



# NOTICE OF THE BOARD OF DIRECTORS' REGULAR BI-MONTHLY MEETING

Tuesday, August 06, 2024 at 6:30 PM

---

## AGENDA

---

### LOCATIONS:

#### Open Session to start at or after 6:30 p.m.

Marin Water Board Room – 220 Nellen Avenue, Corte Madera, CA 94925

Outside location for Director Matt Samson – 68-1376 Paula Road, Waimea, HI 96743 and Director Monty Schmitt - 5932 Miners Creek Road, Etna, CA 96027

#### Closed Session to immediately follow

Marin Water Mt. Tam Conference Room, 220 Nellen Avenue, Corte Madera, CA 94925

### Public Participation:

The public may attend this meeting in-person or remotely using one of the following methods:

On a computer or smart device, go to: <https://marinwater.zoom.us/j/88134852296>

By phone, dial: **1-669-444-9171** and use Webinar ID: **881 3485 2296**

### HOW TO PROVIDE PUBLIC COMMENT:

**During the Meeting:** Typically, you will have 3 minutes to make your public comment, however, the board president may shorten the amount of time for public comment due to a large number of attendees. Furthermore, pursuant to Government Code, section 54954.2 (the Brown Act), the Board may not take action or discuss any item that does not appear on the agenda.

-- **In-Person Attendee:** Fill out a speaker card and provide to the board secretary. List the number/letter (ex: 6a) of the agenda item(s), for which you would like to provide a comment. Once you're called, proceed to the lectern to make your comment.

-- **Remote Attendee:** Use the "raise hand" button on the bottom of the Zoom screen. If you are joining by phone and would like to comment, press \*9. The board secretary will use the last four digits of your phone number to call on you (dial \*6 to mute/unmute).

**In Advance of the Meeting:** Submit your comments by email in advance of the meeting to [boardcomment@marinwater.org](mailto:boardcomment@marinwater.org). To ensure that your comment is provided to the Board of Directors prior to the meeting, please email your comment 24 hours in advance of the meeting start time. Comments received after this cut off time will be sent to the Board after the meeting. Please do not

include personal information in your comment such as phone numbers and home addresses.

**AGENDA ITEMS:**

**1. Call to Order and Roll Call**

**2. Adoption of Agenda**

**3. Announcement of Closed Session Item(s); Public Comments on Closed Session Item(s) - None.**

**4. Reconvene to Open Session; Closed Session Report Out - Not applicable.**

**5. Public Comment on Non-Agenda Matters**

This is the time when any person may address the Board of Directors on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Board.

**6. Directors' and General Manager's Announcements (6:40 p.m. – Time Approximate)**

**7. Board Committee Reports**

Each Committee Chair or Vice Chair will provide a report on recent committee meetings. Directors may ask questions or provide brief comments or requests for additional information on an item.

**8. Consent Items (6:50 p.m. – Time Approximate)**

All Consent Items will be enacted by a single action of the Board, unless specific items are pulled from Consent by the Board during adoption of the agenda for separate discussion and action.

**a. Minutes of the Board of Directors' Regular Bi-Monthly Meeting on July 16, 2024**

**RECOMMENDATION:** Approve the meeting minutes

**9. Regular Items (6:55 p.m. – Time Approximate)**

**a. New Development Turf Limits**

**RECOMMENDATION:** Receive staff presentation on limiting turf for newly constructed single family homes

**b. Grant Program Update**

**RECOMMENDATION:** Receive a staff update on the District's recent grant activities

**10. Future Board and Committee Meetings and Upcoming Agenda Items**

This schedule lists upcoming board and committee meetings as well as upcoming agenda items for the next month, which may include Board interest in adding future meeting items. The schedule is tentative and subject to change pending final publication and posting of the meeting agendas.

**a. Upcoming Meetings**

**11. Announcement of Closed Session Item(s); Public Comments on Closed Session Item(s)**

Following announcement of Closed Session items and prior to recess into Closed Session, the public may speak up to three minutes on items to be addressed in Closed Session. The Board will convene to Closed Session in the Mt. Tam Conference Room after public comment.

**a. Conference with Legal Counsel - Anticipated Litigation**

(Significant Exposure to Litigation pursuant to §54956.9(b))

Number of Cases: Unknown

Adjourn closed session and reconvene to open session in the Board Room and via Zoom.

