<a href="#">Save Water (Indoors)</a>	136	1.74%





## January News

### It's a Dry Year. Save Water With Us.

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(Posted January 25, 2021) Due to unusually low rainfall this winter and below average rainfall conditions last year, our water storage levels are particularly low. This means we need your help in conserving water and preserving our community's water sources — including Stafford Lake, Lake Mendocino, Lake Sonoma, and the Russian River.

We are proud to be part of the Sonoma-Marín Saving Water Partnership, which represents Sonoma Water and its wholesale water contractors, or the cities that deliver drinking water to more than 600,000 residents in the North Bay. The Partnership has come together to seek the community's help in saving water, and we hope you will join us in this important mission.

Conserving water is easier than you might think! Small changes around your home can make a big difference, especially if each household can commit to just a few. Save water now by:

- Turning off your irrigation system. Plants need much less water during the winter. Manually water only when the soil below the surface is dry.
- Applying mulch to retain moisture and prevent soil erosion.
- Running only full loads of laundry or dishes. The dishwasher uses less water than washing by hand.
- When loading the dishwasher, skip rinsing and scrape food scraps into the compost bin instead of the garbage disposal.
- Turning off the water while you lather with soap, shave, and brush your teeth.
- Not using the toilet as a trash bin. Never flush wipes, tissues, masks, gloves, or paper towels.
- Replacing inefficient toilets with new high-efficiency models. Top performing models use just 0.8 gallons per flush.

### North Marin Water District Welcomes New Assistant General Manager/Chief Engineer

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(Posted January 22, 2021) We are thrilled to introduce Tony Williams, North Marin Water District's new Assistant General Manager/Chief Engineer!

Tony is a licensed Civil Engineer who holds a BS in Civil Engineering from the University of Washington and has <https://www.google.com/search?q=clients+Legal+google.com/&rlz=1C1DwHDYPTfSgmI9L-7VaAs68...> over 20 years of diverse experience in both the public and private sectors. Most recently, he served as the Assistant Director of the County of Marin Department of Public Works. Prior to the County, Tony was a Senior Engineer with the City of Novato Public Works Department. Tony was born and raised in Marin County and is a graduate of Tamalpais High School. He has lived in Novato since 2000 with his wife of 28 years and their two daughters.

Tony will be leading and executing all North Marin Water District engineering projects as well as assisting in the management of North Marin Water District staff and operations. We are delighted to welcome Tony to our team!





## January Social Media Highlights | Facebook



North Marin Water District  
Published by Hootsuite [?] · 4 January ·

Customers are welcome and encouraged to attend North Marin Water District's virtual board meeting tomorrow. See the agenda for how to join by phone or Zoom: [nmwd.com/meetings](https://nmwd.com/meetings)

### Board of Directors Meeting

Tuesday, January 5th  
6:00pm



49 people reached | 1 engagements



North Marin Water District  
Published by Hootsuite [?] · 14 January ·

Did you know the Aqueduct Energy Efficiency Project, completed in 2015, enabled gravity-based delivery of 18 million gallons per day of Russian River water to Novato? This reduces energy costs and greenhouse emissions from the use of pumps!



98 people reached | 9 engagements



North Marin Water District  
Published by Hootsuite [?] · 16 January ·

Customers are welcome and encouraged to attend North Marin Water District's virtual board meeting next Tuesday. See the agenda for how to join by phone or Zoom: [nmwd.com/meetings](https://nmwd.com/meetings)

### Board of Directors Meeting

Tuesday, January 19th  
6:00pm



58 people reached | 1 engagements

Engagements include likes, reactions, clicks and comments







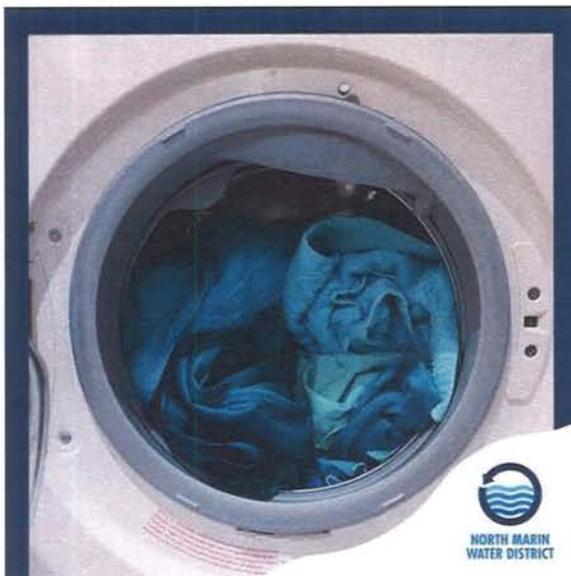
## January Social Media Highlights | Facebook



