

Bolinas Community Public Utility District
A Regular Meeting Of The Board Of Directors
April 19, 2023 270 Elm Road, Bolinas

1. Call to Order.

7:32 p.m.

2. Roll.

Directors Alexander Green, Godino, McElroy, and Siedman present; director Walker absent; director Siedman presiding.

3. Community Expression.

Jon Cozzi, on behalf of the Bolinas Eucalyptus Project (“BEP”), said that since the BEP last updated the Board on its activities, it has raised more than \$100,000 and it has produced and distributed a 16-page informational brochure that was mailed to all box holders in Bolinas. He said the BEP continues to develop its project and gather information, and it also provides updates to the community at the newly launched Bolinas Civic Group monthly meetings. Jon said in early 2022, in order to assess potential permits required for the project, Coastal Commission staff asked the BEP to provide a detailed accounting of the number, size and exact location of the trees proposed for removal, as well as a detailed restoration plan and map. The BEP therefore has engaged a licensed forester from Inverness, Tom Gaman, to prepare a forest inventory, including mapping and assessment of every tree in the Zone 5 project area, which includes 7.6 acres of BCPUD property. Jon said the 7.6 acres of forest on BCPUD property in Zone 5 comprises just 28% of the eucalyptus and mixed woodland forest on the entire BCPUD and adjoining private properties. Previously, in 2021, the Bolinas Eucalyptus Project commissioned a preliminary arborist report by Ben Anderson of Urban Forestry Associates, and the Project plans to engage Kent Julin, a registered forester, as a consulting arborist, as well.

Jon said that prior to engaging Tom Gaman, the Bolinas Eucalyptus Project hired WRA to prepare a biological assessment and targeted monarch study but, as of yet, he does not understand the direction of that firm’s work. He said an obstacle to the Project could be a visitation this past winter by a small group of monarchs observed in the Project area. Jon said that of all the monarchs counted in Bolinas since 1997, only 1.3% were observed to be in the Project area and there appear to be competing interpretations of the butterfly visitation data, but he does not yet have any more information on this aspect of the project. In response to a question from director Alexander Green, Jon said that data he quoted about the monarchs is from the annual Xerces Society monarch counts.

David Ainley said he is an editor of a scientific journal and has published more than 300 peer-reviewed articles and there is “no science to be debated” on this issue “except for Isaac Newton’s Law of Gravity”. He said he is surprised the BEP isn’t a “slam dunk” given the liability issues posed by the eucalyptus trees and the safety of Bolinas residents and visitors. He said he believes the Xerces Society is playing off the good graces of the Board, wanting the Board to “feel guilty” about doing potential harm to monarchs, and that a small group of Bolinas residents are doing so, as well. David said the Xerces Society does not have data to explain why the monarchs left the Terrace Avenue site, or when they’ll return nor can it explain why there was a minor resurgence of monarchs observed in California last year (mostly south of Santa Cruz, he said); he said the Xerces data necessarily is incomplete as Xerces does not have sufficient funding to fully survey thousands of acres where monarchs may be present and, as an NGO, it relies on volunteer citizen sightings, which is not a scientific process.

Director Siedman said that he does not believe anyone is “playing” the Board; rather, the district is undergoing an extensive process whereby potential projects proposing the removal of some or a great number of the eucalyptus trees on BCPUD lands have been developed and the district is gathering information – including but not limited to environmental assessments – to inform its decisions. David Ainley commented that public agencies and the news media have taken the “both side-ism” approach to climate change issues for more than twenty years and there is no “both sides” here; the eucalyptus grove “is a weed patch and it needs to be removed”, he said.

Janine Aroyan said she would like to address the topic of water and/or septic lines crossing under public roads as she does not see it on the agenda; she said County regulations require that septic systems are on “contiguous” lots and that parcels separated by a public street (or other lots) are not considered to be contiguous, even if owned by the same person. As such, Janine said that while she may not have full information, it would seem based on this that the BCPUD cannot approve septic lines crossing public roads to a non-contiguous lot. Janine asked why this topic is not back on the agenda, noting that it is a topic of public concern. Director Siedman explained that a proposal was made at previous meetings to amend BCPUD Resolution 681 to allow this, but it failed for lack of any supporting motion by a director on the Board. Director Siedman assured Janine that if the topic is raised again for the Board’s consideration, it will be clearly noticed on the agenda so that the public can participate in the discussion.

