

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

MEETING DATE: July 11, 2023

TIME: 5:30 p.m. – Meeting Begins (Open to the Public)
5:31 p.m. or thereafter - Closed Session (Only for the Board and Staff)
6:30 p.m. – Reconvene Open Session (Open to the Public)

LOCATIONS: This meeting will be held remotely and in-person.
(Directors Monty Schmitt and Larry Russell will be participating remotely at another location.)

Open Session	Outside Location for Director Schmitt & Director Russell	Closed Session
Marin Water Board Room 220 Nellen Avenue Corte Madera, CA 94925	83 Harrison Avenue Newport, RI 02840 (Schmitt) Palazzo Hotel 3325 S Las Vegas Blvd., Room 44922 Las Vegas, NV 89109 (Russell)	Marin Water Mt. Tam Conference Rm. 220 Nellen Avenue Corte Madera, CA 94925
Remotely		
URL: https://us06web.zoom.us/j/88134852296		
Webinar ID: 881 3485 2296 Phone Call: 1-669-444-9171		

EMAILED PUBLIC COMMENTS: Submit your comments in advance of the meeting to BoardComment@MarinWater.org. All emailed comments received by 3:00 p.m. on the day of the meeting will be provided to the Board of Directors prior to the meeting. Please do not include personal information in your comment such as phone numbers and home addresses.

PARTICIPATION DURING THE MEETING:

In-person Attendee: Fill out a speaker card and place it next to the board secretary. List the number 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.

Virtual Attendee: Click on the “raise hand” button on the bottom of the Zoom screen. If you are joining by phone and would like to comment, press *9 and staff will call on you by the last four digits of your phone number.

(Note: The board president may shorten the amount of time for public comment due to large numbers of both in-person and virtual attendees.)

AGENDA ITEMS	RECOMMENDATIONS
Call to Order and Roll Call*	
Adoption of Agenda	Approve
Public Comment on Closed Session Items only (Board Room)	
Comments will be limited to three (3) minutes per speaker, and time limits may be reduced by the board president to accommodate the number of speakers and ensure that the meeting is conducted in an efficient manner.	
Convene to Closed Session (Mt. Tam Conference Room) (Only the Board of Directors and Staff will participate.)	
Closed Session Item	
1. Conference with Labor Negotiators (Government Code §54957.6) Agency Designated Representative: Ben Horenstein, General Manager Employee Organizations: Service Employees International Union, Local 1021; Unrepresented Employees	
Reconvene to Open Session at or after 6:30 p.m. (Board Room)	
Closed Session Report Out	
Public Comment - Items Not on the Agenda	
Members of the public may comment on any items not listed on the agenda during this time. Comments will be limited to three (3) minutes per speaker, and time limits may be reduced by the board president to accommodate the number of speakers and to ensure that the meeting is conducted in an efficient manner.	
Directors’ and General Manager’s Announcements (6:40 p.m. – Time Approximate)	

*MARIN WATER BOARD OF DIRECTORS ORDER OF ROLL CALL: RANJIV KHUSH, LARRY RUSSELL, MATT SAMSON, JED SMITH, AND MONTY SCHMITT

AGENDA ITEMS**RECOMMENDATIONS****Consent Calendar (6:45 p.m. – Time Approximate)**

All matters listed on the consent calendar are considered to be routine and will be enacted by a single action of the Board, unless specific items are removed from the consent calendar by the Board during adoption of the agenda for separate discussion and action.

2. Minutes of the Board of Directors' Regular Meetings of June 6, 2023 and June 22, 2023	<i>Approve</i>
3. Resolution Authorizing Award of Contract No. 2005, Worn Spring Road Slide Repair Project, to Farallon Company Engineering in the Amount of \$175,910 for the Installation of New Retaining Wall	<i>Approve</i>
4. Renewal of Annual Insurance Policies for All Risk Property, Excess Liability, Automobile Physical Damage, Excess Workers Compensation, Pollution, Cyber, Drone and Crime and Fidelity for Fiscal Year (FY) 2023/24	<i>Approve</i>
5. General Manager to Execute the 5 th Amendment to Contract MA-5652 with United Site Services of California, Inc. for Portable Toilet Services on the Watershed	<i>Approve</i>
Regular Calendar (6:50 p.m. – Time Approximate)	
6. Addendum to the Biodiversity, Fire, and Fuels Integrated Plan (BIFPIP) Program Environmental Impact Report, which incorporates updates to the BIFPIP (Approximate time 15 minutes)	<i>Approve</i>
7. Water Supply Update (Approximate time 20 minutes)	<i>Information</i>
8. Future Meetings Schedule (Approximate time 1 minute)	<i>Information</i>

Adjournment (7:26 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 Board Secretary Terrie Gillen at 415.945.1448, at least two days in advance of the meeting. Advance notification will enable Marin Water to make reasonable arrangements to ensure accessibility.

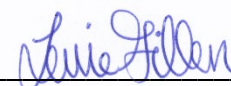
INFORMATION AGENDAS ARE AVAILABLE FOR REVIEW AT THE CIVIC CENTER LIBRARY, CORTE MADERA LIBRARY, FAIRFAX LIBRARY, MILL VALLEY LIBRARY, MARIN WATER OFFICE, AND ON THE MARIN WATER WEBSITE (MARINWATER.ORG)

FUTURE BOARD AND COMMITTEE MEETINGS AND UPCOMING AGENDA ITEMS:

Dates	Meetings
Friday, July 21, 2023 9:30 a.m.	<ul style="list-style-type: none">Operations Committee Meeting/Special Meeting of the Board of Directors (Operations)
Tuesday, July 25, 2023 6:30 p.m.	<ul style="list-style-type: none">Board of Directors' Regular Bi-Monthly Meeting

Upcoming Key Items for future Board Meetings

- At July 25, 2023 Board Meeting
 - Water Efficiency Select Issues



Board Secretary



Approval Item

TITLE

Minutes of the Board of Directors' Regular Bi-Monthly Meetings of June 6, 2023 and June 20, 2023

RECOMMENDATION

Approve the adoption of the minutes

SUMMARY

The Board of Directors held their regular bi-monthly meetings on June 6, 2023 and June 20, 2023. The minutes of both meetings are attached.

DISCUSSION

None

FISCAL IMPACT

None

ATTACHMENT(S)

1. Minutes of the Board of Directors' Regular Bi-Monthly Meeting of June 6, 2023
2. Minutes of the Board of Directors' Regular Bi-Monthly Meeting of June 20, 2023

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

**MARIN MUNICIPAL WATER DISTRICT
BOARD OF DIRECTORS**

MEETING MINUTES

Tuesday, June 6, 2023

Via Remote and In-Person

Open Session Location: Marin Water Board Room, 220 Nellen Avenue, Corte Madera, CA 94925

Closed Session Location: Marin Water Mt. Tam Conference Room, 220 Nellen Avenue, Corte Madera, CA 94925

CALL TO ORDER AND ROLL CALL

President Monty Schmitt called the meeting to order at 5:30 p.m.

Directors Present: Ranjiv Khush, Larry Russell, Matt Samson, Jed Smith, and Monty Schmitt (*Director Russell arrived after the Board convened to Closed Session.*)

Directors Absent: None

ADOPTION OF AGENDA

On motion made by Director Smith and seconded by Vice President Khush, the board adopted the agenda.

Ayes: Directors Khush, Samson, Smith, and Schmitt
Noes: None
Absent: Director Russell

There were no public comments on the *Adoption of the Agenda*.

PUBLIC COMMENT – ONLY ON ITEM ON THE CLOSED SESSION

There were none.

CONVENE TO CLOSED SESSION

The directors convened to Closed Session at 5:32 p.m. and went to the Mt. Tam Conference Room.

Director Russell arrived at 5:35 p.m.

CLOSED SESSION ITEM

1. Conference with Labor Negotiators

(California Government Code Section § 54957.6)

Agency Designated Representative: Ben Horenstein, General Manager

Employee Organizations: Service Employees International Union, Local 1021;
Unrepresented Employees

RECONVENE TO OPEN SESSION

The Board adjourned the closed session and went back to the Board Room.

President Schmitt reconvened the Open Session at 6:34 p.m.

CLOSED SESSION REPORT OUT

President Schmitt announced that the Closed Session adjourned at 6:30 p.m. with no reportable actions taken.

PUBLIC COMMENT – ITEMS NOT ON THE AGENDA

There were three (3) public comments on items not on the agenda.

DIRECTORS' AND GENERAL MANAGER'S ANNOUNCEMENTS & COMMITTEE REPORTS

- Director Samson announced that on May 20th, he joined Assemblyman Damon Connelly and the assemblyman's colleagues to do a tour of the watershed around the San Geronimo Treatment Plant; and, he attended the Lagunitas Creek TAC meeting last Friday.
- Vice President Khush provided highlights of what was discussed at the Communications & Water Efficiency (CWE) Committee Meeting last Tuesday; and, reported that he attended the North Bay Watershed Association that provided presentations pertaining to sea-level rise.
- Director Smith praised staff for the work that was reported at the Communications & Water Efficiency Committee Meeting; reported on the \$6.4M grant received to serve underserved communities; and provided highlights from the Finance & Administration Committee Meeting of May 25.

- Director Russell addressed Vice President Khush’s comments regarding the District’s water infrastructure in the event of sea level rise, and he announced the upcoming Los Gallinas Ribbon Cutting Ceremony.
- General Manager Ben Horenstein reported that the District reached agreement with Sonoma Water allowing the District to store unused water this year up to its minimum “take or pay” amount for use in the next water year due to the inability of the District to take this full amount due to the slide impacting the North Marin Aqueduct..

CONSENT CALENDAR (ITEMS 2-7)

- Item 2 Minutes of the Board of Directors’ Regular Meetings of May 16, 2023 and Special Meeting of May 23, 2023**
- Item 3 A Resolution Authorizing Award of Contract Number 1995, Bolsa Tank Removal Project, to Michael Paul Company Inc. in the Amount of \$142,000 (Resolution No. 8745)**
- Item 4 Amendment No. 4 to Miscellaneous Agreement 5789 for On-Call Environmental Services with Environmental Science Associates (ESA)**
- Item 5 A Resolution Designating the Extended and Relocated Hill Avenue Water Main in Woodacre as a Limited Purpose Facility (Resolution No. 8746)**
- Item 6 Amendment No. 1 to Miscellaneous Agreement 6106 with Cinquini & Passarino, Inc. for On-Call Land Surveying Services**
- Item 7 Amendments to Bio-Diversity, Fire, and Fuels Integrated Plan (BFFIP) Vegetation Management Contracts (Amendment No. 2 to Contract No. 1938, Amendment No. 2 to Contract No. 1948, and Amendment No. 1 to Contract No. 1967) for One Additional Year Ending Fiscal Year June 30, 2024**

On motion made by Director Samson and seconded by Vice President Khush, the board approved the Consent Calendar.

Ayes: Directors Khush, Russell, Samson, Smith, and Schmitt
 Noes: None

There were no public comments on the Consent Calendar.

REGULAR CALENDAR (ITEMS 8-11)

- Item 8 Update on Water Resiliency Roadmap**

Water Resources Manager Paul Sellier and Engineering Division Manager Crystal Yezman

provided a presentation on developments in the District's pursuit to increase water supply, including highlights and estimated time-lines for the Stream Release Automation Project, Phoenix Lake to Bon Tempe Lake, Electrification of Soulajule, Water Efficiency, the Water Loss Reduction Program, and potential longer-term projects. Water Resources Manager Sellier also provided information of potential funding for these projects.

Much discussion between the Board and staff occurred throughout the presentation.

There were six (6) public comments.

This was an information item. The Board did not take any formal action.

Item 9 Amendment No. 1 to Professional Services Agreement with Woodard and Curran for Program Management and Technical Services to Support the Implementation of the Integrated Roadmap

Water Resources Manager Sellier also provided this presentation. Discussion ensued.

There were three (3) public comments.

On motion made by Director Smith and seconded by Director Samson, the board approved the amendment.

Ayes: Directors Khush, Russell, Samson, Smith, and Schmitt
Noes: None

Item 10 A Resolution Waiving Minor Bid Irregularity and Awarding a Multi-Year Tree Maintenance Contract to The Professional Tree Care Company in the Amount of \$744, 835 (Resolution No. 8747)

Operations Division Manager Darren Machado introduced Operations Superintendent System Maintenance & Support Services Mark Hedeem, who presented this item.

Discussion followed.

There were no public comments.

On motion made by Director Samson and seconded by Vice President Khush, the board approved Resolution No. 8747.

Ayes: Directors Khush, Russell, Samson, Smith, and Schmitt
Noes: None

Item 11 Future Meeting Schedule and Agenda Items

The board secretary reported on upcoming internal meetings, and General Manager Horenstein

announced the addition of key items that would be listed at the end of the agenda.

There was one (1) public comment.

This was an informational item. The board did not take any formal action.

ADJOURNMENT

There being no further business, the Board of Directors' Regular Bi-Monthly Meeting of June 6, 2023, adjourned at 8:57 p.m.

Board Secretary

**MARIN MUNICIPAL WATER DISTRICT
BOARD OF DIRECTORS**

MEETING MINUTES

Tuesday, June 20, 2023

Via Remote and In-Person

Open Session Locations: Marin Water Board Room, 220 Nellen Avenue, Corte Madera, CA 94925; and, 103 Herring Pond Road, MA 02360

Closed Session Location: Marin Water Mt. Tam Conference Room, 220 Nellen Avenue, Corte Madera, CA 94925

CALL TO ORDER AND ROLL CALL

President Monty Schmitt called the meeting to order at 5:30 p.m.

Directors Present: Ranjiv Khush, Larry Russell, Matt Samson, Jed Smith, and Monty Schmitt (*Director Russell arrived after the Board convened to Closed Session.*)

Directors Absent: None

ADOPTION OF AGENDA

On motion made by Director Samson and seconded by Vice President Khush, the board adopted the agenda.

Ayes: Directors Khush, Samson, Smith, and Schmitt
Noes: None
Absent: Director Russell

There were no public comments on the *Adoption of the Agenda*.

PUBLIC COMMENT ON CLOSED SESSION ITEMS ONLY

There were none.

CONVENE TO CLOSED SESSION

The directors convened to Closed Session at 5:31 p.m. and went to the Mt. Tam Conference Room.

Director Russell arrived at 5:31 p.m.

CLOSED SESSION ITEMS

1. Conference with Legal Counsel - Existing Litigation

(Government Code §54956.9)

Hamm v. Marin Municipal Water District

Civil Case No.: CIV 2300738

2. Conference with Labor Negotiators

(California Government Code Section § 54957.6)

Agency Designated Representative: Ben Horenstein, General Manager

Employee Organizations: Service Employees International Union, Local 1021;
Unrepresented Employees

RECONVENE TO OPEN SESSION

The Board adjourned the closed session and went back to the Board Room.

President Schmitt reconvened the Open Session at 6:37 p.m.

CLOSED SESSION REPORT OUT

President Schmitt announced that the Closed Session adjourned at 6:36 p.m. with no reportable actions taken.

PUBLIC COMMENT – ITEMS NOT ON THE AGENDA

There were no public comments on items not on the agenda.

DIRECTORS' AND GENERAL MANAGER'S ANNOUNCEMENTS & COMMITTEE REPORTS

- Director Russell reported that he attended the AWWA (American Water Works Association) Conference in Canada with General Manager Horenstein and some District managers. He also provided a summary report on what occurred at the June 16th Operations Committee Meeting.
- Vice President Khush reported that he attended the celebration of the expansion of the Las Gallinas Sanitary District with Director Russell.

- Director Samson thanked Watershed Recreation Manager Shaun Horne, Chief Don Wick, and the rangers for a watershed tour. He also acknowledged the increase of vegetation at the Watershed that need to be mitigated. He also provided a Watershed Committee Report from the June 15th meeting.
- Director Smith reported that he met with Congressman Jared Huffman, Congressman Corey Booker, and other Congressional staff to discuss obtaining funding earmarked funding from the Water Resource Development Act through the Army Corps of Engineers to increase regional water supply.
- General Manager Ben Horenstein provided an update on the North Marin Aqueduct indicating that there will need for a repair. Also, he announced that the Grand Jury Report was out regarding accessory dwelling units and the challenges with utility fees, and he would bring back to the Board the District's response in September for review.

CONSENT CALENDAR (ITEMS 3-5)

- Item 3 General Manager's Report May 2023**
- Item 4 Request to Fill of Two (2) Watershed Protection Park Ranger Trainees for a Limited Duration of Up to Three Years**
- Item 5 A Resolution Certifying Review of the Environmental Impact Report Prepared by the Town of Tiburon for the Alta Robles Residential Development Project and the Mitigation Monitoring and Reporting Program and Adopting Additional Mitigation Measures and Approving a Pipeline Extension Agreement (Resolution No. 8748); A Resolution Regarding the Fees Contained in Pipeline Extension Agreement (Resolution No. 8749); and A Resolution Regarding Impending Peril in Connection with the Pipeline Extension Agreement (Resolution No. 8750)**

On motion made by Director Samson and seconded by Vice President Khush, the board approved the Consent Calendar.

Ayes: Directors Khush, Russell, Samson, Smith, and Schmitt
 Noes: None

There were no public comments on the Consent Calendar.

REGULAR CALENDAR (ITEMS 6-7)

- Item 6 Adoption of the Proposed Fiscal Year 2023/24 and Fiscal Year 2024/25**

Finance Director Bret Uppendahl provided an overview of the proposed budget for FY 2023/24 and FY 2024/25, and Planning Engineer Manager Elysha Irish presented a focused presentation on the Capital Improvement Projects (CIP) two-year proposed budget, including highlighting the projects of the Water Resiliency Roadmap.

Much discussion between the Board and staff occurred throughout the presentation.

There were five (5) public comments.

The Board then deliberated on adoption of the FY 24-25 budget including changes to current year funding to increase funds for vegetation management on the watershed and water efficiency programing.

On motion made by Director Samson and seconded by Director Russell, the Board approved the adoption of the budget with the addition of (1) directing one-time salary savings from FY24 up to \$700,000 to the Water Efficiency Program budget, and (2) moving up \$500,000 from the CIP to the Biodiversity, Fire, and Fuels Integrate Plan (BFFIP) for FY24 and offset it in future years out.

Ayes: Directors Khush, Russell, Samson, Smith, and Schmitt

Noes: None

Item 11 Future Meeting Schedule and Agenda Items

The board secretary reported on upcoming internal and external meetings, and Director Russell added that the North Bay Water Reuse Authority meeting was cancelled.

There were no public comments.

This was an informational item. The board did not take any formal action.

ADJOURNMENT

There being no further business, the Board of Directors' Regular Bi-Monthly Meeting of June 20, 2023, adjourned at 9:05 p.m.

Board Secretary

Approval Item

TITLE

Award of Contract No. 2005, Worn Spring Road Slide Repair Project, to Farallon Company Engineering, to install a new retaining wall to stabilize Worn Spring Road

RECOMMENDATION

Approve a resolution authorizing award of Contract No. 2005, Worn Spring Road Slide Repair Project, to Farallon Company Engineering in the amount of \$175,910

SUMMARY

The Operations Committee reviewed this item on June 16, 2023, and referred it to a future regular bi-monthly meeting of the Board of Directors.

On June 27, 2023, the District opened five (5) bids for the Worn Spring Road Slide Repair Project, which involves the installation of a new 60-foot long soldier pile retaining wall on Marin Watershed Lands near Phoenix Lake. Farallon Company Engineering submitted the lowest responsive and responsible bid in the amount of \$175,910. Therefore, staff recommends that the Board of Directors approve a resolution awarding Contract No. 2005 to Farallon Company Engineering in the amount of \$175,910 and authorizing the General Manager to execute any necessary amendments to Contract No. 2005, which do not exceed \$34,000. This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(b) of the CEQA Guidelines inasmuch as it is the repair of an existing facility of a publicly owned utility used to deliver potable water to residential and commercial users.

DISCUSSION

A winter storm on January 11th, 2023, caused a land slide on the outboard side of Worn Spring Road approximately 400 feet from Phoenix Lake. An 18-inch welded steel pipe transmission main is located on the inboard side of Worn Spring Road. This transmission main is critical for the conveyance of treated water from the District's Bon Tempe Treatment Plant to Ross Reservoir and to the Ross Valley area. Ross Reservoir is the primary treated water storage facility for District customers in Ross Valley and maintaining the pipeline and equipment access to Ross Reservoir will ensure the District is able to provide a reliable source of water for District customers within this region. The Project will install the 60-foot long soldier pile retaining wall with concrete lagging along with a guardrail in the location shown on the map provided in Attachment 1.

On June 27, 2023, the District received five (5) bids for the Project. Bid results are provided in Table 2.

Table 2
Bid Results
Worn Spring Road Slide Repair Project

Bid Rank	Contractor Name	Bid Amount
1.	Farallon Company Engineering	\$175,910.00
2.	Advanced Geotechniques, Inc.	\$195,600.00
3.	North Bay Excavation, Inc.	\$224,300.00
4.	WR Forde Associates	\$293,420.00
-	RWR Construction	NON-RESPONSIVE

Contract No: 2005

Project No: D23017

Engineer's Estimate: \$225,000.00

Farallon Company Engineering submitted the lowest responsible bid. They hold a Class A General Engineering License, License No. 827633 which is current and active and expires on 11/30/2023. As required by State Law, Farallon Company Engineering is registered with the California Department of Industrial Relations under PWCR Number 1000012899. Following contract award, District staff will register the Project with the California Department of Industrial Relations.

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

Budget:

Contract Award:	\$175,910
Contingency:	\$34,000
Materials and Professional Fees:	\$20,000
District Labor/Inspection:	\$60,000
Total Budget:	\$289,910
Budget Category:	A1E05

Project Implementation:

Project Advertisement:	June 13, 2023
Bid Opening:	June 27, 2023
Project Award:	July 11, 2023
Estimated Completion Date:	October 19, 2023
Duration:	100 days

ENVIRONMENTAL REVIEW:

Staff finds that the project is Categorically Exempt pursuant to the California Environment Quality Act (CEQA) Guidelines Section 15301(b). The project qualifies for exemption pursuant to Section 15301(b) of CEQA Guidelines inasmuch as it is the repair of an existing facility of a publicly owned utility used to deliver potable water to residential and commercial users.

PUBLIC OUTREACH EFFORTS:

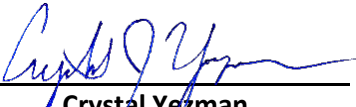

Signs will be posted stating Worn Spring Road will be closed three weeks prior to commencement of work. Staff have been working closely with Watershed and Public Information staff and will continue coordination throughout the construction period, to determine and implement additional public notification efforts as necessary.

FISCAL IMPACT

The total cost to complete the Worn Spring Slide Repair Project is estimated at \$289,910 and funds are available within the capital improvement budget.

ATTACHMENTS

1. Resolution
2. Site Map
3. Draft Notice of Exemption

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Engineering	 Crystal Yezman Director of Engineering	 Ben Horenstein General Manager

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

**A RESOLUTION OF THE BOARD OF THE MARIN MUNICIPAL WATER DISTRICT
APPROVING AWARD OF CONSTRUCTION CONTRACT NO. 2005 TO FARALLON
COMPANY ENGINEERING FOR THE CAPITAL IMPROVEMENT PROJECT WORN
SPRING ROAD SLIDE REPAIR PROJECT**

WHEREAS, on June 13, 2023, the District advertised Contract No. 2005, Worn Spring Road Slide Repair Project (D23017), which will install a new soldier pile retaining wall; and

WHEREAS, the District received and publicly opened five (5) bids on June 27, 2023, of which Farallon Company Engineering's bid of \$175,910 was the lowest response and responsible bid.

NOW, THEREFORE, THE BOARD OF DIRECTORS RESOLVES that:

1. The bid of \$175,910 submitted by Farallon Company Engineering, for the Worn Spring Road Slide Repair Project under Contract No. 2005 ("Contract") was the lowest responsive and responsible bid submitted therefor, and said bid is hereby accepted.
2. A Contract for this project be awarded to said low bidder, and the General Manager is authorized and directed to execute said Contract on behalf of the District upon receipt of a performance bond, payment bond, proof of insurance, and the executed contract for the work from said bidder.
3. The General Manager is authorized to execute any and all future amendments to the Contract, which he deems necessary, without further Board approval, so long as those amendments to the Contract do not exceed \$34,000.
4. Upon complete execution of said Contract, the bonds and/or checks of the other bidders are to be returned to said other bidders, and all bids other than that of Farallon Company Engineering, are to be rejected.
5. The project is Categorically Exempt from review under Section 15301(b) of the CEQA Guidelines inasmuch as it is the repair of an existing facility of a publicly owned utility used to deliver potable water to residential and commercial users.

PASSED AND ADOPTED this 11th day of July, 2023, by the following vote of the Board of Directors.

AYES:

NOES:

ABSENT:

Monty Schmitt
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary

N



WORN SPRING ROAD SLIDE REPAIR PROJECT
MMWD WATERSHED

Item Number: 03
Attachment: 02

ROSS RESERVOIR

SLIDE REPAIR

WORN SPRING ROAD

Yolande Trail

Ross Creek

Ross Creek

PHOENIX LAKE ROAD

PHOENIX LAKE DAM

Phoenix Lake 33-003
Dam

PHOENIX LAKE

0 125 250 500 Feet



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Maps contributors, Map layer by Esri

Notice of Exemption



Item Number: 03

Attachment: 03

Filing Requested By and When Filed Return To:

Marin Municipal Water District
220 Nellen Ave
Corte Madera, CA 94925
Attn: Crystal Yezman, Director of Engineering

Project Title: Worn Spring Road Slide Repair Project

Project Location: Mt. Tamalpais Watershed, Unincorporated Marin County

Project Location – County: Marin

Project Description: The Worn Spring Road Slide Repair Project will install a new 60-foot long soldier pile retaining wall to stabilize Worn Spring Road, which partially failed following storm events in January 2023. Worn Spring Road is the primary access route to Ross Reservoir and the existing 18-inch welded steel water transmission main that supplies water to Ross Reservoir is also located within this road.

Public Agency Approving Project: Marin Municipal Water District

Name of Person or Agency Carrying Out Project: Marin Municipal Water District

CEQA Exemption Status: Categorical Exemption Section 15301(b), Existing Facilities.

Reason for Exemption: The project qualifies for exemption pursuant to Section 15301(b) inasmuch as it is the repair of an existing facility of a publicly owned utility used to deliver potable water to residential and commercial users.

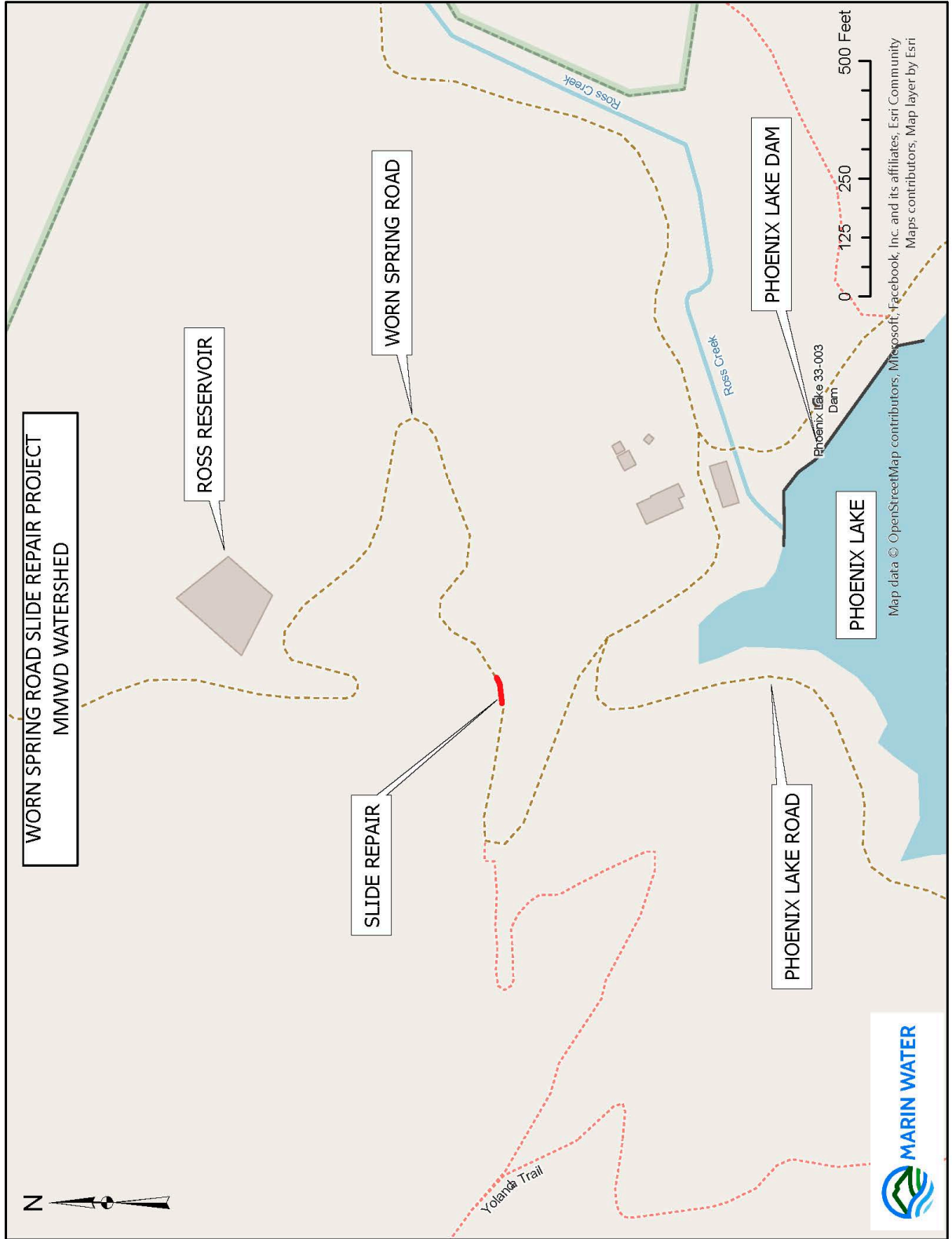
Project Approval: The Marin Municipal Water District Board of Directors approved the award of a contract for project construction, which represents project approval as defined by Section 15352 of the Guidelines for Implementation of the California Environmental Quality Act, at their regularly scheduled meeting on July 11, 2023.

Lead Agency Contact Person: Crystal Yezman, Marin Municipal Water District **Telephone:** (415) 945-1100

Crystal Yezman, Director of Engineering

Date

Figure 1: Worn Spring Road Slide Repair Project



SOURCE: MMWD 2023

Approval Item

TITLE

Renewal of Annual Insurance Policies for All Risk Property, Excess Liability, Automobile Physical Damage, Excess Workers Compensation, Pollution, Cyber, Drone and Crime and Fidelity for Fiscal Year (FY) 2023/24

RECOMMENDATION

Approve the insurance renewal proposal prepared by Alliant Insurance Service Inc. for insurance coverage for FY 2023/24 at an overall premium of not to exceed \$1,635,387 for All Risk Property, Excess Liability (including Employment Practices Liability), Automobile Physical Damage, Aviation Insurance for Drone Operation, Excess Workers Compensation, Crime and Fidelity, and Cyber and Privacy Liability Policies

SUMMARY

The FY 2023/24 annual overall cost for all insurance policies is estimated not to exceed \$1,635,387, an increase of approximately \$268,000 or 20% from last year. All policies except for Excess Workers' Compensation experienced an increase in premium from last year. The largest premium amounts are for Property and Liability insurance, which increased by 41% and 12%, respectively, and account for \$266,613 of the overall increase in premium costs.

The premium for Liability, including Excess Liability for total coverage limit of \$25 million, is quoted to be \$846,376, an increase of \$93,746. The premium for the Property Insurance is expected to be \$596,888, an increase of \$172,868, as California continues to face an unprecedented increase in wildfire losses as fires continue to increase in size and frequency.

DISCUSSION

All of the District's existing insurance policies are due for renewal on July 1, 2023.

The recommended coverage was developed with staff utilizing the expertise of the District's insurance broker, Alliant Insurance Services Inc. (Alliant). Alliant obtained quotes from underwriters and negotiated the premium and coverage on behalf of the District. For the brokerage services provided by Alliant, the District will pay an annual fee of \$67,250. Our contract with Alliant requires that they fully disclose and rebate to the District on any commissions they may earn from purchased policies.

The draft summary comparison of the premium and coverage from FY 2022/23 to FY2023/24 is attached to the report and some terms and conditions are to be determined once the District receives formal quotes.

Excess Liability

The recommended insurance policies include Terrorism Risk Insurance Act (TRIA) coverage, which covers foreign and domestic terrorist acts, and coverage for liabilities related to dam failure, inverse condemnation, employment practices, automobile accidents, public officials and law enforcement.

The proposed 2023/24 premium for a \$10 million policy limit with SIR amount of \$500,000 from Great American Insurance Company, the current incumbent carrier, is \$579,757, an increase of \$63,427 or 12% from the previous year. The 2nd layer of \$5 million in Excess Liability limit is from a new carrier, Starstone Specialty Insurance Company, with a proposed premium of \$140,816, an increase of \$16,018 or 13% from the previous year. The 3rd layer of \$10 million in Excess Liability limit is from the current incumbent, Gemini Insurance, with a proposed premium of \$125,804, an increase of \$14,301 or 13% from the previous year.

The premium costs are significantly increasing as the market has been experiencing a dramatic increase in claims over the past 3 to 5 years, and some of carriers are no longer doing businesses in California.

Excess Workers' Compensation

This policy provides Workers' Compensation insurance up to \$1 million for the employer's liability and coverage per State of California statutory limits. The proposed coverage is from the current incumbent, Arch Insurance Company and the quoted premium is \$108,923, a decrease of \$2,867 or -3% from the previous year. This policy has a self-insured retention (SIR) of \$750,000 for workers compensation claims for all employees except claims related to District rangers and the vanpool program. The SIR for claims for District rangers and the vanpool program is \$1.5 million.

All Risk Property

The types of losses covered under this policy are for physical loss or damage to real and personal property from fire, theft, vandalism, and equipment breakdowns. The policy provides coverage for replacement cost for insured events. Due to the nature of the District facilities, this type of insurance is limited in the number of underwriters who will offer coverage.

The recommended premium for FY 2023/24 is \$596,888, which is an increase of \$172,868 or 41% from the prior year. The policy provides All Risk limit of \$200 million, boiler and machinery limit of \$100 million and a flood limit of \$10 million. The policy does not provide earthquake coverage, and has limits on flood losses based on flood zones. The proposed premium is from the current incumbent, Alliant Property Insurance Program (APIP) a licensed California carrier.

Automobile Physical Damage

This coverage is for physical damage to automobiles and equipment owned and or used for District operations. The policy will provide replacement cost of a like kind and quality automobile or equipment with a total coverage limit of \$11.2 million with a deductible amount of \$25,000. The 2023/24 proposed premium is \$32,431 from Hanover Insurance, an increase of \$2,191 or 7% from the policy cost last year.

Aviation Insurance Policy

The policy is to cover the District's five drone operations. The coverage is up to \$1 million with a 5% deductible. The FY 2023/24 proposed premium is \$3,031, an increase of \$23 or 1% from the prior year.

Cyber and Privacy Liability

The coverage for the 2023/24 is from the current incumbent, Cowbell Underwriting Managers with a proposed premium of \$23,355, an increase of \$1,094 or 5% from last year. The policy covers losses due to privacy or security breaches, privacy regulatory claims related to customer and employee confidential information, cyber threats and or extortion, digital asset restoration, and business income loss. The policy would pay claims and recovery costs after the self-retention amount of \$50,000 per claim.

Pollution Policy

The current incumbent, Indian Harbor Insurance Company, proposed premium is \$20,487, an increase of \$583 or 3% from last year. The policy will have a deductible amount of \$25,000 and \$1 million coverage.

Crime Policy

The current incumbent, National Union Fire Insurance Company proposed premium is \$3,896, an increase of \$186 or 5% from last year. The policy's \$3 million coverage includes employee theft, forgery or alterations, theft of money and securities, computer fraud, funds transfer fraud and money order and counterfeit money and has a deductible amount of \$2,500.

FISCAL IMPACT

The FY 2023/24 cost for the annual insurance premiums is estimated to be \$1,635,387. The budgeted amount for insurance premiums for FY 2023/24 is \$1,748,000.

ATTACHMENT(S)

1. Summary Comparison of Premium and Coverage FY 2022/23 to FY 2023/24
2. Insurance Proposal for FY 2023/24

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Administrative Services Division	 Bret Uppendahl Finance Director/Treasurer	 Ben Horenstein General Manager

MARIN MUNICIPAL WATER DISTRICT 7/1/2023-2024 INSURANCE PROGRAM PREMIUM

LINE OF COVERAGE / LIMITS	LIMITS	SIR / DEDUCTIBLE	INSURANCE COMPANY	22/23 EXPIRING PREMIUM	23/24 RENEWAL PREMIUM
Liability - 1st Layer	\$10,000,000	\$500,000 SIR	ANML/ Great American	\$516,330	\$579,757
Excess Liability - 2nd Layer	\$5,000,000	\$5M Underlying	Starstone Specialty	\$124,798	\$140,816
Excess Liability - 3rd Layer	\$10,000,000	\$15M Underlying	Berkley/ Gemini Ins. Co.	\$111,503	\$125,804
Excess Workers' Compensation	Statutory Workers Compensation Limits \$1,000,000	\$750,000 Each Accident \$750,000 Disease, Each Employee \$1,500,000 Vanpooling \$1,500,000 Presumptive Claims	Arch Insurance Company	\$111,790	\$108,923
Property	\$200,000,000 Per Occurrence Fully Appraised Values Full Total Insured Value (TIV) = \$502,191,464	\$1M	Alliant Property Ins. Program (APIP)	\$424,020	\$596,888
Inland Marine - Equipment and Auto Physical Damage	Per Scheduled Values	\$25,000 Ded	Hanover	\$30,240	\$32,431
Aviation Unmanned Aircraft Systems (UAS) Drone Liability and Physical Damage	\$1,000,000 Per Schedule - \$18,246 Total	5% In Motion 5% Not in Motion	American Alternative Ins National Indemnity Co Tokio Marine America Ins Co	\$3,008	\$3,031
Cyber	\$1,000,000 \$1,000,000 \$1,000,000 \$1,000,000	\$50,000 Each Claim	Cowbell Underwriting Managers/ Obsidian Specialty Ins. Co.	\$22,261	\$23,355
Pollution	\$1,000,000 \$500,000	\$25,000 Ded	Indian Harbor Insurance Company	\$19,904	\$20,487
Crime	\$3,000,000	\$2,500 Ded	National Union Fire Insurance Co	\$3,710	\$3,896

\$1,367,563**\$1,635,387**



Marin Municipal Water District



Property and Liability Insurance Proposal

Presented by Seth Cole
Senior Vice President

 Matt McManus
Senior Vice President

 Fred Godfrey
Assistant Vice
President

Date Presented June 16, 2023

Alliant Insurance Services, Inc.
560 Mission Street, 6th Floor
San Francisco, CA 94105
O 415 403 1400

CA License No. 0C36861

www.alliant.com

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Company Profile

Alliant provides risk management, insurance, and consulting services to thousands of clients nationwide, delivering tailored products and services engineered to mitigate risk, improve performance, and promote long-term growth. Our core business includes property and casualty insurance services, middle-market brokerage, employee benefits, and underwriting, each staffed with dedicated industry specialists who understand the unique market dynamics facing their clients.