North Marin Water District

Published by Hootsuite [?] · 21 January ·

We offer a \$50 rebate to customers who purchase qualifying high-efficiency (HE) clothes washing machines. Visit our website to learn more and apply: [nmwd.com/save-water/indoors](http://nmwd.com/save-water/indoors)



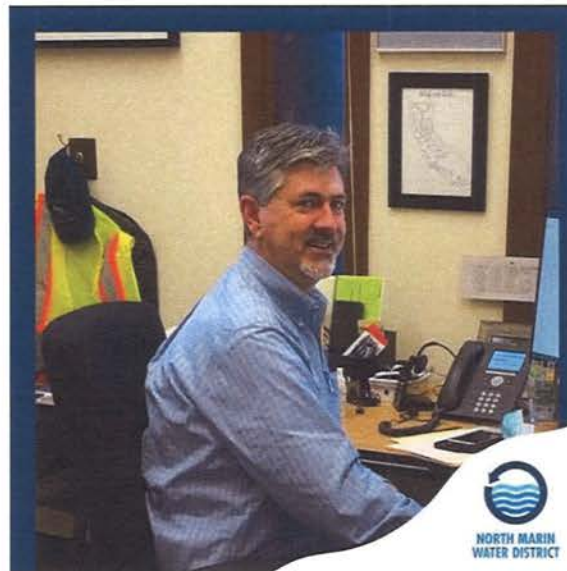
46 people reached | 0 engagements



North Marin Water District

Published by Hootsuite [?] · 25 January ·

We'd like to formally introduce our new Assistant General Manager/Chief Engineer, Tony Williams! Visit our News page to learn more: <http://ow.ly/BzYN50DhJwI>



218 people reached | 54 engagements



North Marin Water District

Published by Hootsuite [?] · 5d ·

Remember to turn off your irrigation system during wet weather! ☁️💧 It will help save water for the dry year ahead, and save money on your water bill. Visit [nmwd.com/save-water](http://nmwd.com/save-water) for more water saving tips.



65 people reached | 3 engagements

Engagements include likes, reactions, clicks and comments



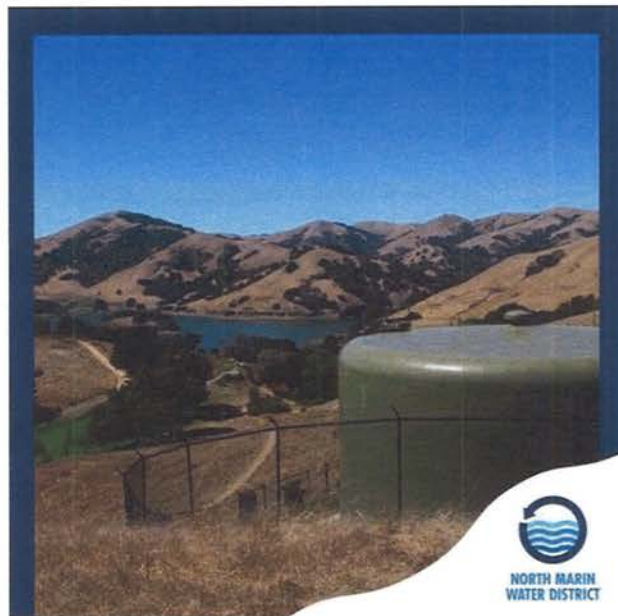


## January Social Media Highlights | Facebook



North Marin Water District  
Published by Hootsuite 171 · 4d · 🌐

Did you know that North Marin Water District's tank storage increased from 2 million gallons to 16 million gallons between 1961 and 1970? Learn more on our History page: [nmwd.com/about/history](https://nmwd.com/about/history)



