

**NORTH MARIN WATER DISTRICT  
MINUTES OF REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
July 19, 2022**

**CALL TO ORDER**

President Petterle announced that due to the Coronavirus outbreak and pursuant to the Brown Act as modified by Assembly Bill 361, this was a virtual meeting. President Petterle 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 Petterle 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 Petterle announced that 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.

President Petterle 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 Petterle 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, Michael Joly and Stephen Petterle. Due to technical difficulties Director Grossi joined at 6:11 p.m.

President Petterle announced that all public attendees will be invited to speak and will need to use the raised hand icon in Zoom or dial \*9 to be called upon.

Mr. Williams performed a roll call of staff, participating remotely were Tony Williams (General Manager), Terrie Kehoe (District Secretary), Julie Blue (Auditor-Controller), Eric Miller (Assistant General Manager/Chief Engineer), Pete Castellucci (Interim Construction/Maintenance Superintendent) and Robert Clark (Operations/Maintenance Superintendent). Additionally, District employee Connie Filippi joined the meeting. Also participating remotely was IT consultant Clay Smedshammer (Core Utilities).

President Petterle requested that for those joining the virtual meeting from the public to identify themselves. Participating remotely was Ken Levin.

**MINUTES**

On motion of Director Joly seconded by Director Baker, the Board approved the minutes from the June 21, 2022 Regular Board Meeting by the following vote:

AYES: Director Baker, Fraites, Joly and Petterle

NOES: None

ABSTAIN: None

ABSENT: Director Grossi

On motion of Director Joly, seconded by Director Baker, the Board approved the minutes from the June 28, 2022 Regular Board Meeting by the following vote:

AYES: Director Baker, Fraites, Joly and Petterle

NOES: None

ABSTAIN: None

ABSENT: Director Grossi

### **GENERAL MANAGER'S REPORT**

Mr. Williams announced that SCWA received approval for their Temporary Urgency Change Petition which sets critical water supply conditions with resulting flows of 25 cfs and 35 cfs in the Upper and Lower Russian River, respectively. He reported therefore a 20% reduction of total diversions, including deliveries to NMWD, will be required from July 1, 2022 to October 31, 2022 compared to in 2020, which lasted until December.

Mr. Williams informed the Board that PG&E responded to a request from FERC for a schedule and plan for the surrender of the Potter Valley Project (PVP). He stated that the schedule is thirty months to submit a final surrender application and decommission the plan. Mr. Williams added that the water contractors have their legal counsel tracking any actions by PG&E and FERC.

Mr. Williams reminded the Board that in May, PG&E requested a variance to reduce diversion flows to the east fork of the Russian River into Lake Mendocino, thereby reducing flows to as low as 5 cfs. He reported that there has been no response from FERC and SCWA has filed a response requesting at least 25 cfs. Mr. Williams noted that currently flows in the lake are around 90 cfs.

President Petterle asked if the Directors had any questions or comments.

Director Joly stated that on the SCWA website it appears that Lake Mendocino is rising and asked what would cause this increase. Mr. Williams replied that it is gaining volume over the last month and a half, because the release of water is less than what is coming in. Director Joly asked how Lake Pillsbury fits in with our system and how it ties into the Russian River. He noted

that Lake Pillsbury is almost as big as Lake Mendocino right now. Mr. Williams responded that PG&E owns the dam and lake and had good hydrology last winter. He added that PGE is controlling the release into the Eel River upstream to PVP, and the lower dam diversion goes into Lake Mendocino, however most of it goes past down the Eel River. Mr. Williams noted that one of the arguments against lowering the diversion rate is that it impacts the flow into Lake Mendocino. Director Joly asked if Lake Sonoma was not likely to be at 100,000 af this year and Mr. Williams confirmed that it is not likely go below that.

President Petterle asked if there were any comments or questions from the public and there was no response.

### **OPEN TIME**

President Petterle asked if anyone from the public would like to speak and there was no response.

At 6:11 p.m. Director Baker noted that Director Grossi joined the meeting.

### **STAFF/DIRECTORS REPORTS**

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

Mr. Clark announced that Stafford Treatment Plant is now up and running. He added that there was a bit of a struggle with the startup due to the large algae blooms this summer. Mr. Clark reported staff will meet local demands in light of the 20% SCWA reductions. He emphasized that algae blooms continue to be a concern and staff is working with a consultant to obtain a permit from the state to apply approved aquatic pesticides. Mr. Clark noted that this is the first time in twelve years that they had to consider pesticide application in Stafford Lake and he will come back to the Board with an update of the situation.

Mr. Clark reported that the San Marin Pump Station Battery Project is awaiting final approval, noting it has been approved by PG&E and the project is moving forward.

President Petterle asked if there were any comments or questions from the Directors.