Staff said there will be a report on some County correspondence on this topic during the Manager's Report.

Director McElroy asked Jon Cozzi to clarify the relationship between the BEP and WRA. Jon said the BEP initially engaged WRA in April 2022 to do a biological assessment of the site and a targeted monarch study. He said the BEP has received only a condensed report thus far, which he described as a "collection of potential roadblocks" and which he said does not acknowledge some of the features in the Local Coastal Program which are very advantageous to the project. Jon said in his view, the BEP is a "poster child" for the biological resources section of the Local Coastal Plan; he therefore has written to WRA requesting an explanation concerning the status of the work. Jon said this is the third such letter he has sent.

4. Manager's Report and Project Updates.

- *Update on the Status of the BCPUD's Water Supply.*

Staff reported that as of April 19, 2023, the district has received 38.12 inches of rain. This cumulative rainfall is officially **above** the average district rainfall by about 20%, even if there is no more rainfall this rain year. Staff noted the bulk of the rainfall occurred in December (9.44 inches), January (12.2 inches) and March (9.5 inches).

Between March 14, 2023 and April 17, 2023, water *production* in the district averaged 63,551 gallons per day (GPD), which is an increase of approximately 4,672 GPD in production as compared to the last reporting period, when production averaged 58,879 GPD. The water treatment plant was off for four days during this reporting period for operational reasons (as compared to three (3) days during the prior reporting period). Water *consumption* during this same timeframe averaged 57,593 GPD (just under 100 GPD per connection), and is a decline from the prior reporting period, when consumption averaged 60,652 GPD, or approximately 103 GPD per connection. As for water in storage, the Woodrat 1 Reservoir is full (7.6 million gallons, 6.9 million of which are usable), as is the Woodrat 2 Reservoir (9.3 million gallons, 8.6 million of which are usable).

- *2022-23 Winter Storm Update: BCPUD Application to FEMA for Disaster Funding Assistance to Reimburse District Overtime Storm Response Costs and Debris Removal Costs; Finding that the District's Debris Removal Projects Are Statutorily Exempt under the California Environmental Quality Act ("CEQA"), Section 15269(a) and (b) (emergency repairs to restore public facilities damaged as a result of a disaster and necessary to maintain service essential to public health, safety or welfare).*

Staff submitted an application to the Federal Emergency Management Authority ("FEMA") on March 31, 2023 for disaster assistance funding to reimburse the BCPUD for work it needs to do to restore facilities impacted by the recent winter storms. Staff noted that there has been no permanent damage to facilities, but there is a lot of debris clean-up work to do on the Arroyo Hondo access road (several downed trees and a "slip out" i.e., small landslide blocking the road) and the pedestrian/bicycle path (downed trees blocking the path). This was followed by a Recovery Scoping meeting on April 12, 2023 and then by a site inspection today. FEMA has determined that the work is eligible for reimbursement, as well as the overtime costs the BCPUD incurred responding to events during the storms (including but not limited to late-night overtime hours at the treatment plant and elsewhere responding to power outages and other emergencies). Today, FEMA representatives assessed, measured and documented the damage at the Arroyo Hondo access road and at the bike path. It appears they will approve funding for the BCPUD to remove the sections of trees blocking the path – but they will not pay for the removal of the entire trees, only the segments blocking public use of the path. FEMA also approved the removal of one tree that is leaning over the path subsequent to the storm.

