

1 **NORTH MARIN WATER DISTRICT**
2 **MINUTES OF REGULAR MEETING**
3 **OF THE BOARD OF DIRECTORS**
4 February 7, 2023

5 **CALL TO ORDER**

6 President Fraites announced that due to the Coronavirus outbreak and pursuant to the
7 Brown Act as modified by Assembly Bill 361, this was a virtual meeting. President Fraites called the
8 regular meeting of the Board of Directors of North Marin Water District to order at 6:00 p.m. and the
9 agenda was accepted as presented. President Fraites added that there was not a public location for
10 participating in this meeting, but any interested members of the public could participate remotely by
11 utilizing the video or phone conference dial-in method using information printed on the agenda.
12 President Fraites announced that in the event of technical difficulties during the meeting, the District
13 Secretary will adjourn the meeting and the remainder of the agenda will be rescheduled for a future
14 special meeting which shall be open to the public and noticed pursuant to the Brown Act.

15 President Fraites welcomed the public to participate in the remote meeting and asked that
16 they mute themselves, except during open time and while making comments on the agenda items.
17 President Fraites noted that that due to the virtual nature of the meeting he will request a roll call of
18 the Directors. A roll call was done, those in remote attendance established a quorum. Participating
19 remotely were Directors Jack Baker, Ken Eichstaedt, Rick Fraites, Michael Joly and Stephen
20 Petterle.

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

23 Mr. Williams performed a roll call of staff, participating remotely were; Tony Williams
24 (General Manager), Eileen Mulliner (District Secretary), Eric Miller (Assistant GM/Chief Engineer),
25 Julie Blue (Auditor Controller), Chris Kehoe (Interim Construction/Maintenance Superintendent),
26 Robert Clark (Operations/Maintenance Superintendent), Ryan Grisso (Water Conservation
27 Coordinator), Pablo Ramudo (Water Quality Supervisor), and Rebecca Sylvester
28 (Receptionist/Customer Service Assistant). Tim Fuelle (Senior Engineer) and Robert Maddow
29 (legal counsel) also joined the meeting.

30 President Fraites requested that for those joining the virtual meeting from the public to
31 identify themselves and there was no response.

32 President Fraites called the regular meeting of the Board of Directors of North Marin Water
33 District to order at 6:00 p.m. and the agenda was accepted as presented.

1 **MINUTES**

2 On motion of Director Joly seconded by Director Petterle the Board approved the minutes
3 from the January 17, 2023 meeting as presented by the following vote:

4 AYES: Director(s) Baker, Fraites, Joly and Petterle

5 NOES: None

6 ABSENT: None

7 ABSTAIN: Director Eichstaedt

8 **GENERAL MANAGER'S REPORT**

9 During the General Manager's report, Mr. Williams apprised the Board that he attended a
10 regular meeting with West Marin water suppliers on January 26, 2023. This is a recurring meeting
11 that Supervisor Rodoni arranges. Director Joly asked how many local Marin agencies are there.
12 Mr. Williams responded that Muir Beach Water District, Stinson Beach Water District, Bolinas Public
13 Utilities District, Inverness Public Utilities District, Hamilton Mutual Water Company that provides a
14 small area in Inverness, Estero Mutual Water Company, Cal American Water, and NMWD are water
15 providers in West Marin.

16 On February 2, 2023, Mr. Williams attended a similar meeting, the Marin-Sonoma Drought
17 Meeting. Attendees included Sonoma Water, Marin Municipal and North Marin Water District.

18 Also, on February 2, 2023, Mr. Williams and Grant Davis, Sonoma County Water Agency's
19 General Manager, were invited to a Board Workshop at Marin Municipal Water District (MMWD).
20 Mr. Williams gave a presentation on NMWD's local water supply study that was completed last July
21 as well as an update on West Marin focusing on Gallagher Well No. 2.

22 **OPEN TIME**

23 President Fraites asked if anyone in the audience wished to bring up an item not on the
24 agenda and there was no response.