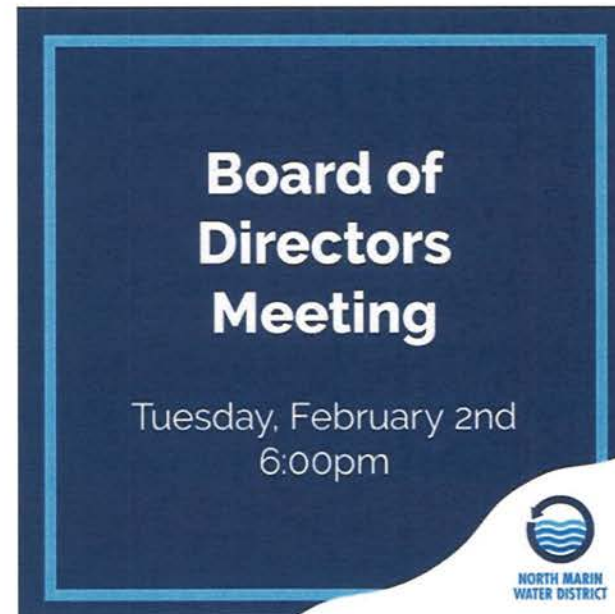
63 people reached | 4 engagements

*Engagements include likes, reactions, clicks and comments*



North Marin Water District  
Published by Hootsuite 171 · 2d · 🌐

Customers are welcome and encouraged to attend North Marin Water District's virtual board meeting next Tuesday. See the agenda for how to join by phone or Zoom: [nmwd.com/meetings](https://nmwd.com/meetings)



46 people reached | 0 engagements







## January Social Media Highlights | Twitter



**North Marin Water District** @NorthMarinWater · Jan 4

Customers are welcome and encouraged to attend North Marin Water District's virtual board meeting tomorrow. See the agenda for how to join by phone or Zoom: [nmwd.com/meetings](https://nmwd.com/meetings)

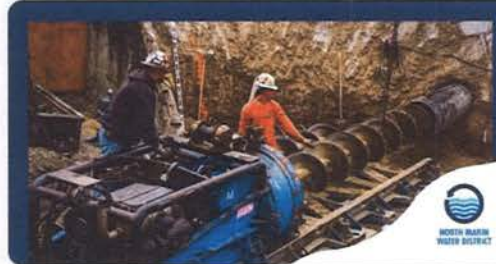
### Board of Directors Meeting

Tuesday, January 5th  
6:00pm



**North Marin Water District** @NorthMarinWater · Jan 14

Did you know the Aqueduct Energy Efficiency Project, completed in 2015, enabled gravity-based delivery of 18 million gallons per day of Russian River water to Novato? This reduces energy costs and greenhouse emissions from the use of pumps! [#energyefficient](#) [#drinkingwater](#)



**North Marin Water District** @NorthMarinWater · Jan 16

Customers are welcome and encouraged to attend North Marin Water District's virtual board meeting next Tuesday. See the agenda for how to join by phone or Zoom: [nmwd.com/meetings](https://nmwd.com/meetings)

### Board of Directors Meeting

Tuesday, January 19th  
6:00pm





## January Social Media Highlights | Twitter



**North Marin Water District** @NorthMarinWater · Jan 21

We offer a \$50 rebate to customers who purchase qualifying high-efficiency (HE) clothes washing machines. Visit our website to learn more and apply: [nmwd.com/save-water/ind...](http://nmwd.com/save-water/ind...)



**North Marin Water District** @NorthMarinWater · Jan 25

We'd like to formally introduce North Marin Water District's new Assistant General Manager/Chief Engineer, Tony Williams! Visit our News page to learn more: [ow.ly/dvxt50DhJDh](http://ow.ly/dvxt50DhJDh)



**North Marin Water District** @NorthMarinWater · Jan 27

Remember to turn off your irrigation system during wet weather! ☔️ It will help save water for the dry year ahead, and save money on your water bill. Visit [nmwd.com/save-water](http://nmwd.com/save-water) for more water saving tips.

