



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

Tuesday, August 18, 2026 at 5:00 PM

AGENDA

LOCATIONS:

Open Session to start at or after 5:00 p.m.

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

Outside location for Director Matt Samson – Antigua Coffee Shop, 437 A Grand Avenue, South San Francisco, CA 94080

Closed Session to immediately follow Open Session

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>, or

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. 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. Directors' and General Manager's Announcements (5:10 p.m. – Time Approximate)

5. 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.

6. Consent Items (5:20 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.** July 21, 2026 Board of Directors' Regular Meeting Minutes and July 28, 2026 Board of Directors' Special Meeting Minutes

RECOMMENDATION: Accept the minutes of the Board of Directors' meetings held on July 21 and July 28, 2026

- b.** General Manager's Report July 2026

RECOMMENDATION: Approve Report

- c.** Agreement with Stonecourt 365 Holdings, Inc for Remote Data Center Co-Locations Services

RECOMMENDATION: Approve an agreement with Stonecourt 365 Holdings, Inc. for remote data center co-location services through July 31, 2027, for a total amount not to exceed \$60,000 and authorize the General Manager to execute the agreement

7. Regular Items (5:25 p.m. – Time Approximate)

- a.** Appointment of General Manager and Approval of New At-Will Employment Agreement, and Amendment of Existing At-Will Employment Agreement

RECOMMENDATION: Appoint Shaun Horne as the District's General Manager and approve the General Manager's At-Will employment Agreement, and Approve the Fourth Amendment of the At-Will Employment Agreement of Bennett Horenstein

- b.** FY2026 Water Efficiency Year End Review

RECOMMENDATION: Receive staff update on the Water Efficiency Master Plan

c. Nicasio Vegetation Management 2026 Project

RECOMMENDATION: Approve Nicasio Vegetation Management 2026 Project and authorize the anticipated budget not to exceed \$1,054,760, which includes a 35% (\$273,456) contingency; and Approve the use of the Capital Reserve to increase budget appropriations in the Capital Fund by \$1,054,760 for this project

d. Amendment No. 2 to Professional Services Agreement with Environmental Science Associates (ESA) for the Nicasio Hydrology Study

RECOMMENDATION: Approve Amendment No. 2 to the Professional Services Agreement No. 6494 with ESA to provide environmental analysis for the long-term maintenance plan and to provide support for integrating the long-term maintenance plan into the Atmospheric River Capture project description for an additional amount not to exceed \$578,732 and authorize the General Manager to execute the contract amendment; and Approve the use of the Capital Reserve to increase budget appropriations in the Water Resources Administration program by \$578,732

8. 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

9. 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 Paragraph (2) or (3) of Subdivision (d) California Government Code §54956.9)

Number of Cases: Unknown

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

10. Reconvene to Open Session; Closed Session Report Out

11. Adjournment (7:30 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.

Posted: 08-14-2026



STAFF REPORT

Meeting Type: Board of Directors

Title: July 21, 2026 Board of Directors’ Regular Meeting Minutes and July 28, 2026 Board of Directors’ Special Meeting Minutes

From: Terrie Gillen, Board Secretary

Through: Ben Horenstein, General Manager

Meeting Date: August 18, 2026

TYPE OF ITEM: X Action Information

RECOMMENDATION: Accept the minutes of the Board of Directors’ meetings held on July 21 and July 28, 2026

SUMMARY: The Board of Directors held their regular bi-monthly meeting on July 21, 2026. Then, the following week, they held a special meeting on July 28, 2026. The minutes of those meetings are attached for your approval.

DISCUSSION: None.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: None.

ATTACHMENT(S):

- 1. Draft July 21, 2026 Regular Meeting Minutes
- 2. Draft July 28, 2026 Special Meeting Minutes

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



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

Tuesday, July 21, 2026 at 5:00 PM

MINUTES

LOCATIONS:

Open Session to start at or after 5:00 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 Diana Maier – 2049 Century Park E, Suite 620, Los Angeles, CA 90067

Closed Session to immediately follow Open Session

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

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 No.: 881 3485 2296.

AGENDA ITEMS:

1. Call to Order and Roll Call

On behalf of Board President Jed Smith, Vice President Larry Russell called the meeting to order at 5 PM and facilitated the rest of the meeting.

DIRECTORS PRESENT

Ranjiv Khush

Diana Maier

Matt Samson

Larry Russell

Jed Smith

2. Adoption of Agenda

Director Khush motioned to adopt the agenda. Director Samson seconded the motion.

There were no public comments.

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

Motion passed.

3. Public Comment on Non-Agenda Matters

There were two (2) public comments.

4. Directors’ and General Manager’s Announcements

Vice President Russell announced that he and Director Samson attended the North Bay Watershed Association Meeting and provided highlights from that meeting.

There were no announcements from the other Directors and General Manager.

5. Board Committee Reports – None.

6. Consent Items

- a. July 7, 2026 Board of Directors’ Regular Meeting Minutes and July 8, 2026 Board of Directors’ Special Meeting Minutes

RECOMMENDATION: Accept the minutes of the Board of Directors’ meetings held on July 7 and July 8, 2026

- b. General Manager's Report June 2026

RECOMMENDATION: Approve Report

- c. Amendment No. 3 to Contract No. 5884 with Environmental Science Associates

RECOMMENDATION: Approve Amendment No. 3 to the professional services agreement, Contract No. 5884 (CN 5884), with Environmental Science Associates (ESA) to extend the contract term by two years and add \$977,000 in funding, increasing the total contract amount from \$3,248,867 to a new not to exceed contract amount of \$4,225,867, based on grant funding received from the Wildlife Conservation Board (WCB) for Lagunitas Creek Coho Habitat Enhancement Project support, and authorize the General Manager to execute the amendment

- d. Panorama Environmental On-Call Environmental Compliance and Permitting Services Contract Amendment

RECOMMENDATION: Approve Amendment No. 1 to Miscellaneous Agreement 6446 (MA 6446) with Panorama Environmental to increase the funding for an existing on call environmental professional services agreement by \$400,000 to address cultural resources

compliance and resource protection services, for a total not-to-exceed contract amount of \$650,000, and authorize the General Manager to execute the amendment

- e. Award of Two Professional Services Agreements for Geotechnical Engineering, and Field and Laboratory Materials Testing Services

RECOMMENDATION: Approve award of two separate professional services agreements, MA 6587 with Miller Pacific Engineering Group and MA 6588 with RGH Consultants, for on-call “as-needed” geotechnical engineering and field and laboratory materials testing services, with a contract fee in an amount not to exceed \$750,000 for each contract, and authorize the General Manager to execute both contracts

- f. Purchase of Air Compressor Equipment to Replace Aging Equipment at the Nicasio Reservoir

RECOMMENDATION: Approve a purchase order with Kaeser Compressors, Inc for purchase of replacement air compressor equipment for Nicasio Reservoir in the amount of \$115,268.73 and authorize the General Manager to execute the purchase order

- g. Second Amendment to District Lease No. 75, United States Geological Survey (USGS) at Middle Peak, Mount Tamalpais (APN: 197-120-40)

RECOMMENDATION: Approve a Second Amendment to District Lease No. 75 with United States Geological Survey at Middle Peak, Mount Tamalpais

Director Samson motioned to adopt the Consent Calendar. Director Khush seconded the motion.

There was one (1) public comment.

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

Motion passed.

7. Public Hearing Item

- a. 2025 Urban Water Management Plan and Water Shortage Contingency Plan

RECOMMENDATION: (1) Conduct a Public Hearing on the draft 2025 Urban Water Management Plan (UWMP) and Water Shortage Contingency Plan (WSCP), (2) Approve a resolution to adopt the 2025 Urban Water Management Plan and a resolution to adopt the Water Shortage Contingency Plan, and (3) Authorize the General Manager to finalize and submit the Plans to the Department of Water Resources

Water Resources Manager Lucy Croy and Associate Water Resources Specialist Nick Busse presented this item.

There was discussion between the Board and staff during and after the presentation.

Vice President Russell opened the public hearing.

There were two (2) public comments.

Director Russell closed the public hearing.

An initial motion was made by Director Samson to adopt the first resolution, but General Counsel Molly MacLean stated that both resolutions could be adopted at the same time.

Director Samson then amended his motion to approve a resolution to adopt the 2025 Urban Water Management Plan (*Resolution No. 8839*) and the other resolution to adopt the Water Shortage Contingency Plan (*Resolution No. 8840*). Director Khush seconded the motion.

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

Motion passed.

8. Regular Items

- a. Seeger Dam Condition Assessment Update

RECOMMENDATION: Receive an update on the Seeger Dam Condition Assessment

Engineering Director Alex Anaya and Engineering Planning Manager Elysha Irish presented this information item.

Discussion ensued between the Board and staff.

There were no public comments.

No formal action was taken.

9. Future Board and Committee Meetings and Upcoming Agenda Items

- a. Upcoming Meetings

The board secretary announced upcoming internal meetings in July.

There were no comments.

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

There were no public comments on the Closed Session items.

At approximately 6 PM, the Board left the Board Room and convened to Closed Session in the Mt. Tam Conference Room.

- a. **Conference with Real Property Negotiations**
(*California Government Code §54956.8*)

Property: Forbes Reservoir (999 Hepburn Heights Road, San Rafael; APN: 010-261-02)

Agency Negotiation: Ben Horenstein, General Manager

Negotiating Parties: Kevin Lewis of Ross Valley Sanitary District

Under Negotiation: Both price and terms of payment

b. Public Employment
(California Government Code §54957(b))

Title: General Manager

The closed session was adjourned at 6:45 PM. The Board left the Mt. Tam Conference Room.

11. Reconvene to Open Session; Closed Session Report Out

The Board reconvened to Open Session in the Board Room. Vice President Russell reported that no reportable action occurred.

12. Adjournment

There being no further business, the Board of Directors' regular bi-monthly meeting held on July 21, 2026, adjourned at 6:46 PM.

Board Secretary



NOTICE OF THE BOARD OF DIRECTORS' SPECIAL MEETING

Tuesday, July 28, 2026 at 11:00 AM

MINUTES

LOCATION:

Open Session to start at or after 11:00 a.m. and Closed Session to immediately follow
Courtyard by Marriott, Marin Conference Room, 2500 Larkspur Landing Circle, Larkspur, CA 94939

(This meeting was only held in-person.)

AGENDA ITEMS:

1. Call to Order and Roll Call

The Closed Session meeting was called to order at 11 AM.

DIRECTORS PRESENT

Ranjiv Khush
Diana Maier
Matt Samson
Larry Russell
Jed Smith

2. Announcement of Closed Session Item; Public Comments on Closed Session Item

There were no public comments regarding the Closed Session item.

The room was closed to the public to begin the Closed Session discussion.

a. Public Employment

(California Government Code §54957(b))

Title: General Manager

After discussion, the closed session was adjourned.

3. Reconvene to Open Session; Closed Session Report Out

The Board reconvened to Open Session.

Board President Smith reported that no reportable action took place.

4. Adjournment

There being no further business, the Special Meeting of the Board of Directors adjourned at 5:11 PM.

Board Secretary



STAFF REPORT

Meeting Type: Board of Directors
Title: General Manager’s Report July 2026
From: Ben Horenstein, General Manager
Meeting Date: August 18, 2026

TYPE OF ITEM: X Action Information

RECOMMENDATION: Approve Report

SUMMARY:

A. HIGHLIGHTS:

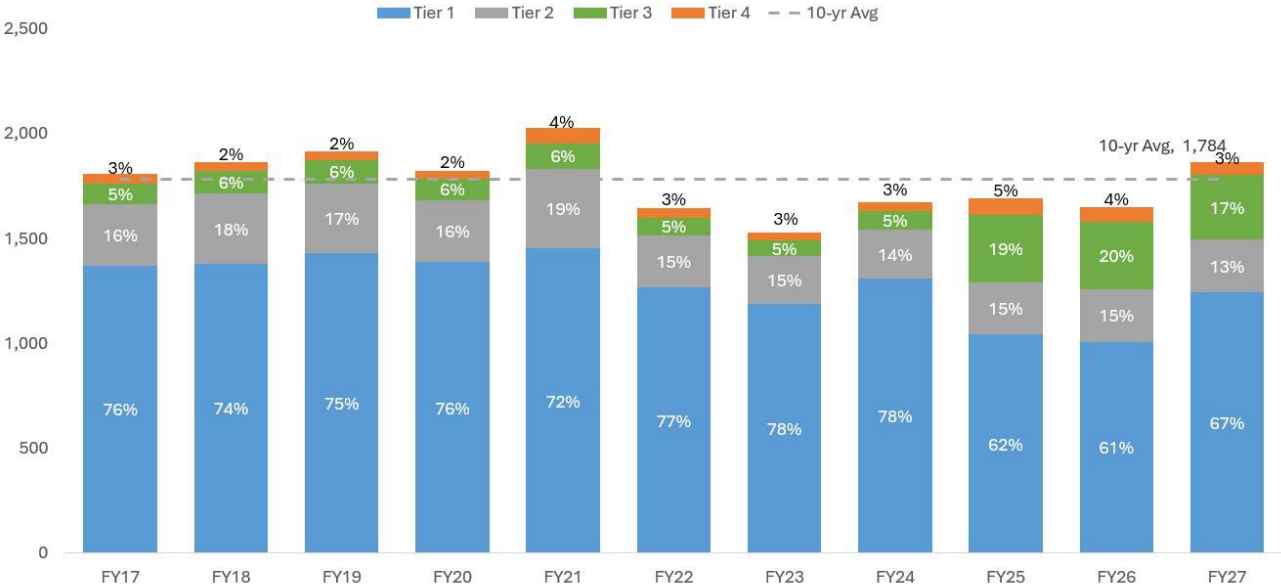
- The daily average net production for the month of July 2026 was 24.3 MGD compared to 24.1 MGD for the month of July 2025. Typical usage for July is 32.0 MGD
- Staff issued a request for proposals to hire a consultant team experienced in design and rehabilitation of dams and spillways, in response to the recent downgrading of Seeger Dam by the Division of Safety of Dams (DSOD). The consultant will provide design of the preferred alternative to address the DSOD concerns and modernize the spillway, ensuring the spillway can handle extreme hydrologic and seismic events and bring Seeger Dam back into a satisfactory rating by DSOD.
- Staff advertised the Fire Flow Improvement Program Palm Avenue Pipeline Replacement Project this month, which will replace approximately 1,430 for fire flow deficient leak-prone cast iron pipe installed in 1937. This project is a component of the District’s Fire Flow Improvement Program, which will improve fire flow to the area and seismic resiliency. Concurrent coordination of this project with Marin County DPW is also taking place, ensuring that the pipeline is replaced ahead of their road rehabilitation project, reducing the risk of a main break on a newly rehabilitated road. Staff anticipate award of the construction contract in the following month.
- Staff advertised a request for quote to replace an existing 200 horsepower pump and motor at the North Marin Line Booster Pump Station. The North Marin Line Booster Pump Station moves treated water from San Geronimo Treatment Plant to the Smith Saddle Tanks for use within the potable water distribution system. The existing pump is original, has been refurbished multiple times, and is beyond its useful life. Replacement of this aging infrastructure will improve system reliability to the distribution system. Staff responded to 1,210 underground service alert tickets and marked out approximately 45,198 feet (~8.56 miles) of pipe in the month of June, helping

ensure that District underground infrastructure is not damaged by contractors or homeowners during excavation work.

- Staff successfully replaced a control power transformer at Alpine Pump Station, restoring a critical electrical system that provides the control power necessary to operate pumping equipment and maintain the transfer of water from Alpine Lake to Bon Tempe Lake.
- Staff successfully completed a pipeline improvement project on Easterby Street in Sausalito. The project involved abandoning a 40-foot section of 12-inch cast iron water main that served a single fire hydrant and relocating the hydrant to the corner of Bridgeway and Easterby Street. Crews installed three new 12-inch gate valves and replaced the water main section with new sections of 12-inch PVC and steel pipe. The work required extensive coordination between multiple District departments, the City of Sausalito, and several local businesses to minimize impacts for the successful completion of this job.
- Completed a water service renewal job on Wilson Court in San Rafael, where multiple leaks have occurred on aging plastic service laterals located at the end of the cul-de-sac. Coordinating with the City of San Rafael, staff renewed six plastic service laterals before the City's roadway paving restoration work was completed. Proactively replacing these services within the paving restoration limits, reduces the potential for future leaks, avoids the need for costly street restorations and minimizes potential disruption to residents.
- Staff participated in a specialized workshop led by a PG&E Damage Investigator, focused on improving safety and awareness when working around underground utilities. The workshop covered safe excavation practices near underground infrastructure, Underground Service Alert (USA) procedures, and provided valuable insight into the location and operation of PG&E gas mains throughout Marin County. The workshop also provided a hands-on guidance and practical knowledge that will help staff identify potential hazards, prevent utility strikes, and ensure compliance with industry safety standards.
- Completed a 10-week infrastructure improvement project in the Madera Park Gardens neighborhood of Corte Madera, renewing 73 plastic water service laterals. The project was completed in close coordination with the Town of Corte Madera and scheduled ahead of the Town's roadway rehabilitation and paving project planned for this summer. Renewing these plastic service laterals reduces the likelihood of leaks and emergency repairs and helps protect newly paved streets minimizing future impacts to customers.
- Staff completed alarming for upgraded master data radio repeaters at the Ring Mountain, Corte Madera, and Mt. Tamalpais sites. These critical communication assets support remote monitoring and automation across the distribution system.
- Staff collaborated to install a temporary data radio to maintain SCADA communications during the Scenic Avenue Tank Replacement Project.
- Fisheries worked with HR to onboard a new Natural Resources Technician, Ben Fujita, who will support the Lagunitas Enhancement Project and routine biological monitoring activities.
- Watershed Staff completed monthly fire training focusing on portable pumps, tanks and drafting and attended First Aide/CPR with the District's consultant HSI Safety Training Institute.
- Watershed BFFIP actions included treating 107.82 acres for Yellow Star Thistle, Early Detection Rapid Response work focused on Ehrharta Grass, annual defensible space work continued around watershed facilities and vegetation maintenance at boat ramps was completed.
- Staff has been working on fire road maintenance, including Lagunitas-Rock Spring and Middle Eldridge Grade to allow for safe access for fire apparatus.

- Watershed interpretation continued to focus on the “Rooted in the Watershed” guided hike series explores the stories and science behind healthy forests and watersheds. Staff led hike near Rock Spring with a focus on Sargent Cypress and in the Tennessee Valley area which focused on Eucalyptus.
- Staff worked with the Parks Conservancy to lead a group of 23 elders from the Rafiki Coalition around Lake Lagunitas, engaged 25 folks at Pickleweed Library in a family nature journaling event, and ran a nature walk for Novato Library 60 patrons along their local creek.
- Staff led an Eagle Scout Project highlighted by replacing a 20’ redwood bridge on the Cross Country Boy Trail.
- Fisheries began annual snorkel surveys of Lagunitas Creek to determine juvenile salmon abundance and monitor the effectiveness of previous enhancement work.
- Pre-construction coordination and surveys were conducted for Phase 1C of the Lagunitas Creek Habitat Enhancement Project, which will begin August 11.

TIER CONSUMPTION AS OF JULY 2026
(Acre Feet)



AWARDED GRANTS					
PROJECT	FUNDER	FUNDING OPPORTUNITY	DESCRIPTION	STATUS	AWARD AMOUNT
Marin City and Canal Pipeline Replacement Project	DWR	Prop.1. Round 2 IRWM Disadvantaged Community	Replacing aging transmission lines and laterals in Marin City and San Rafael's Canal District	Awarded; in progress and ahead of schedule. All funds have been spent down and final invoice submitted. Staff is working with DWR to complete closeout activities.	\$6,408,000
Forestry Corps	CCNB		Workforce development; state funding directly to CCNB to fund crews working on the watershed	Awarded; in progress and on-track.	\$500,000
Lagunitas Creek Salmonid Spawning Gravel Improvement Project - Phase 2 Design	CDFW	Fisheries Restoration Grant Program (FRGP)	Lagunitas Creek Coho Habitat Enhancement Plan - 100% Designs for Phase 2 Sites (7, 8, 9, 10, 11); CEQA	Awarded; in progress and on-track.	\$599,689
Lagunitas Creek Salmonid Spawning Gravel Improvement Project	DWR	Riverine Stewardship Program (RSP)	This project will inject 1,700 tons of clean river-run gravel just below Peters Dam and Kent Lake at two sites within Lagunitas Creek and is part of our larger effort to restore 4 miles of Lagunitas Creek to its historical geomorphic condition.	Awarded; in progress and on-track.	\$1,990,000
Lagunitas Creek Salmonid Spawning Gravel Improvement Project	USBR		Gravel augmentation for Lagunitas Creek Sites 1-3	Awarded; in progress and on-track. No-cost extension was executed to extend through 2026 construction.	\$1,400,000
Rain Water Harvesting Project	MCSTOPP		Barells for customers	Awarded; in progress and on-track.	\$15,032
Water Conservation: turf rebates	USBR	Water and Energy Efficiency Grant (WEEG)	Turf rebates	Awarded; in progress and on track	\$722,925
Lagunitas Creek Salmonid Spawning Gravel Improvement Project	CDFW	Prop 1	Lagunitas Creek Restoration Sites 1-6	Awarded; in progress and on track	\$4,659,898
Azalea Hill Trail Restoration	California State Parks	Recreational Trails Program (RTP)	Azalea Hill Restoration	Awarded; closeout package and final invoice have been submitted and are under review.	\$952,657
One Tam Regional Forest Health Project	CA WCB		BFFIP Implementation. \$4,260,000 total award; \$2,880,000 District award.	Awarded; in progress and on-track.	\$4,260,000
Water Resources - Modeling	USBR	WaterSMART Applied Science	Funding for weather modeling to inform water resources management	Awarded; in progress.	\$150,628.00
One Tam Regional Forest Health Project Phase II	CAL FIRE	California Climate Investments Department of Forestry and Fire Protection Forest Health Program 2023-2024	BFFIP Implementation. \$6,966,078 total award; \$3,520,000 District award.	Awarded; in progress and on-track.	\$6,966,078
Lagunitas Creek Salmonid Spawning Gravel Improvement Project	Wildlife Conservation Board	Restoration	Funding for construction of Phase 2A in 2027	Secured	\$1,109,000
Water Supply	U.S. Army Corps of Engineers	Water Resources Development Act 2022	\$2M for Marin Water is written into the current FY26 Army Corps funding bill.	Secured; Marin Water was written into the FY26 Army Corps workplan. Staff have begun coordinating with USACE SF.	\$2,000,000
TOTAL FUNDED:					\$31,733,907

PENDING (SUBMITTED) GRANTS					
PROJECT	FUNDER	FUNDING OPPORTUNITY	DESCRIPTION	STATUS	AMOUNT REQUESTED
Water Supply	USACE	FY27 Congressionally Directed Spending Requests	Staff is pursuing funding through the congressional directed spending request process for the offices of Rep. Huffman, Sen. Padilla, and Sen. Schiff.	Rep. Huffman: Declined Sen. Padilla: Pending Sen. Schiff: Pending	\$3M
One Tam Block Grant	California Natural Resources Agency	Block/Regional Grant	One Tam block grant request to CNRA to increase the pace and scale of forestry work between FY26 and FY32. Total request across One Tam agencies is \$28,378,435. MMWD's request of \$10,371,070 would enable us to complete an estimated 2,700 additional treatment acres during the project period. Submitted 7/2/25.	Pending	\$10,371,070
Cash for Grass Turf Replacement	USBR	WaterSMART Small-Scale Water Efficiency	Funds requested to support the FY28-FY29 Cash for Grass rebates.	Pending; staff submitted a full proposal on 6/1/26	\$83,250
Beneficial Gravel ReUse	CDFW	Fisheries Restoration Grant Program (FRGP)	Approximately 50% of historic anadromous salmonid habitat in the Lagunitas Creek watershed lies above Seeger Dam (Nicasio Reservoir) and Peters Dam (Kent Lake). These dams and past land management practices have reduced spawning gravel needed for endangered CCC coho salmon and threatened CCC steelhead. Marin Water has monitored these species for over 25 years and implemented restoration efforts, including gravel augmentation. This project will create a long-term plan for beneficial gravel reuse in the watershed.	Staff submitted a concept proposal on 3/2 and a full proposal on 6/2. Staff met with CDFW FRGP program staff on 7/9 to review the project.	\$400,000
BFFIP	CAL FIRE	Forest Health Program	Funds for active restoration and reforestation activities aimed at providing for more resilient and sustained forests. As in past Forest Health phases, the District will apply as part of the One Tam collaborative.	One Tam submitted a pre-proposal 3/28/26 and was invited to submit a full proposal. The full proposal is pending and was submitted on 6/27/26.	\$7,893,175
BFFIP	CAL FIRE	Regional Wildfire & Landscape Resilience	The CAL FIRE Regional Wildfire and Landscape Resilience Grants fund collaborative, multi-benefit projects—such as hazardous fuels reduction, prescribed burns, and reforestation—to reduce wildfire risk and improve ecosystem health. The District will apply as part of the One Tam collaborative.	Pending; One Tam submitted a concept proposal on 6/30/26.	\$19,572,547
Pump Station Hardening	CAL FIRE	Wildfire Prevention Grants	Funds requested for hazardous fuels reduction at 35 District pump stations to protect critical water supply infrastructure and reduce wildfire risk in the wildland-urban interface. Treatments will include vegetation thinning, ladder fuel reduction, hazardous tree removal, and debris clearing within defensible space zones surrounding pump stations. The project will improve resilience of water infrastructure serving approximately 200,000 residents and thousands of structures in Moderate, High, and Very High Fire Hazard Severity Zones.	Pending; staff submitted full proposal 7/8	\$200,000
RECENTLY SUBMITTED					
ARC	USBR	WaterSMART Drought Response	Up to \$1.5M for projects designed to improve drought resilience by developing effective water management strategies and drought contingency plans. \$13.5M total available with 20 awards expected. District proposal requested \$1.5M for construction costs.	Pending; staff submitted full proposal 7/28	\$1,500,000
Co-Benefits of One Tam Vegetation Treatments	CAL FIRE	Forest Health Research Grant Program	This solicitation will fund collaborative research that supports forest health and greenhouse gas reduction at landscape scales through improved forest and vegetation management across California. Our proposed project is a cross-jurisdictional field study of the effects of One Tam's vegetation treatments on multiple indicators of forest health co-benefits in priority forest types in Marin County. Leading indicators of improved forest health that may respond rapidly to vegetation treatments include metrics representing tree vigor, native plant recruitment, soil health, and wildlife habitat, and these same metrics are also leading indicators of expected co-benefits, including carbon sequestration, biodiversity, cultural value, economic and recreation, and water quality and quantity benefits.	Pending; concept proposal submitted 7/30/26	\$750,000

OPEN FUNDING OPPORTUNITIES					
PROJECT	FUNDER	FUNDING OPPORTUNITY	DESCRIPTION	STATUS	TIMELINE
Seeger Dam Modernization	USACE	Report to Congress on Future Water Resources Development	The Annual Report to Congress on Future Water Resources Development provides an opportunity for communities to inform Congress about their interest in a new congressional authorization – or modifying an existing authorization – for specifically authorized Civil Works water resources studies, projects, and environmental infrastructure programs. This Annual Report provides Congress with a list of potential studies and projects to newly authorize and a list of existing study, project, and programmatic authorities to modify. This is the first step in the Water Resources Development Act (WRDA) process.	In progress	Closes September 1, 2026
TBD	USBR	WaterSMART Enhancing Water Resources	The WaterSMART Enhancing Water Resources Projects funding opportunity supports collaboratively developed projects that benefit multiple water users, improve water supply reliability, and enhance watershed health. Note: this funding opportunity was previously known as Environmental Water Resources Projects.	In progress	Closes September 9, 2026

DISCUSSION:

B. SUMMARY:

- AF = Acre Feet
- Mg/L = milligrams per liter
- MPN = most probable number
- MPY = mils per year
- MG = million gallons
- NTU = nephelometric turbidity units

1. Water Production:

	FY 2026/27		FY 2025/26	
	(million gallons)	(acre-feet)	(million gallons)	(acre-feet)
Potable				
Total production this FY	736	2,258	749	2,299
Monthly production, July	736	2,258	749	2,299
Daily average, July	23.73	72.84	24.16	74.16
Recycled				
Total production this FY	36.20	111.09	35.05	107.56
Monthly production, July	36.20	111.09	35.05	107.56
Daily average, July	1.17	3.58	1.13	3.47
Raw Water				
Total production this FY	13151	40358.95	11.58	35.54
Monthly production, July	13151	40358.95	11.58	35.54
Daily average, July	424.23	1301.9	0.37	1.15
Imported Water				
Total imported this FY	286	878	313	962
Monthly imported, July	286	878	313	962
Reservoir Storage				
Total storage, July	22,773	69,888	22,812	70,006
Storage change during July	-884	-2,714	-1,415	-4,342
Stream Releases				
Total releases this FY	230	706	224	688
Monthly releases, July	230	706	224	688

2. <u>Precipitation:</u>	<u>FY 2026/27 (in.)</u>	<u>FY 2025/26 (in.)</u>
ALPINE	0.00	0.00
BON TEMPE	0.00	0.00
KENT	0.00	0.00
LAGUNITAS	0.00	0.00
NICASIO	0.00	0.00
PHOENIX	0.00	0.00
SOULAJULE	0.00	0.00
Average to date = 0.00 inches		

3. <u>Water Quality:</u>		
<u>Laboratory</u>	<u>FY 2026/27</u>	<u>FY 2025/26</u>
Water Quality Complaints:		
Month of Record	16	11
Fiscal Year to Date	16	11
Water Quality Informational Inquiries:		
Month of Record	8	11
Fiscal Year to Date	8	11

The WQ Lab ensured that the water supplied met or surpassed water quality regulations by collecting and analyzing 1,562 analyses on treatment plants and distribution system samples.

Mild steel corrosion rates averaged 3.70 (1.59 – 5.28) MPY. The AWWA has recommended an operating level of <5 MPY with a goal of <1 MPY.

Complaint Flushing: One flushing event was performed to check water quality at 7 Ninestone Ct in Marinwood for the month on record.

Disinfection Program: 50' of new pipeline was disinfected during the month of July. Performed chlorination on 26 water storage tanks to ensure compliance with bacteriological water quality regulations.

Tank Water Quality Monitoring Program: Performed 40 water quality-monitoring events on storage tanks for various water quality parameters this month to help ensure compliance with bacteriological water quality regulations.

Summary:

The Lab analyzed 1,562 treatment plants and distribution water samples, and the water quality department treated 26 tanks for low chlorine and checked an additional 40 tanks for low chlorine residual in July 2026.

4. **Water Treatment:**

<u>Treatment Results</u>	<u>San Geronimo</u>		<u>Bon Tempe</u>		<u>Ignacio</u>	
	Average	Monthly	Average	Monthly	Average	Monthly
		Goal		Goal		Goal
Turbidity (NTU)	0.06	≤ 0.10	0.03	≤ 0.10	0.05	≤ 0.10
Chlorine residual (mg/L)	2.73	2.75 *	2.72	2.75 *	2.78	2.75 *
Color (units)	0.5	≤ 15	0.2	≤ 15	0.0	≤ 15
pH (units)	7.8	7.8*	7.8	7.8*	8.0	8.1**

- * Set monthly by Water Quality Lab
- ** pH to Ignacio is controlled by SCWA

5. **Capital Improvement:**

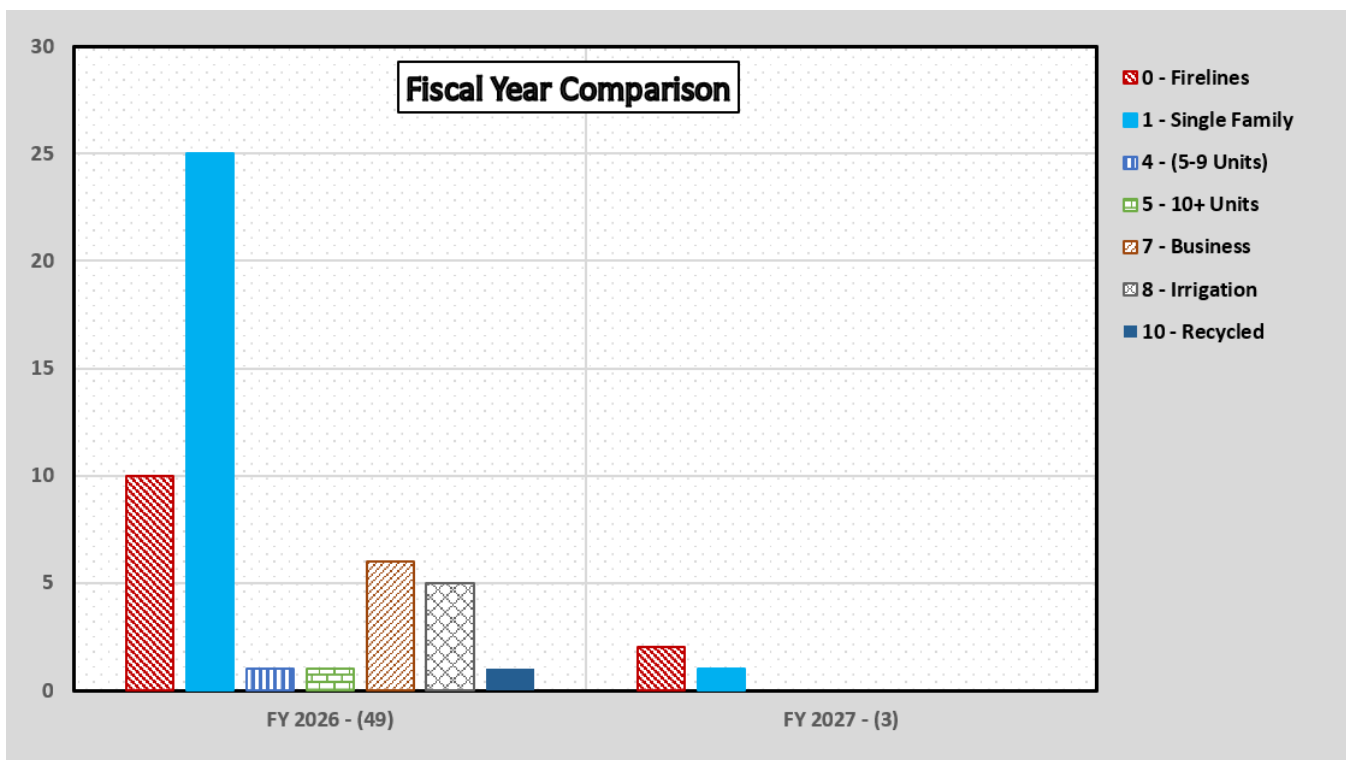
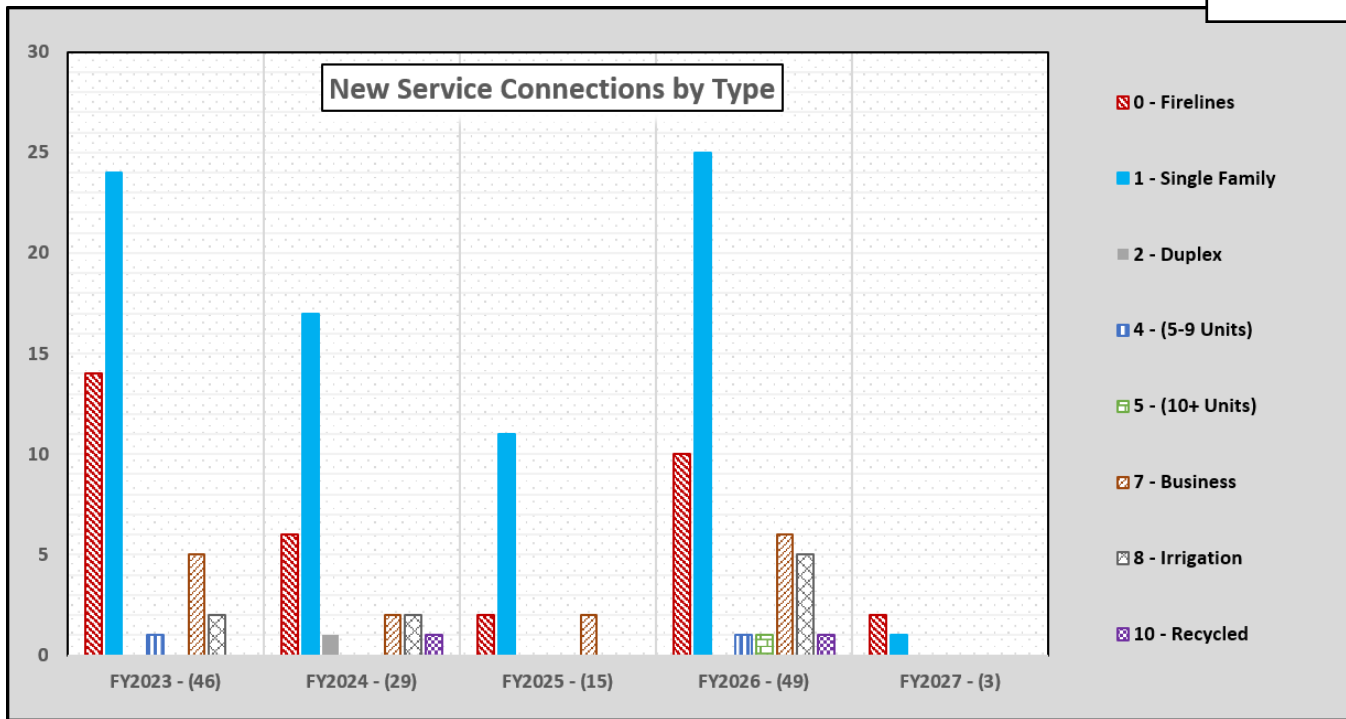
- Pine Mountain Tank Phase 2 – New Water Tanks Project (D21043): The Pine Mountain Tunnel Tanks Replacement Project is a multi-year two-phased project that will replace the existing Pine Mountain Tunnel. The current project (Phase 2) will construct two 90-foot inside diameter pre-stressed concrete potable water storage tanks, install yard piping and control systems, and complete final site grading.
 - Project Budget: \$19,142,500
 - Monthly Activities: The contractor continues work preparing the tank foundation subgrade in anticipation of the tank subcontractor mobilizing to the project site. Project completion is estimated in 2029.
- San Geronimo Treatment Plant Roof Replacement Project (D21034): The San Geronimo Treatment Plant Roof Replacement Project is a component of the District’s Capital Improvement Program. This project will remove and replace the existing leaky roof membrane with a new Class A fire-rated thermoplastic polyolefin (TPO) roof membrane and will install fall protection guardrails at the San Geronimo Treatment Plant and North Marin Line Pump Station.
 - Project Budget: \$1,495,747
 - Monthly Activities: The contractor continues to install guardrails atop the treatment plant roofs. Following completion of the guardrails, the contractor will perform subsequent roofing system improvements. Project completion is estimated Summer 2026.

- c. Bon Tempe Treatment Plant Backwash Valve Replacement Project (D23008): This project is part of the District's Capital Improvement Program and will address the deteriorating condition of the existing backwash system by replacing existing backwash valves, select pipe, and associated appurtenances.
- Project Budget: \$1,200,960
 - Monthly Activities: The contractor completed all exterior work and the installation of four new 24-inch backwash valves inside the plant. The new valve actuator will be delivered the first week of August and the contractor will remobilize to the project to complete the balance of work in the middle of August. Remaining work includes replacing the main backwash valve actuator, installing the 8-inch house water piping, and performing other miscellaneous improvements. Project completion is estimated September 2026.
- d. Kastania Pump Station Rehabilitation Project Phase II (D21027): This project will install a single, new high efficiency pump and motor and will incorporate various new drainage features at Kastania Pump Station. The project will also install a new 16" pressure relief valve and 8,000-gallon pressure relief discharge tank at Ignacio Treatment Plant.
- Project Budget: \$3,733,577
 - Monthly Activities: The contractor continues to perform the initial phase of the project, which includes procuring equipment and materials for installation. The contractor is preparing to perform tank installation at Ignacio Pump Station. Project completion is estimated Summer 2027.
- e. Sleepy Hollow Pipeline Replacement Project (F24002): 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 old, leak-prone, fire flow deficient piping installed as early as 1932.
- Project Budget: \$2,328,132
 - Monthly Activities: The contractor has completed all underground facility installation and trench pavement restoration. The remaining work includes completing final minor punchlist items and restoration of one roadway monument. The project is anticipated to be closed out completely this summer.
- f. Bolinas Road Pipeline Replace Project (D18026): This project will install approximately 4,350 feet of new 10", 8", 6" and 4" welded steel pipe to replace leak prone cast iron pipe that's over 100 years old.
- Project Budget: \$3,300,855
 - Monthly Activities: The construction project is on hold until further notice. The District is working with various partnering jurisdictions to reinitiate the project.
- g. Tocaloma Pump Station Rehabilitation Project (D20008): This project is a component of the District's Capital Improvement Program and rehabilitates the Tocaloma Pump Station. The project consists of various facility improvements including constructing a new seismically resilient and fire-hardened electrical control building, installing new electrical switchgear, replacing five (5) pumps and motors, installing variable frequency drives for each pump, and replacing critical valves and appurtenances.
- Project Budget: \$12,085,685

- Monthly Activities: A preconstruction meeting was held on July 2 and the contractor and District are preparing and reviewing initial project submittals, and material and equipment procurement. The earliest field mobilization date is estimated May 2027. The estimated completion date is December 2028.
- h. Scenic Avenue Tank Replacement Project (D25025): This project is a component of the District's Capital Improvement Program and replaces an existing 20,000-gallon redwood tank in San Anselmo with a new seismically resilient bolted steel tank.
- Project Budget: \$715,024
 - Monthly Activities: The contractor continues to prepare initial project submittals, and material and water tank procurement. Construction mobilization date is to be determined. The contractor's baseline construction schedule shows work occurring through Spring 2027, due to a 6-month lead time in fabricating the tank.
- i. Miracle Mile East Pipeline Replacement Project (D26016): This project is a component of the District's Capital Improvement Program and replaces approximately 1,840 feet of aged leak-prone piping on Fourth Street, also known as the "Miracle Mile," near the Second and Fourth Street intersection.
- Project Budget: \$1,489,000
 - Monthly Activities: The contractor is currently obtaining their encroachment permit from the City of San Rafael and is preparing initial project submittals. Construction field work is anticipated to begin in August. The project is anticipated to be complete Fall 2026.

6. Other:

Pipeline Installation	FY 2026/27	FY 2025/26
Pipe installed during July (feet)	109	1,314
Total pipe installed this fiscal year (feet)	109	1,314
Total miles of pipeline within the District	908*	909*
<i>* Reflects adjustment for abandoned pipelines</i>		
Pipe Locates (1,301 Responses)	FY 2026/27	FY 2025/26
Month of July (feet)	30,651	50,340
Total this fiscal year (feet)	30,651	50,340
Main Line Leaks Repaired	FY 2026/27	FY 2025/26
Month of July	16	18
Total this fiscal year (7/1/26-5/31/27)	16	18
Services	FY 2026/27	FY 2025/26
Service upgrades during July	21	30
Total service upgrades this FY	21	30
Service connections installed during July	2	1
Total active services as of August 1st, 2026	60,668	60,536
(Total Including firelines)	62,073	61,921



7. Recruitments and Hires:

The District recruited for the following positions:

1. Corrosion Control Technician I/II
2. Distribution System Operator
3. Mechanical & Electrical Maintenance Worker III or IV
4. Meter Reader and Repair Worker I - Limited Duration
5. Watershed Aide (Fisheries)

The District hired new employees for the following positions:

1. Natural Resources Technician I – Temp/Limited Duration

8. Demand Management:

	<u>Jul-26</u>	<u>FY 26/27</u> <u>TOTAL</u>	<u>FY 25/26</u> <u>TOTAL</u>	<u>FY 24/25</u> <u>TOTAL</u>
WATER-EFFICIENCY PROGRAMS				
Water-Use Site Surveys				
Conservation Assistance Program (CAP) Consultations				
Residential properties resi 1-2 (single-family)	82	82	872	692
Residential properties resi 3-5 (multi-family units)	0	0	11	10
Non-residential properties resi 6-7 (commercial)	0	0	0	1
Dedicated irrigation accounts resi 8-10 (large landscape)	0	0	7	7
Marin Master Gardeners' Marin-Friendly Garden Walks				
Residential garden walks	19	19	152	147
Public Outreach, Education, Customer Service				
Public outreach events (number of people attending)	0	0	8731	3870
Public education events (number of participants)	0	0	239	265
Department customer calls/emails	601	601	5944	6124
Outreach to new Marin Water customers (letters sent)	91	91	2019	1483
School Education				
School assemblies				
Number of activities	0	0	14	19
Number of students reached	0	0	4883	7212
Field trips				
Number of activities	0	0	15	22
Number of students reached	0	0	334	471
Classroom presentations				
Number of activities	0	0	17	13
Number of students reached	0	0	565	390
Other (e.g. Earth Day booth events, school gardens)				
Number of activities	0	0	4	2
Number of students reached	0	0	160	225
Incentives				
Rain Barrel/Cisterns approved	0	0	4	14
Rain Barrel/Cisterns gallons	0	0	3980	13650
Rain Barrel Give-a-way (Gallons)	1350	1350	15900	33550
"Cash for Grass" Lawn Replacements total properties approved	12	12	89	81
"Cash for Grass" (Best Practices) square ft. lawn replaced	0	0	4571	17699
"Cash for Grass" (Standard) square ft. lawn replaced	16007	16007	89970	51049
"Cash for Grass" (MCSTOPP) square ft. lawn replaced	2200	2200	7961	3555
Number of Laundry-to-Landscape Systems (kits) approved	1	1	2	0
Hot water recirculating system rebates	0	0	6	6
Pool Cover rebates	0	0	6	25
Number of Smart Home Water Monitor "Flume Direct Distribution" redeemed	34	34	393	456
Number of Smart Controllers MW rebates approved	6	6	29	37
Number of Smart Controllers "Rachio Direct Distribution" approved	10	10	127	184
Custom Rebate - Commercial and Multi-Family	0	0	1	1
Advanced Metering Infrastructure (AMI)				
AMI leak letters sent to customers (>200 GPD)	63	63	1184	1319
ORDINANCES				
Water Waste Prevention				

9. Watershed Protection:

Rangers investigate illegal trail work

In July, the Rangers investigated two incidents of illegal trail work on the watershed. In both cases, significant work was done to reopen two previously decommissioned trails. This work included cutting trees and shrubs, tread work, removal of barriers, and vandalism of signs. The Rangers working with Watershed Maintenance will reclose the trails and re-decommission the routes.