In addition to our 90-plus year legacy of service and results, Alliant is one of the industry's fastest-growing organizations. As America's 10th largest insurance brokerage, we have an active presence in every U.S. market and an extensive arsenal of best-in-class resources and intelligence that moves our clients forward in today's competitive market climate.

Alliant has a broad reach that covers a wide range of industries, including:

- Agriculture
- Aviation
- Construction
- Energy and Marine
- Environmental
- Healthcare
- Financial Institutions
- Law
- Public Entity
- Real Estate
- Tribal Nations
- And many more

Alliant Advantage

	Alliant	Competition
90 years of leadership in meeting the insurance needs of businesses and public entities across the US.	✓	
National presence with best-in-class resources and expertise.	✓	
Privately owned and operated.	✓	
Flat management structure with no bureaucracy, empowering senior leadership to take a hands-on approach to client service that expands the entire lifecycle of the relationship.	✓	
A full-service insurance agency that addresses all of your risk and insurance needs, including property, casualty, life, and health.	✓	
A diverse team of industry specialists who understand the unique needs of your business.	✓	
Considerable buying power through more than 40 insurance carriers, enabling for the delivery of the best coverage at the most competitive pricing	✓	
State-licensed support staff.	✓	
A full-service approach that includes risk management services to help identify hazards and present options.	✓	
Workers' compensation insurance claims management at no additional charge.	✓	

Your Service Team

Seth Cole
Senior Vice President

scole@alliant.com

Phone: 415 403 1406
Mobile: 925 628 8216

Matt McManus
Senior Vice President

mmcmanus@alliant.com

Phone: 415 403 1430
Mobile: 415 314 4181

Fred Godfrey
Assistant Vice President, Account Executive

fred.godfrey@alliant.com

Phone: 415 403 1403
Mobile: 408 483 5773

Named Insured

Marin Municipal Water District

NAMED INSURED DISCLOSURE

- Name Insured(s) should match State of Incorporation filing. Inform Alliant if there is a difference or change
- The First Named Insured policy status granted includes certain rights and responsibilities. These responsibilities do not apply to other Named Insureds on the policy. Some examples for First Named Insured status include; (1) being designated to act on behalf of all insureds for making policy changes, (2) receiving of correspondence, (3) distributing claim proceeds, and (4) making premium payments
- **Are ALL entities listed as named insureds?** Coverage is **not** automatically afforded to all entities unless specifically named. Confirm with your producer and service team that all entities to be protected are on the correct policy. Not all entities may be listed on all policies based on coverage line.
- Additional named insured is (1) A person or organization, other than the first named insured, identified as an insured in the policy declarations or an addendum to the policy declarations. (2) A person or organization added to a policy after the policy is written with the status of named insured. This entity would have the same rights and responsibilities as an entity named as an insured in the policy declarations (other than those rights and responsibilities reserved to the first named insured).
- Applies to Professional Liability, Pollution Liability, Directors & Officers Liability, Employment Practices Liability, Fiduciary Liability policies (this list not all inclusive). Check your Policy language for applicability. These policies provide protection to the Named Insured for claims made against it alleging a covered wrongful act.

Premium Summary

Coverage	Expiring Premium*		Renewal Premium*	
ANML Excess Liability – \$10M	\$	516,329.56	\$	579,756.65
Excess Liability Coverage - \$5M xs \$10M	\$	124,798.28	\$	140,815.94
Excess Liability Coverage - \$10M xs \$15M	\$	111,502.58	\$	125,803.58
Excess Workers Compensation and Employers Liability	\$	111,790.00	\$	108,923.00
Property	\$	424,020.38	\$	596,887.77
Inland Marine	\$	30,240.00	\$	32,431.00
Cyber Liability	\$	22,260.78	\$	23,355.98
Crime	\$	3,710.00	\$	3,896.00
Pollution Liability	\$	19,903.50	\$	20,486.72
Drone & Hull Liability	\$	3,008.00	\$	3,031.00
TOTAL	\$	1,367,136.08	\$	1,635,387.64

*Includes charges for Terrorism and Tax & Fees where applicable.

Payment Terms

- Premium is due within 30 days of policy inception
- Agency Bill
- Payment Plan: Annual

ANML Excess Liability Coverage – \$10M

	Present Coverage	Proposed Coverage
Insurance Company	Alliant National Municipal Liability Program (ANML) - Great American E&S Insurance Company	Alliant National Municipal Liability Program (ANML) - Great American E&S Insurance Company
A.M. Best Rating	A+ (Superior), Financial Size Category: XV (\$2 Billion or greater) as of December 3, 2021	A+ (Superior), Financial Size Category: XV (\$2 Billion or greater) as of December 16, 2022
Standard & Poor's Rating	A+ (Strong) as of February 17, 2022	A+ (Strong) as of February 23, 2023
California Status	Non-Admitted	Non-Admitted
Policy/Coverage Term	July 1, 2022 to July 1, 2023	July 1, 2023 to July 1, 2024
Policy #	2480081-01	TBD

Coverage Form	Special Excess Liability Policy For the Alliant National Municipal Liability Program (ANML) - PSD PEL 001 05/18 - Occurrence	Special Excess Liability Policy For the Alliant National Municipal Liability Program (ANML) - PSD PEL 001 04/23 - Occurrence
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Limits

Each Occurrence Limit	\$ 10,000,000	\$ 10,000,000
Personal & Advertising Injury Limit	\$ 10,000,000	\$ 10,000,000
Damages to Premises Rented to You	\$ Included	\$ Included
General Aggregate Limit	\$ 40,000,000 Other than Prod/Comp Ops	\$ 40,000,000 Other than Prod/Comp Ops
Products/Completed Operations Aggregate	\$ 10,000,000	\$ 10,000,000
Employee Benefits Liability	Included	Included
Auto Liability	Included	Included
Public Officials & Employment Practices	Included	Included
Law Enforcement Liability	Included	Included

ANML Excess Liability Coverage – \$10M - Continued

	Present Coverage	Proposed Coverage
Self-Insured Retention	\$ 500,000	\$ 500,000
Defense Inside/Outside the Limit	Inside the Limit / Inside the Retention	Inside the Limit / Inside the Retention
Who has the Duty to Defend	Insured	Insured
Endorsement & Exclusions (including but not limited to)	<ul style="list-style-type: none"> • Surplus Lines Notification • Blanket Additional Insured Endorsement (Primary/ Non-contributory) • Dam Exclusion Removed for Scheduled Dams: <ul style="list-style-type: none"> • Lagunitas Dam • Phoenix Dam • Alpine Dam • Bon Tempe Dam • Peters (Kent) Dam • Seeger (Nicasio) Dam • Soulajule Dam • Defense of Employment Practices Liability Claims Endorsement • Amended Employment Practices Liability Condition (Claim notice for EPL claim/ suit that has entered civil litigation) • Subsidence Exclusion Removed • Cap on Losses from Certified Acts of Terrorism • Inverse Condemnation - Exclusion Removed • Blanket Waiver of Subrogation Endorsement (where required by contract) 	<ul style="list-style-type: none"> • Surplus Lines Notification • Blanket Additional Insured Endorsement (Primary/ Non-contributory) • Dam Extension <ul style="list-style-type: none"> • Lagunitas Dam • Phoenix Dam • Alpine Dam • Bon Tempe Dam • Peters (Kent) Dam • Seeger (Nicasio) Dam • Soulajule Dam • Defense Cost Endorsement – Employment Practices Liability Claims • Amended Employment Practices Liability Condition (Claim notice for EPL claim/ suit that has entered civil litigation) • Subsidence Exclusion Removed • Cap on Losses from Certified Acts of Terrorism • Eminent Domain and Inverse Condemnation Coverage • Blanket Waiver of Subrogation Endorsement (where required by contract)

ANML Excess Liability Coverage – \$10M - Continued

	Present Coverage	Proposed Coverage
Endorsement & Exclusions – Continued (including but not limited to)	<ul style="list-style-type: none"> • Organic Pathogen Exclusion • PFAS (Perfluoralkyl or Polyfluoroalkyl Substances) Exclusion • Silica Exclusion • War Exclusion • Condemnation Exclusion • Exclusion - Access of Disclosure of Confidential or Personal Information and Data-Related Liability - With Limited Bodily Injury Exception • \$5,000,000 Any One Occurrence / \$5,000,000 Annual Aggregate sublimit shall apply to any liability arising out of lead in respects to potable water 	<ul style="list-style-type: none"> • Organic Pathogen Exclusion • PFAS (Perfluoralkyl or Polyfluoroalkyl Substances) Exclusion • Silica Exclusion • War Exclusion • Global Sanctions Endorsement • General Service of Suit • Cyber Exclusion • Nuclear Biological Chemical and Radiological Excluded • Lead is excluded in policy
Total Cost Excluding TRIA	Not Applicable	\$ 579,504.00 Premium \$ -57,950.40 Commission Rebate to Insured \$ 17,385.12 CA Surplus Lines Taxes (3%) \$ 1,043.11 CA Stamping Fees (0.18%) <u>\$ 28,975.20 AmWins Fee</u> \$ 568,957.03 Total Cost
Total Cost Including TRIA	\$ 515,736.00 Premium \$ 10,315.00 TRIA Premium \$ -52,605.10 Commission Rebate to Insured \$ 15,781.53 CA Surplus Lines Taxes (3%) \$ 1,315.13 CA Stamping Fees (0.25%) <u>\$ 25,787.00 AmWins Fee</u> \$ 516,329.56 Total Cost	\$ 579,504.00 Premium \$ 11,590.08 TRIA Premium \$ -59,109.42 Commission Rebate to Insured \$ 17,732.82 CA Surplus Lines Taxes (3%) \$ 1,063.97 CA Stamping Fees (0.18%) <u>\$ 28,975.20 AmWins Fee</u> \$ 579,756.65 Total Cost

ANML Excess Liability Coverage – \$10M - Continued

	Present Coverage	Proposed Coverage
Great American Claims Servicing Organization and Claims Reporting Requirements	Per Current Policy	See Next Page
Minimum Earned Premium	25%	25%
Policy Auditable	Not Auditable	Not Auditable
Quote Valid Until	No Longer Applicable	June 30, 2023
Binding Conditions	No Longer Applicable	See Binding Subjectivities Recap Page

Named Insureds are covered for all operations. Additional Insureds are only covered with respect to their interest in your operations.
See each individual policy for details

See Disclaimer Page for Important Notices and Acknowledgment

ANML Excess Liability Coverage – \$10M - Continued

Great American E&S Insurance Company Claims Servicing Organization and Claims Reporting Conditions:

H. CLAIMS SERVICING ORGANIZATION

1. You shall designate the Retained Limit Claims Servicing Organization shown on the Policy Declarations to perform the following services for claims or **suits** seeking **damages** against an **insured** to which this policy may apply, regardless of the application of any **retained limit**.

(a) Defense and investigation of all claims or **suits**;

(b) Maintain accurate records of all details incident to claims payments; and

(c) Furnish monthly claims records to **you**.

2. Within forty-five (45) days after the end of the policy term, you must give the **Company** a listing of all existing claims or **suits** within the **retained limit** amounts. Quarterly thereafter, **you** are required to provide the **Company** with an updated listing of the status of all claims or **suits**, both paid and reserve, until all claims or **suits** for the reporting period are closed or settled. However, the failure of a Claims Servicing Organization to meet the time frame outlined in this paragraph shall not relieve the **Company** of any obligations hereunder.

3. In the event of cancellation, expiration or revision of the servicing contract between **you** and the Retained Limits Claims Servicing Organization, you shall notify us within ten (10) days of the effective date of such cancellation, expiration or revision.

4. You must notify the **Company** immediately of any change in the Retained Limit Claims Servicing Organization and **we** reserve the right to approve any new Claim Administrator. **You** (or **your** Retained Limit Claims Servicing Organization) must provide **us** with loss runs on a quarterly basis.

Excess Liability Coverage - \$5M excess \$10M

	Present Coverage - Hallmark	Proposed Coverage - StarStone
Insurance Company	Hallmark Specialty Insurance Company	StarStone Specialty Insurance Company
A.M. Best Rating	A- (Excellent), Financial Size Category: VIII (\$100 Million to \$250 Million) as of November 16, 2021	A- (Excellent), Financial Size Category: XII (\$1 Billion to \$1.25 Billion) as of August 4, 2022
Standard & Poor's Rating	Not Rated	Not Rated
California Status	Non-Admitted	Non-Admitted
Policy/Coverage Term	July 1, 2022 to July 1, 2023	July 1, 2023 to July 1, 2024
Policy #	77PEF220192	TBD

Coverage Form	Commercial Excess Liability Policy – PE 00 02 04 17 - Occurrence	Commercial Excess Liability Policy – SSS EXS PE POL 0001 CW 05 23 - Occurrence
Limits		
Each Occurrence	\$ 5,000,000	\$ 5,000,000
Aggregate, where applicable	\$ 10,000,000	\$ 10,000,000
Underlying Coverages & Limits	Excess Liability	Excess Liability
Carrier:	Great American E&S Insurance Company	Great American E&S Insurance Company
Limits of Liability:	\$ 10,000,000 Each Occurrence \$ 10,000,000 Completed Operations Hazard Annual Aggregate \$ 40,000,000 Policy Aggregate Limit	\$ 10,000,000 Each Occurrence \$ 10,000,000 Completed Operations Hazard Annual Aggregate \$ 40,000,000 Policy Aggregate Limit
Self-Insured Retention	\$ 500,000	\$ 500,000
	Followed Policy Bodily Injury/Property Damage, Public Officials E&O, Employment Practices Liability, or Personal Injury	Followed Policy Bodily Injury/Property Damage, Public Officials E&O, Employment Practices Liability, or Personal Injury

Excess Liability Coverage - \$5M excess \$10M – Continued

	Present Coverage - Hallmark	Proposed Coverage - StarStone
Defense Inside/Outside the Limit	Inside the Limit	Inside the Limit
Who has the Duty to Defend	Insured	Insured
Endorsement & Exclusions (including but not limited to)	<ul style="list-style-type: none"> • Schedule of Underlying Insurance • Exclusion – Access or Disclosure of Confidential or Personal Information and Data-Related Liability • Asbestos Exclusion • Claim Reporting • Exclusion – Communicable Disease • Exclusion – Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) • Fungi or Bacteria Exclusion • Lead Exclusion • Service of Suit • Surplus Lines Notification • U.S. Treasury Department's Office of Foreign Assets Control ("OFAC") Advisory Notice to Policyholders • Privacy Policy Disclosure Notice • Cap on Losses from Certified Acts of Terrorism • Policyholder Disclosure Notice of Terrorism Insurance Coverage • Exclusion of Punitive Damages Related to a Certified Act of Terrorism 	<ul style="list-style-type: none"> • Schedule of Underlying Insurance • Access or Disclosure of Confidential or Personal Information and Data-Related Liability • Asbestos Exclusion • Claim Reporting • Communicable Disease • Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) • Fungi or Bacteria Exclusion • Lead Exclusion • Service of Suit • CA Surplus Lines Notice (D-2) • U.S. Treasury Department's Office of Foreign Assets Control ("OFAC") Advisory Notice to Policyholders • Privacy Policy Disclosure Notice • Cap on Losses from Certified Acts of Terrorism • Policyholder Disclosure Notice of Terrorism Insurance Coverage • Disclosure Pursuant to Terrorism Risk Insurance Act • Nuclear Energy Liability Exclusion Endorsement

Excess Liability Coverage - \$5M excess \$10M – Continued

	Present Coverage - Hallmark	Proposed Coverage - StarStone
Total Cost Excluding TRIA	Not Applicable	\$ 133,800.00 Premium \$ 4,014.00 CA Surplus Lines Taxes (3%) <u>\$ 240.84 CA Stamping Fees (0.18%)</u> \$ 138,054.84 Total Cost
Total Cost Including TRIA	\$ 118,500.00 Premium \$ 2,370.00 TRIA Premium \$ 3,626.10 CA Surplus Lines Taxes (3%) <u>\$ 302.18 CA Stamping Fees (0.25%)</u> \$ 124,798.28 Total Cost	\$ 133,800.00 Premium \$ 2,676.00 TRIA Premium \$ 4,094.28 CA Surplus Lines Taxes (3%) <u>\$ 245.66 CA Stamping Fees (0.18%)</u> \$ 140,815.94 Total Cost
Minimum Earned Premium	25%	25%
Policy Auditable	Not Auditable	Not Auditable
Quote Valid Until	No Longer Applicable	July 1, 2023
Binding Conditions	No Longer Applicable	See Binding Subjectivities Recap Page

See Disclaimer Page for Important Notices and Acknowledgment

Excess Liability Coverage - \$10M excess \$15M

	Present Coverage	Proposed Coverage
Insurance Company	Gemini Insurance Company	Gemini Insurance Company
A.M. Best Rating	A+ (Superior), Financial Size Category: XV (\$2 Billion or greater) as of May 27, 2021	A+ (Superior), Financial Size Category: XV (\$2 Billion or greater) as of June 1, 2023
Standard & Poor's Rating	A+ (Strong) as of February 24, 2022	A+ (Strong) as of February 22, 2023
California Status	Non-Admitted	Non-Admitted
Policy/Coverage Term	July 1, 2022 to July 1, 2023	July 1, 2023 to July 1, 2024
Policy #	CEX09603221-04	TBD

Coverage Form	Commercial Excess Liability Coverage Form – CX 00 01 04 13 - Occurrence	Commercial Excess Liability Coverage Form – CX 00 01 04 13 - Occurrence
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Limits

Each Occurrence	\$ 10,000,000	\$ 10,000,000
Aggregate Limit	\$ 10,000,000	\$ 10,000,000

Underlying Coverages & Limits

Excess Liability

Carrier	Hallmark Specialty Insurance Company	StarStone Specialty Insurance Company
Limit	\$ 5,000,000 Each Occurrence \$ 10,000,000 Aggregate Limit where applicable	\$ 5,000,000 Each Occurrence \$ 10,000,000 Aggregate Limit where applicable

Excess Liability Coverage - \$10M excess \$15M - Continued

	Present Coverage	Proposed Coverage
Underlying Coverages & Limits – Continued		
Special Excess Liability Policy for ANML		
Carrier	Great American E&S Insurance Company	Great American E&S Insurance Company
Limit	\$ 40,000,000 Policy Aggregate \$ 10,000,000 Completed Operations Hazard Annual Aggregate \$ 10,000,000 Any One Occurrence \$ 500,000 Underlying	\$ 40,000,000 Policy Aggregate \$ 10,000,000 Completed Operations Hazard Annual Aggregate \$ 10,000,000 Any One Occurrence \$ 500,000 Underlying
Self-Insured Retention	\$ 500,000	\$ 500,000
Defense Inside/Outside the Limit	Inside the Limit	Inside the Limit
Who has the Duty to Defend	Insured	Insured
Endorsement & Exclusions (including but not limited to)	<ul style="list-style-type: none"> • Claim Notice • Service of Suit – California • Schedule of Underlying Policies • Asbestos Exclusion • War Exclusion • Nuclear Energy Liability Exclusion • Endorsement • Aggregate Drop-Down Exclusion • Cyber Liability Exclusion • Exclusion – Fungi or Bacteria • Exclusion – Silica or Silica Related Dust • Exclusion – Violation of Information Statutes • Financial Services Exclusion 	<ul style="list-style-type: none"> • Claim Notice • Service of Suit – California • Schedule of Underlying Policies • Asbestos Exclusion • War Exclusion • Nuclear Energy Liability Exclusion • Endorsement • Aggregate Drop-Down Exclusion • Cyber Liability Exclusion • Exclusion – Fungi or Bacteria • Exclusion – Silica or Silica Related Dust • Exclusion – Violation of Information Statutes • Financial Services Exclusion

Excess Liability Coverage - \$10M excess \$15M - Continued

Endorsement & Exclusions – Continued (including but not limited to)

Present Coverage	Proposed Coverage
<ul style="list-style-type: none"> • Lead Exclusion • Restrictive as Underlying Endorsement • Sub-Limited Coverage Exclusion • Issuance Prior to Receipt of Underlying Endorsement • Policy Aggregate Amendment of Limits of Liability Endorsement • Unimpaired Aggregate Limit Endorsement • Nuclear, Biological, Chemical, or Radiological Terrorism Exclusion • Exclusion – Access or Disclosure of Confidential or Personal Information and Data Related Liability • Exclusion – Communicable Disease • Policyholder Disclosure Notice of Terrorism Insurance Coverage • Exclusion of Other Acts of Terrorism Committed Outside of US; Cap on Losses from Certified Acts of Terrorism • Exclusion of Punitive Damages Related to a Certified Act of Terrorism • Common Policy Conditions • U.S. Treasury Department's Office of Foreign Assets Control ("OFAC") Advisory Notice to Policyholders • Exclusion-Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) 	<ul style="list-style-type: none"> • Lead Exclusion • Restrictive as Underlying Endorsement • Sub-Limited Coverage Exclusion • Issuance Prior to Receipt of Underlying Endorsement • Policy Aggregate Amendment of Limits of Liability Endorsement • Unimpaired Aggregate Limit Endorsement • Nuclear, Biological, Chemical, or Radiological Terrorism Exclusion • Exclusion – Access or Disclosure of Confidential or Personal Information and Data Related Liability • Exclusion – Communicable Disease • Policyholder Disclosure Notice of Terrorism Insurance Coverage • Exclusion of Other Acts of Terrorism Committed Outside of US; Cap on Losses from Certified Acts of Terrorism – If TRIA Accepted • Exclusion of Punitive Damages Related to a Certified Act of Terrorism - If TRIA Accepted • Common Policy Conditions • U.S. Treasury Department's Office of Foreign Assets Control ("OFAC") Advisory Notice to Policyholders • Exclusion-Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) • Exclusion of Certified Acts of Terrorism and Exclusion of Other Acts of Terrorism Committed Outside the United States – if TRIA Rejected

Excess Liability Coverage - \$10M excess \$15M - Continued

	Present Coverage	Proposed Coverage
Total Cost Excluding TRIA	Not Applicable	\$ 133,800.00 Premium \$ -14,718.00 Commission Rebate to Insured \$ 4,014.00 CA Surplus Lines Taxes (3%) \$ 240.84 CA Stamping Fees (0.18%) \$ 123,336.84 Total Cost
Total Cost Including TRIA	\$ 118,500.00 Premium \$ 2,370.00 TRIA Premium -\$ 13,295.70 Commission Rebate to Insured \$ 3,626.10 CA Surplus Lines Taxes (3%) \$ 302.18 CA Stamping Fees (0.25%) \$ 111,502.58 Total Cost	\$ 133,800.00 Premium \$ 2,676.00 TRIA Premium \$ -15,012.36 Commission Rebate to Insured \$ 4,094.28 CA Surplus Lines Taxes (3%) \$ 245.66 CA Stamping Fees (0.18%) \$ 125,803.58 Total Cost
Minimum Earned Premium	25%	25%
Policy Auditable	Not Auditable	Not Auditable
Conditions	Cancellation term is 30 days. Term is 10 days for non-payment of premium	Cancellation term is 30 days. Term is 10 days for non-payment of premium
Quote Valid Until	No Longer Applicable	July 1, 2023
Binding Conditions	No Longer Applicable	See Binding Subjectivities Recap Page

See Disclaimer Page for Important Notices and Acknowledgment

Excess Workers Compensation and Employers Liability Coverage

	Present Coverage	Proposed Coverage
Insurance Company	Arch Insurance Company	Arch Insurance Company
A.M. Best Rating	A+ (Superior), Financial Size Category: XV (\$2 Billion or greater) as of December 10, 2021	A+ (Superior), Financial Size Category: XV (\$2 Billion or greater) as of March 16, 2023
Standard & Poor's Rating	A+ (Strong) as of June 25, 2021	A+ (Strong) as of June 13, 2023
California Status	Admitted	Admitted
Policy/Coverage Term	July 1, 2022 to July 1, 2023	July 1, 2023 to July 1, 2024
Policy #	WCX 0065288 02	TBD

Coverage Form	Specific Excess Workers Compensation and Employers Liability Insurance Policy – 00 GL0401 00 (01 08)	Specific Excess Workers Compensation and Employers Liability Insurance Policy – 00 GL0401 00 (01 08)
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Limits

Part One - Excess Workers Compensation Insurance

Each Accident	Statutory	Statutory
Disease, Each Employee	Statutory	Statutory

Part Two – Excess Employers Liability Insurance

Each Accident	\$ 1,000,000	\$ 1,000,000
Disease, Each Employee	\$ 1,000,000	\$ 1,000,000
Aggregate	\$ 1,000,000	\$ 1,000,000

Excess Workers Compensation and Employers Liability Coverage - Continued

	Present Coverage		Proposed Coverage	
Retained Limits				
Each Accident	\$ 750,000	All Other Employees	\$ 750,000	All Other Employees
	\$ 1,500,000	Vanpooling	\$ 1,500,000	Vanpooling
	\$ 1,500,000	Presumptive Claims	\$ 1,500,000	Presumptive Claims
Disease, Each Employee	\$ 750,000	All Other Employees	\$ 750,000	All Other Employees
	\$ 1,500,000	Vanpooling	\$ 1,500,000	Vanpooling
	\$ 1,500,000	Presumptive Claims	\$ 1,500,000	Presumptive Claims
Basis of Premium	.3798 per \$100 of Payroll based on \$29,433,805		.3798 per \$100 of Payroll based on \$28,678,929	
Endorsement & Exclusions (including but not limited to)	<ul style="list-style-type: none"> • Split Retained Limit Endorsement • Losses Redefined to Include Allocated Loss Adjustment Expenses Endorsement • California Volunteer Coverage – Excess Voluntary Compensation and Employers Liability Coverage Endorsement • Waiver of Our Right to Recover from Others Endorsement • California Terrorism Risk Insurance Program Reauthorization Act Disclosure Endorsement • California Amendatory Endorsement 		<ul style="list-style-type: none"> • Split Retained Limit Endorsement • Losses Redefined to Include Allocated Loss Adjustment Expenses Endorsement • California Volunteer Coverage – Excess Voluntary Compensation and Employers Liability Coverage Endorsement • Waiver of Our Right to Recover from Others Endorsement • California Terrorism Risk Insurance Program Reauthorization Act Disclosure Endorsement • California Amendatory Endorsement 	
Total Cost Including TRIA	\$ 108,436.00 Minimum and Deposit Premium \$ 3,354.00 TRIA Premium \$ 111,790.00 Total Cost		\$ 105,655.00 Minimum and Deposit Premium \$ 3,268.00 TRIA Premium \$ 108,923.00 Total Cost	

Excess Workers Compensation and Employers Liability Coverage - Continued

	Present Coverage	Proposed Coverage
Total Cost Excluding TRIA	Not Applicable	Not Applicable
Policy Auditable	Yes	Yes
Quote Valid Until	No Longer Applicable	July 1, 2023
Binding Conditions	No Longer Applicable	See Binding Subjectivities Recap Page

See Disclaimer Page for Important Notices and Acknowledgment

Property Coverage

	Present Coverage	Proposed Coverage
Insurance Company	Lexington Insurance Company	Berkshire Hathaway Specialty Insurance (BHSI)
A.M. Best Rating	A (Excellent), Financial Size Category: XV (\$2 Billion or greater) as of October 7, 2021	A++ (Superior), Financial Size Category: XV (\$2 Billion or greater) as of February 3, 2023
Standard & Poor's Rating	A+ (Strong) as of March 29, 2022	A++ (Strong) as of September 29, 2022
California Status	Non-Admitted	Non-Admitted
Policy/Coverage Term	July 1, 2022 to July 1, 2023	July 1, 2023 to July 1, 2024
Policy #	APIP2022	TBD

Coverage Form PEPPI USA Form No.17 Master Policy Wording PEPPI USA Form TBD - Master Policy Wording

Total Insured Values \$ 463,339,757 as of March 8, 2023 \$ 502,191,464 as of June 6, 2023

Coverages and Limits

All Risk Limit	\$ 200,000,000	\$ 200,000,000
Boiler & Machinery Limit	\$ 100,000,000	\$ 100,000,000
Flood Limit	\$ 10,000,000	\$ 10,000,000

Money & Securities	\$ 500,000	\$ 500,000
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Added exclusion for fraudulent impersonation, fraudulent instruction or similar events

Course of Construction	\$ 25,000,000	\$ 25,000,000
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No additional premium for projects
<\$15,000,000

Property Coverage - Continued

	Present Coverage	Proposed Coverage
Limits - Continued:		
Automatic Acquisition	\$25,000,000 for TIV \geq \$500,000,000 \$10,000,000 for TIV \leq \$500,000,000 \$10,000,000 for Vacant Buildings Sub-limit	\$50,000,000 for TIV \geq \$50,000,000 Policy Limit for TIV \leq \$50,000,000 \$5,000,000 for Vacant Buildings Sub-limit
Misc. Unnamed Location	\$25,000,000 for TIV \geq \$500,000,000 \$10,000,000 for TIV \leq \$500,000,000 \$10,000,000 for Vacant Buildings Sub-limit	\$10,000,000 for TIV \geq \$250,000,000 \$5,000,000 for TIV \leq \$250,000,000 \$2,500,000 for Vacant Buildings Sub-limit
Transit:	\$ 25,000,000 Physical Damage only, no BI/Business Interruption	\$ 25,000,000 Physical Damage only, no BI/Business Interruption
Deductible:		
All Risk	\$ 1,000,000	\$ 1,000,000
Boiler & Machinery	\$ 25,000	\$ 25,000
Flood	\$ 1,000,000	\$ 1,000,000
Endorsement & Exclusions: (including but not limited to)	<ul style="list-style-type: none"> Seepage & Contamination Cost of Clean-up for Pollution Mold 	<ul style="list-style-type: none"> Seepage & Contamination Cost of Clean-up for Pollution Mold

Property Coverage - Continued

	Present Coverage		Proposed Coverage	
Total Cost	\$ 402,900.00	Property Premium	\$ 565,818.00	Property Premium
	\$ 6,927.00	Excess Boiler Premium	\$ 7,508.00	Excess Boiler Premium
	\$ 874.00	ABS Fee	\$ 5,330.00	ABS Fee
	\$ 12,319.38	Surplus Lines Tax & Fee	\$ 18,231.77	Surplus Lines Tax & Fee
	\$ 424,020.38	Total Cost	\$ 596,887.77	Total Cost
Minimum Earned Premium	25%		25%	
Quote Valid Until	No Longer Applicable		July 1, 2023	
Binding Conditions	No Longer Applicable		See Binding Subjectivities Recap Page	

*Property Co-insurance: Most property insurance policies contain a co-insurance clause. In exchange for a reduced rate, the insured agrees to carry at least the stated percentage of insurance to the total insurable value of the property. If, at the time of loss, the amount of insurance carried is less than this percentage, the loss payment will be reduced proportionately.

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Inland Marine Coverage

	Present Coverage	Proposed Coverage
Insurance Company	The Hanover Insurance Company	The Hanover Insurance Company
A.M. Best Rating	A (Excellent), Financial Size Category: XV (\$2 Billion or greater) as of June 17, 2021	A (Excellent), Financial Size Category: XV (\$2 Billion or greater) as of June 21, 2022
Standard & Poor's Rating	A (Strong) as of August 10, 2021	A (Strong) as of August 2, 2022
California Status	Admitted	Admitted
Policy/Coverage Term	July 1, 2022 to July 1, 2023	July 1, 2023 to July 1, 2024
Policy #	IHF H650273 01	TBD

Coverage Form

Scheduled Property Floater AAIS IM 7500
 Scheduled Vehicle Physical Damage Floater
 Coverage Form - IM441-1075 01 09
 Contractor's Equipment Coverage - IM441-1471

Scheduled Property Floater AAIS IM 7500
 Scheduled Vehicle Physical Damage Floater
 Coverage Form - IM441-1075 01 09
 Contractor's Equipment Coverage - IM441-1471

Perils Excluded

- Civil Authority;
- Nuclear Hazard;
- Sewer Backup and Water Below the Surface;
- War and Military Action;
- Contamination or Deterioration;
- Criminal, Fraudulent, Dishonest, Or Illegal Acts;
- Electrical Currents;
- Explosion Rupture, or Bursting;
- Loss of Use;
- Mechanical Breakdown;
- Missing Property;

- Civil Authority;
- Nuclear Hazard;
- Sewer Backup and Water Below the Surface;
- War and Military Action;
- Contamination or Deterioration;
- Criminal, Fraudulent, Dishonest, Or Illegal Acts;
- Electrical Currents;
- Explosion Rupture, or Bursting;
- Loss of Use;
- Mechanical Breakdown;
- Missing Property;

Inland Marine Coverage - Continued

	Present Coverage		Proposed Coverage	
Perils Excluded - Continued	<ul style="list-style-type: none">• Pollutants;• Temperature/Humidity;• Theft from An Unattended Vehicle;• Voluntary Parting;• Wear and Tear.		<ul style="list-style-type: none">• Pollutants;• Temperature/Humidity;• Theft from An Unattended Vehicle;• Voluntary Parting;• Wear and Tear.	
Coverages and Limits				
Boats, Motor & Trailers				
Perils Covered - All Risk Subject to Perils Excluded				
Described Property - Boats, Motors & Trailers	\$	96,053	\$	100,724
Additional Debris Removal Expenses	\$	5,000	\$	5,000
Newly Acquired Property	\$	15,000	\$	15,000
Pollutant Cleanup and Removal	\$	10,000	\$	10,000
Flood	\$	96,053	per occurrence and annual aggregate	\$ 100,724 per occurrence and annual aggregate
Earthquake	\$	96,053	per occurrence and annual aggregate	\$ 100,724 per occurrence and annual aggregate
Auto Physical Damage				
Perils Covered - All Risk Subject to Perils Excluded				
Insured's Vehicles and Vehicles Insured Have Leased from Others Under A Written Lease Contract				
Catastrophe Limit – Aggregate in any One occurrence for all Vehicles	\$	10,000,000	\$	10,000,000

Inland Marine Coverage - Continued

		Present Coverage	Proposed Coverage
Coverages and Limits - Continued			
Additional Debris Removal Expenses	\$	50,000	\$ 50,000
Newly Acquired and substitute Vehicles	\$	1,000,000	\$ 1,000,000
Number of Days		365 days	365 days
Pollutant Cleanup and Removal	\$	25,000	\$ 25,000
Towing and Labor Costs	\$	25,000	\$ 25,000
Rental Reimbursement		\$ 500 Per day/ \$10,000 Max	\$ 500 Per day/ \$10,000 Max
Scheduled Vehicles:		Scheduled Vehicles on File – Schedule Dated: 2/18/22	Scheduled Vehicles on File – Schedule Dated: 5/31/2023
Total Insured Value of Vehicles:	\$	8,345,068	\$ 8,661,641
Contractors Equipment			
Perils Covered - "all risk" subject to policy form terms, conditions, and exclusions.			
Contractor's Equipment per Schedule Submitted	\$	2,636,036	\$ 2,445,191
Unscheduled Contractor's Equipment			
Unscheduled Contractor's Equipment Limit of Insurance	\$	25,000	\$ 25,000
Unscheduled Maximum Limit Per Any One Item	\$	2,500	\$ 2,500
Newly Acquired Contractor's Equipment			
Maximum Limit Per Any One Item	\$	1,000,000	\$ 1,000,000

Inland Marine Coverage - Continued

	Present Coverage		Proposed Coverage	
Coverages and Limits - Continued				
Business Personal Property	\$	25,000	\$	25,000
Continuing Rental or Lease Expense	\$	25,000	\$	25,000
Contract Penalty	\$	25,000	\$	25,000
Debris Removal - Additional Limits	\$	100,000	\$	100,000
Employee Tools and Work Clothing				
Any One Occurrence	\$	10,000	\$	10,000
Any One Item	\$	2,500	\$	2,500
Engine Emissions Green Coverage				
Any One Occurrence	\$	5,000	\$	5,000
Any One Policy Period	\$	10,000	\$	10,000
Equipment Borrowed from Others	\$	50,000	\$	50,000
Equipment Leased and Rented from Others	\$	50,000	\$	50,000
Equipment Leased or Rented to Others	\$	500,000	\$	500,000
Equipment Loaned to Others	\$	500,000	\$	500,000
Expediting Expense	\$	25,000	\$	25,000
Extended Warranties	\$	5,000	\$	5,000
False Pretense	\$	500,000	\$	500,000
Fire and Police Department Service Charges	\$	50,000	\$	50,000
Fire Suppression Equipment	\$	50,000	\$	50,000
Hauling Property of Others as a Carrier for Hire	\$	200,000	\$	200,000
Installation or Rigging Property	\$	25,000	\$	25,000

Inland Marine Coverage - Continued

	Present Coverage		Proposed Coverage	
Coverages and Limits - Continued				
Loss Adjustment Expenses	\$	5,000	\$	5,000
Pollutant Clean Up and Removal	\$	100,000	\$	100,000
Preservation of Property	\$	5,000	\$	5,000
Rental Reimbursement	\$	100,000	\$	100,000
Rental Reimbursement Waiting Period		24 Hours		24 Hours
Reward Payments	\$	10,000	\$	10,000
Spare Parts and Fuel	\$	10,000	\$	10,000
Theft Prevention Devices Deductible Waiver	\$	25,000	\$	25,000
Waterborne Property	\$	500,000	\$	500,000
Deductible				
Scheduled Property	\$	25,000	\$	25,000
Auto Physical Damage	\$	25,000	\$	25,000
Contractors Equipment	\$	25,000	\$	25,000
Auto Physical Damage & Contractors Equipment Basket Deductible	\$	10,000 Combined Loss	\$	10,000 Combined Loss
Valuation				
	Replacement Cost – Boats, Motors & Trailers		Replacement Cost – Boats, Motors & Trailers	
	Replacement Cost – Scheduled Autos not to Exceed 125% of Scheduled Value		Replacement Cost – Scheduled Autos not to Exceed 125% of Scheduled Value	
	Market Value with Replacement Value on Items 5 Years or Newer - Contractors Equipment		Market Value with Replacement Value on Items 5 Years or Newer - Contractors Equipment	

Inland Marine Coverage - Continued

	Present Coverage		Proposed Coverage	
Coinsurance	80%	Boats, Motors & Trailers	80%	Boats, Motors & Trailers
	Waived	Contractors Equipment	Waived	Contractors Equipment
Rate	\$	0.265 Auto Rate	\$	0.281 Auto Rate
	\$	0.265 Contractor's Equipment	\$	0.281 Contractor's Equipment
Auto Rating Base	\$	8,345,068	\$	8,661,641
Contractor's Equipment Rating Basis	\$	2,636,036	\$	2,445,191
Endorsement & Exclusions (including but not limited to)	<ul style="list-style-type: none"> • Privacy Policy Disclosure • Notice - Acceptance of Terrorism Coverage and Disclosure of Premium • Disclosure Pursuant To TRIA • Minimum Earned Premium • Vehicles Borrowed from Others Endorsement • Amended Property Not Covered and Amended Definition of Vehicles • Basket Deductible Endorsement • Maximum Aggregate Policy Limit • Additional Supplement AI Coverages • Property Not Covered Endorsement • Annual Adjustment -- Reporting Provisions • Valuation Endorsement • Commercial Inland Marine Conditions • Common Policy Conditions • California Changes - Actual Cash Value • California Changes 		<ul style="list-style-type: none"> • Privacy Policy Disclosure • Notice - Acceptance of Terrorism Coverage and Disclosure of Premium • Disclosure Pursuant To TRIA • Minimum Earned Premium • Vehicles Borrowed from Others Endorsement • Amended Property Not Covered and Amended Definition of Vehicles • Basket Deductible Endorsement • Maximum Aggregate Policy Limit • Additional Supplement AI Coverages • Property Not Covered Endorsement • Annual Adjustment -- Reporting Provisions • Valuation Endorsement • Commercial Inland Marine Conditions • Common Policy Conditions • California Changes - Actual Cash Value • California Changes 	

