NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT FOR THE NICASIO SPILLWAY MODIFICATION PROJECT

APRIL 30, 2025

Notice is hereby given that the Marin Municipal Water District (Marin Water or the District), as the Lead Agency under the California Environmental Quality Act (CEQA), will prepare an Environmental Impact Report (EIR) for the proposed Nicasio Spillway Modification Project (Project) located in unincorporated western Marin County, California. Written comments on this Notice of Preparation (NOP) can be submitted anytime during the NOP review period, which begins **April 30, 2025** and ends at 5:00 p.m. on **June 04, 2025**. Two public scoping meetings will be held to receive comments on the scope and content of the EIR. **The first scoping meeting will be on Thursday, May 22, 2025 from 6:00 to 8:00 p.m. in the Board Room at Marin Water's offices, 220 Nellen Ave, Corte Madera, CA 94925. That meeting will be accessible to remote attendees at the following link** https://marinwater.zoom.us/j/84070451584**. The second scoping meeting will be virtual and held on Tuesday, May 27, 2025 from 1:00 to 3:00 p.m. at** https://marinwater.zoom.us/j/83247604594**.**

Marin Water invites each responsible and trustee agency, and each Federal agency involved in reviewing the Project, to provide input as to the scope and content of the environmental information that is germane to the agency's statutory responsibilities in connection with the Project. Marin Water also invites comments from Native American tribes and members of the public on the scope and content of the EIR, as well as suggested alternatives to the Project that may be considered in the EIR.

INTRODUCTION

CEQA specifies that a public agency must prepare an EIR on any discretionary project that it proposes to carry out or approve that may have a significant direct or indirect effect on the physical environment. Pursuant to CEQA Guidelines Section 15063(a), an Initial Study has not been prepared because Marin Water has determined that an EIR is required to evaluate potential impacts of the Project. As the lead agency, Marin Water will prepare a project-level EIR that evaluates the potential significant environmental effects of the Project. The Project description, location, and potential environmental effects are summarized below.

PROJECT LOCATION

The Project is situated in the North Bay region of the San Francisco Bay Area, about 25 miles north of San Francisco. Nicasio Reservoir is in unincorporated western Marin County, California (refer to **Figure 1**). Nicasio Valley Road and Point Reyes-Petaluma Road border and in some locations cross Nicasio Reservoir. The reservoir is impounded by Seeger Dam. The Project involves construction on and near the dam's spillway (within Assessor Parcel Number [APN]



SOURCE: Maxar, 2024; ESA, 2025

Nicasio Spillway Modification Project

Figure 1
Project Location

ESA

121-230-24), located off Point Reyes-Petaluma Road approximately 0.75 miles northeast of Platform Bridge Road. The Project would raise Nicasio Reservoir water levels, increasing the water storage area. **Figure 2** depicts the existing water storage area and the proposed water storage area with modification of the spillway. **Appendix NOP-1** includes a list of properties by APN that are partially within the proposed water storage area. **Appendix NOP-2** presents detailed maps for areas around the reservoir depicting the existing and proposed water storage area. Marin Water is investigating the potential for expansion of the water storage area to adversely affect existing roadways, culverts, and utilities (e.g., water and septic systems). Pending the results of these investigations, the Project may require or result in the relocation or reconstruction of existing utilities (e.g., wells, septic systems) within and near the proposed water storage area and modifications to existing culverts along Nicasio Valley and/or Point Reyes-Petaluma roads as well as private access roads.