Medical aid calls for July

In July, the Rangers responded to six medical calls. This included three head injuries, including a person illegally swimming in Alpine Lake who struck his head while diving into the lake. One medical emergency was for loss of consciousness, and two were mountain bike accidents. Five of the patients were taken to the hospital by ambulance.

MCFD helicopter uses Phoenix Lake during fire response

On July 27th, there was a vegetation fire that threatened homes in Mill Valley. Marin County Fire Department’s contracted helicopter "6-Papa-Golf", a UH-60 Black Hawk with a 1100-gallon tank, responded to the fire and refilled multiple times at Phoenix Lake.



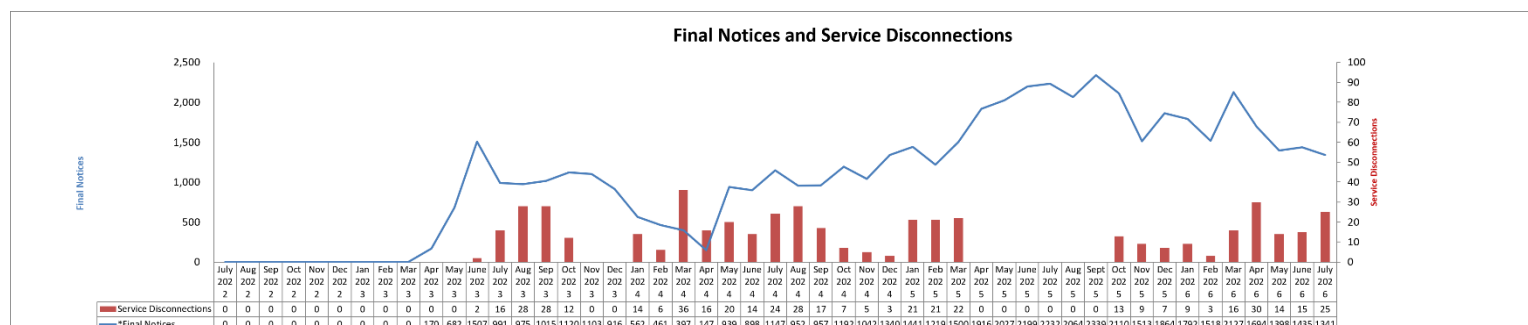
6PG uses its snorkel to refill its 1100-gallon tank at Phoenix Lake

RANGER ACTIVITIES	
Law Enforcement	#
MMWD Ordinance Violations	
Citations	47
Bike on Trail	1
Parking	46
Warnings	111
Penal Code Violations	#
Vandalism	25
Theft	2
Resist Peace Officer	2
Vehicle Code Violations	#
• Parking Violations Cites	1
Fish and Wildlife	#
• License Checks	15
Other	
Misc. Law Enforcement Calls	22
Suspicious Circumstances	1
Assist Outside Law Enforcement	1
Medical/Fire	#
• Medical Calls	6
Search and Rescue	
Lost Hikers	2
General	#
Visitor Assists	110
Dam Checks	39
Assist other MMWD groups	32
Animal/Humane Calls	6
Assist Outside Agencies	3
Watershed Observation Reports	#
Received	4
Additional Patrols	
Foot	62 miles
Bike	58 miles
ATV/UTV	32 miles
LIDAR patrols	3



10. Shutoff Notices and Disconnections:

*Final Notices
Service Disconnections
* Includes 10 day and final notices



FISCAL IMPACT: None.

ATTACHMENT(S): None.

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Office of the General Manager		
	Ben Horenstein General Manager	Ben Horenstein General Manager



STAFF REPORT

Meeting Type: Board of Directors
Title: Agreement with Stonecourt 365 Holdings, Inc for Remote Data Center Co-Locations Services
From: Bret Uppendahl, Finance Director
Through: Ben Horenstein, General Manager
Meeting Date: August 18, 2026

TYPE OF ITEM: X Action Information

RECOMMENDATION: Approve an agreement with Stonecourt 365 Holdings, Inc. for remote data center co-location services through July 31, 2027, for a total amount not to exceed \$60,000 and authorize the General Manager to execute the agreement

SUMMARY: The Stonecourt 365 Holdings (365 Data Center) facility in Rancho Cordova, CA, houses critical IT infrastructure on which much of the District's primary production IT services are hosted. This remote data center (formerly owned by Sunguard) has been utilized by the District since 2012. Originally used as a remote disaster recovery site, in 2021 the District IT team migrated much of the production workload on our systems from the Administration Building in Corte Madera to this facility around the same time that physical servers were migrated to a virtual platform. Subsequent agreements were entered into by the District with Sunguard. As this entity no longer exists and all rights to facility are now held by Stonecourt 365 Holdings, Inc., staff recommends that the District enter into a new agreement for these services with the current provider.

Staff recommends that the Board approve an agreement for all co-location services provided by 365 Data Centers through July 31st, 2027, with Stonecourt 365 Holdings, Inc. for a total not to exceed amount of \$60,000 and authorize the General Manager to execute the agreement.

DISCUSSION: This remote data center is currently hosting most of the District's IT production services and workloads. This includes all ERP support services, as well as production, development, and sandbox servers; the AutoCAD Vault supporting Engineering Design; all proprietary internet-facing MMWD services for backflow and encroachment permits; as well as numerous IT infrastructure services supporting identity management, certificate management and cloud federation. Nearly 80% of all virtual machines running in the District's IT infrastructure are housed at the 365 Data Center facility.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: Funding for this annual service is included in the approved FY 2026-27 Information Technology operating budget. This renewal will cover all co-location services including cabinet space, power, HVAC, network connectivity and WAN interconnect services in two full-height equipment cabinets.

The total cost for renewing this service for one year is \$60,000, which is an increase of \$5,000 compared to the prior year.

ATTACHMENT(S): None.

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Finance	 Bret Uppendahl Finance Director	 Ben Horenstein General Manager



STAFF REPORT

Meeting Type:	Board of Directors
Title:	Appointment of General Manager and Approval of New At-Will Employment Agreement, and Amendment of Existing At-Will Employment Agreement
From:	Vikkie Garay, Human Resources Manager
Through:	Jed Smith, Marin Municipal Water District Board President
Meeting Date:	August 18, 2026

TYPE OF ACTION: X Action Information

RECOMMENDATION: Appoint Shaun Horne as the District’s General Manager and approve the General Manager’s At-Will employment Agreement, and Approve the Fourth Amendment of the At-Will Employment Agreement of Bennett Horenstein

SUMMARY: Following a nationwide recruitment for a new District General Manager, the Board of Directors selected Shaun Horne as their preferred candidate. At the direction of the Board, an Employment Agreement was negotiated with Mr. Horne, which sets forth the key terms of his employment with the District as its new General Manager.

DISCUSSION: The current District General Manager announced his retirement this year. On April 13, 2026, the District opened recruitment for a new General Manager. Following a thorough, nationwide recruitment process, the Board of Directors selected Shaun Horne, the District’s current Director of Watershed Resources, as the top candidate. Horne brings more than 18 years of progressive water resource and natural resource management experience to the role, including seven years of leadership at Marin Water. Through his leadership at the District, initiatives such as the Biodiversity, Fire and Fuels Integrated Plan, advancement of the Lagunitas Creek Restoration Project, and the ongoing update to the Mt. Tamalpais Watershed Roads and Trails Plan have been successfully implemented.

The Board authorized negotiation of an employment agreement with Mr. Horne. Approval of this item will appoint Mr. Horne as the new District General Manager with a commencement date of October 1, 2026, and will approve the new At-Will Employment Agreement. The attached At-Will Employment Agreement provides the General Manager with an annual salary of \$350,000, a vehicle allowance, and unless otherwise specified, the same benefits as the Division Directors.

Additionally, for clarity in roles, the District has prepared an amendment to the At-Will Employment Agreement for the current General Manager, Bennett Horenstein. This Fourth Amendment provides

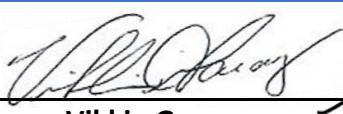
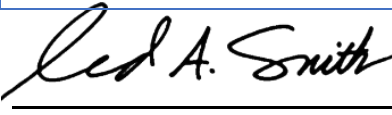
that effective as of the commencement date for the new General Manager, Mr. Horenstein will serve in an advisory capacity through the end of his contract term.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: The total cost for salary and benefits to backfill the General Manager position is included in the FY26/27 approved budget.

ATTACHMENT(S):

- 1. Proposed At-Will Employment Agreement of Shaun Horne as General Manager of the Marin Municipal Water District
- 2. Proposed Fourth Amendment of the At-Will Employment Agreement of Bennett Horenstein

DEPARTMENT OR DIVISION	DEPARTMENT MANAGER	APPROVED
Human Resources Department	 Vikkie Garay Human Resources Manager	 Jed Smith President, Board of Directors

**AT-WILL EMPLOYMENT AGREEMENT OF SHAUN HORNE AS GENERAL
MANAGER OF THE MARIN MUNICIPAL WATER DISTRICT**

This at-will employment agreement (“Agreement”) is made and entered into by and between the MARIN MUNICIPAL WATER DISTRICT (“District”) and Shaun Horne (“General Manager”) and is effective as of August 19, 2026 (“Effective Date”).

For good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

Section 1: Recitals.

- A. The District requires the services of a General Manager.
- B. The District’s Board of Directors (“Board”) desires to employ Shaun Horne to serve as the District’s General Manager commencing October 1, 2026 (“Commencement Date”).
- C. Shaun Horne desires to assume the position of General Manager as of the Commencement Date.
- D. This Agreement sets forth in full the terms and conditions of employment of the General Manager.

Section 2: Terms.

- A. General. The District hereby engages and employs the General Manager to perform the functions and duties of General Manager as set forth in the District’s Enabling Act, California Water Code Section 71364, District Code Section 2.60.010, and the attached job description for the general manager position (attached hereto as Exhibit A and incorporated herein as if fully set forth) and any amendments thereto. Employment is to begin on the Commencement Date.
- B. Knowledge, Skills and Abilities. It is understood and agreed that the General Manager has the professional knowledge, skills and abilities necessary to perform the duties of this position; and the Board relies upon the General Manager’s professional skills to perform the duties in a professional manner in accordance with the standards of the profession and to the Board’s satisfaction.
- C. At-Will Employee. In accordance with California Water Code Section 71340, the General Manager serves solely at the pleasure of the Board. The General Manager is, and shall be at all times, an “at-will” employee of the District.
- D. Base Salary. Effective October 1, 2026, the District agrees to pay the General Manager an annual base salary of THREE HUNDRED AND FIFTY THOUSAND DOLLARS (\$350,000.00) for fulfillment of the job duties as described in Exhibit A

(attached hereto and incorporated as though fully set forth) during the term of this Agreement, accruing neither overtime nor compensatory time, prorated and payable in accordance with the District's standard payroll procedures, and subject to the following adjustments:

1. Provided that a performance evaluation occurred in the immediate preceding fiscal year and the General Manager's performance was thereby deemed satisfactory, the General Manager's base salary as defined in section 2(D), shall be increased annually on July 1st of each fiscal year (starting July 1, 2028) by a percentage change equivalent to the positive change in California Consumer Price Index for all urban consumers ("CPI-U") as reported by the United States Department of Labor, Bureau of Labor Statistics for the annual calendar period (December to December), for each calendar year preceding the adjustment, for the San Francisco-Oakland-Hayward metropolitan area. The total annual salary as calculated herein shall be paid as compensation for services rendered, payable in accordance with the District's regular payroll procedures. The term "base salary" as used in this Agreement means the annual compensation specified in this Section 2(D) for services rendered.
- E. Salary Changes. The Board in its discretion may modify the General Manager's base salary based on its evaluation and/or assessment of the General Manager's performance. Any such modifications in the General Manager's base salary will be subject to a written amendment to this Agreement.
- F. Business and Travel Expenses. The District shall pay the General Manager's reasonable and necessary expenses for travel on District business, for professional memberships, conferences and seminars related to District business and professional training and development. All such expenses, including those incurred on the General Manager's District issued credit card, shall be documented by the General Manager on District expense reimbursement forms submitted to the District Finance Director, with annual reports of General Manager expenses submitted to the Board.
- G. CalPERS Retirement. The General Manager is a local member of the California Public Employees Retirement System ("CalPERS"). The retirement benefit formula to be received by the General Manager shall be in accordance with the provisions of CalPERS and District policy consistent with CalPERS. The District will pay the employer contribution portion of General Manager's CalPERS benefits as applicable to District Division Directors as set forth in the Board of Director's Resolution No. 8760 adopted on November 7, 2023 ("Benefits Resolution"), and any successor resolutions as may be adopted by the Board for purposes of establishing terms and conditions of employment for unrepresented employees.
- H. Benefits. In addition to Base Salary and inclusion in CalPERS, and except as explicitly set forth below, the General Manager shall receive the same benefits as those provided to the District Division Directors in the Benefits Resolution, as they

may be amended from time to time. For ease of reference, the current Benefits Resolution, Resolution No. 8760, is attached hereto as Exhibit B.

1. Vacation. The General Manager shall receive four weeks of vacation per year. Accrual shall be in equal measure per pay period, annually totaling 160 hours. Vacation time cannot be accrued in excess of 500 hours. Annually, in November, the General Manager may irrevocably elect to cash-in up to eighty (80) hours of unused vacation time accrued during the following calendar year, as long as the General Manager maintains a minimum accrued vacation balance of at least eighty (80) hours. The Board prefers that the General Manager take no more than two consecutive weeks of vacation at a time. Vacations of more than two consecutive weeks shall be subject to advance approval by the Board.
 2. Administrative Leave. The General Manager shall receive forty (40) hours of administrative leave per calendar year beginning January 1, 2027.
 3. Vehicle. In lieu of mileage, the General Manager shall receive a vehicle allowance of \$500 per month during employment with the District. The General Manager shall be solely responsible for payment of automobile and liability insurance, maintenance, repair, replacement costs, all taxes applicable to the vehicle allowance, and for any other expenses associated therewith.
 4. Professional Coaching. The General Manager shall be entitled to executive coaching paid for by the District during the first year of employment in an amount not to exceed twelve thousand dollars (\$12,000), provided that the coach is appropriate to the position of District General Manager as mutually agreed upon by the General Manager and the current President of the District Board of Directors.
 5. Relocation Assistance. If within the first year of his position, the General Manager decides to move to a location within the District's jurisdiction, he will be entitled to receive reimbursement from the District for up to fifteen thousand dollars (\$15,000) of moving expenses.
- I. Term. The term of this Agreement shall begin October 1, 2026, and end October 2, 2029, unless subject to earlier termination hereunder or extended by a written amendment.
- J. Termination of Agreement.
1. Termination by the District. The Board may terminate this Agreement at any time, with or without cause. Nothing in this Agreement shall be construed to prevent the District, in its sole discretion, from terminating this Agreement and the services of the General Manager. The date the Board terminates this Agreement without cause shall be the "Termination Date." The date the Board terminates this Agreement with cause shall be the "For Cause Termination Date."
 2. Termination Without Cause. If the Board terminates this Agreement without cause, the General Manager shall receive a severance payment ("Severance") as provided for below:

- a) If during the first year of employment, the General Manager shall receive a single lump sum Severance equal to: three (3) months of Base Salary and three (3) months of the District's monthly contribution towards the General Manager's medical insurance.
- b) If at any time after the first year of employment, the number of months left on the unexpired term of the General Manager's contract is six (6) months or more, the General Manager shall receive a single lump sum Severance equal to: six (6) months of Base Salary and six (6) months of the District's monthly contribution towards the General Manager's medical insurance.
- c) If the number of months left on the unexpired term of the General Manager's contract is less than six (6) months, the General Manager shall receive a single lump sum Severance equal to: the General Manager's monthly salary (Base Salary divided by 12), multiplied by the number of months left on the unexpired term of the contract; plus an amount equal to the District's monthly contribution towards the General Manager's medical insurance, multiplied by the number of months left on the unexpired term of the contract.
- d) The General Manager's Severance shall be the maximum and exclusive payment the General Manager shall receive; the sole exception being any payout for vacation time the General Manager has accrued up to the Termination Date.
- e) As a condition precedent to receiving Severance, the General Manager hereby agrees to execute the General Release and Waiver of Claims ("Release and Waiver") contained in Exhibit C (attached hereto and incorporated herein as though fully set forth) to this Agreement within twenty-one (21) calendar days of receiving written notice that the Board is terminating this Agreement without cause. Exhibit C may need to be updated in order to comply with applicable law in effect at the date of signing, and, if so, General Manager agrees to sign an updated version of the Release and Waiver so long as it does not change its substantive terms. The General Manager's failure to execute the Release and Waiver and deliver it to the Board within the twenty-one (21) calendar day time frame will eliminate the District's obligation to pay Severance to the General Manager.
- f) The District shall pay Severance to the General Manager on the eighth day after the General Manager executes the Release and Waiver and delivers it to the Board, provided that the General Manager does not revoke the Release and Waiver within the seven day revocation period contained in the **Older Worker's Benefit Protection Act**. If such revocation occurs, the District's obligation to pay Severance will be eliminated.

3. Termination for Cause. The Board may terminate the General Manager with cause (“for cause”). In the event of a for cause termination, the General Manager shall not be entitled to Severance. However, the General Manager is entitled to receive a lump sum payment for any vacation time the General Manager has accrued up to the For Cause Termination Date. If the Board determines that termination for cause is appropriate, it shall so notify the General Manager, and before making any final decision regarding termination, the Board shall provide the General Manager an opportunity to respond to the allegations. Granting the General Manager the opportunity to respond to allegations of misconduct in no way alters the “at-will” nature of the employment. The Board may place the General Manager on leave without pay during the pendency of an investigation into alleged misconduct and/or after issuance of a notice of intended termination. The determination of the Board with respect to for cause termination shall be final and conclusive and shall not be subject to administrative or judicial review. Causes for termination shall include, but not be limited to:

- a) Fraud in securing appointment to the position;
- b) A material breach of this Agreement;
- c) Any willful breach of the job duties as outlined in this Agreement;
- d) Habitual neglect of, or failure to perform, the duties as outlined in this Agreement;
- e) Official misconduct;
- f) Dishonesty;
- g) Conviction of a felony or crime involving moral turpitude. A plea or verdict of guilty, or a conviction following a plea of nolo contendere, to a charge of a felony or crime of moral turpitude is deemed to be a conviction within the meaning of this section;
- h) Misuse of District or public property;
- i) Unlawful discrimination against, or harassment of, a District employee or official, or any member of the public;
- j) Sale, possession or use of illegal drugs;
- k) Willful disregard of a lawful directive issued by the Board; or
- l) Abuse of office or position, as defined in Government Code Section 53243.4. If the General Manager is convicted of a crime involving abuse of office or position pursuant to Government Code Section 53243.4, the General Manager shall reimburse the District for any administrative leave salary provided to General Manager, and any cash settlement related to the termination of General Manager, during the period of investigation of that abuse.

4. Termination of Agreement by Resignation, Retirement, or Death of General Manager.

- a) The General Manager may terminate this Agreement by delivering written notice of resignation to the Board. The effective date of the

General Manager's resignation shall not be earlier than thirty (30) calendar days following delivery of notice of resignation to the Board, unless the Board agrees otherwise in writing.

- b) The General Manager may terminate this Agreement by delivering written notice of retirement to the Board. The effective date of the General Manager's retirement shall not be earlier than six (6) months following delivery of notice of retirement to the Board, unless the Board agrees otherwise in writing.
 - c) This Agreement shall immediately terminate in the event of the death of the General Manager.
 - d) The General Manager shall not receive Severance in the event of resignation or retirement.
5. Non-Disparagement. Upon termination of this Agreement for any reason, the District and the General Manager agree that neither party shall make any written or oral statements to members of the public or the news media concerning the termination, except in the form of a written joint press release that is mutually agreeable to both parties. Either party may repeat the substance of any such press release in response to inquiries by members of the press or the public. Neither party shall disparage the other; except that nothing in this paragraph shall be construed to prevent the parties from cooperating in any investigation conducted by a governmental entity within the scope of its authority, and provided that both the General Manager and the District will respond accurately and fully to any question, inquiry or request for information when required by legal process.

K. Performance Evaluations.

- 1. At least once each calendar year, the Board shall review the General Manager's performance.
- 2. The Board and General Manager agree that additional performance evaluations may occur quarterly, or as needed, for purposes of ensuring effective communication about expectations and performance.
- 3. The Board and General Manager shall annually, or more frequently as needed, create mutually agreed-upon goals or other objectives that provide the basis for the next performance evaluation.
- 4. Neither the performance evaluation process, nor the content or results of any such evaluation of the General Manager shall be deemed to modify the "at-will" nature of the General Manager's employment or the provisions of this Agreement.

- L. Outside Activities. The General Manager shall devote his full time, energy and efforts to the District, and shall accept no outside employment. The General Manager is not precluded from occasional writing and lecturing with prior approval of the Board, but only to the extent that such activities do not interfere with his District duties.
- M. Modifications. This Agreement may be amended or modified only by a written, fully-executed agreement between the parties formally approved by the Board.
- N. Waiver. Any waiver by either party hereto of its rights with respect to a breach of any provision of this Agreement shall not be deemed a waiver with respect to any other breach thereof.
- O. Assignment. This Agreement is personal to the General Manager and shall not be assigned to any other person.
- P. Conflicts of Interest. The General Manager shall not engage in any business or transaction or have a financial or other personal interest or association, direct or indirect, that conflicts with the duties of the position or which may tend to impair the General Manager's independence of judgment or action in the performance of the duties of the position. The General Manager shall also be subject to California conflict of interest law and any applicable conflict of interest code. The General Manager is responsible for submitting to the Board Secretary the appropriate Conflict of Interest Statements as required by law.
- Q. Applicable Law, Severability and Venue. This Agreement shall be construed in accordance with the laws of the State of California. Should any provision of this Agreement be determined by a court of competent jurisdiction to be illegal, invalid, or unenforceable, the remaining provisions contained in this Agreement shall be fully binding and enforceable. The parties agree that venue for any administrative or legal proceedings relative to this Agreement shall be Marin County, California.
- R. Entire Agreement. This Agreement constitutes the entire agreement between the District and the General Manager. No representations, inducements, promises, or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not set forth herein; and any agreement, statement, or promise not contained in this Agreement shall not be valid or binding on any party.
- S. Ambiguity. The parties acknowledge that this is a negotiated agreement, that they have had an opportunity for their respective legal counsel to review this Agreement, and that the terms and conditions of this Agreement are not to be construed against any party on the basis of such party's draftsmanship thereof.

- T. Headings. Section and paragraph headings, and titles of attachments contained in this Agreement are utilized for convenience only and shall not be deemed to alter or modify the meaning or interpretation of this Agreement in any way.
- U. Notice. Any notices, amendments, or additions to this Agreement, including any change of address of the parties during the term of this Agreement, shall be in writing and delivered in person or by certified registered mail, to the respective parties as follows:

To District: President of the Board of Directors
Marin Municipal Water District
220 Nellen Avenue
Corte Madera, CA 94925

To General Manager: Shaun Horne
Mailing address on file with District’s Human Resources
Department

- V. Counterparts; Facsimile and Electronic Signatures. This Agreement may executed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same instrument and shall become effective when counterparts have been signed by each of the parties and delivered to the other parties; it being understood that all parties need not sign the same counterparts. The exchange of copies of this Agreement and of signature pages by facsimile transmission, by electronic mail in “portable document format (“pdf”) form, or by any other electronic means intended to preserve the original graphic and pictorial appearance of a document, or by combination of such means, shall constitute effective execution and delivery of this Agreement for all purposes. Signatures of the parties transmitted by these means shall be deemed to be their original signatures for all purposes.

IN WITNESS WHEREOF, the District and General Manager hereto have entered into this Agreement as of the Effective Date.

MARIN MUNICIPAL WATER DISTRICT

By: _____ Date _____
Jed Smith, President
Board of Directors

Shaun Horne
General Manager

_____ Date _____

ATTACHMENTS:

Exhibit A – District General Manager Job Description

Exhibit B – Benefits Resolution

Exhibit C – Release and Waiver



Exhibit A

General Manager

DEFINITION

The General Manager is appointed by the Board of Directors and serves as the District’s chief executive officer. Under policy guidance from the Board, the General Manager is responsible for providing leadership, management and supervision of the overall activities and operations of the Marin Municipal Water District to ensure that the customers/rate payers are provided high quality water in an efficient, economical, responsive and courteous manner, and that Marin Water is a responsible steward of the watershed, sustaining it for future generations.

The General Manager is accountable for developing, implementing and executing short and long term plans, policies, budgets and strategies to accomplish the District’s mission, the outcomes of the Strategic Plan and other Board of Director priorities. The General Manager supervises the preparation of a strategic plan, other plans, policy items, budgets, and operational, organizational and fiscal reports for the Board’s consideration and approval.

EXAMPLES OF DUTIES

Typical duties may include but are not limited to the following:

- Direct the development and implementation of initiatives, goals and objectives set forth to support the District’s mission and vision.
- Advise the Board on policy and administration and execute the implementation and timely completion of Board approved policies and priorities.
- Oversee programs and plans designed to maintain a stable water supply and high-quality water.
- Oversee watershed resources, preservation, maintenance and protection and maintain watershed stewardship partnerships with community organizations.
- Establish and promote an environment of respect, civility, integrity and excellence in the District.
- Maintain and monitor the budgets; direct the development and implementation of the capital improvement programs and major engineering and construction projects.
- Ensure the selection and retention of highly competent and effective management staff.
- Oversee the establishment of an executive staff performance and accountability program.
- Monitor the District’s labor negotiations and labor-management efforts.
- Communicate effectively with District employees, citizen groups, and advisory bodies; establish and maintain positive relationships with external agencies; ensure appropriate outreach and communications with the local community, including customers, citizen groups, thought leaders and advisory bodies.

- Coordinate District activities with federal, state and local public agencies and represent the District as required.

QUALIFICATIONS FOR EMPLOYMENT

Knowledge and Abilities

The selected candidate should have knowledge of:

- Principles and practices of leading, administering and directing the activities of personnel in a complex organization.
- Day-to-day maintenance, operations, structure and function of water distribution systems.
- Budget development, analysis and financial strategies.
- Long-range planning.
- Regulatory and legal requirements of a water district.
- Interrelationship between water and land use decisions.
- Technology related to water resource and business management.

In addition, the candidate should be able to:

- Plan, organize and direct the operation of a large complex water distribution system; in accordance with policies of the Board of Directors and in compliance with all applicable laws and regulations.
- Establish and maintain effective working relationships with Board members, District executives, managers, employees and other elected and appointed governmental officials, industry and business executives, professional and community groups, consultants, developers, media representatives and members of the public.
- Understand applicable water quality, public health, water rights laws and other federal, state and local laws, regulations, and policies applicable to a water distribution supply system.
- Analyze and make sound recommendations on complex management and administrative issues.
- Direct the development of operating and capital improvement budgets, rate setting proposals and other fiscal reports.
- Provide leadership in developing a culture in the District that promotes respect, integrity, innovation and excellence among all employees and with the public.
- Direct the development and implementation of the goals and objectives required to achieve the District's mission, the priorities contained in the Strategic Plan and the execution of Board priorities.
- Maintain a positive working environment that builds trust and increases the level of morale among all District employees.
- Communicate effectively with the Board of Directors in a timely manner regarding critical and developing issues that pertain to the organization and operations of the District.
- Oversee the development of a District Strategic Plan and other business plans and policy documents.

Training and Experience: Any combination equivalent to experience and education that could likely provide the required knowledge and abilities would be qualifying. A typical way to obtain the knowledge and abilities would be:

- Bachelor of Science degree in Engineering, Public Administration, Business Administration or a related field. A Masters degree is highly desirable.
- Minimum of 10 years of experience as a senior manager, leading, directing and managing strategic initiatives for a complex organization providing essential utility services to the public.
- Experience is desirable in the management of a municipal water agency, or a closely related public utility, plus familiarity with water quality, project management, engineering, human environmental compliance, watershed and natural resource management.
- Significant expertise and competence with public financing, financial management, long-range planning relevant to a large complex public water utility.
- Desirable knowledge of water resources, including water conservation concepts and tools, and experience with watershed, natural resource and fishery management.

OTHER REQUIREMENTS

- Per California Government Code, Title 1, Division 4, Chapter 8, Section 3100 “all public employees are hereby declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law.”

LICENSES AND/OR CERTIFICATIONS

- Possession of an appropriate California driver's license issued by the State Department of Motor Vehicles and satisfactory driving record.

PHYSICAL DEMANDS AND WORKING CONDITIONS

During the course of performing job duties the employee will need the mobility to work in a standard office setting, use standard office equipment such as a personal computer, word processing and data base software, calculator, a copy and/or fax machine; enter and retrieve data from personal computers and terminals via keyboards which is often performed while sitting for extended periods of time; operate office equipment requiring repetitive arm/hand movement and/or the coordinated movement of more than one limb simultaneously.

The employee frequently stands, walks, bends at neck and waists, twists at neck and waist, uses repetitive hand movement, uses simple and power grasping with both hands, uses fine manipulation of both hands and fingers, and may require use of the arms above the shoulder, climb or balance; stoop, kneel or crouch. This position requires that the employee demonstrate adequate hearing and speech to converse in person and over the telephone, and vision to read printed materials and use a computer screen. The employee is occasionally required to lift and carry short distances objects such as reams of copier paper, office supplies, files, books, printed materials and other packages weighing up to 10 to 25 pounds.

The noise level in the work environment is quiet to moderate noise. Position may require the ability to work overtime and weekends as needed.

Employees who drive on District business to carry out job-related duties must possess a California driver's license for the class of vehicle driven and meet automobile insurability requirements of the District including review of a recent DMV history. In order to drive, individuals must be physically capable of operating the vehicles and equipment safely.

To be successful in this job, an individual must be able to satisfactorily perform each of the listed duties. These duties are representative of the knowledge, skill and/or ability required for the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the duties and functions of the position. Requests for reasonable accommodation should be directed to the Human Resources Manager.

Established: September 2004

Revised: October 2008 Approved; April 2021; October 2023; revised March 2026

by: Human Resources Manager

MARIN MUNICIPAL WATER DISTRICT**RESOLUTION NO. 8760****RESOLUTION OF THE BOARD OF DIRECTORS OF
THE MARIN MUNICIPAL WATER DISTRICT
ESTABLISHING THE TERMS AND CONDITIONS OF EMPLOYMENT
FOR UNREPRESENTED EMPLOYEES**

WHEREAS, on June 18, 2013, the Board of Directors of the Marin Municipal Water District (District) adopted Resolution No. 8214 and subsequent amendments thereto establishing salaries, benefits and other conditions of employment for employees who are employed by the District but who are not members of SEIU Local 1021; and

WHEREAS, the unrepresented employees consist of the following groups: Division Directors, Mid-Managers, and Confidential Employees (collectively referred to as “Unrepresented Employees”); and

WHEREAS, on August 15, 2023, the Board of Directors adopted Resolution No. 8756 approving a 5.4% cost of living increase for the Unrepresented Employees; and

WHEREAS, it is in the interest of the District and the Unrepresented Employees to further modify the terms and conditions of employment to reflect current market conditions and industry trends as well as to align certain benefits with those adopted in the most recent Memorandum of Understanding for union represented employees.

NOW, THEREFORE, THE BOARD OF DIRECTORS DOES HEREBY RESOLVE, AS FOLLOWS:

1. Division Managers include: Director of Engineering; Finance Director/Treasurer; Operations Director; and Director of Water Resources; and
2. Mid-Managers include the following classifications which are salaried positions and exempt from the overtime and hourly provisions of the Fair Labor Standards Act (FLSA): Assistant Superintendent of Operations, Assistant Superintendent Water Treatment, Communications & Public Affairs Manager, Customer Service Manager, Engineering Manager I/II, Engineering Support Services Manager, Finance Manager, Financial Management Analyst, Grant Program Coordinator, Human Resources Manager, Information Technology Manager, Natural Resources Program Manager, Principal Human Resources Analyst, Safety & Emergency Response Manager, Senior Human Resources Analyst, Staff Attorney I/II/III, Superintendent of Operations, Superintendent of System Maintenance & Support Services, Water Efficiency

Manager, Water Quality Laboratory Manager, Water Quality Manager, Watershed Protection Manager-Chief Ranger, Watershed Resources Manager; and

3. For the purposes of this resolution, Division Managers and Mid-Managers shall collectively be referred to as the “Unrepresented Classes”; and
4. Confidential Employees include: Administrative Assistant-Confidential, Administrative/Legal Support Specialist, Board Secretary, Business Systems Analyst Confidential I/II, Executive Assistant to the General Manager, Finance Analyst, Human Resources Analyst, Human Resources Technician, Payroll Technician; and

All terms and conditions of employment that are contained in the Memorandum of Understanding between SEIU Local 1021 and the District as approved by the Board of Directors on November 7, 2023 shall apply to Confidential Employees excepting the 5.4% salary increase for fiscal year 2024, which was approved with the adoption of Resolution No. 8756 and already implemented for all Unrepresented Employees; and

5. That sitting members of the Board of Directors are eligible to receive medical and dental benefits pursuant to this resolution; and
6. That the following provisions are applicable to the Unrepresented Classes.

6. Salaries

6.1 Salaries

General Salary Increase

1. Effective the first full pay period following July 1, 2024, the District shall provide all Unrepresented Classes an increase equivalent to the change in the Consumer Price Index U (CPI-U) as reported by the United States Department of Labor Bureau of Labor Statistics for the annual calendar period (December to December) for each calendar year preceding the adjustment, for the San Francisco-Oakland-Hayward metropolitan area, plus three-quarters of one percent (0.75%). The general wage increase on July 1, 2024, shall not be less than two percent (2.0%) nor greater than five percent (5.0%).

- 2. Effective the first full pay period following July 1, 2025, the District shall provide all Unrepresented Classes an increase equivalent to the change in the Consumer Price Index U (CPI-U) as reported by the United States Department of Labor Bureau of Labor Statistics for the annual calendar period (December to December) for each calendar year preceding the adjustment, for the San Francisco-Oakland-Hayward metropolitan area, plus three-quarters of one percent (0.75%). The general wage increase on July 1, 2025, shall not be less than two percent (2.0%) nor greater than five percent (5.0%).
- 3. Effective the first full pay period following July 1, 2026, the District shall provide all Unrepresented Classes an increase equivalent to the change in the Consumer Price Index U (CPI-U) as reported by the United States Department of Labor Bureau of Labor Statistics for the annual calendar period (December to December) for each calendar year preceding the adjustment, for the San Francisco-Oakland-Hayward metropolitan area. The general wage increase on July 1, 2026, shall not be less than two percent (2.0%) nor greater than five percent (5.0%).

6.2 One-Time Appreciation Payment

Eligible employees who were required to work in-person without any option to telework during the COVID-19 public health emergency (March 2020 through March 2022) shall receive a one-time payment of three thousand dollars (\$3,000). Eligible employees are those employees who were actively employed and in paid status by the District from March 1, 2020, through March 31, 2022, and are actively employed at time of payment. This provision shall not apply to newly hired employees who did not work for the District for the entire aforementioned period or former employees who retired or separated from District employment prior to the effective date of this resolution. Payment is subject to all applicable withholdings and is non-pensionable.

6.3 Acting Assignment Pay

Acting assignment work authorized in advance by the Division Director or the General Manager in a higher classification shall be paid at a rate 8% above the employee’s regular pay. Such pay shall occur after one hundred sixty (160) consecutive hours of acting assignment work and shall continue until the employee is relieved of the acting assignment. Vacation or sick leave taken during the appointment will be paid at the employee’s regular pay.

6.4 Incentive Pay for Higher Level Certifications

The District will provide incentive pay for employees who are required to hold a Distribution System Operator or Water Treatment Operator certification, in their classification, when the employee obtains a valid Distribution Systems Operator’s or Water Treatment Plant Operator’s certificate that is:

- One level above their job classification minimum qualification a \$25 per month stipend; or
- Two or more levels above their job classification minimum qualification a \$40 per month stipend.

For the following cross-classification certifications, the District will provide incentive pay as follows:

- Treatment Plant Operator Managers holding a: D3 certification are eligible for a \$10 per month stipend; or a D4 certification are eligible for a \$20 per month stipend; or a D5 certification are eligible for a \$30 per month stipend.
- Distribution System Operator Managers holding a: T3 certification are eligible for a \$10 per month stipend; or a T4 certification are eligible for a \$20 per month stipend; or a T5 certification are eligible for a \$30 per month stipend.
- For example, a Treatment Plant Operator Manager holding a D5 certification will receive \$10 monthly for the D3, \$10 monthly for the D4 and \$10 monthly for the D5 certifications, totaling \$30.

Employees on unpaid status for two consecutive pay periods due to illness or injury will have their license/certificate premium payments discontinued until they return to work. Employees who request leave without pay for reasons other than illness or injury will have their license/certificate premium payments discontinued effective the first full pay period after their leave begins, and the payments will be resumed once they return to work.

7. Step Increases

No increase in salary shall be automatic merely upon completion of a specified period of service. All increases shall be based on merit as established by record of the employee's performance and shall require recommendation of the Division Director and approval of the District General Manager.

New employees who enter a classification at Step One (1) will be eligible for increase to Step Two (2) upon successful completion of their one (1) year probationary period, and such employees will be eligible to receive additional step increases annually thereafter, up to and including Step Five (5).

Employees promoted into a classification at Step One (1) will be eligible for increase to Step Two (2) after successful completion of their three (3) month probationary period and such employees will be eligible to receive additional step increases annually thereafter, up to and including Step Five (5). Employees who enter a classification at Step Two (2) or higher will be eligible for increase to the next higher step after completion of one (1) year in the classification, and such employees will be eligible to receive additional step increases annually thereafter, up to Step Five (5).

8. Health and Welfare

8.1 Medical Insurance

Active Employees

An employee becomes eligible to participate in the District's health plan on the first day of the month following the receipt of the employee's application for coverage by Human Resources. Employees may elect coverage with any of the health insurance plans authorized under the PERS medical insurance coverage program. For active employees, the District pays up to the premium amount based upon the CalPERS middle priced plan as described below for the employee and one (1) eligible dependent, with any additional premium amounts to be paid by the employee.

The medical insurance contribution of the District shall be set at the rate of the plan that falls in the middle of the list of available medical plans (sequentially, i.e., if the number of plans offered is odd the rate shall be set at the plan in the middle, for example, if eleven (11) plans are offered, the rate will be set at the plan sixth from the bottom. If the number of plans offered is even the rate shall be set at the lower of the two middle plans, for example if twelve (12) plans are offered the rate would be set at the plan sixth from the bottom.) Any additional costs for the PERS medical insurance coverage chosen by the active employees shall be their responsibility.

Any premiums paid by the employee eligible for Section 125 will be deducted from the employee's pay on a pre-tax basis.

The District will continue to offer Domestic Partner coverage for health insurance based on the PERS requirements and following the required PERS process.

Retirees

The District will contribute toward covered retired employees’ medical insurance premiums, as defined by CalPERS regulations for the CalPERS covered retiree. The District’s contribution amount shall be based on the following formulas. Any additional costs for the CalPERS medical insurance coverage chosen by the retired employees shall be their responsibility.

Retiree Healthcare- Employees hired before January 1, 2024

Employees hired prior to January 1, 2024, shall be eligible for retiree health insurance after they have completed five (5) years of continuous full time District service. The District’s contribution for the retiree and (1) one eligible dependent will be the same as that for active employees as set forth above in this section.

Retiree Healthcare- Employees hired on or after January 1, 2024

Employees hired on or after January 1, 2024, who retire from the District and enroll in the District’s retiree healthcare plan (CalPERS Health Benefit Program- Public Employees’ Medical and Hospital Care Act (PEMHCA)) shall receive a District paid contribution towards their retiree healthcare and their spouse’s healthcare based on the employee’s completed years of credited service with the District subject to the criteria set forth in this section.

For purposes of determining the District’s contribution toward the retiree’s and the retiree’s spouse’s healthcare cost, years of credited service shall mean the employee’s continuous full-time years of service with the District as follows:

Years of Credited Service with the District	District’s Payment Percentage of Premium Cost for Retired Employee	District’s Payment Percentage of Premium Cost for Retired Employee’s Spouse
0-9 years of District service	Minimum Employer Contribution Amount set forth in Government Code Section 22892	0%
10-14 years of District service	50%	0%

15-19 years of District service	75%	50%
20+ years of District service	100%	75%

Notwithstanding the provision above, for employees hired on or after January 1, 2024, the maximum amount of the District’s contribution toward the retiree’s and the retiree’s spouse’s healthcare costs shall not exceed the District’s contribution for active employees’ healthcare at the time of the employee’s retirement from the District. For example, if the District contributes \$1,035 monthly for an active employees’ healthcare at the time of the employee’s retirement, both the retiree and the retiree’s spouse, if applicable, would receive a contribution towards their healthcare based upon a percentage, as set forth in the table above, of the \$1,035 monthly maximum paid for active employees. Continuing the example, a retiree with 15 years of District service would receive 75% of the \$1,035 monthly maximum (\$776.25), and their spouse, if applicable, would receive 50% of the \$1,035 monthly maximum (\$517.50) until age 65.

For those retirees, hired on or after January 1, 2024, with less than 20 years of District service, the District’s contribution toward the retiree’s and spouse’s healthcare premium shall terminate at age 65. For those retirees, hired on or after January 1, 2024, with 20 years of District service or more, the District’s contribution toward the retiree’s and spouse’s healthcare premium shall be capped at the age of 65, at \$300 per month for the retiree and the retiree’s spouse’s coverage, if applicable, shall be capped at \$150 per month.

All medical insurance provided in this section is governed by PEMHCA. Any benefit amounts set forth in this section shall be based on either the amount herein or the PEMHCA minimum employer contribution (Government Code section 22892), as may be amended from time to time, whichever is greater. Retirement health benefits are also based on the CalPERS vesting requirement of five years and applicable retirement ages. California Public Employees’ Retirement Law governs vesting requirements for public agencies and is subject to change at the State level.

8.2 Medical Plan Exemption

An employee who is eligible for coverage under the District's medical plan specified in Section 8.1, but who is covered by another qualifying medical plan, may elect not to be covered by the District's medical plan by furnishing the District with proof of such qualifying medical coverage and by signing a waiver of benefits. In return for not contributing on said employee's behalf for qualifying medical coverage, the District shall

pay the employee one hundred (\$100) per pay period until such time as said employee is reinstated under the District's medical plan. The employee's election to not be covered by the District's medical plan shall be made for one (1) year and may be renewed on a year to year basis upon submission of evidence of continued coverage under another qualifying medical plan. As an exception to the above, an employee, who elects not to be covered by the District's medical plan and who prior to the one (1) year period for making such election loses alternate qualifying medical coverage because of a change in marital status, will be eligible to participate in the District's medical plan on the first of the month following official notification to Human Resources of loss of coverage subject to the rules and regulations of the respective medical plan.

8.3 Section 125 of the IRS Code

The District will continue to have employee deductions for medical plan premiums and dependent care calculated on a pre-tax basis, consistent with current IRS regulations and requirements.

8.4 Dental Insurance

After three (3) months of employment, eligible employees may participate in the District's dental insurance program through the Delta Dental Plan. The District pays the full premium for employees and their eligible dependents, including domestic partners as eligible dependents. The maximum calendar year benefits shall be two thousand dollars (\$2,000).

Beginning January 1, 2024, Orthodontia coverage for dependent children of employees will be covered up to a lifetime maximum of \$3,000 per child.

8.5 Retirees

For those employees hired prior to January 1, 2024, the District shall pay for dental coverage, in accordance with Section 8.4, for a retiree plus one dependent for those retirees with ten (10) or more full years of continuous service with the District, until the retiree attains age 65.

For those employees hired on or after January 1, 2024, the District shall not pay any portion of the retiree's dental coverage.

8.6 Eligibility

In order to be eligible for Medical, Dental, Life, and Long Term Disability Insurance an employee must have eighty (80) hours of pay credit during the two previous pay periods.

It is the employee's or retiree's sole responsibility to notify Human Resources of any change in status (e.g., marital or dependent change) which may affect the employee's benefit coverage or that of the employee's family within thirty (30) calendar days of the qualifying event. For the dental benefit described in Section 8.4, changes in status will be allowed to begin at the next open enrollment period when reported timely and in accordance with District procedures.

8.7 Life Insurance

Division Directors:

After one (1) month of employment, the District will provide each Division Director with a life insurance policy equal to one and one half the employee's annual salary (rounded to the nearest thousand) but no greater than one hundred and fifty thousand dollars (\$150,000). Eligible employees may elect additional life insurance coverage of an amount equal to the employee's annual salary (rounded to the nearest thousand) with the premium to be paid by the employee on a voluntary basis by payroll deduction. The District shall also provide for the Division Director's Accidental Death and Dismemberment Insurance (AD&D) in the amount of one hundred and twenty thousand dollars (\$120,000).

Mid-Managers:

After one (1) month of employment, the District will provide each eligible employee with a life insurance policy equal to the employee's annual salary (rounded to the nearest thousand) but no greater than one hundred thousand dollars (\$100,000). Eligible employees may elect additional life insurance coverage of an amount equal to the employee's annual salary (rounded to the nearest thousand) with the premium to be paid by the employee on a voluntary basis by payroll deduction. This additional life insurance coverage purchase may be made in whole or part at minimum increments of \$10,000, subject to agreement of the insurance provider.

8.8 Long Term Disability

The District will provide each eligible employee with long term disability insurance.

8.9 Vision Care

The District will reimburse employees for vision care expenses of the employee not covered by existing District health plans or any other insurance plan. The amount of said reimbursement shall not exceed three hundred and fifty dollars (\$350.00) in a fiscal year. An employee may carry over any remaining monies for an accumulated total of seven hundred dollars (\$700).

8.10 Retirement Plan

8.10.1 The following provision applies only to those employees hired prior to January 1, 2013 or those new employees who qualify as ‘classic’ members of CalPERS.

The present Retirement Plan contract between the District and the Public Employees Retirement System (PERS) shall continue at the current benefit level.