#nmwd #water #atmosphericriver #bayarea #savewater #savemoney



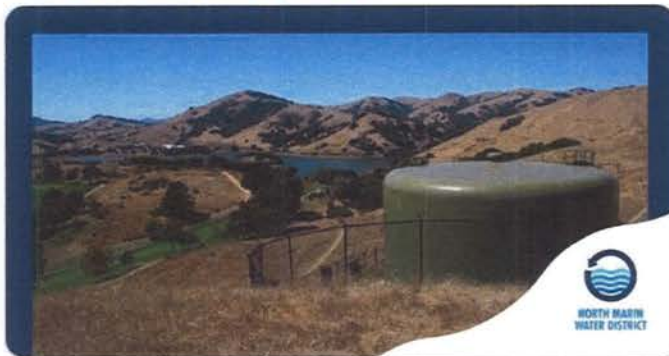


## January Social Media Highlights | Twitter



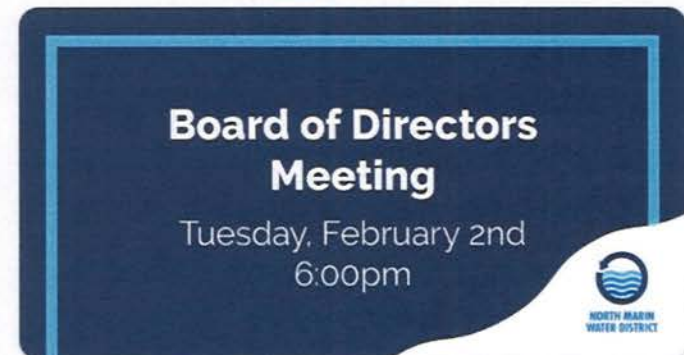
**North Marin Water District** @NorthMarinWater · Jan 28

Did you know that North Marin Water District's tank storage increased from 2 million gallons to 16 million gallons between 1961 and 1970? Learn more: [nmwd.com/about/history](https://nmwd.com/about/history)  
#drinkingwater #waterstorage #funfacts



**North Marin Water District** @NorthMarinWater · Jan 30

Customers are welcome and encouraged to attend North Marin Water District's virtual board meeting next Tuesday. See the agenda for how to join by phone or Zoom: [nmwd.com/meetings](https://nmwd.com/meetings)



Engagements include likes, reactions and comments







## January Social Media Highlights | Instagram

### Board of Directors Meeting

Tuesday, January 5th  
6:00pm



3 likes

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3w



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JANUARY 4

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JANUARY 14

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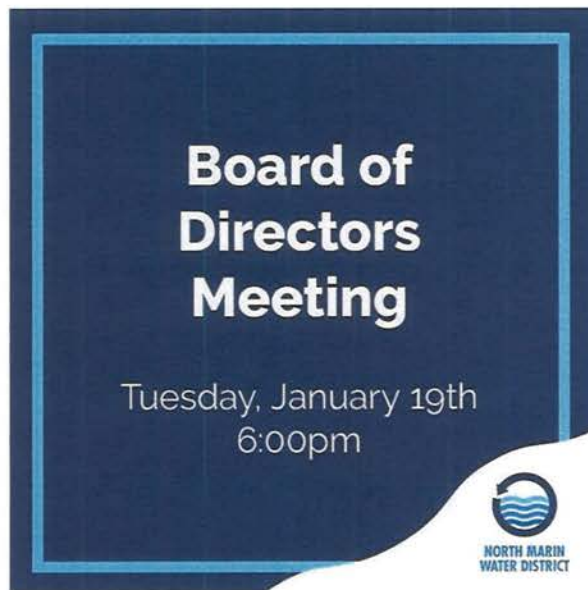


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## January Social Media Highlights | Instagram



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1w



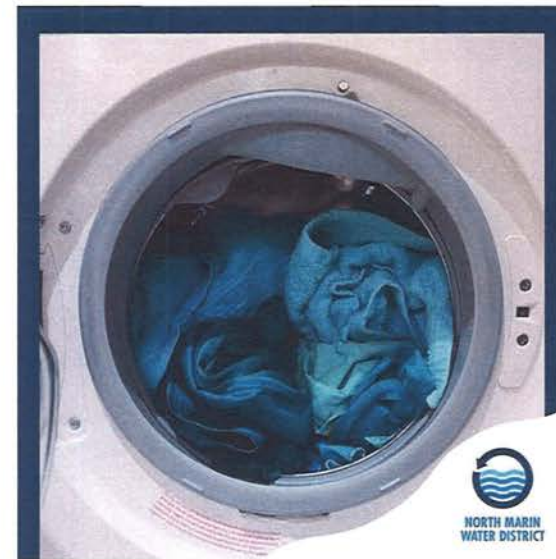
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JANUARY 19

