



NOTICE OF THE PLANNING COMMITTEE/SPECIAL MEETING OF THE BOARD OF DIRECTORS

Thursday, November 13, 2025 at 9:30 AM

AGENDA

LOCATIONS:

Open Session to start at or after 9:30 a.m.

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

Public Participation:

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

On a computer or smart device, go to: <https://marinwater.zoom.us/j/86822995553>

By phone, dial: **1-669-444-9171** and use Webinar ID: **868 2299 5553**

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. 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. 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.

4. Regular Items (9:35 a.m. – Time Approximate)

- a.** Minutes of the Planning Committee Meeting/Special Meeting of the Board of Directors on October 28, 2025

RECOMMENDATION: Accept the minutes

- b.** Fire Flow Improvement Program - Sleepy Hollow Pipeline Replacement Project (F24002)

RECOMMENDATION: Review and comment on the Fire Flow Improvement Program - Sleepy Hollow Pipeline Replacement Project

- c.** North Marin Line Stabilization Project Update (F14003)

RECOMMENDATION: Review and comment on the North Marin Line Stabilization Project

- d.** Water Efficient Landscape District Code Changes and Local Jurisdiction MOU

RECOMMENDATION: Review and comment on proposed updates to the District's Water Efficient Landscape Code provisions to reflect the 2025 changes to the State Model Water Efficient Landscape Ordinance (MWELo), adopt the State required language from Assembly Bill (AB) 1572 regarding prohibitions on the irrigation of non-functional turf, and extend the memorandum of understanding (MOU) with local jurisdictions to collaborate on MWELo implementation

5. Upcoming Meeting

The next Planning Committee Meeting/Special Meeting of the Board of Directors is scheduled for Thursday, December 11, 2025 at 9:30 a.m.

6. Adjournment (11:00 a.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.

Posted: 11-07-2025



STAFF REPORT

Meeting Type: Planning Committee/Board of Directors

Title: Minutes of the Planning Committee Meeting/Special Meeting of the Board of Directors on October 28, 2025

From: Terrie Gillen, Board Secretary

Through: Ben Horenstein, General Manager

Meeting Date: November 13, 2025

TYPE OF ITEM: X Approve Review and Comment

RECOMMENDATION: Accept the minutes

SUMMARY: There was a Planning Committee Meeting/Special Meeting of the Board of Directors on October 28, 2025. Staff is requesting that the minutes from that meeting be accepted.

DISCUSSION: None.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: None.

ATTACHMENT(S):

1. Draft October 28, 2025 Minutes of the Planning Committee Meeting/Special Meeting of the Board of Directors

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Communications & Public Affairs Department	 Terrie Gillen Board Secretary	 Ben Horenstein General Manager



NOTICE OF THE PLANNING COMMITTEE/SPECIAL MEETING OF THE BOARD OF DIRECTORS

Tuesday, October 28, 2025 at 9:30 AM

MINUTES

LOCATIONS:

Open Session to start at or after 9:30 a.m.

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

Public Participation:

The public attended this meeting in-person or remotely using the following methods: on a computer or smart device, <https://marinwater.zoom.us/j/86822995553>, or by phone, 1-669-444-9171 using Webinar ID# : 868 2299 5553.

AGENDA ITEMS:

1. Call to Order and Roll Call

Chair Larry Russell called the meeting to order at 9:30 a.m.

DIRECTORS PRESENT

Diana Maier

Jed Smith

Ranjiv Khush

Larry Russell

DIRECTOR ABSENT

Matt Samson

2. Adoption of Agenda

Director Smith made the motion to adopt the agenda. Vice Chair Khush seconded the motion.

There were no public comments.

Voting Yea: Directors Maier, Smith, Khush, and Russell

3. Public Comment on Non-Agenda Matters

There was one (1) public comment.

4. Regular Items

- a. Minutes of the Planning Committee Meeting/Special Meeting of the Board of Directors on September 23, 2025

RECOMMENDATION: Accept the minutes

Vice Chair Khush made the motion to approve the minutes. Director Smith seconded the motion.

There were no public comments.

Voting Yea: Directors Maier, Smith, Khush, and Russell

- b. Capital Improvement Program - Kastania Pump Station Phase 2 Rehabilitation Project (D21027)

RECOMMENDATION: Review and comment on the Kastania Pump Station Phase 2 Rehabilitation Project

Engineering Design Manager Zak Talbott presented this item.

Discussion ensued.

There were no public comments.

This item will be brought back to the full Board for consideration of project approval and award of contract at future regularly scheduled Board meeting.

5. Public Hearing Item

- a. 2025 Public Health Goals Triennial Report

RECOMMENDATION: Conduct public hearing to review and comment on the Public Health Goal Report

Water Resources Director Paul Sellier and Water Quality Manager Matthew Steiner presented this item.

Discussion ensued between the directors and staff.

Chair Russell opened the public hearing.

There was only one (1) public comment.

Chair Russell closed the public hearing.

No further action was taken on this item.

6. Upcoming Meeting

Chair Russell announced that the next Planning Committee Meeting/Special Meeting of the Board of Directors is scheduled for Thursday, November 13, 2025.

7. Adjournment

There being no further business, the Planning Committee Meeting/Special Meeting of the Board of Directors adjourned at approximately 10:10 a.m.