Reduction of Employer Paid Member Contribution for Division Directors

The District currently pays 5.0% of the Division Directors’ share of the retirement cost. Effective November 20, 2023, the District shall pay 3.75% of the Division Directors’ share of the retirement cost. Effective July 1, 2024, the District shall pay 2.5% of the Division Directors’ share of the retirement cost. Effective July 1, 2025, the District shall pay 1.25% of the Division Directors’ share of the retirement cost. Effective July 1, 2026, the District shall no longer pay any portion of the Division Directors’ share of the retirement cost.

The employer paid employee’s share shall be used in the calculation of the retirement annuity per Government Code Sections 20691 (which allows the District pay a portion of the member contribution) and 20636(c)(4) (which allows the District to pay and report the value of the employer paid member contribution).

There will be no employer payment of any part of the mandatory employee contribution for any other Unrepresented Employees.

Division Directors shall receive a 1.25% salary increase to offset the reductions to the Employer Paid Member Contributions set forth herein. Such salary adjustments shall occur on each of the following dates: (1) November 20, 2023 (2) July 1, 2024, (3) July 1, 2025, and (4) July 1, 2026. These adjustments shall be additive to any salary increases provided pursuant to Section 6.1. For example, if the salary increase provided pursuant

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to Section 6.1 is 2% during this time period, the Division Director would receive a 3.25% increase.

Participation in the PERS plan and Social Security is mandatory.

8.10.2. The provisions below apply to all employees hired beginning January 1, 2013, and who do not qualify as ‘classic’ members of CalPERS.

There will be no employer payment of any part of the mandatory employee contribution. All other provisions shall be as required by the Public Employees’ Pension Reform Act (PEPRA). Participation in the PERS plan and Social Security is mandatory.

8.11 Amendment to Medical Coverage

In the event any Federal or State legislation which provides health care coverage for employees covered by this resolution is enacted into law during the term of this resolution and such legislation has an adverse impact on either party, the parties will meet to discuss the impact of such legislation.

In the event that the level of financial contribution by the District, on the effective date of such legislation is greater than required to satisfy the terms of the medical insurance contribution rate as set by this resolution, the District agrees to make the amount in excess of what is required available for the benefit of employees covered by this resolution.

8.12 Deferred Compensation

The District will offer to employees deferred compensation plans pursuant to the "Deferred Compensation Plan" approved by the District Board of Directors on May 22, 1985 consistent with current IRS regulations and requirements.

9. Non Discrimination

The District and employees agree that no person employed or applying for employment shall in any way be discriminated against because of race, color, creed, religion, sex, national origin, physical or mental disability, age, political affiliation or opinion, sexual orientation, gender identity, marital status, or other legally protected characteristic, nor shall a person be the subject of sexual harassment as prohibited by District policy and applicable law.

Complaints under this section shall be filed and processed in accordance with the

District's Anti-Harassment and Discrimination Policy. If the District policy does not resolve the issue, the complaint may proceed in accordance with applicable law.

10. Holidays

Recognized Holidays

The District recognizes the following days as holidays to be taken off with pay by full-time employees:

- | | |
|-----------------------------------|-------------------------------|
| (1) New Year's Day | (7) Labor Day |
| (2) M. Luther King Jr.'s Birthday | (8) Veteran's Day |
| (3) President's Day | (9) Thanksgiving Day |
| (4) Memorial Day | (10) Day after Thanksgiving |
| (5) Juneteenth | (11) Day before Christmas Day |
| (6) Independence Day | (12) Christmas Day |

If Christmas Day falls on a Saturday, Sunday or Monday, the Day before Christmas Day shall be observed on the last working day before the day on which Christmas is observed by the District.

10.1 Floating Holidays

Effective January 1, 2024, employees shall receive one (1) floating holiday. Effective July 1, 2024, and each July 1st thereafter, employees shall accrue two (2) floating holidays per fiscal year.

New employees hired during the period of July 1st to December 31st in the calendar year will be credited with two (2) floating holidays for that fiscal year. New employees hired during the period of January 1st to June 30th in the calendar year will be credited with one (1) floating holiday in the first full pay period following active employment.

Employees who receive floating holidays may use one of their accrued floating holidays on Cesar Chavez Holiday (March 31) as long as minimum staffing levels as determined by the employee's Division Director or General Manager are maintained.

An employee's accrued floating holiday(s) received pursuant to this section shall be exchanged for the first day(s) of vacation taken by the employee, but shall not be counted against the employee's total accrual of vacation days for the fiscal year.

Floating holidays not used by the employee prior to the end of the fiscal year will be forfeited without pay.

10.2 Holidays Falling on Saturday or Sunday

If and whenever any holiday provided for in Section 10 above, other than Christmas, falls on a Saturday, it shall be observed on the preceding Friday. If and whenever a holiday provided for in Section 10 above falls on a Sunday, it shall be observed on the following Monday.

11. Vacation

11.1 Vacation With Pay

Full-time employees shall earn vacation with pay at the following rates for each complete paid year of service with the District:

Division Directors

For the first fifteen (15) years of service	6.16 hours/pay period
Sixteen (16) years of service	6.47 hours/pay period
Seventeen (17) years of service	6.77 hours/pay period
Eighteen (18) years of service	7.08 hours/pay period
Nineteen (19) years of service	7.39 hours/pay period
For Twenty (20) or more years of service	7.70 hours/pay period

Mid-Managers

For the first nine (9) years of service	4.62 hours/pay period
For the next six (6) years of service	6.16 hours/pay period
Sixteen (16) years of service	6.47 hours/pay period
Seventeen (17) years of service	6.77 hours/pay period
Eighteen (18) years of service	7.08 hours/pay period
Nineteen (19) years of service	7.39 hours/pay period
For twenty (20) or more years of service	7.70 hours/pay period

11.2 Vacation Scheduling

Vacations will be scheduled by the Division Director or General Manager in accordance with work load and District seniority. Seniority is defined as the total continuous time of service with the District, as defined in the paragraph entitled "Seniority Defined." The most senior person in each work unit, based on overall District seniority, will have first choice in selecting a single block of vacation, with the scheduling then proceeding to the next senior person until all vacation has been scheduled. If at all

possible, the selected time will be assigned. If there is a conflict, employees may be asked to select another time. Once vacation time is assigned, it will not be changed except with advance approval of the Division Director or General Manager. If scheduled vacation time is not taken, the employee may not invoke seniority when rescheduling vacation.

11.3 Lump Sum Vacation Pay

An employee whose service with the District terminates for any reason or who is granted a leave of absence shall be paid a lump sum for all accrued vacation earned prior to termination date or last day worked. The District shall be reimbursed for any unearned vacation, either by debiting the final check or by direct payment to the District. Upon separation, the employee shall reimburse the District for any used but unearned vacation.

11.4 Vacation Carry Over

Unrepresented Classes may carry over accrued, unused vacation from calendar year to year, to a maximum of five hundred (500) hours. When an employee’s vacation balance reaches five hundred (500) hours, the employee shall no longer accrue vacation hours. Vacation hours shall again begin to accrue when the employee’s accrued hours drop below the five hundred (500) maximum.

11.5 Vacation Cash-In

Annually, in November, Unrepresented Classes may irrevocably elect to cash-in up to eighty (80) hours of accrued vacation during the following calendar year, as long as they maintain a minimum accrued vacation balance of at least eighty (80) hours after the cash-in. No CalPERS service credit shall accrue from a vacation cash-in.

12. Administrative Leave

In recognition of the extended hours worked by Unrepresented Classes and since they are exempt from overtime under the FLSA, effective January 1, 2024, Unrepresented Classes employees managing twenty- four (24) hour operations (Director of Operations and Superintendents) will be entitled to 100 hours of administrative leave per calendar year; all other employees will be entitled to 80 hours of administrative leave per calendar year.

Within six (6) months of the approval of this resolution, the District and Unrepresented Classes will meet to discuss the development of objective, merit based criteria that may be used to allocate administrative leave to the Unrepresented Classes in the future.

13. Sick Leave

Sick Leave Accumulation

Full-time employees shall earn and accumulate paid sick leave without limit at the rate of 4.62 hours per pay period hours for each complete pay period of service with the District. The District Board of Directors may, in its discretion, grant additional sick leave not to exceed seven hundred twenty (720) hours to any employee who has used all of their accumulated sick leave and is unable to work due to illness or injury if the employee's work record and years of service so warrant.

13.1 Sick Leave Use

All employees shall be entitled to use accumulated sick leave under the following circumstances:

- 1) The employee is incapable of performing the job duties due to illness or injury;
- 2) To attend a medical examination or treatment in a doctor's office, dentist's office, hospital or other medical facility for the employee's own health condition; provided that the amount of sick leave used for such visits is the amount of time reasonably necessary to travel to and from and attend the medical appointment;
- 3) To attend to an illness of the employee's "immediate family" member or "designated person" as defined in Section 13.2 below. An employee may use up to one-half of the District's annual sick leave accrual (60 hours /calendar year) for this purpose. Employees may use sick leave under this provision to attend routine medical and dental appointments that the family member or designated person could not keep on their own. Employees may use a day of sick leave under this provision to be with their spouse or registered domestic partner at the time of birth of a child;

In the case of a serious health condition, after use of sixty (60) hours for "immediate family" members or "designated person" (as defined in Section 13.2 below) leave in any calendar year, employees may use other forms of paid time off, including but not limited to vacation and compensatory time off. Once all other forms of paid leave have been exhausted employees may use any remaining sick leave, the total amount of paid time used may not exceed the total of time allowed under the Family Medical Leave Act (FMLA) or California Family Rights Act (CFRA); or

- 4) The employee is pregnant and may take up to six (6) months of leave per pregnancy based on certified medical needs and subject to related Federal and State provisions.

13.2 Immediate Family/Designated Person Defined

An employee's immediate family, as it applies for sick leave and Funeral/Bereavement Leave is defined as the employee's spouse, registered domestic partner, children, foster children, parents, foster parents, grandparents, brothers, sisters, and the parents, foster parents or children, or grandparents of the employee's spouse or registered domestic partner or for a family member for whom the employee is standing in loco parentis.

“Designated person” is defined by CFRA. Pursuant to CFRA, an employee may elect a “designated person” at the time the employee requests leave pursuant to Section 13.1. The employee’s election of a “designated person” shall be limited to one person per twelve (12) month period.

13.3 Sick Leave Approval

The District may require a doctor's certificate stating the necessity for sick leave and may make such other investigation as to the necessity for sick leave as it deems appropriate. In the event an employee fails to provide satisfactory evidence of the necessity for sick leave within five (5) working days after being instructed to provide such evidence claiming or applying for sick leave, the employee's sick leave rights for the period applied for shall be deemed to have been voluntarily waived and released.

An employee who is absent from work due to their own or a family member’s or designated person’s illness, injury or other medical condition must notify their supervisor of their absence within a reasonable time prior to the start of their scheduled shift. If an employee is unable to place a call, a friend or relative should be asked to contact the supervisor on behalf of the employee. An employee who requires sick leave to attend a medical appointment must notify their Division Director or the General Manager of the planned absence within a reasonable amount of time following the time the appointment is made.

13.4 Sick Leave Incentive Program

Employees accruing sick leave hours in excess of eight hundred (800) hours, may annually elect one of the following options with respect to such excess hours accrued on or after November 1st of each year:

- (1) Accumulation option: continue to accumulate sick leave hours in accordance with this resolution;
- (2) Compensation option: In November of each year, employees may irrevocably elect to be compensated in the following calendar year for all accumulated hours in excess of eight hundred (800) hours at fifty percent (50%) of their regular salary rate; or
- (3) Combination option: combine the accumulation option and compensation option with fifty percent (50%) allotted to each.

No CalPERS service credit shall accrue from the sick leave compensation provided under this Section.

13.5 Sick Leave Payout

- (1) Every employee upon retirement shall be paid a lump sum equal to seventy five percent (75%) of the number of hours of the employee's accumulated sick leave, based upon the employee's salary at the time of retirement. The maximum payout shall not exceed 750 hours.
- (2) Every employee having five (5) or more years of continuous service with the District upon discharge or lack of work or lack of funds within the employee's classification shall be paid a lump sum equal to fifty percent (50%) of the number of hours of the employee's accumulated sick leave, based upon the employee's salary at the time of their discharge.
- (3) The estate of every employee upon death of the employee shall be paid a lump sum equal to fifty percent (50%) of the number of hours of the employee's accumulated sick leave, based upon the employee's salary at the time of death.

No CalPERS service credit shall accrue from the sick leave compensation provided under this Section.

13.6 Special Sick Leave

Employees disabled from their regular work by injury received in the course of employment shall be granted special sick leave, not exceeding sixty (60) working days except with special approval of the District Board of Directors. Such special sick leave shall not be charged against an employee's earned sick leave. An employee may be

requested to perform temporary limited duties during such period of disability if the attending physician finds the employee able to perform such duties.

Every employee entitled to special sick leave shall, for each day of such special sick leave taken, be paid the differential between the employee's regular salary or wage and the amount of workers' Compensation disability payments to which such employee is entitled for such day; provided, that such differential shall not be paid for any day on which the employee declines to perform temporary limited duties requested of them.

14. Attendance Policy

Regular attendance by every employee is important and necessary to the successful operation of the District.

15. Funeral/Bereavement Leave

An employee may use up to forty (40) hours, with twenty-four (24) hours paid by the District, of Funeral /Bereavement leave in the case of a death in an employee's "immediate family" or the death of the individual who is currently predesignated as the employee's "designated person".

16. Leaves of Absence

16.1 Leave Without Pay

The District General Manager may grant regular full-time employees leave without pay for a bona fide reason for up to six (6) months. Any such leave without pay may be extended for additional periods not to exceed thirty (30) calendar days each. Seniority and longevity shall continue to accrue only during the first thirty calendar (30) calendar days of any leave without pay. The granting or not granting of such leave without pay is at the sole discretion of the District General Manager.

In instances where an employee has exhausted all paid leave accruals and there is a bona-fide reason for an absence, requests for two weeks (80 hours) or less of leave without pay may be authorized by the Division Manager or their designee.

16.2 Family and Medical Leave Act

Family and medical leave shall be granted in accordance with the Federal Family and Medical Leave Act and the California Family Rights Act.

16.3 Jury Duty and Work Related Subpoenaed Court Appearance

Whenever an employee is summoned for jury duty as a state or federal trial juror or grand juror, or is subpoenaed to appear as a witness before a grand jury or at a preliminary hearing, trial, or deposition, in a case in which the employee is not a party but which is related to the employee’s official District duties, such employee's regular pay shall continue and time spent in jury service or in giving testimony shall not be charged to the employee's sick leave or vacation time, but employee shall reimburse District for compensation received for any service or witness fees received, not including mileage.

16.4 Military Leave

Employees shall be granted military leave in accordance with the provisions of California Military and Veterans Code Section 395, et. seq. and the Uniformed Services Employment and Reemployment Rights Act shall be entitled to the salary continuation rights and status and any reinstatement rights specified therein.

16.5 Disability Absence

A disabled employee may be provided an unpaid leave of absence of a specific duration as a reasonable accommodation where it is likely the employee will be able to return to their job at the conclusion of the leave. If, during the course of such leave, the District reasonably determines that it is unlikely that the employee will be able to return to their position because of a disability, the District may terminate the employment, provided that there is no available alternative position for which the employee is qualified to perform.

The District may deny a request for leave under this section where the length of the leave imposes an undue hardship on the District.

When an employee becomes disabled due to a work related injury, the maximum duration of an occupational injury leave is as required by law.

This section is not intended to abridge rights involving disability leave where said rights are otherwise established by local, state or federal statute.

16.6 Pregnancy Leave

A pregnant employee may take a pregnancy leave of up to six (6) consecutive months, with approval by their Division Director. The employee may use their paid leave time, in the form of accrued sick time, as per section 13.1 (4), and/or any accrued vacation and compensatory time during the period of the pregnancy leave.

16.7 Parental or Adoptive Leave

A prospective parent or adoptive parent may take a parental leave of up to six (6) consecutive months, with approval by their Division Director. The employee may use their paid leave time, in the form of accrued sick time, as per section 13.1 (3), and/or any accrued vacation and compensatory time during the period of the parental leave.

17. Layoff

Need For Layoff

In determining the necessity for a layoff, the factors to be included will include, but may not be limited to, the following:

- 1) The need and funding for the position;
- 2) Whether the job experience, skills and educational training of an employee being considered for layoff qualify the employee for another position;
- 3) Overall level of performance with the District of an employee being considered for layoff; and
- 4) Seniority.

17.1 Seniority Defined

Seniority is defined as the total continuous time of service with the District, excluding any service time during which the employee was classified as part-time. Seniority will accrue for each two preceding consecutive 80 hours of pay credit.

17.2 Notice of Layoff

The District will make every effort to give as much advance notice of layoff as possible. Regular full-time employees will receive a minimum of ninety (90) calendar days written notice; full-time temporary employees will receive a minimum of sixty (60) calendar days written notice, except that when the position is scheduled for six (6) months or less, the employee will receive a minimum of thirty (30) calendar days written notice; part-time hourly employees may be laid off without advance notice.

18. Automobile Use

18.1 Employee Vehicle

The District will reimburse employees at the rate currently approved by the I.R.S. for authorized use of their private vehicle for District use, for miles traveled on paid time. Private vehicles may be used only when no appropriate District vehicle is available and with the advanced approval of the employee's Division Director or General Manager.

18.2 District Vehicles

To facilitate the District's operation, the District General Manager may assign a District vehicle to certain employees who are required to be on call for and respond to operational problems or emergencies after normal work hours. In compliance with the District's "Vehicle Use Policy", District vehicles are not to be used for personal business and are to be operated only by District employees.

19. Management Professional Allowance

19.1 Education and Training

The District will reimburse tuition, books, laboratory fees and examination fees in the amount of up to \$3,500 per employee per fiscal year in connection with educational courses taken by regular full-time or regular part-time non-probationary employees. The educational course must be related to the employee's current position or to a position within the District to which the employee may aspire. The written request for cost reimbursement must be completed by the employee and approved by the Division Director and District General Manager before the course begins. In order to be reimbursed for educational costs, the employee must attain a grade of at least "C" or its equivalent, and class and study time must be outside the employee's normal work hours. To qualify, courses must be given by an accredited school or college, or a recognized professional or training organization acceptable to the District. Transportation or other costs are not reimbursable.

Unrepresented Classes may also use the \$3,500 annual educational and training allotment for other professional development such as the purchase of books, computers and attendance at professional conferences not covered by the District. Unrepresented Classes may also choose to use this allowance to offset the cost of their medical coverage, to offset the costs not covered by their insurance for medical, dental or vision procedures for the employee or eligible family members, or to place part or all of these funds into a deferred compensation plan.

19.2 Training and Conference Expenditures

All requests for attendance at training courses, seminars and conferences shall be approved in advance by the employee's Division Director or General Manager.

20. Flexible Work Hours

An individual employee's request for an alternate work schedule (9/80 or 4/10) shall be considered on an individual or departmental basis and may be approved on an individual or departmental basis provided there is no adverse effect on District operations, and shall be at District's sole discretion. It is understood that such alternate work schedule may not be permanent. Alternate work schedules may be revoked upon ten (10) working days' notice to the employee or group of employees affected by the revocation. The District will endeavor to respond to the request within ten (10) business days.

21. Probationary Period

21.1 New Hire Probationary Period and Promotions

The probationary period for newly hired employees covered by this resolution shall be one (1) year of paid service. Newly hired employees who are reclassified or promoted during their initial probationary period will be required to complete an additional year of probation in their new classification.

At the discretion of the District General Manager, the probationary period for a newly hired employee may be extended for up to six (6) months, if circumstances warrant, by giving notice to the employee fifteen (15) working days before the scheduled completion date of the normal probationary period. During the probationary period or any extension thereof, an employee may be dismissed or disciplinary action taken against the employee and the employee shall not have the right to a hearing with respect thereto.

21.2 Promotion of Current Employees

The probationary period for newly promoted employees, excluding newly hired employees covered by Section 21.1, shall be three (3) months of paid service in the new classification. During this period of time the employee may return or be returned to his/her original position without the right to appeal.

At the discretion of the District General Manager, the probationary period of a promoted employee may be extended for up to three (3) additional months, if circumstances warrant, by giving notice to the employee fifteen (15) working days before the scheduled completion date of the normal probationary period. During this period of

time the employee may be returned to his/her original position without the right to appeal.

21.3 Employment Status

Upon completion of the probationary periods in Section 21.1 and 21.2, an employee shall be designated as a non-probationary employee who shall be subject to disciplinary action only for cause.

22. Discipline and Discharge

Upon completion of the designated probationary period an employee shall be designated as a non-probationary employee who shall be subject to disciplinary action only for cause. The District shall use progressive disciplinary steps (i.e., reprimand, suspension, demotion, termination) unless the violations are extremely serious.

22.1 Preliminary Notice

A non-probationary employee shall receive, in accordance with the law, a preliminary written notice of any proposed disciplinary action that involves the loss of pay. The notice must contain a specific statement of charges or grounds upon which the proposed disciplinary action is based and the date the disciplinary action will be effective.

Any known written materials, reports or documentation upon which the disciplinary action is based must be attached to the notice. Adverse documents that did not result in a loss of pay and which are more than three (3) years old shall not be utilized in subsequent disciplinary action.

In cases of discipline which involves no loss of pay, the employee shall have ten (10) working days to appeal to the District General Manager, who shall schedule a meeting with the employee to review the proposed discipline within ten (10) working days of receipt of an appeal. After hearing the response of the employee the District General Manager may order that the proposed disciplinary action or modification thereof be imposed.

Upon the receipt of the notice involving a loss of pay, the employee shall have ten (10) working days to appeal the matter in writing to the District General Manager. If a written appeal is filed, no disciplinary action shall be imposed until the District General Manager has conducted a hearing with the employee (and employee's representative, if the employee so designates a representative) present and having heard the response of the employee. The District General Manager shall schedule the hearing within ten (10) working days of receipt of an appeal.

22.2 Disciplinary Action and Appeal

After hearing the response of the employee the District General Manager may order that the proposed disciplinary action or modification thereof be imposed.

Thereafter, the employee shall notify the District within ten (10) working days that the matter is appealed.

23. Dispute Resolution

23.1 Definitions

- (1) A dispute which involves the interpretation or application of any provision of this Resolution.
- (2) A day shall mean any that the District Office is open for business, excluding Saturdays, Sundays and the holidays recognized by the District.
- (3) A dispute may be filed by an individual employee or a group of employees on matters involving the District and the employee/group relationship.
- (4) Time limits begin with the day following the event causing the dispute or the day following receipt of a decision.

23.2 Procedure

Step 1.

Within seven (7) working days of when the employee knew or should have known of the act or omission causing the dispute the employee shall present either in writing or verbally a clear and concise statement of the dispute to the immediate supervisor.

Within five (5) working days thereafter the immediate supervisor shall investigate and respond to the allegations of the employee.

Step 2.

If the employee is not satisfied with the resolution at Step 1, they must reduce the dispute to writing and present it to the Division Manager within ten (10) days.

The written statement shall contain a statement of facts about the nature of the dispute, and shall identify the specific provisions of this Resolution alleged to be violated, applicable times, places and names of those involved, the remedy or relief requested, and shall be signed by the employee.

The Division Manager shall confer with the employee and within ten (10) working days respond to the allegations in writing.

Step 3.

If the employee is not satisfied with the resolution at Step 2, the employee shall within five (5) working days appeal the matter to the District General Manager.

The District General Manager shall investigate the matter, conduct a hearing if he deems it appropriate and within ten (10) days, thereafter, respond to the allegations in writing.

Step 4.

If the dispute remains unresolved after Step 3, the employee may, by written notice to the District Personnel Office within ten (10) working days after the receipt of the response in Step 3, notify the District that the employee wishes to appeal the dispute to advisory arbitration. The parties shall attempt to agree upon an arbitrator. If no agreement is reached, they shall request a list from the State Conciliation Service of nine (9) names.

Each party shall then alternately strike a name until only one (1) name remains, said person to be the arbitrator. The order of striking shall be determined by the flip of a coin.

23.3 Arbitration

The arbitrator shall be empowered to conduct a hearing and to hear and receive evidence presented by the parties. The hearing shall be informal and need not be conducted according to technical rules of evidence. Repetitious evidence may be excluded and oral evidence shall be taken only under oath. The arbitrator shall determine what evidence is relevant and pertinent, as well as any procedural matters limited to the conduct of the proceeding, and may call, recall and examine witnesses as the arbitrator deems proper.

The burden of proof shall be upon the employee in dispute matters and upon the District in disciplinary matters.

After the conclusion of any hearing and the submission of any post hearing evidence or briefs agreed upon by the parties, the arbitrator shall render a written decision which shall be advisory upon the District, and any employee(s) involved in the dispute or disciplinary matter.

The arbitrator shall not be empowered to add to, subtract from, or in any way modify or alter any provision of this Resolution. The arbitrator shall only determine whether a dispute exists in the manner alleged by the employee, and what the proper remedy, if any, shall be, or in the case of a disciplinary matter whether the District's allegations are accurate and the appropriateness of the disciplinary penalty.

23.4 General Provisions

- (1) Unrepresented Classifications who participate in the Dispute Resolution process by filing a complaint or acting as a witness on the behalf of either party shall be free from discrimination by the District.
- (2) An employee has the right to be represented at each stage of the procedure, to cross examine witnesses, and have access to all information regarding the basis of the dispute upon which the District relies in making its determinations. The right to cross examine witnesses applies only at hearings held under this section and not to the Skelly (pre-discipline) process.
- (3) If the District management fails to respond within the specified time limits, the dispute shall, at the request of the employee, automatically be moved to the next step of the procedure. If the employee fails to process or appeal a dispute within the specified time limits, the matter shall be deemed settled. The parties may by mutual agreement waive the steps in the procedure.
- (4) If a hearing is held during the work hours of employee witnesses, such employees shall be released from duties without loss of pay or benefits to appear at the hearing. Witnesses requested by the parties shall be compelled to attend said hearings.
- (5) The Human Resources Department shall act as the central repository for all dispute documentation.
- (6) Time limits contained herein may be extended by mutual agreement of the parties. Absence for bona fide reasons by an employee, any management official involved in responding to the complaint shall automatically extend the time limits by the same number of days of absence.

24. Uniforms

Uniforms are furnished to employees to provide a means of identification for District employees contacting the public and to present the best image possible of the

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District. Where applicable, the District will reimburse employees for the purchase of uniforms. The District shall designate those classifications for which uniforms and/or boots shall be required. Employees furnished uniforms are expected to keep themselves neat and clean and the uniform in good repair.

25. Board of Directors

25.1 Medical Insurance

A member of the Board of Directors is eligible to participate in the District's health plan. A Director becomes eligible to participate in the District's health plan on the first day of the month following the receipt of the Director's application for coverage by the Human Resources Department. An eligible Director may elect coverage with any of the health plans authorized under the PERS Medical Insurance Coverage Program. The District's contribution towards a Director's healthcare cost shall be the same as that for active District employees as set forth in Section 8.1.

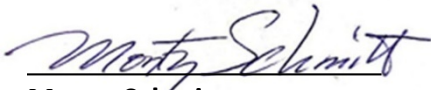
25.2 Dental Insurance

After three (3) months in office, a Director may participate in the District's dental insurance program through the Delta Dental Plan. The District pays the full premium for Directors and their eligible dependents. The maximum yearly benefits shall be two thousand dollars (\$2,000).

Orthodontia coverage for dependent children of the Directors will be covered up to a lifetime maximum of \$3,000 per child.

PASSED AND ADOPTED this day 7th of November, 2023, by the following vote of the Board of Directors.

- AYES:** Directors Ranjiv Khush, Larry Russell, Matt Samson, Jed Smith, and Monty Schmitt
- NOES:** None
- ABSENT:** None


Monty Schmitt
President, Board of Directors

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ATTEST:



Terrie Gillen
Board Secretary

EXHIBIT C

GENERAL RELEASE AND WAIVER OF CLAIMS AGREEMENT

1. Release of Claims. In exchange for the valuable consideration and compromises set forth in this agreement (“Agreement”) and that certain agreement entitled “At-Will Employment Agreement of Shaun Horne as General Manager of the Marin Municipal Water District” (“At-Will Employment Agreement”) Shaun Horne on behalf of himself, his heirs, estate, executor, administrator, successors and assigns, does fully release and forever discharge the Marin Municipal Water District and each of its officers, Board Members, employees, consultants, attorneys, successors and/or assigns, both past and present (collectively the “District”) and both officially and individually from any and all actions, claims, judgments, obligations, damages and liabilities of whatsoever kind and character which Shaun Horne may now have or has ever had arising in any way from or during her employment, including any and all actions up to the Effective Date of this Agreement.

In exchange for the valuable consideration and compromises set forth in this Agreement and the At-Will Employment Agreement, the District on behalf of itself, officers, Board members, employees and assigns, both past and present, does fully release and forever discharge Shaun Horne and each of his heirs, estate, executor, administrator, attorneys, successors and/or assigns, both past and present and both officially and individually from any and all actions, claims, judgments, obligations, damages and liabilities of whatsoever kind and character which the District may now have or has ever had arising in any way from or during Shaun Horne’s employment up to the Effective Date of this Agreement.

The releases by the parties made herein cover all statutory, common law, constitutional and other claims including but not limited to:

- (a) Any and all claims for wages, salary, paid leave, and/or benefits;
- (b) Any grievance or other administrative remedy deriving from District policy;
- (c) Any and all claims for wrongful or constructive discharge and/or reinstatement;
- (d) Any and all claims relating to any contracts, express or implied, or breach of the covenant of good faith and fair dealing, express or implied;
- (e) Any and all tort claims of any nature and including but not limited to claims for defamation, invasion of privacy, misrepresentation, fraud or negligent or intentional infliction of emotional distress;
- (f) any CLAIMS or causes of action arising out of, in connection with or relating to Shaun Horne’s employment including, but not limited to, any claims of employment, race, sex, age or disability discrimination, retaliation and harassment arising under Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. Section 2000, *et seq.*); the Civil Rights Act of 1991, ;the Age Discrimination in Employment Act of 1967 (29 U.S.C. Section 621, *et seq.*); the California Fair Employment and Housing Act (California Government Code Section 12900, *et seq.*); the Federal Americans With Disabilities Act of 1990 (42 U.S.C. Section 12101, *et seq.*); the Federal Occupational Safety and Health Act of 1970 (29 U.S.C. Section 651, *et seq.*); the

California Occupational Safety and Health Act of 1973 (California Labor Code Section 6300, *et seq.*); the Racketeer Influenced and Corrupt Organizations Act ("RICO") (18 U.S.C. Section 1961); qui tam claims under Federal False Claim Act (31 U.S.C. Section 3730); the California Constitution; and any claims arising under the California Labor Code (specially including any claims for workers' compensation benefits or for disputed wages and vacation pay); the federal Fair Labor Standards Act; the Federal Equal Pay Act of 1963 (29 U.S.C. Section 201, *et seq.*); any claim for retirement benefits under the Employee Retirement Income Security Act (Title 29 U.S.C.A. Section 1000, *et seq.*); 42 U.S.C. Section 1981, 42 U.S.C. Section 1983 ; the Older Workers' Benefit Protection Act; or any federal, state or municipal, constitution, statute, ordinance regulation and/or ordinance affecting or relating to the claims and rights of employees;

- (g) Any and all claims for attorneys' fees or costs;
- (h) Any and all claims against Shaun Horne or the District for conduct occurring up to the Effective Date of this Agreement;
- (i) Any and all claims for breach of fiduciary duty or loyalty;
- (j) Any and all claims for malicious prosecution or abuse of process;
- (k) any claims alleged or referred to, directly or indirectly, or in any way connected with, or arising out of, or which may hereafter be claimed to arise out of, the subject matters, facts, events or occurrences alleged or referred to in this Agreement or the At-Will Employment Agreement; and
- (l) any claim (i) sounding in tort, specifically including, but not limited to, any torts related to constructive and/or wrongful discharge in violation of public policy, defamation, invasion of privacy, intentional and negligent interference with contract and/or prospective economic advantage, fraud and any misrepresentation, and intentional and negligent infliction of emotional distress; (ii) any breach of contract of employment or collective bargaining agreement (expressed or implied); and (iii) any covenant of good faith and fair dealing (express or implied).

Shaun Horne agrees that he will not institute, prosecute or pursue any complaints, claims, charges, claims for relief, demands, suits, actions and causes of action, whether in law or in equity, which he asserts or could assert against the District, at common law or under any statute, rule, regulation, order or law, whether federal, state or local on any ground whatsoever, known or unknown, based on conduct occurring up to the Effective Date of this Agreement other than to enforce the terms of the At-Will Employment Agreement and its Exhibits.

The District agrees that it will not institute, prosecute or pursue any complaints, claims, charges, claims for relief, demands, suits, actions and causes of action, whether in law or in equity, which it asserts or could assert against Shaun Horne, at common law or under any statute, rule, regulation, order or law, whether federal, state or local on any ground whatsoever, known or unknown, based on conduct occurring prior to the Effective Date of this Agreement, other than to enforce the terms of the At-Will Employment Agreement and its Exhibits.

Shaun Horne understands that this Agreement shall operate as a complete bar against any and all litigation, charges, complaints, or grievances now pending or contemplated by her or which might at any time be filed, including, but without limiting the foregoing, any and all matters arising out

of or in any manner whatsoever connected with Shaun Horne’s employment by and termination and/or separation of employment from the District through the Effective Date of this Agreement. Each and all of the aforesaid claims are hereby fully and finally settled, comprised and released by Shaun Horne.

Shaun Horne’s Initials: _____

The District understands that this Agreement shall operate as a complete bar against any and all litigation, charges, complaints, or grievances now pending or contemplated by District or which might at any time be filed, including, but without limiting the foregoing, any and all matters arising out of or in any manner whatsoever connected with Shaun Horne’s conduct up to the Effective Date of this Agreement. Each and all of the aforesaid claims are hereby fully and finally settled, comprised and released by the District.

Employer’s (District’s) Initials by authorized signatory: _____

Shaun Horne further agrees that if any such claim is prosecuted in her name, on her behalf or for her benefit before any court or administrative agency, she waives any right to and agrees not to take any award of money or other damages from such action. District further agrees that if any such claim is prosecuted in its name, on its behalf or for its benefit before any court or administrative agency, it waives any right to and agrees not to take any award of money or other damages from such action.

2. Waiver of Rights under Civil Code § 1542. As further consideration and inducement for this Agreement, Shaun Horne and the District hereby waive and release any and all rights under Section 1542 of the California Civil Code which they have or may have with respect to Shaun Horne’s employment with the District, up to the Effective Date of this Agreement.

California Civil Code Section 1542 provides as follows:

A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

Shaun Horne and the District understand that Section 1542 gives them the right not to release existing claims of which they are not now aware, unless the parties voluntarily choose to waive this right. Having been so apprised, the parties nevertheless hereby voluntarily elect to, and do, waive the rights described in Section 1542, and elect to assume all risks for claims that exist in their favor, known or unknown, which arise from the subject of this Agreement and/or the At-Will Employment Agreement.

Shaun Horne’s Initials: _____

Employer’s Initials: _____

3. Older Worker’s Benefit Protection Act. Shaun Horne acknowledges that this Agreement is subject to and includes a waiver and release of any rights she may have under the Age

Discrimination in Employment Act (“ADEA”) and that such waiver and release is knowing and voluntary. Shaun Horne further acknowledges that he has been advised by this writing as required by the Older Worker’s Benefit Protection Act that: (a) his waiver and release of ADEA rights hereunder does not apply to any such rights that may arise after this Agreement is executed or any challenge by Shaun Horne to the validity of his waiver and release of the ADEA rights; (b) he should consult with an attorney prior to executing this Agreement; (c) he has at least twenty-one (21) days within which to consider the waiver and release of all rights under this Agreement, although he may by his own choice execute this Agreement earlier; (d) any changes that may be negotiated during the review period shall not restart the 21-day review period; (e) he has seven (7) days following the execution of this Agreement to revoke his waiver and release of any and all rights under covered by this Agreement, including but not limited to ADEA rights; and (e) the waiver and release of rights including ADEA rights shall not be effective until the date upon which the revocation period has expired, which shall be the eighth (8th) day after the Agreement is executed by Shaun Horne. To be effective the revocation must be in writing and be received by the District, attention General Counsel, within the seven-day period stated herein.

Shaun Horne confirms that, after deliberation and receiving advice of counsel, he has decided to waive the 21-day period to consider the waiver and release provided in the foregoing paragraph 3. Accordingly, the Effective Date of this Agreement is the eighth (8th) day after execution of this Agreement by Shaun Horne.

4. Confidentiality. Shaun Horne and the District hereby each agree to keep the terms and amount of this Agreement completely confidential, and the District will not disclose any information concerning this Agreement to anyone, unless required by law or ordered by a court to disclose the terms of said Agreement. The District’s executed original of this Agreement shall not be placed in Shaun Horne’s personnel file but shall instead be placed in a separate file maintained by the District’s General Counsel’s Office.

5. Attorneys’ Fees and Costs. The parties to this Agreement acknowledge and agree that each is to bear their own costs and attorneys’ fees incurred in connection with the handling of Shaun Horne’s resignation and employment termination. The parties further expressly acknowledge and agree that no party is a “prevailing party” or “successful party” for purposes of any claim for statutory or contractual attorneys’ fees or costs.

- 6.** The parties represent, acknowledge and warrant that:
- (a) They have carefully read this Mutual Release and Waiver of Claims Agreement which contains a general release of claims;
 - (b) They have made such investigation of the facts pertaining to the Agreement as they deem necessary;
 - (c) They understand all of the terms of this Agreement;
 - (d) They execute this Agreement freely, voluntarily and without coercion, with full knowledge of its significance and the legal consequences thereof following opportunity for consultation with their legal counsel;
 - (e) They have had adequate opportunity to review and consider the terms of this Mutual Release and Waiver of Claims Agreement which contains a general release of claims;

- (f) They intend to release each other from any liability for the matters covered by this Agreement; and
- (g) The only promises made to them to sign this Agreement are those stated in this Agreement.

PLEASE READ CAREFULLY. THIS MUTUAL RELEASE AND WAIVER OF CLAIMS AGREEMENT WHICH CONTAINS A GENERAL RELEASE OF CLAIMS INCLUDES A RELEASE OF ALL KNOWN AND UNKNOWN CLAIMS.

SIGNATURES OF PARTIES

Dated: _____, 20__

Dated: _____, 20__

Shaun Horne

President, Board of Directors

FOURTH AMENDMENT TO AT-WILL EMPLOYMENT AGREEMENT OF BENNETT HORENSTEIN
AS GENERAL MANAGER OF THE MARIN MUNICIPAL WATER DISTRICT

This Fourth Amendment ("Amendment") is made by and between Bennett Horenstein as the current General Manager ("General Manager") and the Marin Municipal Water District as employer ("District") to amend the At-Will Employment Agreement of Bennett Horenstein as General Manager of the Marin Municipal Water District made effective as of December 2, 2018 ("Employment Agreement") and as previously amended. This Fourth Amendment shall be effective as of August 19, 2026.

RECITALS

- A. The District and the General Manager entered into the Employment Agreement to set forth the terms and conditions of employment for the General Manager in service of the District.
- B. On April 5, 2022, the District Board of Directors approved a First Amendment to the Employment Agreement to extend the term for three (3) additional years, through December 2, 2026.
- C. On November 7, 2023, the District Board of Directors approved a Second Amendment to the Agreement to revise the terms and conditions of the General Manager's employment.
- D. On January 20, 2026, the District Board of Directors approved a Third Amendment to the Agreement to extend the contract employment date through March 12, 2027, to allow for the General Manager to take accrued leave prior to his planned retirement and to provide for a smooth transition period.
- E. The parties now desire to execute this Fourth Amendment to the Agreement to clarify the status of Bennett Horenstein following the appointment of a new District General Manager.

AGREEMENT

- 1. Effective as of the commencement of a new District General Manager appointed by the Board of Directors pursuant the Board’s approval of a new At-Will Employment Agreement, the current General Manger will thereafter take on an advisory role for the District at the direction of the new District General.
- 2. Except as set forth in Section 1 of this Amendment above, all terms and conditions in the Employment Agreement shall remain unchanged and in full force and effect.

WHEREFORE, the parties have entered into this Fourth Amendment as of the date written above.

MARIN MUNICIPAL WATER DISTRICT

GENERAL MANAGER

By: _____
Jed Smith, Board President

By: _____
Bennett Horenstein



STAFF REPORT

Meeting Type: Board of Directors
Title: FY2026 Water Efficiency Year End Review
From: Paul Sellier, Director of Water Resources
Through: Ben Horenstein, General Manager
Meeting Date: August 18, 2026

PS
BH

TYPE OF ITEM: Action X Information

RECOMMENDATION: Receive staff update on the Water Efficiency Master Plan

SUMMARY: The 2024 Water Efficiency Master Plan (WEMP), adopted on July 16, 2024, provides a strategic roadmap for advancing water conservation and promoting long-term water savings. The plan establishes measurable goals and identifies targeted activities to maximize water savings. By leveraging policy updates, customer education, financial incentives, innovation, and collaboration, the WEMP aims to reduce potable water use and strengthen the District's resiliency and sustainability. At this meeting, staff will present FY2026 accomplishments and outline next steps for continued WEMP implementation in FY2027.

DISCUSSION: After the end of each fiscal year, staff provides an annual report and update on water efficiency activities, estimated water savings, and programmatic highlights. The annual update is intended to track progress on implementation of the Water Efficiency Master Plan and to provide transparency regarding participation levels, outcomes, and lessons learned. Staff will present an overview of program participation and associated estimated water savings for FY2026.

Staff will review FY2026 activities including policy updates, modifications to incentive programs, program evaluations, and ongoing collaborations with regional and community partners. These efforts reflect the District's commitment to implementing the WEMP and supporting customers in reducing water use while maintaining service reliability and sustainability.

ENVIRONMENTAL REVIEW: Not Applicable.

FISCAL IMPACT: None.

ATTACHMENT(S): None.



STAFF REPORT

Meeting Type: Board of Directors
Title: Nicasio Vegetation Management 2026 Project
From: Paul Sellier, Director of Water Resources
Through: Ben Horenstein, General Manager
Meeting Date: August 18, 2026

TYPE OF ITEM: X Action Information

RECOMMENDATION: Approve Nicasio Vegetation Management 2026 Project and authorize the anticipated budget not to exceed \$1,054,760, which includes a 35% (\$273,456) contingency; and Approve the use of the Capital Reserve to increase budget appropriations in the Capital Fund by \$1,054,760 for this project

SUMMARY: Through the Nicasio Vegetation Management 2026 Project (Project), the District is seeking to manage vegetation to help restore flow in Nicasio Creek and Halleck creek upstream of Nicasio reservoir and to improve habitat on the banks of the reservoir.

DISCUSSION: The Project proposes restoration work including vegetation thinning beginning at the edge of Nicasio Reservoir and working upstream along Upper Nicasio Creek to Ranch Road Bridge as well as restoring willows on the shoreline of Nicasio Reservoir near where the creek enters the reservoir. Vegetation removal would involve vegetation thinning along the Upper Nicasio Creek riparian corridor using hand tools along approximately 3,850 linear feet of Upper Nicasio Creek within the approximate 100-year floodplain above the top bank working from the furthest downstream extent at Nicasio Reservoir first and then moving upstream. Large, mature trees and vegetation larger than 4-inches diameter at breast height would be preserved, but lower limbs within the active conveyance area would be removed. The proposed vegetation trimming would be performed by hand and primarily occurring on those branches with a diameter of 4 inches or less.

The Project requires permits from the San Francisco Regional Water Quality Control Board and from California Fish and Wildlife (CDFW). Staff has submitted permit applications and will be prepared to move forward with the work as soon as permits have been issued. It is possible that the CDFW permit may not be issued in sufficient time to proceed with the work and staff understand that there may be a pathway to proceed with the work on an emergency basis to preserve life and property. In 2025 a 7-year storm event resulted in flooding of roads in the vicinity of Nicasio and Halleck Creeks preventing access for vehicles and flooding properties in the area. Given the forecasted strong El Nino conditions it

seems reasonable to anticipate precipitation events of a greater magnitude this coming winter that may warrant additional work under an emergency permit.

ENVIRONMENTAL REVIEW: The Nicasio Reservoir Vegetation Management 2026 Project is exempt under CEQA as an existing facility (Section 15301), minor alteration to the land (Section 15304). A memo outlining the basis for the CEQA exemptions is included as an attachment.

FISCAL IMPACT: Funding for the Nicasio Reservoir Vegetation Management 2026 Project was not included in the 2-year adopted budget for FY 2025/26 – FY 2026-27, however, funding is available in the District’s Capital Reserve for this purpose. The Board’s approval of this project will increase expenditure appropriations in the Capital Fund Reservoir/Dam Facilities fund center (A1A05) by \$1,054,760.

ATTACHMENT(S):

- 1. CEQA Notice of Exemption Memo
- 2. CEQA Memorandum Attachment A - Project Figures
- 3. CEQA Memorandum Attachment B - Environmental Protection Measures
- 4. CEQA Memorandum Attachment C – Biological Resources

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Water Resources	 Paul Sellier Water Resources Director	 Ben Horenstein General Manager



memorandum

date August 12, 2026

to Paul Sellier and Lucy Croy, Marin Municipal Water District

cc Andrew Collison, Jason White, and Justin Whitfield, Environmental Science Associates (ESA)

from Tahsa Sturgis and Jennifer Aranda, ESA

subject Nicasio Reservoir Vegetation Management Project CEQA Exemption Memorandum

Introduction

This memorandum was prepared by Environmental Science Associates (ESA) to support a Categorical Exemption under the California Environmental Quality Act (CEQA) for the Nicasio Reservoir Vegetation Management Project (Project). Marin Municipal Water District (Marin Water), the CEQA lead agency, is proposing to enhance riparian vegetation around the Nicasio Reservoir's perimeter and provide localized flooding relief through limited vegetation thinning along Upper Nicasio Creek prior to the 2026/2027 rainy season. The CEQA Guidelines contain classes and categories of projects that have generally been determined not to have a significant effect on the environment and, as a result, are exempt from review under CEQA. This document has been prepared to support CEQA compliance for the Project; it demonstrates that the Project qualifies for a CEQA categorical exemption for minor alterations to the land (Class 4 exemption), consistent with the provisions of CEQA Guidelines Section 15304 (Minor Alterations to the Land). The Project could also qualify for an existing facility exemption (Class 1 CEQA Guidelines Section 15301), as described below.