**12. Reconvene to Open Session; Closed Session Report Out**

**13. Adjournment** (9:00 p.m. – Time Approximate)

**ADA NOTICE AND HEARING-IMPAIRED PROVISIONS**

In accordance with the Americans with Disabilities Act (ADA) and California Law, it is Marin Water’s policy to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are an individual with a disability and require a copy of a public hearing notice, an agenda, and/or agenda packet in an appropriate alternative format, or if you require other accommodations, please contact the Board Secretary/ADA Coordinator at 415.945.1448, at least two business days in advance of the meeting. Advance notification will enable Marin Water to make reasonable arrangements to ensure accessibility.

*Information agendas are available for review at the Civic Center Library, Corte Madera Library, Fairfax Library, Mill Valley Library, Marin Water Administration Building, and [marinwater.org](http://marinwater.org).*

Posted: 08-02-2024





# NOTICE OF THE BOARD OF DIRECTORS' REGULAR BI-MONTHLY MEETING

Tuesday, July 16, 2024 at 6:30 PM

---

## MINUTES

---

### LOCATIONS:

**Open Session to start at or after 6:30 p.m.**

Marin Water Board Room – 220 Nellen Avenue, Corte Madera, CA 94925

Outside location for Director Jed Smith – 105 Herring Pond Road, Plymouth, MA 02360

Outside location for Director Matt Samson – 6509 Dew Drop Ct., Raleigh, NC 27613

### Public Participation:

The public attended this meeting in-person or remotely using one of the following methods: on a computer or smart device, <https://marinwater.zoom.us/j/88134852296>, or by phone, 1-669-444-9171, using Webinar ID #: 881 3485 2296.

### AGENDA ITEMS:

#### 1. Call to Order and Roll Call

President Ranjiv Khush called the meeting to order at 6:30 p.m.

#### DIRECTORS PRESENT

Larry Russell

Monty Schmitt

Jed Smith

Matt Samson

Ranjiv Khush

#### 2. Adoption of Agenda

A motion was made by Vice President Samson and seconded by Director Schmitt to adopt the agenda.

There were no public comments.

Voting Yea: Directors Russell, Schmitt, Smith, Samson, and Khush

- 3. **Announcement of Closed Session Item(s); Public Comments on Closed Session Item(s) - None.**
- 4. **Reconvene to Open Session; Closed Session Report - Not applicable.**
- 5. **Public Comment on Non-Agenda Matters**

There were seven (7) public comments.

6. **Directors' and General Manager's Announcements**

- General Manager Ben Horenstein provided updates on the proposed Phoenix-Bon Tempe Connection (PBTC) Project and the Nicassio Spillway Modification Project.
- Director Schmitt thanked staff and the public for taking the time to meet and discuss the PBTC Project.
- Director Smith reported that he met with the Marin Conservation League (MCL) regarding the PBTC Project and thanked staff for meeting with MCL on this topic.
- Vice President Samson thanked staff for their planning and participation at the Marin County Fair.
- President Khush announced that Central Marin Sanitation Agency was selected to provide financial management services for the North Bay Watershed Association (NBWA); and, on July 17, the NBWA Board would hold a special meeting to confirm this selection, which Director Russell stated he would attend.

7. **Board Committee Reports – None.**

8. **Consent Items**

- a. Minutes of the Board of Directors' Regular Bi-Monthly Meeting on July 2, 2024

**RECOMMENDATION:** Approve the meeting minutes

- b. General Manager's Report June 2024

**RECOMMENDATION:** Approve Report

- c. Award of Contract No. 2033 - Francisco Boulevard East - 2024 Anode Well Replacement Project (D24025) to Farwest Corrosion Control Company

**RECOMMENDATION:** Approve a resolution authorizing award of Contract No. 2033, Francisco Boulevard East - 2024 Anode Well Replacement Project, to Farwest Corrosion Control Company in the amount of \$102,515 (**Resolution No. 8786**)

A motion was made by Director Schmitt and seconded by Director Russell to approve the Consent Calendar.

There were no public comments.