Board Secretary



STAFF REPORT

Meeting Type: Planning Committee/Board of Directors
Title: Fire Flow Improvement Program - Sleepy Hollow Pipeline Replacement Project (F24002)
From: Alex Anaya, Director of Engineering
Through: Ben Horenstein, General Manager
Meeting Date: November 13, 2025

TYPE OF ITEM: Approve ☒ Review and Comment

RECOMMENDATION: Review and comment on the Fire Flow Improvement Program - Sleepy Hollow Pipeline Replacement Project

SUMMARY: The Fire Flow Improvement Program - Sleepy Hollow Pipeline Replacement Project will install approximately 4,250 feet of new pipe in the unincorporated community of Sleepy Hollow. On December 4, 2025, the District will open construction bids for the Project. District staff will make a recommendation for consideration of contract award at a future regularly scheduled Board meeting.

DISCUSSION: The Sleepy Hollow Pipeline Replacement Project is a component of the District's Fire Flow Improvement Program. This Project will install approximately 4,250 feet of new 12-, 8-, and 6-inch welded steel pipe to replace the old, leak-prone, fire flow deficient piping installed as early as 1932. The project will take place in the locations described in Table 1 below and shown on the map provided in Attachment 1.

Table 1

STREET	LENGTH	INSTALLATION DATE	EXISTING SIZE & TYPE
Legend Road	700 ft	1945	4" CIP
Raven Road	100 ft	1954	6" CIP
Butterfield Road	120 ft	1932	12" CIP
Deer Hollow Road	2,450 ft	1938	4" CIP, 2" GTP
Oakcrest Road	700 ft	1948	4" CIP
The Alameda	180 ft	1948	4" CIP

*CIP = Cast Iron Pipe, GTP = Galvanized Threaded Pipe

These street segments were evaluated for the installation of recycled water piping. The nearest existing recycled water pipeline is approximately 6.7 miles away located at the intersection of Sequoia Road and North San Pedro Road in San Rafael. Therefore, the installation of recycled water piping was determined to be infeasible.

Summaries of the estimated Project costs and schedule are provided below.

Estimated Budget:

Engineer’s Estimate:	\$ 1,850,000
Contingency (10%):	\$ 185,000
Materials and Professional Fees:	\$ 425,000
District Labor/Inspection:	\$ 225,000
Total Budget:	\$ 2,685,000
Budget Category:	A2A

Estimated Project Implementation:

Project Advertisement:	November 18, 2025
Bid Opening:	December 4, 2025
Project Award:	December 16, 2025
Estimated Completion Date:	June 19, 2026
Duration:	185 days

District staff intend to make a recommendation for contract award for this item at a future regularly scheduled Board meeting.

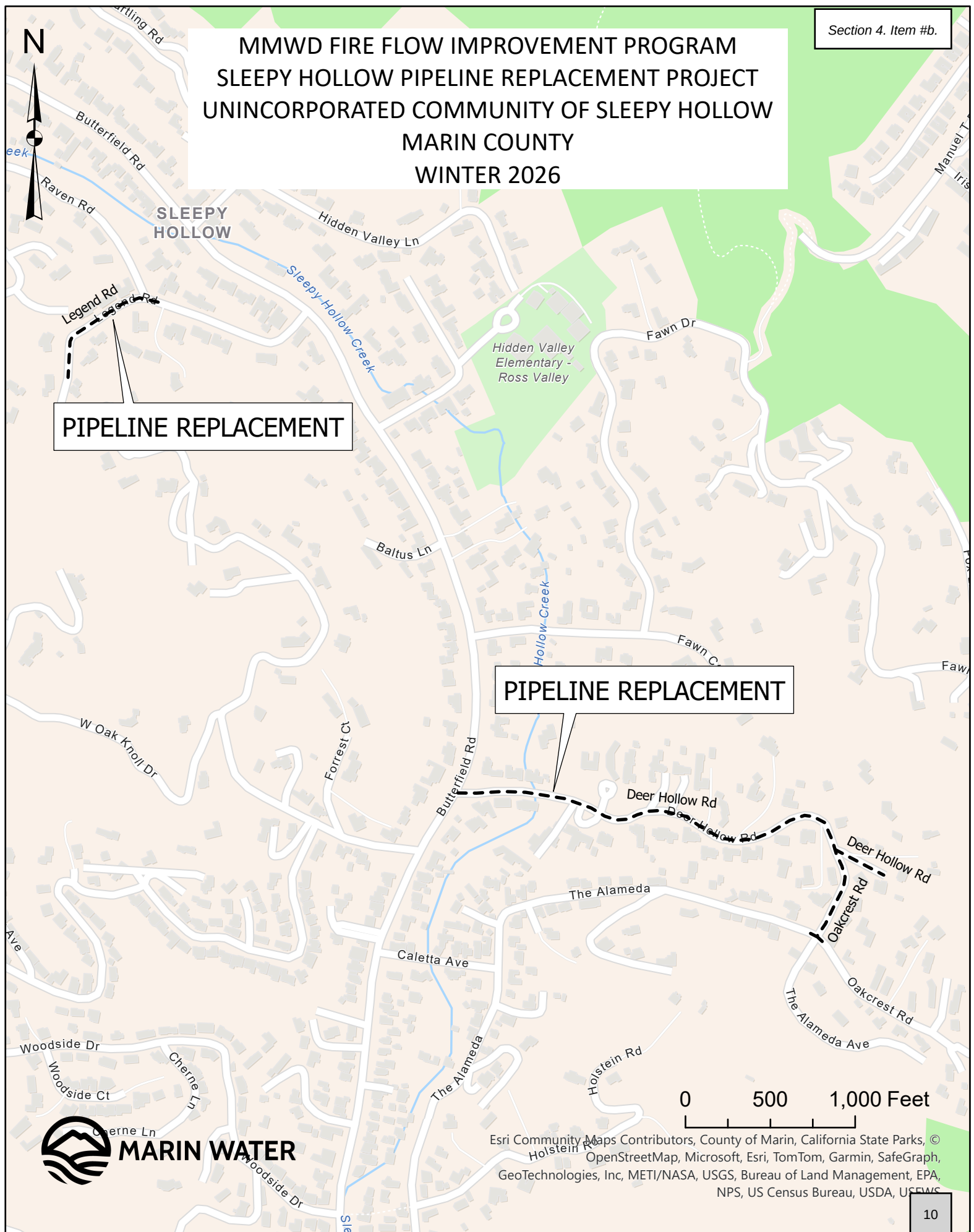
ENVIRONMENTAL REVIEW: The Director of Engineering has found that the Project is Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15302(c), Replacement or Reconstruction, and statutorily exempt under Public Resources Code section 21080.21, pipelines less than one mile. The Project qualifies for exemption pursuant to Section 15302(c) inasmuch as it is the replacement of existing water pipeline involving negligible or no expansion of capacity, and is statutorily exempt pursuant to Public Resources Code section 21080.21 since the proposed Project will replace less than one mile of pipe within the public right of way or street.