Project Location

The Project site where vegetation thinning would occur is located along Upper Nicasio Creek from its confluence to Nicasio Reservoir upstream to Nicasio Creek Road Bridge and Halleck Creek. Nicasio Creek is a tributary to the larger Lagunitas Creek and is part of the Lagunitas Creek watershed in Marin County, California. The unincorporated town of Nicasio is located along Nicasio Valley Road. The surrounding area is primarily agricultural in nature, with ranch residences located along Nicasio Valley Road and livestock grazing being the primary land use. The Nicasio Valley Cheese Company is located across Nicasio Valley Road from the Project site. Nicasio Elementary School is located adjacent to Upper Nicasio Creek. The riparian area along Nicasio Creek within the Project site is densely vegetated primarily with willows (*Salix* spp.) The Project restoration site where riparian plantings would be

installed is located just north of where Upper Nicasio Creek enters Nicasio Reservoir. See Figures 1 and 2 in **Attachment A**.

Project Need, Purpose, and Objectives

The surrounding properties around Upper Nicasio Creek have experienced increasingly common flooding over the last two decades. Along the Project site, Upper Nicasio Creek's conveyance capacity is limited by its channel depth and the surrounding vegetation, which increases channel roughness and slows flows. The approximate 100-year floodplain is located above the top of bank and is densely vegetated. The floodplain overstory is dominated by arroyo willow (*Salix lasiolepis*) and Oregon ash (*Fraxinus latifolia*), with occasional occurrences of bigleaf maple (*Acer macrophyllum*) and California bay laurel (*Umbellularia californica*). The understory is dominated by dense stands of willow and shrub-like willows as well as other native shrubs and herbs, including, but not limited to, California blackberry (*Rubus ursinus*) and poison oak (*Toxicodendron diversilobum*). Hydraulic modeling has shown that water surface elevations in this reach are sensitive to vegetation density (i.e., roughness coefficient).

The Project proposes to manage local flood risk prior to forecasted 2026/2027 El Niño winter conditions, which are expected to increase the intensity of winter storms and potential flooding in the Project area through vegetation maintenance activities. The proposed restoration site at the reservoir would be enhanced by the proposed riparian plantings to create a more continuous riparian habitat area just downstream of the Upper Nicasio Creek.

Project Description

The Project proposes vegetation thinning downstream at the edge of Nicasio Reservoir and working upstream along Upper Nicasio Creek to Ranch Road Bridge (Figure 2 in **Attachment A**), collecting willow poles and stakes, and using the collected cuttings as restoration plantings around the reservoir's perimeter at a location just past where Upper Nicasio Creek enters Nicasio Reservoir (Figure 3 in **Attachment A**). Vegetation removal would involve vegetation thinning using hand tools along approximately 3,850 linear feet of the Upper Nicasio Creek riparian corridor. The proposed vegetation thinning and removal would mostly occur within the approximate 100-year floodplain over an approximate 100-foot-wide area above the right bank of Upper Nicasio Creek from Nicasio Reservoir to approximately just beyond Nicasio Elementary School. From the Nicasio Elementary School up to Ranch Road Bridge, vegetation thinning would occur within the approximate 100-year floodplain on both banks of Upper Nicasio Creek with the work extent width on either side varying. Vegetation removal locations and access roads are depicted in Figure 2 in **Attachment A**.

Large mature trees and vegetation larger than 4 inches diameter at breast height (DBH) would be preserved. Mature trees and vegetation larger than 4 inches DBH would be limbed by hand and would primarily occur on branches with a diameter of 4 inches or less. Dead vegetation would also be removed.

The harvested willow poles and stakes would be preserved in buckets of water during the vegetation thinning to prevent them from drying out prior to installation at the restoration site. The harvested willow poles and stakes would be replanted at the selected restoration site toward the end of September or beginning of October. Planting at this time would provide the greatest likelihood of success for the

willows. In total, up to approximately 1.7 acres of riparian habitat would be restored by the Project around the Nicasio Reservoir's perimeter.

Construction Equipment, Staging, and Schedule

Vegetation thinning and removal of dead vegetation would be completed manually using hand tools, including gas-powered equipment such as chainsaws. Other hand tools potentially used may include hand saws, loppers, machetes, trowels, axes, and shovels. No heavy equipment would be operated as part of the Project. No chemical methods would be used for the Project. All vegetation thinning and removal of dead vegetation would occur above ground surface; no excavation or grading would be required.

Staging and temporary storage of removed vegetation would occur in an undeveloped portion of Nicasio School District's property located approximately 460 feet north of the Nicasio Elementary School buildings (Assessor's Parcel Number 121-050-46; Figure 4 in **Attachment A**).

Work would be conducted by a six-person crew with two trucks, one trailer, and a side-by-side. The banks of Upper Nicasio Creek would be accessed via foot, wheelbarrow, or low ground pressure equipment, such as all-terrain vehicles (ATVs). Removed or limbed vegetation may be transported from the floodplain area to the staging area with wheelbarrows and/or ATVs. Wheelbarrows and/or ATVs may also be used to transport harvested willow cuttings to the restoration planting area. Any ATVs or other light equipment that may be utilized by the contractor would meet the low ground pressure requirement specified in the environmental protection measures. Removed vegetation would be transported to West Marin Compost located at 5576 Nicasio Valley Road for composting.

Vegetation thinning and removal of dead vegetation is estimated to begin in September 2026 after regulatory permits and approvals are issued. Work would continue, as needed, through the end of the 'dry-construction' season, approximately October 31, or into winter 2026, contingent on permitting agency approval.

Proposed Best Management Practices and Avoidance Measures

The Project has been designed to avoid and minimize the likelihood for substantial adverse environmental effects through the implementation of specific best management practices (BMPs), avoidance measures, and regulatory agency permit requirements. For example, the Project is considered an eligible restoration project under the State Water Resources Control Board's Order WQ 2022-0048-DWQ, "Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide," also known as the Statewide Restoration General Order (SRGO). The applicable SRGO protection measures that will be implemented are shown in **Attachment B**. Additionally, BMPs and avoidance measures incorporated into the Project to reduce potential impacts to biological resources, water quality, and aquatic resources include the following:

- **Worker Environmental Awareness Training.** Prior to starting work, all personnel will receive environmental awareness training to inform them of protected resources, rules and legal protections, and avoidance and minimization measures.
- A qualified biologist will conduct a pre-construction survey of the Project site to supplement the biological resources reconnaissance surveys of the Project site that took place on April 13 and July 7,

2026. The survey will consist of walking the creek within the Project site. If special-status plant, fish, and wildlife resources are observed, the qualified biologist will make additional recommendations to be implemented to protect the species from Project disturbance before work begins.

- **Nesting Bird Survey.** To avoid impacts to nesting birds protected under the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 3513, vegetation trimming shall be conducted outside of the typical nesting bird season (February 1 through August 31), to the extent feasible. If vegetation removal and/or trimming activities must occur during the nesting season, a qualified biologist shall conduct a survey for active bird nests within 7 days prior to the commencement [of] Project-related activities.

The survey shall consist of the entire Project site and a minimum 500-foot buffer. If a lapse in Project-related work of 7 days or longer occurs, another survey shall be conducted before Project work can be reinitiated. If an active nest is identified, the qualified biologist shall establish an appropriate no-disturbance buffer based on the species, nest location, existing site conditions, and anticipated disturbance levels. Project activities shall not occur within the buffer until the qualified biologist determines that the nest is no longer active or that Project activities will not result in nest abandonment or reproductive failure.

- **Roosting Bat Survey.** A qualified bat biologist shall conduct a habitat assessment prior to [the] removal or trimming [of] any tree containing cavities, exfoliating bark, large cracks, or other features that could support roosting bats.

The following measures shall be implemented should potential roosting habitat or potentially active bat roosts be identified during the habitat assessment in trees that could be trimmed or removed within the Project area:

- a) In areas identified as potential roosting habitat during the habitat assessment, any tree work (trimming or removal) shall occur when bats are active, approximately between the periods of March 1 to April 15 and August 15 to October 15, to the extent feasible. These dates avoid the bat maternity roosting season and period of winter torpor.[2]
- b) If seasonal avoidance of potential roosting habitat is infeasible, the qualified biologist shall conduct pre-construction surveys of potential bat roost sites identified during the initial habitat assessment no more than 14 days prior to building demolition or relocation, or any tree trimming or removal.
- c) If active bat roosts or evidence of roosting is identified during pre-construction surveys, the qualified biologist shall determine, if possible, the type of roost and species. A no-disturbance buffer shall be established around roost sites until the seasonal windows identified above or the qualified biologist determines they are no longer active. The size of the no-disturbance buffer would be determined by the qualified biologist and would depend on the species present, roost type, existing screening around the roost site (such as dense vegetation or a building), as well as the type of Project activity that would occur around the roost site.
- d) Trees with potential bat roosting habitat or active roosts shall be disturbed only under clear weather conditions when precipitation is not forecast for 3 days and when daytime temperatures are at least 50 degrees Fahrenheit.

- e) Trimming or removal of existing trees with potential bat roosting habitat or active (non-maternity or hibernation) bat roost sites shall follow a two-step removal process (which shall occur during the time of year when bats are active, according to a) above.
- 1) On the first day and under supervision of the qualified biologist, tree branches and limbs not containing cavities or fissures in which bats could roost shall be cut using chainsaws or other handheld equipment.
 - 2) On the following day and under the supervision of the qualified biologist, the remainder of the tree may be trimmed or removed, either using chainsaws or other equipment (e.g., excavator or backhoe).

All felled trees shall remain on the ground for at least 24 hours prior to chipping, off-site removal, or other processing to allow any bats to escape, or be inspected once felled by the qualified biologist to ensure no bats remain within the tree and/or branches.

- **Pre-Construction Survey for Special-Status Reptiles and Amphibians.** Within 24 hours prior to the commencement of vegetation removal and/or trimming, a qualified biologist shall conduct a pre-construction survey of the work area for special-status amphibians and reptiles with the potential to occur, such as California red-legged frog (*Rana draytonii*), foothill yellow-legged frog (*Rana boylei*), California giant salamander (*Dicamptodon ensatus*), and northwestern pond turtle (*Actinemys marmorata*).

If a special-status amphibian or reptile is observed within or immediately adjacent to the work area, Project activities shall be temporarily halted in the vicinity of the observation. Work shall not proceed until the individual, through its own volition, moves out of harm's way as confirmed by the qualified biologist.

- To the maximum extent practicable, no activities will occur during rain events or within 24 hours following a rain event.
- Hazardous materials, such as fuels and solvents, shall be stored in covered containers and protected from rainfall, runoff, vandalism, and accidental release to the environment. All fuels and solvents shall be stored in an area with a containment capacity equal to the volume of the stored materials.
- All maintenance (e.g., refueling) of hand tools will be conducted within double containment systems (i.e., two nested plastic bins) to prevent the release of fuels, lubricants, or solvents.
- All operations shall comply with all federal, state, and local regulations pertaining to water, air, solid waste, and noise pollution.
- Activities with the potential to generate noise (such as the use of chainsaws) shall be scheduled to minimize their duration at any given location, and to the extent feasible, these activities would occur outside of school hours.

CEQA Exemption Discussion

A summary of the applicable Class 1 and Class 4 exemptions under CEQA Guidelines Section 15301 (Existing Facilities) and Section 15304 (Minor Alterations to the Land), respectively, and the general "exceptions to the exemptions" pursuant to Section 15300.2 (Exemptions) are provided below, followed by a discussion of applicability of the categorical exemptions and exceptions to the Project.

CEQA Guidelines Section 15301, Existing Facilities (Class 1)

The Class 1 Categorical Exemption in Section 15301 of the CEQA Guidelines consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of “existing facilities” itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the Project involves negligible or no expansion of use. Examples include but are not limited to:

- Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood (Section 15301[d]);
- Maintenance of existing landscaping, native growth, and water supply reservoirs (Section 15301[h]);
- Maintenance of fish screens, fish ladders, wildlife habitat areas, artificial wildlife waterway devices, streamflows, springs and waterholes, and stream channels (clearing of debris) to protect fish and wildlife resources (Section 15301[i]); and
- Minor repairs and alterations to existing dams and appurtenant structures under the supervision of the California Department of Water Resources (Section 15301[m]).

CEQA Guidelines Section 15304, Minor Alterations to the Land (Class 4)

The Class 4 Categorical Exemption in Section 15304 of the CEQA Guidelines consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:

- New gardening or landscaping, including the replacement of existing conventional landscaping with water efficient or fire-resistant landscaping (Section 15304[b]);
- Minor alterations in land, water, and vegetation on existing officially designated wildlife management areas or fish production facilities which result in improvement of habitat for fish and wildlife resources or greater fish production (Section 15304[d]); and
- Fuel management activities within 30 feet of structures to reduce the volume of flammable vegetation, provided that the activities will not result in the taking of endangered, rare, or threatened plant or animal species or significant erosion and sedimentation of surface waters. This exemption shall apply to fuel management activities within 100 feet of a structure if the public agency having fire protection responsibility for the area has determined that 100 feet of fuel clearance is required due to extra hazardous fire conditions (Section 15304[i]).

CEQA Guidelines Section 15300.2, Categorical Exemption Exceptions

Application of these exemptions, as all categorical exemptions, is limited by the factors described in the CEQA Guidelines Section 15300.2 (Exceptions). Accordingly, a project with significant cumulative impacts or which otherwise has a reasonable possibility of resulting in a significant effect does not qualify for a categorical exemption.

The following are exceptions that would make Categorical Exemptions Class 1 and Class 4 inapplicable to the Project:

- **Location.** Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.
- **Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.
- **Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- **Scenic Highways.** A categorical exemption shall not be used for a project which may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.
- **Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site that is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- **Historical Resources.** A categorical exemption shall not be used for a project that may cause a substantial adverse change in the significance of a historical resource.

Applicability of the Categorical Exemptions to the Project

The Project qualifies for a Class 4 Minor Alterations to the Land categorical exemption, as the vegetation thinning and willow planting activities would be minor and no removal of healthy, mature, or scenic trees is proposed. Large mature trees and vegetation larger than 4 inches DBH would be preserved. Mature trees and vegetation larger than 4 inches DBH would be limbed by hand and would primarily occur on branches with a diameter of 4 inches or less. Vegetation thinning and removal of dead vegetation would only occur along approximately 3,850 linear feet of Upper Nicasio Creek over an approximate 100-foot-wide area (Figure 2 in **Attachment A**), and up to approximately 1.7 acres of riparian habitat would be restored by the Project around the Nicasio Reservoir's perimeter.

The Project could also qualify for a Class 1 Existing Facilities categorical exemption. The Project consists of maintenance of native growth and involves negligible or no expansion of use. Restoration plantings associated with the Project are considered maintenance activities associated with the existing water

supply facility (Nicasio Reservoir). The vegetation maintenance activities would help maintain public safety by managing local flood risk prior to forecasted 2026/2027 El Niño winter conditions.

Applicability of the Categorical Exemption Exceptions to the Project

Of the two exemptions discussed above, the location exception only applies to Class 4 exemptions. However, the Project is not located in a particularly sensitive environment where the location of the Project would create a significant impact on the environment; therefore, this exception does not apply.

The Project would not have a reasonable possibility to have a significant effect on the environment due to unusual circumstances, as discussed further below.

- **Aesthetics.** The Project would not damage scenic resources within a state scenic highway or degrade the existing visual character of the Project area and its surroundings. There are no state scenic highways in the vicinity of the Project site; U.S. Route 101, approximately 5 miles to the west, is an eligible scenic highway (Caltrans 2026a, 2026b). The area and work associated with the proposed vegetation thinning and removal of dead vegetation would be minor and temporary, no heavy equipment would be operated as part of the Project, and large mature trees and vegetation larger than 4 inches DBH would be preserved.
- **Biological Resources.** The Project would enhance approximately 1.7 acres of riparian vegetation around Nicasio Reservoir's perimeter and would manage dense riparian vegetation within the approximate 100-year floodplain. Biological resources reconnaissance surveys of the Project site (excluding the staging area) were conducted by ESA biologists on April 13 and July 7, 2026, and a technical memorandum documenting the results of the surveys was prepared (**Attachment C**). No special-status plant or wildlife species were observed during the surveys. The following six special-status plants have moderate to high potential to occur within the Project site, based on nearby records and suitable habitat in the Project site: western leatherwood (*Dirca occidentalis*), Napa false indigo (*Amorpha californica* var. *napensis*), fragrant fritillary (*Fritillaria liliacea*), congested-headed hayfield tarplant (*Hemizonia congesta* ssp. *congesta*), North Coast semaphore grass (*Pleuropogon hooverianus*), and Sanford's arrowhead (*Sagittaria sanfordii*). The following six special-status wildlife species have moderate or high potential to occur within the Project site, along with breeding and migratory birds: California red-legged frog, foothill yellow-legged frog, California giant salamander, northwestern pond turtle, white-tailed kite (*Elanus leucurus*), and western red bat (*Lasiurus frantzii*). The BMPs and avoidance measures identified above will be implemented as part of the Project to ensure no significant adverse impacts on endangered, rare, or threatened species or their habitat occurs. This includes conducting a pre-construction biological survey of the Project site prior to Project activities, conducting a nesting bird survey, a roosting bat survey, and a pre-construction survey for special-status reptiles and amphibians. **Attachment B** also identifies SRGO protection measures that will be implemented as part of the Project to protect biological resources, including environmental awareness training for construction personnel (GPM-4), conducting environmental monitoring during Project activities to ensure that all applicable protective measures are implemented during Project activities (GPM-5 and GPM-7), prevention of spread of invasive species (GPM-8), avoidance of vegetation disturbance (VHDR-1), implementation of methods for removal of native and invasive vegetation (VHDR-2), and methods for revegetation (VHDR-3, VHDR-4, and VHDR-5).

- **Cultural Resources and Tribal Cultural Resources.** Based on a review of the cultural resources database at the Northwest Information Center of the California Historical Resources Information Center, there are previously documented pre-contact cultural resources in the vicinity of the Project. There would be no ground disturbance associated with the Project; therefore, impacts to cultural resources are not anticipated.
- **Hazards and Hazardous Materials.** The Project is not located on a site with past contamination (DTSC 2026). Nicasio Elementary School is located within 0.25 mile of the Project site; however, no heavy equipment would be operated as part of the Project, and BMPs are incorporated into the Project to reduce the potential for hazardous materials, such as fuels and solvents, to be released into the environment. **Attachment B** also identifies SRGO protection measures that will be implemented as part of the Project to protect the environment, including specifications for equipment maintenance and materials storage (GPM-10, WQHM-1, WQHM-3, WQHM-4, and WQHM-5), fugitive dust reduction (GPM-12), and material disposal (GPM-11, GPM-13, and GPM-14).
- **Hydrology and Water Quality.** The Project is expected to reduce flood risk by thinning and removing vegetation along the densely vegetated bank of Upper Nicasio Creek. No excavation or grading will occur with the Project that could result in substantial erosion or increase the rate or amount of surface runoff. The SRGO protection measures that will be implemented as part of the Project (**Attachment B**; WQHM-1, WQHM-3, WQHM-4, and WQHM-6), and the BMPs incorporated into the Project would protect water quality by minimizing the risk of release of pollutants into the environment.
- **Noise.** The Project may result in a temporary and short-term incremental increase in noise levels during vegetation thinning and removal activities; however, a BMP is incorporated into the Project to minimize the duration of potentially noisy activities (such as the use of chainsaws) at any given location, and conduct noisy activities outside of school hours, to the extent feasible. The Project would not result in a permanent increase in ambient noise levels in the area.
- **Transportation.** The six-person crew with two trucks, one trailer, and a side-by-side would use an undeveloped portion of Nicasio School District's property north of the Nicasio Elementary School for staging and temporary storage. Given the limited scale of Project activities, worker trips entering and exiting the Project site from Nicassio Valley Road at Nicasio Elementary School are not anticipated to disrupt traffic, and the Project would not result in road closures or lane blockages that could reduce the number of travel lanes and require rerouting of traffic. The existing road would be used for all ingress and egress and would continue to provide adequate emergency access to the area.

No impact would occur on the other environmental resource topics covered in CEQA Checklist Appendix G (i.e., agriculture and forestry resources, air quality, energy, geology and soils, greenhouse gas emissions, land use and planning, mineral resources, population and housing, public services, recreation, utilities and service systems, and wildfire).

As discussed above, the Project would not result in a significant impact to the environment. Therefore, it would not contribute to any significant cumulative impacts when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

Summary

For the reasons outlined above, the Project is eligible for a Class 1 categorical exemption, as well as a Class 4 exemption. Given that the Project would occur on both Marin Water and private parcels, a Class 4 categorical exemption is recommended for the Project. The Project consists of minor vegetation thinning and dead vegetation removal activities in a limited area, and removal of healthy, mature, or scenic trees is not proposed. None of the exceptions to the exemption would apply.

References

Caltrans (California Department of Transportation). 2026a. *Officially Designated County Scenic Highways*. <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed April 8, 2026.

Caltrans (California Department of Transportation). 2026b. *List of eligible and officially designated State Scenic Highways*. <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed April 8, 2026.

DTSC (Department of Toxics Substances Control). 2026a. "EnviroStor Database: Nicasio School Addition." [Online database.] https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=21820003. Accessed April 8, 2026.

Attachment A

Project Figures

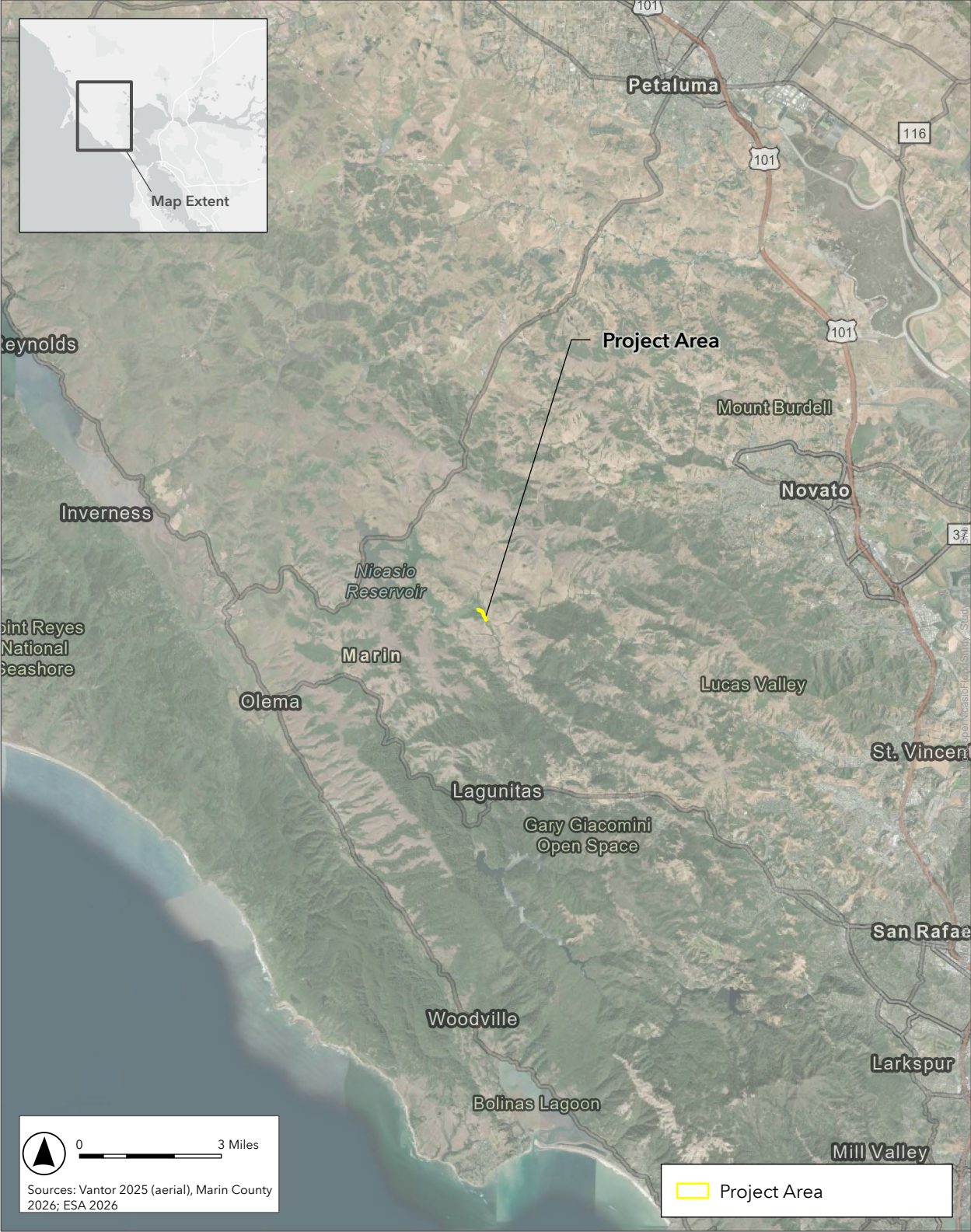


Figure 1
Upper Nicasio Vegetation Maintenance Project
Regional Vicinity



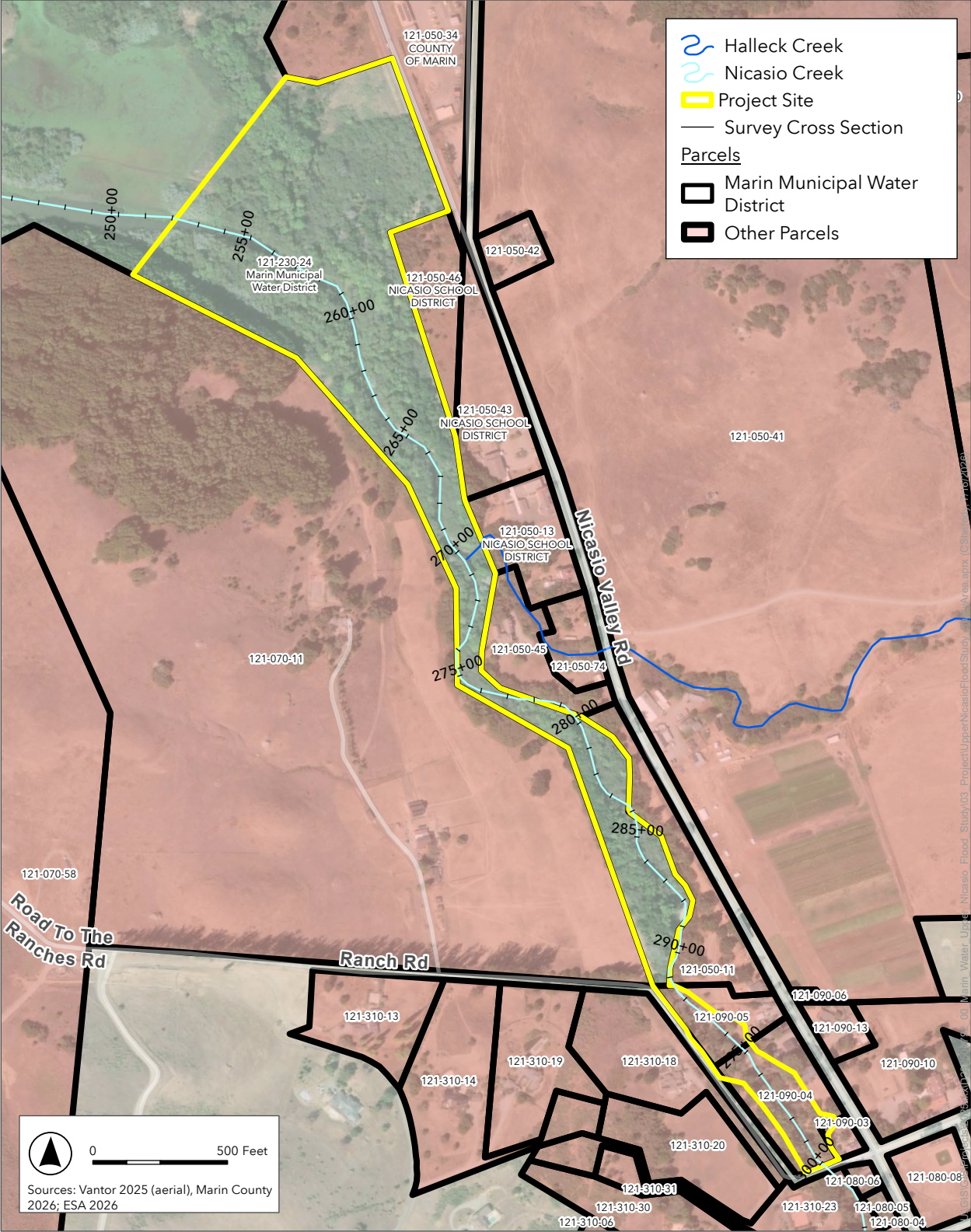


Figure 2
Upper Nicasio Vegetation Maintenance Project
Proposed Work Area



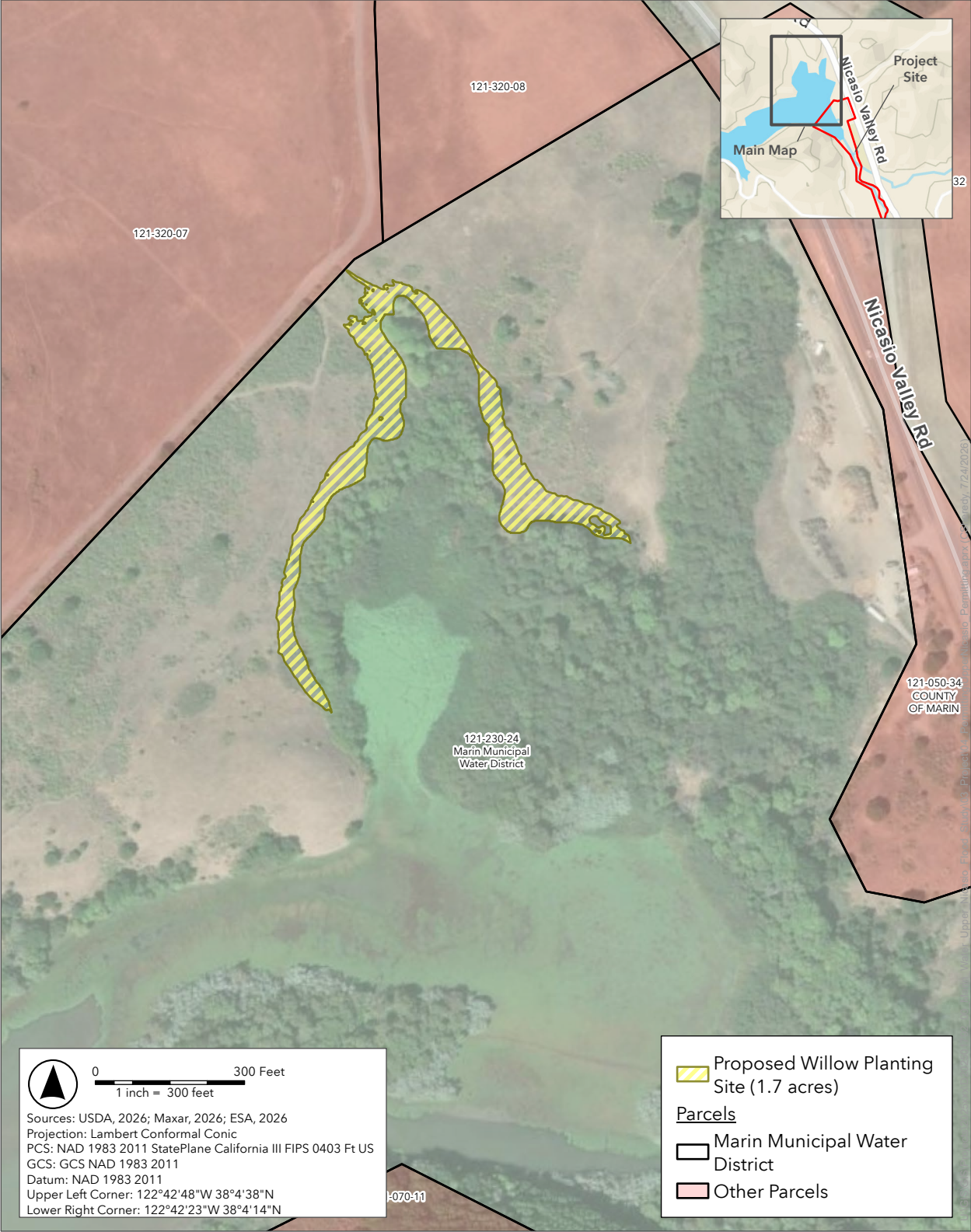


Figure 3
Nicasio Reservoir Vegetation Management Project
Proposed Restoration Planting Site





Figure 4
Upper Nicasio Vegetation Maintenance Project
Proposed Staging Area





Figure 5
Nicasio Reservoir Vegetation Management Project
Project Work Extent and Impacts



Attachment 3

Attachment B

Environmental Protection Measures

TABLE 1
SUMMARY OF THE SRGO PROTECTION MEASURES AND REVISIONS APPLICABLE TO THE PROJECT

SRGO – Protection Measures	SRGO Protection Measure – Revised for Project-specific Implementation	Rationale for Revisions
General Protection Measures (GPM)		
GPM-1: Receipt and Copies of All Permits and Authorizations	Work will not begin until all necessary permits and authorizations have been received (e.g., USACE, USFWS, NMFS, State and Regional Boards, CDFW). The project proponent will ensure that a readily available copy of the applicable agency permits and authorizations (e.g., USFWS Biological Opinion, NMFS Biological Opinion, Section 404 permit, etc.) is maintained by the construction foreman/manager on the project site for the duration of project activities.	--
GPM-2: Construction Work Windows	Construction work windows may be required in order to avoid impacts to aquatic resources and associated beneficial uses during the wet season. Project proponents must also follow the applicable Regional Board's construction work windows, unless otherwise approved.	--
GPM-3: Construction Hours	Construction activities will generally be limited to daylight hours, to the extent feasible. If nighttime construction is necessary, including in tidally influenced waters where tides may limit daylight access and work schedules, all project lighting (e.g., staging areas, equipment storage sites, roadway, and construction footprint) will be selectively placed and directed onto the roadway or construction site and away from aquatic habitats. Light glare shields will be used to reduce the extent of illumination into aquatic habitats. If the work area is near surface waters, the lighting will be shielded so that it does not shine directly into the water.	--
GPM-4: Environmental Awareness Training	For projects occurring in aquatic resources (e.g., wetlands, riparian areas, etc.), prior to engaging existing or new personnel in construction activities, new construction personnel will participate in environmental awareness training conducted by an agency-approved biologist or resource specialist. Construction personnel will be informed regarding the identification, potential presence, legal protections, avoidance and minimization measures, and applicable general protection measures for all aquatic resources with the potential to occur within or immediately adjacent to the project site. Construction personnel will be informed of the procedures to follow should aquatic resources be disturbed during construction activities. For projects where the agency-approved biologist or resource specialist is not regularly on the project site, training may be provided via online/web-based meeting with an interactive portion (e.g., web-based or in-person discussion) to be included during remote training sessions. For projects that may continue over an extended duration and require excessive training events, a training video developed under the supervision of the FWS-approved biologist or resource specialist may be used to train new personnel, as long as an FWS-approved biologist or resource specialist is available via phone to answer questions about the training or that may arise during construction.	Project would not occur over an extended duration and would not necessitate consultation with the U.S. Fish and Wildlife Service (FWS)
GPM-5: Environmental Monitoring	As required in the NOA, a resource specialist will ensure that all applicable protective measures are implemented during project construction. The resource specialist will have authority to stop any work if they determine that any permit requirement is not fully implemented. The resource specialist will prepare and maintain a monitoring log of construction site conditions and observations, which will be kept on file.	--
GPM-6: Work Area and Speed Limits	Construction work and materials staging will be restricted to designated work areas, routes, staging areas, temporary interior roads, or the limits of existing roadways. Prior to initiating construction or grading activities, brightly colored fencing or flagging or other practical means will be erected to demarcate the limits of the project activities, including the boundaries of designated staging areas; ingress and egress corridors; stockpile areas for spoils disposal, soil, and materials; and equipment exclusion zones. Flagging or fencing will be maintained in	--

SRGO – Protection Measures	SRGO Protection Measure – Revised for Project-specific Implementation	Rationale for Revisions
	good repair for the duration of project activities. Vehicles will obey posted speed limits on public roadways and will limit speeds to 20 miles per hour (mph) within the project area on unpaved surfaces and unpaved roads (to reduce dust and soil erosion) or in areas where special-status species have the potential to occur. Speeds greater than 20 mph may be permitted in the project area where special-status species are not expected to occur (e.g., within areas from which special-status species have been excluded) and where there is no risk of generating excessive dust (e.g., surfaces are paved, saturated, or have been treated with other measures to prevent dust).	
GPM-7: Environmentally Sensitive Areas	Monitoring, flagging, or fencing will be used, where appropriate, to minimize disturbance to environmentally sensitive areas (e.g., waters and wetlands). If fencing is used: • Fencing used must be approved by CDFW and/or USFWS for compatibility with species under their jurisdiction, as applicable, that may occur on site. • The agency-approved biologist or resource specialist will determine the location of fencing prior to the start of construction (e.g., between active work area(s) and sensitive resources). • Fencing will remain in place throughout the duration of the construction activities and will be inspected and maintained regularly by the agency-approved biologist or resource specialist until completion of the project. • Repairs to the fencing will be made within 24 hours of discovering any failure. • Fencing will be removed when all construction equipment is removed from the site, the area is cleared of debris and trash, and the area is returned to natural conditions.	--
GPM-8: Prevent Spread of Invasive Species	The spread or introduction of invasive exotic plant species by arriving vehicles, equipment, imported gravel, and other materials, will be avoided to the maximum extent possible. When practicable, invasive exotic plants in the project areas will be removed and properly disposed of in a manner that will not promote their spread. Equipment will be cleaned of any sediment or vegetation at designated wash stations before entering or leaving the project area to avoid spreading pathogens or exotic/invasive species. Isolated infestations of noxious weeds identified in the project area will be treated with approved eradication methods at an appropriate time to prevent further formation of seed and destroy viable plant parts and seed. Wash sites must be in confined areas that limit run-off to any surrounding habitat and on a flat grade. Upland areas will use rice straw or invasive species-free local slash/mulch for erosion control, while the remainder of the project area will use certified, weed-free erosion control materials. Mulch must be certified weed-free. The project proponent will follow the guidelines in the CDFW's California Aquatic Invasive Species Management Plan (CDFW 2008) and Aquatic Invasive Species Disinfection/Decontamination Protocols (CDFW 2016), where relevant. Construction supervisors and managers will be educated on weed identification and the importance of controlling and preventing the spread of noxious weeds. The project proponent will follow any applicable local guidance to prevent the spread of invasive animal species. Construction supervisors and managers will be responsible for implementation of appropriate protocols (e.g., disinfection of equipment and footwear) to prevent the spread of invasive animals.	--
GPM-9: Practices to Prevent Pathogen Contamination	The project proponent will review and implement restoration design considerations and best management practices as published by the Working Group for <i>Phytophthora</i> in Native Habitats (www.calphytos.org), when there is a risk of introduction and spread of plant pathogens in site plantings. (http://www.suddenoakdeath.org/welcome-to-calphytos-org-phytophthora-in-native-habitats/resources/#restoration.)	--

SRGO – Protection Measures	SRGO Protection Measure – Revised for Project-specific Implementation	Rationale for Revisions
GPM-10: Equipment Maintenance and Materials Storage	Vehicle traffic will be confined to existing roads and the proposed access route(s). All machinery must be in good working condition, showing no signs of fuel or oil leaks. Oil, grease, or other fluids will be washed off at designated wash stations prior to equipment entering the construction site. Inspection and evaluation for the potential for fluid leakage will be performed daily during construction. Where possible, and where it would not result in greater impact to aquatic resources, no equipment refueling, or fuel storage will take place within 100 feet of a body of water. All fuel and chemical storage, servicing, and refueling will be done in an upland staging area or other suitable location (e.g., barges) with secondary containment to prevent spills from traveling to surface water or drains. Project proponents will establish staging areas for equipment storage and maintenance, construction materials, fuels, lubricants, solvents, and other possible contaminants in coordination with resource agencies. Staging areas will have a stabilized entrance and exit and will be located in upland areas to the extent possible and at least 100 feet from bodies of water unless site-specific circumstances do not provide such a setback or would result in further damage to sensitive resources, in which case the maximum setback possible will be used. Fluids will be stored in appropriate containers with covers and properly recycled or disposed of offsite. Machinery stored on site will have pans or absorbent mats placed underneath potential leak areas as a precautionary measure to further reduce the potential for impact from an unintended or previously undetectable leak.	--
GPM-11: Material Disposal	All refuse, debris, unused materials, and supplies that cannot reasonably be secured will be removed daily from the project work area and deposited at an appropriate disposal or storage site. All construction debris will be removed from the project work area immediately upon project completion. The Water Quality and Hazardous Materials measures (below), will be implemented as applicable to ensure proper handling and disposal of hazardous materials.	--
GPM-12: Fugitive Dust Reduction	To reduce dust, construction vehicles will be speed restricted as described in GPM-6, <i>Work Area and Speed Limits</i> when traveling on non-paved surfaces. Stockpiled materials susceptible to wind-blown dispersal will be covered with plastic sheeting or other suitable material to prevent movement of the material. During construction, water (e.g., trucks and portable pumps with hoses) or other approved methods will be used to control fugitive dust, as necessary. Dust suppression activities must not result in a discharge to waters of the state unless such discharges are approved by the State or Regional Board.	--
GPM-13: Trash Containment and Removal	During project activities all trash will be properly contained within sealed containers and removed from the work site and disposed of as necessary to maintain a trash-free work area (e.g., trash containers will not be used beyond capacity and fully close/seal).	--
GPM-14: Project Cleanup after Completion	Work pads, temporary falsework, and other construction items will be removed from the 100-year floodplain by the end of the construction window. Removal of materials must not result in discharge to waterbodies.	--
Water Quality and Hazardous Materials (WQHM)		
WQHM-1: Staging Areas and Stockpiling of Materials and Equipment	Staging, storage, and stockpile areas must be outside of waters of the state. To the extent feasible, staging will occur on access roads or other previously disturbed upland areas, such as developed areas, paved areas, parking lots, areas with bare ground or gravel, and areas clear of vegetation, to avoid aquatic habitats and limit disturbance to surrounding habitats. Similarly, all maintenance equipment and materials (e.g., road rock and project spoil) will be restricted to the existing service roads, paved roads, or other determined designated staging areas. See GPM-10 for more details regarding protection measures for materials storage.	--

SRGO – Protection Measures	SRGO Protection Measure – Revised for Project-specific Implementation	Rationale for Revisions
	Staging areas will be established for equipment storage and maintenance, construction materials, fuels, lubricants, solvents, and other possible contaminants in coordination with resource agencies. Staging areas will have a stabilized entrance and exit and will be located at least 100 feet from bodies of water unless site-specific circumstances do not provide such a setback, in such cases the maximum setback possible will be used. If an off-road site is chosen and if special-status species are potentially present, the Biological Monitor will survey the selected site to verify that no aquatic resources would be disturbed by staging activities. Stockpiling of materials, portable equipment, vehicles and supplies (e.g., chemicals), will be restricted to the designated construction staging areas. If rain is predicted in the forecast during the dry season, and stockpiled soils will remain exposed and unworked for more than 7 days, then erosion and sediment control measures must be used. If there is a high-wind scenario (to be defined by the approving Water Board as appropriate for an individual project site), then soils will be covered at all times. During the wet season, no stockpiled soils will remain exposed, unless properly installed and maintained erosion and sediment controls are in place on and around the stockpile. Temporary stockpiling of material onsite will be minimized. Stockpiled material will be placed in upland areas far enough away from aquatic habitats that these materials cannot discharge to a water of the state.	
WQHM-3: Erosion and Sediment Control Measures	For projects that do not require coverage under a NPDES permit per GPM WQHM-2, the project proponent will develop and implement erosion and sediment control measures (or plan), which will include appropriate BMPs to reduce the potential release of water quality pollutants to receiving waters. BMPs may include the following measures: •Employ tackifiers, soil binders, or mulch as appropriate for erosion control. •Install sediment control measures, such as straw bales, silt fences, fiber rolls, or equally effective measures, at repair areas adjacent to stream channels, drainage canals, and wetlands, as needed. Sediment control measures will be monitored during and after each storm event for effectiveness. Modifications, repairs, and improvements to sediment control measures will be made as needed to protect water quality. •No sediment control products will be used that include synthetic or plastic monofilament or cross-joints in the netting that are bound/stitched (such as straw wattles, fiber rolls, or erosion control blankets), and which could trap snakes, amphibians, and other wildlife.	--
WQHM-4: Hazardous Materials Management and Spill Response Plan	As part of the SWPPP or Erosion Control Plan (WQHM-2 and WQHM-3), project proponent will prepare and implement a hazardous materials management and spill response plan. Project proponent will ensure that any hazardous materials are stored at the staging area(s) with an impermeable membrane between the ground and hazardous material and that the staging area is designed to prevent the discharge of pollutants to groundwater and runoff water. Project proponent will stop work, follow the spill response plan, and arrange for repair and clean up by qualified individuals of any fuel or hazardous waste leaks or spills. (See WQHM-6. <i>Accidental Discharge of Hazardous Materials</i> for accidental discharges of a reportable quantity of a hazardous material, sewage, or an unknown material.) Project proponent will notify regulatory agencies within 24 hours of any leaks or spills. Project proponent will properly contain and dispose of any unused or leftover hazardous products off-site. Project proponent will use and store hazardous materials, such as vehicle fuels and lubricants, in designated staging areas located away from stream channels and wetlands, according to local, state, and federal regulations, as applicable. Also see GPM-10: <i>Equipment Maintenance and Materials Storage</i> for more detail on spill prevention.	--

SRGO – Protection Measures	SRGO Protection Measure – Revised for Project-specific Implementation	Rationale for Revisions
WQHM-6: Accidental Discharge of Hazardous Materials	Following an accidental discharge of a reportable quantity of a hazardous material, sewage, or an unknown material, the following applies (Wat. Code, § 13271): As soon as (A) discharger has knowledge of the discharge or noncompliance, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures then: • first call – 911 (to notify local response agency) • then call – Office of Emergency Services (OES) State Warning Center at: (800) 852-7550 or (916) 845-8911 • Lastly, follow the required OES procedures as set forth in: http://www.caloes.ca.gov/FireRescueSite/Documents/CalOESSpill_Booklet_Feb2014_FINAL_BW_Acc.pdf • Following notification to OES, the discharger will notify the State or Regional Board (and other agencies requiring notification in their respective permits), as soon as practicable (ideally within 24 hours). Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.	--
Vegetation/Habitat Disturbance and Revegetation (VHDR)		
VHDR-1: Avoidance of Vegetation Disturbance	The project proponent will minimize, to the greatest extent feasible, the amount of soil, terrestrial vegetation, and emergent native vegetation, and submerged vegetation (e.g., eelgrass and kelp in marine areas, or submerged aquatic vegetation in brackish and freshwater areas) disturbed during project construction and completion and using methods creating the least disturbance to vegetation. Disturbance to existing grades and native vegetation, the number of access routes, the size of staging areas, and the total area disturbed by the project will be limited to the extent of all temporary and permanent impacts as defined by the final project design. All roads, staging areas, and other facilities will be placed to avoid and limit disturbance to waters of the state and other aquatic habitats (e.g., streambank or stream channel, riparian habitat) as much as possible. When possible, existing ingress or egress points will be used and/or work will be performed from the top of the creek banks or from barges on the waterside of the stream or levee bank, or dry gravel beds. Existing native vegetation will be retained as practicable, emphasizing the retention of shade-producing and bank stabilizing trees and brush with greater than 4-inch-diameter diameter at breast height (DBH) 6-inch-diameter branches or trunks. Where possible, vegetation disturbance and soil compaction will be minimized by using low ground-pressure (typically less than 13 to 20 pounds psi) equipment that exerts less pressure per square inch on the ground than other equipment. To minimize impacts to vegetation, select equipment with a greater reach.	The revisions are necessary for consistency with the proposed Project; impact threshold is stricter with the Project's revisions than the standard SRGO measure.
VHDR-2: Native and Invasive Vegetation Removal Materials and Methods	If riparian vegetation is to be removed with chainsaws or other power equipment, machines that operate with vegetable-based bar oil will be used, as practicable. All invasive plant species (e.g., those rated as invasive by the California Invasive Plant Council or local problem species) will, if feasible, be removed from the project site, using locally and routinely accepted agriculture practices. Invasive plant material will be destroyed using approved protocols and disposed of at an appropriate upland disposal or compost area. Invasive plant materials stockpiled at sites known to experience flash flooding outside the flood season will be removed within 15 days of the initial creation of the stockpile in order to contain the potential spread of invasive plant material. Stockpiling of invasive plant materials is prohibited during the flood season.	--

SRGO – Protection Measures	SRGO Protection Measure – Revised for Project-specific Implementation	Rationale for Revisions
VHDR-3: Revegetation Materials and Methods	Upon completion of work, site contours will be returned to preconstruction conditions or to contours specified in a Water Board-approved project design that provides enhanced biological and hydrological functions. Where disturbed, topsoil will be conserved (and watered at an appropriate frequency) for reuse during restoration to the extent practicable. Native plant species comprising a diverse community structure (plantings of both woody and herbaceous species, if both are present) that follow an agency-approved plant palette will be used for revegetation of disturbed and compacted areas, as appropriate applicable. See also GPM-15: Revegetate Disturbed Areas, which also allows for revegetation through natural recruitment (e.g., in tidal and managed wetlands and working landscapes where disturbed areas typically revegetate more quickly through natural recruitment than through seeding). Any area barren of vegetation as a result of project implementation will be restored to a natural state by mulching, seeding, planting, or other means with native trees, shrubs, willow stakes, erosion control native seed mixes, or herbaceous plant species following completion of project construction, as applicable. Irrigation may also be required in order to ensure survival of containerized shrubs or trees or other vegetation, depending on rainfall. Soils that have been compacted by heavy equipment will be decompacted, as necessary, to allow for revegetation at project completion as heavy equipment exits the construction area.	The revisions are necessary for consistency with the proposed Project; Heavy equipment will not be used. The Project proposed vegetation thinning but will not involve grading, excavation, or sediment removal.
VHDR-4: Revegetation Erosion Control Materials and Methods	If erosion control fabrics are used in revegetated areas, they will be slit in appropriate locations as necessary to allow for plant root growth. Only non-monofilament, wildlife-safe fabrics will be used. All plastic exclusion netting placed around plantings will be removed after 2 years or sooner if practicable.	--
VHDR-5: Revegetation Monitoring and Reporting	All revegetated areas will be maintained and monitored for a minimum of 2 years after replanting is complete and until success criteria are met, to ensure the revegetation effort is successful. The standard for success is at least 60% absolute cover compared to pre-project conditions at the project site or at least 60% cover compared to an intact, local reference site (or an available reference site accepted by the approving Water Board). If an appropriate reference site or pre-project conditions cannot be identified, success criteria will be developed for review and approval by the approving Water Board on a project-by-project basis based on the specific habitat impacted and known recovery times for that habitat and geography. The project proponent will prepare a summary report of the monitoring results and recommendations at the conclusion of each monitoring year.	The revisions are necessary for consistency with the proposed Project and site specific conditions; A Monitoring Plan will be reviewed and approved by the SF Bay Regional Water Quality Control Board and will include both performance criteria and final success criteria for the proposed 5-year monitoring at restoration site where riparian plantings are installed.