Inland Marine Coverage - Continued

	Present Coverage	Proposed Coverage
Endorsement & Exclusions – Continued (including but not limited to)	<ul style="list-style-type: none"> • California Changes – Cancellation and Nonrenewal • Exclusion of Certain Computer-Related Losses • Certified Terrorism Loss • Trade or Economic Sanctions Endorsement • Scheduled Vehicle Physical Damage Floater • Important Information Regarding the Renewal of Your Contractor's Equipment Coverage. • Replacement Cost Endorsement • Earthquake and Flood Coverage Endorsement 	<ul style="list-style-type: none"> • California Changes – Cancellation and Nonrenewal • Exclusion of Certain Computer-Related Losses • Certified Terrorism Loss • Trade or Economic Sanctions Endorsement • Scheduled Vehicle Physical Damage Floater • Important Information Regarding the Renewal of Your Contractor's Equipment Coverage. • Replacement Cost Endorsement • Earthquake and Flood Coverage Endorsement
Total Cost Excluding TRIA	Not Applicable	\$ 283.00 Schedule Property \$ 24,339.00 Auto Physical damage \$ 6,941.00 Contractors equipment \$ 31,563.00 Total Premium
Total Cost Including TRIA	\$ 265.00 Schedule Property \$ 22,114.00 Auto Physical damage \$ 7,052.00 Contractors equipment \$ 809.00 TRIA Premium \$ 30,240.00 Total Premium	\$ 283.00 Schedule Property \$ 24,339.00 Auto Physical damage \$ 6,941.00 Contractors equipment \$ 868.00 TRIA Premium \$ 32,431.00 Total Premium
Minimum Earned Premium	\$ 9,000.00	\$ 9,000.00
Policy Auditable	Yes	Yes

Inland Marine Coverage - Continued

	Present Coverage	Proposed Coverage
Conditions	Auto Physical Damage Conditions: <ul style="list-style-type: none"> • Annual adjustment at 50% of agreed rates. • Replacement cost not to exceed 125% of SOV value; no age restriction. Other valuation terms are per expiring. • Newly acquired vehicles covered up to \$1,000,000 per unit. Values over this must be reported to company upon acquisition. • Personal effects of \$1,000 per person and \$10,000 per occurrence in a vehicle not subject to a special deductible (policy deductible applies). • Coverage included for permanently installed communication equipment included in value of auto. Mobile equipment can be covered under a separate CE form for additional premium. 	Auto Physical Damage Conditions: <ul style="list-style-type: none"> • Annual adjustment at 50% of agreed rates. • Replacement cost not to exceed 125% of SOV value; no age restriction. Other valuation terms are per expiring. • Newly acquired vehicles covered up to \$1,000,000 per unit. Values over this must be reported to company upon acquisition. • Personal effects of \$1,000 per person and \$10,000 per occurrence in a vehicle not subject to a special deductible (policy deductible applies). • Coverage included for permanently installed communication equipment included in value of auto. Mobile equipment can be covered under a separate CE form for additional premium.
Quote Valid Until	No Longer Applicable	July 1, 2023
Binding Conditions	No Longer Applicable	See Binding Subjectivities Recap Page

See Disclaimer Page for Important Notices and Acknowledgment

Cyber Liability Coverage

	Present Coverage	Proposed Coverage
Insurance Company	Obsidian Specialty Insurance Company	Obsidian Specialty Insurance Company
A.M. Best Rating	A (Excellent), Financial Size Category: VII (\$50 Million to \$100 Million) as of November 11, 2021	A- (Excellent), Financial Size Category: VII (\$50 Million to \$100 Million) as of November 10, 2022
Standard & Poor's Rating	Not Rated	Not Rated
California Status	Non-Admitted	Non-Admitted
Policy/Coverage Term	July 1, 2022 to July 1, 2023	July 1, 2023 to July 1, 2024
Policy #	QCB-250-H5YBQF6C	TBD

Coverage Form	Cowbell Cyber Risk Insurance Policy – Prime 250 Prime 250 - PRIME 250 001 10 20 – Claims Made & Reported	Cowbell Cyber Risk Insurance Policy – Prime 250 Prime 250 - PRIME 250 001 10 20 – Claims Made & Reported
Limits	\$ 1,000,000 Aggregate Limit	\$ 1,000,000 Aggregate Limit
First Party Expense		
Cowbell Breach Fund	\$ 1,000,000	\$ 1,000,000
Data Restoration	\$ 1,000,000	\$ 1,000,000
Extortion Costs	\$ 1,000,000	\$ 1,000,000
Business Impersonation Costs	\$ 1,000,000	\$ 1,000,000
Reputational Harm Expense	\$ 500,000	\$ 1,000,000
First Party Loss		
Business Interruption Loss	\$ 1,000,000	\$ 1,000,000
Contingent Business Interruption Loss	\$ 1,000,000	\$ 1,000,000
System Failure	\$ 1,000,000	\$ 1,000,000

Cyber Liability Coverage – Continued

	Present Coverage	Proposed Coverage
Limits – Continued		
Cyber Crime Loss	\$ 250,000	\$ 250,000
Bricking Costs	\$ 1,000,000	\$ 1,000,000
Criminal Reward Costs	\$ 100,000	\$ 100,000
Contingent System Failure	N/A	\$ 1,000,000
Liability Expense		
Liability Costs	\$ 1,000,000	\$ 1,000,000
PCI Costs	\$ 1,000,000	\$ 1,000,000
Regulatory Costs	\$ 1,000,000	\$ 1,000,000
Deductible	\$ 50,000	\$ 50,000
	12 Hours Waiting Period	8 Hours Waiting Period Except 12 Hours Waiting Period for Reputational Harm Expense
	N/A Criminal Reward Costs	N/A Criminal Reward Costs
Retroactive Date	<ul style="list-style-type: none"> Full Prior Acts; July 1, 2021 Apply to Reputational Harm Expense 	<ul style="list-style-type: none"> Full Prior Acts; July 1, 2021 Apply to Reputational Harm Expense
Defense Inside/Outside the Limit	Inside the Limit	Inside the Limit
Who has the Duty to Defend	Insurer	Insurer

Cyber Liability Coverage – Continued

Endorsement & Exclusions

(including but not limited to)

Present Coverage	Proposed Coverage
<ul style="list-style-type: none"> • Notice to Policyholders - OFAC • Customer Notice of Privacy Policy & Producer Compensation Practices Disclosure • Service of Process • California Consumer Privacy Act <ul style="list-style-type: none"> ○ \$1,000,000 Limit ○ \$50,000 Deductible ○ Full Prior Acts • General Data Protection Regulation <ul style="list-style-type: none"> ○ \$1,000,000 Limit ○ \$50,000 Deductible ○ Full Prior Acts • Media Liability <ul style="list-style-type: none"> ○ \$1,000,000 Limit ○ \$50,000 Deductible ○ Full Prior Acts • BIPA Exclusion Endorsement • Disclosure Pursuant to Terrorism Risk Insurance Act • Cap on Losses from Certified Acts of Terrorism • Trade or Economic Sanctions Exclusion Endorsement 	<ul style="list-style-type: none"> • Notice to Policyholders - OFAC • Customer Notice of Privacy Policy & Producer Compensation Practices Disclosure • Service of Process • California Consumer Privacy Act <ul style="list-style-type: none"> ○ \$1,000,000 Limit ○ \$50,000 Deductible ○ Full Prior Acts • General Data Protection Regulation <ul style="list-style-type: none"> ○ \$1,000,000 Limit ○ \$50,000 Deductible ○ Full Prior Acts • Media Liability <ul style="list-style-type: none"> ○ \$1,000,000 Limit ○ \$50,000 Deductible ○ Full Prior Acts • BIPA Exclusion Endorsement • Disclosure Pursuant to Terrorism Risk Insurance Act • Cap on Losses from Certified Acts of Terrorism • Trade or Economic Sanctions Exclusion Endorsement • Amend Cooperation Clause -- 80% • Blanket Additional Insured • Cyber Terrorism Amendatory Endorsement

Cyber Liability Coverage – Continued

	Present Coverage	Proposed Coverage
Total Cost Excluding TRIA	Not Applicable	Not Applicable
Total Cost Including TRIA	\$ 22,495.05 Policy Premium \$ 224.95 TRIA Premium \$ 750.00 Policy Fee \$ 300.00 Amwins Service Fee \$ 704.10 CA Surplus Lines Tax (3%) \$ 58.68 CA Stamping Fee (0.25%) <u>(\$ 2,272.00) Commission Rebate</u> \$ 22,260.78 Total Cost	\$ 23,676.24 Policy Premium \$ 236.76 TRIA Premium \$ 750.00 Policy Fee \$ 300.00 Amwins Service Fee \$ 739.89 CA Surplus Lines Tax (3%) \$ 44.39 CA Stamping Fee (0.18%) <u>(\$ 2,391.30) Commission Rebate</u> \$ 23,355.98 Total Cost
Minimum Earned Premium	Not Applicable	Not Applicable
Extended Reporting Period	<ul style="list-style-type: none"> • 12 Months at an additional 75% of premium • 24 Months at an additional 125% of premium • 36 Months at an additional 150% of premium 	<ul style="list-style-type: none"> • 12 Months at an additional 75% of premium • 24 Months at an additional 125% of premium • 36 Months at an additional 150% of premium
Policy Auditable	Not Auditable	Not Auditable
Quote Valid Until	No Longer Applicable	July 1, 2023
Binding Conditions	No Longer Applicable	See Binding Subjectivities Recap Page

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Crime Coverage

	Present Coverage	Proposed Coverage
Insurance Company	National Union Fire Insurance Company of Pittsburgh, Pa.	National Union Fire Insurance Company of Pittsburgh, Pa.
A.M. Best Rating	A (Excellent), Financial Size Category: XV (\$2 Billion or greater) as of October 7, 2021	A (Excellent), Financial Size Category: XV (\$2 Billion or greater) as of June 21, 2022
Standard & Poor's Rating	A+ (Strong) as of March 29, 2022	A+ (Strong) as of May 24, 2023
California Status	Admitted	Admitted
Policy/Coverage Term	July 1, 2022 to July 1, 2023	July 1, 2023 to July 1, 2024
Policy #	01-424-97-61	TBD

Coverage Form

Government Crime Policy - CR 00 26 05 06 -
Discovery Form

Government Crime Policy - CR 00 26 05 06 -
Discovery Form

Limits

Employee Theft – Per Loss Coverage – including Faithful Performance of Duty	\$ 3,000,000	\$ 3,000,000
Forgery or Alteration – including Credit, Debit, or Charge Card Forgery	Included	Included
Inside the Premises – Theft of Money and Securities	Included	Included
Inside the Premises -Robbery or Safe Burglary of Other Property	Included	Included
Outside the Premises	Included	Included
Computer Fraud	Included	Included
Funds Transfer Fraud	Included	Included
Money Orders and Counterfeit Money	Included	Included

Crime Coverage – Continued

	Present Coverage	Proposed Coverage
Deductible	\$ 2,500	\$ 2,500
Retroactive Date	July 1, 2019	July 1, 2019
Endorsement & Exclusions (including but not limited to)	<ul style="list-style-type: none"> • California Changes • Additional Named Insured - Identifies individual member limit and deductible • Omnibus Named Insured • Add Faithful Performance of Duty Coverage for Government Employee - Employee Theft Per Loss Limit • Cancellation of Policy Amended – 120 Days • Bonded Employees Exclusion Deleted • Include Volunteer Workers as Employees • Include Specified Non-Compensated Officers as Employees - Any Non-Compensated Officers of Any of Those Named as Insured • Add Credit, Debit or Charge Card Forgery • Include Chairperson and Members of Specified Committees as Employees - Any Committees of Any of Those Named as Insured • Include Designated Persons or Classes of Persons as Employees - Any Directors or Trustees of any of those named as insured; Any board members of any of those named as insured, any elected or appointed 	<ul style="list-style-type: none"> • California Changes • Additional Named Insured - Identifies individual member limit and deductible • Omnibus Named Insured • Add Faithful Performance of Duty Coverage for Government Employee - Employee Theft Per Loss Limit • Cancellation of Policy Amended – 120 Days • Bonded Employees Exclusion Deleted • Include Volunteer Workers as Employees • Include Specified Non-Compensated Officers as Employees – All • Add Credit, Debit or Charge Card Forgery • Include Chairperson and Members of Specified Committees - All • Include Designated Persons or Classes of Persons as Employees - Any Directors or Trustees of any of those named as insured; Any board members of any of those named as insured, any elected or appointed officials

Crime Coverage – Continued

Endorsement & Exclusions – Continued (including but not limited to)

Present Coverage	Proposed Coverage
<p>officials, Any Students of Any of Those Named as Insured</p> <ul style="list-style-type: none"> • Include Treasurers or Tax Collectors as Employees - Any Treasurers or Tax Collectors of Any of Those Names as Insured • Expenses Incurred to Establish Amount of Covered Loss - \$75,000 Sub-limit • Third Party Coverage - Loss of or damage to 'Client Property' – Sublimit \$250,000 with \$25,000 Deductible • Employee Post Termination Coverage – 90 Days • Blanket Joint Loss Payee Endorsement - Where legally Permissible • Cancellation Amendatory (Return Pro Rata) • Include Leased Workers as Employees • Notice of Claim (Reporting by E-Mail) • Vendor Theft Coverage Endorsement - \$1,000,000 Limit excess of vendor insurance policy limit (\$500,000 minimum) required by contract. Coverage not applicable if crime insurance is not required in a written agreement • Conditions Amended - Subrogation of Faithful Performance of Duty Claims • Economic Sanctions Endorsement (excludes loss payments in violation of economic or trade sanctions) 	<ul style="list-style-type: none"> • Include Treasurers or Tax Collectors as Employees - Any Treasurers or Tax Collectors of Any of Those Names as Insured • Expenses Incurred to Establish Amount of Covered Loss - \$75,000 Sub-limit • Amended Third Party Coverage - Loss of or damage to 'Client Property' – Sublimit \$250,000 with \$25,000 Deductible - Updated • Employee Post Termination Coverage – 90 Days • Blanket Joint Loss Payee Endorsement - Where legally Permissible • Cancellation Amendatory (Return Pro Rata) • Include Leased Workers as Employees • Notice of Claim (Reporting by E-Mail) • Vendor Theft Coverage Endorsement - \$1,000,000 Limit excess of vendor insurance policy limit (\$500,000 minimum) required by contract. Coverage not applicable if crime insurance is not required in a written agreement. • Conditions Amended - Subrogation of Faithful Performance of Duty Claims • Economic Sanctions Endorsement (excludes loss payments in violation of economic or trade sanctions)

Crime Coverage – Continued

Endorsement & Exclusions – Continued (including but not limited to)

Present Coverage	Proposed Coverage
<ul style="list-style-type: none"> • Impersonation Fraud Coverage Endorsement – Sub-limit \$250,000 with \$25,000 Deductible – Does not apply to any losses prior to 7/1/2015 • Revision of Discovery and Prior Theft or Dishonesty - \$25,000 Sub-Limit, Risk Management Department or other department designated to handle insurance matters for the named insured. • Exclusion – Unauthorized disclosure of confidential information • Exclusion – Governmental Action • Exclusion – Indirect of Consequential Loss • Exclusion – Protected Information (Carveback) • Exclusion – Legal Fees and Expenses • Exclusion – Nuclear Hazard • Exclusion – Pollution • Exclusion – War and Military Action • Exclusion – Inventory Shortages • Exclusion – Trading Losses • Exclusion – Accounting or Arithmetical Errors or Omissions • Exclusion – Exchanges or Purchases • Exclusion – Fire • Exclusion – Money Operated Devices • Exclusion – Motor Vehicles or Equipment and Accessories • Exclusion – Transfer or Surrender of Property 	<ul style="list-style-type: none"> • Impersonation Fraud Coverage Endorsement – Sub-limit \$250,000 with \$25,000 Deductible – Does not apply to any losses prior to 7/1/2015 • Revision of Discovery and Prior Theft or Dishonesty - \$25,000 Sub-Limit, Risk Management Department or other department designated to handle insurance matters for the named insured. • Exclusion – Unauthorized disclosure of confidential information • Exclusion – Governmental Action • Exclusion – Indirect of Consequential Loss • Exclusion – Protected Information (Carveback) • Exclusion – Legal Fees and Expenses • Exclusion – Nuclear Hazard • Exclusion – Pollution • Exclusion – War and Military Action • Exclusion – Inventory Shortages • Exclusion – Trading Losses • Exclusion – Accounting or Arithmetical Errors or Omissions • Exclusion – Exchanges or Purchases • Exclusion – Fire • Exclusion – Money Operated Devices • Exclusion – Motor Vehicles or Equipment and Accessories • Exclusion – Transfer or Surrender of Property

Crime Coverage – Continued

	Present Coverage	Proposed Coverage
Endorsement & Exclusions – Continued (including but not limited to)	<ul style="list-style-type: none"> • Exclusion – Vandalism • Exclusion – Voluntary Party of Title to Possession of Property 	<ul style="list-style-type: none"> • Exclusion – Vandalism • Exclusion – Voluntary Party of Title to Possession of Property • Cyberextortion (Resulting Directly) - New
Total Cost Excluding TRIA	\$ 3,710.00	\$ 3,896.00
Total Cost Including TRIA	Not Applicable	Not Applicable
Minimum Earned Premium	Not Applicable	Not Applicable
Quote Valid Until	No Longer Applicable	June 30, 2023
Binding Conditions	No Longer Applicable	See Binding Subjectivities Recap Page

See Disclaimer Page for Important Notices and Acknowledgment

Pollution Liability Coverage

	Present Coverage	Proposed Coverage
Insurance Company	Indian Harbor Insurance Company	Indian Harbor Insurance Company
A.M. Best Rating	A+ (Superior), Financial Size Category: XV (\$2 Billion or greater) as of September 17, 2021	A+ (Superior), Financial Size Category: XV (\$2 Billion or greater) as of November 9, 2022
Standard & Poor's Rating	AA- (Very Strong) as of March 28, 2021	AA- (Very Strong) as of March 20, 2022
California Status	Non-Admitted	Non-Admitted
Policy/Coverage Term	July 1, 2022 to July 1, 2023	July 1, 2023 to July 1, 2024
Policy #	PEC005249904	TBD

Coverage Form	Pollution and Remediation Legal Liability Policy - EVPRLCP 0820 - Claims Made and Reported	Pollution and Remediation Legal Liability Policy - EVPRLCP 0820 - Claims Made and Reported
Retroactive Date	July 1, 2018	July 1, 2018
Limits		
Policy Aggregate Limit of Liability	\$ 1,000,000	\$ 1,000,000
Your Location Coverage		
Each Pollution Condition	\$ 1,000,000	\$ 1,000,000
Aggregate Limit of Liability	\$ 1,000,000	\$ 1,000,000
Emergency Remediation Expense Coverage		
Each Pollution Condition	\$ 500,000	\$ 500,000
Aggregate Limit of Liability	\$ 500,000	\$ 500,000

Pollution Liability Coverage – Continued

	Present Coverage	Proposed Coverage
Limits - Continued		
Contingent Transportation Coverage		
Each Pollution Condition	\$ 1,000,000	\$ 1,000,000
Aggregate Limit of Liability	\$ 1,000,000	\$ 1,000,000
Legionella Coverage		
Each Pollution Condition	\$ 1,000,000	\$ 1,000,000
Aggregate Limit of Liability	\$ 1,000,000	\$ 1,000,000
Legal Expense in Addition to the Limits of Liability	Not Included	Not Included
Self-Insured Retention	\$ 25,000 except \$ 50,000 for Legionella	\$ 25,000 except \$ 50,000 for Legionella
Defense Inside/Outside the Limit	Inside the Limit	Inside the Limit
Who has the Duty to Defend	Insurer	Insurer
Endorsement & Exclusions (including but not limited to)	<ul style="list-style-type: none"> • Important Information to Policyholders - California • Privacy Policy • Notice to Policyholders - Fraud Notice • U.S. Treasury Department's Office of Foreign Assets Control ("OFAC") • California Surplus Lines Notice 	<ul style="list-style-type: none"> • Important Information to Policyholders - California • Privacy Policy • Notice to Policyholders - Fraud Notice • U.S. Treasury Department's Office of Foreign Assets Control ("OFAC") • California Surplus Lines Notice

Pollution Liability Coverage – Continued

Endorsement & Exclusions - Continued (including but not limited to)

Present Coverage	Proposed Coverage
<ul style="list-style-type: none"> • In Witness - Indian Harbor Insurance Company • Service of Process • Your Location(s) Schedule Including Request for Additional Your Location(s) • Insuring Agreements Section Amendment • Legionella Coverage • Additional Coverages for Municipalities • Pollution Condition Exclusion for Multiple Your Locations • Site Development and Construction Activities Exclusion • Exclusion of Certified Acts of Terrorism and Terrorism Committed Outside of the United States (if rejected) • Coverage for Certified Acts of Terrorism, Subject to Cap and Coverage For other Acts of Terrorism Committed Within the United States (if accepted) 	<ul style="list-style-type: none"> • In Witness - Indian Harbor Insurance Company • Service of Process • Your Location(s) Schedule Including Request for Additional Your Location(s) • Insuring Agreements Section Amendment • Legionella Coverage • Additional Coverages for Municipalities • Pollution Condition Exclusion for Multiple Your Locations • Site Development and Construction Activities Exclusion • Exclusion of Certified Acts of Terrorism and Terrorism Committed Outside of the United States (if rejected) • Coverage for Certified Acts of Terrorism, Subject to Cap and Coverage For other Acts of Terrorism Committed Within the United States (if accepted) • PFAS Exclusion for Specific Your Location(s)
Total Cost Including TRIA \$ 18,899.00 Premium \$ 378.000 TRIA Premium (2%) \$ 578.31 CA Surplus Lines Taxes (3%) \$ 48.19 CA Stamping Fees (0.25%) \$ 19,903.50 Total Cost	\$ 19,466.00 Premium \$ 389.32 TRIA Premium (2%) \$ 595.66 CA Surplus Lines Taxes (3%) \$ 35.74 CA Stamping Fees (0.18%) \$ 20,486.72 Total Cost
Total Cost Excluding TRIA Not Applicable	\$ 19,466.00 Premium \$ 583.98 CA Surplus Lines Taxes (3%) \$ 35.04 CA Stamping Fees (0.18%) \$ 20,085.02 Total Cost

Pollution Liability Coverage – Continued

	Present Coverage	Proposed Coverage
Minimum Earned Premium	25%	25%
Extended Reporting Period	365 Days @ 100% of the total premium	365 Days @ 100% of the total premium
Policy Auditable	Not Auditable	Not Auditable
Quote Valid Until	No Longer Applicable	July 1, 2023
Binding Conditions	No Longer Applicable	See Binding Subjectivities Recap Page

CLAIMS REPORTING NOTICE

**PLEASE NOTE THAT POLLUTION LIABILITY POLICIES CONTAIN EXTREMELY
STRICT CLAIM REPORTING PROCEDURES.**

**Attached please find your policy specific claim reporting requirements - Please make sure you understand these obligations. Contact
your Alliant Service Team with any questions.**

See Disclaimer Page for Important Notices and Acknowledgment

Drone & Hull Liability Coverage

	Present Coverage	Proposed Coverage
Insurance Company	<ul style="list-style-type: none"> American Alternative Insurance Corporation – 69.24% National Indemnity Company – 18.39% Tokio Marine America Insurance Company – 12.37% 	<ul style="list-style-type: none"> American Alternative Insurance Corporation – 69.24% National Indemnity Company – 18.39% Tokio Marine America Insurance Company – 12.37%
A.M. Best Rating	<ul style="list-style-type: none"> A+ (Superior), Financial Size Category: XV (\$2 Billion or greater) as of July 8, 2021 A++ (Superior), Financial Size Category: XV (\$2 Billion or greater) as of January 6, 2022 A++ (Superior), Financial Size Category: XV (\$2 Billion or greater) as of September 3, 2021 	<ul style="list-style-type: none"> A+ (Superior), Financial Size Category: XV (\$2 Billion or greater) as of July 27, 2022 A++ (Superior), Financial Size Category: XV (\$2 Billion or greater) as of February 3, 2023 A++ (Superior), Financial Size Category: XV (\$2 Billion or greater) as of September 9, 2022
Standard & Poor's Rating	<ul style="list-style-type: none"> AA- (Very Strong) as of May 27, 2021 AA+ (Very Strong) as of September 29, 2021 A+ (Strong) as of February 27, 2022 	<ul style="list-style-type: none"> AA- (Very Strong) as of April 25, 2023 AA+ (Very Strong) as of September 29, 2022 A+ (Strong) as of February 20, 2023
California Status	Admitted	Admitted
Policy/Coverage Term	July 1, 2022 to July 1, 2023	July 1, 2023 to July 1, 2024
Policy #	9003808	TBD

Coverage Form

Aviation Insurance Policy Unmanned Aircraft Systems (UAS Policy Form)

Aviation Insurance Policy Unmanned Aircraft Systems (UAS Policy Form)

Limits

Liability - Each Occurrence	\$ 1,000,000	\$ 1,000,000
Personal and Advertising Injury Aggregate Limit	\$ 1,000,000	\$ 1,000,000
Medical Expenses	\$ 5,000	\$ 5,000
Hull (Physical Damage)	\$ 18,246 Total Hull Value	\$ 18,246 Total Hull Value

Drone & Hull Liability Coverage – Continued

	Present Coverage			Proposed Coverage		
Limits – Continued						
Passenger Liability		Excluded			Excluded	
Passenger War Liability		Included			Included	
Third Party War Limit	\$	1,000,000	Aggregate	\$	1,000,000	Aggregate
Non-Owned Liability - Each Occurrence for Any Unmanned Aircraft System That Does Not Exceed 55lbs In Weight	\$	1,000,000		\$	1,000,000	
Fire Legal Liability	\$	100,000	Each Occurrence	\$	100,000	Each Occurrence
Contractual Liability		Included			Policy Limit	
Product liability arising out of sale of scheduled aircraft		Included			Policy Limit	
Bail Bonds				\$	5,000	
Deductible						
In Motion		5%			5%	
Not in Motion		5%			5%	
Defense Inside/Outside the Limit		Outside the Limit			Outside the Limit	
Who has the Duty to Defend		Insurer			Insurer	
Endorsement & Exclusions (including but not limited to)		<ul style="list-style-type: none">Electronic Data Event Liability ExclusionAdditional InsuredAmendment of Defined TermsElectronic Date Recognition Exclusion Limited Coverage			<ul style="list-style-type: none">Electronic Data Event Liability ExclusionAdditional InsuredAmendment of Defined TermsElectronic Date Recognition Exclusion Limited Coverage	

Drone & Hull Liability Coverage – Continued

	Present Coverage	Proposed Coverage
Endorsement & Exclusions – Continued (including but not limited to)	<ul style="list-style-type: none"> • Liability for Sale of Unmanned Aircraft Systems, Parts or Services • Premises Coverage • Fire Legal Liability • Expanded Contractual Liability Endorsement • TRIA Disclosure • California Changes • Limited Liability War Exclusion Limited Coverage • Limited Physical Damage War Exclusion Limited Coverage • Expenses for Medical Services • Terrorism (TRIA) Coverage - Hull & Liability • Aviation Personal and Advertising Injury Liability • Non-Owned Aircraft Liability - Unmanned Aircraft System • State Amendatory Endorsement and Disclosure notice included as required 	<ul style="list-style-type: none"> • Liability for Sale of Unmanned Aircraft Systems, Parts or Services • Premises Coverage • Fire Legal Liability • Expanded Contractual Liability Endorsement • TRIA Disclosure • California Changes • Limited Liability War Exclusion Limited Coverage • Limited Physical Damage War Exclusion Limited Coverage • Expenses for Medical Services • Terrorism (TRIA) Coverage - Hull & Liability • Aviation Personal and Advertising Injury Liability • Non-Owned Aircraft Liability - Unmanned Aircraft System • State Amendatory Endorsement and Disclosure notice included as required
Total Cost Excluding TRIA	Not Applicable	Not Applicable
Total Cost Including TRIA	\$ 3,008.00 Premium <u>Included TRIA Premium</u> \$ 3,008.00 Total Cost (5 units)	\$ 3,031.00 Premium <u>Included TRIA Premium</u> \$ 3,031.00 Total Cost (5 units)
Minimum Earned Premium	Not Applicable	Not Applicable

Drone & Hull Liability Coverage – Continued

	Present Coverage	Proposed Coverage
Policy Auditable	Not Auditable	Not Auditable
Conditions	<ul style="list-style-type: none"> Approved Pilots for Scheduled Aircraft: The policy shall not apply while a scheduled aircraft is in flight unless the pilot in command is approved by the Named Insured and appropriately licensed for the flight being conducted. This Policy does not apply to the extent that trade or economic sanctions or other laws or regulations prohibits Global Aerospace from offering or providing insurance. To the extent any such prohibitions apply, this policy is void ab initio. 	<ul style="list-style-type: none"> Approved Pilots for Scheduled Aircraft: The policy shall not apply while a scheduled aircraft is in flight unless the pilot in command is approved by the Named Insured and appropriately licensed for the flight being conducted. This proposal does not apply to the extent that trade or economic sanctions or other laws or regulations prohibits Global Aerospace from offering or providing insurance. To the extent any such prohibitions apply, this policy is void ab initio. Single Limit Body Injury and Property Damage Liability: Also includes Liability arising from: <ul style="list-style-type: none"> occasioned by or in consequence of war hi-jacking and other perils the operation of UAS you rent/lease/borrow for periods of less than 30 days UAS operated on your behalf by others
Quote Valid Until	No Longer Applicable	July 1, 2023
Binding Conditions	No Longer Applicable	See Binding Subjectivities Recap Page

Drone & Hull Liability Coverage – Continued

Schedule of Aircraft

Year, Make and Model	Ident. Number	Insured Value (100%)
2017 DJI INNOVATIONS PHANTOM 4 PRO	OAXDDCG0A20372	\$1,800
2017 DJI INNOVATIONS PHANTOM 4 PRO	09YDE3UL040800	\$1,980
2021 DJI INNOVATIONS PHANTOM 4 PRO V2.0	11USJ77R720166	\$2,745
2021 DJI INNOVATIONS PHANTOM 4 PRO V2.0	11USJ78R72084	\$2,745
2021 SKYDIO 2	25280-SDRC2V1	\$8,976

See Disclaimer Page for Important Notices and Acknowledgment

Disclosures

This proposal of insurance is provided as a matter of convenience and information only. All information included in this proposal, including but not limited to personal and real property values, locations, operations, products, data, automobile schedules, financial data and loss experience, is based on facts and representations supplied to Alliant Insurance Services, Inc. by you. This proposal does not reflect any independent study or investigation by Alliant Insurance Services, Inc. or its agents and employees.

Please be advised that this proposal is also expressly conditioned on there being no material change in the risk between the date of this proposal and the inception date of the proposed policy (including the occurrence of any claim or notice of circumstances that may give rise to a claim under any policy which the policy being proposed is a renewal or replacement). In the event of such change of risk, the insurer may, at its sole discretion, modify, or withdraw this proposal, whether or not this offer has already been accepted.

This proposal is not confirmation of insurance and does not add to, extend, amend, change, or alter any coverage in any actual policy of insurance you may have. All existing policy terms, conditions, exclusions, and limitations apply. For specific information regarding your insurance coverage, please refer to the policy itself. Alliant Insurance Services, Inc. will not be liable for any claims arising from or related to information included in or omitted from this proposal of insurance.

Alliant embraces a policy of transparency with respect to its compensation from insurance transactions. Details on our compensation policy, including the types of income that Alliant may earn on a placement, are available on our website at www.alliant.com. For a copy of our policy or for any inquiries regarding compensation issues pertaining to your account you may also contact us at: Alliant Insurance Services, Inc., Attention: General Counsel, 701 B Street, 6th Floor, San Diego, CA 92101.

Analyzing insurers' over-all performance and financial strength is a task that requires specialized skills and in-depth technical understanding of all aspects of insurance company finances and operations. Insurance brokerages such as Alliant Insurance typically rely upon rating agencies for this type of market analysis. Both A.M. Best and Standard and Poor's have been industry leaders in this area for many decades, utilizing a combination of quantitative and qualitative analysis of the information available in formulating their ratings.

A.M. Best has an extensive database of nearly 6,000 Life/Health, Property Casualty and International companies. You can visit them at www.ambest.com. For additional information regarding insurer financial strength ratings visit Standard and Poor's website at www.standardandpoors.com.

Our goal is to procure insurance for you with underwriters possessing the financial strength to perform. Alliant does not, however, guarantee the solvency of any underwriters with which insurance or reinsurance is placed and maintains no responsibility for any loss or damage arising from the financial failure or insolvency of any insurer. We encourage you to review the publicly available information collected to enable you to make an informed decision to accept or reject a particular underwriter. To learn more about companies doing business in your state, visit the Department of Insurance website for that state.

NY Regulation 194

Alliant Insurance Services, Inc. is an insurance producer licensed by the State of New York. Insurance producers are authorized by their license to confer with insurance purchasers about the benefits, terms and conditions of insurance contracts; to offer advice concerning the substantive benefits of particular insurance contracts; to sell insurance; and to obtain insurance for purchasers. The role of the producer in any particular transaction typically involves one or more of these activities.

Compensation will be paid to the producer, based on the insurance contract the producer sells. Depending on the insurer(s) and insurance contract(s) the purchaser selects, compensation will be paid by the insurer(s) selling the insurance contract or by another third party. Such compensation may vary depending on a number of factors, including the insurance contract(s) and the insurer(s) the purchaser selects. In some cases, other factors such as the volume of business a producer provides to an insurer or the profitability of insurance contracts a producer provides to an insurer also may affect compensation.

The insurance purchaser may obtain information about compensation expected to be received by the producer based in whole or in part on the sale of insurance to the purchaser, and (if applicable) compensation expected to be received based in whole or in part on any alternative quotes presented to the purchaser by the producer, by requesting such information from the producer.

Privacy

At Alliant, one of our top priorities is making sure that the information we have about you is protected and secure. We value our relationship with you and work hard to preserve your privacy and ensure that your preferences are honored. At the same time, the very nature of our relationship may result in Alliant's collecting or sharing certain types of information about you in order to provide the products and services you expect from us. Please take the time to read our full Privacy Policy posted at www.alliant.com, and contact your Alliant service team should you have any questions.

Other Disclosures / Disclaimers

FATCA:

The Foreign Account Tax Compliance Act (FATCA) requires the notification of certain financial accounts to the United States Internal Revenue Service. Alliant does not provide tax advice so please contact your tax consultant for your obligation regarding FATCA.

Other Disclosures / Disclaimers - Continued

NRRA:

The Non-Admitted and Reinsurance Reform Act (NRRA) went into effect on July 21, 2011. Accordingly, surplus lines tax rates and regulations are subject to change which could result in an increase or decrease of the total surplus lines taxes and/or fees owed on this placement. If a change is required, we will promptly notify you. Any additional taxes and/or fees must be promptly remitted to Alliant Insurance Services, Inc.

Guarantee Funds

Established by law in every state, guaranty funds are maintained by a state's insurance commissioner to protect policyholders in the event that an insurer becomes insolvent or is unable to meet its financial obligations. If your insurance carrier is identified as 'Non-Admitted', your policy is not protected by your state's Guaranty Fund.

Claims Reporting:

Your policy will come with specific claim reporting requirements. Please make sure you understand these obligations. Contact your Alliant Service Team with any questions.

Claims Made Policy:

This claims-made policy contains a requirement stating that this policy applies only to any claim first made against the Insured and reported to the insurer during the policy period or applicable extended reporting period. Claims must be submitted to the insurer during the policy period, or applicable extended reporting period, as required pursuant to the Claims/Loss Notification Clause within the policy in order for coverage to apply. Late reporting or failure to report pursuant to the policy's requirements could result in a disclaimer of coverage by the insurer.

Any Employment Practices Liability (EPL) or Directors & Officers (D&O) with EPL coverage must give notice to the insurer of any charges / complaints brought by any state / federal agency (i.e. EEOC and similar proceedings) involving an employee. To preserve your rights under the policy, it is important that timely notice be given to the insurer, whether or not a right to sue letter has been issued.

Other Disclosures / Disclaimers - Continued

Changes and Developments

It is important that we be advised of any changes in your operations, which may have a bearing on the validity and/or adequacy of your insurance. The types of changes that concern us include, but are not limited to, those listed below:

- Changes in any operations such as expansion to another state, new products, or new applications of existing products.
- Travel to any state not previously disclosed.
- Permanent operations outside the United States, Canada or Puerto Rico.
- Mergers and/or acquisition of new companies and any change in business ownership, including percentages.
- Any newly assumed contractual liability, granting of indemnities or hold harmless agreements.
- Any changes in existing premises including vacancy, whether temporary or permanent, alterations, demolition, etc. Also, any new premises either purchased, constructed or occupied
- Circumstances which may require an increased liability insurance limit.
- Any changes in fire or theft protection such as the installation of or disconnection of sprinkler systems, burglar alarms, etc. This includes any alterations to the system.
- Immediate notification of any changes to a scheduled of equipment, property, vehicles, electronic data processing, etc.
- Property of yours that is in transit, unless previously discussed and/or currently insured.

Other Disclosures / Disclaimers - Continued

Certificates / Evidence of Insurance

A Certificate or Evidence is issued as a matter of information only and confers no rights upon the certificate holder. The certificate does not affirmatively or negatively amend, extend or alter the coverage afforded by a policy, nor does it constitute a contract between the issuing insurer(s), authorized representative, producer or recipient.

You may have signed contracts, leases or other agreements requiring you to provide this evidence. In those agreements, you may assume obligations and/or liability for others (Indemnification, Hold Harmless) and some of the obligations that are not covered by insurance. We recommend that you and your legal counsel review these documents.

In addition to providing a Certificate or Evident of Insurance, you may be required to name your landlord, client or customer on your policy as a loss payee on property insurance or as an additional insured on liability insurance. This is only possible with permission of the insurance company, added by endorsement and, in some cases, an additional premium.

By naming the certificate holder as additional insured, there are consequences to your risks and insurance policy including:

- Your policy limits are now shared with other entities; their claims involvement may reduce or exhaust your aggregate limit.
- Your policy may provide higher limits than required by contract; your full limits can be exposed to the additional insured.
- There may be conflicts in defense when your insurer has to defend both you and the additional insured.
- An additional insured endorsement will most likely not provide notification of cancellation. Some insurance companies use a “blanket” additional insured endorsement that provides coverage automatically when it is required in a written contract. Most insurance companies do not want to be notified of all additional insureds when there is a blanket endorsement on the policy. If a notice of cancellation is required for the additional insured party, you must notify us immediately and we will request an endorsement from your insurance company. There may be an additional premium for adding a notice of cancellation endorsement for an additional insured.

See Request to Bind Coverage page for acknowledgement of all disclaimers and disclosures.

Optional Coverages – Continued

Other Coverage Options

Note some of these coverages may be included with limitations or insured elsewhere. This is a partial listing as you may have additional risks not contemplated here which are unique to your organization.