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7 likes

JANUARY 21

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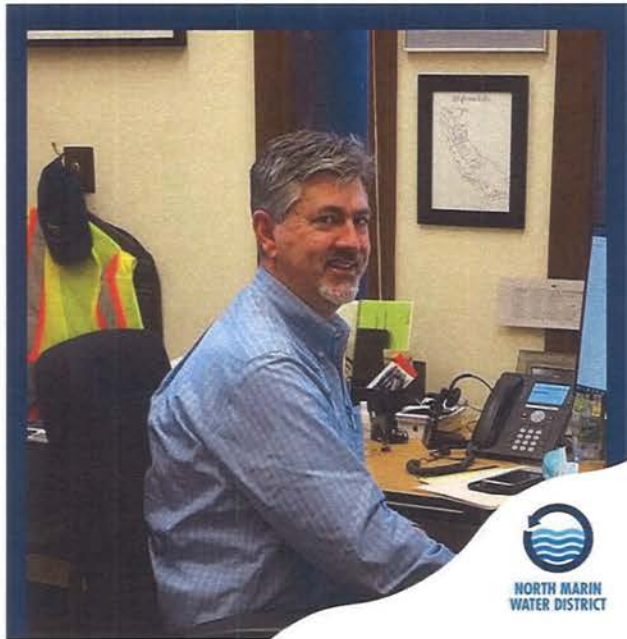


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## January Social Media Highlights | Instagram



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northmarinwaterdistrict We'd like to formally introduce North Marin Water District's new Assistant General Manager/Chief Engineer, Tony Williams! Visit [nmwd.com/news](https://nmwd.com/news) to learn more (Link in bio!)

1w

anthonywilliams437 🙌

6d Reply



13 likes

7 DAYS AGO

😊 Add a comment...



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northmarinwaterdistrict Remember to turn off your irrigation system during wet weather! ☁️💧 It will help save water for the dry year ahead, and save money on your water bill. Visit [nmwd.com/save-water](https://nmwd.com/save-water) for more water saving tips! Link in bio.

#nmwd #atmosphericriver #bayarea #savewater #savemoney

5d



8 likes

5 DAYS AGO

😊 Add a comment...



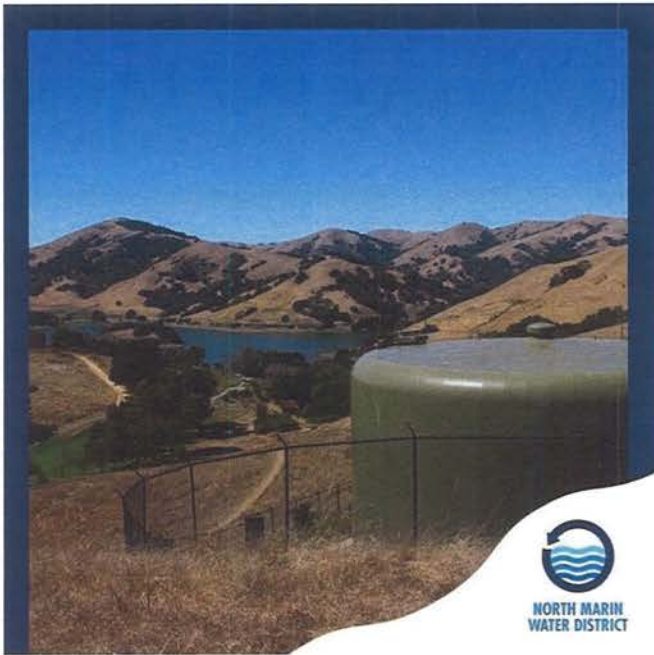
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## January Social Media Highlights | Instagram



8 likes

northmarinwaterdistrict • Follow ...

northmarinwaterdistrict Did you know that North Marin Water District's tank storage increased from 2 million gallons to 16 million gallons between 1961 and 1970? Learn more on our History page: [nmwd.com/about/history](https://nmwd.com/about/history) (link in bio!) #drinkingwater #waterstorage #funfacts

4d



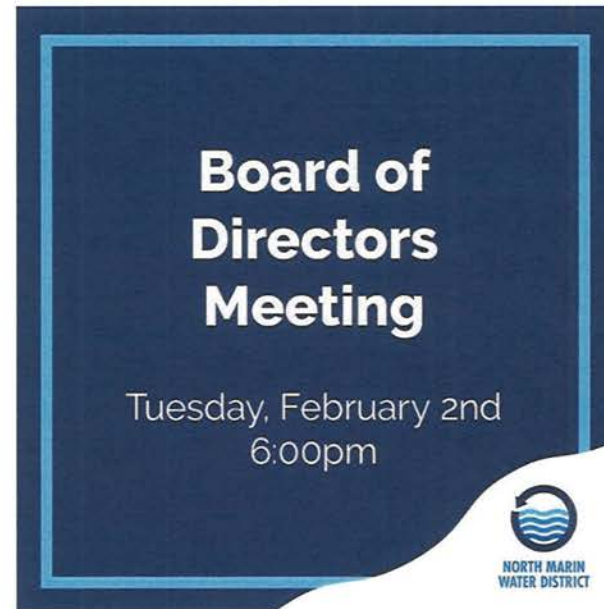
8 likes

4 DAYS AGO

Add a comment...