Staff said the district received two estimates for the work needed to remove the tree segments from across the path (including room on either side of the path so that there will be sufficient space available when the project to hard-surface the path is implemented): \$8,200 (Conservation Corps North Bay, "CCNB") and \$7,200 (Pacific Slope). As for the work needed at the Arroyo Hondo access road site, the estimates for the work needed vary significantly based on whether mechanized equipment can be used, or not. Staff is in close communication with the Point Reyes National Seashore for a determination of whether any spotted owls are nesting in the vicinity; if confirmed, that would limit any work to hand work until after the nesting/fledging period. CCNB submitted two estimates: \$10,500 if mechanized equipment can be used and \$28,500 if the work needs to be done by hand.

Staff explained that the district first needs to approve and file a CEQA Notice of Exemption for each of the project/sites and directed the Board's attention to draft notices in the Board binders.

K. McElroy/A. Alexander Green four in favor, director Walker absent finding that the BCPUD's debris removal projects are statutorily exempt under the California Environmental Quality

Act (“CEQA”), Section 15269(a) and (b) as emergency repairs and as necessary to maintain service essential to the public health, safety or welfare.

- *Update on the Tank Site Pipeline Replacement Project.*

Allan Richards of Stetson Engineers is further updating the project plans and specifications and project manual based on a recent meeting with and input from staff. Staff said per the revised project schedule, the project will go out to bid in May with bids due in June for Board approval at the June 21st meeting. Ideally, the district would like to have the project installed this fall.

- *Update on the Groundwater Wells Project: Proposals from WRA Environmental Consultants for Biological Site Assessment and Coastal Permit Application Services (Resource Recovery Well and Wharf Well).*

Staff reminded the Board that the district received regulatory approval from the State Water Resources Control Board (“SWRCB”)’s Division of Drinking Water (“DDW”) in 2021 to add two existing groundwater wells as emergency sources of water supply, and was approved for grant funding from the California Department of Water Resources (“DWR”) in 2022 to install the necessary treatment facilities and connect the wells to the distribution system. In December 2022, staff reached out to the County CDA to inquire whether any County permits would be required. After several inquiries during the subsequent months, staff and the district’s consultants on this project had a remote meeting with County planners on March 23, 2023; the County planners concluded that coastal permits and biological assessments will be necessary for both projects.

Allan Richards has suggested that the BCPUD engage Leslie Lazarotti at WRA to perform the required biological assessment and coastal permit application work; he has worked with Leslie on similar projects in the past and highly recommends her. Proposals for the work needed for both well projects (i.e., the Wharf Well and the Resource Recovery well) are in the Board binders. Staff explained that the cost for the work needed for the Wharf Well project is \$17,000; WRA previously did a biological assessment of this property for the Bolinas Community Land Trust (“BCLT”) in connection with the proposed development at 31 Wharf, and the BCLT is willing to share that assessment work, so it only needs to be updated to reflect current conditions. As for the Resource Recovery well, the cost for the work needed for that project is \$25,500. Staff said that the deadline to install the well treatment facilities under the DWR grant program is June 2024, so time is of the essence to complete the County permitting work,

In response to questions from the Board, staff explained that the planned location for the Resource Recovery well treatment facilities is at Mesa Park, but staff and consultants are evaluating whether they can be located across the street, near the lab building at 101 Mesa Road, instead, due to recent concerns voiced by Mesa Park directors. Director Alexander Green noted the district has several projects underway at the sewer pond property (i.e., hard-surfacing of the pedestrian bicycle path, potential eucalyptus removal project with Marin Water and now this one) and inquired whether they can be “bundled” somehow from a biological site assessment perspective. Staff said that each biological assessment is specific to the proposed project, i.e., whether excavation is involved, timing of project, proximity to EHSAs, and so forth; while there likely will be some economies of scale due to WRA’s familiarity with the property, separate assessments must be done to account for the specific potential environmental impacts posed by each project. Director McElroy asked if the coastal permit application fee is included in WRA’s proposal; staff will research the amount of each fee and whether it is covered. Director McElroy recommended a tight deadline for the completion of the work given the grant funding deadline next June. Staff said the district’s standard form of professional services agreement will be used and an appropriate deadline will be imposed.