- Business Income/Extra Expense
- Earthquake
- Employed Lawyers
- Employee Benefits Liability
- Equipment Breakdown
- Food Borne Illness
- Foreign Insurance
- Garagekeepers Liability
- Hired Auto Physical Damage
- Kidnap & Ransom
- Law Enforcement Liability
- Media and Publishers Liability
- Network Security / Privacy Liability and Internet Media Liability
- Non-Owned & Hired Automobile Liability
- Pollution Liability
- Owned/Non-Owned Aircraft
- Owned Watercraft
- Professional Liability
- Property in Transit
- Property of Others (Clients, Employees, Other)
- Special Events Liability
- Spoilage
- Student Accident
- Volunteer Accidental Death & Dismemberment (AD&D)
- Workers Compensation & Employers Liability
- Workplace Violence

Glossary of Insurance Terms

Below are links to assist you in understanding the insurance terms you may find within your insurance coverages:

<http://insurancecommunityuniversity.com/university-resources/insurance-glossary-free>

<https://consumers.ambest.com/content.aspx?rec=261613>

<http://www.irmi.com/online/insurance-glossary/default.aspx>

Request to Bind Coverage

Marin Municipal Water District

We have reviewed the proposal and agree to the terms and conditions of the coverages presented. We are requesting coverage to be bound as outlined by coverage line below:

Coverage Line	Bind Coverage for:
ANML Excess Liability – \$10M	<input type="checkbox"/>
Excess Liability Coverage - \$5M excess \$10M	<input type="checkbox"/>
Excess Liability Coverage - \$10M excess \$15M	<input type="checkbox"/>
Excess Workers Compensation and Employers Liability	<input type="checkbox"/>
Property	<input type="checkbox"/>
Inland Marine	<input type="checkbox"/>
Cyber Liability	<input type="checkbox"/>
Crime	<input type="checkbox"/>
Pollution Liability	<input type="checkbox"/>
Drone & Hull Liability	<input type="checkbox"/>

This Authorization to Bind Coverage also acknowledges receipt and review of all disclaimers and disclosures, including exposures used to develop insurance terms, contained within this proposal.

Signature of Authorized Insured Representative

Date

Title

Printed / Typed Name

This proposal does not constitute a binder of insurance. Binding is subject to the final carrier approval. The actual terms and conditions of the policy will prevail.

Binding Subjectivities Recap

ALL coverages require a written request to bind coverage.

Additional subjectivities are listed below by Coverage Line.

Coverage Line and Description of Subjectivity(ies)

ANML Excess Liability – \$10M

- Signed TRIA Election or Rejection Form

Excess Liability - \$5M xs \$10M

- Completed and signed TRIA Acceptance or Rejection form (prior to binding)

Excess Liability Coverage - \$10M xs \$15M

- Signed and Dated TRIA Letter, Required Prior to Binding.

Excess Workers Compensation and Employers Liability

- None

Property

- Signed Terrorism and Surplus Lines Disclosure Forms

Inland Marine

- None

Binding Subjectivities Recap – Continued

Coverage Line and Description of Subjectivity(ies)

Cyber Liability

- PRIOR TO BINDING: Please confirm MFA is in place for Admin account access/privileged users/PAM. If MFA is not in place in these areas, insurer may need to consider limiting ransomware via endorsement. Please complete the MFA attestation: [https://cowbell.insure/wp-content/uploads/2022/09/Prime_250_MFA-Attestation-Document .pdf](https://cowbell.insure/wp-content/uploads/2022/09/Prime_250_MFA-Attestation-Document.pdf)
- Cowbell Renewal Application re-signed and dated within 60 days of the effective date.
- Please provide the intended Policyholder's contact information.
- Full network backup and restoration to be tested within 30 days of the effective date and on a biannual basis thereafter.

Crime

- None

Pollution Liability

- Signed TRIA Form

Drone & Hull Liability

- None

In order to complete the underwriting process, we require that you send us any additional information requested above. We are not required to bind coverage prior to our receipt and underwriting acceptance of the above information. However, if we do bind coverage prior to such acceptance, the terms and conditions as indicated above may be amended until such receipt and acceptance. Any agreement to bind coverage in connection with this proposal must be in writing from an authorized employee of the Insurer.

Approval Item

TITLE

Portable Toilet Services Contract No. 5652 Amendment No. 5

RECOMMENDATION

Authorize the General Manager to execute the Fifth Amendment to Contract No. 5652 to extend the contract for one additional year and increase the total contract amount for Portable Toilet rentals and servicing on the District's watershed lands

SUMMARY

On November 27, 2018, the District and the Contractor entered into a Professional Services Agreement MA. 5652 for Portable Toilet Services for a period of two years. The initial contract was for 17 portable restrooms with servicing frequencies set at one day per week. In response to increases in visitation the District increased total rentals to 28 portable restrooms with servicing set at two times per week. Staff is recommending that the Board of Directors approve and authorize the General Manager to sign Amendment No. 5 to MA 5652 to extend the contract end date by one year until July 1, 2024, increase contract amount by \$45,000 to cover servicing completed in 2022-2023, and increase the total contract amount by \$125,000 for rentals and servicing over the next fiscal year.

DISCUSSION

Marin Water's watershed lands are part of a larger complex of publicly-owned lands on Mt. Tamalpais that, taken together, support rich, natural ecosystems. Since before the turn of the last century, Mt. Tamalpais has been a magnet for recreationists. Regular visits by these different visitor groups to the district's Mt. Tamalpais watershed lands is estimated at more than 2.3 million visitors annually (Alta Planning, 2023). In part due to the COVID 19 pandemic the Watershed and other open space lands throughout Marin County have seen a higher than normal level of use since March of 2020. Increased visitation resulted in increased use of watershed restroom facilities, which resulted in Marin Water increasing the level of servicing to all portable restrooms, installing hand sanitizer services and increasing the total number of portable restrooms on the watershed. Since that time the total number of restrooms has been slightly reduced and servicing has been reduced from three times a week for some sites to two times a week for all sites. The current number of portable restrooms and servicing frequency is appropriate for the current levels of watershed visitation.

On November 27, 2018, the District and the Contractor entered into a Professional Services Agreement MA. 5652 for Portable Toilet Services for a period of two years. The District executed Amendment No. 1 to extend services for one additional year until October 31, 2021. On December 15, 2021, the District executed Amendment No. 2 to the Contract to increase the not to exceed budget from \$29,751 to \$150,370. The budget increase was necessary to support

additional sanitation facilities on the watershed due to increases in visitation resulting from the COVID 19 pandemic and overuse of facilities. On March 7, 2022 the District executed Amendment No. 3 to the Contract to extend services for one additional year until January 31, 2023, update the service rates, and increase the total contract amount by \$87,360. On April 12, 2023 the District executed Amendment No. 4 to the Agreement to extend services for six (6) months, until July 31, 2023, and increase the total contract amount by \$35,000. The total cost for watershed portable restroom rentals and servicing over the past twelve months was approximately \$117,000 which is roughly \$9,750 a month.

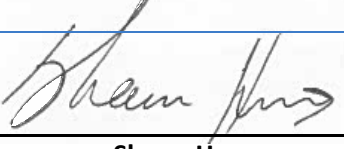

Staff is recommending that the Board of Directors approve, and authorize the General Manager to sign, Amendment No. 5 to MA 5652 to extend the contract end date by one year until July 1, 2024, increase contract funding amount by \$45,000 to cover servicing completed in 2022, and increase the total contract amount by an additional \$125,000 for rentals and servicing for the next fiscal year for a new not to exceed contract total funding amount of \$445,743. The contract extension and increase is for the rental of 22 standard portable restrooms and 6 ADA accessible portable restrooms with a minimum service schedule of twice per week. There are no proposed changes to the contractor's rates at this time. The budget has capacity to support additional rentals and servicing, which is needed periodically to support watershed visitors and project related activities. This would be the last contract extension for this contract.

FISCAL IMPACT

Marin Water budgeted \$125,000 for Portable Toilet rentals and servicing in FY 2023 in the Watershed Maintenance Operational Budget Line 2045 and additional funds for fiscal year 2024 to cover the costs of these services.

ATTACHMENT(S)

1. Amendment No. 5 to MA 5652

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Watershed	 Shaun Horne Watershed Resources Manager	 Ben Horenstein General Manager

**AMENDMENT NO. 5 PORTABLE TOILET SERVICE
CONTRACT BETWEEN MARIN MUNICIPAL WATER
DISTRICT and UNITED SITE SERVICES OF
CALIFORNIA INC.
(MA 5652)**

This Contract Amendment ("Amendment No. 5") is entered into by and between Marin Municipal Water District ("District") and United Site Services of California, INC. ("Contractor"). For good and valuable consideration the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

Section 1. Recitals:

- A. On November 27, 2018, the District and the Contractor entered into a Professional Services Agreement, MA 5652, (Agreement) for Portable Toilet Services for a period of two years.
- B. On October 31, 2020, the initial two-year term of the Agreement expired and the District executed Amendment No. 1 to extend services for one additional year, under the same terms set forth in the original agreement, until October 31, 2021.
- C. On December 15, 2020 the District executed Amendment No. 2 to increase the budget. The increase was necessary to support additional sanitation facilities on the watershed due to increases in visitation resulting from the COVID 19 pandemic and overuse of facilities.
- D. On March 7, 2022 the District executed Amendment No. 3 to the Contract to extend services for one additional year until January 31, 2023, update the service rates, and increase the total contract amount by \$87,360.
- E. On April 12, 2023 the District executed Amendment No. 4 to the Agreement to extend services for six (6) months, until July 31, 2023, and increase the total contract amount by \$35,000.
- F. At this time, the Parties desire to execute an amendment ("Amendment No. 5") to the Agreement to extend services until July 31, 2024, and increase the total contract amount by \$45,000 for servicing completed in 2023 and increase the total contract by an additional \$125,000 for services through July 2024. The service extension and increase are necessary to support ongoing sanitation facility rentals and servicing on the watershed. This will be the final contract extension.

Section 2. Terms:

- A. Amendment to Contract: This Amendment No. 5 modifies the Contract. Except for the modifications contained herein, all the terms of the Contract shall apply.

B. PART A-- SPECIFIC PROVISIONS:

1. DESCRIPTION OF SERVICES AND PAYMENT is hereby amended to read as follows:

- a. The fee and fee payment for such work shall be amended as stipulated under the fee and rate schedule included in Attachment A of this Amendment No. 5, which is attached hereto and incorporated herein. This Amendment No. 5 hereby increases the contract amount by \$45,000 to cover servicing completed in 2023, and increases the total contract amount by an additional \$125,000 for rental and servicing for one additional year. The compensation payable for these services rendered under this Amendment No. 5 shall not exceed \$170,000 in total. The total amount paid for all services under the Agreement, including all amendments, shall not exceed the total cumulative amount of \$445,743.

4. PROSECUTION OF WORK is hereby amended to extend the completion date as set forth below:

Performance of the services hereunder shall be completed by July 31, 2024.

Executed by the parties as follows:

Dated: _____

**United Site Services of
California, Inc.**

By: _____

Adam W. Jacobs, Vice President

Dated: _____

Marin Municipal Water District

By: _____

Bennett Horenstein, General Manager


Attachment A: Rate Sheet

PORTABLE TOILET RENTAL AND USE FEES

REVISED 12/21

DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
Regular Additional Weekly Service	1 Each	\$ 19.65 <u>21</u>	\$19.65
EEC for Regular Restroom	1 Each	\$ 0.00	\$ 0.00
ADA Additional Weekly Service	1 Each	\$ 28.40 <u>30</u>	\$ 28.40
EEC for ADA	1 Each	\$ 0.00	\$ 0.00
Trailer Kit Single Rental	1 Each	\$ 15.00 <u>25</u>	\$ 15.00
Trailer Kit Regular Service	1 Each	\$ 102.50 <u>110</u>	\$ 102.50
EEC for Trailer Kit	1 Each	\$ 0.00	\$ 0.00
Delivery, Set Up and Removal for Standard Restroom	1 Each	\$ 10.00 <u>40</u>	\$ 10.00
Delivery, Set Up and Removal for ADA Restroom	1 Each	\$ 10.00 <u>50</u>	\$ 10.00
Delivery, Set Up and Removal for Trailer Kit	1 Each	\$ 75.00 <u>85</u>	\$ 75.00
Pumping Vaults (1-3 various areas on Watershed) per gallon	1 Gallon	\$ 0.32 <u>0.34</u>	\$ 0.32
Pumping Septic Tanks (1-3 Ranger Residences) per gallon	1 Gallon	\$ 0.32 <u>0.34</u>	\$ 0.32
SUB TOTAL			\$ 261.19
GRAND TOTAL (add subtotals)		\$ 30,012.99	

The District reserves the right to reject any or all quotes. The District reserves the right to reject quotes for the work. The Contract will be awarded to the Contractor with the lowest responsible quote as determined by the District. The price shall include California Sales Tax and Use Tax whenever applicable. In the event of discrepancy between unit bid price and total amount, the unit bid price shall be used.

 SIGNATURE 1521 Copperhill Parkway ADDRESS 508-948-6959 TELEPHONE NUMBER	United Site Services of California, Inc. COMPANY Santa Rosa, CA 95403 CITY STATE ZIP 10/15/2018 DATE
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Approval Item

TITLE

Biodiversity, Fire, & Fuels Integrated Plan Updates and Addendum to the Biodiversity, Fire, and Fuels Integrated Plan Program Environmental Impact Report

RECOMMENDATION

Approve Addendum to the Biodiversity, Fire, and Fuels Integrated Plan (BFFIP) Program Environmental Impact Report, which incorporates updates to the BFFIP

SUMMARY

In October of 2019, the District adopted the Biodiversity, Fire, and Fuels Integrated Plan (BFFIP), drafted by Panorama Environmental Inc., which describes the actions the District will implement to reduce wildfire hazards and to maintain and enhance ecosystem function on the District's watershed lands. To better understand the potential risks to critical facilities, neighboring communities and the efficacy of existing and proposed fuel reduction efforts, the District brought on Tukeman Geospatial to conduct fire behavior modeling work. Modeling working combined with the One Tam *Forest Health Strategy* will inform updates to the Biodiversity Fires, and Fuels Integrated Plan in 2023/2024 as part of ongoing adaptive management. The Addendum to the BFFIP Program Environmental Impact Report reviewed and analyzed the proposed updates to the Biodiversity Fires, and Fuels Integrated Plan in 2023/2024, in compliance with the California Environmental Quality Act to assure that they within the scope of the BFFIP Program EIR.

The Watershed Committee reviewed this item on June 15, 2023, and referred it to a future regular bi-monthly meeting of the Board of Directors.

DISCUSSION

California is facing unprecedented wildfire crisis as a result of decades of fire exclusion and increasing impacts associated with climate change. In many of California ecosystems, biodiversity, carbon stability and overall ecological resilience are dependent on the regular occurrence of fire. In addition, the wildfire seasons over the past few years have brought record impacts to communities, critical infrastructure and ecosystems. Under the BFFIP, there are 27 Management Actions that are being implemented to fulfill the goals and approaches described in the plan. Vegetation management under the BFFIP aims to reduce fuel loads, maintain fuelbreak infrastructure, preserve defensible space, and reduce invasive weed species. Vegetation management is conducted continuously throughout the year with the chief goal of reducing fuel loads and maintaining the watershed's biological diversity.

Currently the District is in year four of BFFIP Implementation and is conducting over 1,400 acres of vegetation management work on an annual basis. The District presented the BFFIP Annual

Report to the Watershed Committee on September 15, 2022. In the Annual Report the District identified a BFFIP update as part of the 2023 work plan. The District also identified the BFFIP update as a strategic priority during the Board Retreat on February 2, 2023. On October 20, 2022, Marin Water entered into contract (MA 6136) with Panorama Environmental Inc. to draft an update to the BFFIP, including a review in accordance with the California Environmental Quality Act (CEQA), which determined that an Addendum to the BIFFIP Program EIR is the appropriate level of review for the BIFFIP Update. On March 16, 2023, staff provided the Watershed Committee with an update on Watershed Wildfire Modeling work and progress on strategic updates to the BFFIP that would improve the efficiency and effectiveness of implementation. The BFFIP calls for periodic review as part of its adaptive management framework. In recent years, a limiting factor for grant funding has been the total acres of vegetation work that can occur each year under the BFFIP. With the completion of the *Forest Health Strategy*, it will be beneficial to increase the acreage of BFFIP forest restoration Management Actions to better align with funding sources and *Strategy* priorities.

Additionally, combining all broom management activities into one BFFIP Management Action, will streamline the District's broom management program. The Addendum and Appendix will refine and clarify a subset of BFFIP mitigation measures to better align with best practices and lessons learned. The Addendum has evaluated the environmental impacts relating to BIFFIP project changes, finding that no new or substantially more severe significant impacts will occur as a result of the revised BFFIP. No new substantial changes will occur with respect to the circumstances under which the revised BFFIP and BFFIP PEIR would be undertaken and therefore an addendum is the appropriate CEQA document for the BIFFIP updates.

CEQA REVIEW

The District's Board of Directors certified the Program Environmental Impact Report (PEIR) for the BFFIP (State Clearinghouse Number 2017012007) on October 15, 2019 (Marin Water District, 2019). The BFFIP PEIR was prepared in accordance with the California Environmental Quality Act (CEQA) to assess the environmental effects of the BFFIP. The mitigation measures (MMs) adopted as part of the BFFIP PEIR are presented in Appendix A. The Notice of Determination for the BFFIP PEIR was posted on October 28, 2022.

Aspects of the BFFIP are proposed to be revised from what was analyzed in the certified PEIR. Pursuant to Section 15164 of the CEQA guidelines, an addendum to an adopted EIR shall be prepared if only minor technical changes or additions are necessary and none of the conditions described in Sections 15162 and 15163 of the CEQA Guidelines have occurred that call for preparation of a subsequent or supplemental EIR. As described in Section 15162(a), a subsequent or supplemental EIR would be required if substantial changes occur to the project or substantial changes to the circumstances under which the project is undertaken occur that would involve either (a) a new significant environmental effect or (b) a substantial increase in the severity of a previously identified significant effect.

This addendum describes the changes and additions to the BFFIP and BFFIP PEIR (referred to as the “revised BFFIP” and “revised BFFIP PEIR”, respectively), and identifies any additional analysis in accordance with the Appendix G resource questions analyzed in the BFFIP PEIR. This addendum finds that the revisions to the BFFIP and BFFIP PEIR would not result in new significant impacts, nor would the revisions substantially increase the severity of previously identified significant impacts (CEQA Guidelines Section 15162), concluding that an addendum is the appropriate approach to document the changes since certification of the BFFIP PEIR. No new information of substantial importance has been identified, and none of the conditions described in Sections 15162 and 15163 of the CEQA Guidelines that call for preparation of a subsequent CEQA document are present.


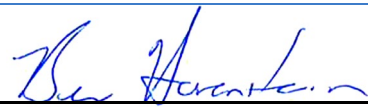
Section 15164(c) of the CEQA Guidelines states that “[a]n addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.” Because the impact determinations in the Final EIR for the BFFIP have not changed, additional circulation and review of public comments are not required.

FISCAL IMPACT

None

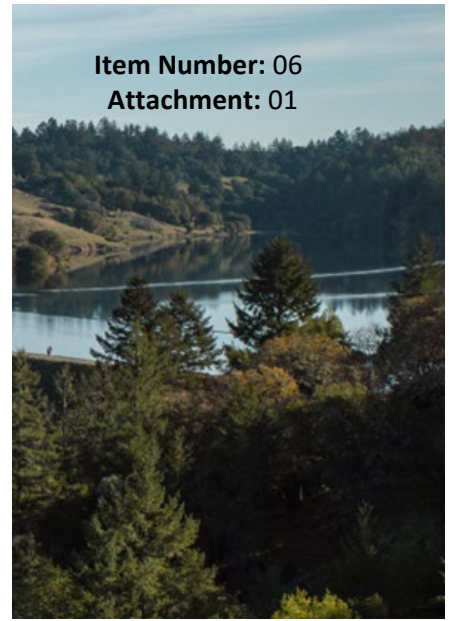
ATTACHMENT(S)

1. Biodiversity, Fire, and Fuels Integrated Plan (BFFIP) Addendum

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Watershed	 Shaun Horne Watershed Resources Manager	 Ben Horenstein General Manager



Item Number: 06
Attachment: 01



Marin Municipal Water District Addendum to the Biodiversity, Fire, and Fuels Integrated Plan (BFFIP) Program Environmental Impact Report State Clearinghouse No. 2017012007

May 2023

717 Market Street, Suite 400
San Francisco, CA 94103
650-373-1200
www.panoramaenv.com



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1 Introduction

1.1 Background

The Marin Municipal Water District (District) was chartered on April 25, 1912, and was the first municipal water district in California. Prior to that, water in the central and southern Marin was provided by several small, private companies, and many of them were subsidiaries to local real estate developers. Recognizing the critical importance of reliable water service, the Marin Municipal Water District was formed. The District's mission is to manage natural resources in a sustainable manner, and to provide high-quality water at a reasonable price. As of 2022, the District serves more than 191,000 people in central and southern Marin and is an environmental steward to 22,000 acres of watershed land on Mt. Tamalpais and in West Marin.

In October of 2019, the District adopted the Biodiversity, Fire, and Fuels Integrated Plan (BFFIP), which describes the actions the District will implement to reduce wildfire hazards and to maintain and enhance ecosystem function. Under the BFFIP, 27 management actions are implemented to fulfill the goals and the approach that is described in the plan. Vegetation management under the BFFIP aims to reduce fuel loads, maintain fuelbreak infrastructure, preserve defensible space, and reduce invasive weed species. Vegetation management is conducted continuously throughout the year with the chief goal of reducing fuel loads and maintaining the watershed's biological diversity. As of March 2023, the District is in year four of the BFFIP implementation and is conducting over 1,400 acres of vegetation management work on an annual basis.

1.2 CEQA Compliance

The District's Board of Directors certified the Program Environmental Impact Report (PEIR) for the BFFIP (State Clearinghouse Number 2017012007) on October 15, 2019 (Marin Water District, 2019). The BFFIP PEIR was prepared in accordance with the California Environmental Quality Act (CEQA) to assess the environmental effects of the BFFIP. The mitigation measures (MMs) adopted as part of the BFFIP PEIR are presented in Appendix A. The Notice of Determination for the BFFIP PEIR was posted on October 28, 2022.

Aspects of the BFFIP are proposed to be revised from what was analyzed in the certified PEIR. Pursuant to Section 15164 of the CEQA guidelines, an addendum to an adopted EIR shall be prepared if only minor technical changes or additions are necessary and none of the conditions described in Sections 15162 and 15163 of the CEQA Guidelines have occurred that call for preparation of a subsequent or supplemental EIR. As described in Section 15162(a), a subsequent or supplemental EIR would be required if substantial changes occur to the project

2 DESCRIPTION OF THE REVISED BFFIP AND PEIR

or substantial changes to the circumstances under which the project is undertaken occur that would involve either (a) a new significant environmental effect or (b) a substantial increase in the severity of a previously identified significant effect.

This addendum describes the changes and additions to the BFFIP and BFFIP PEIR (referred to as the “revised BFFIP” and “revised BFFIP PEIR”, respectively), and identifies any additional analysis in accordance with the Appendix G resource questions analyzed in the BFFIP PEIR. This addendum finds that the revisions to the BFFIP and BFFIP PEIR would not result in new significant impacts, nor would the revisions substantially increase the severity of previously identified significant impacts (CEQA Guidelines Section 15162), concluding that an addendum is the appropriate approach to document the changes since certification of the BFFIP PEIR. No new information of substantial importance has been identified, and none of the conditions described in Sections 15162 and 15163 of the CEQA Guidelines that call for preparation of a subsequent CEQA document are present.

Section 15164(c) of the CEQA Guidelines states that “[a]n addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.” Because the impact determinations in the Final EIR for the BFFIP have not changed, additional circulation and review of public comments are not required.

2 Description of the Revised BFFIP

2.1 Introduction

The BFFIP calls for periodic review as part of its adaptive management framework. A limiting factor for grant funding in recent years has been the total acres of vegetation work that can occur in a single year under the BFFIP, where projects with greater acres treated tend to receive preference for funding. As the *Marin Regional Forest Health Strategy*¹ is finalized through a collaborative effort of the One Tam partnership², the District would like to increase the number of acres for forest restoration and maintenance activities identified in the BFFIP. Combining all broom management activities into one management activity will also help streamline the District's broom management program. Other revisions include updates to mitigation measures related to special status plant species, as well as trails management and air pollution protection related to prescribed burning. Clarifying language has been added to the BFFIP as well as the BFFIP PEIR mitigation measures to account for these proposed revisions.

Proposed revisions to the BFFIP were made to sections 4.2.2, 6.2.1, 6.2.4, 6.2.5, and 6.3.3, as well as Table 6-1. Proposed revisions have also been made to MM Air-3: Minimization of Air Pollutant Risk, MM Biology-2: Protection of Special-Status Plants, and MM Hazards-5: Roads and Trails around Broadcast Burns in conjunction with the changes to the BFFIP. The proposed revisions to the adopted BFFIP and certified BFFIP PEIR are displayed in the following sections in ~~strikeout~~ and underline.

2.2 Revised BFFIP

2.2.1 Purpose of Revisions

The revisions to the BFFIP and the reasons for the changes include:

¹ The Marin Regional Forest Health Strategy will provide a series of informed treatment methods to improve the ecology of the Marin forests. The approaches will improve forest habitat and protect biodiversity, while also strategically managing vegetation to reduce fire fuels such as dry brush and diseased or dying trees.

² The One Tam partnership was established in 2014 to provide a platform to work collaboratively for the benefit of the community and environment. Collaborators include the California State Parks, Marin County Parks, Golden Gate National Parks Conservancy, the National Park Service, and the Marin Municipal Water District.

3 EVALUATION

- **Allowing beneficial treatments, including prescribed burning, in areas of sensitive resources, namely rare plants.** Clarifications have been made to clearly state that certain methods of treatment, including prescribed burning, are allowable in areas of rare plants if the treatments can be shown to benefit the species and not have an adverse effect. The purpose of these revisions is to clarify that rare plant avoidance pertains to adverse effects and beneficial treatments can be implemented to meet plan goals. Minor changes to mitigation in relation to the clarifications presented in the BFFIP are shown in Section 2.3.
- **Combining broom treatments into one management action and increasing year 5 to the maximum.** Combining all broom treatment into MA-20 instead of separating it into Infrastructure Zone (fuelbreak) acreages in MA-20 and Ecosystem Restoration Zone acreages in MA-24 will allow for better management and tracking of broom removal, and will also allow for distributing the total acreage among fuelbreaks and other areas in the watershed as needed to optimize broom removal each year. Increasing to the maximum in year 5 allows for a greater level of treatment in year 5 than was originally planned, which is now feasible given funding opportunities.
- **Increasing the acreages treated to improve conifer and mixed hardwood forest stand structures.** These treatments of accumulated fuels have been increased from a maximum of 60 acres per year to 150 acres. On-going maintenance of these areas has also been increased from 100 acres per year to 300 acres per year. The reasons for the increases are to provide forest health benefits more quickly since the resources are expected to be available to treat at this level. Maintenance is also very important and is less expensive and intensive if performed regularly and as needed.
- **Clarifications to prescribed burning implementation to identify that pre-treatment occurs before prescribed burning and to describe the burn plan process.** These clarifications are needed to ensure that burn planning through development of a Burn Plan and/or Smoke Management Plan is consistent with laws and regulations. Minor changes to mitigation in relation to the clarifications presented in the BFFIP are shown in Section 2.3.

2.2.2 Revisions to the BFFIP

2.2.3 Chapter 4: Goal and Approach Framework for Plan

Page 4-4 to 4-5 is proposed to be revised as follows:

4.2.2 Goal 2: Preserve and Enhance Existing Significant Biological Resources

Overview of Goal 2

Another major focus of the BFFIP is to protect important biological resources and ecosystem functions on the District's lands. Enhancing ecosystem resiliency is a key strategy for the District to pursue. Resiliency is defined as an ecosystem's ability to

3 EVALUATION

absorb shocks or perturbations and still retain desirable ecological functions, such as the abilities to provide breeding and foraging habitat for wildlife; to support significant biological resources such as rare, threatened, or endangered species; to regenerate desired plant communities following an adverse disturbance; to cycle nutrients; and to protect water quality. Primary ways to enhance resiliency are to minimize unnatural disturbance, mimic lost or diminished ecosystem processes such as naturally occurring wildfire, restore native plant communities, and eliminate or reduce weed populations. The goal of establishing resiliency is to foster conditions where the plant community can function without annual maintenance (Walker et al. 2004). The Plan also includes development and/or improved use of BMPs to protect sensitive plant species and habitats.

Approaches Under Goal 2

Protection of Existing Resources

- **Approach 2.3: Prevent the loss of special-status plant species, populations, and other sensitive resources.** The District will strive to avoid damage to sensitive resources when conducting activities on the watershed. Where maintenance requirements will potentially adversely affect significant resources, the District will conduct needed actions while implementing measures to avoid or reduce impacts to the degree feasible. To prevent the loss of special-status plants, the District will enhance existing habitat or reintroduce historic populations of special-status plant species where suitable habitat can be identified.

Enhancement of Ecosystem Function

- **Approach 2.4: Restore ecosystem resiliency, functions, and values in areas impacted by disease, weed invasion, fire suppression, climate change, and other ecosystem stressors.** The District will eliminate or contain weed growth and spread across the watershed; treat degraded sites to restore high quality habitat according to detailed restoration plans; restore ecosystem functions and values in areas heavily impacted by SOD; undertake small pilot studies and experiments to treat forest disease; and where broadcast burning is feasible, safe, and ecologically desirable, the District may use this tool to reintroduce fire's positive functions, such as germinating seeds of fire-dependent species, removal of weeds and biomass, and opening up habitat for species dependent on grassland or more open woodland communities.

Where possible, the District will implement methods of treatment that are beneficial to significant resources when present in the treatment area, including rare plants. Methods of treatment, including prescribed fire, can be used in areas where scientific data supports that the rare plant species benefit from prescribed fire or other treatments. Qualified professionals (e.g., District biological staff with knowledge of the plant species) will determine the species that may benefit

3 EVALUATION

based on expert knowledge and/or scientific studies, prior to implementing the treatments in areas of significant resources.

2.2.4 Chapter 6: Implementation of Vegetation Management Actions

Table 6-1 on pages 6-2 to 6-4 is proposed to be revised as follows to combine the broom treatments from MA-24 with MA-20 and to increase maximum forestry acreages in MA-23:

Management Action No.	Action Description	Performance Criteria	Year 5 Implementation Level	Goal	Approach
MA-20	Perform cyclical maintenance throughout the Infrastructure Zone with sufficient frequency to maintain design standards and throughout District Lands for broom removal.	<ul style="list-style-type: none"> Retreat each fuelbreak once every 1 to 5 years, depending on the site characteristics 	200 acres	1	1.1, 1.2, 1.3, 1.4
		<ul style="list-style-type: none"> Complete mowing of fine fuels in the most ignition prone areas, including parking lots, picnic areas, and defensible space around structures within the first month of the start of the fire season and repeat if conditions warrant. ^a 	50 acres		
		<ul style="list-style-type: none"> Perform cyclical roadside mowing. 	50 acres		
		<ul style="list-style-type: none"> Perform cyclical dam maintenance 	50 acres		
		<ul style="list-style-type: none"> Remove all reproductive broom annually in the optimized and transitional fuelbreaks. <u>Initial and long-term maintenance removal of reproductive broom throughout District lands.</u> 	260 acres <u>860 acres</u>		
MA-23	Improve conifer and mixed hardwood forest stand structure and function in the Ecosystem Restoration Zone ^b	<ul style="list-style-type: none"> Initial reduction in accumulated fuels and brush density in 180 acres of conifer and mixed hardwood stands within 5 years of Plan adoption. 	60 acres <u>150 acres</u>	1.2	1.1, 1.3, 2.3, 2.4
		<ul style="list-style-type: none"> Maintenance of areas where fuels and brush density were reduced and trees planted. 	100 acres <u>300 acres</u>		
		<ul style="list-style-type: none"> Complete 100 acres of broadcast burning in forest 	Up to two 20-acre projects		

3 EVALUATION

		understory within 5 years of Plan adoption.			
MA-24	Improve grassland and oak woodlands in the Ecosystem Restoration Zone ^b	<ul style="list-style-type: none"> Conduct Douglas-fir thinning in grasslands and the understory of oak woodlands. 	200 acres	1.2	1.1, 1.3, 2.3, 2.4,
		<ul style="list-style-type: none"> Complete 450 acres of broadcast burning in grasslands and open oak woodlands within 5 years of Plan adoption. 	Three projects ^d (not to exceed 140 acres combined)		
		<ul style="list-style-type: none"> Remove 600 acres of reproductive broom. 	505 acres		
		<ul style="list-style-type: none"> Reduce goatgrass to less than five percent of 2016 mapped levels. 	35 acres		
		<ul style="list-style-type: none"> Reduce effort needed to maintain 2016 extent of yellow starthistle by 25 percent. 	120 acres		
		<ul style="list-style-type: none"> Control other high priority weeds to prevent expansion beyond spatial extent documented in 2016 and achieve a 25 percent reduction in both weed cover and the level of effort needed to maintain it. 	Covered by patches identified in MA-22		

Notes:

^a CAL FIRE determines the start of the official fire season each year based on weather conditions. Fire season typically starts between mid-May and early- June and extends into mid-November.

^b The Ecosystem Restoration Zone includes the WAFRZ.

^c A patch is defined as a maximum of 100 square meters (0.02 acre).

A project is defined as 38 acres but could vary by year.

Pages 6-6 to 6-7 are proposed to be revised as follows, primarily to move all broom removal into MA-20:

6.2.1 MA-20: Perform Cyclical Maintenance Throughout the Infrastructure Zone with Sufficient Frequency to Maintain Design Standards and throughout District Lands for Broom Removal

Overview

MA-20 includes vegetation management on permanent fuelbreaks adjacent to structures, utilities, and service roads. It includes activities such as retreating fuelbreaks, mowing in

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the most ignition-prone areas, eliminating broom from fuelbreaks, and mowing dam faces and roadsides.

Retreat Fuelbreaks

The retreatment of existing fuelbreaks is intended to maintain reduced fuel loads and stand structure that will slow fire spread and reduce flame lengths. Fuel reduction areas will be maintained by re-cutting vegetation as warranted. Fuelbreaks are linear in nature. As such, vegetation management activities will move along the fuelbreak in a linear manner. The target is for each fuelbreak to be re-treated on a cyclical basis, as needed to maintain desired fuel characteristics; each fuelbreak will be re-treated at least once every 5 years. Compromised fuelbreaks, which have dense broom populations, and defensible space with grassy fuels will be treated every year.

The District is currently maintaining approximately 450 acres of infrastructure fuelbreaks. The District will continue to maintain these fuelbreaks. In addition, the District will construct, as a part of this Plan, approximately 50 additional acres by the end of 5 years following Plan adoption, resulting in a total of 500 acres of fuelbreak, and an additional 67 acres over the lifetime of the Plan for a total of 567 acres of fuelbreak. The District will maintain 200 acres of constructed fuelbreak annually. Treatment methods are described in Section 6.3.2.

Complete Mowing of Fine Fuels in the Most Ignition Prone Areas

Managing vegetation in the most risk-prone areas, including parking lots, picnic areas, and defensible space around structures is a top priority. These areas, which are most risk-prone, are currently maintained by the District, and will continue to be maintained by re-cutting vegetation as warranted. Hazard trees would be removed as necessary.

The target is for each ignition-prone area to be mowed within the first month of the start of the fire season. The California Department of Forestry and Fire Protection (CAL FIRE) determines the start of the official fire season each year based on weather conditions. The official fire season typically starts between mid-May and early June and extends into mid-November. The District currently mows 10 acres of fine fuels annually; this will increase to 50 acres per year within 5 years of Plan adoption.

Perform Cyclical Roadside Mowing and Dam Maintenance

Vegetation management around roadsides and dams is necessary to ensure the integrity of the infrastructure. The District will continue to conduct roadside mowing on an as-needed basis to maintain unobstructed access for District vehicles and a clear line of sight for both District staff and recreationists. The District will also continue to conduct dam maintenance on an as-needed basis to meet regulatory requirements for dams: lines of sight for spillways and groins must be clear (vegetation and debris removed) so visual inspections may occur; for earthen dams, woody vegetation of all kinds will continue to

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be removed to prevent the growth of deep taproots that can impair the structural integrity of the dam. Pile burning of accumulated brush may occur in combination with mowing as part of the dam maintenance regime. The work is performed with a combination of heavy equipment with cutting or masticating heads mounted on articulating arms and with power tools including chainsaws and brushcutters. Slash is typically scattered on-site. The target is to perform ongoing roadside mowing and dam maintenance. The District currently performs approximately 10 acres of roadside mowing and 20 acres of dam maintenance annually. The target is to perform of roadside mowing and 50 acres of dam maintenance annually at peak implementation levels.

Remove Reproductive Broom from Optimized and Transitional Fuelbreaks across District Lands (All Zones)

Implementation of this management action can be across all District lands. Is restricted to Optimized Fuelbreaks and Transitional Fuelbreaks. The District will take a site-based approach when eliminating broom. The intent is to eliminate broom where it is opportunistically possible across the District lands in these fuelbreaks. To accomplish this goal, broom plants would be removed annually before any are mature enough to flower and replenish the seedbank (i.e., reproductive broom). Broom removal requires the complete uprooting of the plant. Because soil disturbance stimulates germination of broom seeds lying dormant in the soil, initial clearing usually leads to a flush of new broom plants and the need to perform annual clearing at a level of effort commensurate with the initial clearing. The period of high-frequency, high-intensity pulling typically lasts between 5 and 7 years. Eventually, the level of effort needed to prevent seed production decreases, and there is a corresponding decrease in soil disturbance. District Watershed staff, based on their experience, consider broom “removed” from an area when there is a zero seed set for 7 consecutive years and when the effort needed to maintain zero seed set is reduced by 90 percent from the point of initial clearing. The District would annually remove all reproductive-aged broom across up to 860 acres, including all broom in Optimized and Transitional Fuelbreaks, as well as across District lands. in 260 acres of Optimized and Transitional Fuelbreaks. Treatment methods are described in Section 6.3.2.

Page 6-9 is proposed to be revised as follows to reflect the changes to increase the maximum forestry treatment acreages:

6.2.4 MA-23: Improve Conifer and Mixed Hardwood Forest Stand Structure in the Ecosystem Restoration Zone/ WAFRZ

Reduce Accumulated Fuels and Brush Density in Conifer/ Mixed Hardwood Stands

The District will reduce accumulated fuels and brush density in conifer and mixed hardwood forest to reduce wildfire risk and improve overall forest function. Thinning brush is an established means of promoting the growth of retained native trees by reducing the competition for light, nutrients, and water. Mid-canopy Douglas-fir trees

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may require thinning by felling or girdling. During treatment site selection, the emphasis will be placed on the following types of sites, in the following order:

1. Sites with stands located in areas adjacent to formal fuelbreaks and/or where disease combined with decades of fire suppression have severely compromised forest functions and values.
2. Sites where the reduction in accumulated fuels and brush density meet both fire risk reduction objectives and ecosystem restoration objectives, such as WAFRZ.
3. Sites where impacts from SOD can be mitigated and greenhouse gas balance and water yield can be improved.
4. Sites where the potential impact to sensitive resources is minimal.

The District will treat approximately ~~60~~150 acres per year (in the fifth year of implementation), that have previously not been treated. By the fifth year of BFFIP implementation, the District will also conduct follow-up maintenance on approximately ~~100~~300 acres, assuming that some areas will only require one treatment and no follow up. Treatment methods are described in Section 6.3.2.

