

**NORTH MARIN WATER DISTRICT
MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
March 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 Fraitas, 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), Pablo Ramudo (Water Quality Supervisor), 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. Ken Levin from the Point Reyes Village Association joined remotely. Consultants Jim O'Toole and Ally Sung-Jereczek (ESA), Peter Hudson (Sutro Science) and Carl Nelson (BPMNJ), District legal counsel were also in attendance.

MINUTES

On motion of Director Baker seconded by Director Joly the Board approved minutes from the February 16, 2021 Regular Board Meeting by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

On motion of Director Fraitcs seconded by Director Baker the Board approved minutes from the February 23, 2021 Special Board Meeting by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

GENERAL MANAGER'S REPORT

Dry Year Conditions Update

Mr. McIntyre reminded the Board that public hearings for water conservation ordinances for Novato and West Marin will be held at the March 16th meeting as re-scheduled by the Board at the February 23rd special meeting. Mr. McIntyre announced he and Ms. Burke, as TAC leadership have another water supply update meeting with SCWA staff on March 3rd. He added he still expects early April to be a decision point on what SCWA's messaging will be regarding 2021 water supply restrictions. Mr. McIntyre noted Stafford Lake backfeeding began on April 17th and as of March 1st, 150 AF had been added into the lake. Mr. McIntyre reported staff expects to reach 600 AF in early April. He noted the recent dry year media interest and called attention to the related Marin IJ article under miscellaneous in the agenda. Additionally, Mr. McIntyre announced he provided a radio interview with KCBS regarding dry year conditions the previous week and had a TV spot interview with KPIX this afternoon.

Senate Bill 323 – Water/Sewer Rates

Mr. McIntyre apprised the Board that existing California laws provides a 120-day statute of limitation for water connection fees and capacity charges, however the existing law does not prevent lawsuits regarding service rates years after rates have been adopted and collected. He noted Senate Bill 323 creates a statute of limitations for legal challenges to water service rates similar to that of the 120-day limit applicable to connection fee charges. Mr. McIntyre informed

the Board that this bill is set for hearing on March 11th, therefore unless there was any Board opposition he planned on indicating NMWD support for this bill on an ACWA coalition letter. Hearing no opposition from Board members, Mr. McIntyre announced he will move forward with having NMWD sign on to ACWA's coalition support letter. He added that a copy of the finalized support letter will be included under miscellaneous at a future Board meeting.

Russian River Biological Opinion, Public Policy Facilitating Committee Meeting

Mr. McIntyre informed the Board that the next annual Public Policy Facilitating Committee meeting will be on March 9th from 2:00 to 4:00 p.m. via Zoom. He noted Directors Petterle and Grossi are designated as NMWD appointees to attend these meetings. Mr. McIntyre stated Ms. Kehoe will contact both Directors regarding registration if they plan to attend.

Director Grossi stated he already registered and Director Petterle stated he will contact Ms. Kehoe to register him for the meeting.

OPEN TIME

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

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.

Mr. Williams provided an update on the 2020 Urban Water Management Plan which will be discussed later in the agenda. He addressed a related topic that came up at the last Board Meeting on February 16th. There was a comment from West Marin customer Mr. Levin regarding dry year water conditions and future water demands at the Coast Guard Housing Reuse site. Mr. Williams noted the state only requires an UWMP for a retail water agency serving 3,000 connections or more; which does not apply to West Marin. He noted the former Coast Guard property which was recently purchased by the County of Marin for a low-income housing development, historically has entitlements from 1974 that goes with the property. Mr. Williams stated the entitlement is 20,000 gallons per day which works out to be 74 equivalent single-family dwelling units.