FISCAL IMPACT: The total cost to complete the Fire Flow Improvement Program – Sleepy Hollow Pipeline Replacement Project is estimated at \$2,685,000 inclusive of District Labor, materials and contingencies.

ATTACHMENT(S):

- 1. Site Map

MMWD FIRE FLOW IMPROVEMENT PROGRAM
SLEEPY HOLLOW PIPELINE REPLACEMENT PROJECT
UNINCORPORATED COMMUNITY OF SLEEPY HOLLOW
MARIN COUNTY
WINTER 2026



PIPELINE REPLACEMENT

PIPELINE REPLACEMENT



STAFF REPORT

Meeting Type: Planning Committee/Board of Directors
Title: North Marin Line Stabilization Project Update (F14003)
From: Alex Anaya, Director of Engineering
Through: Ben Horenstein, General Manager
Meeting Date: November 13, 2025



TYPE OF ITEM: Approve X Review and Comment

RECOMMENDATION: Review and comment on the North Marin Line Stabilization Project

SUMMARY: Marin Water has initiated a project to replace two existing San Geronimo Creek pipeline crossings with seismically resistant pipeline. In April 2016, Marin Water documented replacement of aging pipeline in the North Marin Line Stabilization Project Initial Study/Mitigated Negative Declaration (2016 IS/MND), which was published in April 2016 and adopted by Marin Water's Board of Directors in June 2016. Since adoption of the 2016 IS/MND, the Project design has been further refined (Revised Project). In the Revised Project, one of the existing creek crossings will be replaced in its existing location with a seismically resistant pipeline, while the other will be decommissioned and replaced by a new pipeline alignment within Sir Francis Drake Boulevard near the community of Lagunitas. These project design refinements proposed in the Revised Project are subject to supplemental California Environmental Quality Act (CEQA) analysis, with Marin Water acting as lead agency.

The Draft Supplemental Initial Study/Mitigated Negative Declaration (IS/MND) for the Revised Project was released for public review on October 17, 2025, and, following its 30-calendar day review period, was anticipated to close on November 17th, 2025. However, the California Department of Fish and Wildlife requested additional time to review and potentially comment on the proposed Revised Project. Therefore, the public comment period has been extended until November 26, 2025.

The Draft Supplemental IS/MND for the Revised Project documents the determination by Marin Water that the Project would not have a significant adverse effect on the environment. Preparation of an IS/MND does not indicate a decision by Marin Water to proceed with the Revised Project as proposed and does not constitute project approval for purposes of CEQA. That decision will be considered at a regularly noticed meeting of Marin Water's Board of Directors, which will likely occur in December 2025 or January 2026.

DISCUSSION: The North Marin Line (NML) is a critical raw water transmission pipeline constructed in 1957 to convey water from Kent Lake and Nicasio Reservoir to the San Geronimo Treatment Plant. The

two existing NML creek crossings over San Geronimo Creek are free-spanning with minimal supports, which does not align with current seismic standards and practices. The proposed Revised Project would improve seismic resiliency and reliability of this key conveyance facility, addressing two challenging single point of failure locations in the raw water transmission system.

The Revised Project involves replacing one existing creek crossing with a 36-inch welded steel pipeline supported on a single-span steel truss bridge affixed on deep pier foundations outside the creek channel. The second crossing is located in a narrow and challenging location to access requiring this crossing to be decommissioned and replaced with approximately 1,700 feet of new buried pipeline within Sir Francis Drake Boulevard, avoiding future, challenging in-channel maintenance and reducing potential environmental impacts. With the installation of the 1,700 feet of new pipe, the Revised Project will also include relocating and replacing the 1957 (68-year-old) Shafter Valves, which are critical to the District's transmission system and necessary for regulating flow from both Kent and Nicasio Reservoir, which are sources of raw water to the San Geronimo Treatment Plant. This Revised Project presents an opportunity to replace these aging valves and increase system resiliency and install the valves in a more accessible location for future operation and maintenance.

The Revised Project will enhance seismic reliability and reduce the potential risk of failure and the need for likely maintenance activities that may cause disturbance to San Geronimo Creek and its riparian habitat. Work areas would be limited to Marin Water's existing easements and previously improved sites, including the Leo T. Cronin parking lot and access road towards Peters Dam. The District is coordinating with regulatory agencies for environmental permits and the County of Marin for an encroachment permit and traffic control. Restricted construction timeframes will also be necessary between August and January to ensure environmental compliance and protect species.