Director Baker asked for an update on the Amaroli Tank situation that occurred when there was a fire in the area and three heavy emergency vehicles were on top of the tank. He stated that he wants to be sure Novato Fire Protection District (NFPD) is aware that signs are posted and they received in depth training. Director Baker added that he would like to gain confidence that they understand the problem. He voiced his concern about possible damage to the tank that could show up later and recommended an inspection of the tank be done. Mr. Williams replied that he spoke to Chief Tyler and he is confident that NFPD is going to include internal warning information to staff and treat the location as a special case. He added that there will be a notation

in their electronic system that is used by dispatchers, to not park the vehicles on top of the tank. He added, staff will mount additional signage higher so the signs can be seen by the large emergency vehicles. Mr. Williams added that he, Mr. Miller and Mr. Fvette, who has a structural background, have inspected the tank. Additionally, he noted that Mr. Stompe did an inspection inside the tank and there was no evidence of damage, however staff will do a follow up inspection. Director Joly stated that he was also going to bring this up, adding NMWD and NFPD dodged a bullet when you consider the weight limit of the tank was 8,000 lbs., noting there were three fire engines parked on top. He asked how this weight limit is determined, and if it is at the time of installation. Mr. Williams replied that staff are still going through the records to see where the weight limit is indicated.

Director Petterle stated that he recently had the pleasure to visit the new temporary office. He encouraged the Directors who have not seen the office yet to see it, so that they are familiar with the layout before hybrid meetings commence.

Director Joly asked how the move is going and if staff are settled in. Mr. Williams responded that everyone is pretty much settled in, and commended Mr. Clark and Ms. Blue for their coordination efforts. He added that he has seen some activity in the building, which may be an indication that there might be new tenants in the building. Mr. Williams noted that the Board Meeting area still needs to have the partition wall installed and there are still some unpacked boxes.

Director Joly stated that he drove by the Rush Creek Place office and it seemed like the project was already moving along. Mr. Williams replied that there were some struggles with the building permit, however staff believe they have a solution and Mr. Miller is negotiating with the City of Novato. Mr. Miler stated that the permit target is the end of the week, abatement next week and demolition the week after that. Mr. Williams added that our crews are doing the waterline work on the west side of the building, allowing us time to get further ahead on that segment of the project. Director Joly commended Mr. Miller's good work on the permit.

Director Petterle noted an article he read about the Colorado River. He stated that if water use in the Colorado River was decreased over the last few decades, there would be more water in the reservoir today and the crisis would not be so bad. Director Petterle noted that this is why the District's Local Water Supply Enhancement Study is so critical. He emphasized that it is important that we look for additional water supply to make sure we have enough water for our customers' demands and to ensure twenty years from now our customers have the water they need. Director Joly stated that he also read that article, noting that the last time Lake Mead was at capacity was in 1983, which means the supply has been falling for almost forty years. Director

Petterle added that now the water supply is at a critical level.

**CONSENT CALENDAR**

On the motion of Director Fraites, and seconded by Director Joly 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

**CONTRACT AMENDMENT FOR CONSULTING SERVICES – SCOTT FOSTER**

Due to the level of effort required to develop the system’s computer model for the surge analysis being greater than was originally anticipated during the scoping process, staff believes that an additional surge analysis is required to further explore impacts to the Novato distribution system. For this reason, the General Manager requested authorization to amend the Scott Foster Engineering Consulting Services Agreement in the amount of \$10,000, resulting in a new contract total of \$30,000.

**RE-AUTHORIZING MEETINGS BY TELECONFERENCE OF LEGISLATIVE BODIES OF NORTH MARIN WATER**

The Board approved Re-Authorizing Meetings by Teleconference of Legislative Bodies of North Marin Water District. Resolution 22-24 will extend the continuation of teleconference meetings effective July 19, 2022 through August 18, 2022 pursuant to Brown Act provisions.

**ACTION CALENDAR**

**LOCAL WATER SUPPLY ENHANCEMENT STUDY FINAL REPORT - ACCEPTANCE**

Mr. Williams provided detailed information in the agenda packet on the SCWA Regional Study and the NMWD Local Supply Study. He reported on the infeasible Local Water Supply Alternatives for the District which included; Aquifer Storage and Recovery (ASR), Indirect Potable Reuse (IPR) and Desalination. He also reported on potential Local Water Supply Alternatives which included; improving the Stafford Treat Plant efficiency, Increase in Stafford Lake storage capacity and diverting captured stormwater into Lake Stafford. Additionally, Mr. updated the Board on Stafford Lake backfeeding, public outreach and capital improvement supply enhancement projects.