Pages 6-10 to 6-11 are proposed to be revised as follows, consolidating broom removal into MA-20:

~~6.2.5 MA-24: Improve Grassland and Oak Woodland in the Ecosystem Restoration Zone~~

~~Broom Removal~~

~~Broom elimination in the Ecosystem Restoration Zone will protect the rich assemblage of species and communities that provide both habitat and migration corridors. The District will take a site-based approach when eliminating broom. Broom removal projects in the Ecosystem Restoration Zone may be done simultaneously with fuelbreak maintenance in a specific area or as part of a restoration project. Broom removal requires the complete uprooting of the plant. Because soil disturbance stimulates germination of broom seeds lying dormant in the soil, initial clearing usually leads to a flush of new broom plants and the need to perform annual clearing at a level of effort commensurate with the initial clearing. The period of high frequency, high intensity pulling typically lasts between 5 and 7 years. Eventually, the level of effort needed to prevent seed production decreases, and there is a corresponding decrease in soil disturbance. District Watershed staff, based on their experience, consider broom "removed" from an area when there is a zero seed set for 7 consecutive years and when the effort needed to maintain zero seed set is reduced by 90 percent from the point of initial clearing. In the Ecosystem Restoration Zone, the District currently has 88 acres of broom in the initial phase of removal and an additional 205 acres in the long-term maintenance phase. The target is to have 505 acres of broom in management (300 in the initial clearing phase) within the Ecosystem Restoration Zone within 5 years of Plan adoption. Treatment methods are described in Section 6.3.2.~~

Pages 6-19 to 6-20 are revised as follows to clarify the prescribed burning process and requirements:

6.3.3 Techniques to Implement Management Actions

Prescribed Burning

Overview

Prescribed burning includes broadcast burning and pile burning. Permits from the Bay Area Air Quality Management District (BAAQMD) are required for all burns, as burning is only allowed on designated burn days during a specific time of the year.

Broadcast Burning

Broadcast burning is a specific activity in which fire is applied to most or all of a well-defined area with discrete boundaries for the combined purpose of fuel load reduction and habitat improvement. Burn units are generally selected to take advantage of natural breaks such as reservoirs and service roads. Broadcast burning occurs in four distinct phases: pre-treatment, the burn event, mop-up, and rehabilitation.

Pre-treatment is typically conducted before a burn to reduce fuel loading and establish control.

Pre-treatment includes:

- Removal of live limbs of trees up to 10 feet above the ground in order to minimize the potential for fire to spread to the canopy
- Scattering and/or mastication of accumulated dead and decadent woody brush
- Top-cutting and on-site scattering of green brush (particularly broom) a minimum of 60 days before the burn event to cure, which facilitates horizontal fire spread during the event and reduces smoke production
- Installation of control lines (approximately 1- to 3-foot-wide bands where vegetation has been cleared to expose mineral soil) where natural control lines such as roads, trails, or water bodies are unavailable

Limbing, scattering, and masticating dead material and top-cutting of green material may occur many months to days prior to the burn event, depending on the larger project goals and site conditions. The work is accomplished with a combination of heavy equipment, power tools, and hand tools. Control line installation occurs within a few weeks or days of the burn event and may be accomplished with heavy equipment or hand tools.

The burn event is a half-day activity when fire is intentionally applied at one or more ignition points and allowed to run between control lines across the designated unit. It is

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typically conducted in the morning when temperatures and wind are low. The Marin County Fire Department, CAL FIRE, or similarly qualified entity provide oversight for all broadcast burns conducted on District lands. Ignitions are achieved using drip torches with a 1:4 mix of gasoline and diesel. Up to four drip torches may be used in a single event, expending no more than 10 total gallons of fuel mix. Fire apparatus on-site will include multiple Type III fire engines and one or more water tenders to provide control and on-scene safety. Tenders and fire engines typically stay on existing service roads to provide pumped water via hose-lays which can be deployed for hundreds of feet as needed.

Mop-up begins immediately following the main burn event and may continue for 1 to 3 days depending on the site conditions and weather. Mop-up crews typically remain on-site continuously for a minimum of 48 hours following the burn event. Mop-up crews patrol the burn unit to extinguish smoldering logs (using hose lays and backpack-mounted water pumps as well as hand tools and chainsaws), break up embers with hand tools, and fell hazard trees or limbs with chainsaws.

Rehabilitation consists of the decommissioning of control lines as well as follow-up weed control. Control line decommissioning is generally limited to the manual re-distribution of duff and brush back into the previous cleared lines. This spreads native seed back into the lines to facilitate natural revegetation. It also provides erosion control and discourages the formation of social trails. Because some weed seeds are stimulated by fire or become readily established in post-fire settings, broadcast burn sites will be patrolled by EDRR crews for 1 to 5 years as needed following a burn event.

Broadcast burning will be used to achieve desired outcomes under MA-23 and MA-24. Burns will be conducted under optimal burn conditions (e.g., fuel moisture content) in accordance with a Burn Plan written by a qualified burn plan preparer and/or Smoke Management Plan. Burns may be scheduled to occur before new vegetation growth increases fuel loads, when logistically appropriate. The requirements of relevant regional, state, and federal laws pertaining to human health during prescribed burning will be included in the Burn Plan and/or Smoke Management Plan. Burns in Marin County are typically conducted between June and October to achieve the benefits of mimicking the historic fire regime, and when vegetation is dry enough to carry a fire with minimal smoke production and minimal damage to the seed bank. Broadcast burning may be used under MA-25, MA-26, and MA-27.

2.3 Revised Mitigation Measures

2.3.1 Purpose of Revisions

This addendum includes some revisions to mitigation measures in relation to the changes made to the BFFIP.

2.3.2 Revisions to Mitigation Measures

Page 3.2-41 is proposed to be revised as follows:

MM Air-3: Minimization of Air Pollutant Risk

The District shall require that prescribed burns on its lands are conducted a minimum of 1,000 feet away from sensitive receptors, specifically residences, schools, and childcare centers or the distance specified to avoid smoke impacts to sensitive receptors in the Smoke Management Plan, as required under BAAQMD Regulation 5.

The District shall require that prescribed burns on its lands are managed to reduce District worker exposure to CO concentrations and other air pollutants through implementation of the following measures:

- Use of realtime CO monitors,
- Rotate personnel out of heavy smoke areas,
- Avoid burning heavy fuel loads on the ground, such as large logs, to avoid additional mop-up,
- Tested and approved by NIOSH full-face and half-face air purifying respirators shall be equipped with filters for CO, formaldehyde, acrolein, and respirable particulate matter and available at all times for District staff or contractors working in the immediate vicinity of broadcast and pile burns, ~~or~~
- Or otherwise follows the requirements of relevant regional, state, and federal laws pertaining to human health during prescribed burning.

Pages 3.3-124 to 3.3-125 are proposed to be revised as follows:

MM Biology-2: Protection of Special-Status Plants

The following measures shall be implemented to protect special-status plants:

- a. Prior to conducting any vegetation management activity (mechanical or manual removal), prescribed (broadcast and pile) burning, propane flaming, and animal grazing the area shall be reviewed by the District's botanist against the most current mapping data of special-status plant species and habitats. If the work is to occur in in serpentine habitat, within 500 feet of known special-status plant populations, near wetlands, or within other habitats with potential to support special-status plant populations, botanical surveys shall be conducted by a qualified botanist ahead of the planned work. The surveys shall be specific to the species of plants that could occur, must be conducted during a period when the special-status species that could occur in that habitat can be most readily detected (e.g. blooming period), and shall include the entire footprint of the proposed work. Any species

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identified during surveys shall be added to the GIS of current mapping data. If work is to occur again in the same area within 5 years (e.g., new fuelbreaks or retreatment areas for forestry actions), a new survey is not required.

- b. For listed species with known rarity or declining populations that could be adversely impacted by treatments, including CRPR Rank 1B, 2, and some rank 4 species that are known rare), as determined and listed below by the MMWD botanical staff, the MMWD's botanical staff shall:

- i. Flag or otherwise demarcate the individual or population to ensure workers avoid the species, for no loss of individuals.
- ii. Establish a buffer of 100 feet around the individual or population, for species that could be adversely impacted by the treatments.
- iii. Require implementation of BMP-1 through BMP-3 for work conducted adjacent to these species to minimize the spread of invasive species.
 - Brewer's milk vetch (*Astragalus breweri*)
 - Brewer's calandrinia (*Calandrinia breweri*)
 - Johnny-nip (*Castilleja ambigua* var. *ambigua*)
 - Marin western flax (*Hesperolinon congestum*)
 - Bristly leptosiphon (*Leptosiphon acicularis*)
 - Santa Cruz microseris (*Stebbinsoseris decipiens*) *
 - Coast rockcress (*Arabis blepharophylla*)
 - Pink star-tulip (*Calochortus uniflorus*)
 - Thin-lobed horkelia (*Horkelia tenuiloba*)
 - Small groundcone (*Kopsiopsis hookeri*)
 - Gairdner's yampah (*Perideridia gairdneri* ssp. *gairdneri*)
 - North coast semaphore grass (*Pleuropogon hooverianus*)
 - Marin manzanita (*Arctostaphylos virgata*)
 - Glory brush (*Ceanothus gloriosus* var. *exaltatus*)
 - Mason's ceanothus (*Ceanothus masonii*)

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* This species is likely extirpated

- c. For other listed species of CRPR rank 1B or 2 (beyond those identified in part b, above) with the potential to occur on District lands, the following measures shall be implemented for any treatments that could adversely impact the species (per Approaches 2.3 and 2.4 of Chapter 4 of the BFFIP):
 - i. Perennials:
 1. Mark populations in the field with distinct flagging. Ensure that worker training is complete per MM Biology-1.
 2. Avoid populations. If mowing cannot be safely performed up to the perimeter of the individuals, or timed for when they are senescent, then hand methods (i.e., hand pulling or use of non-powered or powered hand tools) shall be employed to prevent damage or removal of listed species.
 3. Where tree or shrub species must be trimmed, such as Mount Tamalpais manzanita, follow any protocols or recommendations available, such as including the following the *Status and Management Recommendations for Arctostaphylos virgata (Marin Manzanita) in Point Reyes National Seashore* (Parker, 2007) and plant specific pruning tips (Las Pilitas Nursery, 2012) and perform the work by hand.
 4. No net loss of ~~an annual~~ perennial special-status species can occur. The population size shall be determined from the most recent survey data of the species.

If an individual or population must be removed, one or two options can be employed (subject to CDFW approval) and monitoring conducted to ensure that no net loss of the species occurs.

- (1) The individual or population can be dug up and relocated to appropriate habitat outside the work area. (2) A nursery with experience growing special-status plants can be employed to grow seedlings of the species that shall be planted in appropriate habitat outside the work area or in the work area following completion of work. If located outside the work area, appropriate habitat shall be within the same watershed as the impact area, and shall be identified or approved of by MMWD botanical staff.
- A monitoring plan shall be developed that details the following components. Conduct annual monitoring of seeded or replanted locations for a minimum of 3 years and

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up to 5 years, dependent upon the MMWD botanical staff recommendation and monitoring results. If the new population is not matching the pre-removal population data, more seeding or planting shall be conducted until pre-removal population is met.

ii. Annuals:

1. Flag or otherwise demarcate and ensure workers avoid the species as feasible; or,
2. Time vegetation management activities for when the special-status species occurring in the work area is senescent and/or after the seed has set.
3. Monitor populations between vegetation management activities to ensure that population sizes are not decreasing. If populations are decreasing and a correlation can be made to the maintenance activities, measures shall be identified by MMWD botanical staff and taken to improve the population, including but not limited to one of the following: avoiding the area in question or altering the management activity frequency.
4. No net loss of an annual special-status species can occur. Due to the variations in population from year to year as a result of weather fluctuations, average population data can be calculated from several years of data collected during the annual census conducted by MMWD or by volunteers as directed by MMWD.
5. If an individual or population must be removed, one or two options can be employed and monitoring conducted to ensure that no net loss of the species occurs.
 - (1) Seeds of the annuals shall be collected from existing on-site populations or from the same watershed (to maintain local genetic stock) and distributed in appropriate habitat outside the work area (within the same watershed) or in the work area following completion of work.
 - (2) A nursery with experience growing special-status plants can be employed to grow seedlings of the species (from seeds collected locally) that shall be planted in appropriate habitat outside the work area or in the work area following completion of work. It should be noted that seeds derived from plants in the same watershed as the impact area may be available from local nurseries, and local nurseries may also be able to propagate seeds from adults grown from collected seeds. In this case, seeds do not need to be collected from a specific impact area site. Appropriate habitat shall be identified or approved of by MMWD botanical staff.

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- (2) A monitoring plan shall be developed that details the following components. Conduct annual monitoring of seeded or replanted locations for a minimum of 3 years and up to 5 years, dependent upon the MMWD botanical staff recommendation and monitoring results. If the new population is not matching the average population data, more seeding or planting shall be conducted until pre-removal population levels are met.

Page 3.7-38 is proposed to be revised as follows:

MM Hazards-5: Roads and Trails Around Broadcast Burns

Trails and District-Use-Only Roads

District-use-only roads and trails shall be closed to public recreational access if determined to be necessary in accordance with the burn-specific Burn Plan and/or Incident Action Plan ~~within at least 500 feet of the outermost edges of a broadcast burn.~~

District-use-only roads and trails shall be posted and blockaded with temporary fencing or the like, if closures are needed. Notices of closures shall be posted at the trail heads and on the District's website, when needed. Additional measures such as staffing trail head closures can be implemented as needed.

Public Roads

If possible, public roads within 500 feet of the outermost edges of a broadcast burn shall be closed in coordination with the appropriate agency (e.g., Caltrans, Marin County). In the event this is not feasible, due to volume of traffic or lack of alternative routes, a Traffic Control Plan shall be prepared and adopted, in coordination with the appropriate agency. The Traffic Control Plan shall include the following at a minimum:

- Requirement to coordinate with local law enforcement (e.g., County Sheriff, California Highway Patrol)
 - Installation of temporary signage at intervals ahead of and adjacent to the broadcast burn indicating that a broadcast burn is in progress
- Use of flaggers to slow traffic during the burn or stop traffic if wind conditions shift, resulting in smoke crossing the road.

3 Evaluation

3.1 Aesthetics

The BFFIP PEIR analysis concluded less than significant impacts on scenic vistas and visual character and quality. Similar to the adopted BFFIP, the revised BFFIP would continue to utilize the 27 specific actions, including the eight management actions that involve vegetation management in the field that would cause a visual change through the use of hand tools and mechanical equipment to establish and maintain fuelbreaks and defensible space; to remove invasive plant species; and to improve and restore native ecosystem on watershed lands. Under the revised BFFIP, trails and roads that may afford views to management activities may remain open based on on-the-ground personnel expertise and in accordance with the burn-specific Burn Plan and/or Incident Action Plan.

Revisions made to the BFFIP actions and the BFFIP PEIR mitigation measures that involve a visible change on the District's landscape include the combining of all broom management activities into one management activity, which would allow for greater flexibility in land management. More broom management activities could occur within a single area resulting in potentially higher visibility; however, the revisions to combine the broom maintenance activities would not change the temporary and localized nature of the broom maintenance activities. The grouping of all broom management activities could also result in less initial broom removal as areas of long-term broom maintenance would likely increase. In the long-term, broom removal would have a positive visual effect by removing invasive species and allowing for the regrowth of native, natural habitat and potentially greater diversity later filling in. Similar to existing conditions and consistent with the determination in the BFFIP PEIR, once the work is completed, the change would not be perceptible to most viewers.

The increase in acreages treated to improve conifer and mixed hardwood forest stand structures from 60 acres a year to 150 could result in visual impacts. The BFFIP PEIR addresses changes to forest stand structures from MA-23, the analysis found that while the forest density and type may be altered, it would still conform to existing variability across the Watershed and would not degrade the visual quality of the Watershed. Increasing the acreage treated per year from 60 to 150 would still represent a less than significant impact because it would not result in significant changes in the landscape given the overall scale of the landscape and changes would remain consistent with existing variability, as discussed in the PEIR. Visual change would remain low. Visual changes would continue to occur within the BFFIP landscape; however, visual impacts from these activities have already been described within the adopted BFFIP and certified BFFIP PEIR. Therefore, the revised BFFIP actions and mitigation measures would not

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result in new or substantially more severe impacts to aesthetics than those analyzed in the certified BFFIP PEIR.

3.2 Agriculture and Forestry Resources

The BFFIP Initial Study concluded no impacts to agriculture and forestry resources and these resource topics were not evaluated further within the BFFIP PEIR. The BFFIP PEIR determined that no lands within the BFFIP contained agricultural uses. The BFFIP PEIR also determined that although forests within the BFFIP lands met the definition of forest lands per the state Public Resource code Section 12220, that no impacts would occur since no rezoning or change in function and use of the forests would occur, nor would any activities occur that would result in the conversion of forest to non-forest lands.

Under the revised BFFIP, no changes to conditions would occur that could result in an impact on agriculture or forestry resources that could result in a conversion of land to a different use (in this case forestry). The revised BFFIP would not result in new or substantially more severe significant impacts on agriculture or forestry resources than those analyzed in the BFFIP PEIR.

3.3 Air Quality

3.3.1 PEIR Summary

The BFFIP PEIR analysis concluded significant and unavoidable impacts to cumulatively considerable net increase in a criteria pollutants for which the project region is in nonattainment.

The BFFIP PEIR analysis also concluded significant and unavoidable impacts to conflict with or obstruct implementation of an applicable air quality plan. The BFFIP PEIR concluded less than significant impacts with mitigation to exposing sensitive receptors to substantial pollutant concentrations.

3.3.2 Criteria Pollutants

The BFFIP PEIR analysis concluded that significant and unavoidable impacts on air quality from criteria air pollutant particulate matter with a diameter of 10 microns or less (PM₁₀), particulate matter with a diameter of 2.5 microns or less (PM_{2.5}), and nitrogen oxides (NO_x) (a precursor to ozone) would occur primarily from broadcast burning activities. The revised BFFIP would allow for an increase in beneficial maintenance activities, including the use of manual and mechanical tools and equipment and prescribed burns. Use of vehicles and equipment during these activities and to reach project sites would generate exhaust emissions. Fugitive dust would be generated from equipment and vehicle use on paved and unpaved roads, from ground disturbing activities, and from prescribed burning. The continued implementation of manual vegetation removal, planting, and grazing generally would not emit criteria air pollutants.

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The revised BFFIP would combine broom management activities to allow for greater flexibility in broom management under management activity number MA-20; however, total maximum acreages that could be treated would not change. Increases in acreages for beneficial maintenance activities proposed under the revised BFFIP would, however, be added to management activity number MA-23, increasing the acreage treated from 60 acres a year to 150, although most of this work would be through manual and mechanical methods. The revisions do not include increasing the maximum allowed broadcast burns under MA-23 beyond the allowed 20 acres per year.

Although the revised BFFIP proposes an increase in management activities, acreages of vegetation management are anticipated to be shifted from initial clearing to long-term management resulting in criteria air pollutant emissions similar to those analyzed under the certified BFFIP PEIR. An incremental increase in criteria air pollutants, however, could still occur. Criteria pollutants that exceeded standards as analyzed in the BFFIP PEIR included particulate matter 10 microns or greater in diameter (PM₁₀), particulate matter 2.5 microns in diameter (PM_{2.5}), and reactive organic gases (ROG). Table 3.2-7 of the PEIR identifies that 92 percent of the emissions of PM₁₀, 98 percent of the emissions of PM_{2.5}, and 99 percent of the emissions of ROG are attributed to broadcast burning. While the increased acreages treated under the MA-23 in the revised BFFIP would result in some increases in criteria pollutants, those increases would be marginal since emissions from all other treatments besides broadcast burning were minimal and expanded broadcast burning is not proposed.

The revised BFFIP will also allow for the use of prescribed burning in areas where it could benefit plants; however, the total acreages of prescribed burning would not change and thus emissions are not expected to change from the levels assessed in the BFFIP PEIR.

The revised BFFIP would allow for greater flexibility to conduct additional fuel management activities, which is also anticipated to reduce the likelihood of a catastrophic fire as well as reduce the overall level of effort required annually over time. The approved mitigation measure MM Air-1 would also be implemented for the revised BFFIP to reduce impacts from criteria air pollutants through implementation of measures under MA-23 and MA-24 on vegetation types that emit less air pollutants, although the impact would still likely remain significant and unavoidable, namely due to broadcast burning.

The revised BFFIP would not result in new or substantially more severe impacts to air quality from criteria air pollutants than those analyzed in the certified BFFIP PEIR.

3.3.3 Toxic Air Contaminants and Other Pollutants

The BFFIP PEIR concluded that prescribed burning activities would release smoke, which could expose workers, recreationalists, and the public to toxic air contaminants emissions, including particulate matter, acrolein, and formaldehyde. The revised BFFIP would allow an incremental increase to initial and long-term management activities, which may include some increases in pile burning to treat additional acreages under MA-23, but no increase in broadcast burning.

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Pile burning under the revised BFFIP would continue to only occur a few times a year, over a few days in duration, and would occur within varying locations within the District land.

Actions implemented under the revised BFFIP would continue to require adherence to MM Air-3 and MM Air-4, and the preparation and implementation of a Smoke Management Plan in accordance with the BAAQMD Regulation 5 for any prescribed burn. Revisions were incorporated to MM Air-3 to further clarify that the District would follow the requirements of relevant regional, state, and federal laws pertaining to human health during prescribed burning. MM Air-3 was also revised to address that the distance requirements between broadcast burns and sensitive receptors would be 1,000 feet *or the distance specified in the Smoke Management Plan*. This distance may be greater, or less than 1,000 feet given the particular conditions at the time of the planned broadcast burn. The BFFIP EIR did not provide a specific analysis of impacts from smoke at 1,000 feet, but instead states that “Short-term health impacts are not easily modeled and identified as they would depend on the management of smoke to minimize its drift towards inhabited areas. Smoke drift depends on many factors including the fuel burned, fuel moisture content, and variable atmospheric conditions.” Burns are planned for and conducted under optimal weather conditions to limit air quality and smoke issues for neighboring communities and ensure fire fighters can maintain control. A Smoke Management Plan must be prepared and implemented for prescribed burns in accordance with and including all the information and restrictions required by BAAQMD’s Regulation 5, MBARD’s Rule 438, and CCR Title 17, Subchapter 2. For burn events, exposure to TAC emissions would be minimized by ensuring smoke does not drift or blow towards areas with sensitive receptors, in accordance with the Smoke Management Plan. Smoke drift that could cause short-term health effects would, therefore, be minimized. Contingency actions identified in the Smoke Management Plan would be taken if a burn unexpectedly impacts sensitive receptors. Contingency actions would include halting ignition, suppressing fire, and beginning immediate mop up before a significant exposure can occur. It is acknowledged that some short-term effects from smoke may still be experienced in these rare circumstances, such as stinging, watery eyes, coughing, and runny noses as well as shortness of breath, headaches, dizziness, and nausea. The duration of such effects would be very short and can generally be avoided by remaining indoors with windows closed, wearing a dust mask when outside, or moving away from affected outside areas until the smoke clears. Smoke generated by each prescribed burn conducted under the BFFIP could still expose sensitive receptors (including nearby residences) to TAC emissions, but those exposures would be short-term and thus would not pose a significant health risk, consistent with the finding in the Final EIR. The revised BFFIP would not result in new or substantially more severe impacts to air quality from prescribed burning actions than those analyzed in the certified BFFIP PEIR.

The revised BFFIP and BFFIP PEIR would also increase initial and long-term maintenance to reduce slash and burn density in conifer and mixed hardwood forest to improve overall forest function by treating areas with heavy equipment and hand crews. An increase in vegetation management using mechanical equipment could potentially occur in areas with serpentine soils and serpentine rock formations that could cause an increase in the chance of potentially

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exposing workers to asbestos dust. The revised BFFIP and BFFIP PEIR would continue to require adherence to MM Air-2 which would reduce the risk to asbestos exposure by requiring the watering of disturbed soils and limited vehicles speeds to less than 15 mph on unpaved roads. Therefore, the revised BFFIP would not result in new or substantially more severe impacts to air quality from asbestos exposure than those analyzed in the certified BFFIP PEIR.

3.3.4 Conflict or Obstruct Implementation of an Applicable Air Quality Plan

The 2017 Clean Air Plan includes voluntary programs and incentive measures for transportation and control measures that do not require vehicle upgrades or retrofits, as analyzed under the certified BFFIP PEIR. Similar to the adopted BFFIP, the revised BFFIP would not conflict or obstruct implementation of the control measures identified to achieve the goals of the 2017 Clean Air Plan. Similar to the adopted BFFIP, the revised BFFIP could conflict with the emission goals of the 2017 Clean Air Plan through exceedance of thresholds for particulate matter and NO_x. The revised BFFIP would increase initial and long-term maintenance activities annually that could incrementally increase particulate matter and NO_x emissions; however, as previously stated, activities would be temporary, occur in varying locations within the District lands, and would be required to comply with MM Air 1. Therefore, the revised BFFIP would not result in new or substantially more severe impacts to conflict or obstruct with the implementation of the 2017 Clean Air Plan than those analyzed in the certified BFFIP PEIR.

The 2001 Ozone Attainment Plan includes control measures for on-road motor vehicles. Similar to the adopted BFFIP, the revised BFFIP would require on-road vehicles used during operation of the plan to be inspected biennially as part of the current program. Under the revised BFFIP, no changes to conditions would occur that could result in a conflict or could obstruct implementation of the 2001 Ozone Attainment Plan.

3.4 Biological Resources

3.4.1 PEIR Summary

The BFFIP PEIR analysis concluded less than significant impacts with mitigation on biological resources with the incorporation of numerous mitigation measures to generally avoid impacts to listed species through pre-work surveys and modifications to treatments.

3.4.2 Special Status Plant Species

The revised BFFIP would increase initial and long-term maintenance activities under MA-23 as well as combine broom management activities under MA-20; however, the revised actions would not increase the previously identified management boundary of the adopted BFFIP and certified BFFIP PEIR, nor would it allow additional management actions that were not previously analyzed under the adopted BFFIP and certified BFFIP PEIR. Changes to these actions have the same potential for impacts to special status plant species as were analyzed in the BFFIP PEIR.

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Implementation under the revised BFFIP would continue to require adherence to MM Biology-1, MM Biology-2, MM Biology-3, and MM Geology-1 to avoid or minimize impacts. These measures require worker training programs presented by a qualified biologist prior to any commencement of activities, protection of special-status plants, measures to prevent and spread invasive species and forest diseases from plan activities, and measures to reduce the loss of topsoil from erosion. Goal 2 and MM Biology-2 related to ecosystem resiliency and protection of special status species are proposed to be revised under the revised BFFIP to allow methods of treatment that are beneficial to significant resources when present in the treatment area, including rare plants.

The BFFIP revisions also include clarifications to allow for beneficial treatments in areas of rare plants, including special status plants. Methods of treatment, including prescribed fire, could be used but only when scientific data supports that the rare plant species benefits from prescribed fire or other beneficial treatment. A qualified professional with knowledge of the plant species will determine the species that may benefit based on expert knowledge and/or scientific studies prior to implementing the treatments in areas of significant resources. Therefore, the revised BFFIP would not result in new or substantially more severe impacts to special status plant species than those analyzed in the certified BFFIP PEIR.

3.4.3 Special-Status Wildlife

BFFIP actions can occur in areas where several special-status wildlife species have been recorded or appropriate habitat is present. Implementation under the revised BFFIP would continue the use of mechanical equipment during treatment that has the potential to injure or kill special-status mammals, amphibians, reptiles, insects, and mollusks if activities occur within habitats where these species are known to occur. Although the revised BFFIP would allow for an increase in initial and long-term maintenance activities under MA-23 and combine broom management activities under MA-20, the revised actions would not increase the previously identified plan area boundary nor would it allow additional management actions that were not previously analyzed under the adopted BFFIP and certified BFFIP PEIR.

The revisions under MA-23 and MA-20 would continue to require adherence to the following mitigation measures for the protection of special-status wildlife species: MM Geology-1 (Erosion Control and Slope Stability Measures), MM Biology-1 (Worker Training), MM Biology-7 (Protection of Nesting Birds), MM Biology-8 (Northern Spotted Owl Avoidance During Nesting Season), MM Biology-9 (Protection of Western Pond Turtle Nesting Habitat), MM Biology-10 (California Red-Legged Frog Avoidance), MM Biology-11 (Marin Elfin Butterfly Host Plant Avoidance), MM Biology-12 (Protection of Foothill Yellow-Legged Frog), MM Biology-14 (Northern Spotted Owl Avoidance of Nesting Season and Habitat), and MM Biology-17 (Protection of California Giant Salamander). Therefore, the revised BFFIP would not result in new or substantially more severe impacts to special status wildlife than those analyzed in the certified BFFIP PEIR.

3.4.4 Riparian Habitat or Other Sensitive Natural Community

The BFFIP and BFFIP PEIR found that while manual and mechanical management techniques can be beneficial to riparian habitat and other sensitive natural communities through invasive species removal, operation of heavy equipment or vehicles within a seasonal wetland (while the ground is wet) could disturb the topography, hydrology, and/or overall condition of the seasonal wetlands. The BFFIP and BFFIP PEIR found this disturbance could result in erosion or compaction of soils altering their ability to support wetland species. The BFFIP and BFFIP PEIR also found that management activities from limbing trees and use of mowers have the potential to spread forest pathogens leading to deaths of trees or loss of sensitive grassland communities.

The revised BFFIP would allow for an increase in management activities under MA-23 that could lead to an increase in use of mechanical equipment within seasonal wetlands, grassland communities, and forests. The revised BFFIP would continue to require adherence to MM Biology-1, MM Biology-2, MM Biology-3, MM Biology-4, MM Biology-15, and MM Biology-16. These measures would collectively require worker training in identification of sensitive habitats, following protocols for Mount Tamalpais manzanita trimming using manual methods (a sensitive plant community within the plan area), techniques to reduce the spread of invasive plant species, evaluation of areas where heavy vehicle equipment would be used and implementation of appropriate avoidance and minimization measures as identified by a biologist, and identification and evaluation of native grassland communities by the District biologist followed by monitoring. The revised BFFIP would not include increased broadcast burn acreages, and thus would not result in changes to the analysis if broadcast burning presented in the BFFIP PEIR. Pile burning could occur near riparian corridors under MA-23, the methods and measures identified in the PEIR would also apply under the revisions that increase acreages of treatment. With implementation of MM Geology-1, which prohibits broadcast burning within a 50-foot buffer around perennial and intermittent streams when the broadcast burn is proposed on a slope greater than 30 percent and upslope of the stream, impacts would be the same as analyzed in the BFFIP PEIR and less than significant.

The revised BFFIP would not result in new or substantially more severe impacts to riparian habitat and other sensitive natural communities by manual and mechanical techniques for vegetation removal than those analyzed in the certified BFFIP PEIR.

3.4.5 State and Federally Protected Wetlands

The BFFIP and BFFIP PEIR found that travel and equipment transport to forest treatment sites could include in-channel stream or creek crossings that could impact jurisdictional waters. Implementation under the revised BFFIP would continue the equipment transport to forest treatment sites that could impact jurisdictional waters, with similar potential but for increased acreages treated each year under MA-23. Work under the revised BFFIP would continue to require MM Biology-15, MM Hydrology-1, and the appropriate 1600 Streambed Alteration permit from CDFW and section 401 and 404 Clean Water Act permits, if required by CDFW. MM Biology-15 requires review of overland travel routes by the District biologist prior to access and flagging of potential wetlands near or along overland travel routes. MM Hydrology-1

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requires avoidance of stream crossing of or access by equipment and vehicles to the greatest extent feasible or avoidance of stream bank and bed alternation and restoration of any damaged areas after access.

Therefore, implementation of the revised BFFIP would not result in new or substantially more severe impacts to state and federally protected wetlands than those analyzed in the certified BFFIP PEIR.

3.4.6 Wildlife Movement

The BFFIP and BFFIP PEIR found that because the watershed land is an important wildlife corridor, alteration of certain habitat types could impact wildlife movement. Revisions to MA-23 under the BFFIP would result in an increase in initial and long-term management activities that could impact wildlife movement within the district land; however, the revised BFFIP would continue to require MM Biology-3 (Prevent the Spread of Invasive Species), MM Biology-5 (Roosting Bats), MM Biology-6 (Protection of Badgers), MM Biology-7 (Protection of Nesting Birds), MM Biology-8 (Northern Spotted Owl Avoidance During Nesting Season), MM Biology-9 (Protection of Western Pond Turtle Nesting Habitat), MM Gology-1 (Erosion Control and Slope Stability Measures), MM Geology-3 (Grazing Land and Trail Control), and MM Hydrology-1 (Water Quality Protection During Waterway Crossing or Work Near Waterbodies).

Therefore, the revised BFFIP would not result in new or substantially more severe impacts to wildlife movement than those analyzed in the certified BFFIP PEIR.

3.5 Cultural Resources

The BFFIP PEIR analysis concluded less than significant impacts with mitigation on human remains and historical and archaeological resources. The BFFIP PEIR also identified less than significant impacts to paleontological resources.

The revised BFFIP would maintain the same management techniques as described within the adopted BFFIP, although it would increase acreage treated under MA-23. The revised BFFIP would not result in additional disturbance types that have not already been analyzed per the adopted BFFIP and certified BFFIP PEIR. Similar to the adopted BFFIP, the revised BFFIP would include several vegetation management actions that have at least a minor potential to disturb the ground surface. As previously analyzed under the BFFIP PEIR, continued intensive vegetation thinning and removal, prescribed burning, and the use of heavy equipment, in particular, have some potential to cause adverse changes to significant cultural (historic or archaeological) resources. The revised BFFIP would continue to require adherence to MM Cultural-1, MM Cultural-2, MM Cultural-3 and MM Cultural-4 which require trainings to workers on archaeological and historic resource identification and sensitivity, review of maps identifying cultural resource locations by District trained staff prior to conducting activities, cessation of work within 165 feet of a previously undiscovered cultural resource and avoidance

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or treatment of the resource, and halt work within 165 feet of the discovery and to contact the Marin County's Coroner's office followed by an appointment with the Most Likely Descendant to determine the appropriate course of action. Therefore, the revised BFFIP would not result in new or substantially more severe impacts to cultural resources than those analyzed in the certified BFFIP PEIR.

The BFFIP PEIR identified some fossils that have been recorded within the plan area, but none were considered to be unique paleontological resources. The geologic units that underlie the plan area have low or no potential to yield unique paleontological resources. The revised BFFIP PEIR would not change the boundaries of the plan area. Similar to the adopted BFFIP, the revised BFFIP would not disturb soil depths in excess of shrub or tree roots. Therefore, the potential for the revised BFFIP PEIR ground-disturbing activities to uncover, much less destroy, a unique paleontological resource, continues to be very unlikely. The revised BFFIP would not result in a new or substantially more severe significant impact related to paleontological resources than those analyzed in the certified BFFIP PEIR.

3.6 Energy

The BFFIP PEIR analysis concluded less than significant impacts on energy use. The BFFIP determined that the fuel needed to implement the adopted BFFIP was considered beneficial, necessary, and not wasteful given the outcome of the work. The BFFIP PEIR also concluded that the adopted BFFIP would not substantially increase the overall demand for energy in California or substantially affect supply. The revised BFFIP would incrementally increase the use of energy as a result of increase acreages allowed for initial and long-term maintenance activities; however, the work associated with the revised BFFIP would continue to minimize risks to structures and people from wildfire as well as enhance the natural ecosystem; the energy use would be considered beneficial, necessary and not wasteful. The incremental increase would not create an additional demand for energy in California or substantially affect supply. The revised BFFIP would also not change the conditions that could result in an impact on energy related to a state or local plan because no state or local plans for renewable or energy efficiency apply to the BFFIP. Therefore, the revised BFFIP would not result in new or substantially more severe significant impact related to energy than those analyzed in the BFFIP PEIR.

3.7 Geology and Soils

The BFFIP PEIR analysis concluded less than significant impacts with mitigation on geology and soils. The revised BFFIP would not increase the previously identified management boundary of the adopted BFFIP and certified BFFIP PEIR, nor would it allow additional management actions that were not analyzed under the certified BFFIP PEIR. Similar to the adopted BFFIP, the revised BFFIP would continue to include maintenance activities that could cause erosion and loss of topsoil through removal of vegetation covering slopes and exposing bare soil, and through the removal of plants by the root systems that bind soil particularly on slopes. Erosion could degrade soil nutrient levels, reduce habitat sustainability, and could result

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in downstream sedimentation, which could have an adverse impact on downstream waters, as analyzed within the BFFIP PEIR. The revised BFFIP would allow for an incremental increase in acreages allowed for initial and long-term maintenance activities under MA-23; however, all management actions taken under the revised BFFIP PEIR would adhere to MM Geology-1, MM Geology-2, and MM Geology-3. MM Geology-1 requires use of erosion control measures in areas with bare soil and controlled burned to reduce potential erosion impacts and requires consideration of slope stability prior to conducting work to minimize the likelihood of landslides during or after the work is completed. MM Geology-2 requires use of existing facilities for fire lines where they occur or implementing other erosion control measures to minimize impacts related to erosion and slope stability issues. MM Geology-3 requires and grazing land and trail control measures for erosion and reduction of potential sedimentation impacts to downstream receiving waters. Therefore, the revised BFFIP would not result in new or substantially more severe significant impact related to geology and soils than those analyzed in the BFFIP PEIR.

3.8 Greenhouse Gas Emissions

The BFFIP PEIR analysis concluded significant and unavoidable impacts on greenhouse gas emissions related to conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing greenhouse gas emissions. The BFFIP PEIR also concluded significant and unavoidable impacts related to generation of greenhouse gas emissions that may have a significant impact on the environment, largely due to broadcast burning activities. The BFFIP PEIR analysis concluded less than significant impacts on substantially decreasing the overall ability of District lands in the plan area to sequester carbon.

Similar to the adopted BFFIP, the revised BFFIP would involve activities that would emit GHG emissions including the use of mechanical vegetation removal equipment and prescribed burning. Total acreage allowed per year of prescribed broadcast burning would not increase; however, some pile burning increases may occur due to increased acreages treated.

Vehicles and equipment use to travel to the sites where management activities occur would generate GHG emissions. The revised BFFIP would allow for an increase in initial and long-term management activities, including pile burning that could result in an incremental GHG emission increase. Increases would be minimal since the vast majority of emissions analyzed under the PEIR were related to broadcast burning (80 percent of the GHG emission), which would not increase under the revisions. Increases from equipment and vehicles used and minor increases in pile burning to treat up to 150 acres under MA-23 versus 60 acres, would be incrementally small compared with the total impact analyzed under the BFFIP PEIR, even though exceedances would still occur as previously found in the PEIR.

Implementation of the revised BFFIP could still conflict with the 2017 CAP because GHG emissions would exceed the BAAQMD significant thresholds for GHG; however, management of District lands would reduce the likelihood of a catastrophic fire. It is expected that a wildfire

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on District lands would have many times greater GHG emissions than BFFIP activities. It is anticipated that an increase in the long-term maintenance activities would reduce the overall level of effort required annually over time and GHG emissions would not exceed the District's GHG emission reduction goals. The revised BFFIP would also continue to require adherence to MM Air-1 to minimize air pollutant emissions. The revised BFFIP would not result in new or substantially more severe impacts to greenhouse gas emissions than those analyzed in the certified BFFIP PEIR.

3.9 Hazards and Hazardous Materials

3.9.1 Hazardous Materials

The BFFIP PEIR analysis concluded less than significant impacts with mitigation to hazards and hazardous materials. Under the revised BFFIP, no changes to conditions would occur that could result in an impact on hazardous materials related to contaminated sites. The certified BFFIP PEIR identified one site as having potential for existing contamination. Implementation under the revised BFFIP will continue to require adherence to MM Hazards-2, which requires avoidance of all former buildings and facilities associated with the contaminated site unless remediated and no hazardous materials remain.