25 **STAFF/DIRECTORS REPORTS**

26 President Fraites asked if staff or Directors wished to bring up an item not on the agenda
27 and the following items were discussed:

28 Eric Miller informed the Board that on February 2, he attended a lobby day in Sacramento
29 that Sonoma County Water Agency and WAC/TAC representatives held. Representatives from City
30 of Santa Rosa, NMWD, Town of Windsor, and Valley of the Moon Water, along with Sonoma
31 County Supervisor David Rabbit, and the mayor of City of Santa Rosa attended. During the visit, Mr.

1 Miller met with key officials. Several topic points were presented including drought response, aging
2 infrastructures and groundwater sustainability.

3 **CONSENT CALENDAR**

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

6 AYES: Director(s) Baker, Eichstaedt, Fraites, Joly and Petterle

7 NOES: None

8 ABSENT: None

9 ABSTAIN: None

10 **RE-AUTHORIZING MEETINGS BY TELECONFERENCE OF LEGISLATIVE BODIES OF NORTH**

11 **MARIN WATER**

12 The Board approved Re-Authorizing Meetings by Teleconference of Legislative Bodies of
13 North Marin Water District. Resolution 23-04 will extend the continuation of teleconference
14 meetings effective February 17, 2023 through February 28, 2023 pursuant to Brown Act provisions.

15 **INFORMATION ITEMS**

16 **POTTER VALLEY PROJECT UPDATE**

17 Mr. Williams gave a presentation on the Potter Valley Project (PVP) Update. Mr. Williams
18 acknowledged that Drew McIntyre helped with this staff report as well as Bob Maddow, NMWD legal
19 counsel. The PVP is a PGE hydroelectric facility that relies on transfers of Eel River water to the
20 east fork of the Russian River. Without these transfers, the impacts are significant to the upper
21 Russian River and it is estimated that in 8 out of 10 years without those diversions there would not
22 be enough water supply to all the customers in the upper region of the Russian River and in 2 of the
23 8 years there would be 30,000 af of shortage and Lake Mendocino likely goes dry. In addition to a
24 high-level summary of the history of the PVP, Mr. Williams provided an update on current events
25 including three grants from DWR that SCWA has obtained. One is to look at how could transfers of
26 water happen, maybe slightly differently from how it is currently. Also, looking at existing facilities
27 PGE has there, and what can be repurposed for future ongoing diversions. The third grant helped
28 establish the Russian River Water Forum that could lead to development of a leadership structure
29 and entity that could operate the diversion in the future. RRWF goals include developing a strategic
30 plan for ongoing engagement with key stakeholders, do outreach to educate the stakeholders, and
31 to create a leadership group that may take over the facility. In the future, NMWD may be asked to
32 participate in some way.

1 Director Petterle noted that Mr. Williams said that 8 out of 10 years, it would affect upper
2 Russian River. He asked is there are agencies in that area, or is it ranchers or farmers. Mr.
3 Williams said there is the Potter Valley Irrigation District and they are one of the primary customers
4 in the upper river but there are other agricultural customers that rely on diverted water before it
5 reaches Lake Mendocino. Director Joly stated that he cares a great deal about the future and found
6 the situation to be unsettling. He asked what impact will a dry Lake Mendocino have on NMWD.
7 Mr. Williams said the impact relates to the required releases from Lakes Mendocino and Sonoma
8 and if those release volumes do not change, when there isn't enough water, there could be
9 reductions in the allowed diversions to the water contactors.

10 Bob Maddow of NMWD's legal counsel, Bold, Polisner, Maddow, Nelson and Judson, joined
11 the meeting.

12 Director Joly asked, considering the high price tag of keeping the diversion in place, what
13 authority does FERC or some other entity have over PGE to help contribute. Mr. Maddow
14 responded that California Public Utilities Commission has authority and PGE will have an obligation
15 to make sure decommissioning is in accordance with law. PGE will also have to deal with issues
16 under the Federal Clean Water Act and Endangered Species Act. PGE was putting costs into its
17 general rate base proposals that included anywhere from \$100M to \$200 M for the cost of
18 decommissioning of the facilities. Director Fraites asked if the PVP diversions have increased over
19 the years and Mr. Williams answered that historically they have gone down due mostly to increased
20 environmental requirements on PGE's operation. Director Fraites asked if it was mostly grapes
21 grown in the area and Mr. Williams responded that he wasn't sure what the primary crop was in the
22 area. Director Eichstaedt asked what the previously identified "preferred project" (see slide 6 of the
23 presentation) that costs between \$100 and \$400M was. Mr. Williams responded that he wasn't sure
24 but it is no longer relevant going forward. Director Joly asked how we will monitor the
25 decommissioning process, and that he was very surprised by the significance of the PVP on the
26 District. Mr. Williams answered it is an ongoing agenda item at each WAC and TAC meeting as well
27 as the as the TAC ad-hoc meetings and legal counsel participates in regular calls with legal
28 counsels of SCWA and other TAC members. The TAC members also have a separate periodic
29 PVP call where it is discussed in depth. Mr. Maddow also participates in these calls.