Mr. Williams also provided that a PowerPoint Presentation to the Board that covered: the Local Supply Study volume units; the SCWA Regional Study’s near-term drought management options; evaluation of local supply alternatives; evaluation criteria including quantitative and qualitative; potential local supply alternatives; improving the Stafford Treatment process water

recapture efficiency; consideration of a Stafford Dam spillway notch; diverting captured stormwater from Leveroni or Bowman Canyon watersheds and FY 2022-23 CIP budget items related to supply enhancements. Mr. Williams recognized staff members Drew McIntyre, Robert Clark, Brad Stompe, Jeff Corda and Tim Fvette; along with West Yost employees; Rhodora Biagtan, Megan McWilliams, Doug Moore, Charles Hardy and Monique Day. He also expressed gratitude to the outside partners: Roger Leventhal (Marin County Flood Control & Water Conservation District), Paul Sellier (MMWD) and Jay Jasperse (SCWA).

President Petterle asked if there were any comments or questions from the Directors.

Director Joly asked about the \$283,00 total cost of the West Yost local study. Mr. Williams replied that the total cost included staff time, a separate hydraulic study of backfeeding Stafford, and \$225,000 of the study by West Yost. Director Joly noted that the rate payers paid for this study and asked if it is on our website for review. Mr. Williams replied that it is currently on our webpage under "Your Water" and it is the first item listed under "New Water Supplies". He noted that the entire study is available there including the appendices.

Director Joly stated that he thought the Stafford Dam gate was the best bang for the buck and asked about how the raised lake level might affect the park. Mr. Williams replied that he has already had several conversations with Marin County park staff. He added that a CEQA analysis will need to be done to identify any impacts for the park, plus any land owners on the perimeter of the lake. Director Joly stated that the Jacobs Study (for SCWA) was remarkable, and noted that MMWD has a meeting tonight in which they will be discussing some of their options. Director Joly stated that he was sorry to see Jay Jasperse has left SCWA, and asked who took on his role. Mr. Williams replied that Kent Gylfe is Mr. Jasperse's replacement, noting he has been with SCWA for many years, worked on the Kastania Pump Station Project and is a known entity and a good choice. Director Petterle asked about the impact to the adjacent owners, which includes the park and Indian Valley Golf Course. He noted that Stafford Lake does flood in the wintertime occasionally and assumed the gate project would basically extend the periods of flooding. Mr. Williams stated he has already been proactive and reached out to Terry Leach and Jeff McAndrew. Director Petterle noted that the inundation on the boundary needs to be looked at, adding CEQA is the right approach and we need more discussion. He added that if Bowman Canyon is considered, there also needs to be more discussion with Marin County Parks. Mr. Williams replied that he has had good insight from Marin County Parks and has talked briefly to a representative of the owner on the west side of the canyon. Director Petterle stated that both the City of Novato and Marin County Parks would be interested in coordinating a basin concept in light of the pathway along the road in that area. Mr. Clark stated that he has had conversations

with them about the bike path and understands the route will go from Center Road out to the park, and to the solar field, then wrap around the golf course. He added that the southerly route around the lake will need extensive review. Director Petterle noted that there was tremendous interest and difficulties with connecting to open space in the past.

Director Fraites stated that he thought the report was very comprehensive and covered everything we could possibly ask. Director Joly agreed and felt the rate payers would also agree.

Director Grossi stated that he thought the study was a really good start, however he emphasized we need to look at all options, including those to the west of the District. He recommended looking at Soulajule Reservoir and Nicasio Dam, noting he hopes the Jacobs Study would pull this into part of their regional approach with us. Director Grossi stated that we should consider if Nicasio is backfed, there may be options for NMWD to tie in with MMWD and the water brought back to Stafford Lake. Mr. Williams replied that the District has already had the discussion with MMWD and they are looking into that as part of their Jacobs Study.

President Petterle asked if anyone from the public would like to speak.

Ken Levin stated that he did not read the report, but asked if it included adding the state mandated units for Novato and the unincorporated areas of Marin. Mr. Williams replied that at this point that number is a moving target and staff is using the numbers from the Urban Water Management Plan for the Novato service area. He added that based on what he has seen from the City of Novato and the County of Marin, the tentative numbers fall in line with the plan. Mr. Levin asked if that supply study included West Marin. Mr. Williams replied the study cost for the Novato service area was \$225,000, noting the West Marin service area would struggle to pay that cost. He added that the staff is focusing on future grant money for West Marin to provide a master plan update in a couple of years which would include a full resiliency study and would include earthquake, flooding and water supply. Mr. Levin stated that the housing for Point Reyes Station in the next eight years includes 153 units, noting there could be one to five people in each unit. He expressed concern that this will impact the water supply.

Director Petterle thanked staff for the report, stating we don't want to be caught with our buckets empty in the future. He added that we started looking at this some time ago and stated that he is proud to be part of this agency and is looking forward to protecting our customers.