ACTION ITEMS

**GALLAGHER WELL NO. 2 REPORT FOR GALLAGHER WELLS AND PIPELINE PROJECT:
APPROVE CEQA ADDENDUM TO THE 2009 MITIGATED NEGATIVE DECLARATION (MND)**

Mr. McIntyre reminded the Board that NMWD staff prepared and circulated a CEQA Addendum analyzing the impacts of construction and operation of the previously proposed Gallagher Well No. 2. He stated the project under consideration, like the project approved in

2009, would provide for a total of two wells at the Gallagher Ranch with a combined capacity of 300 gallons per minute (gpm). Mr. McIntyre noted the Gallagher Well No. 2, as proposed now and in 2009, would tie into the existing Gallagher Well raw water transmission pipeline located south of the private Gallagher Ranch access road. He added approximately 500 feet of new pipeline would be installed to connect Gallagher Well No. 2 to the existing transmission pipeline. Mr. McIntyre informed the Board that in 1992, the Board approved a CEQA document for construction of a single well with a pumping capacity of 300 gpm however this well, called Gallagher Well No. 1 proved unable to provide the desired 300 gpm capacity necessitating the need to secure a second well at the Ranch to obtain a combined pumping capacity of 300 gpm. Mr. McIntyre noted all project components described in the 2009 IS/MND have been implemented by NMWD except for construction of the second well.

Mr. McIntyre introduced Mr. O'Toole from ESA to provide a power point presentation to the Board. Mr. O'Toole also introduced Ms. Sung-Jereczek from ESA and consultant Mr. Hudson from Sutro Science.

Mr. O'Toole referenced back to the 2009 CEQA project. He noted the second well was originally slated for the south pasture, but due to the property owners request and the hydrogeologic analysis the new well location is now proposed to be placed in the north pasture about the same distance from Well No. 1. Mr. O'Toole then discussed the CEQA checklist items that were reviewed and resulted in the conclusion that a CEQA Addendum was appropriate. Mr. O'Toole reminded the Board of their earlier decision to circulate the addendum for courtesy review to interested parties and regulatory agencies for input even though it was not required by CEQA. He stated two letters were received, one from Save Our Seashore and the other from the San Francisco Bay Regional Water Board (SFBRWB). Mr. O'Toole added their concerns were noted and a technical memorandum was prepared with a written response. He then reviewed the comments and responses. At the end of his discussion he recommended the addendum be adopted as it meets CEQA requirements and no severe impacts were identified.

Mr. McIntyre added that staff had a conference call with SRBRWB staff on February 3rd and discussed their comments. Staff has also agreed to review the project at the next regularly scheduled Lagunitas Creek TAC meeting which is scheduled for March 19th. He added that there were two comments in favor of the project and there are included as part of the agenda item. Director Joly thanked Mr. Levin and Ms. Day for their generosity in taking the time to submit letters in support of the CEQA.

Director Joly asked Mr. McIntyre, Mr. O'Toole and legal counsel if they felt we met all CEQA obligations. Mr. McIntyre replied that the CEQA review was performed by our qualified

CEQA consultant, ESA and reviewed by both staff and legal counsel, and it is believed the Addendum was prepared in accordance with CEQA guidelines. Director Grossi thanked staff, ESA and legal counsel for doing a great job.

On the motion of Director Joly , and seconded by Director Baker the Board adopted the resolution making findings that the Addendum was prepared in accordance with CEQA Guidelines Sections 15162 and 15164, and that the conclusions, impact determinations, and mitigation measures provided in the Addendum were consistent with the previously approved 2009 IS/MND, and would not result in new or more serve impacts beyond those previously identified, approving the Addendum, and approving the project by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

Mr. McIntyre announced that a new two-sided page has been prepared to replace the version of Chapter 5 in the agenda packet in order to conform the Addendum based on the Board's action by resolution tonight.

RENEW DECLARATION OF LOCAL EMERGENCY RELATED TO COVID-19 PANDEMIC

Mr. McIntyre reminded the Board that staff has been operating under partial Emergency Operations Center (EOC) activation. On February 23, 2021, the State announced that Marin County will move from "purple" to "red" status effective Wednesday, February 24th. He stated the move from Tier 1 or "widespread risk" status to the less restrictive Tier 2 or "substantial risk" level is based on consecutive weeks of progress in Marin's COVID-19 case statistics.