Attachment C

Biological Resources Memorandum



memorandum

date July 30, 2026

to Paul Sellier and Lucy Croy, Marin Water

cc Tahsa Sturgis, Andy Collison, Jason White, and Justin Whitfield, Environmental Science Associates (ESA)

from Elizabeth Hill, ESA

subject Nicasio Reservoir Vegetation Management Project Biological Resources Technical Memorandum

Introduction

The Nicasio Reservoir Vegetation Management Project (Project) is located along Nicasio Creek, upstream of Nicasio Reservoir and downstream of Lafranchi Lane, near the town of Nicasio in unincorporated western Marin County, California (**Figure 1**). With input from Marin Water, Environmental Science Associates (ESA) completed reconnaissance surveys of the study area, which is defined to include areas on both the left and right banks of Upper Nicasio Creek from Nicasio Reservoir (Reservoir) to Lafranchi Lane.

Methods

Review of Background Information

Before performing a biological resources reconnaissance surveys, ESA conducted a desktop review of publicly available and subscription-based biological resources occurrence data, in addition to reports provided by Marin Water. Data sources that assisted in this analysis include:

- The California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB) list of plant and wildlife species documented within the following five U.S. Geological Survey 7.5-minute topographic quadrangles of the study area: San Geronimo, Inverness, Petaluma, Novato, and Bolinas (CDFW 2026).
- The California Native Plant Society (CNPS) online database of plant species documented on the San Geronimo, Inverness, Petaluma, Novato, and Bolinas quadrangles (CNPS 2026).
- U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) for the study area (USFWS 2026).
- Technical documents provided by Marin Water, including Marin Open Space District's *San Anselmo Creek Foothill Yellow-Legged Frog Survey Results* (Kleinfelder 2025) and the *Northern Spotted Owl*

Monitoring on Marin County Parks and Marin Water Lands, 2025 Report (Point Blue Conservation Science 2025).

- Online biological resources databases, including Marin Fine Scale Vegetation Map (One Tam and Golden Gate National Parks Conservancy 2021), iNaturalist (2026), and eBird (2026).
- Historic and current aerial imagery (Google Earth 2026).

The CDFW, CNPS, and USFWS species lists are provided in **Attachment A**.

Biological Resources Reconnaissance Survey

ESA biologists Liz Hill and Nicole Ibañez conducted a biological resources reconnaissance-level survey and aquatic resources assessment of the study area on April 13 and July 7, 2026. The results of the aquatic resources assessment are provided in a separate memorandum.

The biological resources reconnaissance survey consisted of a pedestrian survey through accessible portions of Nicasio Creek, including within the channel and along the banks, within the study area to identify and map vegetation communities, identify habitats that could support sensitive biological resources, and map aquatic resources. In some portions of the study area, aerial imagery was referenced to map vegetation communities in those portions of the study area that were not readily accessible on Marin Water property.

The findings of the biological resources reconnaissance, literature review, and database queries were used to compile the list of special-status species that may occur in the study area, to define areas of vegetative communities and habitat types present, and to characterize the study area, described below. This biological resources characterization occurred before identification of staging areas for the proposed Project.

Environmental Setting

The study area is in the Northern California Coast ecological region and Marin Hills and Valleys ecological subsection (Miles and Goudey 1997). The Upper Nicasio Creek watershed drains into Nicasio Reservoir (capacity of 22,340 acre-feet). Seeger Dam, located on Nicasio Creek about 1 mile upstream of the confluence with Lagunitas Creek, is an earth-fill dam built in 1960 that impounds Nicasio Reservoir. The reservoir's current spillway crest elevation is 165 feet National Geodetic Vertical Datum of 1929, which corresponds to an inundated area of approximately 797 acres. Nicasio Reservoir and Seeger Dam (dam) are downstream of the study area.

The Northern California coast encompasses diverse topography, including mountains, hills, valleys, and plains in the Northern California Coast Ranges and portions of the Klamath Mountains. The Marin Hills and Valleys subsection includes mountains and hills between San Francisco Bay and the San Andreas Fault that are north of the Golden Gate. Elevation ranges from sea level up to 2,579 feet on Mt. Tamalpais. The region is sufficiently close to the Pacific Ocean for the climate to be moderated greatly by marine influence. Summers are characterized by fog, cool temperatures, and higher humidity than exhibited inland. Mean annual temperatures range from a high of 71.0 degrees to a low of 48.0 degrees Fahrenheit, and annual mean precipitation is 42.33 inches.



Figure 1
Nicasio Reservoir Vegetation Management Project
Study Area

 Nicasio Creek
 Halleck Creek
 Study Area

Parcels
 Marin Municipal Water District
 Other Parcels



Intentionally Blank

The study area is located within the greater Tomales–Drakes Bay watershed. The Tomales–Drakes Bay watershed collects water from the western slopes of the North Coast Ranges in the western half of Marin County and a portion of Sonoma County and drains to Tomales Bay. The study area is in the Olema–Lagunitas Creek watershed within the greater Tomales–Drakes Bay watershed. The main channel in the study area, Nicasio Creek, flows into Nicasio Reservoir. From Nicasio Reservoir, water is released below the dam and approximately 1.20 miles downstream flows into Lagunitas Creek, which continues to flow west draining into Tomales Bay and eventually to the Pacific Ocean.

The study area consists of Nicasio Creek upstream of Nicasio Reservoir and downstream of Lafranchi Lane and lands surrounding the creek, and includes private ranchlands, Nicasio Unified School District property, and Marin Water–managed lands at elevations that range from 168 to 188 feet. The approximately 14.8-acre study area includes access routes for workers and small equipment. Areas upstream and downstream of the study area are not assessed in this report.

Natural Communities and Wildlife Habitats

Natural communities are assemblages of plants found in particular environments that vary based on soils, hydrology, rainfall, humidity, soil and water salinities, wind exposure, and altitude. Natural communities generally correspond to wildlife habitats that are occupied by an associated suite of animal species. The vegetation communities presented here are largely consistent with the CDFW Natural Communities, which comply with the National Vegetation Classification Standard.

The study area supports the following general vegetation and wildlife habitat types: willow forested wetland, willow riparian woodland, coast live oak/bay laurel woodland, waters (intermittent and ephemeral streams) that are mainly unvegetated, non-native annual grasslands, and ruderal/developed (**Figure 2**). Representative photographs of natural communities in the study area are included in **Attachment B**.

CDFW’s Natural Heritage Division identifies sensitive natural communities (CDFW 2025), which are those that are naturally rare and whose extent has been greatly diminished through changes in land use and have a state rarity rank of 1, 2, or 3.¹ One sensitive natural community occurs in the study area, characterized as coast live oak (*Quercus agrifolia*) and California bay laurel (*Umbellularia californica*) woodland in the vegetation community description below, and classified as the *Umbellularia californica*–*Quercus agrifolia*/*Toxicodendron diversilobum* association² (California Government Code Section 74.100.22) within the California bay forest and woodland alliance.³

¹ Natural communities with state rarity ranks of 1–3 are considered sensitive natural communities. See <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities#sensitive> for additional information.

² Association is a vegetation classification unit defined by a diagnostic species, a characteristic range of species composition, physiognomy, and distinctive habitat conditions (Jennings et al. 2006). Associations reflect local topo-edaphic climates, substrates, hydrology, and disturbance regimes.

³ Alliance is a classification unit of vegetation, containing one or more associations and defined by one or more diagnostic species, often of high cover, in the uppermost layer or the layer with the highest canopy cover. Alliances reflect physiognomy as well as regional to subregional climates, substrates, hydrology, and disturbance regimes (Jennings et al. 2006; FGDC 2008).

Willow Forested Wetland

Willow forested wetland occurs along the left and right streambanks of Upper Nicasio Creek (Attachment B, **Photos 1, 2, 3, 4, and 5**). This community is dominated by a relatively dense overstory of arroyo willow (*Salix lasiolepis*) and Oregon ash (*Fraxinus latifolia*), with occasional occurrences of bigleaf maple (*Acer macrophyllum*) and California bay laurel. The understory of the willow forest is dominated by native shrubs and herbs such as California blackberry (*Rubus ursinus*), poison oak (*Toxicodendron diversilobum*), iris-leaved rush (*Juncus xiphioides*), starry false lily of the valley (*Maianthemum stellatum*), gooseberry (*Ribes* sp.), and snowberry (*Symphoricarpos albus*). In the northeastern portion of the study area, a small patch of slough sedge (*Carex obnupta*) is present beyond the willow canopy.

Willow Riparian Woodland

Willow riparian woodland occurs intermittently along the left and right streambanks of Upper Nicasio Creek (Attachment B, **Photo 6**). This community is dominated by limited to dense stands of arroyo willow overstory with intermittent occurrences of other tree species, including Oregon ash and conifers. The understory includes shrub-like willows, in addition to California blackberry, poison oak, cow parsnip (*Heracleum maximum*), and non-native grass, in addition to leaf litter. Although this community is located within the greater 100-year floodplain, it lacks an understory dominated by hydrophytic plants, hydric soils, and hydrological indicators.

Coast Live Oak and California Bay Woodland

Coast live oak and California bay woodland occur in portions of the study area that are upland from the willow riparian wetland (Attachment B, **Photos 7, 8, and 9**). The community is dominated by mature coast live oak and bay laurel trees and scattered occurrences of valley oak (*Quercus lobata*) interspersed with an understory of ferns, blackberry, poison oak, French broom (*Genista monspessulana*), and other herbaceous species and vines. The coast live oak and California bay woodland community would be best characterized as a California bay forest and woodland, which is considered a state Rank 3⁴ sensitive natural community (CDFW 2025).

Waters

The following intermittent and ephemeral streams are present in the study area:

- Nicasio Creek, an approximately 20- to 30-foot-wide intermittent stream, bisects the study area generally in the north–south direction (Attachment B, **Photo 10**) and is bordered by stands of arroyo willows. The substrate of the stream reach within the study area largely consists of sand/silt downstream of its confluence with Halleck Creek, while the majority of the creek substrate upstream of Halleck consists of gravel and cobble along a very slight gradient.

⁴ Sensitive Rank 3 denotes a vulnerable natural community or plant alliance and has a moderate risk of disappearing due to restricted range, few occurrences, or ongoing threats.

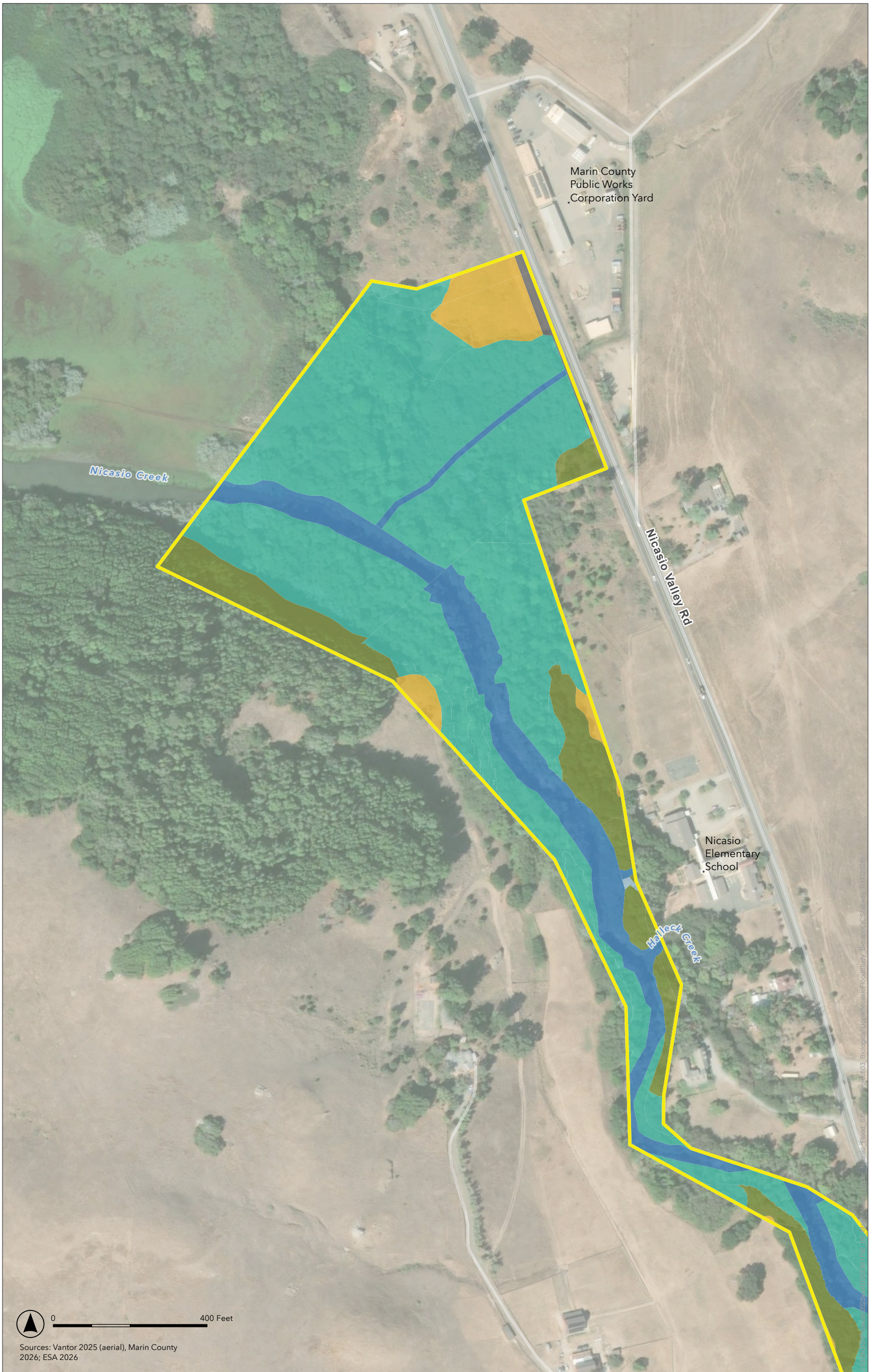


Figure 2
Nicasio Reservoir Vegetation Management Project
Vegetation Communities and Habitat Types

Note: The Study Area encompasses the direct physical footprint of a proposed project alongside a surrounding buffer zone to evaluate indirect environmental effects on local habitats and wildlife.

 Study Area

Land Cover Classification

Non-Native Annual Grasslands

Coast Live Oak/California Bay Woodland

Ruderal/Developed

Ephemeral Channel

Intermittent Channel

Willow Forested Wetland



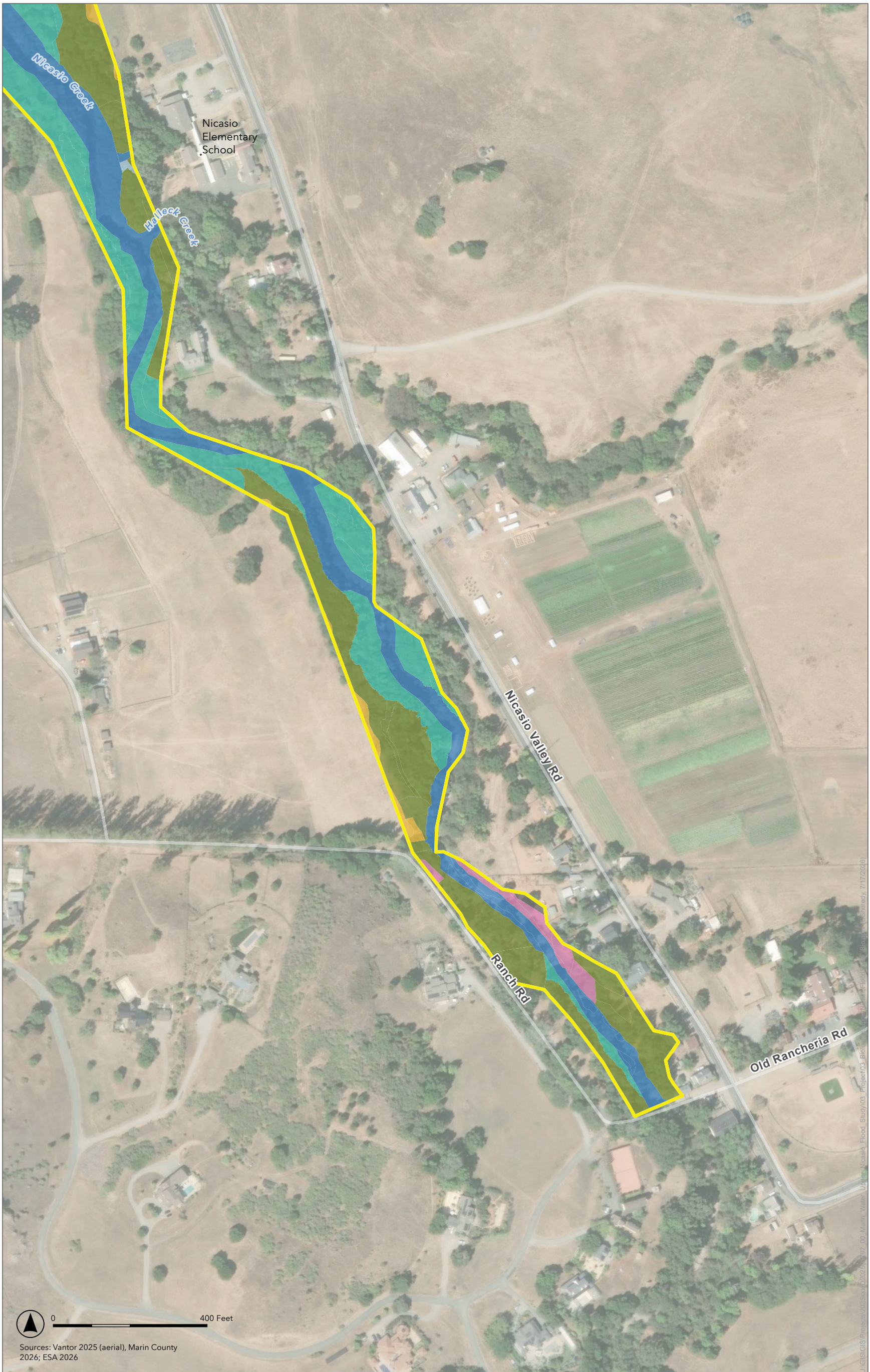


Figure 2
Upper Nicasio Vegetation Maintenance Project
Vegetation Communities and Habitat Types

Note: The Study Area encompasses the direct physical footprint of a proposed project alongside a surrounding buffer zone to evaluate indirect environmental effects on local habitats and wildlife.

 Study Area

Land Cover Classification

Non-Native Annual Grasslands

Coast Live Oak/California Bay Woodland

Ruderal/Developed

Ephemeral Channel

Intermittent Channel

Willow Forested Wetland

Willow Riparian Woodland



- Halleck Creek (Attachment B, **Photo 11**) is an approximately 25-foot-wide intermittent tributary to Nicasio Creek and occurs on the east side of the study area. Substrates in Halleck Creek consist primarily of small gravel (less than 4 inches in size) in the study area. There is an approximately 20-linear-foot sand beach near the confluence with Nicasio Creek. Halleck Creek is surrounded by stands of willow forested wetland vegetation, as described above. The portion of Halleck Creek within the study area is limited to 70 feet upstream from its confluence with Nicasio Creek.
- Two unnamed intermittent streams are present in the study area. One unnamed approximately 4-foot-wide intermittent stream flows from the eastern hillsides through the Nicasio Unified School District property and into Nicasio Creek (Attachment B, **Photo 12**). Another unnamed intermittent stream is present in the northeastern portion of the study area that flows into Nicasio Creek.⁵ This stream is surrounded by willow forested wetland and drains uplands runoff from outside of the study area through a culvert under Nicasio Valley Road.
- Less than 50 feet south of the unnamed intermittent stream at the Nicasio Unified School District property, two ephemeral streams are present. Ephemeral streams carry water only during precipitation events. The ephemeral streams vary in width from 2 to 3 feet wide and contain substrates of mud, gravel, and cobble. These streams were dry at the time of the spring 2026 habitat assessment.

Non-Native Annual Grasslands

Annual grassland is found in several locations on the northern, eastern and western banks of the reservoir (Attachment B, **Photo 13**). The annual grasslands are dominated by non-native grasses with mixed native and non-native forbs. Common grass species observed in this community included wild oat (*Avena barbata*), soft chess brome (*Bromus hordeaceus*), and ripgut brome (*Bromus diandrus*). Common non-native forbs observed include summer mustard (*Hirschfeldia incana*) and Italian thistle (*Carduus pycnocephalus*). Native forbs that occur in the annual grassland included arroyo lupine (*Lupinus succulentus*), farewell-to-spring (*Clarkia* sp.) and grassy tarweed (*Madia gracilis*).

Ruderal/Developed

Ruderal vegetation is typified by plants that are often the first to colonize a disturbed area, arising spontaneously and spreading widely without human intervention (i.e., control). In California, ruderal vegetation is often composed of an assemblage of non-native grasses and forbs (Sawyer et al., 2009; Holland, 1986). Ruderal habitat is located on private parcels and appears to be seasonally mowed (Attachment B, **Photo 14**). These areas are mostly within fenced pastures accessible to livestock bordered by residential and agricultural structures and are dominated by mowed non-native annual grasses and upland forbs such as mustard (*Brassica* sp.), sweet fennel (*Foeniculum vulgare*), and scarlet pimpernel (*Lysimachia arvensis*).

Developed areas such as livestock infrastructure and residential structures generally lack habitat for wildlife; however, buildings and culverts may be used by bat species for day or night roosts and by birds for nesting.

⁵ Channel was documented through aerial imagery and available online databases.

Special-Status Species with Potential to Occur in the Study Area

A list of species with documented occurrences from the vicinity of the study area was compiled from the CNDDDB (CDFW 2026), CNPS Inventory of Rare and Endangered Plants (CNPS 2026), and USFWS IPaC (USFWS 2026). Attachment B contains the USFWS Official Species List for the study area, as well as the CNPS and CNDDDB lists, which provides the basis for species considered and evaluated as part of this habitat assessment.

Table C-1 and Table C-2 in **Attachment C** provide an evaluation of the special-status species identified and summarize their listing/protected status and preferred habitats; provides an evaluation of their potential to occur in the study area; and summarizes any documented occurrences. **Figure 3a** displays the CNDDDB occurrences of special-status species in the vicinity of the study area, while **Figure 3b** displays the results of recent surveys for foothill yellow-legged frog (FYLF) (*Rana boylei* population 1) performed on behalf of Marin County Open Space District (Kleinfelder 2025).

The potential for the study area to support special-status plant or wildlife species was assessed using database results, previous biological reports for the regional vicinity, and the findings of the habitat assessment surveys. Low (unlikely), moderate, or high potential for species occurrence in the study area was determined based on special-status species' documented occurrences, known geographical and elevation ranges, and current habitat conditions. Only species with a moderate or high potential for occurrence are discussed further in this assessment. Special-status species that require specialized habitat not found within the study area but in the larger regional vicinity, such as coastal dunes, coastal scrubland, salt marsh, vernal pools, chaparral or serpentine soils, and foothill and valley grasslands, were eliminated from further discussion because those habitat types are not present in the study area.

Special-Status Plant Species

No special-status plants were observed during the 2026 biological reconnaissance surveys. The following special-status plants have moderate to high potential to occur within the study area, based on nearby records and suitable habitat in the study area. California Rare Plant Ranks (CRPRs) 1 and 2 are formally considered for California Environmental Quality Act (CEQA) review as they meet the “endangered, rare, or threatened” criteria under CEQA Guidelines Section 15380.⁶

⁶ Non-listed CRPR Ranks 3 and 4 species are sometimes considered if the population has local significance in the area and would be affected by the project. For the purposes of this document, CRPR Rank 3 and Rank 4 plants are omitted from further evaluation, as they were not considered to meet criteria to be considered threatened or endangered under state (Native Plant Protection Act [NPPA]) or federal law.

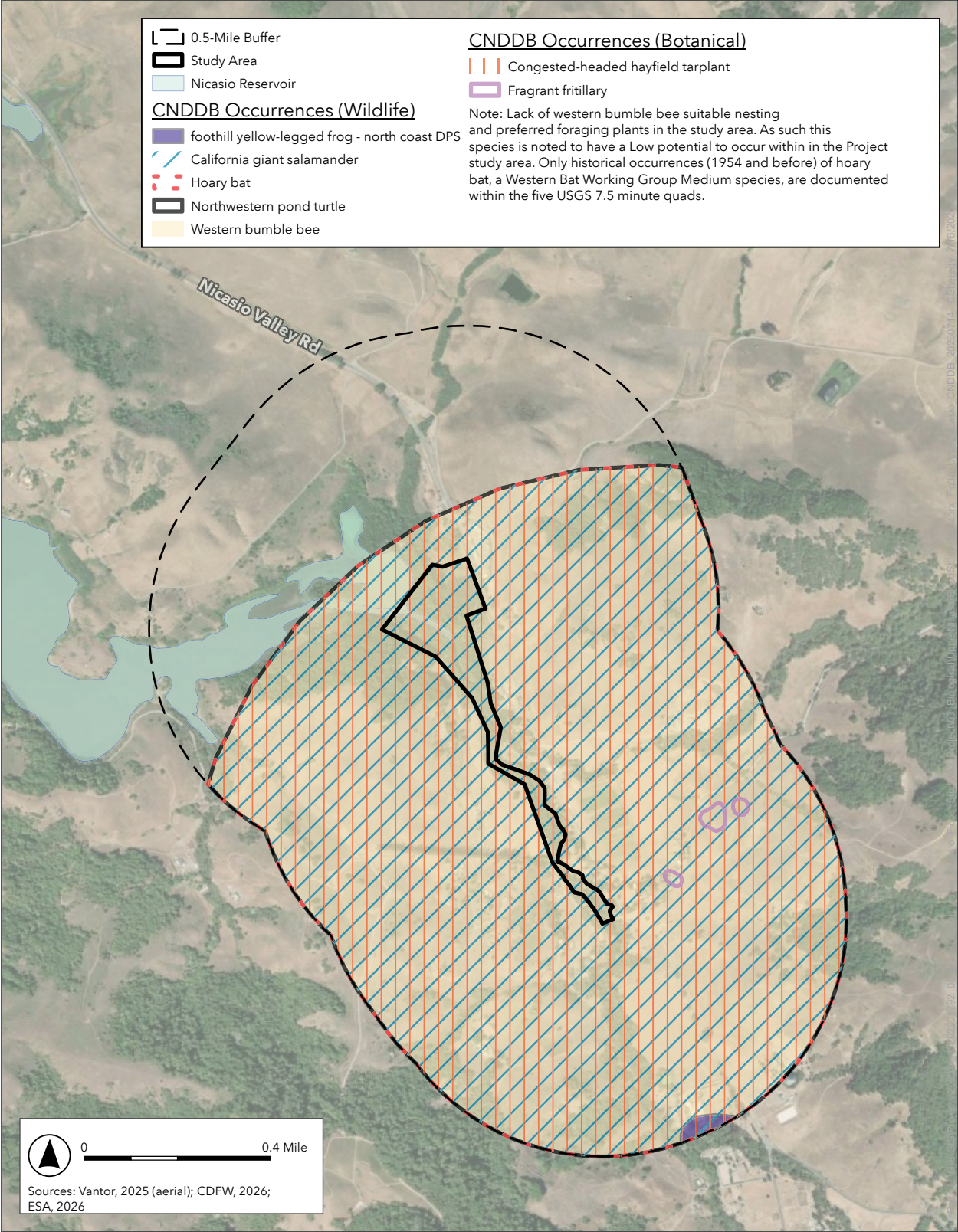
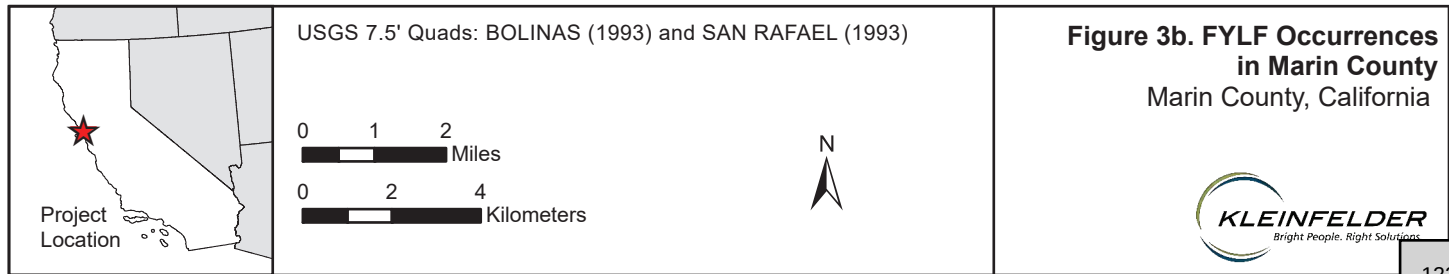


Figure 3a
Nicasio Reservoir Vegetation Management Project
California Natural Diversity Database Occurrences
within a 0.5-Mile Buffer of the Study Area





High Potential

One special-status plant species has high potential to occur in the study area. Suitable habitat is present in the study area and this species has been recorded along a tributary to the study area in the CNDDDB or iNaturalist and are presumed extant:

- **Western leatherwood (*Dirca occidentalis*) (-/-/1B.2).** This species is found in broadleaf upland forest, chaparral, closed-cone coniferous forest, cismontane woodland, North Coast coniferous forest, riparian forest, and riparian woodland. It has been recorded in the Upper Halleck Creek riparian corridor (outside of the study area) in iNaturalist in 2026 and was recorded along a northern tributary to Nicasio Reservoir in iNaturalist in 2019. This species has not been observed in the study area.

Moderate Potential

The following special-status plant species have moderate potential to occur in the study area. Suitable habitat is present in the study area but the species have not been recorded in past surveys or along tributaries to the study area and/or there are no recent occurrences in the CNDDDB or iNaturalist in the vicinity of the study area:

- **Napa false indigo (*Amorpha californica* var. *napensis*) (-/-/1B.2).** This species is found in openings in broadleaf upland forest, chaparral, and cismontane woodland. There are numerous occurrences in woodland areas near the study area and in West Marin (CDFW 2026). The nearest recent occurrence is approximately 3.4 miles southwest of the study area in the Lagunitas Creek riparian corridor.
- **Fragrant fritillary (*Fritillaria liliacea*) (-/-/1B.2).** This species is found often on serpentine, though usually on clay in grassland in coastal scrub, valley and foothill grassland, coastal prairie, cismontane woodland. Recent occurrences along Petaluma-Pt Reyes Road and Nicasio Valley Road on rocky possibly serpentine soils. Grassland in northwest portion of study area could potentially be considered habitat.
- **Congested-headed hayfield tarplant (*Hemizonia congesta* ssp. *congesta*) (-/-/1B.2).** This species is found in grassy valleys and hills, often in fallow fields; sometimes along roadsides. Grassland habitat in northeastern portion of study area could provide suitable habitat. CNDDDB documents a 1991 occurrence at southern end of Nicasio Reservoir along Nicasio Valley Rd.
- **North Coast semaphore grass (*Pleuropogon hooverianus*) (-/CT/1B.1).** This species is found in broadleaf upland forest, woodlands, or North Coast coniferous forest in meadows and seeps, usually in shady areas, sometimes in freshwater marsh. Suitable habitat is present in the northeastern portion of the willow riparian woodland and there are records 4 miles south of the study area along Sir Francis Drake Boulevard near the Marin Water Treatment Plant (CDFW 2026).
- **Sanford's arrowhead (*Sagittaria sanfordii*) (-/-/1B.2).** This species is found in marshes and swamps, and in standing or slow-moving freshwater ponds, marshes, or ditches. It was recorded in mesic conditions along the northwestern shoreline of Nicasio Reservoir. The most recent record of this population was documented in 2023 in iNaturalist and in 2020 in the CNDDDB (CDFW 2026). Occurrences of this species are scattered across the Central Valley, North Coast and parts of the Sierra Nevada foothills, and not typically known from the Bay Area.

Special-Status Wildlife Species

The following special-status wildlife species were determined to have moderate or high potential to occur within the study area:

- California red-legged frog
- White-tailed kite
- Foothill yellow-legged frog
- Migratory birds
- California giant salamander
- Western red bat and other bat species
- Northwestern pond turtle

California Red-Legged Frog

The California red-legged frog (*Rana draytonii*) (CRLF) is federally listed as a threatened species and is afforded protection under the federal Endangered Species Act (FESA) throughout its range in California and is a CDFW Species of Special Concern. This frog historically occurred over much of the state from the Sierra Nevada foothills to the coast and from Mendocino County to the U.S.–Mexico border. CRLFs typically breed in ponds, slow-moving creeks, and streams with deep pools that are lined with dense emergent marsh or shrubby riparian vegetation. However, this species is capable of inhabiting a wide variety of perennial aquatic habitats, including coastal lagoons, marshes, springs, stock ponds, and siltation ponds (USFWS 2002). In the summer (non-breeding season), CRLFs are likely to be observed near a deep pool in a creek or a pond, where emergent vegetation, semi-submerged root masses, and undercut banks provide protection from predators (USFWS 2002). CRLFs use upland habitat such as open grasslands for foraging and dispersal. Prey items include invertebrates and small vertebrates. Suitable upland habitat includes moist seeps or springs, burrows, or moist debris piles for dispersal and aestivation (Stebbins and McGinnis 2012). Factors that have contributed to the decline of the CRLF include destruction of riparian habitat from development, agriculture, flood control practices, or the introduction of exotic predators such as American bullfrog (*Lithobates catesbeianus*), crayfish (*Procambarus clarkii*), and a variety of non-native fish.

There is one 2024 iNaturalist CRLF record in upper Halleck Creek, in addition to numerous records downstream of Seeger Dam in Lagunitas Creek, but it has not been observed in Nicasio Creek. iNaturalist records in 2023 and 2025 document CRLFs in drainages south and east of Nicasio Reservoir, both north of the study area. The nearest CNDDDB record (Occurrence #1337) is approximately 3 miles west of the study area in McIsaac Creek, a tributary to Lagunitas Creek (CDFW 2026). The presence of perennial fish would likely preclude this species' breeding in the reservoir, although there is moderate potential for CRLF to transit along the edge to habitat in the creeks or nearby ponds. Suitable emergent aquatic vegetation was absent from the creek. No CRLF were observed in the study area as part of the recent Marin Water surveys, including this 2025 Emergency Vegetation Debris Removal Project, the Nicasio Reservoir Spillway Modification Project, or the reconnaissance habitat assessment. Thus, not likely to permanently inhabit the study area, and if present, likely only for temporary movement and non-breeding aquatic activities.

Foothill Yellow-Legged Frog

The North Coast Distinct Population Segment of foothill yellow-legged frog is a CDFW Species of Special Concern. The FYLF inhabits partly shaded, usually perennial streams with rocky substrate, deep

pools and shallow riffles, and sunny, sandy, or rocky banks for basking. Typical prey includes a wide selection of insects, especially aquatic insects, and snails. Breeding occurs between mid-March and early June and spawning lasts just a few weeks at any one spawning site. FYLFs attach eggs to available substrate in the streambed, often stones or emergent vegetation such as sedges. Frog larvae need at least 15 weeks to attain metamorphosis, which lasts a few days and during which metamorphs are concentrated in great numbers along the shore of the stream. Conservation threats include damming of rivers or other reduction of spring water flows and/or periodic water releases during the breeding season, which shears eggs from their attachment site and washes them and newly hatched larvae downstream. A second conservation threat is the introduction of non-native predatory game fish into many streams and rivers, where the fish prey on FYLF eggs and larvae (Stebbins and McGinnis 2012).

FYLFs have been recorded in both Nicasio and Halleck creeks upstream of the study area (CDFW 2026). There is moderate potential for FYLFs to use rocky areas with deep pools for breeding in Nicasio and Halleck creeks; however, this species has not been observed in the study area as part of recent Marin Water Surveys including the 2025 Emergency Vegetation Debris Removal Project, the Nicasio Reservoir Spillway Modification Project, or the reconnaissance habitat assessment. Given substrates in Nicasio Creek, suitable habitats are limited to the portion of Nicasio Creek upstream of Halleck Creek confluence.

California Giant Salamander

The California giant salamander (*Dicamptodon ensatus*) is a CDFW Species of Special Concern. This species is found in and around cold, semi-permanent and permanent streams and seepages in mesic forests from Sonoma and Napa counties to Santa Cruz County. Adults are elusive and seek cover under rocks, logs, and other substrate and forage on the forest floor during wet weather. During the breeding season, adults are found under rocks within small to medium-sized streams and create subterranean nests for eggs (AmphibiaWeb 2022). The primary threats to this species are stream siltation and habitat loss and fragmentation due to urbanization, agricultural development, and logging.

This species has been recorded on Lucas Valley Road about 1.6 miles east of Nicasio Valley Road (CNDDDB Occurrence #71) (CDFW 2026). It prefers slow-moving streams with cool, clear water in shallow pools. Although this species has not been observed in the study area, there is potential for California giant salamander to use the streams and adjacent riparian and upland habitat.

Northwestern Pond Turtle

The northwestern pond turtle (*Actinemys marmorata*) is a federally proposed threatened species and a CDFW Species of Special Concern. This species is normally associated with permanent ponds, lakes, streams, irrigation ditches, or permanent pools along intermittent streams and requires basking sites and suitable upland habitat for egg laying. Storer (1930) suggested that two distinct habitats may be used for oviposition: (1) along large slow-moving streams, in which eggs are deposited in nests constructed in sandy banks, and (2) along foothill streams, where females may climb hillsides, sometimes moving considerable distances to find a suitable nest site. This species can tolerate full-strength seawater for a short period of time but normally is found in fresh water.

There is one CNDDDB record within the study area, south of Nicasio Reservoir along Nicasio Creek (CNDDDB Occurrence #59) (CDFW 2026). This species was observed during 2025 surveys conducted by

ESA in Nicasio Reservoir as part of the Nicasio Reservoir Spillway Modification Project. However, this species was not observed in Nicasio Creek as part of the other recent Marin Water work including the 2025 Emergency Vegetation Debris Removal Project, and the reconnaissance habitat assessment. Nicasio Creek particularly where woody debris, emergent rocks, and other basking sites are present is considered suitable aquatic habitat for the species. The willow forested wetland and willow riparian woodland in the study area could provide nesting habitat for this species, although the density of undergrowth vegetation would limit species mobility.

White-Tailed Kite

The white-tailed kite (*Elanus leucurus*) is a CDFW Fully Protected species that is found in rolling foothills and valley margins with scattered oaks and river bottomlands or marshes next to deciduous woodland. Open grasslands, meadows, or marshes are used for foraging close to isolated, dense-topped trees for nesting and perching. There is moderate potential for white-tailed kite to use the forested and woodland habitat in the study area as nesting and foraging habitat.

Other Breeding and Migratory Birds

The willow forested wetland, willow riparian woodland, and coast live oak/bay laurel woodland within the study area provide nesting and foraging habitat for a variety of resident and migratory birds in mature trees, in dense shrubs, or on the ground. The federal Migratory Bird Treaty Act and the California Fish and Game Code protect raptors, native migratory birds, and most breeding birds that would occur in the study area and/or nest in the surrounding vicinity.

Special-Status Bats

Bats and other non-game mammals are protected under the California Fish and Game Code. Suitable habitat for the western red bat (*Lasiurus frantzii*)—a CDFW Species of Special Concern with a Western Bat Working Group designation of High—occurs in the study area. The western red bat roosts in edge habitats adjacent to streams or open fields, in orchards, and sometimes in urban areas, where it is associated with intact riparian habitat, particularly willows. The nearest CNDDDB-documented occurrence of western red bat to the study area is along Olema Creek near Bear Valley Road in 2003 (CDFW 2026). Bats, including the red bat, have potential to occur in the study area where riparian trees provide suitable roost habitat and may forage over water in the study area.

Critical Habitat

USFWS and the National Marine Fisheries Service can designate critical habitat for species that have been listed as threatened or endangered. “Critical habitat” is defined in Section 3(5)(A) of the FESA as those lands (or waters) within a listed species’ current range that contain the physical or biological features that are considered essential to its conservation. No critical habitat is present in the study area. Designated critical habitat located in the vicinity of the study area is depicted in **Figure 4**.