Post



1 like

northmarinwaterdistrict • Follow ...

northmarinwaterdistrict Customers are welcome and encouraged to attend North Marin Water District's virtual board meeting tomorrow. See the agenda for how to join by phone or Zoom: [nmwd.com/meetings](https://nmwd.com/meetings) (Link in bio!)

56m



1 like

56 MINUTES AGO

Add a comment...



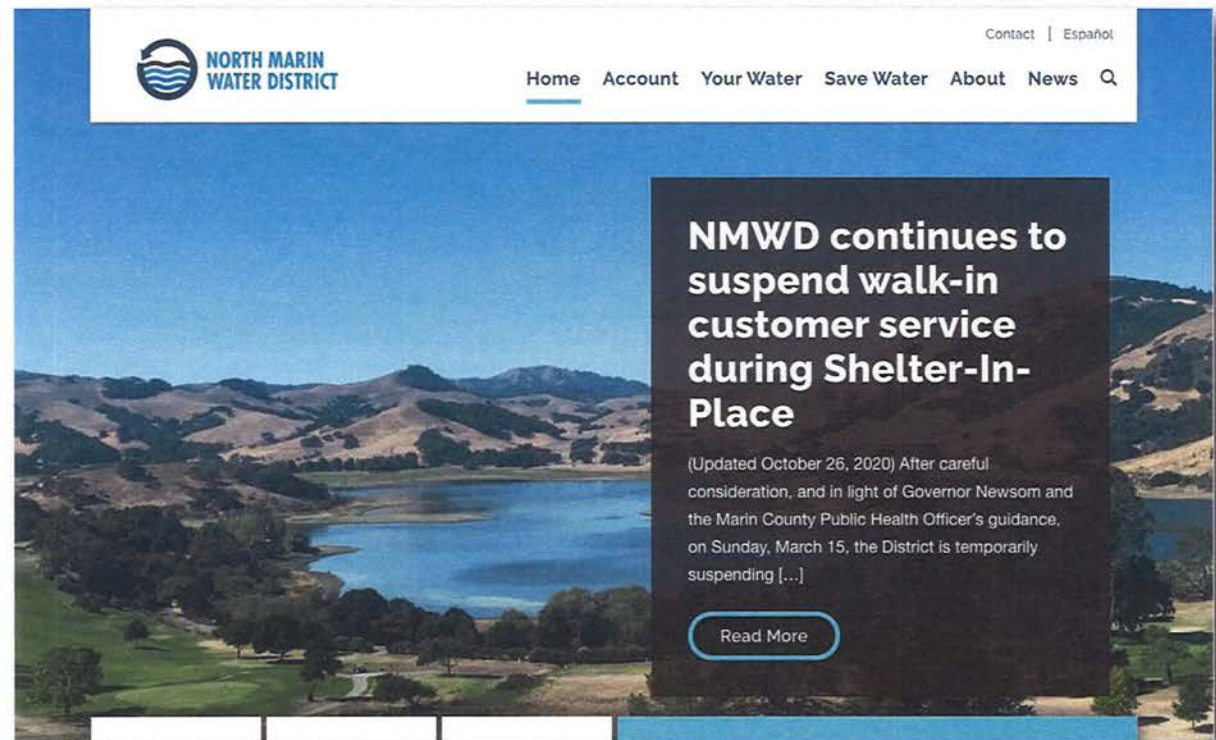
Post



## Website Updates | January 2021

The Home Page was updated with a new image for a fresh look.

A new image will be updated every 3 months with prior approval.





## **What's Next?**

- Facebook 'likes' campaign launches in February 2021 (to increase followers)
- National Engineers Week social post in February 2021
- Continuation of the Sonoma-Marin Saving Water Partnership water saving campaign (Jan 2021-March 2021)
- City Guide ad & editorial in February 2021
- GFOA news story & social (Date pending)
- Benefits of mulch news story (Date pending)



**Thank You**