A. Alexander Green/K. McElroy four in favor, director Walker absent to approve the proposals submitted by WRA Environmental Consultants for biological site assessments and coastal permit application services for the Resource Recovery Well and Wharf Well Projects.

- *Update on the Potential Project to Remove Eucalyptus Trees from BCPUD Sewer Pond Property for Use in Connection with a Salmon Habitat Restoration Project (Marin Water): Proposal from WRA Environmental Consultants for a Biological Site Assessment/Evaluation of Monarch Habitat.*

As staff reported last month, Marin Water remains very interested in obtaining eucalyptus trees for a salmon habitat restoration project from the BCPUD property. Marin Water has received grant funding for the implementation of the project, but wants the BCPUD to handle the permitting and environmental review as the landowner. At a recent meeting with Supervisor Rodoni and County CDA staff concerning the BEP and this project, BCPUD was advised that a biological assessment will be required for this project, including a monarch habitat evaluation. At the March meeting, the Board instructed staff to solicit a proposal from WRA, and a copy of it is in the Board binders, at a cost of \$16,600. Staff noted that the assessment must be specific to the details of the project, which involves topping approximately 100 eucalyptus trees to 30-feet in height and then pulling them down

to expose the root balls, which will then be cleaned and stored on-site for one-year to dry out; the sticks/root balls will then be removed and trucked to the Lagunitas Creek for the salmon habitat restoration project. Staff said Marin Water will identify the trees it would like to remove as well as back-up trees, and WRA will then evaluate the study area; it may turn out that some of the preferred trees cannot be removed for environmental or other reasons. Staff explained the timeline for the project is now likely to be topping/pulling/storing of the trees in 2024 and then removing and locating them in the creek in 2025.

Director Godino said she would like to keep this project going and supports moving forward with the biological assessment. Director Alexander Green questioned whether this project is an appropriate use of staff time; in answer to his questions, staff confirmed that Marin Water will not be paying for staff time or for the biological assessment. He said he talked with the BEP folks and they are wondering how the trees will be selected and how this project might impact the rest of the stand of trees, potentially rendering nearby trees more vulnerable, endangering Mesa Road and the bike path. He wondered if the priority could be on removing the trees that are the most dangerous, for those reasons. Director Alexander Green said it does not seem to be the best use of BCPUD time or resources to pursue this project. Staff noted that if the project were to proceed, it would mean that over one hundred eucalyptus trees could be removed at no cost to the district; such a project otherwise would cost hundreds of thousands of dollars. Staff acknowledged the concerns raised by director Alexander Green about potential implications for nearby trees and said those concerns will need to be evaluated by a credentialed arborist and/or other appropriate professional(s). If that professional evaluation should indicate that the project is not a good idea, staff said it would not go forward. Staff said that if the Board agrees to conduct the biological assessment, that does not mean it is committing to pursue the Marin Water project, but the Marin Water project cannot be pursued without it.

Jon Cozzi suggested the area of the grove closest to the Firehouse may be able to provide the trees needed for the Marin Water project. He said these trees are more stable as they were thinned earlier in their lives; he advised against pulling any more trees from the area in which most of the trees blew down this winter. Staff said the other location being considered is closer to the south property line, below one of Mickey’s fields and adjacent to a meadow above the section of grove that surrounds the Resource Recovery Project. Director Siedman said there seems to be support on the Board to move forward with the next step on this project. Director McElroy said the Marin Water project isn’t yet well defined; he noted all of the competing concerns – public safety, monarch overwintering sites, Marin Water’s specific requirements, the health of the forest in general, the ramifications of wind – and said that to do a proper biological assessment, all of these concerns will need to be addressed. Staff reminded the Board that the district separately has engaged an arborist to conduct a hazard assessment of the grove with a focus on public safety concerns.

Discussion ensued, with directors Godino and Alexander Green expressing support for taking the next step of having the biological assessment conducted. Director McElroy asked Jon Cozzi if there is potential overlap between the trees Marin Water likely will select and the trees the BEP want to have removed. Jon said yes, there is considerable overlap. He said strategizing about which trees to remove should occur so as not to create a greater vulnerability to neighboring trees, and he believes it can be done. Director Siedman told staff that the Board seems to be saying to proceed with the next step, including a thorough analysis of the pros and cons of the project.