The revised BFFIP would allow for an increase in initial and long-term management activities that involve the use of vehicles and equipment under MA-23, which could result in the leakage or spillage of fuels. The revised BFFIP would also allow for an increase in pile burning activities that require the use of drip torches, which could also leak fuel, but would be very small quantities. The revised BFFIP would not change the types of management activities that were allowed under the adopted BFFIP and analyzed under the PEIR, and would continue to require adherence to MM Hazards-1, which requires the District to implement spill prevention and response best management practices; therefore, the revised BFFIP would not result in new or substantially more severe impacts to hazardous materials than those analyzed in the certified BFFIP PEIR.

3.9.2 Hazards

The BFFIP PEIR analysis found the BFFIP would have a beneficial effect with regard to reducing wildfire risks or the size and spread of wildfires. Increased risks were identified related to wildfire ignition and spread during the actual performance of work, which requires the use of vehicles and equipment that could ignite a fire through generation of sparks or heat. A discussion on interference with an adopted emergency response plan or emergency evacuation plan is provided in subsection 3.20: Wildfire. No changes with respect to other hazards would occur under the revised BFFIP that could lead to a significant impact.

The revised BFFIP would allow for an increase in management activities under MA-23, including potential increases in pile burning and equipment. Total acres of broadcast burning per year would not change. Actions under the BFFIP would continue to be required to adhere to

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MM Air-4, MM Hazards-1, MM Hazards-3, MM Hazards-4, MM Hazards-5, MM Hazards-6, and MM Hazards-7. MM Hazards-1 requires the District to implement spill prevention and response best management practices. MM Air-4, MM Hazards-3, MM Hazards-4, and MM Hazards-5 stipulate when and where pile burning should occur, a buffer between structures and the broadcast burn, closure of District-use-only roads, and preparation of a Prescribed Burn Plan. Revisions to Hazards-5 were made to clarify road and trail closures if determined necessary, as well as adherence to the Burn Plan, which continues to mitigate effects. MM Hazards-6 requires propane flaming training to minimize the risk of fire. MM Hazards-7 would be implemented to ensure that appropriate precautions, including maintaining fire suppression equipment in work vehicles and prohibiting smoking. Therefore, the revised BFFIP would not result in new or substantially more severe impacts to hazards than those analyzed in the certified BFFIP PEIR.

3.10 Hydrology and Water Quality

3.10.1 BFFIP Summary

The BFFIP PEIR analysis concluded less than significant impacts with mitigation to hydrology and water quality related to violation of water quality standards or discharge requirements, substantial erosion or siltation as a result of altering existing drainage patterns, and conflict with or obstruction of implementation of a water quality control plan or sustainable groundwater management plan. The BFFIP PEIR analysis concluded less than significant impacts to substantially increasing the rate or amount of surface runoff in a manner that would result in flooding or exceed capacity of existing or planning stormwater drainage systems. The BFFIP Initial Study concluded no impact and less than significant impacts related to the following topics: flooding from implementation of the plan; impacts from seiches, tsunamis, or mudflows; and groundwater supplies; therefore, these topics were not evaluated further within the BFFIP PEIR.

3.10.2 Water Quality Standards

The revised BFFIP would result in an increase in initial and long-term management activities annually under MA-23 that would result in some minor modifications to the hydrologic condition in the plan area, similar to the adopted BFFIP. No additional management action types are proposed, and all work performed under the revised BFFIP would continue to adhere to MM Geology-1, MM Geology-2, MM Geology-3, MM Hydrology-1, and MM Hazards-1. MM Geology-1, MM Geology-2, and MM Geology-3 require implementation of several erosion control measures to avoid sedimentation of waterways or waterbodies, steep slopes, and existing erosional features or erodible soils. MM Hydrology-1 requires use of waterway and bank protection and restoration measures to ensure the waterway is not impacted by sedimentation and siltation that could impact water quality. MM Hazards-1 requires the District to implement spill prevention and response best management practices, such as proper techniques for storage of hazardous materials, daily inspections of equipment, and emergency spill supplies for use should a spill occur. Therefore, the revised BFFIP would not result in new

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or substantially more severe impacts to water quality standards than those analyzed in the certified BFFIP PEIR.

3.10.3 Alteration of Existing Drainage Pattern

Under the revised BFFIP, no changes to conditions would occur that could result in an impact on hydrology and water quality related to the alteration of an existing drainage pattern, including substantially increasing the rate or amount of surface runoff resulting in flooding, exceeding the capacity of existing or planning stormwater drainage systems, or impede or redirect flows. Similar to the adopted BFFIP, the revisions to the BFFIP do not include the construction of any new roads or culverts, and none of the proposed management actions would include major alterations of a stream or watercourse. The revised BFFIP would not result in new or substantially more severe significant impacts to hydrology and water quality related to the alteration of an existing drainage pattern than those analyzed in the BFFIP PEIR, even with a minor increase in acreages treated under MA-23 or consolidation of management actions to treat broom under MA-20.

3.10.4 Conflict with a Water Quality Control Plan or Groundwater Management Plan

Implementation of the BFFIP could impact water quality of waterbodies on and downstream from District lands but was found mitigable. Implementation under the revised BFFIP would increase the amount of areas treated under MA-23, but implementation would continue to abide by MM Geology-1, MM Geology-2 and MM Geology-3, MM Hydrology-1, and MM Hazards-1. MM Geology-1, MM Geology-2, and MM Geology-3 that require implementation of several erosion control measures to avoid minimize erosion associated with grazing, sedimentation of waterways or waterbodies, steep slopes, and existing erosional features or erodible soils. MM Hydrology-1 requires that instream crossings be avoided to the greatest extent feasible. Where instream crossings cannot be avoided, MM Hydrology-1 requires that instream crossings occur when the stream is dry, with no alteration to the stream bed and bank, unless a Section 1600 and potentially a Section 404 permit is obtained, with restoration of the area after work is completed to compensate for impacts. MM Hazards-1 requires the District to implement spill prevention and response best management practices, such as proper techniques for storage of hazardous materials, daily inspections of equipment, and emergency spill supplies for use should a spill occur. Therefore, the revised BFFIP would not result in new or substantially more severe significant impacts to hydrology and water quality related to a conflict with a water quality control plan or groundwater management plan than those analyzed in the BFFIP PEIR.

3.11 Land Use and Planning

The BFFIP Initial Study concluded no impact on land use and planning and this topic was not evaluated further within the BFFIP PEIR. Under the revised BFFIP, no changes to conditions would occur that could result in an impact on land use and planning. The revised BFFIP would not result in new or substantially more severe significant impacts on land use and planning than those analyzed in the BFFIP PEIR.

3.12 Mineral Resources

The BFFIP Initial Study concluded no impacts to mineral resources and this resource topic was not evaluated further within the BFFIP PEIR. Similar to the adopted BFFIP, the revised BFFIP would not involve any activities that would permanently impede mineral recovery. The revised BFFIP would not result in new or substantially more severe significant impacts on mineral resources than those analyzed in the BFFIP PEIR.

3.13 Noise

The BFFIP PEIR found that mechanical vegetation removal and trimming using powered equipment are the primary techniques within the adopted BFFIP that could generate substantial noise. The BFFIP PEIR found that broadcast burning could generate some noise, but the revisions do not increase the acreage or amount of broadcast burning that could occur. The BFFIP PEIR found that manual techniques for vegetation removal would not generate much noise and would have minimal impacts related to noise. All of the impacts could be mitigated to less than significant levels.

Revised actions under the BFFIP could change the location and total acreages treated but would not change the methods used. As discussed in the BFFIP PEIR, mechanical methods would emit noise levels in excess of 70 dBA but would not occur at a sensitive receptor location or at this level for more than 5 days within a 30-day period at one sensitive receptor location. Under the revised BFFIP, an increase in ambient noise levels above existing levels could still occur but would be temporary and geographically isolated to one specific location. Activities taken under the revised BFFIP would continue to be required to adhere to MM Noise-1, which requires that work in proximity of a sensitive receptor only occurs Monday through Friday from 7 a.m. to 6 p.m. and Saturdays from 9 a.m. to 5 p.m. with not work allowed on Sundays or holidays. MM Noise-1 also requires that a disturbance coordinator is designated and stationed at the work site to address noise complaints and to ensure measures are implemented to minimize noise disturbance (only applicable if working in close proximity to a sensitive receptor). The measure also requires that the appropriate buffer distances are established when operating certain types of equipment near sensitive receptors. Stationary equipment, such as a wood chipper, should be placed as far from sensitive receptors as possible, duration of operation should be minimized, work should be performed when classes are not occurring in schools, and noise barriers, such as acoustic blankets, should be installed, if necessary, to keep noise levels below 70 dBA.

Therefore, the revised BFFIP would not result in new or substantially more severe impacts to noise associated with manual or mechanical techniques for vegetation removal than those analyzed in the certified BFFIP PEIR.

The revision of MM Air-3, which allow for the distance between broadcast and pile burns and sensitive receptors to be 1,000 feet *or the distance specified in the Smoke Management Plan* and the revision to MM Air-4, which could allow recreationalist within 500 feet, *depending on the Burn Plan and/or Incident Action Plan*, could result in noise receptors being closer than 500 feet to a prescribed pile or broadcast burn. It is highly unlikely any recreationists or other stationary

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sensitive receptors such as residents would be allowed within 200 feet of a prescribed burn activity. At 180 feet, equipment noise associated with prescribed burning would dissipate to less than 70 dBA. Noise-1 ensures that the appropriate buffer distances are established when operating certain types of equipment near sensitive receptors, which would also ensure equipment is 180 feet or more away from sensitive receptors during prescribed burns.

3.14 Population and Housing

The BFFIP Initial Study concluded no impacts to population and housing and this resource topic was not evaluated further within the BFFIP PEIR. Similar to the adopted BFFIP, the revised BFFIP would not introduce elements that would allow for the addition of homes or businesses, or the infrastructure needed to induce population growth. The revised BFFIP would also not involve the replacement or removal of existing housing and would not result in the displacement of people. Because the revised BFFIP would not change the conditions that could result in an impact on population and housing, the revised BFFIP would not result in new or substantially more severe significant impact related to population and housing than those analyzed in the BFFIP PEIR.

3.15 Public Services

The BFFIP Initial Study concluded no impacts to public services and this resource topic was not evaluated further within the BFIP PEIR. The revised BFFIP would not require the provision of new or physically altered fire protection facilities. Similar to the adopted BFFIP, prescribed burning presents a potential need for fire protection services should the burning become uncontrolled. It is possible that pile burns would increase with the implementation of the revised BFFIP; however, it is not anticipated that additional fire control resources and personnel would be needed outside of the existing facilities and local fire protection agencies already in coordination with the District under the adopted BFFIP, as the number of piles burned at any one time would be similar to that analyzed under the BFFIP PEIR. Therefore, the revised BFFIP would not result in a new or substantially more significant impact on public services related to fire protection.

The revised BFFIP would also not increase service ratios for police services, schools or other public facilities provided in the area. Because the BFFIP and BFFIP PEIR would not change the conditions that could result in new or more severe significant impact related to police services, schools or other public facilities provided in the area, the revised BFFIP would not result in new or substantially more severe significant impact related to police service ratios, schools, or other public facilities than those analyzed in the BFFIP PEIR.

The revised BFFIP would continue to allow vegetation removal activities such as prescribed burns and the use of heavy equipment that could impact recreational use by requiring the temporary closure of areas to recreational users or by adversely affecting the natural quality of the area that attracts recreational users. The revised BFFIP may also increase the quantity of

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vegetation removal activities in a year or the acreage of an individual activity under MA-23; however, due to the scale of the isolated vegetation removal activities compared to the overall size of the District's recreational lands and the temporary nature of the activities, the marginal increase that could occur would not result in a new or substantially more severe significant impact related to access to recreational public facilities. The revised BFFIP includes minor clarifications to MM Hazard-5 that the road and trail closures would be required if determined to be necessary in accordance with the burn-specific Plan and/or Incident Action Plan, which would likely result in fewer trail and road closures as closures would only occur as necessary.

3.16 Recreation

The BFFIP PEIR analysis concluded less than significant impacts with mitigation on recreation with mitigation. Implementation of actions under the revised BFFIP would continue to require MM Recreation-1, which would include temporary closure of roads or trails during maintenance activities for protection and safety of recreationists. The revised BFFIP may increase the quantity of vegetation removal activities in a year or the acreage of an individual activity that could incrementally increase the number of days a particular road or trail may be closed within a year (under MA-20 or MA-23); however, this increase would be marginal and insignificant considering the 210 miles of trails and roads that are available to recreationalists within the District land and the temporary nature of the activities.

While the revisions to the BFFIP do not include increasing the acres treated with broadcast burning per year, the management action and measures include minor clarifications, including to MM Hazards-5. MM Hazards-5 requires closure of trails and District-use only roads within 500 feet of the outermost edges of the broadcast burn during activities. Revisions to MM Hazards-5 include additional clarification that the closures would be required if determined to be necessary in accordance with the burn-specific Burn Plan and/or Incident Action Plan. The revision of MM Hazards-5 could potentially result in recreationists or drivers within 500 feet of the outermost edge of the broadcast burn during activities if determined to be in compliance with the burn-specific Burn Plan and/or Incident Action Plan; however, the burn-specific Burn Plan and/or Incident Action Plan requires certain measures be taken under controlled environmental conditions to achieve clearly articulated management goals. Measures include monitoring environmental conditions before and during management actions such as wind speed and direction and smoke management.

Although the potential increase in the various restoration and treatment activities annually could also impact the experience of recreationalists due to the anticipated change in visual character of the area, the result of the potential increase would be similar to existing conditions under the adopted BFFIP as the physical aesthetic change would last for one growing season before bloom of fire-follower wildflowers and other seedlings.

The revised BFFIP would also not change the type of vegetation maintenance activities prescribed under the adopted BFFIP PEIR. The revised BFFIP would continue current

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management practices of cutting charred skeletons of stems and branches post prescribed burn activities. Signs of prescribed burns and other vegetation maintenance activities would continue to be temporary in a given area under the revised BFFIP. Therefore, the revised BFFIP would not result in a new or substantially more severe impact related to recreation.

3.17 Transportation

The BFFIP PEIR analysis concluded less than significant impacts with mitigation on transportation related to inadequate emergency access and an increase in hazards due to a design feature or incompatible use. The BFFIP PEIR analysis concluded less than significant impacts related to CEQA Guidelines section 15064.3, subdivision (b) for vehicle miles traveled (VMT). As analyzed under the BFFIP PEIR, the revised BFFIP would continue to require temporary lane or full road closures during vegetation maintenance activities.

Actions under the revised BFFIP may also increase the quantity of vegetation removal activities in a year or the acreage of an individual activity that could result in an increase in road or lane closures required annually (under MA-20 or MA-23). The revised BFFIP would continue to require MM Transportation-1, which requires the District make provisions to be able to create access for emergency responders across any work site, as well as requires the road guards be equipped with two-way radios to inform the crew to cease operations to reopen the road for emergency vehicles should an emergency event occur. Similar to the adopted BFFIP, the revised BFFIP does not include any actions to redesign, modify, or maintain any roads or intersections, and it would not change the use of any existing roadways. The revised BFFIP would also not change the conditions that could result in a new or substantially more severe impact related to incompatible uses of roadways between public motorists, hikers, bicyclists and recreationalists who may travel on the same roads that are being used by heavy equipment and District authorized vehicles. The revised BFFIP would not change the type of vegetation maintenance activities prescribed under the adopted BFFIP.

Implementation of activities under the revised BFFIP would continue to require a Traffic control Plan in accordance with MM Hazards-4, if required. In regard to VMT, any District activities that would occur simultaneously under the revised BFFIP, would not be anticipated to be greater than 110 vehicle trips per day, which is the Office of Planning and Research's screening threshold identified within the certified BFFIP PEIR. Therefore, the revised BFFIP would not result in new or substantially more severe significant impact related to transportation than those analyzed in the BFFIP PEIR.

3.18 Tribal Cultural Resources

Tribal Cultural Resources was not analyzed under its own section within the certified BFFIP PEIR, but was incorporated within the BFFIP PEIR section 3.4: Cultural and Tribal Cultural Resources. The BFFIP PEIR analysis concluded less than significant impacts with mitigation on tribal cultural resources. Similar to the adopted BFFIP, the revised BFFIP has the potential to

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significantly impact known and previously undiscovered archaeological resources during removal of medium and large vegetation with mechanical equipment and during prescribed burning, with a slight incremental increase in likelihood given increases in acreage treated under MA-23. Any prehistoric resources eligible for listing in the CRHR, could be considered a tribal cultural resource as well. The revised BFFIP would continue to require adherence to MM Cultural-1, MM Cultural-2, MM Cultural-3, and MM Cultural-4 which require trainings to workers on archaeological and historic resource identification and sensitivity, review of maps identifying cultural resource locations by District trained staff prior to conducting activities, cessation of work within 165 feet of a previously undiscovered cultural resource and avoidance or treatment of the resource, and halt work within 165 feet of the discovery and to contact the Marin County's Coroner's office followed by an appointment with the Most Likely Descendant to determine the appropriate course of action.

The certified BFFIP PEIR discusses input obtained from the Federal Indians of the Graton Rancheria and the importance of prehistoric trails used by the Federal Indians of the Graton Rancheria ancestors throughout the watershed. Similar to the adopted BFFIP, the revised BFFIP would not involve major alterations of land or the construction of built structures. No new management activities have been incorporated into the revised BFFIP and the previously identified management activities would be required to comply with the previously identified mitigation measures. MM Cultural-2 required the trails that were identified by the Federal Indians of the Graton Rancheria tribe be included within the District's GIS database of cultural resources. Therefore, the revised BFFIP would not result in new or substantially more severe significant impact related to tribal cultural resources than those analyzed in the BFFIP PEIR.

3.19 Utilities and Service Systems

The BFFIP Initial Study concluded no impacts to utilities and service systems for the exception of sufficient water supplies which was determined to be less than significant. Utilities and service systems was not evaluated further within the BFIP PEIR. Similar to the adopted BFFIP, the revised BFFIP would not generate wastewater nor cause a violation of wastewater treatment requirements. The revised BFFIP would also not require or result in the construction of new water, wastewater, or stormwater treatment facilities or require the expansion of existing facilities. The revised BFFIP would increase management activities that would include vegetation clearing that requires disposal under MA-23. Landscape debris would not be taken to a landfill and thus would not cause a landfill to exceed capacity.

The revised BFFIP would increase management activities including pile burning (but not broadcast burning) that would use water for emergency use. Water would also continue to be used for dust suppression. Water would be used as needed for management activities and would not constitute a substantial increase compared to the adopted BFFIP. The water needed to implement the revised BFFIP would be minimal compared to the available supply; therefore, no new or expanded entitlements would be needed. Therefore, the revised BFFIP would not

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result in new or substantially more severe significant impact related to utilities and service systems than those analyzed in the BFFIP PEIR.

3.20 Wildfire

3.20.1 Summary of PEIR

Wildfire was not analyzed under its own section within the certified BFFIP PEIR but was incorporated within the BFFIP PEIR section 3.7: Hazardous Materials and Fire Hazards. The BFFIP PEIR analysis concluded less than significant impacts with mitigation on wildfire.

3.20.2 Impair or Interfere with an Adopted Emergency Response Plan or Emergency Evacuation Plan

Under the revised BFFIP, no changes to conditions would occur that could result in impairing the implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan. No emergency response or evacuation plans have been adopted for the roads in the BFFIP lands.

3.20.3 Expose Project Occupants to Pollutant Concentrations

The revised BFFIP proposes the increase in initial and long-term management activities that could increase the risk of wildfire ignition under MA-23; however, activities under the revised BFFIP would still be required to adhere to MM Hazards-1, MM Hazards-3, MM Hazards-4, MM Hazards-5, MM Hazards-6, MM Hazards-7, and MM Air-4. MM Hazards-1 that requires the District to implement spill prevention and response best management practices. MM Air-4, MM Hazards-3, MM Hazards-4, and MM Hazards-5 stipulate when and where pile burning should occur, a buffer between structures and the broadcast burn, closure of District-use-only roads, and preparation of a Prescribed Burn Plan. MM Hazards-6 requires propane flaming training to minimize the risk of fire. MM Hazards-7 would be implemented to ensure that appropriate precautions, including maintaining fire suppression equipment in work vehicles and prohibiting smoking. Similar to the adopted BFFIP, the management actions implemented as part of the revised BFFIP would reduce the wildlife risk in the BFFIP area as well as the size, intensity, and spread of wildfires, were one to break out. Changes to MM Hazards-5 add clarification to when road and trail closures are needed and adherence to a Burn Plan and continue to mitigate effects. Therefore, the revised BFFIP and would not result in new or substantially more severe significant impacts to wildfire related to exposing project occupants to pollutant concentrations than those analyzed in the BFFIP PEIR.

3.20.4 Installation or Maintenance of Infrastructure

The revised BFFIP includes potential additional maintenance of broom in fuelbreaks since it consolidates broom treatment across fuelbreaks and WAFRZs. Under the revised BFFIP, no changes to conditions would occur that could result in an impact to wildfire related to fuelbreaks or other installation or maintenance of infrastructure. Therefore, the revised BFFIP

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would not result in new or substantially more severe significant impacts to wildfire related to installation or maintenance of infrastructure than those analyzed in the BFFIP PEIR.

3.20.5 Significant Wildfire Risks

Under the revised BFFIP, no changes to conditions would occur that could result in an impact to wildfire related risks, including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. Therefore, the revised BFFIP would not result in new or substantially more severe significant impacts to wildfire related to installation or maintenance of infrastructure than those analyzed in the BFFIP PEIR.

3.21 Other CEQA Topics

3.21.1 Changes in Land Use that Commit Future Generations

The revised BFFIP would not result in a change to the zoning or land use designations. The revised BFFIP would not commit future generations to significant changes in land use. All impacts are consistent with those analyzed in the BFFIP PEIR.

3.21.2 Consumption of Non-Renewable Resources

Non-renewable resources include mineral resources, groundwater, and fossil fuels. Similar to the adopted BFFIP, the revised BFFIP would not involve any activities that would permanently impede mineral recovery and would not require the use of substantial groundwater from the District area.

The revised BFFIP would require the use of fossil fuels for management activities, including the use of mechanical tools and equipment and prescribed burns. Use of vehicles and equipment during these activities and to reach project sites would also use fossil fuels. The revised BFFIP would use fossil fuels intermittently throughout the year, but would not require continued use. In addition, the use of fossil fuels would be considered beneficial, necessary, and not wasteful as discussed under subsection 3.6: Energy.

3.21.3 Irreversible Damage from Environmental Accidents

Action proposed under the revised BFFIP would involve use of equipment and vehicles, which could result in the accidental spill of hazardous materials such as diesel and gasoline, similar to the adopted BFFIP. The revised BFFIP could also allow for a small increase in pile burning activities associated with increases in acres treated under MA-23 that require the use of drip torches, which could also leak fuel, but would be very small quantities. The revised BFFIP would not change the types of management activities that were allowed under the adopted BFFIP and would continue to adhere to MM Hazards-1 which requires the District to implement spill prevention and response best management practices; therefore, the revised BFFIP would not result in irreversible damage from environmental accidents.

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3.21.4 Growth-Inducing Impacts

Similar to the adopted BFFIP and as analyzed under the BFFIP PEIR, the revised BFFIP does not involve the construction of housing and would not directly contribute to population growth in the area. In addition, the revised BFFIP does involve the expansion of infrastructure, such as roadways or sewer lines and it does not involve the construction of a new facility that would indirectly induce population growth. Therefore, the revised BFFIP would not result in new or substantially more severe significant impacts related to growth-inducing impacts than those analyzed in the BFFIP PEIR.

4 Determination

No new or substantially more severe significant impacts would occur as a result of the revised BFFIP. No new substantial changes would occur with respect to the circumstances under which the revised BFFIP and BFFIP PEIR would be undertaken. The mitigation measures and determination of significance for impacts included in the certified BFFIP PEIR would continue to be valid. None of the conditions described in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR or CEQA Guidelines Section 15163 requiring preparation of a supplemental EIR have occurred. This addendum to the adopted BFFIP PEIR is the appropriate level of environmental review for the project revisions, as identified in CEQA Guidelines Section 15164.

5 References

Marin Water District. (2019, October 15). *Meetings & Events, Board of Directors, Oct 15, 2019 at 07:30 pm - Oct 15, 2019 at 08:30 pm, 1. Audio*. Retrieved from Marin Water : <https://www.marinwater.org/node/452>

Panorama Environmental, I. (October 2019). *Marin Municipal Water District Final Program Environmental Impact Report for the Biodiversity, Fire, and Fuels Integrated Plan*. Marin Water District.

APPENDIX A UPDATE TO THE MITIGATION, MONITORING, AND REPORTING PROGRAM

4 MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

When approving projects with mitigation measures that if implemented would avoid or lessen significant impacts, CEQA requires public agencies to adopt monitoring and reporting programs or conditions of project approval to mitigate or avoid the identified significant effects (Public Resources Code Section 21081.6(a)(1)). A public agency adopting measures to mitigate or avoid the significant impacts of a proposed project is required to ensure that the measures are fully enforceable, through permit conditions, agreements, or other means (Public Resources Code Section 21081.6(b)). The mitigation measures required by a public agency to reduce or avoid significant project impacts not incorporated into the design or program for the project may be made conditions of project approval as set forth in a Mitigation Monitoring and Reporting Program (MMRP), detailed in Table 4.3-1. The program must be designed to ensure project compliance with mitigation measures during project implementation. The District will use the Project Environmental Review Checklist, provided in Appendix A of this Final EIR, to evaluate if impacts of individual projects are covered in the Program EIR and to identify best management practices and mitigation measures that are applicable to those individual projects. Individual projects that do not conform to the scope of the Program EIR may require additional environmental analyses.

4.2 FORMAT

This MMRP is organized in a table format, keyed to each significant impact and mitigation measure.. Each mitigation measure is set out in full, followed by a tabular summary of monitoring requirements. The column headings in the tables are defined as follows:

- **Mitigation Measure.** This column presents the significant impact and full mitigation measure.
- **Implementation Responsibility.** This column assigns the party responsible for implementation of the measures
- **Monitoring Responsibility.** This column assigns the party responsible for monitoring implementation.
- **Timing and Performance Standards:** Identifies at which stage of the project, mitigation must be completed. Performance standards are identified that must occur during the specified stage of project implementation to determine that the objectives of the mitigation are met.

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4.3 ENFORCEMENT

This MMRP will be incorporated as a condition of project approval. All mitigation measures must be carried out to fulfill the requirements of approval.

4 MITIGATION MONITORING AND REPORTING PROGRAM

Table 4.3-1 Biodiversity, Fire, and Fuels Integrated Plan Mitigation, Monitoring, and Reporting Program

Best Management Practice and Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Applicable Locations	Timing and Performance Standards	Compliance Verification
Air Quality					
<p>Impact Air-1</p> <p>MM Air-1: Broadcast Burn Emission Minimization Measures</p> <p>Methods for reducing air pollutant emissions shall include one or more of the following:</p> <ul style="list-style-type: none">Reducing the broadcast burn areas in each year.When considering different types of prescribed burning projects, weigh the habitat benefits of burning in a particular fuel type against the emissions. With all other considerations being equal, choose lower emissions fuel types (such as grasslands versus hardwood or evergreen forest) for prescribed burning projects.	Contractor	The District	Where broadcast burns could occur.	<p>Before Activity: (1) Reduce the acreage of broadcast burn, (2) Choose habitat types with fewer emissions, when other considerations are equal' (3) Reduce the fuel load in the forest understory</p> <p>During Activity: (1) Burn when the fuel has lower moisture, (2) Minimize fire duration</p> <p>After Activity: Quickly mop up</p>	
<p>Impact Air-2</p> <p>MM Air-2: Asbestos Management</p> <p>Prior to conducting any activities requiring use of mechanical equipment (e.g., skid steer loader, backhoe) or off-road access of a project site, consult the map created using GIS that shows where serpentine soils and rock formations are located. If the project site or temporary access route passes through an area with serpentine soils or rock formations, implement the asbestos management measures (below).</p> <p>Prior to conducting any activities requiring manual soil-disturbing activities (e.g., pulling of small vegetation, planting seedlings), consult the GIS that shows where serpentine soils are located. If the project site is in an area with serpentine soils, implement the asbestos management measures (below).</p> <p>Asbestos Management Measures:</p> <ul style="list-style-type: none">Areas known to have asbestos shall be watered during ground-disturbing activities (e.g., pulling of medium to large vegetation, digging large holes for planting) to ensure that the soil remains moist during the extent of the activity.Vehicle speeds on unpaved roads shall be limited to 15 miles per hour.When mowing in serpentine soils, the mower head shall be set at least 6 inches above the ground to minimize asbestos dust generation. If when mowing, dust is seen from the mower pluming more than 4 feet above the ground surface, the mower shall be adjusted to the minimum height needed to avoid generating dust plumes.	Contractor	The District	Areas with serpentine soils or rock formations where work could occur.	<p>Before Activity: Water areas with serpentine soils or exposed rock formations</p> <p>During Activity: Limit vehicle speeds</p> <p>After Activity: N/A</p>	
<p>Impact Air-2</p> <p>MM Air-3: Minimization of Air Pollutant Risk</p> <p>The District shall require that prescribed burns on its lands are conducted a minimum of 1,000 feet away from sensitive receptors, specifically residences, schools, and childcare centers-<u>or the distance specified to avoid smoke impacts to sensitive receptors in the Smoke Management Plan, as required under BAAQMD Regulation 5.</u></p> <p>The District shall require that prescribed burns on its lands are managed to reduce District worker exposure to CO concentrations and other air pollutants through implementation of the following measures:</p> <ul style="list-style-type: none">Use of realtime CO monitorsRotate personnel out of heavy smoke areasAvoid burning heavy fuel loads on the ground, such as large logs, to avoid additional mop-up	Contractor	The District	Where broadcast and pile buns could occur.	<p>Before Activity: (1) Purchase realtime CO monitors, (2) Purchase respirators and filters tested and approved by NIOSH</p> <p>During Activity: (1) Provide realtime CO monitor to firefighters, (2) Rotate firefighters out of heavy smoke areas, (3) Avoid burning of areas with heavy fuel loads, (4) Provide appropriate respirators and filters to firefighters</p> <p>After Activity: N/A</p>	

4 MITIGATION MONITORING AND REPORTING PROGRAM

Best Management Practice and Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Applicable Locations	Timing and Performance Standards	Compliance Verification
<ul style="list-style-type: none">Tested and approved by NIOSH full-face and half-face air purifying respirators shall be equipped with filters for CO, formaldehyde, acrolein, and respirable particulate matter and available at all times for District staff or contractors working in the immediate vicinity of broadcast and pile burns.Or otherwise follows the requirements of relevant regional, state, and federal laws pertaining to human health during prescribed burning.					
<p>Impact Air-2</p> <p>MM Air-4: Smoke Management Plan</p> <p>Key considerations for broadcast and pile burns include, fuel, wind, relative humidity, air temperature, soil moisture, slope of the burn area, smoke management, and neighbouring land owners. A Smoke Management Plan and Prescribed Burn Plan (in accordance with MM Hazards-4) address the specifics related to these key factors. The District shall prepare a Smoke Management Plan in accordance with BAAQMD's Regulation 5 for all prescribed burns. The Smoke Management Plans shall be implemented for each burn. The Smoke Management Plan shall include all conditions and information detailed in Regulation 5, including the following:</p> <ul style="list-style-type: none">Burns shall not be ignited or fueled during calm conditions when winds are less than 5 miles per hour (mph) except for crossfiring, or when the wind direction at the site shall be such that the direction of smoke drift is toward a populated area in order to minimize local nuisances caused by smoke and particulate fallouts.Burns shall not be ignited or fueled when winds are more than 15 mph (NRCS, 2012).Burns shall not be ignited or fueled when wind direction blows towards populated areas.Identify the contingency actions that would be taken if a burn unexpectedly impacts sensitive receptors, identifiable by smoke complaints or presence of smoke in areas with receptors. Contingency actions include:<ul style="list-style-type: none">halting ignition, suppressing fire, and/or beginning immediate mop up.	The District and Contractor	The District	Where broadcast and pile buns could occur.	<p>Before Activity: Prepare a Smoke Management Plan including all identified details</p> <p>During Activity: Implement the Smoke Management Plan</p> <p>After Activity: N/A</p>	
Impact Air-2: Implement Mitigation Measure MM Hazards-5 (see below)					
Impact Air-3: Implement Mitigation Measure MM Air-1 (see above)					
Impact Air-Cumulative: Implement Mitigation Measures MM Air-1, MM Air-2, and MM Air-3 (see above)					
Biological Resources					
<p>Impact Biology-1</p> <p>BMP-1: Routine Operations and Project/Activity Implementation</p> <p>District operations encompass a variety of management activities ranging from day-to-day road maintenance to Incident Command emergency situations. The following measures shall be implemented:</p> <ol style="list-style-type: none">Prior planning may avoid the introduction and/or spread of weed species, such as by:<ol style="list-style-type: none">Implementing a periodic monitoring program for detecting new weed infestations in highly susceptible locations such as pull outs, railheads, picnic areas, parking lots, and concessionaire locations.Defining "zero tolerance" zones in vulnerable, high-risk areas within the watershed which you commit to keeping weed-free through frequent monitoring and weed control efforts.Minimize the extent and severity of soil disturbance, by:<ol style="list-style-type: none">Setting up staging areas and equipment in a way that will minimize soil disturbance and avoid loss of desirable native vegetation.	The District and Contractor	The District	BFFIP Area	<p>Before Activity: N/A</p> <p>During Activity: (1) Avoid introduction and/or spread of weed species, (2) Minimize soil disturbance, (3) Maintain facilities</p> <p>After Activity: N/A</p>	

4 MITIGATION MONITORING AND REPORTING PROGRAM

Best Management Practice and Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Applicable Locations	Timing and Performance Standards	Compliance Verification
<p>b. When working in vegetation types with relatively closed canopies, retaining shade to the extent possible to suppress weeds and prevent their establishment and growth.</p> <p>3. Maintain facilities by implementing the following techniques:</p> <p>a. Maintain long-term staging areas, such as boneyards, dumps, and quarries in weed-free condition if possible, or contain weeds therein. If necessary, treat sites annually for weeds, and assign this duty to an appropriate, trained staff person. Consider ways of hardening these sites, such as deep mulching or scraping and tamping.</p> <p>b. Maintain trailheads, picnic areas, roads leading to trailheads, and other areas of concentrated public use in a weed-free condition. Make high-use recreation areas a high priority for weed detection and eradication if not already heavily infested.</p>					
<p>Impact Biology-1</p> <p>BMP-2: Pre-Work Assessments and Planning</p> <p>Prevention begins with pre-work assessments and planning. The following are guidelines for general construction and maintenance activities:</p> <p>1. Inspect all potential and current permitted activity sites. Incorporate invasive plant prevention and containment practices such as mowing, flagging or fencing invasive plant patches, designating invasive plant free travel routes and washing equipment. Where possible, avoid permitting activities that would result in the transfer of weed materials from an infested site to a non-infested site. Consider routes of travel, transport, and equipment use and address pathways and spread concerns with permittees.</p> <p>2. Before ground-disturbing activities begin, inventory and prioritize weed infestations for treatment in construction sites and along access routes. Identify what weeds are on site or within the project's vicinity and do a risk assessment accordingly. Control these weed infestations. Ideally, weeds should be managed prior to the planned disturbance to minimize weed seeds in the soil.</p> <p>3. Begin project operations in non-infested areas. Restrict movement of equipment or machinery from weed-contaminated areas to non-contaminated areas.</p> <p>4. Locate and use weed-free project staging areas. Avoid or minimize travel through weed-infested areas, or restrict travel to those periods when spread of seed or propagules is least likely, such as prior to seed development.</p>	The District and Contractor	The District	BFFIP Area	<p>Before Activity: Conduct pre-work assessments and planning for construction and maintenance activities.</p> <p>During Activity: N/A</p> <p>After Activity: N/A</p>	
<p>Impact Biology-1</p> <p>BMP-3: Imports: Fills, Rock, Plant Material</p> <p>Knowing the sources of imported material is critical to prevent the introduction of invasive plants. If a project involves moving plants or soil, consider the following:</p> <p>1. Make sure plants and soil are not contaminated with weed seeds – use a certified weed free source or sterilize soil prior to use.</p> <p>2. When possible, get the plants and soil from the worksite, which is less likely to introduce foreign material.</p> <p>3. Inspect materials at the source to ensure that they are weed-free before transport and use. If sources of sand, gravel, and fill are infested, eradicate the weeds, then strip and stockpile the contaminated material for several years, if possible, to further deplete the soil seed bank. Check regularly for weed re-emergence and treat as needed.</p> <p>4. Maintain stockpiled, non-infested material in a weed-free condition by preventing weed seed contamination with physical barriers and by frequently monitoring and quickly eradicating new weeds prior to seed production.</p>	Contractor	The District	BFFIP Area	<p>Before Activity: Import weed-free plants and soil</p> <p>During Activity: (1) Maintain stockpile in weed-free condition, (2) Use native fill material, (3) Train staff to identify weeds and inventory weed infestations and schedule them for treatment</p> <p>After Activity: (1) Monitor construction sites with imported material annually for at least 3 years fate project completion, (2) Rehabilitate burn sites with seed and mulch, (3) Use native material to revegetate construction sites</p>	

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Best Management Practice and Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Applicable Locations	Timing and Performance Standards	Compliance Verification
<div><div>5. Use fill within the project area, or stockpile clean fill on-site for local use. Dispose of excess excavation or spoils in a way that won't spread weeds within the watershed or to neighbors.</div><div>6. Work with the weed specialist to develop guidelines for where earth materials can be moved within the watershed.</div><div>7. For routine purchase of material, such as rock used for drain or road base, work with the weed specialist to evaluate the risk, and if necessary develop a procedure for procuring weed-free material and/or inspecting materials sources.</div><div>8. Maintain stockpiled, non-infested material in a weed-free condition by preventing weed seed contamination with physical barriers (e.g. tarps) and by frequently monitoring and quickly eradicating new weeds prior to seed production.</div><div>9. Survey for, document, and treat weeds on construction sites (or wherever fill/material is brought in) annually for at least 3 years after project completion to ensure that any weeds transported to the site are promptly detected and eradicated. For on-going projects, continue to monitor until reasonably certain that weeds will not reappear. Plan for follow-up treatments based on inspection results.</div><div>10. Seed and mulch to be used for burn rehabilitation or slope stabilization (for wattles, straw bales, dams, etc.) all need to be inspected and certified that they are free of weed seed and propagules. Follow-up inspections of straw treated sites should be performed to insure any undetected source seed are treated.</div><div>11. Revegetation may include topsoil replacement, planting, seeding, and weed-free mulching as necessary. Use native material to the greatest extent possible. Consider stockpiling chipped local brush or cut and bale local weed-free grass for mulch – an added benefit is that mature seeds in the grass or brush can help restore local vegetation on the site.</div><div>12. Periodically inspect roads, trails, and rights-of-way for invasive plants. Train staff to recognize weeds and report locations to the local weed specialist. Inventory weed infestations and schedule them for treatment.</div></div>					
<div><div>Impact Biology-1</div><div>BMP-4: Prevent Contamination of Clean Nursery Stock or other Clean Plant materials.</div><div>Planting stock shall be protected from potential contamination from the point that it leaves the production nursery or collection site until it has been planted. Note that container nursery stock has a high risk of infection by <i>Phytophthora</i> species if exposed to these pathogenic agents. Exclusion of these pathogens provides the only viable option for maintaining nursery plants free of <i>Phytophthora</i>.</div><div>Maintaining Nursery Stock in a Holding Facility</div><div>By definition, nursery stock produced by the District should be free of exotic <i>Phytophthora</i> to the maximum degree attainable. If such material is held for a period after delivery and before planting, the following clean nursery practices must be followed to prevent contamination of the nursery stock with <i>Phytophthora</i>:</div><div><div>1. Water used for irrigating plants shall comply with standards listed below.</div><div>2. Delivered nursery plants that will be held before planting shall be transferred to cleaned and sanitized raised benches and maintained as described below under Handling and Transporting Nursery Plants BMPs.</div></div><div>Handling and Transporting Nursery Plants</div><div><div>3. Nursery plants shall be transported on or in vehicles or equipment that has been sanitized before loading the stock. Truck beds, racks, or other surfaces will be cleaned (swept, blown with compressed air and/or power washed as needed) to be free of</div></div></div>	The District	The District	BFFIP Area	<div><div>Before Activity: N/A</div><div>During Activity: (1) Maintain nursery stock in a holding facility with cleaned and sanitized raised benches, (2) Transport nursery stock with sanitized vehicles or equipment, and place nursery stock clean waterproof surfaces, (3) Use clean water sources for washing, soaking, or irrigation, (4) Use pre-approved materials for mulch, compost, and soil amendment, and inoculants, (5) Use new and uncontaminated irrigation supplies, erosion control fabrics, fencing, stakes, posts, and other planting site inputs</div><div>After Activity: N/A</div></div>	