The Draft Supplemental Initial Study/Mitigated Negative Declaration (IS/MND) was released for public review on October 17, 2025, and will remain open through November 26, 2025. Following the public review period, staff will present the Final IS/MND and proposed Revised Project to the Board for consideration of adoption and approval in December 2025 or January 2026.

ENVIRONMENTAL REVIEW: The District has prepared a Draft Supplemental Initial Study/Mitigated Negative Declaration, pursuant to the provisions of CEQA, which is currently available for public review and comment until November 26, 2025. A copy of the IS/MND is available on the District's website at <https://marinwater.org/yourwater/construction-and-infrastructure/capital-projects/north-marin-line-stabilization-project/>.

FISCAL IMPACT: Funding for this proposed project has been identified and included in the Capital Improvement Budget (FY 26 and FY 27) under the A2A budget category. This project will span and require multiple years to complete due to the location, complexity and restricted construction windows.

ATTACHMENT(S): None.



STAFF REPORT

Meeting Type:

Planning Committee/Board of Directors

Title:

Water Efficient Landscape District Code Changes and Local Jurisdiction MOU

From:

Paul Sellier, Water Resource Division Manager

Through:

Ben Horenstein, General Manager

Meeting Date:

November 13, 2025

TYPE OF ITEM:

Approve

X

Review and Comment

RECOMMENDATION: Review and comment on proposed updates to the District’s Water Efficient Landscape Code provisions to reflect the 2025 changes to the State Model Water Efficient Landscape Ordinance (MWELo), adopt the State required language from Assembly Bill (AB) 1572 regarding prohibitions on the irrigation of non-functional turf, and extend the memorandum of understanding (MOU) with local jurisdictions to collaborate on MWELo implementation

SUMMARY: To align with recent changes to the State’s Model Water Efficient Landscape Ordinance (MWELo), staff will discuss proposed modifications to the District’s current Water Efficient Landscape Code provisions. While making changes to the District’s Water Efficient Landscape Code, staff also recommends incorporating non-functional turf language, required by Assembly Bill (AB 1572) to be added to the District Code.

Staff will also review the MOU the District developed in 2021 to review landscape plans on behalf of the towns and cities in the District’s service area for compliance with MWELo, and discuss proposed minor updates to the MOU including extending the term of the MOU, which is currently set to expire in December 2025.

DISCUSSION: In January 2025, the Department of Water Resources (DWR) released an updated version of the State’s Model Water Efficient Landscape Ordinance (MWELo). MWELo establishes standards for efficient landscape design, installation, management and maintenance, in both new and retrofitted landscapes that require a building permit, plan check or design review by local jurisdictions. All local agencies throughout the State must adopt, implement, and enforce MWELo, or adopt a local Water Efficient Landscape Ordinance (WELO) that is at least as effective as the State Ordinance.

The 2025 revisions to the MWELo were done with the goal of providing overall clarity, revising definitions and reordering sections to allow for easier interpretation and implementation of the requirements. DWR worked with local agencies, water suppliers, including District staff, landscape industry groups and interested parties for input on the regulatory changes. Following discussions on how to best align the District’s Water Efficient Landscape Code with these new State MWELo revisions,

and as a way of keeping pace with future revisions to MWELO, staff recommends adopting the the State’s MWELO by reference as an alternative to fully embedding the State MWELO text into the District’s Water Efficient Landscape code (or WELO), while also maintaining and preserving some of the more progressive requirements adopted by the District in an effort to conserve additional water.

State Non-Functional Turf Regulation- AB 1572

In October 2023, the State of California passed AB 1572, which established a timeline for implementation of the prohibition of the use of potable water to irrigate nonfunctional turf on all non-residential properties, including homeowner association (HOA) common areas. The State has cascading implementation timelines for properties beginning in January 2027 with properties owned by public entities followed by commercial sites in 2028, and HOA common areas in 2029. The law includes some exceptions for the use of potable water to ensure the health of trees and other perennial plantings, or when necessary to address an immediate health and safety need. AB 1572 requires that public water systems, such as the District, revise their regulations, ordinances and policies to include these requirements and communicate such requirements to customers on or before January 1, 2027. Staff propose to incorporate the requirements of AB 1572 into the proposed District Code changes to ensure the District’s compliance.

MOU with the Local Jurisdictions

In 2021, the District and the 11 local jurisdictions within its service area signed a Memorandum of Understanding memorializing the roles of the District and the local jurisdictions related to water efficient landscape requirements. As part of the MOU, local jurisdictions agreed to notify their applicants of the District’s requirements and, in return, Marin Water agreed to perform landscape plan review on behalf of these agencies ensuring consistency and that landscape projects are complying with MWELO and more stringent District standards. In addition, the District agreed to report completed projects’ details to the State annually on behalf of the local jurisdictions. The current MOU expires on December 31, 2025.

Staff has worked with the local jurisdictions to develop an updated MOU which reflects the proposed changes to the District Code related to Landscape Plan Review and adds Cross Connection Control (Backflow) Requirements and use of Recycled Water. As a result of the proposed changes to the MOU, District requirements will be communicated to applicants by the local towns and cities as early as possible, leading to clarity of process and improved outcomes for applicants. The new MOU, once approved, would be in place through December 31, 2030.

ENVIRONMENTAL REVIEW: Not Applicable.

FISCAL IMPACT: None.