G. Godino/A. Alexander Green four in favor, director Walker absent to
 approve the proposal from WRA Environmental Consultants for a biological site assessment and
 evaluation of monarch habitat in connection with the Marin Water Salmon Habitat Restoration
 Project.

- *Update on the BCPUD’s Pedestrian/Bicycle Path Upgrade Project: Proposal for Engineering and Design Services from BKF Engineers.*

Staff asked to defer this item to the Board’s regular meeting in May because the district just received the engineering and design services proposal from BKF Engineers two days ago and the engineer was not available to attend this meeting.

- *Bolinas Beach Groin: Proposal from West Marin Welding, Inc. to Fabricate and Install Replacement Railing on Existing Concrete Stairs.*

Staff reported that the railing adjacent to the staircase at the base of the groin was destroyed during the winter storms and needs to be replaced. A robust wooden railing has been installed on a temporary basis, but a more permanent replacement railing suited to the marine environment should be pursued. The district solicited a proposal from West Marin Welding to fabricate a replacement railing and work with BCPUD staff to install it at a cost of \$14,400; a copy of the proposal is in the Board binders. Staff said the funds are available to pay for this from the groin maintenance reserve account and asked the Board to approve the West Marin Welding proposal. Staff also is soliciting proposals from engineer firms to prepare the plans and specifications for a project to address the additional maintenance and repair issues flagged in Rob Noble’s inspection report

A. Alexander Green/K. McElroy four in favor, director Walker absent to approve the proposal from West Marin Welding to fabricate and install a replacement railing on the existing concrete stairs at the base of the groin.

- *Update on the Surfer's Overlook Bluff Evaluation Project.*

Drew Kennedy and Bill Millhone, engineers with Gannett Fleming, conducted a site visit to Surfer's Overlook on April 13th and a follow-up report will be provided. The report will include a detailed assessment of the condition of the County's wooden seawall at the toe of the bluff, which was installed in 1967, and it will document the changed site conditions since the 2011 bluff assessment. Staff commented that the 2011 bluff assessment ultimately justified the County's repair of the road-level retaining walls, thanks to the highly successful community fundraising effort led by Ralph Camiccia, Ken Masterton and Rudi Ferris, among others. In this case, it may be that the updated assessment will justify a repair of the County seawall, which was installed years prior to the Coastal Act and which serves to protect a critical public road. The engineers believe the seawall structure has served to dissipate the wave action that hits the bluff and protects the toe of the bluff, thereby greatly slowing the rate of erosion of the bluff above.

- *Operations Update.*

Staff reported that on Friday, April 21st, regulators from the SWRCB's Division of Drinking Water, Marin District will be on-site to conduct an inspection of the water system. On a related note, the district's 2022 Electronic Annual Report ("EAR") to the SWRCB is due on May 13th. This is a report staff completes each year and typically is quite time-consuming to complete. The SWRCB uses the annual report as a means by which to collect a myriad of different types of data from the water systems it regulates.

On the sewer side of operations, the operations staff is preparing for spray season by exercising the irrigation pump station pumps, clearing around spray heads, and preparing the disposal fields.

Staff is working on a number of tasks to ensure that the district will be in compliance with a new SWRCB sanitary sewer system general order that takes effect statewide for all sewer collection systems on June 4, 2023. Staff noted that there will be a lot of work to do to update the district's Sewer System Management Plan over the next few years and implement other procedures required under the new order. In the near term, the district needs to timely enroll for coverage under the new order and implement a new Sewer Emergency Response Plan by June 4th.