Voting Yea: Directors Russell, Schmitt, Smith, Samson, and Khush

**9. Regular Items**

- a. 2024 Water Efficiency Master Plan

**RECOMMENDATION:** Receive a staff presentation on the 2024 Water Efficiency Master Plan

Water Efficiency Manager Carrie Pollard presented this item.

Discussion occurred between the Board and staff throughout the presentation.

There were five (5) public comments.

The Board received the presentation. No formal action was taken.

- b. Proposed Increases to Certain Watershed Fines

**RECOMMENDATION:** Review and approve an increase to certain watershed fines and bail amounts

Watershed Resources Director Shaun Horne and Chief Ranger Don Wick presented this item.

Discussion ensued.

There were five public comments.

A motion was made by President Samson and seconded by Director Schmitt to increase certain watershed fines and bail amounts. (**Resolution No. 8787**)

Voting Yea: Directors Russell, Schmitt, Smith, Samson, and Khush

**10. Future Board and Committee Meetings and Upcoming Agenda Items**

- a. Upcoming Meetings

The Board Secretary announced upcoming internal and external meetings.

A motion was made by Vice President Samson and seconded by Director Schmitt to direct staff to bring to a future Board meeting a holistic view of all watershed fines, including e-bike regulations.

There were no public comments.

**11. Announcement of Closed Session Item(s); Public Comments on Closed Session Item(s) - None.**

**12. Reconvene to Open Session; Closed Session Report Out - Not applicable.**

**13. Adjournment**

There being no further business, the Board of Directors' Regular Bi-Monthly Meeting adjourned on July 16, 2024, at 8:30 p.m.

---

Board Secretary





# STAFF REPORT

**Meeting Type:** Board of Directors  
**Title:** New Development Turf Limits  
**From:** Paul Sellier, Director of Water Resources  
**Through:** Ben Horenstein, General Manager  
**Meeting Date:** August 6, 2024

*BS* *B*

**TYPE OF ACTION:**                      Action                      X                      Information                      Review and Refer

**RECOMMENDATION:** Receive staff presentation on limiting turf for newly constructed single family homes

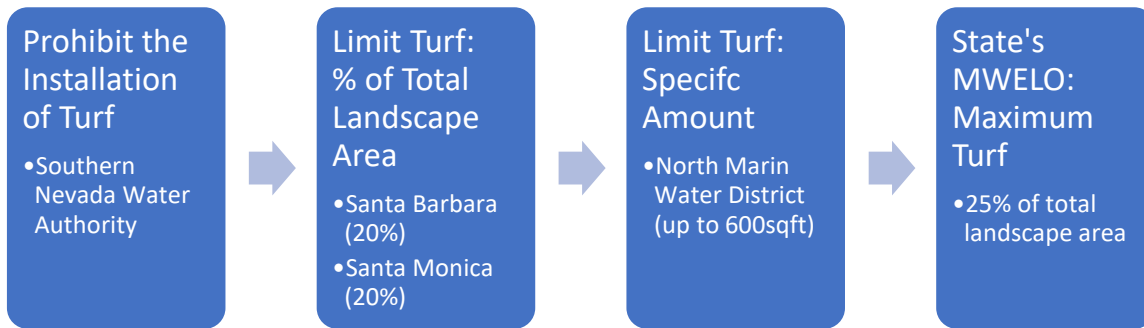
**SUMMARY:** Following extensive discussions on how best to improve the Graywater Ordinance while aligning with its original intent to minimize outdoor water use, Staff developed a proposed recommendation to limit turf installations for newly constructed single-family homes.

**DISCUSSION:** A Board Workshop was held on May 1, 2024 focused on the Water Efficiency Master Plan. The Master Plan contained proposed policy changes to the Graywater Ordinance that were discussed with the Board, which led to proposed policy revisions. Following the Workshop, at the May 15, 2024 Communications and Water Efficiency Committee meeting, staff presented an updated draft policy incorporating input provided at the Workshop. This presentation proposed repealing and replacing the Graywater Ordinance with a landscape requirement to install either: low water use landscaping or a graywater system. When available, use of recycled water is a District requirement, so it was removed from the options. Staff has continued to evaluate the draft policy to ensure that each option provided in the proposed policy would result in similar water savings to the existing requirements.