ATTACHMENT(S):

- 1. Draft Ordinance No. 470
- 2. Local Jurisdiction MOU

**MARIN MUNICIPAL WATER DISTRICT
ORDINANCE NO. 470**

**AN ORDINANCE AMENDING CHAPTER 13.02 OF TITLE 13 OF THE MARIN
MUNICIPAL WATER DISTRICT CODE ENTITLED WATER SERVICE CONDITIONS
AND WATER CONSERVATION MEASURES UPDATING DISTRICT WATER
EFFICIENT LANDSCAPE REQUIREMENTS**

**BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE MARIN MUNICIPAL
WATER DISTRICT AS FOLLOWS:**

SECTION 1. Purpose: The purpose of this Ordinance is to amend District Code section 13.02.021 entitled “Water Conservation: Normal Year Water Conservation” to align with the state of California’s revised Model Water Efficiency Landscape Ordinance (MWELO), which will become effective January 2, 2026. Additionally, this Ordinance will reaffirm several water efficient landscape requirements that are more stringent and intended to yield more water savings than those set forth in MWELO. Furthermore, this Ordinance will adopt provisions of California Water Code section 10608.14 pertaining to the use of potable water for the irrigation of nonfunctional turf.

SECTION 2. A new Subsection 6 of Section 13.02.020 of the Marin Municipal Water District Code entitled “Water waste prohibitions” is hereby added to read as follows:

(6) The District hereby adopts subsections (a) and (b) of section 10608.14 of the California Water Code, which provisions set forth future restrictions on the use of district potable water for the irrigation of nonfunctional turf, as such provisions may be amended from time to time. All terms in this section shall be assigned the meaning set forth in Water Code section 10608.12, as may be amended from time to time, and the definitions set forth in Section 13.02.021(2) of this Chapter shall be of no effect.

SECTION 3. Subsection 5 of Section 13.02.021 of the Marin Municipal Water District Code entitled “Water Efficient Landscaping” is deleted in its entirety and replaced with the following:

Section 13.02.021, Subsection (5) entitled “Water Efficient Landscaping”

(5) Water Efficient Landscaping.

- A. The District hereby adopts the California Department of Water Resources Model Water Efficient Landscape Ordinance (MWELO), set forth in Title 23, Section 490 *et seq.* of the California Code of Regulations, as may be amended from time to time. For the purposes of this subsection (A), all terms shall be assigned the meaning set forth in Title 23, Section 490.2 of the California Code of Regulations and the definitions set forth in Section 13.02.021(2) of this Chapter shall be of no effect.

- B. Notwithstanding the requirements of subsection (A), the more stringent water efficiency requirements set forth in this subsection (B) shall apply and all terms herein shall be assigned the meaning set forth in Section 13.02.021(2) of this Chapter.
1. All of the following projects shall comply with the District Water Efficiency Landscape Plan Review and the requirements set forth in this subsection (B) or conform to the prescriptive measures contained in Appendix D of Section 13.02.021(12):
 - (a) New construction projects with a landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review;
 - (b) Rehabilitated landscape projects with a landscape area equal to or greater than 1,000 square feet requiring a building or landscape permit, plan check, or design review; and
 - (c) Any project with a landscape area of less than 1,000 square feet requiring a building or landscape permit, plan check, or design review.
 2. Prohibition on the Irrigation of Non-Functional Turf.
 - (a) For projects subject to the requirements set forth in 13.02.021(5)(B)(1)(a-c), nonfunctional turf irrigated with district water shall be prohibited.
 3. Requirements for Submetering and Manual Shut-Off Valves
 - (a) Separate district landscape water service meters shall be required for all new landscapes, other than single-family and two-unit residential landscapes, for which the irrigated area is equal to or greater than 1,000 square feet.
 - (b) A private submeter shall be required for all rehabilitated landscapes for which the irrigated landscape area is equal to or greater than 2,500 square feet.
 - (c) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply and before each valve or valve manifold, to minimize water loss in the event of an emergency (such as a main line break) or routine repair.
 4. Submission of District Water Efficient Landscape Worksheet.
 - (a) The Water Efficient Landscape Worksheet shall be submitted to the District utilizing the Maximum Applied Water Allowance and Estimated Total Water Use worksheet, as may be amended from time to time.
 5. Turf Limits For New Development of Single-Family Residences and Duplexes.
 - (a) Newly developed single-family or duplex residences shall not

install more than 20% of the total residential landscape area, or 1,200 square feet, whichever is less, with turf. This prohibition shall apply to the residential landscapes of all newly developed single-family and duplex residences within the district.

SECTION 4. Subsection 8 of Section 13.02.021 of the Marin Municipal Water District Code entitled “Turf Limits for New Development of Single-Family Residences and Duplexes” is hereby deleted in its entirety and replaced with the following:

(8) Reserved.

SECTION 5. Severability: If any section, subsection, sentence, clause, phrase, portion or part of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such section shall not affect the validity of the remaining portions of this code. The Board of Directors hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional and, to that end, declares the provisions of this ordinance severable from one another.

SECTION 6. Effective Date: This Ordinance shall become effective thirty (30) days following its adoption.