Staff also has been working with the district's wastewater treatment engineer, Kathryn Gies, to consult with the Regional Water Quality Control Board for the San Francisco Bay Region about transitioning the district's sewage treatment facility to a different new statewide order applicable to small wastewater systems that discharge to land, and also about the possibility of adding the properties on Canyon Road to the sanitary sewer system. A remote meeting was held on March 29th and it was very constructive; Regional Board staff asked lots of questions about the treatment facility and how it operates, particularly during high rainfall events. Kathryn's analysis indicates that when the district receives 50 inches or more during a rain year, the district has to "discharge out of season" to avoid overtopping the ponds; on average, this occurs once every ten years. The new statewide order seeks to have systems able to operate during a 100-year rain event, which in Bolinas would be 85 inches of rain (a 50-year rain event is 73 inches and a 25-year rain event is 64 inches); staff explained to Regional Board staff that this is impossible without major and very costly upgrades to the district's system, such as adding more storage or adding a disinfection component to the treatment process (in which case it is not prohibited to discharge out of season). The Regional Board staff decided to come on-site on May 3rd to inspect the treatment facility and disposal fields, and meet with operations staff. As for the Canyon Road connections, staff believes that the Regional Board staff is prepared to recommend to management that the district be allowed to add these connections. Regional Board staff will be making a presentation to that effect at an internal Executive Team meeting in May.

- *Update on Status of BCPUD Sewer Customer Lateral Repairs.*

Staff reported that the Board's stern enforcement approach seems to have been effective. The customers have taken the enforcement letters very seriously and the district is receiving lots of calls from plumbers who have been contacted with requests to bid on repairs. Staff believes things are now on the right track and will have a further update for the Board at the regular meeting in May.

Staff has been working with community members and Congressman Huffman's office to present a proposal to the U.S. Postal Service to temporarily locate a post office facility at Mesa Park. (Staff also has raised the possibility about a potential permanent location at 270 Elm Road in the future, should the USPS be interested in collaborating on the rebuild project.). Melinda Griffith, Aenor Sawyer, and Steve Matson prepared an excellent site plan and proposal for the Mesa Park option, a copy of which is in the Board binders.

Staff also commended John Borg on his incredible activism to keep the post office issue front and center in the community. John has requested permission from the BCPUD to install a large sign on the district's property at the entrance to town (intersection of Mesa and Olema-Bolinas Roads) to alert the community (and world at-large) about the number of days the town has been without a post office. Staff generally does not allow any signage at this location other than urgent BCPUD or Fire Department communications, but given the importance of the post office to the community, staff is willing to grant John's signage request if the Board had no objection. A brief discussion ensued, with Board members expressing support for generally reserving this location for critical BCPUD and/or BFPD notifications, but also agreeing that the post office issue is an exception under the current circumstances.

Staff next reported on recent communications with County Planning staff concerning the question that was hotly debated at a prior Board meeting, namely, whether it is possible to merge lots in Bolinas across a street or public right of way and, if so, whether the County will then permit secondary uses to be installed on the portion of the merged lot across the street from the established primary use lot (after the merger takes effect). Staff requested the County's response to these questions in writing given the level of public interest. The County responded and said:

Mergers are allowed on contiguous units of land held under the same ownership. The County's Development Code defines contiguous properties as follows: "... all adjoining land owned or controlled by the applicant, the property lines of which touch or join at more than one point, or the property lines of which are separated only by a public or private street, road or other public or private rights of way, or separated only by other land owned by the applicant. . . ." Once the lots are merged, the underlying zoning would dictate which uses would be allowed. In this instance, if a single family residence is on one parcel of the now-merged the property, then a detached accessory structure, such an ADU will be allowed to be built on the other, currently vacant [or "undeveloped"] parcel of the now-merged property, which is across the street or right-of-way from the parcel with the single family residence, given that it complies with the County Development Code.

Staff presented a letter in honor of the retirement of County CDA Director Tom Lai. Staff said that Tom has been an extraordinary public servant and great friend to Bolinas over the years. Staff would like to present the letter to Tom on behalf of the district at a special meeting of the Marin County Board of Supervisors planned for the end of the month; the Board had no objection.