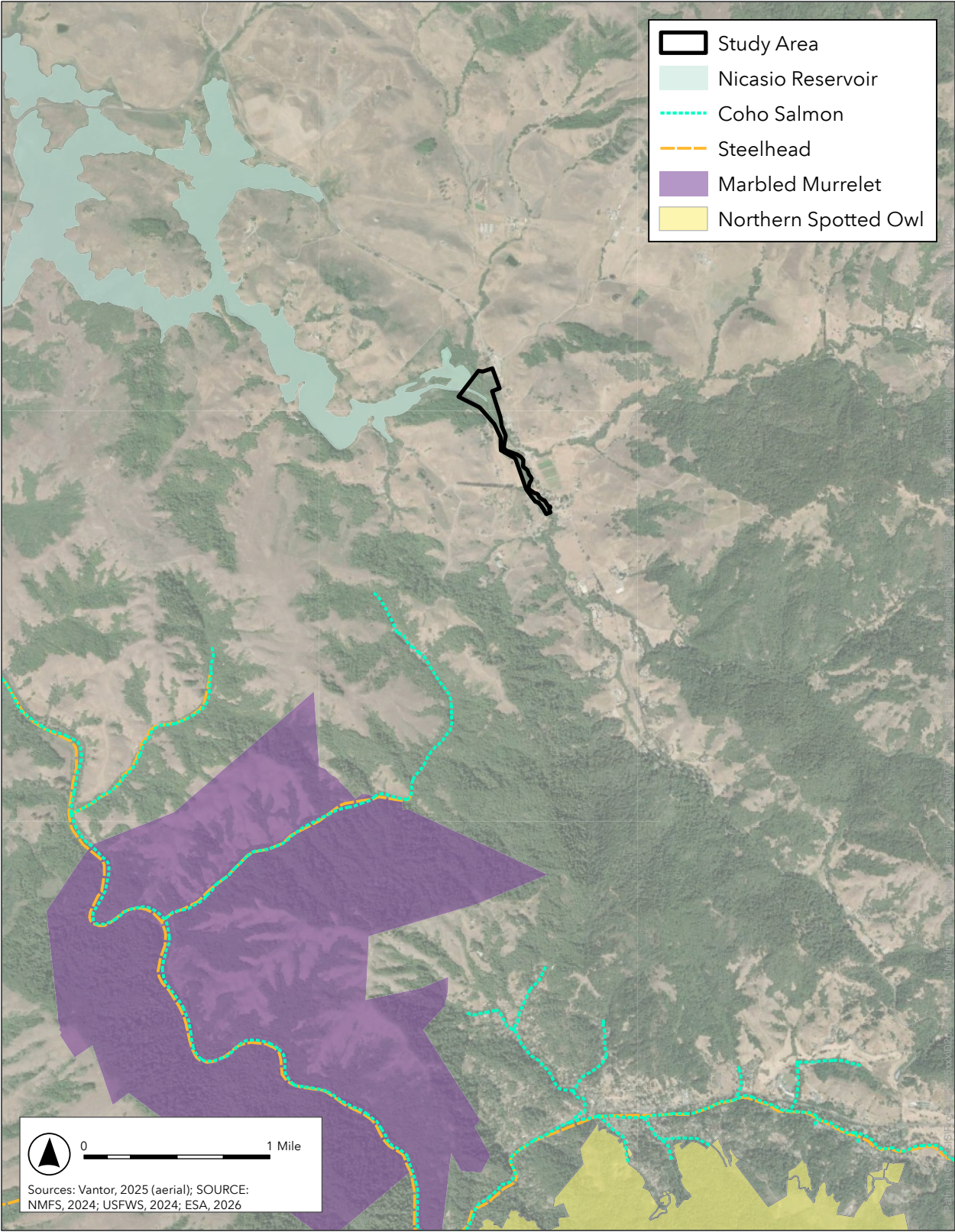


Figure 4
Nicasio Reservoir Vegetation Management Project
Critical Habitat



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Attachment A

Database Results



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Query Criteria: Quad IS (San Geronimo (3812216) OR Petaluma (3812226) OR Novato (3812215) OR Inverness (3812217) OR Bolinias (3712286))

Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Abronia umbellata</i> var. <i>breviflora</i> pink sand-verbena	G4G5T2 S2	None None	Rare Plant Rank - 1B.1 BLM_S-Sensitive SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	5 50	61 S:2	0	0	0	1	0	1	2	0	2	0	0
<i>Acipenser medirostris</i> pop. 1 green sturgeon - southern DPS	G2T1 S1	Threatened None	AFS_VU-Vulnerable CDFW_SSC-Species of Special Concern IUCN_EN-Endangered	0 0	14 S:1	0	1	0	0	0	0	0	1	1	0	0
<i>Actinemys marmorata</i> northwestern pond turtle	G2 SNR	Proposed Threatened None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_VU-Vulnerable USFS_S-Sensitive	24 400	1160 S:14	1	8	2	1	0	2	8	6	14	0	0
<i>Adela oplerella</i> Opler's longhorn moth	G2 S2	None None		500 1,300	14 S:2	0	0	0	0	0	2	2	0	2	0	0
<i>Agrostis blasdalei</i> Blasdale's bent grass	G2G3 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_UCSC-UC Santa Cruz	200 1,200	62 S:2	0	0	0	0	0	2	2	0	2	0	0
<i>Allium peninsulare</i> var. <i>franciscanum</i> Franciscan onion	G4G5T2 S2	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden		25 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Alopecurus aequalis</i> var. <i>sonomensis</i> Sonoma alopecurus	G5T1 S1	Endangered None	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	40 300	21 S:2	0	0	0	0	2	0	2	0	0	0	2
<i>Ambystoma californiense</i> pop. 3 California tiger salamander - Sonoma County DPS	G3T2 S2	Endangered Threatened	CDFW_WL-Watch List IUCN_VU-Vulnerable		85 S:1	0	0	0	0	1	0	1	0	0	1	0

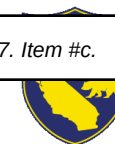


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Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Amorpha californica</i> var. <i>napensis</i> Napa false indigo	G4T2 S2	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	180 1,500	123 S:10	2	4	2	0	0	2	0	10	10	0	0
<i>Amsinckia lunaris</i> bent-flowered fiddleneck	G3 S3	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_UCBG-UC Botanical Garden at Berkeley SB_UCSC-UC Santa Cruz	795 1,967	93 S:4	0	0	0	0	0	4	1	3	4	0	0
<i>Anarhynchus nivosus nivosus</i> western snowy plover	G3T3 S3	Threatened None	CDFW_SSC-Species of Special Concern	0 20	140 S:3	0	1	0	0	0	2	2	1	3	0	0
<i>Antrozous pallidus</i> pallid bat	G4 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFS_S-Sensitive	40 730	425 S:10	1	1	0	1	2	5	10	0	8	2	0
<i>Aplodontia rufa phaea</i> Point Reyes mountain beaver	G5T2 S2	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	200 400	9 S:4	0	0	0	0	2	2	4	0	2	2	0
<i>Arctostaphylos montana</i> ssp. <i>montana</i> Mt. Tamalpais manzanita	G3T3 S3	None None	Rare Plant Rank - 1B.3 SB_UCBG-UC Botanical Garden at Berkeley	1,000 1,200	15 S:8	0	1	0	0	0	7	6	2	8	0	0
<i>Arctostaphylos virgata</i> Marin manzanita	G2 S2	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_USDA-US Dept of Agriculture	5 1,532	32 S:19	1	3	1	1	0	13	16	3	19	0	0
<i>Ardea alba</i> great egret	G5 S4	None None	CDF_S-Sensitive IUCN_LC-Least Concern	18 100	43 S:3	0	1	0	0	0	2	2	1	3	0	0
<i>Ardea herodias</i> great blue heron	G5 S4	None None	CDF_S-Sensitive IUCN_LC-Least Concern	18 250	156 S:6	0	1	0	0	1	4	5	1	5	1	0

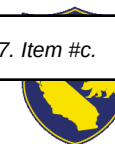


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Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Astragalus pycnostachyus</i> var. <i>pycnostachyus</i> coastal marsh milk-vetch	G2T2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_SBBG-Santa Barbara Botanic Garden SB_UCBG-UC Botanical Garden at Berkeley		24 S:2	0	0	0	0	1	1	2	0	1	1	0
<i>Astragalus tener</i> var. <i>tener</i> alkali milk-vetch	G2T1 S1	None None	Rare Plant Rank - 1B.2 SB_UCSC-UC Santa Cruz	30 30	65 S:1	0	0	0	0	1	0	1	0	0	0	1
<i>Athene cunicularia</i> burrowing owl	G4 S2	None Candidate Endangered	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern	-2 1,731	2513 S:13	2	0	3	0	1	7	4	9	12	1	0
<i>Bombus caliginosus</i> obscure bumble bee	G2G3 S1S2	None None	IUCN_VU-Vulnerable	50 1,000	181 S:10	0	0	0	0	0	10	9	1	10	0	0
<i>Bombus occidentalis</i> western bumble bee	G3 S1	None Candidate Endangered	IUCN_VU-Vulnerable USFS_S-Sensitive	25 400	306 S:7	0	0	0	0	0	7	7	0	7	0	0
<i>Buteo swainsoni</i> Swainson's hawk	G5 S4	None Threatened	BLM_S-Sensitive IUCN_LC-Least Concern	120 120	2587 S:1	0	0	0	0	1	0	1	0	0	1	0
<i>Caecidotea tomalensis</i> Tomales isopod	G2 S2S3	None None		100 100	6 S:1	0	1	0	0	0	0	1	0	1	0	0
<i>Calicina diminua</i> Marin blind harvestman	G1 S1	None None		150 150	1 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Callophrys mossii marinensis</i> Marin elfin butterfly	G4T1 S2	None None		182 539	4 S:2	0	1	0	1	0	0	0	2	2	0	0
<i>Cardamine angulata</i> seaside bittercress	G4G5 S3	None None	Rare Plant Rank - 2B.2		38 S:1	0	0	0	0	0	1	1	0	1	0	0



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Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
Carex lyngbyei Lyngbye's sedge	G5 S3	None None	Rare Plant Rank - 2B.2 IUCN_LC-Least Concern	10 100	37 S:4	1	1	0	0	0	2	2	2	4	0	0
Castilleja affinis var. neglecta Tiburon paintbrush	G4G5T1T2 S1S2	Endangered Threatened	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_UCBG-UC Botanical Garden at Berkeley	900 900	7 S:1	0	1	0	0	0	0	0	1	1	0	0
Castilleja ambigua var. humboldtensis Humboldt Bay owl's-clover	G5T2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_UCBG-UC Botanical Garden at Berkeley	5 6	31 S:3	1	2	0	0	0	0	2	1	3	0	0
Ceanothus decornutus Nicasio ceanothus	G1 S1	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	800 950	2 S:2	0	0	0	0	0	2	0	2	2	0	0
Ceanothus gloriosus var. porrectus Mt. Vision ceanothus	G4T2 S2	None None	Rare Plant Rank - 1B.3 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	60 1,000	18 S:3	0	2	0	0	0	1	2	1	3	0	0
Ceanothus masonii Mason's ceanothus	G1 S1	None Rare	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_USDA-US Dept of Agriculture	700 1,500	8 S:6	1	2	1	0	0	2	3	3	6	0	0
Chloropyron maritimum ssp. palustre Point Reyes salty bird's-beak	G4?T2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	0 10	80 S:19	3	5	2	2	0	7	2	17	19	0	0
Chorizanthe valida Sonoma spineflower	G1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	30 30	6 S:1	0	0	0	0	1	0	1	0	0	1	0



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Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Cicindela hirticollis grvida</i> sandy beach tiger beetle	G5T2 S2	None None		10 10	34 S:1	0	0	0	0	1	0	1	0	0	0	1
<i>Cicuta maculata var. bolanderi</i> Bolander's water-hemlock	G5T4T5 S2?	None None	Rare Plant Rank - 2B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	40 40	17 S:2	0	0	0	0	0	2	1	1	2	0	0
<i>Cirsium andrewsii</i> Franciscan thistle	G3 S3	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	5 95	31 S:2	0	0	0	0	0	2	1	1	2	0	0
<i>Cirsium hydrophilum var. vaseyi</i> Mt. Tamalpais thistle	G2T2 S2	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	600 1,300	14 S:7	2	2	0	0	0	3	5	2	7	0	0
<i>Coastal Brackish Marsh</i> Coastal Brackish Marsh	G2 S2.1	None None			30 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Collinsia corymbosa</i> round-headed collinsia	G1 S1	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden		13 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Corynorhinus townsendii</i> Townsend's big-eared bat	G4 S2	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFS_S-Sensitive	10 470	635 S:8	0	1	0	0	1	6	6	2	7	1	0
<i>Coturnicops noveboracensis</i> yellow rail	G4 S2	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFS_S-Sensitive USFWS_BCC-Birds of Conservation Concern	6 6	45 S:1	0	0	1	0	0	0	0	1	1	0	0
<i>Cypseloides niger</i> black swift	G4 S3	None None	CDFW_SSC-Species of Special Concern IUCN_VU-Vulnerable USFWS_BCC-Birds of Conservation Concern	600 600	46 S:1	0	0	0	0	0	1	1	0	1	0	0



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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Danaus plexippus plexippus pop. 1</i> monarch - California overwintering population	G4T1T2Q S2	Proposed Threatened None	IUCN_EN-Endangered USFS_S-Sensitive	20 250	408 S:12	0	7	3	0	2	0	8	4	10	1	1
<i>Delphinium bakeri</i> Baker's larkspur	G1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_UCBG-UC Botanical Garden at Berkeley	705 705	6 S:1	0	0	0	0	0	1	0	1	1	0	0
<i>Delphinium luteum</i> golden larkspur	G1 S1	Endangered Rare	Rare Plant Rank - 1B.1 SB_UCBG-UC Botanical Garden at Berkeley	150 150	11 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Dicamptodon ensatus</i> California giant salamander	G3 S2S3	None None	CDFW_SSC-Species of Special Concern IUCN_NT-Near Threatened	50 800	254 S:20	4	1	0	0	0	15	13	7	20	0	0
<i>Dirca occidentalis</i> western leatherwood	G2 S2	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	140 600	90 S:7	0	2	1	0	0	4	2	5	7	0	0
<i>Eastwoodiella californica</i> swamp harebell	G3 S3	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	5 800	155 S:7	0	2	0	0	0	5	7	0	7	0	0
<i>Egretta thula</i> snowy egret	G5 S4	None None	IUCN_LC-Least Concern	18 18	20 S:1	0	1	0	0	0	0	0	1	1	0	0
<i>Elanus leucurus</i> white-tailed kite	G5 S3S4	None None	BLM_S-Sensitive CDFW_FP-Fully Protected IUCN_LC-Least Concern	75 75	190 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Entosthodon kochii</i> Koch's cord moss	G1 S1S2	None None	Rare Plant Rank - 1B.3 BLM_S-Sensitive		6 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Erethizon dorsatum</i> North American porcupine	G5 S3	None None	IUCN_LC-Least Concern	200 200	525 S:1	0	0	0	0	0	1	1	0	1	0	0



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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Eriogonum luteolum</i> var. <i>caninum</i> Tiburon buckwheat	G5T2 S2	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	500 1,025	26 S:8	2	0	0	0	0	6	5	3	8	0	0
<i>Erysimum concinnum</i> bluff wallflower	G2G3 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive		30 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Eucyclogobius newberryi</i> tidewater goby	G3 S3	Endangered None	AFS_EN-Endangered CDFW_SSC-Species of Special Concern IUCN_NT-Near Threatened	10 35	127 S:2	0	0	0	0	2	0	2	0	0	0	2
<i>Fritillaria lanceolata</i> var. <i>tristulis</i> Marin checker lily	G5T2 S2	None None	Rare Plant Rank - 1B.1 SB_UCSC-UC Santa Cruz	40 1,000	32 S:12	0	0	5	0	0	7	10	2	12	0	0
<i>Fritillaria liliacea</i> fragrant fritillary	G2 S2	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden USFS_S-Sensitive	40 900	82 S:10	0	4	4	0	0	2	5	5	10	0	0
<i>Geothlypis trichas sinuosa</i> saltmarsh common yellowthroat	G5T3 S3	None None	CDFW_SSC-Species of Special Concern USFWS_BCC-Birds of Conservation Concern	10 170	114 S:8	0	2	0	0	0	6	8	0	8	0	0
<i>Gilia capitata</i> ssp. <i>chamissonis</i> blue coast gilia	G5T2 S2	None None	Rare Plant Rank - 1B.1 SB_UCBG-UC Botanical Garden at Berkeley	20 40	37 S:2	0	0	1	0	0	1	2	0	2	0	0
<i>Gilia capitata</i> ssp. <i>tomentosa</i> woolly-headed gilia	G5T2 S2	None None	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	245 955	18 S:4	1	0	0	0	0	3	1	3	4	0	0
<i>Gilia millefoliata</i> dark-eyed gilia	G2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden		54 S:1	0	0	0	0	0	1	1	0	1	0	0



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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Hemizonia congesta ssp. congesta</i> congested-headed hayfield tarplant	G5T2 S2	None None	Rare Plant Rank - 1B.2 SB_UCBG-UC Botanical Garden at Berkeley	20 1,400	52 S:11	0	1	3	0	0	7	9	2	11	0	0
<i>Hesperoleucus venustus subditus</i> southern coastal roach	GNRT2 S2	None None	CDFW_SSC-Species of Special Concern	10 20	15 S:2	1	1	0	0	0	0	2	0	2	0	0
<i>Hesperolinon congestum</i> Marin western flax	G1 S1	Threatened Threatened	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_UCBG-UC Botanical Garden at Berkeley	550 1,315	27 S:8	2	2	1	0	0	3	1	7	8	0	0
<i>Heteranthera dubia</i> water star-grass	G5 S2	None None	Rare Plant Rank - 2B.2 IUCN_LC-Least Concern	80 80	9 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Horkelia marinensis</i> Point Reyes horkelia	G2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_UCSC-UC Santa Cruz		36 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Horkelia tenuiloba</i> thin-lobed horkelia	G2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	1,300 1,300	27 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Hydrochara rickseckeri</i> Ricksecker's water scavenger beetle	G2? S2?	None None		160 160	13 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Hypogymnia schizidiata</i> island tube lichen	G2G3 S2	None None	Rare Plant Rank - 1B.3		10 S:1	0	0	0	0	0	1	0	1	1	0	0
<i>Ischnura gemina</i> San Francisco forktail damselfly	G2 S2	None None	IUCN_EN-Endangered	25 25	7 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Lasionycteris noctivagans</i> silver-haired bat	G4 S3S4	None None	IUCN_LC-Least Concern	580 580	139 S:2	0	0	0	0	0	2	2	0	2	0	0



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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Lasiurus cinereus</i> hoary bat	G3G4 S4	None None	IUCN_LC-Least Concern	40 1,215	238 S:6	0	0	0	0	0	6	6	0	6	0	0
<i>Lasiurus frantzii</i> western red bat	G4 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	43 43	128 S:1	0	1	0	0	0	0	1	0	1	0	0
<i>Lasthenia californica ssp. macrantha</i> perennial goldfields	G3T2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	80 80	59 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Laterallus jamaicensis coturniculus</i> California black rail	G3T1 S2	None Threatened	BLM_S-Sensitive CDFW_FP-Fully Protected IUCN_EN-Endangered	0 375	304 S:16	4	2	0	1	0	9	9	7	16	0	0
<i>Lessingia micradenia var. micradenia</i> Tamalpais lessingia	G2T2 S2	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_USDA-US Dept of Agriculture	1,000 1,000	9 S:5	0	1	0	0	0	4	3	2	5	0	0
<i>Lichnanthe ursina</i> bumblebee scarab beetle	G2 S2	None None			8 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Lilaeopsis masonii</i> Mason's lilaeopsis	G2 S2	None Rare	Rare Plant Rank - 1B.1	5 5	206 S:1	0	0	0	0	1	0	1	0	0	0	1
<i>Lilium maritimum</i> coast lily	G2 S2	None None	Rare Plant Rank - 1B.1 BLM_S-Sensitive SB_BerrySB-Berry Seed Bank SB_UCBG-UC Botanical Garden at Berkeley	20 20	84 S:1	0	0	0	0	0	1	1	0	1	0	0

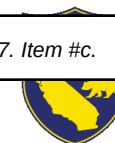


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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Lilium pardalinum ssp. pitkinense</i> Pitkin Marsh lily	G5T1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_BerrySB-Berry Seed Bank SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_USDA-US Dept of Agriculture		4 S:1	0	0	0	0	1	0	1	0	0	0	1
<i>Lindriella occidentalis</i> California lindriella	G2G3 S2S3	None None	IUCN_NT-Near Threatened	111 111	509 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Melospiza melodia samuelis</i> San Pablo song sparrow	G5T2 S2	None None	CDFW_SSC-Species of Special Concern USFWS_BCC-Birds of Conservation Concern	0 20	41 S:9	0	3	0	0	0	6	9	0	9	0	0
<i>Microseris paludosa</i> marsh microseris	G2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_SBBG-Santa Barbara Botanic Garden SB_UCSC-UC Santa Cruz		38 S:2	0	0	0	0	0	2	2	0	2	0	0
<i>Mielichhoferia elongata</i> elongate copper moss	G5 S3S4	None None	Rare Plant Rank - 4.3 USFS_S-Sensitive	100 100	20 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Navarretia rosulata</i> Marin County navarretia	G2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	900 1,450	15 S:7	1	2	0	0	0	4	3	4	7	0	0
<i>Northern Coastal Salt Marsh</i> Northern Coastal Salt Marsh	G3 S3.2	None None		10 15	53 S:5	0	0	0	0	0	5	5	0	5	0	0
<i>Northern Maritime Chaparral</i> Northern Maritime Chaparral	G1 S1.2	None None		300 300	17 S:1	0	1	0	0	0	0	1	0	1	0	0
<i>Northern Vernal Pool</i> Northern Vernal Pool	G2 S2.1	None None		240 240	20 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Oncorhynchus kisutch pop. 4</i> coho salmon - central California coast ESU	G5T2Q S2	Endangered Endangered	AFS_EN-Endangered	180 180	23 S:1	0	1	0	0	0	0	1	0	1	0	0



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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Oncorhynchus mykiss irideus</i> pop. 8 steelhead - central California coast DPS	G5T3Q S3	Threatened None	AFS_TH-Threatened CDFW_SSC-Species of Special Concern	40 120	56 S:2	0	0	1	1	0	0	1	1	2	0	0
<i>Pandion haliaetus</i> osprey	G5 S4	None None	CDF_S-Sensitive CDFW_WL-Watch List IUCN_LC-Least Concern	400 400	504 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Phacelia insularis</i> var. <i>continentis</i> North Coast phacelia	G2T2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_UCBG-UC Botanical Garden at Berkeley		15 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Plagiobothrys mollis</i> var. <i>vestitus</i> Petaluma popcornflower	G4?TX SX	None None	Rare Plant Rank - 1A	20 20	1 S:1	0	0	0	0	1	0	1	0	0	0	1
<i>Pleuropogon hooverianus</i> North Coast semaphore grass	G2 S2	None Threatened	Rare Plant Rank - 1B.1 BLM_S-Sensitive SB_BerrySB-Berry Seed Bank SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	350 500	34 S:4	1	0	0	1	1	1	2	2	3	1	0
<i>Pogonichthys macrolepidotus</i> Sacramento splittail	G3 S3	None None	AFS_VU-Vulnerable CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	1 1	15 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Polygonum marinense</i> Marin knotweed	G2 S2	None None	Rare Plant Rank - 3.1	5 5	32 S:2	0	0	0	0	0	2	2	0	2	0	0
<i>Pomatiopsis binneyi</i> robust walker	G1 S1	None None		150 150	2 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Pomatiopsis californica</i> Pacific walker	G1 S1	None None	IUCN_DD-Data Deficient	66 66	4 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Quercus parvula</i> var. <i>tamalpaisensis</i> Tamalpais oak	G4T2 S2	None None	Rare Plant Rank - 1B.3	532 1,635	19 S:5	0	1	0	0	0	4	2	3	5	0	0
<i>Rallus obsoletus obsoletus</i> California Ridgway's rail	G3T1 S2	Endangered Endangered	CDFW_FP-Fully Protected	3 18	99 S:7	1	4	0	0	0	2	2	5	7	0	0



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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Rana boylei</i> pop. 1 foothill yellow-legged frog - north coast DPS	G3T4 S4	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern USFS_S-Sensitive	18 1,681	1610 S:23	1	4	3	0	7	8	16	7	16	5	2
<i>Rana draytonii</i> California red-legged frog	G2G3 S2S3	Threatened None	CDFW_SSC-Species of Special Concern IUCN_VU-Vulnerable	6 965	1806 S:50	3	9	3	0	0	35	21	29	50	0	0
<i>Reithrodontomys raviventris</i> salt-marsh harvest mouse	G1G2 S3	Endangered Endangered	CDFW_FP-Fully Protected IUCN_EN-Endangered	3 3	151 S:2	0	0	0	0	0	2	2	0	2	0	0
<i>Sagittaria sanfordii</i> Sanford's arrowhead	G3 S3	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive	170 170	143 S:1	0	0	0	0	0	1	0	1	1	0	0
<i>Serpentine Bunchgrass</i> Serpentine Bunchgrass	G2 S2.2	None None		1,000 1,000	22 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Setophaga petechia</i> yellow warbler	G5 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	20 20	78 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Sidalcea calycosa</i> ssp. <i>rhizomata</i> Point Reyes checkerbloom	G5T2 S2	None None	Rare Plant Rank - 1B.2	30 300	34 S:3	0	0	0	0	0	3	3	0	3	0	0
<i>Sidalcea hickmanii</i> ssp. <i>viridis</i> Marin checkerbloom	G2TH SH	None None	Rare Plant Rank - 1B.1	1,390 1,390	1 S:1	0	0	0	0	1	0	1	0	0	1	0
<i>Spirinchus thaleichthys</i> pop. 2 longfin smelt - San Francisco Bay-Delta DPS	G5TNRQ S1	Endangered Threatened	IUCN_LC-Least Concern	0 0	35 S:2	0	0	0	0	0	2	1	1	2	0	0
<i>Streptanthus anomalus</i> Mount Burdell jewelflower	G1 S1	None None	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	535 535	2 S:1	0	0	0	0	0	1	0	1	1	0	0
<i>Streptanthus batrachopus</i> Tamalpais jewelflower	G2 S2	None None	Rare Plant Rank - 1B.3 SB_UCSC-UC Santa Cruz	1,100 1,480	8 S:3	1	1	1	0	0	0	2	1	3	0	0
<i>Streptanthus glandulosus</i> ssp. <i>pulchellus</i> Mt. Tamalpais bristly jewelflower	G4T2 S2	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	420 1,300	24 S:18	1	5	0	0	0	12	17	1	18	0	0



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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Stygobromus hyporheicus</i> hyporheic amphipod	G1 SX	None None		540 540	1 S:1	0	0	0	0	1	0	1	0	0	1	0
<i>Syncaris pacifica</i> California freshwater shrimp	G2 S2	Endangered Endangered	IUCN_EN-Endangered	30 120	20 S:2	0	0	2	0	0	0	2	0	2	0	0
<i>Talanites ubicki</i> Ubick's gnaphosid spider	G1 S1	None None		150 150	1 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Taricha rivularis</i> red-bellied newt	G2 S2	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	20 20	136 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Taxidea taxus</i> American badger	G5 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	40 200	648 S:4	0	0	1	0	0	3	3	1	4	0	0
<i>Trachusa gummifera</i> San Francisco Bay Area leaf-cutter bee	G1 S1	None None		1,130 1,130	3 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Trifolium amoenum</i> two-fork clover	G1 S1	Endangered None	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_UCBG-UC Botanical Garden at Berkeley SB_USDA-US Dept of Agriculture	300 300	26 S:3	0	0	0	0	2	1	3	0	1	2	0
<i>Triphysaria floribunda</i> San Francisco owl's-clover	G2? S2?	None None	Rare Plant Rank - 1B.2		50 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Triquetrella californica</i> coastal triquetrella	G2 S2	None None	Rare Plant Rank - 1B.2 USFS_S-Sensitive		13 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Tryonia imitator</i> mimic tryonia (=California brackishwater snail)	G2 S2	None None	IUCN_DD-Data Deficient	6 6	39 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Vespericola marinensis</i> Marin hesperian	G2 S2	None None		35 580	23 S:11	0	0	0	0	0	11	11	0	11	0	0

CNPS Database Query May 12, 2026
USGS 7.5' Quadrangle(s): San Geronimo, Petalum, Bolinas, Inverness, Novato
Elevation : 150 to 180 feet

ScientificName	CommonName	Family	Lifeform	CRPR	SRank	CESA	FESA	BloomingP	Habitat	Micro Habitat Details	Micro Habitat	ElevationLow_ft	ElevationH	Notes
Agrostis blasdalei	Blasdale's bent grass	Poaceae	perennial rhizomatous herb	1B.2	S2	None	None	May-Jul	Coastal bluff scrub, Coastal dunes, Coastal prairie			0	490	Historical occurrences need field surveys. Includes A. blasdalei var. marinensis, which is state-listed Rare.
Allium peninsulare var. franciscanum	Franciscan onion	Alliaceae	perennial bulbiferous herb	1B.2	S2	None	None	(Apr)May-Ju	Cismontane woodland, Valley and foothill grassland		Clay, Serpentine (often), Volcanic	170	1000	See Phytologia 73(4):310 (1992) for original description.
Alopecurus aequalis var. sonomensis	Sonoma alopecurus	Poaceae	perennial herb	1B.1	S1	None	FE	May-Jul	Marshes and swamps (freshwater), Riparian scrub			15	1200	Two occurrences introduced in 1987 (485C, 485D), but both appear to have failed as of 1993. Historical localities need field surveys. See A. aequalis in The Jepson Manual.
Amorpha californica var. napensis	Napa false indigo	Fabaceae	perennial deciduous shrub	1B.2	S2	None	None	Apr-Jul	Broadleafed upland forest (openings), Chaparral, Cismontane woodland			165	6560	See Manual of the Flowering Plants of California, p. 556 (1925) by W.L. Jepson for original description, and Rhodora 77:348-350 (1975) for taxonomic treatment.
Amsinckia lunaris	bent-flowered fiddleneck	Boraginaceae	annual herb	1B.2	S3	None	None	Mar-Jun	Cismontane woodland, Coastal bluff scrub, Valley and foothill grassland			10	1640	Many collections old; current status information needed. Does plant occur in SHA and SIS counties?
Arabis blepharophylla	coast rockcress	Brassicaceae	perennial herb	4.3	S4	None	None	Feb-May	Broadleafed upland forest, Coastal bluff scrub, Coastal prairie, Coastal scrub		Rocky	10	3610	See Rhodora 43(511):348-349 (1941) for taxonomic treatment, and Contributions from the Gray Herbarium 204:149-154 (1973) for taxonomic information.
Astragalus pycnostachyus var. pycnostachyus	coastal marsh milk-vetch	Fabaceae	perennial herb	1B.2	S2	None	None	(Apr-May)Ju	Coastal dunes (mesic), Coastal scrub, Marshes and swamps (coastal salt, streamsides)			0	180	Possibly threatened by cattle trampling, erosion, and competition. See Proceedings of the American Academy of Arts and Sciences 6:526 (1865) for original description, and Memoirs of the New York Botanical Garden 13:811-813 (1964) for taxonomic treatment.
Astragalus tener var. tener	alkali milk-vetch	Fabaceae	annual herb	1B.2	S1	None	None	Mar-Jun	Playas, Valley and foothill grassland (adobe clay), Vernal pools		Alkaline	5	195	Threatened by development, competition from non-native plants, and habitat destruction, especially agricultural conversion. Possibly threatened by trampling. Potentially threatened by energy transmission line construction. See Proceedings of the American Academy of Arts and Sciences 6:206 (1864) for original description, and Systematic Botany 17(3):367-379 (1992) for distributional information.
Calandrinia breweri	Brewer's calandrinia	Montiaceae	annual herb	4.2	S4	None	None	(Jan)Mar-Ju	Chaparral, Coastal scrub		Burned areas, Disturbed areas, Loam (sometimes), Sandy (sometimes)	35	4005	Potentially threatened by development. Possibly threatened by fire suppression and road maintenance. Plant appears to be widely scattered but uncommon everywhere, and most collections are old; needs field surveys. See Proceedings of the American Academy of Arts and Sciences 11:124 (1876) for original description.
Cardamine angulata	seaside bittercress	Brassicaceae	perennial herb	2B.2	S3	None	None	(Jan)Mar-Ju	Lower montane coniferous forest, North Coast coniferous forest	wet areas	Streambanks	50	3000	Many occurrences are historical; need field surveys. Possibly threatened by foot traffic, and road maintenance. See Flora Boreali-Americana 1(1):44-45 (1829) for original description.
Castilleja ambigua var. ambigua	johnny-nip	Orobanchaceae	annual herb (hemiparasitic)	4.2	S3S4	None	None	Mar-Aug	Coastal bluff scrub, Coastal prairie, Coastal scrub, Marshes and swamps, Valley and foothill grassland, Vernal pools (margins)			0	1425	Threatened by development. See C. ambigua ssp. ambigua in TJM 2. See Phytologia 90(1):63-82 (2008) for revised nomenclature.
Ceanothus gloriosus var. exaltatus	glory brush	Rhamnaceae	perennial evergreen shrub	4.3	S4	None	None	Mar-Jun(Au	Chaparral			100	2000	Threatened by habitat disturbance. See Leaflets of Western Botany 2:44 (1937) for original description.
Ceanothus gloriosus var. gloriosus	Point Reyes ceanothus	Rhamnaceae	perennial evergreen shrub	4.3	S4	None	None	Mar-May	Closed-cone coniferous forest, Coastal bluff scrub, Coastal dunes, Coastal scrub		Sandy	15	1705	Can intergrade with Ceanothus gloriosus var. porrectus.
Ceanothus gloriosus var. porrectus	Mt. Vision ceanothus	Rhamnaceae	perennial evergreen shrub	1B.3	S2	None	None	Feb-May	Closed-cone coniferous forest, Coastal prairie, Coastal scrub, Valley and foothill grassland			80	1000	Known from fewer than 20 occurrences in the Mt. Vision area near Pt. Reyes. Some plants destroyed by quarrying; occurs in areas grazed by cattle. Possibly threatened by competition. Can intergrade with Ceanothus gloriosus var. gloriosus.
Chorizanthe valida	Sonoma spineflower	Polygonaceae	annual herb	1B.1	S1	CE	FE	Jun-Aug	Coastal prairie (sandy)			35	1000	Thought extinct for 77 years; only known extant occurrence was rediscovered in 1980 at Pt. Reyes NS. Experimental introduction work ongoing as of 2000. Closely related to C. pungens. See Proceedings of the American Academy of Arts and Sciences 12:271 (1877) for original description, Phytologia 66(2):132-134 (1989) for taxonomic treatment, Fremontia 18(1):17-18 (1990) for species account, and Madrono 39(4):271-280 (1992) and 40(4):285-288 (1993) for discussion of grazing effects.
Cicuta maculata var. bolanderi	Bolander's water-hemlock	Apiaceae	perennial herb	2B.1	S2?	None	None	Jul-Sep	Marshes and swamps (brackish, coastal, freshwater)			0	655	
Cirsium andrewsii	Franciscan thistle	Asteraceae	perennial herb	1B.2	S3	None	None	Mar-Jul	Broadleafed upland forest, Coastal bluff scrub, Coastal prairie, Coastal scrub		Mesic, Serpentine (sometimes)	0	490	Threatened by development and non-native plants. See Proceedings of the American Academy of Arts and Sciences 10:45 (1874) for original description, and A Flora of Western Middle California , p. 506 (1901) by W. L. Jepson for revised nomenclature.
Delphinium luteum	golden larkspur	Ranunculaceae	perennial herb	1B.1	S1	CR	FE	Mar-May	Chaparral, Coastal prairie, Coastal scrub		Rocky	0	330	Plants from MRN Co. are apparently not hybrids with D. decorum ssp. decorum; hybridizes with D. nudicaule. Threatened by development, grazing, and road maintenance. Possibly threatened by horticultural collecting. See Bulletin of the Southern California Academy of Sciences 2:68-69 (1903) for original description, and Conservation Biology 15(6):1608-1618 (2001) for information on origin.

Dichondra occidentalis	western dichondra	Convolvulaceae	perennial rhizomatous herb	4.2	S3S4	None	None	(Jan)Mar-Ju	Chaparral, Cismontane woodland, Coastal scrub, Valley and foothill grassland		165	1640	Records for MRN Co. are questionable; report from LAX Co. needs confirmation. Possibly threatened by development. See Muhlenbergia 1:130-131 (1906) for original description.
Dirca occidentalis	western leatherwood	Thymelaeaceae	perennial deciduous shrub	1B.2	S2	None	None	Jan-Mar	(Apr)Broadleafed upland forest, Chaparral, Cismontane woodland, Closed-cone coniferous forest, North Coast coniferous forest, Riparian forest, Riparian woodland	Mesic	80	1395	
Eastwoodiella californica	swamp harebell	Campanulaceae	perennial rhizomatous herb	1B.2	S3	None	None	Jun-Oct	Bogs and fens, Closed-cone coniferous forest, Coastal prairie, Marshes and swamps (freshwater), Meadows and seeps, North Coast coniferous forest	Mesic	5	1330	Many occurrences have few plants. Threatened by competition, grazing, development, marsh habitat loss, logging, road maintenance, and trampling. See Proceedings of the California Academy of Sciences 12:158 (1861) for original description.
Elymus californicus	California bottle-brush grass	Poaceae	perennial herb	4.3	S4	None	None	May-Aug	(Nov)Broadleafed upland forest, Cismontane woodland, North Coast coniferous forest, Riparian woodland		50	1540	Possibly threatened by fire suppression.
Erigeron biolettii	streamside daisy	Asteraceae	perennial herb	3	S3?	None	None	Jun-Oct	Broadleafed upland forest, Cismontane woodland, North Coast coniferous forest	Mesic, Rocky	100	3610	Move to List 1B? Location, rarity, and endangerment information needed. Most collections are very old. Intergrades with E. inornatus. Possibly threatened by recreational activities. See Manual of the Botany of the Region of San Francisco Bay, p. 181 (1894) by E. Greene for original description, and Phytologia 72(2):157-208 (1992) for taxonomic treatment.
Eriogonum luteolum var. caninum	Tiburon buckwheat	Polygonaceae	annual herb	1B.2	S2	None	None	May-Sep	Chaparral, Cismontane woodland, Coastal prairie, Valley and foothill grassland	Gravelly, Sandy, Serpentine	0	2295	Not clearly distinguishable from var. luteolum north of Tiburon. E. luteolum is similar to E. gracile to the south and E. vimineum to the northeast. Threatened by development, foot traffic, and non-native plants. See Flora Franciscana, pp. 150-151 (1891) by E. Greene for original description, and Phytologia 66(4):378-379 (1989) for alternative treatment which restricts var. caninum to ALA and MRN counties.
Erysimum concinnum	bluff wallflower	Brassicaceae	annual/perennial herb	1B.2	S2	None	None	Feb-Jul	Coastal bluff scrub, Coastal dunes, Coastal prairie		0	605	Largest occurrence known from Pt. Reyes NS; possibly of hybrid origin. Some occurrences from DNT and MEN cos. are also of possible hybrid origin; further study is ongoing. Threatened by development, habitat loss, competition, and non-native plants. See E. menziesii ssp. concinnum in TJM (1993). See Zoe 5(6-8):103 (1901) for original description.
Erysimum franciscanum	San Francisco wallflower	Brassicaceae	perennial herb	4.2	S3	None	None	Mar-Jun	Chaparral, Coastal dunes, Coastal scrub, Valley and foothill grassland	Granitic (often), Roadsides (sometimes), Serpentine (often)	0	1805	Rare and declining in SCR Co. Possibly threatened by recreational activities and non-native plants. Includes E. franciscanum var. crassifolium. Inland plants approach E. capitatum. See Aliso 4(1):118-121 (1958) for original description.
Fritillaria lanceolata var. tristulis	Marin checker lily	Liliaceae	perennial bulbiferous herb	1B.1	S2	None	None	Feb-May	Coastal bluff scrub, Coastal prairie, Coastal scrub		50	490	Plants seem not to set seed but reproduce by offsets.
Fritillaria liliacea	fragrant fritillary	Liliaceae	perennial bulbiferous herb	1B.2	S2	None	None	Feb-Apr	Cismontane woodland, Coastal prairie, Coastal scrub, Valley and foothill grassland	Clay, Serpentine (sometimes)	10	1345	
Gilia capitata ssp. chamissonis	blue coast gilia	Polemoniaceae	annual herb	1B.1	S2	None	None	Apr-Jul	Coastal dunes, Coastal scrub		5	655	Threatened by urbanization, recreational development, and non-native plants. Possibly threatened by trampling. See Erythea 3:105 (1895) for original description, and Aliso 2(3):309 (1950) for revised nomenclature.
Gilia capitata ssp. tomentosa	woolly-headed gilia	Polemoniaceae	annual herb	1B.1	S2	None	None	May-Jul	Coastal bluff scrub, Valley and foothill grassland	outcrops Rocky, Serpentine	35	720	Threatened by urbanization, road maintenance, and erosion. Intergrades with ssp. capitata in northeastern San Francisco Bay area. See Aliso 2(3):304 (1950) for revised nomenclature.
Grindelia hirsutula var. maritima	San Francisco gumplant	Asteraceae	perennial herb	3.2	S1	None	None	Jun-Sep	Coastal bluff scrub, Coastal scrub, Valley and foothill grassland	Sandy (sometimes), Serpentine (sometimes)	50	1310	Previously on List 1B. Plants from MNT and SCR counties need verification. Threatened by coastal development and non-native plants. Can be difficult to identify; many herbarium specimens need to be checked for correct identification. May be a hybrid between G. hirsutula var. hirsutula and G. stricta var. platyphylla or G. stricta var. angustifolia; needs further study. Not in TJM 2. See Pittonia 2:289 (1892) for original description and Novon 2(3):215-217 (1992) for revised nomenclature.
Hemizonia congesta ssp. congesta	congested-headed hayfield tarplant	Asteraceae	annual herb	1B.2	S2	None	None	Apr-Nov	Valley and foothill grassland	Roadsides (sometimes)	65	1835	Threatened by agriculture, development, and road construction. Possibly threatened by grazing. Hybridizes with H. congesta ssp. lutescens. See H. congesta ssp. leucocephala in The Jepson Manual (1993). What was once considered H. congesta ssp. congesta in The Jepson Manual (1993) is now considered H. congesta ssp. lutescens; a common taxon.
Hesperolinon congestum	Marin western flax	Linaceae	annual herb	1B.1	S1	CT	FT	Apr-Jul	Chaparral, Valley and foothill grassland	Serpentine	15	1215	Protected in part at Ring Mtn. Preserve, MRN Co. Threatened by development, non-native plants, and foot traffic. Potentially threatened by hydrological alterations. See Proceedings of the American Academy of Arts and Sciences 6:521 (1865) for original description, and University of California Publications in Botany 32:235-314 (1961) for taxonomic treatment.
Heteranthera dubia	water star-grass	Pontederiaceae	perennial herb (aquatic)	2B.2	S2	None	None	Jul-Oct	Marshes and swamps (alkaline, still, slow-moving water)	Requires a pH > Alkaline	100	4905	Many occurrences historical and some possibly extirpated; needs field surveys. See Observationum Botanicarum 3(9):59 (1768) for original description and The Metaspermae of the Minnesota Valley, pp. 138 (1892) by C. MacMillan for taxonomic treatment.
Horkelia marinensis	Point Reyes horkelia	Rosaceae	perennial herb	1B.2	S2	None	None	May-Sep	Coastal dunes, Coastal prairie, Coastal scrub	Sandy	15	2475	Populations from near Ft. Bragg, MEN Co. may be a distinct variety. Historical occurrences need field surveys. See Systematic Botany 18(1):137-144 (1993) for distributional information.