Mr. McIntyre announced the District emergency planning has been aggressively implemented since March 16, 2020. The District still operates with 86% of staff on-site or in the field full time. He added the balance of staff are teleworking from home with most coming into the office at least one day each week. Mr. McIntyre stated walk in services remain suspended. He noted the financial COVID-19 cost impacts through February will be provided at the next meeting.

Director Grossi stated he received a notice from the Marin Office of Education that the new CDC guidelines will be mirrored in local schools. He noted when reported cases are as low as Marin's, full in person learning for K-12 can resume. Director Grossi applauded Marin officials who worked hard on this and stated this is excellent news that children can go back to school.

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 Petterle, and seconded by Director Joly 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

INITIAL REVIEW SCWA FY22 WATER TRANSMISSION SYSTEM BUDGET

Ms. Blue gave an initial review on the Sonoma County Water Agency FY22 Water Transmission System Budget. She stated the budget proposed NMWD water purchases at \$1,047.34 per acre-foot an increase of 4.63%. She noted the NMWD rate was originally proposed at 6.92% however it was reduced during the budget subcommittee review process. Mr. Blue announced this information was for information only in advance of the March 16th Board Meeting in which time Lynne Rosselli, Finance Manager for the Sonoma County Water Agency will present the budget.

Director Joly praised Ms. Blue and the subcommittee for getting the rate down. He asked why NMWD pays 1% more than some other agencies, and wanted to know why we have a different formula than other agencies. Ms. Blue replied other agencies have an Aqueduct Capital Charge for future project rate stabilization and we do not have that same benefit.

2020 URBAN WATER MANAGEMENT PLAN STATUS UPDATE

Mr. Williams gave a status update to the Board on the 2020 Urban Water Management Plan for the Novato water system. He stated District Water Conservation Coordinator, Mr. Grisso was also participating in the meeting and was available for questions. Mr. Williams stated the 2020 UWMP will include all of the information and analysis required by the California State Department of Water Resources (DWR) and a public hearing to approve the UWMP will be held at the June 22nd NMWD Board Meeting. He stated the UWMP Act stipulates that a plan must be prepared for agencies with service areas of 3,000 or more connections or water demands 3,000-acre feet or more and this plan must be updated every five years. Mr. Williams noted this is a stand-alone document and in 2019 NMWD entered an agreement with the City of Santa Rosa, as the administrative agent for the Sonoma Marin Saving Water Partnership for a water demand analysis using EKI Environment & Water, Inc. (EKI). He stated even in the worst-case scenario provided by EKI, including ABAG's recent draft Regional Housing Needs Allocation the draft 2020 UWMP lines up with the build out analysis in the 2018 Master Plan. Mr. Williams reported in April,

EKI will provide a presentation of future water demand projections through 2045. The overall schedule is the public hearing will be on April 20th, there will be a sixty-day public review period, the request for approval will go to the Board at the June 22nd Board meeting and the plan will be submitted to the state by July 1, 2021.

Director Joly asked if the Board will be able to see the UWMP before the April 20th public hearing. Mr. Williams responded that Mr. Grisso will have a draft available before that time which will include the main context of the report. Director Joly asked if the amount of supply included recycled water and all other forms of supply. Mr. Williams confirmed. Director Joly asked about the comfort level of the supply and demand analysis prepared by EKI. Mr. Williams replied the recycled water supply, in addition to conservation efforts will go a long way towards offsetting additional population growth demand. Director Joly thanked Mr. Williams and Mr. Grisso for their hard work on this plan. Director Grossi noted that in the past we would estimate the numbers; but now the state is saying this is what the projected growth is going to be. He added this report comes at a good time so that we know what we need to do to provide water to our customers as we get into future discussion on this topic.

POINT REYES SYSTEM SALINITY INTRUSION ALTERNATE WATER SUPPLY CONTINGENCY PLAN

Mr. Ramudo reported on the Point Reyes System Salinity Intrusion Alternate Water Supply Contingency Plan. He provided five options to the Board to provide alternative sources of water in the event the sodium level goes above 115mg/L. Mr. Ramudo stated that it is unlikely Gallagher Well No. 2 will be permitted and operating by July 1st, therefore it is necessary the District has a plan in place to provide for those customers with salt restricted diets.