- *Alliance of Coastal Marin Villages: Marin County Short-Term Rental Ordinance Update; On-line Public Survey Open until May 1, 2023.*

Staff reported that the next meeting of the Alliance of Coastal Marin Villages with Supervisor Rodoni is scheduled for May 4, 2023.

Staff also directed the Board and public's attention to a link included on the BCUD Board meeting agenda for a survey the County is conducting to receive public input on the topic of short-term rentals in West Marin. The survey is open until May 1, 2023 and staff urged the public to participate to ensure their voices will be heard on this important topic.

5. Heffelfinger Coastal Permit (P4011); Limited Water Use Permit Application; Water Meter Transfer Agreement (*construction of new single-family residence on a vacant parcel on the corner of Elm and Evergreen Roads, Bolinas, APN 192-202-12*).

Director Siedman recused himself from consideration of this item.

Director Godino asked Bobby Heffelfinger if he wanted to say anything about his project. Bobby said he is present to participate as need be. Staff noted that the Board previously approved the transfer of Bobby's water meter at 117 Terrace to his vacant lot at the corner of Elm and Evergreen Roads, subject to all applicable County requirements, as well as execution of a water meter transfer agreement (per BCUPD Ordinance 38) and a limited water use permit application. A draft water meter transfer agreement and limited water use permit application completed by Bobby are in the Board binders, along with his four year water use history at 117 Terrace. Staff noted that water use has been very modest so, pursuant to the formulas set forth in BCPUD Resolution 655, the maximum quarterly water use limit would be 2,700 cubic feet, or 224 gallons per day. Accordingly, staff said the Board has two decisions to make (1) whether to approve the water meter transfer agreement and (2) whether to approve the limited water use permit application and, if so, the amount of the water use cap.

Discussion ensued and, in response to questions from directors Alexander Green and McElroy, Bobby said his plans have been submitted to the County Planning Department and that the plans do not include water catchment because the amount of landscaping planned for the property is very minimal. Bobby said he easily can install a small catchment system if needed in the future.

A. Alexander Green/K. McElroy three in favor, director Walker absent and director
Siedman recused to approve the water meter transfer agreement.

K. McElroy/A. Alexander Green three in favor, director Walker absent and director Siedman recused to approve a limited water use permit with a maximum quarterly water use limit of 2700 cubic feet.

6. Limited Water Use Permit Application – 72 Crescente Avenue, Bolinas (S. Jenkins) (repairs to an existing second story deck, extension of an existing second story deck and expansion of living space below the deck to create a sunroom with a side outdoor patio).

Director Siedman inquired whether Mr. Jenkins or anyone else was present to speak to this matter. Staff said the contractor sent in an email with a copy of the building plans, which include no plumbing features of any kind. Staff noted the property has an existing limited water use permit with a quarterly limit of 3,400 cubic feet; in the past, in circumstances like this, where no additional water use is anticipated at a property with an existing limited water use permit, the Board has affirmed the terms of the existing permit.

G. Godino/A. Alexander Green four in favor, director Walker absent to affirm the terms of the existing limited water use permit applicable to the property at 72 Crescente Avenue.

7. Draft FY 2023-24 District Budget and Updated Five-Year Capital Improvement Plan – 2022-2027; draft Proposition 218 Notice re: Proposed Increases to Annual Water and Sewer Service Charges.

Director Siedman noted that the district is required by law to issue a Proposition 218 notice no later than 45 days in advance of its budget hearing whenever it proposes to increase water or sewer service charges and a draft notice is in the Board binders. Staff said the notice includes a copy of the draft FY 2023-24 budget, informs all property owners in the district that there will be a hearing at the regular Board meeting on June 21st and explains the requirements for submitting any protests, which must be in writing. The notice further explains that the service charges for both water and sewer are proposed to increase by 6% and provides the reasons why, which relate to the district's planned operating expenses and capital improvements for the upcoming fiscal year, as well as the hiring of a new Assistant General Manager position for the district, as recommended by the Personnel Committee and approved by the Finance Committee.

A. Alexander Green/K. McElroy four in favor, director Walker absent to approve the district's draft Proposition 218 notice regarding proposed increases to annual water and sewer service charges.