Historical occurrences need field surveys. Threatened by development. Possibly threatened by foot traffic, trail maintenance, logging, and non-native plants. See Report of the Pacific Railroad Expedition 4(5):84 (1857) for original description, and Systematic Botany 18(1):137-1640 144 (1993) for taxonomic treatment.												
Horkelia tenuiloba	thin-lobed horkelia	Rosaceae	perennial herb	1B.2	S2	None	None	May-Jul(Aug)	Broadleafed upland forest, Chaparral, Valley and foothill grassland	Mesic, Openings, Sandy	165	
Hosackia gracilis	harlequin lotus	Fabaceae	perennial rhizomatous herb	4.2	S3	None	None	Mar-Jul	Broadleafed upland forest, Cismontane woodland, Closed-cone coniferous forest, Coastal bluff scrub, Coastal prairie, Coastal scrub, Marshes and swamps, Meadows and seeps, North Coast coniferous forest, Valley and foothill grassland	wetlands Roadsides	0	2295 Designated as Endangered in Canada. Thought to be a larval food plant of the Federally Endangered lotis blue butterfly (Lycaeides argyrognomon ssp. lotis).
Iris longipetala	coast iris	Iridaceae	perennial rhizomatous herb	4.2	S3	None	None	Mar-May(Jun)	Coastal prairie, Lower montane coniferous forest, Meadows and seeps	Mesic	0	1970 Many collections old; need field surveys. May hybridize with Iris missouriensis. Threatened by development and trampling.
Lasthenia californica ssp. macrantha	perennial goldfields	Asteraceae	perennial herb	1B.2	S2	None	None	Jan-Nov	Coastal bluff scrub, Coastal dunes, Coastal scrub		15	1705 Threatened by competition from non-native plants and recreational activities. Potentially threatened by trail construction and foot traffic. See Report of the Pacific Railroad Expedition 4:106 (1857) for original description, University of California Publications in Botany 40:59-62 (1966) for taxonomic treatment, and Madrono 48(3): 208 (2001) for revised nomenclature.
Leptosiphon aureus	bristly leptosiphon	Polemoniaceae	annual herb	4.2	S4?	None	None	Apr-Jul	Chaparral, Cismontane woodland, Coastal prairie, Valley and foothill grassland		180	4920 Historical occurrences need verification. Does plant occur in CCA Co.?
Leptosiphon grandiflorus	large-flowered leptosiphon	Polemoniaceae	annual herb	4.2	S3S4	None	None	Apr-Aug	Cismontane woodland, Closed-cone coniferous forest, Coastal bluff scrub, Coastal dunes, Coastal prairie, Coastal scrub, Valley and foothill grassland	Sandy (usually)	15	4005 Many historical occurrences extirpated by development; need status information. A synonym of Linanthus grandiflorus in The Jepson Manual. See Pittonia 2:260 (1892) for revised nomenclature, and Aliso 19(1):55-91 (2000) for taxonomic treatment.
Lessingia hololeuca	woolly-headed lessingia	Asteraceae	annual herb	3	S2S3	None	None	Jun-Oct	Broadleafed upland forest, Coastal scrub, Lower montane coniferous forest, Valley and foothill grassland	Clay, Serpentine	50	1000 Move to List 4? Need location, rarity, and endangerment information. Probably more widespread in the southern Sacramento Valley, southern North Coast Ranges, and northern S.F. Bay. Possibly threatened by grazing, and non-native plants. See Flora Franciscana, p. 377 (1897) by E. Greene for original description, and University of California Publications in Botany 16:40 (1929) for taxonomic treatment.
Lilium maritimum	coast lily	Liliaceae	perennial bulbiferous herb	1B.1	S2	None	None	May-Aug	Broadleafed upland forest, Closed-cone coniferous forest, Coastal prairie, Coastal scrub, Marshes and swamps (freshwater), North Coast coniferous forest	Roadsides (sometimes)	15	1560 Did this plant occur in SFO Co.? Populations along Highway 1 routinely disturbed by road maintenance; also threatened by urbanization, development, horticultural collecting, logging, grazing, non-native plants, habitat fragmentation, homeless encampments, foot traffic, and recreational activities. Hybridizes with L. pardalinum ssp. pardalinum. See Proceedings of the American Academy of Arts and Sciences 6:140 (1875) for original description.
Lilium pardalinum ssp. pitkinense	Pitkin Marsh lily	Liliaceae	perennial bulbiferous herb	1B.1	S1	CE	FE	Jun-Jul	Cismontane woodland, Marshes and swamps (freshwater), Meadows and seeps	Mesic, Sandy	115	215 Known only from near Sebastopol. Most of marsh habitat has been destroyed; also threatened by horticultural collecting, hydrological alterations, and competition from other plants. Potentially threatened by hybridization with otherL. pardalinum subspecies. See Novon 12(2):253-261 (2002) for revised nomenclature.
Microseris paludosa	marsh microseris	Asteraceae	perennial herb	1B.2	S2	None	None	Apr-Jun(Jul)	Cismontane woodland, Closed-cone coniferous forest, Coastal scrub, Valley and foothill grassland		15	1165 Need quads for MEN Co. Similar to M. laciniaata spp. leptosepala. See Bulletin of the California Academy of Sciences 2(5):52 (1886) for original description, and Leaflets of Western Botany 5:108 (1948) for revised nomenclature.
Mielichhoferia elongata	elongate copper moss	Mielichhoferiaceae	moss	4.3	S3S4	None	None		Broadleafed upland forest, Chaparral, Cismontane woodland, Coastal scrub, Lower montane coniferous forest, Meadows and seeps, Subalpine coniferous forest	Acidic (usually), Carbonate (sometimes), Metamorphic, Roadsides (often), Vernally Mesic (usually)	0	6430 Previously CRPR 2B.2; more common than originally known. Potentially threatened in PLU Co. by road maintenance. Commonly called "copper mosses" - distinctive glossy blue-green coloration aids identification. See Bryologia Germanica 2(2):186 (1831) for original description.
Phacelia insularis var. continentis	North Coast phacelia	Hydrophyllaceae	annual herb	1B.2	S2	None	None	Mar-May	Coastal bluff scrub, Coastal dunes	Rocky (sometimes), Sandy	35	560 Known from fewer than twenty occurrences. Threatened by foot traffic, non-native plants, and grazing. See American Midland Naturalist 33:474 (1945) for original description.
Plagiobothrys mollis var. vestitus	Petaluma popcornflower	Boraginaceae	perennial herb	1A	SX	None	None	Jun-Jul	Marshes and swamps (coastal salt), Valley and foothill grassland (mesic)		35	165 Known only from the type collection (in 1880) near Petaluma. Field work needed.
Pleuropogon hooverianus	North Coast semaphore grass	Poaceae	perennial rhizomatous herb	1B.1	S2	CT	None	Apr-Jun	Broadleafed upland forest, Meadows and seeps, North Coast coniferous forest	Mesic, Openings	35	2200 Threatened by roadside maintenance, development, timber harvest, feral pigs, and non-native plants. See American Journal of Botany 28:360 (1941) for original description, Leaflets of Western Botany 4(10):247 (1946) for revised nomenclature, and Taxon 27(4):375 (1978) for alternate nomenclature.
Pleuropogon refractus	nodding semaphore grass	Poaceae	perennial rhizomatous herb	4.2	S4	None	None	(Feb-Mar)A	Lower montane coniferous forest, Meadows and seeps, North Coast coniferous forest, Riparian forest	Mesic	0	5250
Ranunculus lobbii	Lobb's aquatic buttercup	Ranunculaceae	annual herb (aquatic)	4.2	S3	None	None	Feb-May	Cismontane woodland, North Coast coniferous forest, Valley and foothill grassland, Vernal pools	Mesic	50	1540
Sagittaria sanfordii	Sanford's arrowhead	Alismataceae	perennial rhizomatous herb (emergent)	1B.2	S3	None	None	May-Oct(Nov)	Marshes and swamps (shallow freshwater)		0	2135 Extirpated from southern California, and mostly extirpated from the Central Valley. Several SAC Co. occurrences not relocated during fieldwork in 2005. See Pittonia 2:158 (1890) for original description.
Sidalcea calycosa ssp. rhizomata	Point Reyes checkerbloom	Malvaceae	perennial rhizomatous herb	1B.2	S2	None	None	Apr-Sep	Marshes and swamps (freshwater, near coast)		10	245 Threatened by non-native plants, road maintenance, foot traffic, and pipeline construction. Possibly threatened by grazing. See Manual of the Flowering Plants of California, p. 629 (1925) by W.L. Jepson for original description.

Threatened by fire suppression. Possibly threatened by development. Plants from LAK Co.												
Sidalcea hickmanii ssp. viridis	Marin checkerbloom	Malvaceae	perennial herb	1B.1	SH	None	None	May-Jun	Chaparral (serpentine)		165	1410 (565B) may be a new taxon.
Streptanthus anomalus	Mount Burdell jewelflower	Brassicaceae	annual herb	1B.1	S1	None	None	May-Jun	Cismontane woodland (openings)	Openings, Serpentine	165	490
Toxicoscordion fontanum	marsh zigadenus	Melanthiaceae	perennial	4.2	S3	None	None	Apr-Jul	Chaparral, Cismontane woodland, Lower montane	Serpentine (often), Vernally Mesic	50	See Leaflets of Western Botany 2:41 (1937) for original description, and Phytologia 73(4):307-3280 311 (1992) for revised nomenclature.
			bulbiferous herb						coniferous forest, Marshes and swamps, Meadows and seeps			
Trifolium amoenum	two-fork clover	Fabaceae	annual herb	1B.1	S1	None	FE	Apr-Jun	Coastal bluff scrub, Valley and foothill grassland		15	Rediscovered in 1993 by P. Conners near Occidental; only one plant found, and subsequent surveys in 1994-1995 unsuccessful. Another occurrence (502C) discovered in 1996. Historical habitat lost to urbanization and agriculture. See Flora Franciscana, p. 27 (1891) by E. Greene 1360 for original description, and Fremontia 22(2):3-7 (1994) for account of rediscovery.
								(sometimes serpentinite)				
Triphysaria floribunda	San Francisco owl's-clover	Orobanchaceae	annual herb	1B.2	S2?	None	None	Apr-Jun	Coastal prairie, Coastal scrub, Valley and foothill grassland	Serpentine (sometimes)	35	525
Triquetrella californica	coastal triquetrella	Pottiaceae	moss	1B.2	S2	None	None		Coastal bluff scrub, Coastal scrub	soil	35	Known in CA from fewer than ten small coastal occurrences, and in in OR from only one occurrence. Threatened by urbanization. See Mem. Calif. Acad. 1:30 (1868) for original description, and Moss. Fl. N.A. 3:201 (1934) for revised nomenclature.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
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In Reply Refer To:

04/23/2026 17:18:47 UTC

Project Code: 2026-0080645

Project Name: Upper Nicasio Creek Maintenance Project

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office

Federal Building

2800 Cottage Way, Room W-2605

Sacramento, CA 95825-1846

(916) 414-6600

PROJECT SUMMARY

Project Code: 2026-0080645

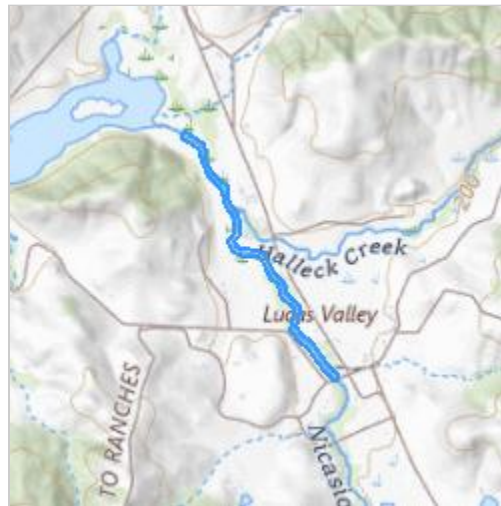
Project Name: Upper Nicasio Creek Maintenance Project

Project Type: Flooding

Project Description: The project targets removal of large wood jams within the stream channel, trimming of the vegetation that encroached into the channel, and sediment removal to restore flow and to reduce localized flooding risks that threaten public facilities and adjacent properties, including Nicasio Elementary School and surrounding private residences, wells and septic systems within these properties.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.06615395,-122.7036327584012,14z>



Counties: Marin County, California

ENDANGERED SPECIES ACT SPECIES

There is a total of 9 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

BIRDS

NAME	STATUS
California Least Tern <i>Sternula antillarum browni</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8104 General project design guidelines: https://ipac.ecosphere.fws.gov/project/H4Y3ALNVHFFZPDTAMW3MKKMMNI/documents/generated/11271.pdf	Endangered
Northern Spotted Owl <i>Strix occidentalis caurina</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1123 General project design guidelines: https://ipac.ecosphere.fws.gov/project/H4Y3ALNVHFFZPDTAMW3MKKMMNI/documents/generated/11271.pdf	Threatened

REPTILES

NAME	STATUS
Green Sea Turtle <i>Chelonia mydas</i> Population: East Pacific DPS No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6199	Threatened
Northwestern Pond Turtle <i>Actinemys marmorata</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1111 General project design guidelines: https://ipac.ecosphere.fws.gov/project/H4Y3ALNVHFFZPDTAMW3MKKMMNI/documents/generated/11271.pdf	Proposed Threatened

AMPHIBIANS

NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2891 General project design guidelines: https://ipac.ecosphere.fws.gov/project/H4Y3ALNVHFFZPDTAMW3MKKMMNI/documents/generated/11271.pdf	Threatened

FISHES

NAME	STATUS
Tidewater Goby <i>Eucyclogobius newberryi</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/57 General project design guidelines:	Endangered

NAME	STATUS
https://ipac.ecosphere.fws.gov/project/H4Y3ALNVHFFZPDTAMW3MKKMMNI/documents/generated/11271.pdf	

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743 General project design guidelines: https://ipac.ecosphere.fws.gov/project/H4Y3ALNVHFFZPDTAMW3MKKMMNI/documents/generated/11271.pdf	Proposed Threatened

FLOWERING PLANTS

NAME	STATUS
Marin Dwarf-flax <i>Hesperolinon congestum</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5363	Threatened
Tiburon Paintbrush <i>Castilleja affinis ssp. neglecta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2687	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: County of Marin
Name: Liz Hill
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Address Line 2: Suite 3700
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LEAD AGENCY CONTACT INFORMATION

Lead Agency: County of Marin

Attachment B

Representative Photographs



Photo 1. Photo of Nicasio Creek, facing downstream of the creek, surrounded by willow forested wetland. Taken on April 13, 2026.



Photo 2. Photo of the Nicasio Creek, facing upstream, surrounded by willow forested wetland understory. Taken on April 13, 2026.



Photo 3. Photo of dense riparian wetland along Nicasio Creek. Taken on April 13, 2026.



Photo 4. Photo of the downed vegetation debris on eastern bank of Nicasio Creek. Taken on April 13, 2026.



Photo 5. Photo of willow forested wetland fringes along northeastern portion of study area. Taken on April 13, 2026.



Photo 6. Photo of willow riparian woodland on Nicasio Creek east bank. Taken on July 7, 2026.



Photo 7. Photo of oak woodland near northern end of Nicasio School District property. Looking south. Taken on April 13, 2026.



Photo 8. Photo of coast live oak and California bay laurel woodland near the confluence of Halleck Creek and Nicasio Creek. Taken on April 13, 2026.



Photo 9. Photo of oak and California bay laurel woodland. Taken on April 13, 2026.



Photo 10. Photo of Nicasio Creek. Taken on April 13, 2026.



Photo 11. Photo of rocky substrate of Halleck Creek just upstream from its confluence with Nicasio Creek. Taken on April 13, 2026.



Photo 12. Photo of unnamed intermittent tributary east of Nicasio Creek. Taken on April 13, 2026.



Photo 13. Photo of non-native annual grassland in vicinity of Nicasio Creek. Taken on May 27, 2025.



Photo 14. Photo of ruderal and developed community east of Nicasio Creek. Taken on April 13, 2026.

Attachment C

Special-Status Species

TABLE C-1
SPECIAL-STATUS PLANTS CONSIDERED IN THE STUDY AREA

Organism	Taxonomy	Common Name Scientific Name	Federal/ State CNPS Status	Habitat	Identification/ Survey Period	Potential to Occur
Plants	Bryophytes	coastal triquetrella <i>Triquetrella californica</i>	-/-1B.2	Coastal bluff scrub, coastal scrub.	-	Low. Suitable coastal scrub habitat is not present.
		Koch's cord moss <i>Entosthodon kochii</i>	-/-1B.3	Cismontane woodland. Moss growing on soil on river banks. 185-365 m.	-	Low. Outside of species' preferred elevation range.
		minute pocket moss <i>Fissidens pauperculus</i>	-/-1B.2	North coast coniferous forest.	-	Not Present. No suitable habitat onsite.
	Dicots, Monocots, and Other	alkali milk-vetch <i>Astragalus tener</i> var. <i>tener</i>	-/-1B.2	Species is found in alkali playa, valley and foothill grassland, and vernal pools.	March-June	Low. Historical occurrence presumed extirpated. Suitable alkali habitat is not present.
		Baker's larkspur <i>Delphinium bakeri</i>	FE/CE/1B.1	Broadleafed upland forest, coastal scrub, valley and foothill grassland.	March-May	Low. Recorded nearby, but species is nearly extinct and unlikely in small acreage of grassland within study area.
		Baker's navarretia <i>Navarretia leucocephala</i> ssp. <i>bakeri</i>	-/-1B.1 -	Cismontane woodland, meadows and seeps, vernal pools, valley and foothill grassland, lower montane coniferous forest.	April-July	Low. Suitable seep habitat not present.
		bent-flowered fiddleneck <i>Amsinckia lunaris</i>	-/-1B.2	Species is found in cismontane woodland, valley and foothill grassland, and coastal bluff scrub.	March-June	Low. Suitable habitat present in small acreage of grassland in study area and records within the Nicasio Creek watershed.
		blue coast gilia <i>Gilia capitata</i> ssp. <i>chamissonis</i>	-/-1B.1	Coastal dunes, coastal scrub, mainly beaches.	April-July	Low. Suitable coastal habitat not present.
		bluff wallflower <i>Erysimum concinnum</i>	-/-1B.2	Species found in coastal dunes, coastal bluff scrub, and coastal prairie.	February-July	Low. Regional occurrences found in coastal prairie habitat in Pt. Reyes.
		Bolander's water-hemlock <i>Cicuta maculata</i> var. <i>bolanderi</i>	-/-2B.1	Species is found in marshes and swamps in fresh or brackish water. 0-20 m.	July-September	Low. Two local CNDDDB occurrences are Shell Beach on west side of Tomales Bay and Olema Marsh (historical [1954]).

Organism	Taxonomy	Common Name <i>Scientific Name</i>	Federal/ State CNPS Status	Habitat	Identification/ Survey Period	Potential to Occur
		coastal marsh milk-vetch <i>Astragalus pycnostachyus</i> <i>var. pycnostachyus</i>	-/-1B.2	Species is found in coastal dunes, marshes, swamps, and coastal scrub. Mesic sites in dunes or along streams or coastal salt marshes. 0-155 m.	June-October (April)	Low. Suitable coastal habitat not present.
		congested-headed hayfield tarplant <i>Hemizonia congesta</i> ssp. <i>congesta</i>	-/-1B.2	Valley and foothill grassland. Grassy valleys and hills, often in fallow fields; sometimes along roadsides. 5-520 m.	April-November	Moderate. Small acreage of grassland habitat in study area could provide suitable habitat. 1991 CNDDB occurrence at southern end of Nicasio Reservoir along Nicasio Valley Rd.
		Contra Costa goldfields <i>Lasthenia conjugens</i>	FE/-1B.1	Valley and foothill grassland, vernal pools, alkaline playas, cismontane woodland.	March-June	Not Present. Outside of species' known range.
		dark-eyed gilia <i>Gilia millefoliata</i>	-/-1B.2	Coastal dunes.	April-July	Not Present. Suitable beach habitat not present.
		Diablo helianthella <i>Helianthella castanea</i>	-/-1B.2	Broadleafed upland forest, chaparral, cismontane woodland, coastal scrub, riparian woodland, valley and foothill grassland.	March-June	Not Present. Outside of species' known distribution range.
		Franciscan onion <i>Allium peninsulare</i> var. <i>franciscanum</i>	-/-1B.2	Species can be found in cismontane woodland and valley and foothill grassland.	May-June (April)	Low. Not recorded in Marin County.
		Franciscan thistle <i>Cirsium andrewsii</i>	-/-1B.2	Species is found in coastal bluff scrub, broadleafed upland forest, coastal scrub, and coastal prairie.	March-July	Low. Coastal bluff scrub and broadleaf upland forest not present in study area.
		golden larkspur <i>Delphinium luteum</i>	FE/CR/1B.1	Chaparral, coastal prairie, coastal scrub.	March-May	Low. Suitable chaparral/scrub habitat is marginal.
		hairless popcornflower <i>Plagiobothrys glaber</i>	-/-1A	Meadows and seeps, marshes and swamps.	March-May	Not Present. Presumed extirpated from area.
		Humboldt Bay owl's-clover <i>Castilleja ambigua</i> var. <i>humboldtiensis</i>	-/-1B.2	Species is found in coastal saltmarsh with <i>Spartina</i> , <i>Distichlis</i> , <i>Salicornia</i> , <i>Jaumea</i> .	April-August	Low. Suitable coastal habitat not present and study area outside of species' known elevation range.
		Marin checkerbloom <i>Sidalcea hickmanii</i> ssp. <i>viridis</i>	-/-1B.1	Chaparral. Serpentine or volcanic soils; sometimes appears after burns. 1-425 m.	May-June	Low. Marginal habitat, and no recent records nearby.

Organism	Taxonomy	Common Name Scientific Name	Federal/ State CNPS Status	Habitat	Identification/ Survey Period	Potential to Occur
		Marin County navarretia <i>Navarretia rosulata</i>	-/-1B.2	Closed-cone coniferous forest, chaparral. Dry, open rocky places; can occur on serpentine. 185-640 m.	May-July	Low. Suitable rocky habitat not present and study area outside of species' elevation range.
		Marin manzanita <i>Arctostaphylos virgata</i>	-/-1B.2	Species is found in broadleafed upland forest, closed-cone coniferous forest, chaparral, and north coast coniferous forest.	January-March	Low. Although several records in the vicinity; broadleafed upland forest, closed-cone coniferous forest, chaparral not present in study area. Often grows on rocky, steep, sunny slopes in areas characterized by heavy summer fog and coastal influence.
		Marin western flax <i>Hesperolinon congestum</i>	FT/CT/1B.1	Chaparral, valley and foothill grassland in serpentine barrens, serpentine grassland and chaparral.	April-July	Low. Unlikely due to local occurrences documented at higher elevations; also lack of serpentine soils in study area.
		marsh microseris <i>Microseris paludosa</i>	-/-1B.2	Closed-cone coniferous forest, cismontane woodland, coastal scrub, valley and foothill grassland.	April-June (July)	Low. Local occurrences are in more coastal micro-habitats and species not recorded in San Geronimo quad in CNDDb; nearest iNaturalist occurrence in Pt. Reyes.
		Mason's ceanothus <i>Ceanothus masonii</i>	-/CR-1B.2	Species is found in chaparral. Serpentine ridges or slopes in chaparral or transition zone.	March-April	Low. Suitable habitat is marginal Outside typical elevation range. Recent occurrences near SoulaJule.
		Mason's lilaeopsis <i>Lilaeopsis masonii</i>	-/CR-1B.1	Marshes and swamps, riparian scrub. tidal zones, in muddy or silty soil on riverbanks in brackish or freshwater.	April-November	Low. Suitable tidal habitat is not present.
		Mount Burdell jewelflower <i>Streptanthus anomalus</i>	-/- 1B.1	Cismontane woodland in grassy openings on serpentine/	May-June	Low. Lack of serpentine habitat likely precludes presence of species in small grassland habitat in study area. Not observed during ESA botanical surveys around reservoir in 2025.
		Mt. Tamalpais bristly jewelflower <i>Streptanthus glandulosus</i> <i>ssp. pulchellus</i>	-/-1B.2	Chaparral, valley and foothill grassland on serpentine slopes.	May-July (August)	Low. Serpentine slopes not present in grassland portion of study area.
		Mt. Tamalpais manzanita <i>Arctostaphylos montana</i> <i>ssp. montana</i>	-/-1B.3	Species is found in chaparral and valley and foothill grassland on serpentine slopes.	February-April	Low. Although several records are in the vicinity; serpentine slopes not present in study area.

Organism	Taxonomy	Common Name <i>Scientific Name</i>	Federal/ State CNPS Status	Habitat	Identification/ Survey Period	Potential to Occur
		Mt. Tamalpais thistle <i>Cirsium hydrophilum</i> var. <i>vaseyi</i>	-/-1B.2	Species is found in broadleafed upland forest, chaparral, and meadows and seeps.	May-August	Low. Outside of species' preferred elevation range.
		Mt. Vision ceanothus <i>Ceanothus gloriosus</i> var. <i>porrectus</i>	-/-1B.3	Species is found in closed-cone coniferous forest, coastal prairie, coastal scrub, and valley and foothill grassland.	February-May	Not Present. Only known from Mt. Vision area.
		Napa false indigo <i>Amorpha californica</i> var. <i>napensis</i>	-/-1B.2	Species is found in openings in broadleafed upland forest, chaparral, and cismontane woodland.	April-July	Moderate. May be found in woodland habitat openings. There are numerous occurrences in woodland areas near the study area and in west Marin (CDFW 2026). Nearest recent occurrence is approximately 3.4 miles southwest of the study area in the Lagunitas Creek riparian corridor.
		Nicasio ceanothus <i>Ceanothus decornutus</i>	-/-1B.2 -	Species is found in maritime chaparral; serpentinite, rocky, sometimes clay	March-May	Low. Suitable chaparral habitat not present.
		North Coast phacelia <i>Phacelia insularis</i> var. <i>continentis</i>	-/-1B.2	Coastal bluff scrub, coastal dunes. Open maritime bluffs, sandy soil, sometimes rocky habitats.	March-May	Low. Suitable coastal habitat not present.
		perennial goldfields <i>Lasthenia californica</i> ssp. <i>macrantha</i>	-/-1B.2	Coastal bluff scrub, coastal dunes, coastal scrub.	January-November	Low. Suitable coastal habitat not present.
		Petaluma popcornflower <i>Plagiobothrys mollis</i> var. <i>vestitus</i>	-/-1A	Valley and foothill grassland, marshes and swamps.	June-July	Not Present. Presumed extirpated from area.
		pink sand-verbena <i>Abronia umbellata</i> var. <i>breviflora</i>	-/-1B.1	Species found in coastal dunes and coastal strand.	June-October	Low. Suitable coastal habitat not present. Study area above species' elevation range.
		Point Reyes checkerbloom <i>Sidalcea calycosa</i> ssp. <i>rhizomata</i>	-/-1B.2	Marshes and swamps, freshwater near coast.	April-September	Low. Regional occurrences are all on coast documented west of Bolinas Ridge and limited suitable habitat in study area. Only CNDDB occurrence is located on west side of Mt. Tam/ Big Carson Ridge area. Nearest iNaturalist occurrence in Pt. Reyes Station.
		Point Reyes horkelia <i>Horkelia marinensis</i>	-/-1B.2	Sandy flats and dunes near coast; in grassland or scrub plant communities.	May-September	Low. Suitable habitat absent from study area.

Organism	Taxonomy	Common Name Scientific Name	Federal/ State CNPS Status	Habitat	Identification/ Survey Period	Potential to Occur
		Point Reyes salty bird's-beak <i>Chloropyron maritimum</i> ssp. <i>palustre</i>	-/-1B.2	Species is found in coastal salt marsh with <i>Spartina</i> , <i>Distichlis</i> , <i>Salicornia</i> , <i>Jaumea</i> .	June-October	Not Present. No coastal salt marsh habitat onsite.
		San Francisco Bay spineflower <i>Chorizanthe cuspidata</i> var. <i>cuspidata</i>	-/-1B.2	Species is found in coastal bluff scrub, coastal dunes, coastal prairie, and coastal scrub.	April-July (August)	Low. Suitable coastal habitat not present.
		San Francisco owl's-clover <i>Triphysaria floribunda</i>	-/-1B.2 -	Coastal prairie, coastal scrub, valley and foothill grassland, sometimes serpentine.	April-June	Low. Suitable coastal habitat not present.
		Santa Cruz microseris <i>Stebbinsoseris decipiens</i>	-/-1B.2	Broadleafed upland forest, closed-cone coniferous forest, chaparral, coastal prairie, coastal scrub, valley and foothill grassland.	April-May	Low. Coastal micro habitat in loose or disturbed soils, usually derived from sandstone, shale or serpentine, on seaward slopes not present in study area.
		Santa Cruz tarplant <i>Holocarpha macradenia</i>	FT/CE/1B.1	Coastal prairie, coastal scrub, valley and foothill grassland.	June-October	Low. Presumed extirpated from area.
		seaside bittercress <i>Cardamine angulata</i>	-/-2B.1 -	Species is found in north coast coniferous forest and lower montane coniferous forest.	March-July (January)	Not Present. Outside of species' known range.
		small groundcone <i>Kopsiopsis hookeri</i>	-/-2B.3 -	North coast coniferous forest.	April-August	Low. Suitable conifer habitat not present.
		soft salty bird's-beak <i>Chloropyron molle</i> ssp. <i>molle</i>	FE/CR 1B.2 -	Species is found in coastal salt marsh with <i>Spartina</i> , <i>Distichlis</i> , <i>Salicornia</i> , <i>Jaumea</i> .	June-November	Low. Coastal salt marsh habitat not present.
		Sonoma spineflower <i>Chorizanthe valida</i>	FE/CE 1B.1	Species is found in coastal prairie.	June-August	Low. Presumed extirpated from area.
		Tamalpais jewelflower <i>Streptanthus batrachopus</i>	-/-1B.3	Closed-cone coniferous forest, chaparral.	April-July	Not Present. Outside of species' elevation range.
		Tamalpais lessingia <i>Lessingia micradenia</i> var. <i>micradenia</i>	-/-1B.2	Chaparral, valley and foothill grassland usually on serpentine grassland or chaparral. Often on roadsides.	(June)July-October	Low. Serpentine not known in study area.

Organism	Taxonomy	Common Name Scientific Name	Federal/ State CNPS Status	Habitat	Identification/ Survey Period	Potential to Occur
		Tamalpais oak <i>Quercus parvula</i> var. <i>tamalpaisensis</i>	-/-1B.3	Lower montane coniferous forest, cismontane woodland above, typically above 330 feet in elevation.	March-April	Low. Study area lower than minimum elevation species typically occurs.
		thin-lobed horkelia <i>Horkelia tenuiloba</i>	-/-1B.2	Broadleafed upland forest, chaparral, valley and foothill grassland in sandy soils and mesic openings.	May-July(August)	Low. Sandy soils not present in study area. Very limited occurrences in region.
		Tiburon buckwheat <i>Eriogonum luteolum</i> var. <i>caninum</i>	-/-1B.2	Species found in serpentine soils; sandy to gravaelly sites in chaparral, valley and foothill grassland, cismontane woodland, and coastal prairie (serpentine).	May-September	Low. Local occurrences found in serpentine dry grasslands; suitable habitat not present in study area.
		Tiburon paintbrush <i>Castilleja affinis</i> var. <i>neglecta</i>	FE/CT 1B.2	Species is found in valley and foothill grassland on rocky serpentine sites.	April-June	Low. Rocky serpentine habitat not in study area.
		two-fork clover <i>Trifolium amoenum</i>	FE/-1B.1	Valley and foothill grassland, coastal bluff scrub sometimes on serpentine soil, open sunny sites, swales.	April-June	Low. Only extant occurrence in 4 quad search is from 1969 along Point Reyes Petaluma Rd on road bank. No iNaturalist records in vicinity.
		western leatherwood <i>Dirca occidentalis</i>	-/-1B.2	Broadleafed upland forest, chaparral, closed-cone coniferous forest, cismontane woodland, north coast coniferous forest, riparian forest, and riparian woodland.	January-March(April)	High. May be found in woodland areas. It has been recorded in upper Halleck Creek riparian corridor in iNaturalist in 2026 and along a northern tributary to Nicasio Reservoir in iNaturalist in 2019.
		white-rayed pentachaeta <i>Pentachaeta bellidiflora</i>	FE/CE 1B.1	Valley and foothill grassland, cismontane woodland.	March-May	Not Present. Considered extirpated from Marin County
		woolly-headed gilia <i>Gilia capitata</i> ssp. <i>tomentosa</i>	-/-1B.1	Coastal bluff scrub, valley and foothill grassland, riparian woodland. Rocky outcrops, sometimes serpentine.	May-July	Low. CNDDDB occurrence in Nicasio Reservoir on island and iNaturalist occurrences less than 2.5 miles southwest in the Nicasio Creek riparian corridor; however, the study area lacks rocky outcrops/serpentine soils to likely support this species.
		Blasdale's bent grass <i>Agrostis blasdalei</i>	-/-1B.2	Species is found in coastal dunes, coastal bluff scrub and coastal prairie.	May-July	Unlikely. Suitable coastal scrub habitat is not present.
		coast lily <i>Lilium maritimum</i>	-/-1B.1	Closed-cone coniferous forest, coastal prairie, coastal scrub, broadleafed upland	May-August	Low. Suitable sandy habitat is not present.

Organism	Taxonomy	Common Name Scientific Name	Federal/ State CNPS Status	Habitat	Identification/ Survey Period	Potential to Occur
				forest, coniferous forest, marshes and swamps, on sandy soils.		
		fragrant fritillary <i>Fritillaria liliacea</i>	-/-1B.2	Coastal scrub, valley and foothill grassland, coastal prairie, cismontane woodland. Often on serpentine; various soils reported though usually on clay, in grassland.	February-April	Moderate. Recent occurrences along Petaluma-Pt Reyes Rd and Nicasio Valley Rd on rocky possibly serpentine soils. Grassland in study area could potentially be considered habitat.
		Franciscan onion <i>Allium peninsulare</i> var. <i>franciscanum</i>	-/-1B.2	Species can be found in cismontane woodland and valley and foothill grassland.	May-June (April)	Low. Not recorded in Marin County.
		Lyngbye's sedge <i>Carex lyngbyei</i>	-/-2B.2	Species is found in marshes and swamps (brackish or freshwater).	April-August	Low. Suitable brackish habitat is not present and study area outside species' elevation range (0-35 feet).
		Marin checker lily <i>Fritillaria lanceolata</i> var. <i>tristulis</i>	-/-1B.1	Coastal bluff scrub, coastal scrub, coastal prairie from canyons and riparian areas and rock outcrops; often on serpentine.	February-May	Low. Primary habitat of coast bluff scrub, coastal scrub, and coastal prairie not present in study area. Nearest CNDDDB occurrence on north end of Nicasio Reservoir on north facing hillslope in clay soils with coyote brush. Local occurrences beyond a mile of coast are in vicinity of rock outcrops or more xeric conditions, exclusive of historic occurrences.
		North Coast semaphore grass <i>Pleuropogon hooverianus</i>	-/CT 1B.1	Broadleafed upland forest, meadows and seeps, north coast coniferous forest in wet grassy, usually shady areas, sometimes freshwater marsh in forest environments.	April-June	Moderate. Suitable habitat is present in study area riparian woodlands and wetlands and records four miles south of the study area along Sir Francis Drake near the Marin Water Treatment Plant.
		Pitkin Marsh lily <i>Lilium pardalinum</i> ssp. <i>pitkinense</i>	FE/CE 1B.1	Cismontane woodland, meadows and seeps, marshes and swamps.	June-July	Not Present. Out of species' known range.
		Sanford's arrowhead <i>Sagittaria sanfordii</i>	-/-1B.2	Marshes and swamps in standing or slow-moving freshwater ponds, marshes, and ditches.	May-October (November)	Moderate. Recorded in mesic conditions along northwestern shoreline of Nicasio Reservoir (iNaturalist, 2023).

Organism	Taxonomy	Common Name <i>Scientific Name</i>	Federal/ State CNPS Status	Habitat	Identification/ Survey Period	Potential to Occur
		Sonoma alopecurus <i>Alopecurus aequalis</i> var. <i>sonomensis</i>	FE/-1B.1	Species is found in freshwater marshes and swamps and riparian scrub.	May-July	Low. Only known from Point Reyes peninsula.
		Thurber's reed grass <i>Calamagrostis crassiglumis</i>	-/-2B.1	Species is found in coastal scrub and marshes and swamps.	May-August	Low. Suitable coastal habitat is not present.
		water star-grass <i>Heteranthera dubia</i>	-/-2B.2	Marshes and swamps in alkaline, still or slow-moving water. Requires a pH of 7 or higher, usually in slightly eutrophic waters.	July-October	Low. Suitable alkaline habitat is not present.

Notes: USGS 7.5 minute quads San Geronimo, Inverness, San Rafael, Novato, Petaluma, Bolinas.

KEY TO STATUS CODES:

Federal

Candidate = FC

Delisted = FD

Endangered = FE

None = -

Proposed Endangered = FPE

Proposed Threatened = FPT

Threatened = FT

State

Candidate Endangered = CCE

Candidate Threatened = CCT

Delisted = CD

Endangered = CE

None = -

Rare = CR

Threatened = CT

Other

CNPS Rank Categories:

1A = Plants presumed extirpated in California and either rare or extinct elsewhere

1B = Plants Rare, Threatened, or Endangered in California and elsewhere

2A = Plants presumed extirpated in California, but more common elsewhere

2B = Plants Rare, Threatened, or Endangered in California, but more common elsewhere

3 = Plants about which more information is needed - A Review List

4 = Plants of limited distribution - A Watch List

CNPS Code Extensions:

.1 = Seriously endangered in California (over 80% of occurrences threatened/high degree and immediacy of threat)

.2 = Fairly endangered in California (20U+002d80% occurrences threatened)

.3 = Not very endangered in California (less than 20% of occurrences threatened or no current threats known)

Sources: CNPS 2026; USFWS 2026; CDFW 2026

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TABLE C-2
SPECIAL-STATUS WILDLIFE CONSIDERED IN THE STUDY AREA

Common Name Scientific Name	Status	Habitat	Potential to Occur
Invertebrates			
Western bumble bee <i>Bombus occidentalis</i>	--/CCE	Found in habitats with flowering plants and suitable soils for burrowing. They typically nest underground in cavities. In Marin, this often includes abandoned rodent burrows (like those of field mice or voles), brush piles, or sometimes hollowed-out spaces at the base of native bunchgrasses or trees. They are generalist foragers but rely heavily on native plant communities, specifically chaparral, oak savannahs, and riparian corridors. Favored local forage includes flowering Ceanothus, manzanita, thistles, and lupines.	Low. Although there are two nearby CNDDB records from open areas in 1969 and 1977 near Nicasio reservoir, species is not likely in study area forested areas due to limited favored foraging and nesting habitat.
Monarch butterfly (overwintering) <i>Danaus plexippus</i>	PT/--	Eucalyptus or Monterey pine groves (winter sites). Does not breed in the vicinity.	Low. Suitable wintering habitat not found in the study area. Milkweed for breeding was also not observed during surveys, though floral resources abound.
California freshwater shrimp <i>Syncaris pacifica</i>	FE/SE	Slow-moving, shallow water, stream edges and eddies with undercut banks with overhanging vegetation like willow roots and blackberry.	Low. No California freshwater shrimp were observed during targeted surveys performed by Marin Water Fisheries Program Manager in Nicasio Creek within the study area on June 19 th and 30 th , 2026. Sampling downstream of Nicasio school was not possible due to high water but given that that section of the study reach is within the reservoir footprint, that area could be reasonably ruled out as potential shrimp habitat, even as the water levels recede. Even though occurrences of CA freshwater shrimp are documented in iNaturalist from 2019 to 2025 in tributaries to Nicasio Creek east of Nicasio Valley Road, the species has not been recorded in Nicasio Creek, either upstream or downstream of the reservoir. Targeted surveys in 2013, found this species in Lagunitas Creek within Samuel P. Taylor Park (Serpa 2013). While the shrimp can navigate small gradient changes, steep man-made dams, culverts, or artificial concrete channels block their natural range expansion. They are poor swimmers. Barriers separate local gene pools and prevent the recolonization of upstream habitats, isolating the populations into vulnerable genetic "islands".
Reptiles and Amphibians			
Northwestern pond turtle <i>Actinemys marmorata</i>	PT/--SSC	Ponds, marshes, rivers, streams, and irrigation ditches with aquatic vegetation. Requires basking sites and suitable	Present. CNDDB record within the study area, south of Nicasio Reservoir along Nicasio Creek (#59, CDFW 2026).

Common Name Scientific Name	Status	Habitat	Potential to Occur
		upland habitat for egg-laying. Nest sites most often characterized as having gentle slopes (<15%) with little vegetation or sandy banks.	Exposed freshwater emergent wetland adjacent to the riparian community in the northern portion of the study area could provide nesting habitat for this species.
California tiger salamander – Sonoma DPS <i>Ambystoma californiense</i>	FE/ST	Vernal or temporary pools in annual grasslands, or open stages of woodlands. Typically, adults use mammal burrows for aestivation in non-breeding season.	Not Present. Vernal and temporary pools and upland burrows complexes not present within the study area. No CNDDB occurrences of this species within 5 mi. of the study area.
California giant salamander <i>Dicamptodon ensatus</i>	--/--/SSC	Found in humid coastal forests, especially in Douglas-fir, redwood, red fir, montane and valley-foothill riparian habitats. They live in or near cool, rocky streams, and occasionally lakes and ponds.	High. Perennial streams in the study area provide suitable habitat. One CNDDB record from Nicasio Creek in 1948 (prior to reservoir construction). Additional CNDDB records within 5 miles south and west.
Foothill yellow-legged frog – North Coast DPS <i>Rana boylei</i>	--/--/SSC	Partly-shaded, usually perennial, shallow streams and riffles with a rocky substrate in a variety of habitats. Needs at least some cobble-sized substrate for egg-laying. Needs at least 15 weeks to attain metamorphosis.	Present. Recorded in Nicasio and Halleck Creeks upstream of the study area. Additional CNDDB records in nearby streams within 5 miles.
California red-legged frog <i>Rana draytonii</i>	FT/--/SSC	Streams, freshwater pools, and ponds with overhanging vegetation. Also found in woods adjacent to streams. Requires permanent or ephemeral water sources such as reservoirs and slow moving streams and needs pools of >0.5 meters depth for breeding.	Moderate. Species could inhabit Nicasio Creek and tributaries in southern study area. Presence of predatory fish species in reservoir may be threat to species occurrence in study area near confluence with reservoir. No CNDDB records within the Nicasio Creek watershed upstream of the dam, but species is present in drainages east and west of reservoir, upper Halleck Creek, and Lagunitas and Olema Creeks downstream. Critical Habitat 2 miles west and north of the study area.
Red-bellied newt <i>Taricha rivularis</i>	--/--/SSC	Found in rivers and streams in coastal woodlands and redwood forests. Hide in vegetation and under stones during the day.	Low. Suitable habitat is present in riparian areas of the study area; however, the study area is outside the known range of this species.
Birds			
Burrowing owl <i>Athene cunicularia</i>	--/CE/SSC	Open grasslands and shrublands where perches and existing rodent burrows are available.	Low. Study area does not have suitable open grassland or burrows. One CNDDB record within 5 miles southeast of study area near Big Rock.
White-tailed kite <i>Elanus leucurus</i>	--/--/CFP	Nests in shrubs and trees next to grasslands, forages over grasslands and agricultural lands.	Moderate. Suitable nesting habitat present in trees in the study area, with nearby grassland for foraging.
Bald eagle <i>Haliaeetus leucocephalus</i>	FD/SE/CFP	Nests near large bodies of water such as lakes, rivers, and coasts where they feed on fish and carrion and select nest sites in tall trees or on cliffs.	Low. Study area lacks conifers, typically used as nest sites. July 2025 iNaturalist occurrence of pair perched in conifer overlooking Nicasio Reservoir is 0.90 mile away from study area. No known nest sites within 660-feet of the study area. USFWS recommends nest buffers of 660 feet from construction activities. It may merely forage over the Nicasio Reservoir waters.

Common Name Scientific Name	Status	Habitat	Potential to Occur
San Pablo song sparrow <i>Melospiza melodia samuelis</i>	--/--/SSC	Nests in dense vegetation, San Pablo Bay tidal salt marsh.	Not Present. Suitable marsh nesting habitat is not present. Only marsh-nesting subspecies is protected.
Osprey <i>Pandion haliaetus</i>	--/--/WL	Found near waters where fish are plentiful; builds large stick nests in trees, power poles, or platforms.	Low. Although species' observed foraging over reservoir on multiple occasions in recent years; nest sites of the species not documented within the vicinity of the study area. Kent Lake colony, over 4.5 mile south, in decline from 2017-2022.
Yellow warbler <i>Setophaga petechia</i>	--/--/SSC	Breeds in wet, deciduous thickets, especially willows.	Low. Species documented in 1975 in Olema marsh, approximately 5 miles west of study area. Species not documented in iNaturalist in the region.
Northern spotted owl <i>Strix occidentalis caurina</i>	FT/ST	Nests in dense primary or second growth coniferous forest; forages primarily for rodents.	Low. Coast redwood or Douglas-fir habitat not present in the study area. Nearest nest site is downstream of dam in north-facing slope forest. Several CNDDDB records within 5 miles of study area.
Mammals			
Pallid bat <i>Antrozous pallidus</i>	--/--/SSC/WBWG High	Most common in open, dry habitats with rocky areas for roosting. Roosts in buildings, caves, or cracks in rocks. Forages primarily on the ground.	Low. Suitable rock or cave habitat for roosting is lacking in the study area; may forage over reservoir or feeder streams. Numerous CNDDDB records within 5 miles west of the study area.
Point Reyes mountain beaver <i>Aplodontia rufa phaea</i>	--/--/SSC	Forested areas at sea level to timberline peaks, second-growth trees and shrubs near water. Requires deep soils to construct burrows.	Not Present. This species is found almost exclusively within Point Reyes National Seashore.
Townsend's big-eared bat <i>Corynorhinus townsendii</i>	--/--/SSC/WBWG High	Requires caves, mines, tunnels, buildings, or other human-made structures for roosting in coastal lowlands, cultivated valleys and nearby hills characterized by mixed vegetation throughout California below 3,300 meters.	Low. Lack of caves and mines likely precludes species presence. May forage over Nicasio Creek or reservoir and feeder streams. Nearest CNDDDB occurrence is documented in 1994 in valley grassland in Tocaloma, approximately 3 miles west of study area.
Hoary bat <i>Lasiurus cinereus</i>	--/--/WBWG Medium	Prefers open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding. Roosts in dense foliage of medium to large trees. Feeds primarily on moths. Requires water.	Low. Only historical occurrences within the five USGS 7.5 minute quads.
Western red bat <i>Lasiurus frantzii</i>	--/--/SSC/WBWG High	Roosts primarily in trees, less often in shrubs. Roost sites often are in edge habitats adjacent to streams, fields, or urban areas. Preferred roost sites are protected from above, open below, and located above dark ground-cover. Such sites minimize water loss. Roosts may be from 0.6-13 m (2-40 ft) above ground level. Associated with intact riparian habitat (particularly willows, cottonwoods, and sycamores).	Moderate. Suitable riparian and edge habitat is present along Nicasio. Nearest CNDDDB occurrence is Olema Creek near Bear Valley Road in 2003. 2023 and 2025 dead occurrences in iNaturalist located less than 5 miles north and northeast of study area on a roadside near Pt. Reye/Petaluma Rd. and in grassland around Stafford Lake.

Common Name Scientific Name	Status	Habitat	Potential to Occur
American badger Taxidea taxus	--/--/SSC	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. Needs sufficient food, friable soils and open, uncultivated ground, and preys on burrowing rodents.	Low. Dry grasslands not present in study area.

Notes: USGS 7.5 minute quads San Geronimo, Inverness, Novato, Petaluma, Bolinas.

KEY TO STATUS CODES:

Federal

Candidate = FC
Delisted = FD
Endangered = FE
None = -
Proposed Endangered = FPE
Proposed Threatened = FPT
Threatened = FT

State

Candidate Endangered = CCE
Candidate Threatened = CCT
Delisted = CD
Endangered = CE
Fully Protected = CFP
None = -
Rare = CR
Threatened = CT

Western Bat Working Group (WBWG)

Low = Most of the existing data support stable populations of the species, and that the potential for major changes in status in the near future is considered unlikely. While there may be localized concerns, the overall status of the species is believed to be secure.
Medium = A level of concern that should warrant closer evaluation, more research, and conservation actions of both the species and possible threats. A lack of meaningful information is a major obstacle in adequately assessing these species' status and should be considered a threat.
High = Highest priority for funding, planning, and conservation actions

Sources: USFWS 2026; CDFW 2026

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STAFF REPORT

Meeting Type: Board of Directors

Title: Amendment No. 2 to Professional Services Agreement with Environmental Science Associates (ESA) for the Nicasio Hydrology Study

From: Paul Sellier, Director of Water Resources

Through: Ben Horenstein, General Manager

Meeting Date: August 18, 2026

TYPE OF ITEM: X Action Information

RECOMMENDATION: Approve Amendment No. 2 to the Professional Services Agreement No. 6494 with ESA to provide environmental analysis for the long-term maintenance plan and to provide support for integrating the long-term maintenance plan into the Atmospheric River Capture project description for an additional amount not to exceed \$578,732 and authorize the General Manager to execute the contract amendment; and Approve the use of the Capital Reserve to increase budget appropriations in the Water Resources Administration program by \$578,732

SUMMARY: On November 18, 2025, the Board of Directors approved a Professional Services Agreement with ESA in the amount of \$387,685 to review the potential for immediate action for maintenance work in the Nicasio and Halleck Creeks near the District’s Nicasio Reservoir and to develop an integrated creek and watershed model. The model allows the District to assess contributors to localized flooding and develop potential management actions to help address these. Amendment No. 1 added design scope services and fees of not to exceed an additional \$354,659 to further refine the model to support the determination of maintenance triggers and thresholds, develop a long-term maintenance plan and provide regulatory permitting support for maintenance work in 2026. Amendment No. 2 will add the necessary environmental analysis and studies to support the development of a proposed long-term maintenance plan and to integrate this plan into the ARC project description for purposes of conducting analysis under the California Environmental Quality Act. These additional services in the amount of \$578,732 will increase the previously approved contract amount of \$742,344 to a new not to exceed amount of \$1,321,076.