PASSED AND ADOPTED this _____, _____ 2025, by the following vote of the Board of Directors:

AYES:

NOES:

ABSENT:

Matt Samson
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary

Attachment 2

**Memorandum of Understanding (MOU)
Between Marin Municipal Water District and Local Land Use, Development,
Planning and Permitting Jurisdictions Regarding Collaboration and
Enforcement of Regional Cross Connection, Recycled Water and Water Conservation Programs**

WHEREAS, Marin Municipal Water District (“District”) has codes and ordinances whose effectiveness benefits from coordination with local land use, planning, development and permitting jurisdictions;

WHEREAS, local land use planning, development and permitting jurisdictions within the District service area include City of Belvedere, Town of Corte Madera, Town of Fairfax, City of Larkspur, City of Mill Valley, Town of Ross, Town of San Anselmo, City of San Rafael, City of Sausalito, Town of Tiburon and the County of Marin (“Jurisdictions”);

WHEREAS, the State of California (“State”) continues to issue water conservation requirements, including that new development and retrofitted landscapes comply with water efficiency standards governed by the Model Water Efficient Landscape Ordinance (“MWELO”);

WHEREAS, the State mandates a Cross Connection Plan be adopted to prevent contamination of the potable water supply by identifying, controlling, and monitoring potential backflow hazards, which is administered by the District;

WHEREAS, the District has an interest in expanding the supply of recycled water throughout its service area to reduce the use of potable water supplies;

WHEREAS, These Jurisdictions all receive and process applications for land use permits that are potentially subject to MWELO and cross connection and recycled water requirements (“Applications”);

WHEREAS, water conservation cross connection and recycled water are an important regional initiative to ensure clean and adequate water supply for current and future generations in Marin County;

WHEREAS, water use efficiency and recycled water are an important component of the District’s water supply strategy and therefor the District has an interest in assuring full compliance with MWELO;

WHEREAS, the State requires all Jurisdictions to adopt, implement, and enforce the MWELO or a more stringent ordinance;

WHEREAS, District has the expertise to assist Jurisdictions in complying with water conservation regulations and requirements as Jurisdictions process Applications, including inspections to ensure the implementation of MWELO;

WHEREAS, State water conservation laws require Jurisdictions to annually report to the State regarding implementation and enforcement of the MWELO or a more stringent ordinance; and

WHEREAS, Jurisdictions and District agree this MOU shall govern the regional collaboration for complying with State and local water conservation, cross connection and recycled water requirements.

NOW THEREFORE, in order to ensure coordination and compliance with water conservation, cross connection and recycled water requirements, Jurisdictions and District mutually agree to the following:

I. ROLES AND RESPONSIBILITIES

- A. District will:
 - i. Conduct Landscape Plan Review within 10-15 business days of submittal by the person or persons seeking the Applications (“Applicant”).
 - a) District will provide an approval (or exemption) letter to the Applicant for Landscape Plan Review. Sample letters of approval and exemption, which may be amended by District

from time to time, are attached hereto as Exhibit B, and incorporated herein by this reference.

- b) District will conduct all inspections necessary for Landscape Plan Review described in Section I (A)(i).
- c) District will inform Jurisdictions of all current District Codes applicable to MWELo reporting and compliance and will notify Jurisdictions of any future District Code revisions or amendments, which would impact MWELo reporting and/or water conservation legislative compliance.
- d) District will annually file, on behalf of the Jurisdictions, MWELo reporting as required pursuant to Title 23, Section 495 of the California Code of Regulations utilizing the Department of Water Resources reporting database, based on the information collected through inspections referred to the District, or as otherwise provided by the Jurisdictions. However, the District shall have no obligation to report 2025 MWELo data to the State for the January 31, 2026 compliance date, unless the Jurisdiction and the District extend the term of this MOU in writing pursuant to Section V of this MOU obligating the District to complete this report. Notwithstanding the above, the District will not be responsible for gaps in reporting due to lack of information provided by the jurisdictions.
- e) District will inform Jurisdictions of all current District Codes applicable to recycled water and cross connection and will notify Jurisdictions of any future District Code revisions or amendments, which would impact Applicants.

B. Jurisdictions will:

- i. Inform Applicant of District requirements at project initiation in Jurisdictions’ Planning and Building Departments and refer Applicant’s project to District for review. Current District requirements, which may be amended by District from time to time, are attached hereto as Exhibit A and incorporated herein by this reference.
- ii. Incorporate District requirements into the Planning Application Checklist and/or Building Application Checklist.
- iii. Maintain compliance with all applicable MWELo requirements, including referring all applicable projects to the District and providing District all requested information needed for proper MWELo reporting, but excluding the submission of the required annual MWELo reporting described in Section 1(A)(i)(d) above which is being performed by the District.
- iv. Prior to final inspection of a project, the Jurisdiction shall require evidence from the Applicant that the project has received approval (or is exempt from review) for Landscape Plan Review from the District. Sample letters of approval and exemption are attached hereto as Exhibit B and incorporated herein by this reference.

II. COSTS

Each party to this MOU shall be solely responsible for the costs to complete its share of the work described in Section I, above, entitled “Roles and Responsibilities.”

III. HOLD HARMLESS AND LIABILITY

The Jurisdictions and the District each agree to hold harmless, indemnify, and defend the other from and against any and all liability claims, costs, penalties, causes of action, demands, and losses of any nature whatsoever, including reasonable attorneys' fees, arising from the performance of this MOU, including but not limited to personal injury and injury to property, or any violation of any law or ordinance, or other harm caused by any negligent act, error or omission, or willful acts or omissions of the indemnifying party

or its officers, employees, subcontractors, or agents acting pursuant to this MOU. This indemnification shall survive termination or expiration of this MOU.

IV. DISPUTE RESOLUTION

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

V. TERM & TERMINATION

This MOU shall terminate on December 31, 2030, unless extended by written agreement of the parties before that date. Any party may terminate participation in this MOU at any time by providing 30-days prior written notice. Upon termination, any obligations hereunder shall terminate, except as otherwise expressly herein provided.