Director Fraites asked if the customers on salt restricted diets will need to provide evidence in order to be eligible, or will it be an honor system. Mr. Ramudo replied that staff will not require a doctor's note and it will be up to the customer to be truthful. Director Joly stated it is paramount for our customers to feel our water is safe and we are following both the state and federal guidelines. He asked Mr. Levin from the Point Reyes Station Village Association what the recent communication with West Marin consumers has been. Mr. Levin expressed his appreciation to Mr. Ramudo, the Board and staff for working with the Point Reyes community and considering this issue. He followed up with a discussion about reducing the sodium concentration trigger level from 115 mg/L to something lower such as 60 mg/L which is similar to the average salinity level in the Novato drinking water. Mr. Ramudo responded that the District is not required to provide water to those on salt restricted diets and reducing the sodium trigger level from 115 mg/L to 60 mg/L is unrealistic. He added that in the past our experience was once salinity intrusion occurred

it went high very quickly and stayed a long time, when it lowers it plateaus and lingers. Mr. Ramudo reported the intent would be to provide the alternate source of water when the salinity levels are high throughout the summer and fall season. Mr. Levin was pleased to hear staff's intentions and noted he hoped this will only apply to this season and once Gallagher Well No. 2 is online it will solve this problem. Mr. Levin noted the fill stations would then be available to residents at the beginning for the high salinity levels and would imagine as soon as the salinity levels are lower they will resume drinking at the tap. Mr. Levin stated that he hopes the federal and state guidelines are actually safe, noting there are many people in town that do not agree with the guidelines. He pointed out that besides the health related issues, people are concerned with the taste. Mr. Levin stated he appreciated the dialog tonight and will report back to the PRSVA. He asked if once there is a high salinity level detected in the water, if the District will publish the number again in the Point Reyes Light so customers will know that an alternate source will be made available to customers. Mr. Ramudo stated staff will continue to communicate and make outreach to the public through the media, which includes the Point Reyes Light newspaper.

Director Grossi noted this is not an action item, however in order to provide a consensus from the Board he believes Options 4 and 5 should not be considered, adding he prefers Option 1 and the need to monitor the salinity levels regularly. Mr. Ramudo suggested the levels be reported weekly and he agreed that Option 1 would be good to follow, noting we don't know what is going to happen nor when Gallagher Well No. 2 will come online. He stressed what is important here is we service the people of West Marin. Mr. Ramudo noted dry year conditions are already here, salinity in the Coast Guard Wells may increase more than they have so the District is preparing for another historic year of salinity intrusion. Mr. McIntyre thanked Mr. Ramudo for putting together the options and thanked Mr. Levin for continuing to have dialog with staff and the Board on this issue. He stated it is all proactive planning to ensure we have a plan in place to have low saline water available for our customers on salt restricted diets. Mr. McIntyre noted the District is doing all we can to get the second Gallagher well in production. He stated Option 1 has been vetted by the County of Marin and also the PRSVA and he believes it is a reasonable solution to make water available to our customers. Director Joly stated we need to give our customers a clear message that we are being proactive and we are addressing the issue. We want to let the West Marin customers know we take this issue seriously and address it the best we can. Director Joly thanked Mr. Levin for his input and being paramount in communication with the residents of the PRSVA. Director Petterle agreed this is not a perfect solution to the salinity problem, but it is a good start and we can always amend the plan if we need to.

There was a consensus that the preferred option was to use a temporary 5,000

polyethylene tank coupled to temporary fill stations to be located at the former Coast Guard Housing property.