DISCUSSION: In response to concerns raised by property owners upstream of Nicasio Reservoir, the District is developing a proposed long-term maintenance plan supported by a hydrologic model to address existing conditions and contributors to upstream flooding. The long-term plan is expected to include the proposed removal of a significant volume of sediment from Nicasio and Halleck Creeks in addition to vegetation thinning and widening of the creek channel as it enters the reservoir. The proposed plan is also expected to identify future maintenance actions to maintain channel capacity.

Given the extent of the work and the potential linkage of the reservoir to upstream effects, staff is proposing to include the long-term maintenance plan activities as part of the ARC project. To integrate the long-term maintenance plan activities into the ARC project, ESA will need to provide supplemental environmental analysis to be included in the existing ARC Environmental Impact Report.

This proposed second contract amendment will add the services necessary to integrate the proposed long-term maintenance plan into the ARC project environmental analysis and to provide additional hydrologic studies to assess the potential effects from water supplied through the ARC project into Nicasio reservoir on upstream and downstream receptors.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: The original Professional Services Agreement with ESA was approved in the amount of \$387,685. Amendment No. 1 increased the contract amount by \$354,659 to provide services to develop the long-term maintenance plan and to support the permitting process for short-term work to be accomplished in 2026, resulting in a revised total contract amount of \$742,344. Amendment No. 2 further increases the contract amount by \$578,732 to provide services to integrate the long-term maintenance plan into the ARC project, provide environmental analysis and studies to assess the potential effects from water supplied through the ARC project into Nicasio reservoir on upstream and downstream receptors for a new total approved contract value of \$1,321,076. Funding for this work was not included in the 2-year adopted budget for FY 2025/26 – FY 2026/27, however, funds are available in the District’s Capital Reserve for this purpose. The Board’s approval of this amendment will also include an approved increase in expenditure appropriations by \$578,732 in the Water Resources Administration cost center (4510).

ATTACHMENT(S):

- 1. Proposed Amendment No. 2 – Scope of Services & Fee

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Water Resources	 Paul Sellier Water Resources Director	 Ben Horenstein General Manager



Attachment 1

1901 Harrison Street
Suite 1300
Oakland, CA 94612
510.839.5066 **phone**
510.839.5825 **fax**

Section 7. Item #d.

August 5, 2026

Paul Sellier and Lucy Croy
Marin Municipal Water District
220 Nellen Ave
Corte Madera, CA 94925

Subject: Scope of Work for the Marin Water Upper Nicasio Flood Study, Contract Modification #2

Dear Mr. Sellier and Ms. Croy,

Environmental Science Associates (ESA) is currently providing engineering and environmental services related to the Marin Municipal Water District's (Marin Water's) Upper Nicasio Creek Maintenance Project (Nicasio Maintenance Project) in Marin County. Marin Water is presently engaged in preparation of their Atmospheric River Capture (ARC) Project's Environmental Impact Report (EIR) and has requested ESA's support in integrating the Nicasio Project into the ARC EIR's project description and environmental analysis.

This letter responds to your request for a proposal outlining additional environmental services anticipated through August 2027. Accordingly, this proposal provides for: (1) ARC Project EIR Support for the Nicasio Maintenance Project (Task 8); (2) Supporting Technical Studies for Nicasio Maintenance Project (Task 9); (3) WaterSmart Grant Application Support (Task 10); and (4) As-Needed Contingency Support (Task 11). ESA will provide CEQA support to Marin Water's ARC Project EIR by analyzing the potential environmental effects associated with the proposed long-term maintenance in Upper Nicasio Creek. Descriptions of the proposed scope of work, schedule, and budget are presented in the sections that follow.

Project Understanding

The proposed Nicasio Maintenance Project (Project) is intended to provide long-term localized flooding relief through a combination of large-scale vegetation removal and sediment removal effort along Upper Nicasio Creek from its confluence to Nicasio Reservoir upstream to Nicasio Creek Road Bridge and Halleck Creek starting in 2027.¹ The Project is in response to a permit requirement from the San Francisco Bay's Regional Water Quality Control Board's emergency work authorization issued in December 2025. **Figure 1** below indicates the assumed action area for the Project; the staging area is tentative, and Marin Water will confirm staging areas soon. There are two distinct parts to the Project:

- **Part 1** consists of large-scale vegetation and sediment removal work. Up to six feet of sediment removal is proposed along approximately 3,150 linear feet of Upper Nicasio Creek and 1,200 linear feet of Halleck Creek. In addition, the existing floodplain area would be lowered by approximately 4 feet to create a floodplain bench approximately 100 feet wide along Upper Nicasio Creek's right bank along 3,150 linear feet. Assuming permits are obtained in early 2027, construction could commence in summer 2027. For purposes of evaluation ESA assumes that a total of 50,000 cubic yards sediment as well as vegetation would be removed over two construction seasons.
- **Part 2** Consistent with 2025 permit requirements, the Project applies into the future. Following completion of Part 1, Marin Water would then perform maintenance activities on an as-needed basis. The proposed frequency and extent of maintenance activities is currently being assessed by ESA. For purposes of evaluation, ESA assumes up to 10,000 cubic yards of sediment as well as vegetation would require removal about once every 10 years. Maintenance activities are anticipated to include vegetation thinning, sediment removal, or a combination of both vegetation and sediment removal.

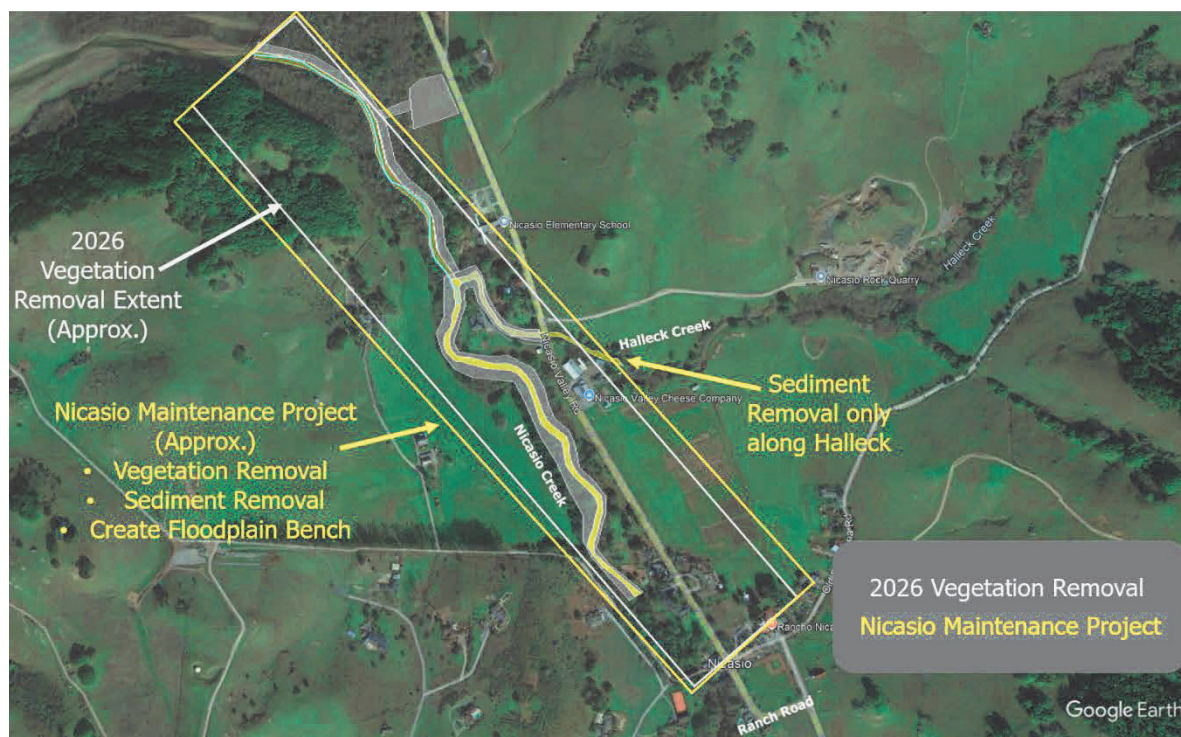


Figure 1 The assumed Project action area.

¹ Marin Water intends to implement vegetation thinning in Upper Nicasio Creek area in 2026. The CEQA documentation prepared by ESA for the Nicasio Maintenance Project will consider any potential for cumulative impacts from the 2026 activities.

Additional Project Description assumptions include:

- Implementation of the ARC project (with or without the Project) could alter spills from Nicasio Reservoir (frequency, quantity). For purposes of evaluation, ESA assumes that the downstream reach analyzed would be limited to Seeger Dam to Lagunitas Creek, that evaluation of environmental impacts would be limited to desktop, and that sediment removal associated with the Nicasio Maintenance Project would be restricted to the dry season.
- Sediment will be hauled offsite for reuse or disposal.
- Project construction will occur over at least one full construction season.
- Marin Water will identify a staging area that is not located in areas with sensitive habitat or special status species, or cultural resources; ESA can assist with identifying a staging area.
- Marin Water will assist in developing assumptions regarding sediment off-haul (i.e., hours of operation, frequency, number and size of truck trips, etc).

Scope of Services

Task 8 – ARC Project EIR Support for the Nicasio Maintenance Project

Subtask 8.1 CEQA Analysis for the Nicasio Maintenance Project

Supplemental Notice of Preparation

ESA will prepare a draft Supplemental Notice of Preparation (NOP) for Marin Water’s review and approval. The Supplemental NOP will incorporate the Project, as a component or phase of the ARC Project, and include one graphic to depict the Project location. We assume no new scoping meetings are needed. ESA will revise the Supplemental NOP based on one consolidated set of comments from Marin Water and Panorama and prepare a public review Supplemental NOP for publication and distribution. ESA will upload the Supplemental NOP, along with the Notice of Completion, to the State Clearinghouse to begin the new 30-day public scoping period. We assume Marin Water will file the Supplemental NOP with the County of Marin, and distribute it as needed. Following the closing of the scoping period for the Supplemental NOP, ESA will review comments reviewed and advise Marin Water whether any changes are needed to this scope of work. ESA assumes that any comments received on the Supplemental NOP that pertain to the larger ARC project will be addressed by Panorama.

Project Description

ESA will prepare a project description for the Project that will be suitable to support inclusion in the ARC Project’s EIR.

Environmental Investigations

Under this task ESA will analyze the following environmental factors for the Project, as identified in the ARC Project’s EIR Scoping Summary:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality and Greenhouse Gas Emissions
- Biological Resources
- Cultural Resources and Tribal Cultural Resources
- Geology and Soils
- Hazards, Hazardous Materials, and Wildfire
- Hydrology and Water Quality
- Noise
- Recreation
- Transportation

ESA will document the analysis for each of the above listed environmental topics for the Project in a stand-alone CEQA memo. ESA assumes that Panorama will incorporate information from the memo into the ARC EIR. If it is determined that the Project could result in a significant impact, ESA will include identify measures to avoid, reduce or otherwise mitigate impacts to the extent feasible. ESA will include a discussion of cumulative impacts related to the Project, based on a cumulative project list and cumulative impact analysis approach/format to be provided by Panorama.

The following topics are expected to require more extensive investigations: Air Quality, Biological Resources, Cultural Resources, Hazards, Hazardous Materials, and Wildfire, Hydrology and Water Quality, Noise, and Transportation. Among these, we will prepare stand-alone reports for the following topics: Hydraulic Modeling (the results of which will inform multiple environmental investigations), biological resources, and cultural resources (which must remain confidential). More detailed scopes for those topics are presented under Task 9.

Air Quality/Greenhouse Gas Emissions

The Project site is within the jurisdiction of the Bay Area Air District (Air District). The CEQA Analysis Memorandum section will include a discussion of the air quality setting, including ambient air quality and attainment status of the Project area, and will assess the criteria air pollutant emissions associated with the Project. The analysis will meet the requirements of CEQA based on guidance from the Air District. Utilizing current ARC Project assumptions, ESA will estimate emissions of criteria air pollutants and toxic air contaminants that would be associated with the construction of the Project using the CalEEMod (version 2022.1.1), OFFROAD2017, and EMFAC2021 models. Where specific details on construction are unavailable, ESA will apply conservative assumptions and rely on CalEEMod defaults. ESA will also prepare a health risk assessment (HRA) that evaluates potential adverse health risks associated with diesel particulate matter (DPM) emitted by the Project's construction equipment. ESA will use the U.S. EPA-approved and Air District-recommended regulatory model (AERMOD) to predict exposure to concentrations of pollutants at sensitive receptor locations and quantify associated health risks. The Project's potential health risks will be compared against Air District carcinogenic and chronic risk thresholds.

ESA will evaluate GHG emissions for consistency with Plan Bay Area 2050+ as well as applicable federal, state, regional, and local GHG reduction policies, including the Marin County Unincorporated Area Climate Action Plan. ESA will use the CalEEMod and EMFAC computer models to estimate GHG emissions associated with the construction of the Project, based on known information from the client.

ESA will evaluate GHG emissions using the Air District's guidance to assess project level climate impacts. ESA will also evaluate the Project relative to Executive Order S-3-05, which requires the State to reduce GHG emissions to 80 percent below 1990 levels, and CARB's 2022 Climate Change Scoping Plan Update, which outlines the proposed framework of action for achieving the 2030 GHG target of 40 percent reduction in GHG emissions relative to 1990 levels, as well as the region's Sustainable Communities Strategy/Regional Transportation Plan (Plan Bay Area 2050+) and CA2020.

Biological Resources

The Project has the potential to directly and indirectly adversely affect terrestrial and aquatic resources in Nicasio and Halleck Creeks and in Nicasio Reservoir. The report prepared under Task 9 will be used to inform the evaluation of biological resources issues in the Task 8 CEQA memo.

Cultural and Tribal Resources

The Project has the potential to directly and indirectly adversely affect archaeological resources and potentially historic resources. The report prepared under Subtask 9.3 will be used to inform the evaluation of cultural resources. ESA assumes that Marin Water and the ARC Team will consult with tribal representatives pursuant to AB 52 as part of the ARC's tribal engagement; ESA is not proposing any supplemental services in this regard. If desired such efforts could be funded through Task 11.

Hydrology and Water Quality

For the CEQA memo ESA will investigate whether the Project could:

- Substantially alter drainage patterns in a manner that would result in substantial erosion or siltation, substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or offsite, or impede or redirect flood flows.

- Substantially decrease groundwater supplies or interfere with groundwater recharge such that the proposed Project may impede sustainable groundwater management of the basin or conflict with a sustainable groundwater management plan.
- Violate water quality standards or waste discharge requirements, otherwise substantially degrade surface water quality (e.g., by resuspending contaminants present in sediments excavated from Nicasio Creek or reservoir), or conflict with a water quality control plan.

The CEQA documentation will investigate these topics. The hydraulic modeling memo will provide information related to water surface elevations that will be used in this analysis.

Hazards, Hazardous Materials, and Wildfire

The Project will involve excavation in sediments that could contain elevated levels of contaminants associated with historic and current neighboring land uses, including the potential for pesticides and herbicides from agricultural land use. The Project involves the use of heavy equipment in densely vegetated areas, representing potential ignition sources for wildfire. ESA will conduct database searches of recorded hazardous materials and wastes in the watershed, describe regulations governing hazardous materials handling and transport that will apply to the Project, describe regulations governing wildfires, and evaluate the potential for related impacts.

Noise and Transportation

The Project involves the use of heavy equipment near sensitive receptors including residences and an elementary school as well as truck trips for hauling construction supplies to the site and off-hauling spoils (excavated sediment) from the site to reuse or disposal sites. ESA will take ambient noise measurements and evaluate the potential for noise or vibration generated by Project implementation to adversely affect sensitive receptors (e.g., residences, the school). For transportation, ESA will provide tables documenting vehicle trips (e.g., construction crews, haul trucks) for Panorama's use in the transportation evaluation. ESA can also provide an evaluation of transportation safety hazards or result in inadequate emergency access. ESA assumes that Panorama will evaluate whether the ARC project and the Upper Nicasio Project could conflict with a program, plan, ordinance, or policy addressing the circulation system including transit, roadway, bicycle, and pedestrian facilities. . ESA will investigate and document these issues.

Administrative Draft, Screencheck and Final Draft CEQA Analysis

ESA will develop an initial, administrative draft version of the CEQA memo, to be reviewed by Marin Water and Panorama. ESA assumes that Marin Water or Panorama will consolidate all comments prior to submittal to ESA. ESA will then prepare a screencheck version of the memo for review, and then a final version of the memo.

Deliverables:

- » Draft and Final Supplemental NOP
- » Draft and Final Project Description
- » One (1) CEQA Analysis Memorandum – Administrative Draft, Screencheck, and Final Draft

Assumptions:

- » ESA can initiate basic field investigations upon receipt of Notice to Proceed.
- » ESA will not prepare an Initial Study.

- » The Project Description will be based on the final Long-Term Management Plan, being prepared by ESA, and will be finalized prior to ESA initiating impact evaluations for the Project.
- » Marin Water will arrange all property access for site surveys needed to support this task.
- » Panorama will be responsible for integrating the Project Description for the Project into the ARC Project EIR.
- » The ARC EIR alternatives will not need to include an alternative related to the Project.
- » Marin Water or Panorama will consolidate comments on the draft Project Description and draft CEQA Analysis Memorandum prior to submittal to ESA.
- » This task budget assumes ESA will finalize the Project Description and CEQA Analysis Memorandum based on one (1) round of consolidated comments by Marin Water and Panorama.
- » Panorama will be responsible for integrating the analysis ESA performs for the Project into the ARC EIR.
- » Panorama will provide ESA with the Draft and Final ARC Project Description.
- » Based on discussions with Marin Water staff to date regarding ARC operations, we understand that while the ARC Project (with or without implementation of the Nicasio Maintenance Project) could increase the frequency of water levels in the upper part of the existing reservoir water level range (e.g., within ten feet of the existing dam spillway level) it will not change the overall maximum water level within Nicasio Reservoir. Because fringing wetlands around Nicasio Reservoir are controlled by the upper water level of the reservoir we do not expect that habitat conversion around the fringe of the reservoir would result and have not included an analysis of Project-induced wetland inundation/recruitment in this scope of work.
- » This task budget assumes all figures will be prepared by Panorama.
- » ESA's analysis will be specific to the Project only, except as otherwise described under Task 9.
- » All deliverables will be electronic; no hard copies are included.
- » General Regulatory setting for each topic will be provided by Panorama, and ESA's memorandum will include additional regulations specific to the Project.

Subtask 8.2 Coordination with Panorama and Marin Water

This task provides for continued coordination with Panorama and Marin Water related to Tasks 8 and 9. Coordination includes meetings, emails, and other coordination efforts up to the task budget.

Assumptions:

- » This task budget allows for up to ten (10) joint coordination meetings with Panorama and Marin Water attended by up to three (3) ESA staff. Panorama will be responsible for developing the meeting agenda and distributing meeting notes.
- » This task budget allows for up to six (6) check-in meetings with Marin Water with up to three (3) ESA staff.

Subtask 8.3 Responses to Comments Support

Work under this task is separate from community engagement under Task 4.2 (through which ESA staff participate in community meetings at Marin Water's request to (for example) describe Project implementation. Task 8.3 supports responding to comments on the Draft EIR.

ESA will review comments on the description and evaluation of the Project received on the ARC Draft EIR and prepare responses to comments pertaining to the adequacy of the environmental evaluation. ESA assumes that not more than 120 hours would be needed for attendance at community engagement meetings and responding to comments, including responding to two rounds of comments on draft responses from Marin Water.

Assumptions:

- » This task includes up to one (1) ESA staff attendance at up to three (3) in-person community engagement meetings.
- » ESA will provide support for responses to comments received on the Draft EIR for comments on the Project, not the ARC Project.
- » Panorama and Marin Water will provide guidance on preferred format conventions prior to ESA starting work on responding to comments.
- » This task budget assumes two rounds of review of draft responses and that all comments will be consolidated prior to submittal to ESA.
- » This task provides for up to 120 hours of ESA staff time to provide community engagement and responses to comments on the Draft EIR.
- » Responses to comments would not require new technical studies.
- » All deliverables will be electronic, no hard copies are included.

Task 9 – Supporting Technical Studies for Nicasio Maintenance Project

Under this task, ESA will conduct field surveys to provide complete environments assessments to support the corresponding environmental topics under Task 8.

Task 9.1 Hydrologic Analysis

ESA will provide two hydrologic analysis efforts under this task to assess the ARC Project's potential effects to: 1) Upper Nicasio Creek; and 2) Nicasio Creek downstream of Seeger Dam to the Lagunitas Creek confluence (Lower Nicasio Creek). ESA assumes that others will model changes in reservoir water level under Project conditions and supply output from those models (e.g., time series of reservoir water surface under existing and Project conditions) to ESA for use as input to our proposed models.

Upper Nicasio Creek

The purpose of this analysis is to assess the potential effects of the ARC Project on flood hazards in upper Nicasio Creek. ESA will rely on the existing HEC-RAS 2D hydraulic model (flood model) completed by ESA in 2026 and reservoir water level modeling produced by Woodard and Curran to evaluate the differences (if any) in flood inundation extents between existing reservoir water levels and those estimated to occur with the ARC Project. ESA will use the existing hydraulic model to simulate the five largest flood events from the 22-year reservoir modeling record. The existing and ARC Project reservoir water level model outputs for those events will be applied as the downstream boundary condition for the hydraulic model to assess whether those events would have had a different flood inundation pattern had the project been in place. In addition ESA will run an estimated 100-year flow event under the most extreme change in reservoir water level modeled by Woodard and Curran during the 22-year simulation of the ARC Project.

Lower Nicasio Creek (Seeger Dam to Lagunitas Confluence)

The purpose of this analysis is to assess the potential geomorphic and ecological effects of the ARC Project on lower Nicasio Creek. ESA will review spillway flow output from Woodard and Curran's model of Nicasio Reservoir to assess and characterize changes in flow volume and frequency under the ARC project. ESA will provide a qualitative assessment of how these changes might affect biological conditions (e.g. steelhead habitat, inundation of floodplain areas) and erosion potential under existing and with project conditions.

Lower Nicasio Creek – Hydraulic Modeling (Optional)

If a more detailed analysis of potential geomorphic and ecological effects is desired, ESA will develop a planning level hydraulic model in HEC RAS 2D using available LiDAR data to simulate flows between Seegar Dam and the Lagunitas Creek confluence. The same five events modeled under the Upper Nicasio Creek analysis (the five largest runoff events within the 22-year period simulated for reservoir operations plus a 100-year flood) will be routed through the downstream hydraulic model under existing and ARC Project conditions, and downstream flows will be analyzed for water level, inundation extent and velocity. These outputs will be used to assess biological conditions (e.g., potential effects on steelhead habitat, inundation of floodplain areas) and erosion potential under existing and with project conditions. This optional subtask would only be undertaken at the direction of Marin Water.

Task 9.2 Biological Resources

Under this task, ESA will conduct field surveys in Upper Nicasio Creek and Lower Nicasio Creek to assess biological resources that could be affected by the Project and the ARC Project, as described above in Task 9.1. ESA biologists will conduct a total of one (1) reconnaissance level site visit days to document the existing site conditions, including vegetation communities and habitat potentially supporting sensitive plant and wildlife species at each location. ESA assumes the survey conducted under this task along Lower Nicasio Creek will be restricted to Nicasio Creek from Seeger Dam to the Lagunitas Creek confluence. As part of this effort, ESA will also characterize and map aquatic features within each area. ESA will build on biological resources survey and analysis work already completed in Upper Nicasio Creek and Lower Nicasio Creek. ESA will document the findings from the surveys in a memorandum that will be used to support the corresponding analysis in Task 8.1

Task 9.3 Cultural Resources

ESA archaeologists and an ESA architectural historian will conduct a surface survey of the Project area to identify archaeological resources and historical resources. ESA will coordinate with the Federated Indians of Graton Rancheria to conduct the survey of the Project site. ESA will draft a cultural resources survey and inventory report that is compliant with CEOA and Section 106 of the National Historic Preservation Act.

Assumptions:

- » Existing Marin Count LiDAR will be sufficient to provide accurate hydraulic modeling results for Lower Nicasio Creek.
- » Water input from the ARC Project will occur from October to May. ESA will use the maximum ARC WSE in the models.
- » Water usage from Nicasio Reservoir throughout the year will be provided by Marin Water.
- » Available hydrologic and land cover data (e.g., USGS gage records, Marin County GIS layers) are assumed to be sufficiently accurate and complete for model development and calibration.
- » The 10-, 25-, 50-, and 100-year design storm events are assumed to represent the range of conditions needed for evaluating hydraulic performance and feasibility of alternatives.

- » Regional USGS flow frequency equations and historic gage data are assumed to be valid for calibration purposes, despite potential differences in watershed characteristics.
- » One (1) site visits for two (2) ESA biologists will be performed to assess the presence of sensitive habitats.
- » No protocol-level biological resources surveys will be necessary.
- » One (1) site visit will be necessary to support the cultural resources assessment.
- » The additional surveyed area along Upper Nicasio Creek will be included with ESA's biological resources assessment under Task 6.3.
- » ESA's ARDR under Task 6.3 will include the additional surveyed area along Upper Nicasio Creek and Halleck Creek conducted under this task.
- » An aquatic resources delineation report (ARDR) will not be necessary for Lower Nicasio Creek.
- » All deliverables will be transmitted electronically.

Deliverables:

- » Draft and Final Hydraulic Memorandum for Upper Nicasio Creek.
- » Draft and Final Hydrologic Memorandum for Lower Nicasio Creek.
- » Draft and Final Biological Resources Memorandum for Upper Nicasio Creek.
- » Draft and Final Biological Resources Memorandum for Lower Nicasio Creek.
- » Draft and Final Cultural Resources Memorandum for Upper Nicasio Creek.

Task 10 – WaterSmart Grant Application Support

ESA will provide support for Marin Water's U.S. Bureau of Reclamation (USBR) WaterSmart Enhancing Water Resources Projects (EWRP) grant application for the Project. ESA will develop the scope of work for the following elements of the Project: 1) Supporting Environmental Documentation and Permitting; and 2) Construction. ESA will support development of other required parts of the grant application, including, but not limited to, narrative descriptions of the proposed work, including phasing, technical feasibility, overall consistency with grant's Evaluation Criteria A – E.

Assumptions:

- » This task scope and budget do not include the preparation of National Environmental Policy Act (NEPA) documents for the Project; ESA can provide a separate scope and budget for any NEPA documentation, if required, at the request of Marin Water.
- » ESA will support development of the application based on information prepared by ESA and that which has been made available to ESA at the time of this scope. ESA will review and utilize any additional information needed to support the grant application provided by Marin Water up to the allotted budget for this task.
- » Marin Water will coordinate with the stakeholders and community engagement members to request letters of support, as necessary to support the grant application.
- » Marin Water will be responsible for submitting the grant application.

Task 11 – As-Needed Additional Support (10% Contingency)

This task provides for additional environmental support services that may be required up to the allotted budget. The type of services which may be performed by ESA under this task include, but are not limited to, performing additional hydraulic or hydrologic analysis, and participating in additional meetings in support of the ARC Project's EIR. The intent of this task is to provide the ability to immediately respond to any unforeseen conditions. ESA will utilize the budget under this task to address any additional out-of-scope compliance support efforts. ESA will notify Marin Water of any out-of-scope work prior to initiating the work.

Schedule

ESA is prepared to commence the Scope upon receipt of a signed copy of this proposal and receipt of necessary project information and Client-provided site access permission. ESA assumes a 12-month performance period for this Scope, from August 2026 – August 2027, as shown in **Exhibit C**. Please note this schedule has been prepared based on the information available to ESA at the time of this proposal. Should new information be presented or the project become subject to factors outside of ESA's control, the schedule may be subject to revision.

Fee Estimate

Based on our understanding of the Project, the total estimated budget for the base Scope of Services included in the tasks described above is **\$505,874**. The fee for the full Scope of Services, including the optional services, is **\$578,732**, as summarized in **Exhibit A**. Fees and expenses will be invoiced on a time-and-material basis using the rates and terms stated in **Exhibit B**. ESA reserves the right to adjust its rates on an annual basis in accordance with ESA's performance/compensation review cycle. Expenses incurred by ESA in connection with the Scope of Services shall be reimbursed by Client and are in addition to fees. The amounts stated in this proposal are for budgetary purposes only and do not establish a not-to-exceed price to perform the Scope of Services. ESA may reallocate budget amounts between tasks. Should the estimated budget be insufficient to complete the Scope of Services, or the additional professional services beyond those set forth in the Scope of Services are needed due to changes in the process, information provided, or the regulatory environment, ESA will notify Client and the parties will establish an updated budget.

If you have any questions about this proposal please do not hesitate to contact us via email or telephone (tsturgis@esassoc.com or 415.262.2311; cbeeman@esassoc.com or 510.463.6732).

Sincerely,



Christie Beeman, PE
Regional Business Group Director



Tahsa Sturgis
Project Manager

Enclosures

Exhibit A – Labor Detail and Expense Summary
Exhibit B – Schedule of Fees and Expenses
Exhibit C – Schedule for Tasks

		ESA LABOR COST		SUBCONSULTANT & EXPENSES			TOTAL PROJECT COST
		ESA Total Hours	Total ESA Labor Cost	Federated Indians of Graton Rancheria Total (\$) Amount	Total Subconsultant (\$ Amount)	Total Expense (\$ Amount)	
Task #	Task Name/Description						
8.1	CEQA Analysis - Nicasio Maintenance Project	890.00	\$ 216,193	\$ -	\$ -	\$ -	\$ 216,193
8.2	Coordination with Panorama and Marin Water	200.00	\$ 57,577	\$ -	\$ -	\$ -	\$ 57,577
8.3	Response to Comments	120.00	\$ 30,962	\$ -	\$ -	\$ -	\$ 30,962
8	Task 8 CEQA Analysis for Nicasio Maintenance Project	1,210.00	\$ 304,732	\$ -	\$ -	\$ -	\$ 304,732
9.1	Hydraulic Modeling & Statistical Analysis	303.00	\$ 78,891	\$ -	\$ -	\$ -	\$ 78,891
9.2	Biological Surveys	117.00	\$ 27,884	\$ -	\$ -	\$ 500	\$ 28,384
9.3	Cultural Resources	55.00	\$ 17,618	\$ 1,725.00	\$ 1,725	\$ 92	\$ 19,435
9	Task 9 Technical Studies	475.00	\$ 124,393	\$ 1,725	\$ 1,725	\$ 592	\$ 126,710
10.1	WaterSmart Grant Application Support	97.00	\$ 29,852	\$ -	\$ -	\$ -	\$ 29,852
10	Task 10 WaterSmart Grant Application Support	97.00	\$ 29,852	\$ -	\$ -	\$ -	\$ 29,852
11.1	Contingency (10%)	173.00	\$ 44,579	\$ -	\$ -	\$ -	\$ 44,579
11	Task 11 As-Needed Additional Support (10% Contingency)	173.00	\$ 44,579	\$ -	\$ -	\$ -	\$ 44,579
	Optional Task 9.1 - Lower Nicasio Creek Hydraulic Model and Report	294.00	\$ 72,858	\$ -	\$ -	\$ -	\$ 72,858
	Total Hours	2,249.00					
	Total (\$ Amount)		\$ 576,415	\$ 1,725	\$ 1,725	\$ 592	\$ 578,732
	Total Hours without Optional Tasks	1,955.00					
	Total (\$ Amount without Optional Tasks		\$ 503,557	\$ 1,725	\$ 1,725	\$ 592	\$ 505,874

Section 7. Item #d.

EXHIBIT B

Environmental Science Associates & Subsidiaries: 2026 Schedule of Fees

I. Personnel Category Rates

Charges will be made at the Category hourly rates set forth below for time spent on project management, consultation or meetings related to the project, field work, report preparation and review, travel time, etc. Time spent on projects in litigation, in depositions and providing expert testimony will be charged at the Category rate times 1.5.

LABOR CATEGORY	BILLING STEP I	BILLING STEP II	BILLING STEP III	BILLING STEP IV	BILLING STEP V	BILLING STEP VI
Project Technician	\$86	\$109	\$131	\$150	\$170	\$194
Consultant	\$116	\$130	\$144	\$160	\$173	\$188
Associate Consultant	\$154	\$170	\$184	\$198	\$213	\$228
Senior Consultant	\$171	\$189	\$212	\$234	\$257	\$279
Managing Consultant	\$205	\$228	\$253	\$277	\$301	\$324
Principal Consultant	\$222	\$253	\$282	\$311	\$341	\$370
Senior Principal Consultant	\$261	\$288	\$317	\$347	\$379	\$409

- A. The range of rates shown for each staff category reflects ESA staff qualifications, expertise and experience levels. These rate ranges allow our project managers to assemble the best project teams to meet the unique project requirements and client expectations for each opportunity.
- B. From time to time, ESA retains outside professional and technical labor on a temporary basis to meet peak workload demands. Such contract labor may be charged at regular Employee Category rates.
- C. ESA reserves the right to revise the Personnel Category Rates periodically to reflect changes in its operating costs.

II. Subcontracts

Subcontract services will be invoiced at cost multiplied by 1.15.

III. Other

The fees above do not include sales tax. Any applicable or potential sales tax will be charged when appropriate.

IV. Payment Terms

Unless otherwise agreed in writing, ESA will submit invoices on a monthly basis. Any unpaid balances shall draw interest at one and one half percent (1.5%) per month or the highest rate allowed by law, whichever is lower, commencing thirty (30) days after date of invoice. All invoices not contested in writing within fifteen (15) business days of receipt are deemed accepted by Client as true and accurate and Client thereafter waives any objection to Clients invoices, which are payable in full.

V. ESA Expenses

A. Travel Expenses

1. Transportation
 - a. Company vehicle – fixed rate + fee for mileage in excess of 100 miles.
 - b. Common carrier or car rental – actual expense multiplied by 1.15
 - c. If company vehicle is to be used in off-road conditions, a daily \$15 use fee will be added to the standard daily vehicle rate.
2. Lodging, meals and related travel expenses – direct expenses multiplied by 1.15

B. Technology and Data Management Fee

Starting January 2023, ESA implemented a 3% Technology and Data Management fee on all applicable contracts, excluding charges related to equipment rentals, reimbursable expenses, and subcontractor fees. This fee plays a pivotal role in mitigating an array of technology and data management expenditures incurred by ESA to ensure the delivery of the comprehensive and high-quality services our clients expect. These expenses include, but are not limited to:

1. Long-Term Data Retention and Security Administration: Covering the expenses associated with administering the protection of client data and assets throughout and beyond the contractual period.
2. Development and Maintenance of Internal ESA Software Tools: Accounting for the ongoing investments required to create and maintain tools integral to our client engagements.
3. Data Privacy and Security Maintenance: Encompassing the costs involved in maintaining data privacy and security, including regular security audits to uphold the highest standards.
4. Advanced Technology-Related Costs: Addressing the escalating expenses associated with subscriptions for cutting-edge technical software, licenses, and cloud data services.

This fee structure enables ESA to uphold its commitment to providing clients with top-tier services while managing the ever-evolving demands of technology and data management in the work that we do.

C. Cloud-based Services

ITEM	RATE/HOUR	RATE/DAY	RATE/WEEK	RATE/MONTH
Cloud-based Services				
Nearmap High Resolution Images		\$55/image		
ArcGIS Online Hosting (Web Maps/Apps)				\$225
Website Hosting				\$200
Custom Application & Services Hosting*				\$300*
Modeling (GeoHECRAS, TUFLOW, Delft3D) + Drone Processing	\$7	\$160	\$950	\$3,900
Aviation Environmental Design Tool (AEDT) Processing	\$13	\$190	\$1,120	\$4,600
*includes support for database, SSL, IT support – costs vary by project. Contact software development services for firm pricing.				

D. Printing/Reproduction Rates

If a weekly or monthly rate is not provided, equipment usage is billed at a daily rate.

ITEM	RATE/PAGE	SAMPLE PRICING
Black & White – 8.5 x 11	\$0.15	
Black & White – 11 x 17	\$0.30	
Color – 8.5 x 11	\$0.50	
Color – 11 x 17	\$0.80	
B&W – Plotter (Toner – ECO Quality)	\$0.50/sf	24x36 B/W CAD drawing would cost \$3 per sheet
B&W – Plotter (Toner – Presentation Quality)	\$1.25/sf	24x36 B/W CAD drawing would cost \$7.50 per sheet
Color – Plotter (Inkjet – ECO Quality)	\$2.50/sf	24x36 Color Drawing would cost \$15 per sheet
Color – Plotter (Inkjet – Presentation Quality)	\$5.00/sf	24x36 Color Drawing would cost \$30 per sheet
CD	\$10.00	
Digital Photography	\$20.00 (up to 50 images)	
All Other Items (including bindings and covers)	At cost plus 10%	

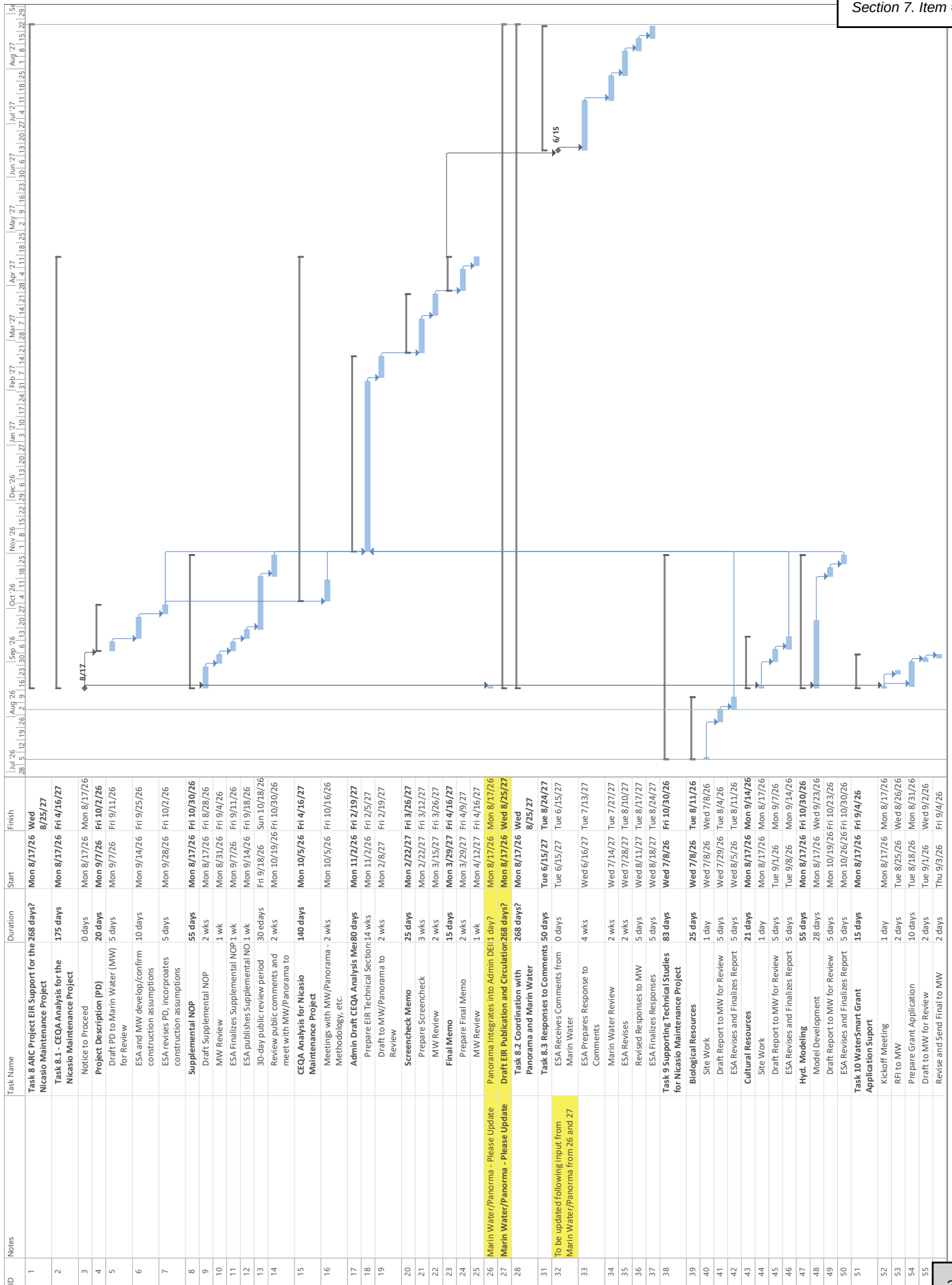
E. Equipment Rates

ITEM	RATE/DAY	RATE/WEEK	RATE/MONTH
Project Specific Equipment:			
Vehicles – Standard size (no off-road usage)	\$ 115 ^a	\$ 550 ^a	\$
Vehicles – 4x4 /Truck (light duty)	175 ^a		
Vehicles – 4x4 /Truck (heavy duty)	200 ^a		
Vehicles – ATV	175		
Noise Meter	115		
Hydroacoustic Noise Monitoring Equipment	175		
Satellite Phone	15	70	250
Electrofischer	350	1,750	
Field Traps	50		
Digital Hypsometer (Nikon)	25		
Backpack Sprayer	30		
360-Degree 4k Camera	35	175	
High Resolution Time-Lapse Camera	20	100	350
Beach Seine	60		
Block Net	30		
PIT Tagging Kit	25		
Underwater Light Meter		500	
Otter Trawl	115		
Wildlife Acoustics Bat Detector	125	400	
Wildlife Trail Camera	30	100	
Fiber Optic Endoscope	150	750	
Spotting Scope	50	200	
Sand Transport Station			460
Wind Monitoring Station			1540
Personal Protective Equipment (PPE)	25		
Photo and Video Production Equipment:			
Mirrorless Camera + Lens + SD Card	\$ 220	\$ 550	\$2000
Tripod + Camera Case	50	175	500
Lighting Equipment	20	75	250
Shotgun Microphone Kit	15	50	180
2 Person Microphone Kit	10	25	85

ITEM	RATE/DAY	RATE/WEEK	RATE/MONTH
Topographic/Bathymetric Survey Equipment:			
Total Station	\$ 300	\$	\$
UAV/Drone	300	1,500	
RTK-GPS	300		
RTK-GPS Smartnet Subscription	80		
Hypack Survey Software	150		
Laser/Auto Level	50		
Single-Beam Echoshounder	175	600	
Sidescan Sonar	200		
Sound Velocity Profiler	75		
1m GNSS Data Collection System	90	425	1,700
Sub-meter GNSS Data Collection System	120		
Sub-foot Data Collection System	245		
Garmin GPS or equivalent	45		
Hydrologic Data Collection, Water Current, Level and Wave Measurement Equipment:			
ISCO 2150 Area Velocity Flow Logger	\$ 50	\$ 300	\$ 800
SonTek IQ-Plus Area Velocity Flow Logger	100	500	1,500
Logging Rain Gage	10	50	200
Hand-Held Current Meter	50		
Surface Velocity Radar	50		
Wave Pressure Sensor		115	460
Wave Buoy		175	700
Sonic Wave Sensor	35	175	500
Logging Water Level - Pressure Transducer			125
Logging Barometric Pressure Logger			60
Well Probe / Water Level Meter	25		
Bottom-Mounted Tripod / Mooring	30	150	400
Stormwater Crest Sampler			20
ADCP Riverboard	700		
Radar Wave Sensor with Logger Box	150	300	1000
Boats:			
Small Watercraft	\$ 100	\$ 400	
15'-17' Boat	375	1,500	
18'-21' Boat	450	2,000	
22'-25' Boat	550	2,250	
Houseboat Floating Laboratory		4,500	
Water Quality Equipment:			
Logging Turbidimeter/Water Level Recorder	\$	\$	\$ 400
Logging Conductivity/Water Level Recorder			250
Remote Monitoring Logger Box		75	250
Recording Conductivity Meter w/Datalogger	20	60	200
Hand-Held Turbidimeter	50	200	
Hand-Held Salinity Meter or pH meter	35		
Logging Salinity Gauge			150
Logging DO/Temp Probe			150
Logging Water Quality Sonde 1 Sensor	50	200	700
Logging Water Quality Sonde 2 Sensor	65	250	800
Logging Water Quality Sonde 3 Sensor	75	300	900
Logging Water Quality Sonde 4 Sensor	90	350	1,000
Telemetry System Hardware			125
Water Quality Multi-Probe Depth Profiler	200		
Niskin Water Sampler	50		
ISCO 6712 Portable Sampler w/ISCO 2105 Module	60	350	900

ITEM	RATE/DAY	RATE/WEEK	RATE/MONTH
Sedimentation / Geotechnical Equipment:			
Peat Corer	\$ 85		
60lb Helly-Smith Bedload Sampler	200		
Mini-Ponar Grab Sampler	50		
DH-76 Suspended Sediment Sampler	100		
D-96 Suspended Sediment Sampler	200		
Bridge Crane	150		
RSET	50		
AMS Soil Sampling Kit	50		
Hand-Held Helley-Smith Bedload Sampler	30		
Guelph Permeameter	60		
Sludge Sampler	60		
Shear Strength Vane	60		
Handheld DH-48 Suspended Sediment Sampler	30		

^a Actual project charges will include the daily rate plus \$0.75 per beyond 100 miles





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.

Internal Meetings		
Meeting Date	Meeting Type	Key Item(s)
Tuesday, Aug. 25, 2026 9:30 a.m.	Planning Committee Meeting/Special Meeting of the Board of Directors	Grand Jury Report to Consolidate Special Districts, and Update of CII Customer Analysis
Thursday, Aug. 27, 2026 9:30 a.m.	Finance & Administration Committee Meeting	Monthly Financial Report
Tuesday, Sep. 1, 2026 5:00 p.m.	Board of Directors’ Regular Bi-Monthly Meeting	Approving Response to Grand Jury Report, and FFIP Palm Avenue Pipeline Replacement Project

External July Meetings	
Meeting Date	Meeting Type
Wednesday, Aug. 19, 2026 3:00 p.m.	Tomales Bay Foundation Meeting
Friday, September 4, 2026 9:30 a.m.	North Bay Watershed Association Meeting