VI. NOTIFICATION

The following personal shall be the primary contact for the identified party to this MOU:

Marin Water Carrie Pollard capollard@marinwater.org 415-945-1522	Town of Ross Roberta Feliciano rfeliciano@townofross.org (415) 453-1453	Town of Corte Madera Amy Lyle alyle@ cortemadera.gov 415-500-5213
Town of Fairfax Jeff Beiswenger jbeiswenger@townoffairfaxca.gov 415-458-2346	City of Larkspur Alex Othon aathon@cityoflarkspur.org (415) 927-5026	City of Mill Valley Patrick Kelly pkelly@cityofmillvalley.org 415-388-4039
City of Belvedere Rebecca Markwick rmarkwick@cityofbelvedere.org 415-435-8931	Town of San Anselmo Eric Robbe erobbe@townofsananselmo.org (415) 258-4637	City of San Rafael Micah Hinkle Micah.hinkle@cityofsanrafael.org (415)485-3085
City of Sausalito Kevin McGowan kmcgowan@sausalito.gov 415-289-4176	Town of Tiburon Samantha Bonifacio sbonifacio@townoftiburon.org 415-435-7393	County of Marin Jeremy Tejirian jtejirian@marincounty.org 415-473-3798

VII.COUNTERPART SIGNATURES

This MOU may be executed in counterparts, and each executed counterpart shall have the same force and effect as an original instrument and as if all of the Jurisdictions to the aggregate counterparts had signed the same instrument.

VIII. ASSIGNMENT

Neither the District nor the Jurisdictions may assign any portion of this MOU without the prior written authorization of the District General Manager.

IX. VENUE

This MOU and all matters relating to it shall be governed by the laws of the State of California. Any legal action brought related to this MOU shall be brought exclusively in the County of Marin.

X. SECTION HEADINGS

The section headings contained in this MOU are for convenience and identification only and shall not be deemed to limit or define the contents of the section to which they relate.

XI. NO PRESUMPTION REGARDING DRAFTER

The Parties acknowledge and agree that the terms and provisions of this MOU have been negotiated and discussed between the parties and their attorneys, and this MOU reflects their mutual agreement regarding the same. Because of the nature of such negotiations and discussions, it would be inappropriate to deem any party to be the drafter of this MOU, and therefore no presumption for or against validity or as to any interpretation hereof, based upon the identity of the drafter shall be applicable in interpreting or enforcing this MOU.

XII.MODIFICATION

This MOU shall not be modified except by prior written agreement of the Parties.

XIII. EFFECTIVE DATE

The effective date of this MOU shall be the date that each Jurisdiction and the District has signed this MOU.

XIV. SEVERABILITY

If any term, condition or covenant of this MOU, or the application thereof to any person or circumstance shall be held invalid or unenforceable, the remainder of this MOU, or the application of such term, condition or covenant to persons or circumstances other than those as to whom which it is held invalid or unenforceable, shall not be affected thereby, and every provision of this MOU shall be valid and enforceable to the fullest extent permitted by law.

XV.AUTHORITY

Each individual signing this MOU represents and warrants that they are duly authorized and has legal capacity to execute and deliver this MOU, and that the MOU is a valid and legal agreement binding on each party and enforceable in accordance with its terms.

MARIN MUNICIPAL WATER DISTRICT

Dated: _____

By _____
Bennett Horenstein, General Manager

CITY OF BELVEDERE

Dated: _____ By _____
Rebecca Markwick, Director of Planning and Building

TOWN OF CORTE MADERA

Dated: _____ By _____
Adam Wolff, Town Manager

TOWN OF FAIRFAX

Dated: _____ By _____
Heather Abrams, Town Manager

CITY OF LARKSPUR

Dated: _____ By _____
Dan Schwarz, City Manager

CITY OF MILL VALLEY

Dated: _____ By _____
Todd Cusimano, City Manager

TOWN OF ROSS

Dated: _____ By _____
Roberta Feliciano, Planning & Building Director

TOWN OF SAN ANSELMO

Dated: _____ By _____
Dave Donery, Town Manager

CITY OF SAN RAFAEL

Dated: _____ By _____
Cristine Alilovich, City Manager

CITY OF SAUSALITO

Dated: _____ By _____
Chris Zapata, City Manager

TOWN OF TIBURON

Dated: _____ By _____
Greg Chanis, Town Manager

COUNTY OF MARIN

Dated: _____ By _____
Derek Johnson, County Administrator

Exhibit A: District Codes

The following are the District's Applicable Codes:

Water Efficient Landscaping (District Code: 13.02.021(5))

Landscape Plan Review is required in the following instances:

- 1. New construction projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review.
- 2. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 1,000 square feet requiring a building or landscape permit, plan check, or design review.
- 3. Any project with an aggregate landscape area of less than 1,000 square feet requiring a building or landscape permit, plan check, or design review shall comply with the performance requirements of the MMWD ordinance or conform to the prescriptive measures.

Backflow Prevention (District Code: 11.14.010)

Backflow inspection is required in the following instances:

All sites that contain an auxiliary water source.

Interior Plumbing Fixtures (District Code: 13.02.021(3))

All plumbing installed, replaced or moved in any new or existing water service shall meet the applicable standards in effect within the governing municipality, but at minimum shall comply with the California Green Building Standards Code, Part 11 of Title 24 of the California Code of Regulations (CALGreen) Tier 1 efficiency standards, as may be amended from time to time.