8. Update from the Ad Hoc Committee re: BCPUD Building at 270 Elm Road, Bolinas.

Staff reported that CSW-Stuber Stroeh Engineering Group, Inc. ("CSW/ST2") completed its topographic mapping and a preliminary boundary survey has been completed and submitted to the County. Staff said County records for the property at 270 Elm Road for some reason indicate the property is owned by the "Bolinas Beach Public Utility District". The County has advised that a quit claim deed should be submitted to correct this. Director Siedman said that someone will need to execute the quit claim deed on behalf of the Bolinas Beach Public Utility District and he is not sure how this will be performed; he said that County Counsel may need to be consulted, but the BCPUD may be able to execute the quit claim deed as "successor in interest" to the Bolinas Beach PUD.

Staff now is in communication with the geotechnical engineer at Miller Pacific to contract for that phase of work. Staff also plans to solicit another proposal for the needed septic engineering services.

9. Volunteer Committee Reports:

-- *Resident Permit Parking Plan Committee:* Nothing to report.

-- *Resource Recovery:* Nothing to report.

-- *West Marin Mosquito Control Coordinating Council:* Nothing to report.

-- *Land Stewardship Committee:* Janine Aroyan reported that Mark Talucci would like to post signs on the fence bordering his property prohibiting camping and commercial uses on the portion of his property directly south of Brighton Avenue and outside his fence; the Board had no objection. Janine said she will send over two estimates for tree work on the cypress tree on Talucci's property and overhanging the BCPUD parcel below Brighton Avenue; one is to trim the tree (\$2,000) and one to remove the tree (\$5,000). Director Siedman said that since the tree is located on private property (and is therefore the property owner's responsibility), the BCPUD will need to decide how much, if anything, it is willing to contribute to this tree work. Janine said that the lower tree overhangs BCPUD property and the others overhang his property; she said Mark may not be willing to deal with the limbs overhanging BCPUD property. After a brief discussion, Janine agreed to ask Mark if he

will contribute to the work on the lower tree. Director Godino thanked Janine for her on-going work on this project.

10. Other Business.

a. Board Committee Reports.

- *Finance: Second Quarter FY 2022-23 Financial Statements; Minutes of the February 24, 2023 Finance Committee Meeting; Minutes of the March 24, 2023 Finance Committee Meeting.*

Staff reported that the Finance Committee has approved the minutes of the February 24th and March 24th committee meetings and copies of the final versions of each are in the Board binders. With respect to the second quarter financial statements, these documents are in final form following review with the district's outside bookkeepers. In general, the district is about where it expected to be at this point in the fiscal year from a financial perspective

- *Legal:* Nothing to report.
- *Mesa Septic, Flood Control and Roads:* Director Godino commented that the past winter was a wet one and inquired about the drainage work done this year. Staff said the operations crew performed a lot of ditch maintenance and culvert cleaning over the past two months, and they also have consulted with property owners about how to improve drainage at their properties. Staff noted the County also has been ditch clearing and culvert clearing on the County-maintained roads. Director Godino said she is pleased to hear about the crew's work in this regard as it is an important community service. Staff singled out Andrew Spalding as the crew member who is particularly passionate about doing drainage work; he likes the physical work and is interested in it, as well.
- *Water and Sewer Operations:* Nothing to report.
- *Personnel:* Nothing to report.

b. Minutes of the February 15, 2023 Regular Board Meeting; Minutes of the March 15, 2023 Regular Board Meeting

A. Alexander Green/G. Godino four in favor, director Walker absent to approve the minutes of the February 15, 2023 regular Board meeting.

Staff was not able to complete the minutes of the March 15, 2023 regular meeting, so this item was deferred to the next meeting.

c. Warrants.

G. Godino/A. Alexander Green four in favor, director Walker absent to approve the warrant list.

c. Scheduling of Next Meeting(s):

Regular meeting: May 17, 2023 at 7:30 p.m.

11. Adjournment.

9:27 p.m.