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Best Management Practice and Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Applicable Locations	Timing and Performance Standards	Compliance Verification
<p>soil and plant detritus. Cleaned surfaces shall be sanitized as described below under Procedures for Sanitizing Tools, Surfaces, and Footwear.</p> <p>4. Keep plants in sanitized vehicles or on sanitized carts, trailers, etc. until delivered to their planting sites.</p> <p>5. At the job site, plants shall be handled to prevent contamination until delivered to each planting site. Nursery stock shall not be staged on the soil or other potentially contaminated surfaces except that plants may be placed on the soil surface at their specific planting sites.</p> <p>6. If it is necessary to offload plants at the job site, plants may be placed on clean waterproof plastic tarps or other clean, sanitized surfaces. If tarps are used for holding plants, one surface will be dedicated for contact with nursery stock and will be cleaned and sanitized as needed to maintain phytosanitary conditions.</p> <p>Other Planting Site Inputs</p> <p>7. Washing, soaking, or irrigation of plant material shall be conducted using clean water sources as specified below under Clean Water Specifications. Untreated surface waters shall not be used for these purposes.</p> <p>8. Mulch, compost, soil amendments, inoculants, and other organic products shall be pre-approved for use before delivery to the planting site. Materials shall be free of pathogen contamination due to composition, manufacturing conditions, or through effective heat treatment and subsequently handled and maintained in a manner to prevent contamination. If appropriate, testing may be required as specified by the District. At the job site, delivered materials shall be handled to prevent contamination until delivered to each planting site in the same manner specified above under Handling and Transporting Nursery Plants.</p> <p>9. All other materials to be installed at the site shall be of new material that has not been stored in contact with soil, untreated surface waters, or other potentially contaminated materials. This includes irrigation supplies (such as pipe, fittings, valves, drip line, emitters, etc.), erosion control fabrics, fencing, stakes, posts, and other planting site inputs.</p>					
<p>Impact Biology-1</p> <p>BMP-5: Cleaning and Sanitation Required Before Entering Planting Area to Prevent Introducing Contamination from Other Locations</p> <p><i>Phytophthora</i> contamination can be present in agricultural and landscaped areas, in commercial nursery stock, and in some infested native or restored habitat areas. Contamination can be spread via soil, plant material and debris, and water from infested areas. Arriving at the site with clean vehicles, equipment, tools, footwear, and clothing helps prevent unintentional contamination of the planting site from outside sources.</p> <p>Vehicles, Equipment, and Tools</p> <p>1. Equipment, vehicles and large tools must be free of soil and debris on tires, wheel wells, vehicle undercarriages, and other surfaces before arriving at the planting area. A high pressure washer and/or compressed air may be used to ensure that soil and debris are completely removed. Vehicles that only travel and park on paved roads do not require external cleaning.</p> <p>2. Contractors will comply with this provision by demonstrating that the equipment has been cleaned at a commercial vehicle or appropriate truck washing facility</p> <p>3. The interior of equipment (cabs, etc.) must be free of mud, soil, gravel and other debris. Interiors may be vacuumed or washed.</p> <p>4. Small tools and other small equipment (including hoses, quick couplers, hose nozzles, and irrigation wands) must be washed to be free of soil or other contamination and</p>	The District and Contractor	The District	BFFIP Area	<p>Before Activity: Clean and sanitize vehicles, equipment, tools, footwear, and clothing before entering planting areas</p> <p>During Activity: N/A</p> <p>After Activity: N/A</p>	

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sanitized as described below in Procedures for Sanitizing Tools, Surfaces, and Footwear. 5. Hoses shall be new or previously used only for clean water sources as described below in Clean Water Specifications.					
Footwear and Clothing 6. Soles and uppers of footwear must be free of debris and soil before arriving at the planting area. Clean and sanitize footwear as described in Procedures for Sanitizing Tools, Surfaces, and Footwear. 7. At the start of work at each new job site, worker clothing shall be free of all mud, soil or detritus. If clothing is not freshly laundered, all debris and adhered soil should be removed by brushing with a stiff brush.					
Impact Biology-1 BMP-6: Prevent Potential Spread of Contamination within Planting Areas <i>Phytophthora</i> can also be spread within plantings areas if some portions of the site are contaminated. However, it is not possible to identify every portion of a planting area that contains or is free of <i>Phytophthora</i> . Because <i>Phytophthora</i> contamination is not visible, working practices should minimize the movement of soil within the planting area to minimize the likelihood of spreading contamination. The District may designate specific portions of a planting area as having high or low risk of contamination. Areas with higher risk of contamination typically include areas adjacent to planted landscaping, areas previously planted with <i>Phytophthora</i> -infected stock, areas with existing or recently removed woody vegetation, areas directly along watercourses. Areas with low risk of contamination typically include upland sites with only grassy vegetation or sites where surface soils have been removed. Worker Training and Site Access 1. Before entering the job site, field workers and contractors shall receive training that includes information on <i>Phytophthora</i> diseases and how to prevent the spread of these and other soil borne pathogens by following approved phytosanitary procedures. 2. Do not bring more vehicles into the planting area than absolutely necessary. Within the planting area, keep vehicles on surfaced or graveled roads whenever possible to minimize potential for soil movement. 3. Travel off roads or on unsurfaced roads should be avoided when such roads are wet enough that soil will stick to vehicle tires and undercarriages. Especially from Higher to Lower Risk Areas 4. Brush off substantial soil contamination from tools and gloves when moving between successive planting sites to prevent repeated collection and deposition of soil across multiple sites. 5. Avoid contaminating clothing with soil during planting operations. Use nonporous knee pads that are cleaned between planting sites if kneeling is necessary. 6. When possible, plant nursery stock from a given block in the same local area rather than spreading it widely. If a problem is associated with a given block of plants, it will be easier to detect and deal with it if the plants are spatially grouped. 7. Phase work to minimize movement between areas with high and low risk of contamination. Where possible, complete work in low risk areas before moving to higher risk areas. Alternatively, restrict personnel to working in either high or low risk areas exclusively to reduce the need for decontamination.	The District and Contractor	The District	BFFIP Area	Before Activity: (1) Any staff, contractors or volunteers performing any work in planting areas shall receive training about <i>Phytophthora</i> diseases and other soil borne pathogens, (2) Designate high and low risk contamination areas During Activity: (1) Avoid travelling on wet off roads or unsurfaced roads, (2) Clean and sanitize footwear and clothing when moving from higher to lower risk areas, (3) Keep all non-plant materials free of soil contamination After Activity: N/A	

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<div>8. Clean soil and plant debris from large equipment and sanitize hand tools, buckets, gloves, and footwear when moving from higher risk to lower risk areas or when moving between widely separated portions of the planting area.</div> <div>9. All non-plant materials to be installed at the site (irrigation equipment, erosion control fabric, fencing, etc.) shall be handled to prevent movement of soil within the site, especially movement from higher risk to lower risk areas. Materials should be kept free of soil contamination by maintaining them in sanitized vehicles or on sanitized carts, trailers, etc., or stockpiling in elevated dry areas on clean tarps until used.</div>					
Impact Biology-1 BMP-7: Procedures for Sanitizing Tools, Surfaces, and Footwear Surfaces and tools should be clean and sanitized before use. Tools and working surfaces (e.g., potting benches) should be smooth and nonporous to facilitate cleaning and sanitation. Wood handles on tools should be sealed with a waterproof coating to make them easier to sanitize. Before sanitizing, removal all soil and organic material (roots, sap, etc.) from the surface. If necessary, use a detergent solution and brush to scrub off surface contaminants. The sanitizing agent may also be used as a cleaning fluid. Screwdrivers or similar implements may be needed to clean soil out of crevices or shoe treads. Brushes and other implements used to help remove soil must be cleaned and sanitized after use.	The District and Contractor	The District	BFFIP Area	Before Activity: Clean and sanitize tools, surfaces, and footwear prior to working in planting areas During Activity: N/A After Activity: N/A	
Impact Biology-1 MM Biology-1: Worker Training An environmental training program shall be developed and presented by a qualified biologist to all vegetation management workers before they are allowed to perform work under the BFFIP. The training shall describe special-status species and sensitive habitats that could occur within vegetation management areas, protection afforded these species and habitats, and the avoidance and minimization measures required to avoid and/or minimize impacts on these species and habitats, including maintaining avoidance areas, identification of species for avoidance, and protocols to follow, including protocols for minimizing the spread of invasive species and forest diseases.	Contractor working with qualified biologist	The District	BFFIP Area.	Before Activity: (1) This measure would be implemented prior to any staff, contractors or volunteers performing any work under the plan, (2) sign-in sheets for trained staff should be maintained by District staff During Activity: N/A After Activity: N/A	
Impact Biology-1 MM Biology-2: Protection of Special-Status Plants The following measures shall be implemented to protect special-status plants: <div>a. Prior to conducting any vegetation management activity (mechanical or manual removal), prescribed (broadcast and pile) burning, propane flaming, and animal grazing the area shall be reviewed by the District's botanist against the most current mapping data of special-status plant species and habitats. If the work is to occur in in serpentine habitat, within 500 feet of known special-status plant populations, near wetlands, or within other habitats with potential to support special-status plant populations, botanical surveys shall be conducted by a qualified botanist ahead of the planned work. The surveys shall be specific to the species of plants that could occur, must be conducted during a period when the special-status species that could occur in that habitat can be most readily detected (e.g. blooming period), and shall include the entire footprint of the proposed work. Any species identified during surveys shall be added to the GIS of current mapping data. If work is to occur again in the same area within 5 years (e.g., new fuelbreaks or retreatment areas for forestry actions), a new survey is not required.</div> <div>b. For listed species with known rarity or declining populations <u>that could be adversely impacted by treatments</u>, including CRPR Rank 1B, 2, and some rank 4 species that are known rare), as determined and listed below by the MMWD botanical staff, the MMWD's botanical staff shall:</div>	The District's botanist and Contractor	The District	Serpentine habitat, within 500 feet of known special-status plant populations, near wetlands, or within other habitats with potential to support special-status plant populations.	Before Activity: (1) Check maps for habitat and known occurrences of special-status plants, (2) where applicable, conduct surveys in appropriate season (e.g. blooming season) before work is performed and record in GIS. During Activity: (1) Avoid the identified special-status species, (2) Avoid CRPR rank 1B and 2 special-status species or conduct reseeding/replanting After Activity: Monitor populations and make adjustment to future maintenance activities, if need.	

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<ul style="list-style-type: none"> i. Flag or otherwise demarcate the individual or population to ensure workers avoid the species for no loss of individuals. ii. Establish a buffer of 100 feet around the individual or population, <u>for species that could be adversely impacted by the treatments.</u> iii. Require implementation of BMP-1 through BMP-3 for work conducted adjacent to these species to minimize the spread of invasive species. <ul style="list-style-type: none"> • Brewer's milk vetch (<i>Astragalus breweri</i>) • Thin-lobed horkelia (<i>Horkelia tenuiloba</i>) • Brewer's calandrinia (<i>Calandrinia breweri</i>) • Small groundcone (<i>Kopsiopsis hookeri</i>) • Johnny-nip (<i>Castilleja ambigua</i> var. <i>ambigua</i>) • Gairdner's yampah (<i>Perideridia gairdneri</i> ssp. <i>gairdneri</i>) • Marin western flax (<i>Hesperolinon congestum</i>) • North coast semaphore grass (<i>Pleuropogon hooverianus</i>) • Bristly leptosiphon (<i>Leptosiphon acicularis</i>) • Marin manzanita (<i>Arctostaphylos virgata</i>) • Santa Cruz microseris (<i>Stebbinsoseris decipiens</i>) * • Glory brush (<i>Ceanothus gloriosus</i> var. <i>exaltatus</i>) • Coast rockcress (<i>Arabis blepharophylla</i>) • Mason's ceanothus (<i>Ceanothus masonii</i>) • Pink star-tulip (<i>Calochortus uniflorus</i>) 					
<p>* This species is likely extirpated</p>					
<ul style="list-style-type: none"> c. For other listed species of CRPR rank 1B or 2 (beyond those identified in part b, above) with the potential to occur on District lands, the following measures shall be implemented <u>for any treatments that could adversely impact the species (per Approaches 2.3 and 2.4 of Chapter 4 of the BFFIP):</u> <ul style="list-style-type: none"> i. Perennials: <ul style="list-style-type: none"> 1) Mark populations in the field with distinct flagging. Ensure that worker training is complete per MM Biology-1. 2) Avoid populations. If mowing cannot be safely performed up to the perimeter of the individuals, or timed for when they are senescent, then hand methods (i.e., hand pulling or use of non-powered or powered hand tools) shall be employed to prevent damage or removal of listed species. 3) Where tree or shrub species must be trimmed, such as Mount Tamalpais manzanita, follow any protocols or recommendations available, such as including the following the <i>Status and Management Recommendations for Arctostaphylos virgata (Marin Manzanita) in Point Reyes National Seashore</i> (Parker, 2007) and plant specific pruning tips (Las Pilitas Nursery, 2012) and perform the work by hand. 4) No net loss of an annual-perennial special-status species can occur. The population size shall be determined from the most recent survey data of the species. If an individual or population must be removed, one or two options can be employed (subject to CDFW approval) and monitoring conducted to ensure that no net loss of the species occurs. <ul style="list-style-type: none"> • (1) The individual or population can be dug up and relocated to appropriate habitat outside the work area. (2) A nursery with experience growing special-status plants can be employed to grow seedlings of the species that shall be 					

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Best Management Practice and Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Applicable Locations	Timing and Performance Standards	Compliance Verification
<p>planted in appropriate habitat outside the work area or in the work area following completion of work. If located outside the work area, appropriate habitat shall be within the same watershed as the impact area, and shall be identified or approved of by MMWD botanical staff.</p> <ul style="list-style-type: none">A monitoring plan shall be developed that details the following components. Conduct annual monitoring of seeded or replanted locations for a minimum of 3 years and up to 5 years, dependent upon the MMWD botanical staff recommendation and monitoring results. If the new population is not matching the pre-removal population data, more seeding or planting shall be conducted until pre-removal population is met. <p>ii. Annuals:</p> <ol style="list-style-type: none">Flag or otherwise demarcate and ensure workers avoid the species as feasible; or,Time vegetation management activities for when the special-status species occurring in the work area is senescent and/or after the seed has set.Monitor populations between vegetation management activities to ensure that population sizes are not decreasing. If populations are decreasing and a correlation can be made to the maintenance activities, measures shall be identified by MMWD botanical staff and taken to improve the population, including but not limited to one of the following: avoiding the area in question or altering the management activity frequency.No net loss of an annual special-status species can occur. Due to the variations in population from year to year as a result of weather fluctuations, average population data can be calculated from several years of data collected during the annual census conducted by MMWD or by volunteers as directed by MMWD.If an individual or population must be removed, one or two options can be employed and monitoring conducted to ensure that no net loss of the species occurs.<ul style="list-style-type: none">(1) Seeds of the annuals shall be collected from existing on-site populations or from the same watershed (to maintain local genetic stock) and distributed in appropriate habitat outside the work area (within the same watershed) or in the work area following completion of work. (2) A nursery with experience growing special-status plants can be employed to grow seedlings of the species (from seeds collected locally) that shall be planted in appropriate habitat outside the work area or in the work area following completion of work. It should be noted that seeds derived from plants in the same watershed as the impact area may be available from local nurseries, and local nurseries may also be able to propagate seeds from adults grown from collected seeds. In this case, seeds do not need to be collected from a specific impact area site. Appropriate habitat shall be identified or approved of by MMWD botanical staff.A monitoring plan shall be developed that details the following components. Conduct annual monitoring of seeded or replanted locations for a minimum of 3 years and up to 5 years, dependent upon the MMWD botanical staff recommendation and monitoring results. If the new population is not matching the average population data, more seeding or planting shall be conducted until pre-removal population levels are met.					
<p>Impact Biology-1</p> <p>MM Biology-3: Prevent the Spread of Invasive Species</p>	Contractor working with qualified biologist	The District	Where activities covering more than 5 acres could occur in areas of invasive species.	Before Activity: Determine the areas where infestations are located and plan work accordingly to prevent spread	

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<p>Precautions shall be taken to minimize the introduction of any invasive weeds or to prevent the spread of existing infestations. Prior to conducting an activity that requires the use of mechanical equipment; the area shall be reviewed by a qualified biologist against the most recent maps of invasive species infestation. The biologist shall direct the work crews as to the need for vehicle cleaning and/or the order in which work should be conducted to minimize the possible spread of invasive species. If work is to commence in an area of known invasive species infestation, the work shall be limited to the area of infestation and no equipment shall move to uninfested areas without being washed first. Alternatively, work shall start in the uninfested areas and progress to the more heavily infested areas last.</p> <p>Areas of broadcast burns shall be monitored annually to ensure that invasive species/weeds are not taking over. Invasive species shall be removed until native vegetation establishes.</p>				<p>During Activity: Clean vehicles between locations, if needed</p> <p>After Activity: Monitor burn areas for invasive species and weeds</p>	
<p>Impact Biology-1</p> <p>MM Biology-4: Prevent the Spread of Forest Diseases from Plan Activities</p> <p>Forest disease spread shall be evaluated by District biologists when management actions are being performed. An evaluation shall be triggered when a District biologist observes that a native vegetation type within the BFFIP area has been impacted by the disease. The biologists shall determine if mechanical methods of vegetation removal could result in the spread of the disease in a given project area, prior to implementing the project. This evaluation shall be conducted by looking at the location of the disease, the types of species that are being impacted, and the methods by which the disease is spreading. If the disease is spread by soil contact, then the biologist shall prescribe methodologies for reducing spread from mechanical methods of vegetation management. These methods would likely be similar to those identified in BMP-4 through BMP-7 including, but not be limited to, washing equipment after working in infected areas, and planning work to progress from uninfected areas to infected areas.</p>	Contractor working with the District's biologists	The District	Where activities covering more than 5 acres could occur in areas of forest disease	<p>Before Activity: Determine the areas where infestations are located and plan work accordingly to prevent spread</p> <p>During Activity: Implement measures to prevent spread, such as by cleaning vehicles between work locations, if needed</p> <p>After Activity: N/A</p>	
<p>Impact Biology-1</p> <p>MM Biology-5: Roosting Bats</p> <p>Broadcast Burning</p> <p>Prior to conducting broadcast burning, a qualified biologist shall review the selected location to determine whether potential roosting bat habitat is present. If adequate roosting trees are present, one of two options may be pursued: (1) A qualified bat biologist shall first conduct a focused assessment of the roosting habitat within 2 days of burning to determine whether bats are present. If bats are present, the bat biologist shall determine whether the broadcast burn poses a threat to the roosting bats based on the location of the bats as compared with the prescribed burn location, wind directions, and type of fuel to be burned. If bats could be within direct line of smoke, a threat would occur. If a threat could occur, the broadcast burn must be conducted when ambient temperatures are warmer to allow escape of the bats or the tree(s) avoided. (2) The broadcast burn will be conducted, avoiding the potential roosting trees.</p> <p>Tree Removal</p> <p>Prior to the removal of trees with a DBH of greater than 10", a qualified biologist shall conduct a focused tree habitat assessment. Trees containing suitable potential bat roost habitat features shall be clearly marked or identified. If day roosts are found to be potentially present, the biologist shall prepare a site-specific roosting bat protection plan to be implemented. Based on site-specific conditions, the plan should incorporate the following guidance as appropriate:</p> <p>Roost Avoidance</p> <p>When possible, removal of trees identified as providing suitable roosting habitat should be conducted during seasonal periods of bat activity, including:</p>	Contractor working with qualified biologist	The District	Where trees in bat roosting habitat could be impacted by activities (predominantly MA-21, MA-23, and MA-24)	<p>Before Activity: (1) Conduct surveys if tree removal could occur in bat roosting areas and work is occurring during roosting. (2) humanely evict bats, if appropriate</p> <p>During Activity: Avoid roosting bats</p> <p>After Activity: N/A</p>	

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<ul style="list-style-type: none">Between March 1 and April 15, or after evening temperatures rise above 45 degrees Fahrenheit and/or no more than ½ inch of rainfall within 24 hours occurs; orBetween September 1 and about October 15, or before evening temperatures fall below 45 degrees Fahrenheit and/or more than ½ inch of rainfall within 24 hours occurs. <p>If it is determined that a colonial maternity roost is potentially present, the roost shall be avoided and shall not be removed during the breeding season (April 15 to August 31) unless removal is necessary to address an imminent safety hazard. Operation of mechanical equipment producing high noise levels (e.g., chainsaws, heavy equipment) in proximity to buildings/structures supporting or potentially supporting a colonial bat roost shall be restricted to periods of seasonal bat activity (as defined above), when possible.</p> <p>Assessment</p> <p>If work with loud, mechanical equipment must occur near a known or potential roosting structure/building during the maternity or hibernation roosting periods, then a qualified bat biologist shall first conduct a focused assessment of the structure. The site-specific plan shall be implemented to prevent noise-related impacts on roosting bats.</p> <p>Roost Removal</p> <p>If a tree potentially containing a colonial maternity roost must be removed, such as in the event of unsafe conditions requiring treatment, during the breeding season, then the following or other measures recommended by the qualified bat biologist may be implemented:</p> <ul style="list-style-type: none">Acoustic emergence surveys or other appropriate methods shall be conducted/implemented to further evaluate if the roost is an active maternity roost.If it is determined that the roost is not an active maternity roost, then the roost may be removed in accordance with the other requirements of this measure;If it is found that an active maternity roost of a colonial roosting species is present, the roost shall not be disturbed during the breeding season. <p>Potential colonial hibernation roosts will only be removed during seasonal periods of bat activity (i.e., non-hibernation periods). Potential non-colonial roosts that cannot be avoided shall be removed on warm days in late morning to afternoon when any bats present are likely to be warm and able to fly. Appropriate methods shall be used to minimize the potential of harm to bats during tree removal. Such methods may include using a two-step tree removal process. This method is conducted over two consecutive days, and works by creating noise and vibration by cutting non-habitat branches and limbs from habitat trees using chainsaws only (no excavators or other heavy machinery) on Day 1. The noise and vibration disturbance, together with the visible alteration of the tree, is very effective in causing bats that emerge nightly to feed, to not return to the roost that night. The remainder of the tree is removed on Day 2.</p>					
<p>Impact Biology-1</p> <p>MM Biology-6: Protection of Badgers</p> <p>Prior to prescribed (broadcast and pile) burning, or prior to use of heavy equipment to remove and/or masticate vegetation in badger denning habitat, which is characterized by herbaceous, shrub, and open stages of most habitats with dry, friable soils, a qualified wildlife biologist shall conduct a survey to identify any American badger burrows/dens. These surveys shall be conducted not more than 15 days prior to the start of work.</p> <p>American badger dens determined to be occupied during the breeding season (February 15 through June 30) shall be flagged, and ground-disturbing activities avoided within 100 feet to protect adults and nursing young. Buffers may be modified by the qualified biologist, provided the badgers are protected, and shall not be removed until the qualified biologist has determined that the den is no longer in use.</p> <p>If the den is occupied during the non-maternity period (July 1 through February 14) and avoidance is not feasible, a passive badger relocation plan will be prepared and submitted to</p>	Contractor working with qualified wildlife biologist	The District	Wherever broadcast burning or use of heavy equipment that could disturb ground (excluding mowers in fuelbreaks or defensible spaces) could be used in badger denning habitat	<p>Before Activity: Conduct surveys, as needed</p> <p>During Activity: Maintain non-disturbance areas around active dens or evict, as appropriate</p> <p>After Activity: N/A</p>	

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the CDFW for approval. Any passive relocation of American badgers shall occur only under the direction of a qualified biologist and with CDFW approval.					
<p>Impact Biology-1</p> <p>MM Biology-7: Protection of Nesting Birds</p> <p>If mowing with heavy equipment or other vegetation (including tree) removal activities or prescribed (broadcast and pile) burning would commence anytime during the nesting/breeding season of native bird species (February 1 to September 1), a pre-construction survey for nesting birds shall be conducted by a qualified biologist within seven days of the habitat disturbance. The survey shall include visually surveying all suitable nesting habitat in the survey area, and be conducted during periods of high bird activity (i.e., 1-3 hours after sunrise and 1-3 hours before sunset). When the activity would occur along an existing fuel break or in other areas that are currently maintained such as along roads and in defensible spaces, then the survey area shall include only the disturbance footprint. During the construction of new fuelbreaks or during vegetation removal with heavy equipment in areas that were not previously managed (such as under MA-23 and MA-24), the survey area shall include the disturbance area and a surrounding buffer to be determined by a qualified biologist depending on type of equipment used, vegetation community, topography, resident bird species, and any other relevant factors.</p> <p>If active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are found in areas that could be directly or indirectly disturbed (noise), a no-disturbance buffer zone shall be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zone shall be determined by the biologist, by taking into account factors including but not limited to the following:</p> <ol style="list-style-type: none">Noise and human disturbance levels at the site at the time of the survey and the noise and disturbance expected during the vegetation management activity;Distance and amount of vegetation or other screening between the site and the nest; andSensitivity of individual nesting species and behaviors of the nesting birds.	Contractor working with qualified biologist	The District	Wherever heavy or noise equipment is used to implement BFFIP management actions	<p>Before Activity: (1) Conduct surveys, if appropriate, (2) identify nest buffers as needed</p> <p>During Activity: Maintain non-disturbance areas around active nests.</p> <p>After Activity: N/A</p>	
<p>Impact Biology-1</p> <p>MM Biology-8: Northern Spotted Owl Avoidance During Nesting Season</p> <p>If mowing with heavy equipment, the mechanical removal of vegetation, or prescribed burning, including pile and broadcast burning, is to occur within the northern spotted owl nesting season (February 1 to July 31), the District shall commission two surveys for nesting northern spotted owls during the months of April and May preceding the commencement of these activities. At a minimum, the survey area shall include all suitable nesting habitats within 0.25 mile of any planned activity sites, and then one of the two options listed below shall be implemented:</p> <ol style="list-style-type: none">Following a round of protocol-level northern spotted owl surveys in accordance with the USFWS <i>Protocol for Surveying Proposed Management Activities that may Impact Northern Spotted Owls</i> (USFWS, 2012), if it is conclusively determined that there are nesting northern spotted owls, planned activities that generate noise (e.g., mowing, heavy equipment usage) that are within 0.25-mile of an identified active nest shall not begin prior to September 1 unless the young have fledged, at which time work may begin no earlier than July 10. Prescribed burns may only occur within suitable northern spotted owl habitat (as determined by a qualified biologist) during the nesting season if protocol surveys have determined that northern spotted owl nesting is not occurring.Alternatively, the District shall perform a calculation to determine the minimum buffer needed to avoid impacts on this species from noise generation by equipment. The calculation shall be based on the guidance and methodology in the USFWS	Contractor working with qualified biologist	The District	Any areas of the District's lands where northern spotted owls can occur, including the Watershed and the Nicasio administrative unit	<p>Before Activity: (1) Conduct surveys, (2) as appropriate calculate buffer distances or conduct work outside of nesting season</p> <p>During Activity: Maintain buffers</p> <p>After Activity: N/A</p>	

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<p>"Transmittal of Guidance: Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California," (USFWS, 2006) which takes into consideration the baseline noise levels, the noise and duration of noise generated by the loudest equipment, and the topography of the landscape. The resulting buffer calculated using these methods shall be a minimum buffer, but in no case shall the buffer be less than 500 feet. If the calculation is not performed, a conservative 0.25-mile buffer shall be implemented per (1), above. If nesting northern spotted owls are found, activities shall not occur prior to September 1 unless the young have fledged, at which time work may begin no earlier than July 10.</p> <p>Manual methods shall not occur within 131 feet of the line-of-site of a nesting northern spotted owl.</p>					
<p>Impact Biology-1</p> <p>MM Biology-9: Protection of Western Pond Turtle Nesting Habitat and Overwintering Nesting</p> <p>Any mechanical method of vegetation management (i.e., heavy equipment), vehicle travel, or prescribed (broadcast and pile) burning that could occur where suitable western pond turtle nesting habitat is present shall be reviewed by a qualified biologist to determine if western pond turtle nesting could be present in the area. If the work with heavy equipment were to occur in loose soils in oak woodlands, mixed coniferous forests, broadleaf forests, or grasslands that are within 100 feet of ponds, during the western pond turtle egg-laying season (May to August) as determined by the qualified biologist, the activity shall either be rescheduled to occur outside of the egg-laying period; or a survey shall be conducted to determine if eggs and nests are present in the work area and any identified eggs or nests and young turtles shall be avoided.</p> <p>Overwintering of Hatchlings in Nests</p> <p>Any mechanical method of vegetation management (i.e., heavy equipment) or vehicle travel that could occur where suitable overwintering habitat for hatchlings is present shall be reviewed by a qualified biologist to determine if any hatchlings could be present in the area. If work with heavy equipment were to occur in loose soils in oak woodlands, mixed coniferous forests, broadleaf forests, or grasslands that is within 225 meters of ponds known to be used by the western pond turtle, during the overwintering season (October to April) (Holland, 1994) as determined by the qualified biologist, the activity shall either be rescheduled to occur outside of the overwintering period, or a survey shall be conducted to determine if hatchlings are present in the work area and any identified nests shall be avoided.</p>	Contractor working with qualified biologist	The District	Wherever heavy equipment, vehicle travel, or prescribed burning could occur in western pond turtle breeding habitat during their breeding season (May to August) or where heavy equipment and vehicle travel could occur during the overwintering season for hatchlings (October to April)	<p>Before Activity: (1) Biologist determines if the work area could support pond turtle breeding or overwintering based on the location of the work and proximity to ponds, (2) if no pond turtle could occur, work can proceed, (3) if pond turtle could be found in an area, the area shall be avoided or work rescheduled, (4) a survey can also be performed to rule out pond turtle eggs or overwintering hatchlings from the work area</p> <p>During Activity: Avoid pond turtle nests or overwintering hatchlings, if any had been found in surveys</p> <p>After Activity: N/A</p>	
<p>Impact Biology-1</p> <p>MM Biology-10: California Red-Legged Frog Avoidance</p> <p>Prior to implementing any vegetation management activities involving vehicles or equipment (i.e., mowers, graders, skid steer loader) within 0.25 mile of Lagunitas Creek downstream of Kent Lake, or around Soulajule Reservoir (or any location where California red-legged frogs have been found), a qualified biologist shall conduct protocol-level in accordance with the USFWS <i>Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog</i> (USFWS, 2015) surveys the areas where activities are to occur to ensure that no California red-legged frogs are present in the activity footprint. The biologist shall also mark the work area and the maintenance crew shall be directed to stay within the marked activity areas. If California red-legged frogs are found, no work shall occur until the frogs have moved on their own from the activity area.</p>	Contractor working with qualified biologist	The District	Locations where California red-legged frog have been observed or within designated critical habitat	<p>Before Activity: (1) Conduct a survey for any individuals in the work area, (2) if California red-legged frogs have been observed or if work is to occur within designated critical habitat, prior use of vehicles or equipment</p> <p>During Activity: If observed, activities must not occur until the individual(s) leave the area</p> <p>After Activity: N/A</p>	
<p>Impact Biology-1</p> <p>MM Biology-11: Marin Elfin Butterfly Host Plant Avoidance</p> <p>Prior to vegetation management activities in the limited areas where stonecrop is known to occur (steep slopes on southeast shore of Lake Lagunitas, north-facing slopes south of Alpine</p>	Contractor working with the District's botanical staff	The District	Locations where stonecrop is known to occur (steep slopes on southeast share of Lake Lagunitas, north-facing slopes	<p>Before Activity: (1) Determine if activity could occur in the limited areas where stonecrop may also</p>	

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Best Management Practice and Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Applicable Locations	Timing and Performance Standards	Compliance Verification
Lake, and north of Kent Lake), District botanical staff shall be notified. If the activity would occur in an area containing or potentially containing stonecrop, then a survey shall be conducted to flag all stonecrop plants within and bordering the work area. Work crews shall be instructed to avoid flagged plants or larger areas, and work crews shall be trained in identification of stonecrop.			south of Alpine Lake, and north of Kent Lake)	occur, (2) conduct survey for stonecrop if there is overlap. During Activity: Avoid stonecrop After Activity: N/A	
Impact Biology-1 MM Biology-12: Protection of Foot-Hill Yellow Legged Frog Immediately prior to the use of heavy equipment, any other ground disturbing Plan activities, or prescribed (broadcast and pile) burning within 50 feet of Big Carson Creek, Little Carson Creek, or their tributaries, a clearance survey for foothill yellow-legged frog shall be conducted by an individual trained in the identification of the species. If foothill yellow-legged frogs are found, no work shall occur until the frogs have moved on their own from the activity center.	Contractor working with trained individual and qualified biologist	The District	Activities (not including manual methods or planting) within 50 feet of Big Carson Creek, Little Carson Creek, or their tributaries	Before Activity: (1) Survey for the species During Activity: If observed, activities must not occur until the individual(s) leave the area After Activity: N/A	
Impact Biology-1 MM Biology-13: Mollusk Avoidance Only hand methods of removal shall be used when working directly in seeps or springs, unless a survey for Marin Hesperian and robust walker is undertaken. If the species are not found in surveys, the work can proceed. If individuals are found, the area should be avoided or work shall only proceed using hand methods, supervised by a qualified biologist. If the use of equipment other than hand tools are required in Potrero Meadow, then a site-specific protection plan for Marin Hesperian and robust walker shall be prepared by a qualified biologist. The plan may include conducting clearance surveys and having a qualified monitor onsite during construction activities, as well as ensuring that activities in that area would protect and/or enhance habitat in that area in the long-term.	Contractor working with qualified biologist	The District	The locations where treatments could need to occur in habitat suitable for Marin Hesperian and Robust Walker (i.e., springs or seeps)	Before Activity: Survey for the species if work could occur in their habitat During Activity: Avoid the species or only perform hand work in the immediate vicinity of the species After Activity: N/A	
Impact Biology-1 MM Biology-14: Northern Spotted Owl Projects Within 0.25 Mile of an Activity Center <i>Determine Type of Habitat Present</i> Prior to vegetation management within an area the latest GIS data available for northern spotted owl activity centers shall be consulted to determine whether the project is within 0.25 mile of an activity center. Once determined to be within 0.25 mile of an activity center, the habitat shall be reviewed to determine whether the project is proposed to occur within a forest habitat type that provides potential northern spotted owl foraging, roosting, and/or nesting habitat. This may be accomplished as follows: <ol style="list-style-type: none">1. A review of GIS data shall be conducted to determine if the activity is proposed to occur in a forest type potentially used by northern spotted owls (i.e., Douglas-fir, redwood, mixed conifer/hardwood forest, mature broadleaf/evergreen forest types). If the activity would not occur within a forest type potentially used by northern spotted owls, then no further actions is required to protect northern spotted owl habitat.2. If the project is proposed to occur in a forest type potentially used by northern spotted owls, then a site-specific habitat evaluation shall be conducted within the month of February prior to the activity by a qualified northern spotted owl biologist to determine if the area provides the required habitat characteristics to provide northern spotted owl foraging, roosting, and/or nesting habitat. <i>Projects Within Appropriate Habitat</i> For projects which are proposed to occur in potential northern spotted owl foraging, roosting, or nesting habitat, the following action shall be implemented prior to management activities:	Contractor working with qualified northern spotted owl biologist	The District	Areas within 0.25-mile of where northern spotted owls could forage, roost, or next	Before Activity: (1) Consult GIS layers to determine if a project would occur in northern spotted owl activity areas, (2) conduct surveys to evaluate habitat if work is to occur in a forest that could support northern spotted owls During Activity: Alter habitat as specified in measure, avoid woodrat stick nests After Activity: N/A	

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<div>1. Habitat alteration within core use areas (nesting and roosting habitat) shall be planned and conducted under the guidance of a qualified northern spotted owl biologist. Opportunities to conduct vegetation management to enhance development of late- successional characteristics or to meet other restoration goals in a manner compatible with retaining resident northern spotted owls shall be evaluated and implemented. Restoration activities conducted near northern spotted owl sites shall first focus on areas of younger forest less likely to be used by northern spotted owls and less likely to develop late-successional forest characteristics without vegetation management. Vegetation management projects shall be designed to include a mix of disturbed and undisturbed areas, retention of woody debris, and development of understory structural diversity to maintain small mammal populations across the landscape.</div> <div>2. Presumed active woodrat stick nests (i.e., with visible signs of activity as determined by the qualified biologist) would be temporarily demarcated during surveys by the qualified biologist. Woodrat stick nests and areas around the nests, shall be avoided during vegetation management activities. Any flagging or other markings would be removed following the activity.</div>					
Impact Biology-1 MM Biology-17: Protection of California Giant Salamander Immediately prior to the use of heavy equipment, any other ground disturbing Plan activities, or prescribed (pile and broadcast) burning within 50 feet of a stream or within riparian habitat, a clearance survey for California giant salamander shall be conducted by an individual trained in the identification of the species. Any identified California giant salamander shall be relocated (by a qualified biologist in possession of a valid Scientific Collecting Permit, or appropriate permit at the time of work if listing status changes) to a suitable nearby location at least 250 feet from the original loction. Alternatively, the activity may be delayed until the salamander has left the area on its own.	Contractor working with trained individual and qualified biologist	The District	Activities (not including manual methods or planting) within 50 feet of a stream or within riparian habitat	Before Activity: (1) Survey for the species, (2) move any individuals found in the work footprint prior to conducting activities During Activity: N/A After Activity: N/A	
Impact Biology-1: Implement Mitigation Measures MM Geology-1, MM Geology-3, and MM Hydrology-1 (see below)					
Impact Biology-2: Implement Mitigation Measures MM Biology-1, MM Biology-2, MM Biology-3, and MM Biology-4 (see above), MM Geology-1 and MM Geology-3 (see below), and Best Management Practices BMP-1 through BMP-7 (see above).					
Impact Biology-2 MM Biology-15: Protection of Wetlands All projects involving mowing with heavy equipment or mechanical removal with heavy equipment shall be evaluated by a qualified biologist prior to initiation of the work. If the biologist determines that the project would occur in an area where wetlands are known or potentially present, the following avoidance and minimization measures shall be implemented: <ul style="list-style-type: none">• Prior to mowing or mechanical removal, all wetlands in the disturbance area shall be flagged (or otherwise demarcated) and heavy equipment shall not operate within the flagged area(s); or• Heavy equipment may be operated in a seasonal wetland only when the wetland is dry (as determined by the biologist); or• Only heavy equipment designed to operate within wet or saturated soils may be used. The equipment must be able to operate without causing rutting, compaction of soils, or other soil and topography disturbances. If rutting or soil compaction occurs, these areas shall be restored prior to the wet season.	Contractor working with qualified biologist	The District	Areas where wetlands could occur	Before Activity: (1) Biologist reviews work areas to determine if work could occur in a wetland, (2) if yes, areas of wetlands shall be flagged for avoidance prior to conducting work During Activity: Use only equipment designated for use in wet, saturated soils After Activity: Restore any rutting before the wet season	
Impact Biology-2 MM Biology-16: Protection of Native Grasslands All projects involving mowing with heavy equipment, mechanical removal with heavy equipment, or grazing shall be evaluated by the District's biologist prior to initiation of the work.	Contractor working with the District's biologist	The District	Areas where mowing, heavy equipment, or grazing could be used in sensitive grasslands	Before Activity: Biologist reviews work areas to determine if work could occur in a sensitive grassland, (2) if yes, areas sensitive	