Non-Residential Interior Plumbing Fixtures (District Code: 13.02.021(4))

- A. All plumbing installed, replaced or moved in any new or existing water service shall meet the applicable standards in effect within the governing municipality, but at minimum shall comply with the California Green Building Standards Code, Part 11 of Title 24 of the California Code of Regulations (CALGreen) Tier 1 efficiency standards, as may be amended from time to time.
- B. Commercial Equipment Specifications. The following additional requirements shall apply, where applicable to any commercial use.
 - 1. *Dishwashers*. Dishwashers shall meet, at minimum, the CEE High Efficiency Specifications for Commercial Dishwashers as may be amended from time to time.
 - 2. *Steamers*. Steamers shall meet, at minimum, the current specifications set by the CEE's "High Efficiency Specifications for Commercial Steamers" as may be amended from time to time.
 - 3. *Dipper Wells*. Dipper well flow rates shall be 0.3 gallon, or less, per minute.
 - 4. *Ice Machines*. Ice machines shall: (1) be Energy Star qualified; and (2) meet the highest Tier specification set by the CEE "High Efficiency Specifications for Air-Cooled Ice Machines" as may be amended from time to time.

Use of Recycled Water Service Required (District Code: 11.32.120)

All existing customers of the district and any new applicants for water service whose properties may be served by recycled water provided by the district shall connect their property to such recycled water service for those

uses for which the use of potable domestic water would be deemed a waste or unreasonable use of water as specified in Division 7, Chapter 7, of the California Water Code and the state and local regulations promulgated pursuant thereto. Failure of an existing district customer to accept service of recycled water when it is made available by the district where use of potable water would otherwise be deemed a waste or unreasonable use of water as specified above shall be grounds for termination of the customer's potable water service. Failure of a customer for recycled water to comply with the conditions specified for its use set out in this code and in the application for water service shall be grounds for termination of recycled water service and curtailment and/or termination of any potable water service provided to the extent the customer attempts to apply potable water to the uses specified for recycled water. No connection fee shall be assessed where recycled water replaces potable water to which a customer already had a water entitlement; however, the customer shall be liable for the cost of connecting his plumbing at the point of connection as determined by the district and any costs of making his private plumbing and irrigation system conform to state health standards.

Exhibit B: Sample Letters



Date

<Company>
<Street Address>
<City>, CA <Zip>

Re: <Project Name>
Project #: <20XX-XX>; APN: <XXX-XXX-XX>; Service #: <XXXXXX>
WATER CONSERVATION ORDINANCE 430

Landscape Plan Compliance Letter

Dear <Applicant>:

The landscape plans submitted to Marin Water for Ordinance 430 review have passed. It is the landscape architect's or the owner's agent's responsibility to ensure that the installing contractor is supplied with a copy of Marin Water's **stamped and approved** landscape plans prior to installation.

Upon completion of the project the landscape architect or agent must submit the required Certificate of Completion form and irrigation audit results to the Water Efficiency Department. A final inspection will then be scheduled to verify field compliance with the ordinance. A copy of the stamped landscape plans must be onsite during construction.

Any changes to the stamped approved landscape plans must be approved by Marin Water prior to installation.

If you have questions, please call me at (415) 945-XXXX.

<Signature>

<Name>
<Title>

Cc: Nole Studley, MMWD
Joseph Eischens, MMWD

Water Use for SV-XXXXX: 0.XX AF
Maximum Flow Rate SV-XXXXX: XX GPM



Date

Name

Company

Address

City, State, Zip

Re: Project Name, City

Project #: <>; APN: <>; Service #: <>

WATER CONSERVATION ORDINANCE 430

Landscape Prescriptive Compliance Option Letter

Dear <Applicant>:

The landscape details submitted to the District for review have passed. It is the landscape architect's or the owner's agent's responsibility to ensure that the installation complies with the Prescriptive Compliance Method Checklist.

Upon completion of the project the landscape architect or agent must submit the required Certificate of Completion form and irrigation audit results to the Water Conservation Department. A final inspection will then be scheduled to verify field compliance with the ordinance.

If you have questions, please call me at (415) 945-XXXX.

<Signature>

<Name>

<Title>

Cc: Nole Studley, MMWD

Joseph Eischens, MMWD

Water Use for SV-XXXXX: N/A

Maximum Flow Rate: N/A



Date

Name

Company

Address

City, State, Zip

Re: Project Name, City

Project #: <>; APN: <>; Service #: <>

In Attendance: <Give names and company of persons attending, including self>

WATER CONSERVATION ORDINANCE 430

Landscape Inspection Compliance Letter

Dear <Applicant>:

On date, a site inspection was performed. The project is in compliance with the landscape portion of Ordinance 430 and the water entitlement/baseline has been established for the project.

The District thanks you for your cooperation in our effort to conserve water.

Sincerely,

<Signature>

<Name>

<Title>

<Phone Number>



Date

Name

Company

Address

City, State, Zip

Re: Project Name, City

Project #: <>; APN: <>; Service #: <>

WATER CONSERVATION ORDINANCE 430

Landscape Project Exemption Letter

Dear <Applicant>:

This project does not need to be in compliance with the landscape portion of Water Conservation Ordinance 430 because *no irrigation system will be installed*.

Please contact the following departments if you have further questions regarding:

Meters and water service: Engineering Services (415-945-1530)

Backflow prevention devices and recycled water: Backflow & Reclamation (415-945-1488)

If you have questions, please call me at (415) 945-XXXX.

<Signature>

<Name>

<Title>

Cc: Nole Studley, MMWD

Joseph Eischens, MMWD

Water Use for SV-XXXXX: Exempt

Maximum Flow Rate: Exempt