Recognizing the opportunity to build water efficiency into the landscape when it is first installed, on July 16, 2024, staff presented a further revised policy to take the place of the current Graywater Ordinance. The proposed policy is a limit on the amount of turf that may be installed with the construction of any new single family home, which will ensure new landscapes require less water than the current regulations allow. In order to understand better how turf limits in new single family development could be applied within the district, staff evaluated how other agencies address this issue and reviewed recent development applications submitted to the District to develop the recommended limits.

### Review of Other Jurisdiction’s Turf Limits

Staff reviewed various methodologies implemented by other agencies to limit turf installations in new construction. The range is as follows:



Some agencies also combine the turf limit as a percent and set a specific maximum amount of turf that can be installed. For example: Aurora, CO allows 45% of the yard's area or 500 sqft, whichever is smaller; and Washington County Water Conservancy District (Washington) allows 8% of any residential lot, or 2,500 sqft, whichever is less. Washington also allows lots less than 7,500 sqft to install up to 600 square feet of lawn. This option seems to work well when there is a significant range in lots size within the community.

### Marin Water New Single-Family Connection Statistics

Staff reviewed new single family service connections for the past 2 years (2022 and 2023). There were approximately 15 new single-family connections each year with lot sizes ranging from 565 sqft – 20,773 sqft, with an average lot size of 7,145 sqft. To further understand the potential impact of a new turf limit, staff reviewed 16 plan details to determine the type of landscapes being installed. Only 25% of sites installed a high water use lawn (4 sites), the range in lawn size was 261 sqft – 628 sqft and the % of the landscape installed as lawn ranged from 7%- 10%. However 38% of sites reviewed installed artificial turf with overhead spray and another 25% installed a lawn alternative (no mow, native grasses, etc) also with overhead spray.

A summary of the 16 sample new single-family landscape site data is as follows:

	# Sites	Range (sqft)	Avg (sqft)	Range (%)	Avg (%)
<b>High Water Use Turf</b>	4	261 – 628	529	7% – 10%	11%
<b>Moderate Water Use Turf/ Turf Alternative</b>	4	1,430 – 6,156	2,791	13% – 55%	42%
<b>Artificial Turf</b>	6	300 – 3,820	1,781	6% - 33%	19%
<b>No Turf</b>	3	NA	NA	NA	NA

Note: One site installed artificial turf and a turf alternative

Of the five largest sites in the sample, 20,000 sqft-11,000 sqft total landscape area, two sites installed artificial turf with overhead spray, 3,800 sqft and 900 sqft, respectively, two sites installed native grasses with overhead spray, 1600 sqft and 4,000 sqft respectively and one site did not install any turf.

Overhead spray was installed in options normally associated with water savings options such as artificial turf and turf alternatives. Considering this sample data and the installation of overhead spray in areas of artificial turf and turf alternatives/moderate water use turf, staff developed a combination approach to limit turf areas to 10% of the total landscape area not to exceed 1,000 square feet for newly constructed single-family homes effective January 1, 2025. This new requirement would require lawn alternatives (no mow, native grasses, etc) and artificial turf to be subject to the limits, if overhead spray is installed with the project.

*Water Savings*

If the staff recommendation of limiting turf area to 10% of the total landscape area, not to exceed 1,000 sqft, and requiring compliance with the turf limits for moderate and artificial turf installations utilizing overhead spray were implemented, based on the sites reviewed water use would be reduced by ~67%. The table below shows where the savings would occur.

	Sample Sites (sqft)	Turf Limits (sqft)		Sample Sites Water Use (AF/yr)	Turf Limits Water Use (AF/yr)
<b>High Water Use Turf</b>	2,116	1,773		5	4
<b>Moderate Water Use Turf / Turf Alternative</b>	11,163	2,528		22	5
<b>Artificial Turf</b>	10,687	3,593		13	4
<b>TOTAL WATER USE</b>				40	13

*Recommendation*

Based on the range of landscape areas in recent landscape plan reviews, which is reflective of the range of sites within the district, staff recommends limiting turf area to 10% of the total landscape area, not to exceed 1,000 sqft, and requiring compliance with these turf limits for moderate/turf alternatives and artificial turf installations utilizing overhead spray. This new requirement would repeal and replace the Graywater Ordinance.