On the motion of Director Joly, and seconded by Director Baker, the Board accepted the final Local Water Supply Enhancement Study Report by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

Director Fraites stated that in Novato there could be 2,500 to 3,000 units added that to the Novato service area. He asked what the percentage of water was needed to fulfill what they are asking to build. Director Fraites added that the biggest concern he has is that our customers are conserving water and will get frustrated when they see all these new homes being built. Mr. Williams referred Director Fraites to the graphic in the Urban Water Management Plan, stating if you go back fifteen years the Novato service area used much more water with less development. He added that because of new efficiencies we have seen a reduction that is still below demands over time. Mr. Williams noted that the current graph goes to 2045, and we are currently below the peaks we saw in 2006 and 2007. He added that it is tough to say that we wouldn't have water and that can be discussed further at a future Board meeting.

Director Joly noted that per the Jacobs Study, MMWD has gone down 2.6% and we have gone up 23%, and he wondered why that was the case. Mr. Williams stated that he is unable to comment on the other water contractors, such as MMWD's numbers in the report.

### **INFORMATION ITEMS**

#### **TAC MEETING – JUNE 6, 2022**

Mr. Williams provided the minutes for the TAC Meeting on June 6, 2022. The topics discussed by the Technical Advisory Committee included: the Water Supply Conditions and Temporary Urgency Change Order; the Sonoma Marin Saving Water Partnership; the Biological Opinion Status Update, the Potter Valley Project and a SCWA Government Affairs Update.

President Petterle asked if there were any comments or questions from the Directors and there were none.

President Petterle asked if anyone from the public would like to speak and there was no response.

#### **NBWA MEETING – JUNE 27, 2022**

Mr. Williams updated the Board on the NBWRA Meeting held on June 27, 2022. He acknowledged the vote for the Drought Contingency Plan and noted that the budget was approved at the meeting. Mr. Williams noted that NMWD is not a member of the Phase 2 recycled water projects since all of the District's work was completed under Phase 1.

President Petterle asked if there were any comments or questions from the Directors and there were none.

President Petterle asked if anyone from the public would like to speak and there was no response.

#### **NBWA MEETING – JULY 1, 2022**



Director Fraites reported on the NBWA meeting that was held on July 1, 2022. He updated the Board on the Legislative Stormwater Management. Director Fraites stated that there are two pieces of pending legislation. He stated that the first piece of legislation is SB 54, which has to do with plastic reduction to reduce the amount of plastics going into our water systems and soil. Director Fraites added that this includes tires and brakes as they are also big pollutants in our waterway. He noted that this is a \$5B program designed to clean up and monitor those pollutants. Director Fraites stated that the second piece of legislation is AB 2106, which deals with stormwater permits for commercial and industrial entities.

Director Fraites also announced that there will not be a NBWA meeting in August.

President Petterle asked if there were any comments or questions from the Directors and there were none.

President Petterle asked if anyone from the public would like to speak and there was no response.

### **MISCELLANEOUS**

The Board received the following miscellaneous items: Disbursements – Dated June 30, 2022, Disbursements – Dated July 7, 2022, Disbursements – Dated July 14, 2022, MONTHLY PROGRESS REPORT w/Customer Service Questionnaire, EPA - National Lakes Assessment 2022: A Fact Sheet for Communities, NBWA One Water Initiative – Land Use and Water Infrastructure Virtual Workshop Summary – June 2, 2022 and Approved FY 2022-23 Budget.

The Board received the following news articles: Smart' meters proliferate; Marin IJ – Progress iffy on state's water use despite arid era – DROUGHT; Marin IJ – Inflation biting into new projects – INFRASTRUCTURE; Marin IJ – Grand jury report rips water supply planning – Main Municipal blamed for 2021 drought emergency; Point Reyes Light – Marin details raft of housing programs; Marin IJ – Editorial – State pulls plug on ability to fight housing; Marin IJ – Diving deep: New water sources are on the table; Point Reyes Light – Crop values battered by drought; Marin IJ- Editorial – Grand jury put tight focus on water district; Point Reyes Light – Seats open on local boards; Point Reyes Light – New restroom, parking lot planned for Point Reyes; Marin IJ – Drought-driven deep cuts in water affect thousands of farms; Marin IJ – Californians miss targets for saving water again; Novato Advance – Alarm bells: COVID returns at higher levels -NEW SUB VARIANTS DEFEAT VACCINE; Eureka Times – PG&E plans to decommission Potter Valley Project and Capitol Weekly – Desalination: Should California use the ocean to quench its thirst?

The Board received the following social media posts: NMWD Web and Social Media Report – June 2022.

President Petterle asked if there were any comments or questions from the Directors and there were none.

President Petterle asked if anyone from the public would like to speak and there was no response.

**ADJOURNMENT**

President Petterle adjourned the meeting at 7:17 p.m.

Submitted by

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

Theresa Kehoe  
District Secretary