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Best Management Practice and Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Applicable Locations	Timing and Performance Standards	Compliance Verification
<p>For the purposes of this measure, a native grassland community is defined as an area with a relative cover or absolute cover of native grasses that meets the "Membership Rules" defined in a Manual of California Vegetation (Sawyer, Keeler-Wolf, & Evens, 2009), and that has a minimum stand size of 0.25-acre. If the biologist determines that the project would occur in an area where native grassland communities are known or potentially present, the following avoidance and minimization measures shall be implemented:</p> <ul style="list-style-type: none">• Prior to mowing or mechanical removal, all native grassland communities in the disturbance area shall be identified. The District biologist shall then evaluate if the proposed activity may be detrimental to the grassland area. At a minimum, MM Biology-3 shall be implemented to prevent the spread of invasive species. As needed, the District biologist may also require the following:<ul style="list-style-type: none">– Flagging the boundaries of the sensitive grassland area and heavy equipment shall not operate within the flagged area(s); or– Heavy equipment may be operated in the area only after the grasses have gone to seed and when soils are dry; or– Monitoring of the grassland area following the disturbance to ensure that the cover of native grasses has not been altered by the activity, and the implementation of restoration activities as needed.				<p>communities shall be flagged for avoidance prior to conducting work</p> <p>During Activity: Avoid flagged areas and only enter the sensitive grasslands after grasses have gone to seed when soils are dry</p> <p>After Activity: Monitor the grassland areas following the disturbance for any changes in its size or composition</p>	
Impact Biology-3: Implement Mitigation Measure MM Biology-1 (see above), MM Geology-3 and MM Hydrology-1 (see below)					
Impact Biology-4: Implement Mitigation Measures MM Biology-3, MM Biology-5, MM Biology-6, MM Biology-7, MM Biology-8, and MM Biology-9 (see above), MM Geology-1, MM Geology-3, and MM Hydrology-1 (see below)					
Impact Biology-Cumulative: Implement Mitigation Measures MM Biology-1, MM Biology-2, MM Biology-3, MM Biology-4, MM Biology-5, MM Biology-6, MM Biology-7, MM Biology-8, MM Biology-9, and MM Biology-10 (see above), MM Geology-1, MM Geology-3, and MM Hydrology-1 (see below)					
Cultural and Tribal Cultural Resources					
<p>Impact Cultural Resources-1</p> <p>MM Cultural-1: Cultural Resources Training</p> <p>All employees and contractors shall receive cultural resource training conducted by a qualified cultural resources specialist (e.g., an archaeologist or tribal monitor, if appropriate) prior to working on BFFIP projects. For tracking purposes, a list of individuals who have received training shall be maintained at the District headquarters. The training shall address appropriate work practices necessary to effectively implement the mitigation measures (MM Cultural-2, -3, and -4), for historical resources, archaeological resources, tribal cultural resources, and human remains. The training shall address the potential for exposing subsurface resources, recognizing basic signs of a potential resource, understanding required procedures if a potential resource is identified including reporting the resource to a qualified archaeologist or cultural resources specialist, and understanding all procedures required under Health and Safety Code § 7050.5 and PRC §§ 5097.94, 5097.98, and 5097.99 for the discovery of human remains.</p>	Contractor working with qualified cultural resources specialist	The District	BFFIP Area	<p>Before Activity: Train employees and contractors how to implement the mitigation measures (MM Cultural-2 through MM Cultural-4)</p> <p>During Activity: N/A</p> <p>After Activity: N/A</p>	
<p>Impact Cultural Resources-1</p> <p>MM Cultural-2: Known Cultural Resources and Pre-Activity Surveys</p> <p>The District shall maintain a confidential GIS database of all survey areas and discovered historic and archaeological resources in the BFFIP area. In the event that a Native American tribe identifies a prehistoric trail alignment on District land, the alignment shall be added to the confidential GIS database.</p> <p>Prior to conducting any work associated with the BFFIP, the work areas shall be compared against the GIS data to determine if the area has been previously surveyed and if it has been surveyed, if any historic or archaeological resources are found in the work area. Any resources that have not been evaluated shall be assumed eligible for listing in the CRHR and assumed significant.</p>	Contractor working with qualified archaeologist; the District	The District	BFFIP Area	<p>Before Activity: Consult the GIS cultural resources layer for the presence of recorded sites</p> <p>During Activity: (1) Avoid recorded resources or impacts on resources or use only hand methods in resource areas, (2) Examine area where piles are proposed for resources</p> <p>After Activity: Remove resource delineators</p>	

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<p>If the GIS data shows that the areas where soil -disturbance below the surface through use of heavy equipment, or burning is proposed have not been previously surveyed, consultation with the Tribe shall occur. Notification with maps of the location of work shall be provided to a Native American tribe identified by the NAHC to be traditionally and culturally affiliated with the geographic area of the project site. A pre-activity cultural resources survey shall be conducted by a qualified archaeologist or cultural resources specialist in accordance with industry standards prior to performing work, unless vegetation is too dense making a survey impossible. In the event vegetation is too dense, making a pre-activity survey challenging or impossible, the training conducted under MM Cultural-1, shall be sufficient to permit work to be conducted using only manual techniques accessed on foot.</p> <p>If historical or archaeological resources are located in the work area (either as identified in previous surveys or during pre-activity surveys), the resource, plus a 50-foot buffer, shall be avoided. For resources that are not readily evident in the field, the boundaries around the resource shall be temporarily marked such as with fencing or flagging. If work must commence in the sensitive area, it can only be performed using hand tools or powered hand tools, cannot include ground disturbance below the topsoil layer, and can only be accessed on foot. Alternatively, the resource can be evaluated for eligibility for the CRHR and reviewed by a tribal monitor to determine whether it constitutes a tribal cultural resource, if the resource is archaeological. If found ineligible and not a tribal cultural resource, work could proceed as normal. If found eligible or to be a tribal cultural resource, impacts on the resource must be avoided (through total avoidance of the area, or through use of hand methods only in the area of the resource, as described here). After work is completed, all cultural resource delineators (flags, fencing) shall be removed in order to avoid potential vandalism, unauthorized excavation(s), etc.</p> <p>Prior to stashing slash for pile burning, the areas where piles are proposed for location shall be examined by the workers creating the piles to ensure that no resources are located on the ground surface under the piles. All workers shall be trained in the identification of cultural resources. If a potential resource is identified, piles for burning shall be moved to avoid the resource(s) and MM Cultural-3 implemented.</p>					
<p>Impact Cultural Resources-1</p> <p>MM Cultural-3: Previously Unidentified Cultural Resources</p> <p>In the event that a previously unidentified cultural resource is discovered during implementation of an activity all work within 165 feet (50 meters) of the discovery shall be halted. The resource shall be located, identified, and recorded in the District's cultural resources GIS identified in MM Cultural-2. Data regarding archaeological resources shall be shared with Native American tribes identified by the NAHC to be traditionally and culturally affiliated with the geographic area of the project site.</p> <p>A qualified cultural resource specialist/archaeologist shall inspect the discovery and determine whether further investigation is required. If the discovery can be avoided and no further impacts shall occur, the resource shall be documented on California State Department of Parks and Recreation cultural resource record forms and no further effort shall be required. If work must commence in the sensitive area, it can only be performed using hand tools or powered hand tools, cannot include ground disturbance below the topsoil layer, and can only be accessed on foot. Alternatively, the cultural resource specialist/ archaeologist shall evaluate the resource and determine whether it is:</p> <ul style="list-style-type: none">• Eligible for the CRHR (and a historical resource for purposes of CEQA),• A unique archaeological resource as defined by CEQA, and/or• A potential tribal cultural resource (all archaeological resources could be a tribal cultural resource). <p>If the cultural resources specialist/archaeologist determines that the resource could be a tribal cultural resource, he or she shall, within 48 hours of the discovery, notify each Native American tribe identified by the NAHC to be traditionally and culturally affiliated with the geographic</p>	Contractor working with qualified archaeologist	The District	BFFIP Area	<p>Before Activity: N/A</p> <p>During Activity: (1) Cease activity if a cultural resource is uncovered, (2) Avoid resource if possible, (3) Evaluate and determine whether the resource is eligible, unique, or could be a tribal cultural resource, (4) If the resource could be a tribal cultural resource, notify Native American tribe identified by the NAHC to be traditionally and culturally affiliated with the geographic area of the project site, (5) If the resource is not eligible, unique, and/or a tribal cultural resource, work may commence, (6) If the resource is eligible, unique, and/or a tribal cultural resource, work remains halted and a method selected to ensure that adverse change to the resource does not occur, (7) Preserve in place if possible, (8) If not possible to preserve in place,</p>	

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<p>area of the project site of the discovery. A tribal monitor shall inspect the resource to determine whether it constitutes a tribal cultural resource. If the resource is determined to be neither a unique archaeological, an historical resource, or a potential tribal cultural resource, work may commence in the area.</p> <p>If the resource meets the criteria for either a historical resource, unique archaeological resource, and/or tribal cultural resource, work shall remain halted and the cultural resources specialist/archaeologist shall consult with the District staff regarding methods to ensure that no substantial adverse change would occur to the significance of the resource pursuant to CEQA Guidelines Section 15064.5(b). The responding tribes shall be given an opportunity to participate in determining the appropriate mitigation methods for tribal cultural resources in consultation with the District.</p> <p>Avoidance of the area, or avoidance of impacts on the resource, is the preferred method of mitigation for impacts on cultural resources and shall be required unless there are other equally effective methods. Other methods to be considered shall include evaluation, collection, recordation, and analysis of any significant cultural materials in accordance with a Cultural Resources Management Plan prepared by the qualified cultural resource specialist/archaeologist. The methods and results of evaluation or data recovery work at an archaeological find shall be documented in a professional level technical report to be filed with California Historical Resources Information System (CHRIS).</p> <p>Work may commence upon completion of evaluation, collection, recordation, and analysis, as approved by the qualified archeologist and tribal monitor, for tribal cultural resources.</p>				<p>and as deemed appropriate by the qualified cultural resource specialist/archaeologist and tribal monitor, for tribal cultural resources, recover and record cultural materials. Once recovered and recorded, the activity can commence in this area.</p> <p>After Activity: Ensure resource has been appropriately recorded in District's cultural resources GIS.</p>	
<p>Impact Cultural Resources-2</p> <p>MM Cultural-4: Human Remains</p> <p>The treatment of human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity within the proposed plan area shall comply with applicable State laws.</p> <ul style="list-style-type: none">• If human remains are at any time noted during activities around MRN-496/P-21-000445 or in the plan area, work shall be halted within 165 feet (50 meters) of the discovery. The professional archaeologist and the District shall notify the Marin County Coroner's office as prescribed in Public Resources Code §5097.98 and Health and Safety Code §7050.5.• In the event of the coroner's determination that the human remains are Native American, notification of the Native American Heritage Commission is required, who shall appoint a Most Likely Descendant (MLD) (PRC §5097.98).• The human remains shall be protected until a decision is reached on the final disposition of the remains.• The District, the professional archaeologist, and the MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5[d]). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. If the MLD and the other parties do not agree on the disposition of the remains, the reburial method shall follow PRC §5097.98(b) which states that: ... the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.	Contractor, coroner, the District, the professional archaeologist, the MLD	Marin Municipal Water District	BFFIP Area	<p>Before Activity: N/A</p> <p>During Activity: (1) Avoid known location of human remains, (2) Cease activity if human remains are uncovered, (3) Appoint a Most Likely Descendent, (4) Protect human remains until a decision is reached, (5) If avoidance is not possible, the District, professional archaeologist, and MLD, remove human remains and associated or unassociated funerary objects from the location and move to selected location in accordance to decision reached. Once moved then the activity can commence again in this area.</p> <p>After Activity: N/A</p>	
Impact Cultural Resources-3: Implement Mitigation Measures MM Cultural-1, MM Cultural-2, MM Cultural-3, and MM Cultural-4 (see above)					
Impact Cultural Resources-Cumulative: Implement Mitigation Measures MM Cultural-1, MM Cultural-2, MM Cultural-3, and MM Cultural-4 (see above)					

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Geology and Soils					
<p>Impact Geology and Soils-1</p> <p>MM Geology-1: Erosion Control and Slope Stability Measures</p> <p>Best management practices (BMPs) for forestry shall be implemented to ensure vegetation management does not result in erosion, loss of topsoil, or slope instability in areas where work could result in the exposure of bare soils or the loss of root-soil matrix strength. If groundcover is determined to be less than 70 percent^a following work, then BMPs, as identified here, shall be implemented.</p> <p>Prior to conducting work in any given area under any management action that could result in erosion or slope instability (e.g., broadcast burns, tree removal, weed removal, or forest treatments that could reduce the groundcover and expose soil) the area shall be inspected for existing signs of erosion or slope instability (e.g. rills, slumped soil). Depending on the slope and the downslope resources (roads that could be impacted if a slope failed, waterbodies or habitat that could be impacted from erosion, important habitat, etc.), erosion and slope stabilization measures shall be determined prior to implementation of work, based on the list below. Generally, if an action would expose soils (groundcover less than 70 percent), then measures to protect soils, minimize erosion, and prevent slope instability shall be implemented. The measures to be implemented shall depend on the site's specific characteristics and the type and extent of vegetation management work to be performed. The inspection and determination of appropriate measures shall be made by personnel with knowledge and experience in the application of erosion and slope stabilization BMPs through training or field experience with BMP installation. The personnel shall memorialize in writing their field observations, and corresponding recommendations regarding installation of BMPs.</p> <p>The following measures shall be implemented during work, if the activity would reduce groundcover by 70 percent or more and as applicable:</p> <ul style="list-style-type: none">• Minimize areas to be disturbed to the greatest extent feasible• Avoid use of heavy equipment on slopes greater than 30 percent• Shut down use of heavy equipment, skidding, and truck traffic when soils become saturated and unable to support the machines• Sow native grasses and other herbs on denuded areas where natural colonization or other replanting shall not occur rapidly; use slash or chips to prevent erosion on such areas• Use surface mounds, depressions, logs, rocks, trees and stumps, slash and brush, the litter layer, and native herbaceous vegetation downslope of denuded areas to reduce sedimentation and erosion, as necessary to prevent erosion or slope destabilization• Stabilize steep slopes (i.e., greater than 30 percent) with mats or natural materials after tree removal or weed removal and prior to planting, where soils are exposed and could erode• Broadcast burns shall be performed outside of perennial and intermittent streams, and riparian forest/woodland. A 50-foot buffer around perennial and intermittent streams shall be maintained when the broadcast burn is proposed on a slope greater than 30 percent and upslope of the stream.• Install approved erosion control measures and non-filament-based geotextiles when:<ul style="list-style-type: none">– conducting substantial ground disturbing work (i.e., use of heavy equipment, pulling large vegetation) within 100 feet^b and upslope of currently flowing or wet wetlands, streams, lakes and riparian areas;– causing soil disturbance on moderate to steep (10 percent slope and greater) slopes; and– following the removal of invasive plants from stream banks to prevent sediment movement into watercourses and to protect bank stability	Contractor	The District	Any areas where the ground is disturbed and soils are exposed through vegetation management actions	<p>Before Activity: Inspect areas for treatment prior to treatment to assess the potential for erosion and soil instability</p> <p>During Activity: Implement the protection measures as needed to avoid or minimize erosion and slope instability</p> <p>After Activity: Conduct inspections as needed after actions, depending on the size and nature of the work and the site, to ensure that erosion is not occurring and to remove any erosion control devices once they are no longer needed</p>	

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Best Management Practice and Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Applicable Locations	Timing and Performance Standards	Compliance Verification
<ul style="list-style-type: none">Sediment control devices, if installed, shall be certified weed-free, as appropriate. Sediment control devices shall be inspected daily to ensure that they are in good repair and working as needed to prevent sediment transport into the waterbodies (and repaired as needed)Prior to conducting ground disturbing work the weather forecast shall be consulted; No substantial ground disturbing work (i.e., use of heavy equipment, pulling large vegetation) shall occur during rain events and 48 hours after a rain event, defined as 0.5 inch of rain or greater within a 48-hour period, or until soils are determined to not saturated <p>Once work is completed the areas shall be inspected as needed and as accessible but at least annually until groundcover exceeds 70 percent and it is clear that significant erosion and slope instability are not occurring. At that time, erosion control and slope stability devices shall be removed.</p>					
<p>Impact Geology and Soils-1</p> <p>MM Geology-2: Fire Lines During Broadcast Burns</p> <p>One or more of the following measures shall be implemented during broadcast burns to reduce erosion from fire lines:</p> <ul style="list-style-type: none">Use existing barriers such as roads, trails, or wet lines as fire linesRestore fire lines upon completion of the burn if they would not be used again (unless they are existing roads, trails, or other permanent elements). Utilize erosion control measures, such as sediment traps, during restoration to reduce sedimentation impacts. Restoration shall occur prior to one month after the fire line was created, assuming the fire line will not be used by another burn in the same yearDesign broadcast burn boundaries to avoid gullies and highly erodible soils to the fullest extent possible	Contractor	The District	Broadcast burn areas	<p>Before Activity: Determine fire lines</p> <p>During Activity: Set up provisions as specified in the measure</p> <p>After Activity: Restore fire lines upon completion of work</p>	
<p>Impact Geology and Soils-1</p> <p>MM Geology-3: Grazing Land and Trail Control</p> <p>Methods shall be implemented to reduce the possibility that grazing trails form include the following:</p> <ul style="list-style-type: none">Prohibit grazing within 100 feet of lakes/reservoirs, creeks, streams, riparian corridors, and wetlands. Install fencing 100 feet from streams and riparian areas to exclude livestockImplement methods, which could include rotating or providing multiple feeding areas, to minimize congregation of animals in any one locationLimit the number of animals spent grazing in a particular sized area, using the stocking rate equation taking into account days assumed to graze, slope, yield of the land, number of animals, weight of animals, and other appropriate factorsConduct surveys of the grazing area during active grazing, identify if trails or other erosion features are formingEnsure there are appropriate rest periods between grazing in any one area to allow regrowth of plantsIf grazing trails or damaged areas form, the bare area shall be remediated by decompacting the soil and discontinuing grazing in the area until the trails are revegetatedInstall off-stream watering tanksInstall fencing to exclude livestock from grazing on steep slopes (generally slopes with more than 30 percent grade), unless accounted for in stocking rate equationDuring surveys of active grazing, conduct ongoing surveillance of installed erosion control features around riparian areas and fences around riparian areasRepair damaged fencing or erosion control features as necessary	Contractor	Marin Municipal Water District	Grazing areas	<p>Before Activity: Install fencing as needed</p> <p>During Activity: (1) Limit number of animals in an area based on appropriate calculations and minimize congregation of animals in any one location, (2) Repair damaged fencing or erosion control features, and (3) Conduct surveys during grazing to identify problem areas</p> <p>After Activity: (1) Permit appropriate rest periods after grazing, and (2) Remediate any bare areas</p>	

4 MITIGATION MONITORING AND REPORTING PROGRAM

Best Management Practice and Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Applicable Locations	Timing and Performance Standards	Compliance Verification
Impact Geology and Soils-2: Implement Mitigation Measures MM Geology-1, MM Geology-2, and MM Geology-3 (see above)					
Impact Geology and Soils-Cumulative: Implement Mitigation Measures MM Geology-1, MM Geology-2, and MM Geology-3 (see above)					
Greenhouse Gas Emissions					
Impact GHG-1: Implement Mitigation Measure MM Air-1					
Impact GHG-2: Implement Mitigation Measure MM Air-1					
Impact GHG-Cumulative: Implement Mitigation Measure MM Air-1					
Hazardous Materials and Fire Hazards					
Impact Hazards-1 MM Hazards-1: Spill Prevention and Response The District shall, at a minimum, implement best management practices that address the following procedures related to the use of hazardous materials during construction: <ul style="list-style-type: none">• Proper disposal or management of contaminated soils and materials (i.e., clean up materials)• Daily inspection of vehicles and equipment for leaks and spill containment procedures• Emergency response and reporting procedures to address hazardous material releases• Emergency spill supplies and equipment shall be available to respond in a timely manner if an incident should occur• Response materials such as oil-absorbent material, tarps, and storage drums shall be available in the plan area at all times during management activities and shall be used as needed to contain and control any minor releases• The absorbent material shall be removed promptly and disposed of properly• Use of secondary containment and spill rags when fueling• Discourage "topping-off" fuel tanks• All workers shall be trained on the specific procedures for hazardous materials and emergency response as an element of the required worker environmental training prior to working in the plan area	Contractor and the District	The District	BFFIP Area	Before Activity: N/A During Activity: (1) Implement appropriate best management practices that limit the potential for spills, (2) Cleanup any inadvertent spills appropriately After Activity: N/A	
Impact Hazards-2 MM Hazards-2: Avoidance of MVAFS Hazards Workers shall avoid all existing and former buildings and facilities within MVAFS or until the site is found to not have contamination in excess of background levels.	Contractor	The District	Projects within MVAFS	Before Activity: N/A During Activity: Avoid existing and former buildings and facilities when conducting weed removal activities After Activity: N/A	
Impact Hazards-4: Implement Mitigation Measures MM Hazards-1 (see above) and MM Hazards-3 (see below) MM Hazards-3: Fire Risk Reduction for Stockpiling and Pile Burning Piles shall not be burned during the fire season. Pile burning shall only be allowed on days when fire is less likely to spread (e.g., wind speeds are less than 15 mph). All requirements of the BAAQMD shall be met, including any permit, notification, and reporting requirements. Public notification shall be provided at least 24 hours in advance of a burn to individuals within 1 mile and at trailheads and fire roads leading to the area with piles proposed for burning. The public notification shall include current contact numbers to the appropriate burn coordinator.	Contractor	The District	Wherever stockpiles of slash are made and piles burned	Before Activity: Notify public and obtain all permits and make all necessary notifications as required by BAAQMD and MCFD During Activity: (1) Ensure that piles are away from highly ignitable areas (2) Ensure proper weather conditions during pile burning (3) Ensure proper fire-fighting equipment is on-hand during pile burning	

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Best Management Practice and Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Applicable Locations	Timing and Performance Standards	Compliance Verification
After Activity: N/A					
<p>Impact Hazards-4</p> <p>MM Hazards-4: Prescribed Burn Plan</p> <p>Prescribed Burn Plans shall be prepared for each broadcast burn project or for a larger area covering several planned projects. The Prescribed Burn Plan shall include the following information, at a minimum:</p> <ul style="list-style-type: none">• Project purpose and predicted outcome• Project location• Fuel conditions (discussion of types of plants and trees within and adjacent to project area)• Allowable atmospheric conditions and times to conduct the burn for safety and smoke dispersal (i.e., wind speeds, temperature, humidity, moisture of vegetation). Prescribed Burn Plans shall specify that burns generally occur:<ul style="list-style-type: none">– After the morning inversion layer and before the evening inversion layer– When the atmosphere is neutral to unstable– During the day, to avoid nighttime inversion layers– When wind speeds are high enough that the air is not stagnant (i.e., 5 mph) and low enough that the broadcast burn can be managed safely• Avoidance of high fire danger days (e.g., Red Flag Days and Fire Weather Watch) Have fire suppression crews on-site from the start of the fire season determined by CAL FIRE (usually mid-May to early June) to the end of fire season (mid-November) during broadcast and pile burns• The broadcast burn specialist shall determine an appropriate buffer between flammable infrastructure or buildings and the broadcast burn, which is dependent upon the types of vegetation burned, moisture, weather, and topography• Event day logistics (numbers and types of personnel and equipment required, personal protective equipment)• Contingency plans (i.e., location and response time of emergency response, secondary fire lines)• Public notification at least 24 hours in advance of the burn to individuals within 1.5 miles and at trailheads and fire roads leading to the area proposed for burning. The public notification shall include current contact numbers to the appropriate burn coordinator.• Agency notification and coordination as required• Requirements of BAAQMD and MCFD	Contractor	The District	Broadcast burn projects	<p>Before Activity: (1) Prepare Prescribed Burn Plan including all identified details, (2) Notify the public at least 24 hours prior to broadcast burn and obtain necessary permits form or provide necessary notifications to MCFD and BAAQMD, (3) Arrange for appropriate crew and equipment to be on-site</p> <p>During Activity: Implement Prescribed Burn Plan</p> <p>After Activity: N/A</p>	
<p>Impact Hazards-4</p> <p>MM Hazards-5: Roads and Trails Around Broadcast Burns</p> <p>Trails and District-Use-Only Roads</p> <p>District-use-only roads and trails shall be closed to public recreational access <u>if determined to be necessary in accordance with the burn-specific Burn Plan and/or Incident Action Plan-at least 500 feet of the outermost edges of a broadcast burn</u>. District-use-only roads and trails shall be posted and blockaded with temporary fencing or the like, <u>if closures are needed</u>. Notices of closures shall be posted at the trail heads and on the District's website, <u>when needed</u>. Additional measures such as staffing trail head closures can be implemented as needed.</p> <p>Public Roads</p> <p>If possible, public roads within 500 feet of the outermost edges of a broadcast burn shall be closed in coordination with the appropriate agency (e.g., Caltrans, Marin County). In the</p>	Contractor	The District	Within 500 feet of the outer edges of a broadcast burn	<p>Before Activity: (1) Post notices of closures at trailheads and online, (2) Prepare Traffic Control Plan</p> <p>During Activity: (1) Place blockades along District-use-only roads and trails, (2) staff closures of District-use-only roads and trails, if needed, (3) Implement Traffic Control Plan for public roads adjacent to broadcast burns</p> <p>After Activity: Remove blockades and signage</p>	

4 MITIGATION MONITORING AND REPORTING PROGRAM

Best Management Practice and Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Applicable Locations	Timing and Performance Standards	Compliance Verification
event this is not feasible, due to volume of traffic or lack of alternative routes, a Traffic Control Plan shall be prepared and adopted, in coordination with the appropriate agency. The Traffic Control Plan shall include the following at a minimum: <ul style="list-style-type: none">Requirement to coordinate with local law enforcement (e.g., County Sheriff, California Highway Patrol)Installation of temporary signage at intervals ahead of and adjacent to the broadcast burn indicating that a broadcast burn is in progressUse of flaggers to slow traffic during the burn or stop traffic if wind conditions shift, resulting in smoke crossing the road					
Impact Hazards-4 MM Hazards-6: Propane Flaming Training Workers shall be trained prior to use of a propane torch. The training shall specify that, at a minimum, areas treated with a propane torch shall be monitored until it is clear that no smoke, smoldering vegetation, or flames are present.	Contractor	The District	In areas treated with a propane torch	Before Activity: Train workers for safe use of a propane torch During Activity: Monitor areas where propane flaming has been used for potential fires prior to leaving After Activity: N/A	
Impact Hazards-4: Implement Mitigation Measures MM Air-4 (see above) and MM Hazards-7 (see below) MM Hazards-7: Fire Ignition and Spread Reduction The following provisions shall be implemented during all management actions that involve the use of equipment that can generate sparks or heat: <ul style="list-style-type: none">Maintain fire suppression equipment in work vehiclesClosely monitor for ignited vegetation from equipment and tool useObserve Red Flag Day and Fire Weather Watch warningsTrain workers to properly handle and store flammable materials, minimize potential ignition sourcesProhibit smoking in any vegetated areas	Contractor	The District	BFFIP Area	Before Activity: N/A During Activity: Ensure that measures are being implemented After Activity: N/A	
Impact Hazards-5: Implement Mitigation Measures MM Hazards-1, MM Hazards-3, MM Hazards-4, MM Hazards-5, MM Hazards-6, MM Hazards-7, and MM Air-4 (see above)					
Impact Hazards-6: Refer to individual analyses of MA-20 and MA-21 for application of mitigation measures pertinent to installation of fuelbreaks.					
Impact Hazards-7: Implement Mitigation Measures MM Geology-1 and MM Geology-2 (see above)					
Impact Hazards-Cumulative: Implement Mitigation Measures MM Geology-1, MM Geology-2, MM Hazards-3, and MM Air-4 (see above)					
Hydrology and Water Quality					
Impact Hydrolgoy-1 MM Hydrology-1: Water Quality Protection During Waterway Crossing or Work Near Waterbodies Vehicles and heavy equipment shall avoid instream crossings. If instream (waterway) crossings must occur because no other options for access are reasonably available, the crossing shall be performed when the stream is dry and soils are not saturated. The crossing shall be performed in a way that does not result in any permanent alteration of the stream bank or bed (e.g., choosing areas with stable soils and the least slope or with vegetation to protect the bed and bank). If water is flowing or the stream has flow or saturation, temporary plates or the equivalent shall be installed from bank to bank so for equipment to access across the waterway. If an instream crossing that could impact the bank or bed or riparian vegetation is needed, the crossing shall only be performed after and in accordance with the appropriate 1600 Streambed Alteration permit from CDFW and Section 404 and 401 Clean Water Act	Contractor	The District	Anywhere vehicles and heavy equipment must cross streams or creeks	Before Activity: (1) Obtain permits, (2) install plates or record vegetative conditions, as appropriate During Activity: Minimize soil or vegetation disturbance, as appropriate After Activity: Restore crossing area	

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Best Management Practice and Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Applicable Locations	Timing and Performance Standards	Compliance Verification
permits. All soils shall be restored after the instream crossing and banks revegetated after the work is completed, in accordance with permits.					
Impact Hydrolgoy-1: Implement Mitigation Measures MM Geology-1 , MM Geology-2, MM Geology-3, and MM Hazards-1 (see above)					
Impact Hydrolgoy-3: Implement Mitigation Measures MM Hydrology-1, MM Geology-1, MM Geology-2, MM Geology-3, and MM Hazards-1 (see above)					
Impact Hydrology-Cumulative: Implement Mitigation Measures MM Hydrology-1, MM Geology-1, MM Geology-2, MM Geology-3, and MM Hazards-1 (see above)					
Noise					
Impact Noise-1: Implement Mitigation Measures MM Air-3 and MM Hazards-5 (see above), and MM Noise-1 (see below)	Contractor and the District	The District	BFFIP Area	Before Activity: (1) Notify affected parties 1 week before, if applicable; (2) Conduct noise study, if desired During Activity: (1) A designated coordinator shall ensure setbacks or other conditions are implemented: (2) Maintain buffer between receptor and equipment, if needed After Activity: N/A	
MM Noise-1: Noise Reduction Measures					
Work Timeframe Restrictions Near Sensitive Receptors					
Work within 180 feet of a sensitive receptor shall only occur Monday through Friday from 7 am to 6 pm and Saturdays from 9 am to 5 pm, with no work allowed on Sundays or holidays, to follow the requirements of the Marin Countywide Plan (NO-1.i).					
Near Residences and Ranger Residences					
For activities that occurs in any one location (1,000 square foot area) for longer than 5 days within a 30-day period, the following noise buffers for equipment shall be implemented:					
Equipment		Buffer Between Equipment and Sensitive Receptors (feet)			
Backhoe/ Brushcutter		80			
Chainsaw/ Excavator		113			
Chipper		180			
Generator/ Water pump		127			
Fire engine		71			
Leaf blower		64			
Skid steer		90			
<ul style="list-style-type: none">• If these restrictions are not implementable between residences and a given location, the District shall notify the resident or contact at the sensitive receptor within 1 week of conducting the work. Work shall be coordinated to minimize disturbance to the receptor, such as conducting the work when no one is there. Noise barriers or other means could also be used, if necessary, to keep noise levels below 70 dBA. The District shall designate a disturbance coordinator to address any noise complaints under these circumstances.• If these restrictions are not implementable between ranger residences and a given location, the District shall coordinate work with rangers at ranger residences to conduct work lasting more than 5 days within a 30-day period, to a time when rangers are not in the residences or when they would not be disturbed by the noise.					
Near Cushing Memorial Amphitheater					
<ul style="list-style-type: none">• Coordinate with operators at Cushing Memorial Amphitheater to conduct work outside of event times.					
Near Schools					
<ul style="list-style-type: none">• Coordinate work with Deer Park School and the San Anselmo Children's Center to occur when classes or other instructional activities are not occurring for any work involving					

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Best Management Practice and Mitigation Measure	Implementation Responsibility	Monitoring Responsibility	Applicable Locations	Timing and Performance Standards	Compliance Verification
<p>mechanical/powered equipment that would last longer than 1 day and could cause noise to exceed 70 dBA at the school or childcare center.</p> <p>Noise Study</p> <p>If the District, based on their extensive history of conducting vegetation management activities, questions whether a noise level of 70 dBA may actually be exceeded by equipment at a sensitive receptor per the analysis in this section, the District may undertake a noise study to measure actual noise levels from equipment used during management actions to recalibrate the distances listed here. The noise study would be conducted by a noise consultant to industry standards. Resultant noise levels at sensitive receptors cannot exceed 70 dBA if the work lasts for more than 10 days near residences, ranger residences, and Cushing Memorial Amphitheater, or for more than 1 day near a school.</p>					
Impact Noise-Cumulative: Implement Mitigation Measure MM Noise-1 (see above)					
Recreation					
<p>Impact Recreation-1: Implement Mitigation Measures MM Hazards-5 (see above) and MM Recreation-1 (see below)</p> <p>MM Recreation-1: Protection of Recreationalists Along Trails and Roads</p> <p>The following measures shall be implemented when management actions require heavy equipment or generate other hazardous conditions along roads and trails:</p> <ul style="list-style-type: none">• Close roads or trails when they are being used regularly by heavy trucks, transporting heavy equipment, or other large equipment that poses a hazard to recreationalists• Provide a road guard to usher recreationalists around hazards where work could impede on a road or trail, such as for stockpiling removed trees or vegetation.• Provide fencing to protect recreationalists from active work, as necessary.• Provide signage at trailheads at least one week prior to closure indicating that work may be occurring along the trails and for recreationalists to use caution.	Contractor	The District	Anywhere that implementation of management actions could pose a hazard to recreationalists	<p>Before Activity: Post notices at least one week prior to trail closure</p> <p>During Activity: Use road guards, fences, or implement closures as appropriate as work is being conducted</p> <p>After Activity: Remove signage, as appropriate</p>	
Impact Recreation-Cumulative: Implement Mitigation Measure MM Recreation-1 (see above)					
Transportation					
Impact Transportation-2: Implement Mitigation Measures MM Recreation-1 and MM Hazards-5 (see above)					
<p>Impact Transportation-3</p> <p>MM Transportation-1: Emergency Access</p> <p>The District shall ensure emergency access to the plan area along public roads is maintained during work. The following measures shall be implemented to ensure access is maintained:</p> <ol style="list-style-type: none">1. In the event of an emergency, roads blocked or obstructed for maintenance activities shall be cleared to allow the vehicles to pass.2. The District shall use road guards equipped with two-way radios during temporary lane or road closures. During an emergency, road guards will radio to the crew to cease operations and reopen the road to emergency vehicles.3. All District authorized vehicles at the treatment site shall be parked so they do not block roads when there is no operator present to move the vehicle. <p>The District shall contact the fire district or other emergency response agency with jurisdiction over the road subject to temporary closure to ensure that the agency is notified of the closure in advance.</p>	Contractor and the District	The District	All locations on district lands where roads or trails may be blocked to perform work	<p>Before Activity: N/A</p> <p>During Activity: Inform emergency responders of road closures and ensure road guards, and crew are equipped with two-way radios</p> <p>After Activity: N/A</p>	
Impact Transportation-Cumulative: Implement Mitigation Measure MM Transportation-1 (see above)					

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Informational Item

TO: Board of Directors**FROM:** Paul Sellier, Water Resources Director**THROUGH:** Ben Horenstein, General Manager**DIVISION NAME:** Water Resources**ITEM:** Water Supply Update

SUMMARY

The District relies on local reservoir storage to provide approximately 75% of our water supply with the other 25% coming from the Russian River. Overall, Marin Water's local reservoir storage is 96.4% of capacity and 115% of the average storage for this date. Additionally, the water level in Lake Sonoma is above the water supply storage pool and the water level in Lake Mendocino is 88% of the water supply storage pool. The favorable water supply conditions will allow the District to provide water for both potable demands and environmental releases in the coming year.

DISCUSSION

Each year the District provides a report, the Annual Water Supply and Demand Assessment (AWSDA), to the State that is required of all urban water suppliers. The report is an annual assessment that forecasts water demands and available supply in the upcoming 12 month period from July to June. The assessment determines whether there will be any anticipated supply shortages and the impact of any triggered shortage response actions to resolve those shortages. Favorable water supply conditions this winter have resulted in higher than average water storage levels in both District owned and Sonoma Water's reservoirs and the District anticipates no challenges in meeting water supply demand over the coming year.

Demand remains lower than pre-drought levels and appears likely to remain below pre-drought levels for some time to come. The table below provides a review of monthly demands in AF from 2020 to the end of June 2023.

Monthly Potable Water Demand

Fiscal Year ¹	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
2020	2,853	2,968	2,781	2,555	2,212	1,482	1,432	1,618	1,839	1,894	2,431	2,763	26,828
2021	3,008	3,043	2,813	2,655	2,035	1,739	1,490	1,339	1,659	2,056	2,191	2,167	26,196
2022	2,200	2,101	1,970	1,726	1,274	1,283	1,297	1,327	1,628	1,593	1,954	2,065	20,418

2023	2,207	2,248	2,105	2,002	1,508	1,335	1,299	1,215	1,329	1,500	1,915		18,663*
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*11-month total for FY23

While demand has dropped considerably since 2020, peak summer demand largely due to irrigation has seen a substantial decrease during the months of July, August, and September. Early storms in fall have also decreased demand compared to drier periods.

Factoring in reasonable increases in demand, local reservoir storage projections indicate that with average rainfall and runoff, the reservoirs will be at or near capacity on April 1, 2024.

FISCAL IMPACT

None

ATTACHMENT(S)

None

Informational Item

TO: Board of Directors

FROM: Terrie Gillen, Board Secretary



THROUGH: Ben Horenstein, General Manager



DIVISION NAME: Communications & Public Affairs Department

ITEM: Future Meetings Schedule

SUMMARY

Review of upcoming Board of Directors and Committee meetings

DISCUSSION

Meeting Schedule

Below are the upcoming meetings of the Board of Directors and/or Committees:

Internal Meeting(s)

- Friday, July 21, 2023
Operations Committee Meeting/Special Meeting of the Board of Directors (Operations)
9:30 a.m.
- Tuesday, July 25, 2023
Regular Bi-Monthly Meeting of the Board of Directors
6:30 p.m.
- Tuesday, August 1, 2023
Regular Bi-Monthly Meeting of the Board of Directors
6:30 p.m.

External Meeting(s)

- Friday, July 7, 2023 - CANCELLED
North Bay Watershed Association Meeting
Location: TBD
9:30 a.m.

FISCAL IMPACT

None

ATTACHMENT(S)

None