30 Director Fraites open the discussion to members of the public and Susan Stompe with Marin
31 Conservation League stated her concern about the impacts of diversions of the Eel River and that
32 those considerations are not discussed equally with the Russian River. Mr. Maddow responded that
33 diversions on the Eel river into the Russian River have been reduced by approximately 75% over the
34 years from a normal volume of 165,000 af per year. The fisheries interests on the Eel are subject to

1 regulation and controlled by a biological opinion from National Marine Fisheries Service and parallel
2 activities by the State Department of Fish and Wildlife and have dramatically improved the state of
3 fisheries in the Eel river over the duration of time of the biological opinion and the state regulations
4 that have been in place. Also, there are State and Federal regulatory impositions on the operation
5 of the facilities on Russian River due to the PVP. The Russian River fish have been impacted as a
6 result of the significant reduction in Eel River diversions in the last 20 years. Mr. Maddow noted
7 there is no aspect of the activity with regard to PVP surrender and decommissioning of the facilities
8 that is not being looked with very careful attention being paid to the question of the health of the
9 ecosystem of the Eel River.

10 Director Joly thanked Mr. Maddow for being such a great resource.

11 **OLD RANCH ROAD TANK NO. 2 PROJECT – FINAL PROJECT UPDATE**

12 Tim Fuelle gave a presentation to the Board on the final project update for the Old Ranch
13 Road Tank No. 2 project. The presentation showed the milestone dates and there were many
14 photos showing the construction of the tank and the completed product. Director Fraites mentioned
15 that a resident on Old Ranch Road complained about the glare the from stainless steel tank and
16 asked if the tank will be painted or if there will be more trees planted. Mr. Fuelle responded that
17 stainless steel will dull with time but there is a plan for a temporary shield to help reduce the glare
18 until the recently planted trees grow bigger. Director Joly inquired about the life of the tank. Mr.
19 Fuelle responded that we don't have very good numbers for stainless steel tanks, but the estimate is
20 approximately 100 years. Director Joly asked how many tanks we have in Novato, and Mr. Fuelle
21 responded that we have over 30. Director Baker thanked Mr. Fuelle for his presentation. Mr. Fuelle
22 did offer field trips to the Board if any one was interested. Director Fraites said the project overall
23 was a beautiful job. Pablo Ramudo complimented Mr. Fuelle on his handling of the job, including
24 coordination with District staff as well as the neighbors throughout the project.

25 **FY2022/23 MID-YEAR PROGRESS REPORT – WATER QUALITY**

26 Pablo Ramudo reported on the FY2022/23 Mid-Year Progress Report for Water Quality. He
27 updated the Board on the Novato, Point Reyes and Novato Recycled Systems. Mr. Ramudo
28 reported that Stafford Lake has had some problems with algae, but algae has been a problem for
29 many years. There had been some detection of blue green algae but no toxins in the finished water
30 as the treatment was optimal. Mr. Ramudo noted that at the recent Gallagher Well Special BOD
31 meeting, one customer asked about drinking water standards and brought up a salt content standard
32 but Mr. Ramudo reassured the customer at the time and emphasized to the Board that treated water
33 meets the regulatory standards. He reported that the Coast Guard Wells did see a slight sodium

1 increase but it was kept within the limits. Director Eichstaedt asked if there were any public
2 comments on the Pt. Reyes System and Mr. Ramudo responded that he has regular contact with the
3 customers. He mentioned that since Gallagher Well No. 2 went online at the beginning of November
4 2022, there has been a relief from the customers now having better quality water. Director Joly
5 asked about cyanotoxins at Stafford and the potential liabilities. Mr. Ramudo responded that we
6 post signs when we are in the third tier for toxins per state guidelines but also noted Stafford is a no
7 'body contact' lake.