The current Graywater Ordinance provisions applicable to ‘significant remodels’ would also be repealed. Effective immediately, all rehabilitated landscapes that are subject to the District’s Landscape Plan Review Requirement must comply with the State standard of no more than 25% turf grass.

Based on direction from the Board, staff will prepare the necessary ordinance to implement these changes and will bring this to a future bi-monthly Board meeting for the Board to consider approval.

**ENVIRONMENTAL REVIEW:** Not Applicable.

**FISCAL IMPACT:** None.

**ATTACHMENT(S):** None.



# STAFF REPORT

**Meeting Type:** Board of Directors  
**Title:** Grant Program Update  
**From:** Shaun Horne, Watershed Resources Director  
**Through:** Ben Horenstein, General Manager  
**Meeting Date:** August 6, 2024

**TYPE OF ACTION:**                      Action              X              Information                      Review and Refer

**RECOMMENDATION:** Receive a staff update on the District’s recent grant activities

**SUMMARY:** Staff will provide an update on recent grant activities.

**DISCUSSION:** The District continues to track and apply for state and federal grant funding opportunities as they become available. Staff will provide a detailed presentation of recent grant applications and awards, as well as upcoming funding opportunities. The table below describes the status of grant applications since April 2024 and ongoing grants currently managed.

Summary of Grant Awards and Applications				
Project	Funder	Amount	Status	Date
Forest Health Strategy	USBR Environmental Water Resources Project	\$300,000	Decision Pending	June 2024
One Tam Forest Health Strategy	CalFire	\$3,000,000 (Total award: \$6,966,078)	Awarded	June 2024
Water Supply Planning	USBR WaterSmart Planning & Design	\$400,000	Decision Pending	May 2024
Rain Harvesting Rebates	Marin County (MCSTOPPP)	\$15,032	Awarded	April 2024
AMI Expansion	U.S. Bureau of Reclamation (USBR)	\$1,000,000	Decision Pending	February 2024

One Tam Forest Health Strategy	Wildlife Conservation Board (WCB)	\$2,880,000 (Total award: \$6,447,687)	Administering	February 2024
Lagunitas Creek Restoration Phase II	California Dept. of Fish & Wildlife (CDFW) Fisheries & Restoration (FRGP)	\$600,000	Administering	December 2023
San Geronimo Treatment Plant Clarifiers	CalOES/FEMA	\$22,000,000	Not Awarded	December 2023
Lagunitas Creek Restoration	(CDFW) Prop 1	\$4,600,000	Administering	November 2023
Climate Adaptation Strategies: A Precipitation Modeling Initiative	USBR WaterSmart Energy Efficiency	\$150,628.00	Awarded	October 2023
Lagunitas Creek Restoration Project	USBR Environmental Restoration Project	\$1,400,000	Administering	August 2023
Reservoir Water Quality	CA Division of Boating & Waterways	\$86,800	Administering	July 2023
Lagunitas Creek Gravel Spawning Gravel Improvement Project	Department of Water Resources (DWR) Riverine Stewardship	\$590,000	Administering	June 2023
Desalination Feasibility Study	USBR	\$200,000	Decision Pending	February 2023
Azalea Hill Trail Restoration	California State Parks	\$952,657	Administering	February 2023
Watershed Vegetation Management	Conservation Corp North Bay (CCNB)	\$500,000	Administering	January 2023
Marin City/San Rafael Water Supply Resiliency Project	DWR Integrated Regional Water Management Program (IRWMP)	\$6,500,000	Administering	January 2023

Fire Resilience in Mt. Tam Watershed	CCC Forestry Corps	\$374,000	Administering	December 2022
San Geronimo Emergency Generator Project	State Member Request (Levine)	\$1,000,000	Administering	July 2022
Water Conservation	USBR WaterSmart & Energy Efficiency (Sonoma-Marín Saving Water Partnership)	\$722,925	Administering	April 2022
Water Supply Alternatives	DWR Urban and Multi Benefit Drought Relief	\$2,000,000	Administering	March 2022
Forest Health	California Coastal Conservancy	1,088,610	Administering	June 2021
Water Conservation	Prop 1 IRWMP	\$222,477	Administering	June 2020
<b>Water Resources Development Act of 2022</b>				
Regional Water Supply	WRDA	\$28M	Passed/Not Authorized in House/Awaiting Senate Committee Hearing	December 2022