FY 2020-21 SECOND QUARTER PROGRESS REPORT – WATER QUALITY

Mr. Ramudo reported on the FY 20-21 Quarterly Progress Report for Water Quality. He reported the Novato system source water at Stafford Lake, the treatment performance at Stafford Treatment Plant; and the Novato distribution system. He stated the District water was good with 253 samples collected and no coliform bacteria present in compliance with the Total Coliform Rule. Mr. Ramudo reported that there was a sample collected for compliance with the Disinfection Byproduct rule that had an unexpectedly high result at the entry point of water from the Stafford Treatment Plant. This was due to the plant being shut down for the season and no flow going to the sample station. The situation had been corrected by flushing and would be repeated annually when the treatment plant was shut down and valves were closed.

Director Joly asked with Stafford Lake so low and with the current backfeeding if are there are any contamination issues to be concerned about. Mr. Ramudo replied there is no runoff from the watershed and we are filling the lake with clean drinking water; therefore, it is unlikely conditions would be any different than normal, in fact they could be better.

Mr. Ramudo also summarized the Point Reyes system source water at Coast Guard/Gallagher Wells, the performance at the Point Reyes Treatment Plant and the Point Reyes distribution system. He noted disinfection was adequate and we are compliant.

Director Joly asked if we test our recycled water. Mr. Ramudo confirmed, it is continually tested for chlorine and turbidity, and daily for bacteria. Director Joly was pleased there were no red flags on the quality of the District's recycled water. Mr. Ramudo stated that recycled water will have some bacteria present; but it is within the limits allowable and there are no pathogens. Director Joly stated it is important that the recycled water is tested and safe for contact with people. Mr. Ramudo stated, in addition to testing regularly for bacteria and pathogens the District tests for other parameters such as mineral content that can be a concern for irrigation of sensitive plants. He added that this information is available to customers.

FY 2020-21 SECOND QUARTER PROGRESS REPORT – OPERATIONS/MAINTENANCE

Mr. Clark updated the Board on the FY 2020-21 Second Quarter Progress Report for Operations/Maintenance. He reported on Safety; Maintenance, Operations, and Water Quality and provided a general overview on activities. He stated there were 44 consecutive days without a lost time injury and employees continue to have tailgate meetings to keep staff informed and up to date. Additionally, several trainings have taken place which include pre-employment skills tests, hearing tests, flagging and a shoring course. Mr. Clark also noted he continues to have

COVID related meetings with the North Bay Safety Managers.

Mr. Clark reported under Operations/Maintenance, staff is working on the backfeeding of Stafford Lake. In Point Reyes, water treatment was down 19% compared to the previous year; most likely a result of less tourism due to COVID. In Oceana Marin, wastewater volume was up due to more full-time residents residing in Oceana Marin during COVID. Mr. Clark apprised the Board there are currently ninety-one recycled water accounts and there are another six in the works. He added this is a good offset source for potable water.

Director Joly asked if there are no supply constraints on recycled water. Mr. Clark replied it is an ample drought tolerant source. He noted, in previous years some customers reduced their recycled water use without needing too, so we need to communicate with those customers so they understand dry year restrictions do not apply to recycled water.

Mr. Clark apprised the Board on the status of the Asset Management Program.

Director Grossi noted with the current dry year conditions and the low level of Stafford Lake he has seen things out there he has not seen before. Mr. Clark added Stafford Lake is the lowest it has been in seven to eight years. Director Fraites stated there are also lots of golf balls. Director Grossi asked if Indian Valley Golf Club every picked them up. Mr. Clark replied they do.

MISCELLANEOUS

The Board received the following miscellaneous items: Disbursements – Dated February 18, 2021, Disbursements – Dated February 25, 2021, Fire Hydrant Meter Summary and NOAA Three-Month Outlook Temperature and Precipitation Probability.

The Board received the following news articles; Point Reyes Light – Bo to ration water; Marin IJ – Marin balances local look with housing density laws; Point Reyes Light – North Marin outlines new water rate increase; Marin IJ – Voluntary water cutback urged – MARIN MUNICIPAL; Marin IJ - Overdue water bill payment plan set – MARIN MUNICIPAL.

President Grossi adjourned the meeting at 7:49 p.m.

Submitted by



Theresa Kehoe
District Secretary