8 **FY2022/23 MID-YEAR PROGRESS REPORT – OPERATIONS/MAINTENANCE**

9 Robert Clark reported on the FY2022/23 Mid-Year Progress Report for the Operations and
10 Maintenance Department. He reported on various projects completed at Stafford Treatment Plant
11 (STP) as well as other locations. Mr. Clark reported on the STP production from July to October
12 during restrictions from Sonoma County Water Agency. Mr. Clark also reported on the Maintenance
13 Department efforts and a recent inspection by the EPA at STP.

14 **FY2022/23 MID-YEAR PROGRESS REPORT – ENGINEERING**

15 Eric Miller reported on the FY2022/23 Mid-Year Progress Report for the Engineering
16 Department. Mr. Miller gave an overview of the projects that are in process as well as those that
17 have been completed so far. Major projects include Lynwood Pump Station, Hydropneumatic Tank
18 Zones, and the Novato Blvd Widening project. This last project has some problems with PGE and
19 their lines that need to be addressed. There are two projects that will be going out for bid; Crest
20 Pump Station and the STP Sludge Line Replacement. For West Marin projects, the Gallagher Well
21 No. 2 project has been completed. The Oceana Marin Treatment Plant Rehabilitation project is
22 coming up.

23 **FY2022/23 MID-YEAR PROGRESS REPORT – WATER CONSERVATION**

24 Ryan Grisso reported on the FY2022/23 Mid-Year Progress Report for Water Conservation.
25 Ryan Grisso outlined the Water Conservation programs the District offers and they participation for
26 the last three fiscal years. He noted that we continue to enforce our prohibitions and work
27 proactively with the customers to resolve any conservation issues. He made a brief overview of the
28 District's social media platforms and that we continue to send out the Waterline newsletter. Director
29 Baker asked if Mr. Grisso could give a Cash for Grass Update at a future meeting. Director Fraites
30 said the Cash for Grass is one of his favorite programs.

31 **NMWD ADMINISTRATION AND LABORATORY UPGRADE PROJECT UPDATE**

32 Eric Miller gave an update presentation to the Board on the Administration and Laboratory
33 Upgrade project. Director Baker asked which building (Admin or Lab) would be completed first and

1 Mr. Miller responded that occupancy for each will be close. Robert Clark stated that lab occupation
2 will be dependent on certification for the lab and Mr. Miller said that they will know more about the
3 date in the summertime. Director Joly asked about delay costs and Mr. Miller said that the contract
4 has language in it about liquidated damages.

5 **NBWA MEETING – FEBRUARY 3, 2023**

6 Director Fraites gave an update on the North Bay Water Association meeting he attended
7 on February 3, 2023. There was a presentation about SCWA’s Regional Water Supply Resiliency
8 Study. The Study is to identify key factors impacting regional water supply resiliency, evaluate the
9 current levels of resiliency and identify promising opportunities for Sonoma Water and its regional
10 customers to improve regional resilience in the future.

11 **MISCELLANEOUS**

12 The Board received the following miscellaneous items: Disbursements - Dated January 19,
13 2023, January 26, 2023, and February 2, 2023, FY23 2nd Quarter Labor Cost Report, NOAA Three-
14 Month Outlook Precipitation Probability – January 19, 2023, U.S. Seasonal Drought Outlook -
15 January 19, 2023.

16 The Board also received the following news articles: Marin IJ: Is Drought Over? – MARIN’S
17 WET WINTER, Inside California’s wild weather from the sky – ABOVE THE PACIFIC, Retired civil
18 engineer joins sewer board – IN YOUR TOWN, Plan allows thousands of homes – MARIN
19 COUNTY, Pt Reyes Light: North Marin Water Appoints Coastal Director.

20 **ADJOURNMENT**

21 President Fraites adjourned the meeting at 8:37 p.m.

22 Submitted by

23 

24 Eileen Mulliner
25 District Secretary
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