**REVIEW OF GRANT FUNDING ACTIVITIES**

The District tracks various grant programs and works with industry associations to monitor upcoming grant funding opportunities. District staff work inter-departmentally to evaluate funding opportunities and to pair grant programs with District projects. Recent District grant efforts have resulted in funding for precipitation modeling, additional funding to implement the BIFFIP, as well as to provide rain water barrels to support water conservation. The District currently has pending applications for Forest Health, Water Supply Storage and Design, and AMI expansion in the District’s service area. In addition to grant applications, the District has submitted federal earmark requests for Pine Mountain Tunnel Tank Replacement Project and for the Soulajule Pipeline Project.

In June, the District was notified that the FEMA Building Resilient Infrastructure and Communities (BRIC) grant proposal for the San Geronimo Treatment Plant Clarifiers was not awarded. Staff is now looking into options for advancing this application as part of FEMA’s Hazard Mitigation Grant Program as part of the next open round of solicitations. The District is evaluating a grant proposal as part of the California Department of Fish and Wildlife’s Office of Spill Prevention and Response (CDFW-OSPR) for Lagunitas Creek Enhancement Phase II implementation. The District is actively working with the Golden Gate National Parks Conservancy to establish funding agreements to support the Wildlife Conservation Board and Cal Fire Forest Health grant awards to support FY 2024/25 BFFIP implementation work on the Watershed.

**Water Resources Development Act of 2022**

In 2022, the District was written into the Water Resources Development Act of 2022 (WRDA) for \$28 million for Water Supply Projects in Marin. In March of 2024, the District coordinated a site visit with Congressman Huffman and the US Army Corps of Engineers (USACE) staff to review the Soulajule Pipeline Project and the USACE Work Plan process for funding WRDA Environmental Infrastructure (EI) projects. In July, the District learned that Marin Water was not included in the final bill voted on by the Appropriations Committee in the House. The District expects to hear a decision from the Senate sometime in August.

**Associations**

The District utilizes membership in the following industry associations to stay up to date on policy and fundraising opportunities.

- ACWA
- TOGETHER Bay Area (formerly Bay Area Open Space Council)
- One Tam Steering & Funding Committee
- North Bay Watershed Association
- North Bay Water Reuse Program

As member of the Association of California Water Agencies (ACWA), District staff serve on a variety of the group’s committees. Staff also participate as members of One Tam. The Steering and Funding Committees meet monthly to discuss possible cross jurisdictional grants for projects that benefit Mt. Tamalpais. As a member of TOGETHER Bay Area District staff participate in a Legislative Committee Working Group to help advance funding needs and priorities relating to resilient lands and communities. The District is also a member of the North Bay Water Association and North Bay Water Reuse Program, which have been influential in advancing and securing funding that benefit regional water supply projects.

**ENVIRONMENTAL REVIEW:** Not Applicable.

**FISCAL IMPACT:** None.

**ATTACHMENT(S):** None.





**UPCOMING MEETINGS**

This schedule lists upcoming board and committee meetings as well as upcoming agenda items for the next month, which may include Board interest in adding future meeting items. The schedule is tentative and subject to change pending final publication and posting of each meeting agenda.

<b>Internal Meetings</b>		
<b>Meeting Date</b>	<b>Meeting Type</b>	<b>Key Item(s)</b>
Friday, Aug. 16, 2024 9:30 a.m.	Operations Committee Meeting/Special Meeting of the Board of Directors	Update on the Conveyance Costs of Water Supply Roadmap Projects
Tuesday, Aug. 20, 2024 6:30 p.m.	Board of Directors’ Regular Bi-Monthly Meeting	Watershed Recreation Management Plan Feasibility Study Pilot Program Update
Wednesday, Aug.21, 2024 9:30 a.m.	Communications & Water Efficiency Committee Meeting/Special Meeting of the Board of Directors	Water Efficiency Programs Update, and Outreach Activities Update
Thursday, Aug.22, 2024 9:30 a.m.	Finance & Administration Committee Meeting/Special Meeting of the Board of Directors	Preliminary Year End Results, and Connection Fee Study

<b>External Meetings – None in August</b>	
<b>Meeting Date</b>	<b>Meeting Type</b>