BACKGROUND INFORMATION

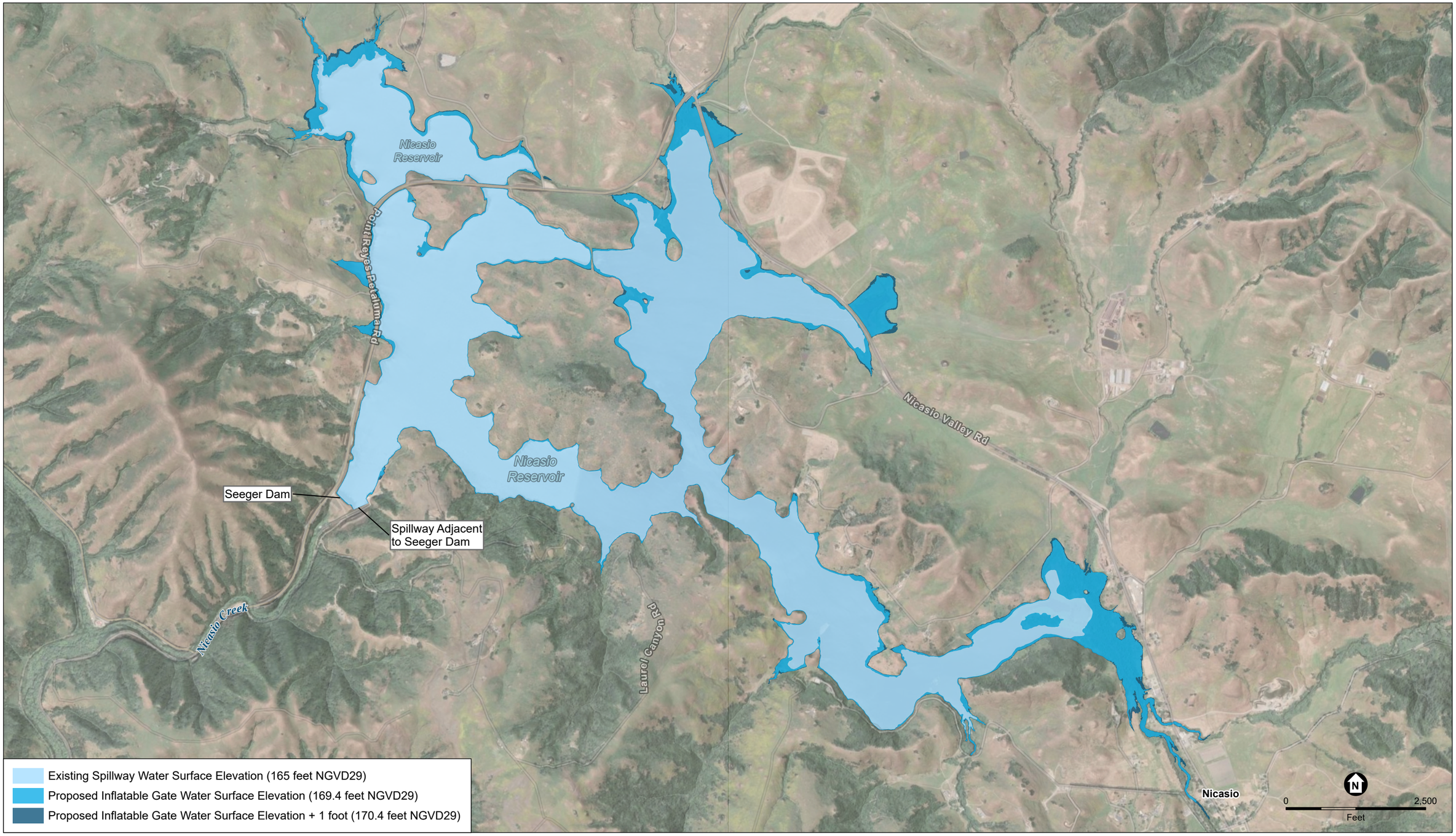
Marin Water supplies water to over 196,000 customers in southern and eastern Marin County through approximately 61,700 active service connections. Water supplies for Marin Water's service area come from a combination of local surface water (accounting for approximately 75 percent of supply), and imported water from Sonoma County Water Agency (Sonoma Water) and recycled water (together accounting for approximately 25 percent of supply). Marin Water also implements a water use efficiency program to reduce demand.

Supplies from Marin Water's local watersheds are generally high quality and sufficient in most years. Historically, Marin Water has successfully met water demands during periods of extreme drought with a combination of intensified conservation and increased Sonoma Water supplies. Marin Water periodically conducts a drought risk assessment to estimate water supply shortfalls under multi-year and extreme drought scenarios as part of its water shortage contingency planning. The most recently published assessment[1] shows that, even with full implementation of the District's water shortage contingency plan, there would be a water supply shortfall during periods of extreme drought. In addition, recent studies indicate that severe droughts are projected to become much more frequent with warmer temperatures under climate change.[2]

Recent drought conditions in 2021 severely threatened water supply reliability and prompted Marin Water to explore various water supply options to enhance supply reliability for its customers. In the immediate term, those options included petitioning the State Water Resources Control Board for temporary changes to diversion requirements as well as implementing

1 Marin Municipal Water District. 2024. *Urban Water Management Plan* (p. 96 et seq).

2 Office of Environmental Health Hazard Assessment, 2022. *Indicators of Climate Change in California*. Fourth Edition. California Environmental Protection Agency. Available online at oehha.ca.gov/media/downloads/climate-change/document/2022caindicatorsreport.pdf. Accessed September 25, 2023.



SOURCE: Maxar, 2024; Esri, 2025; Marin County, 2024; USGS, 2018; Black and Veatch, 2025; ESA, 2025

Note: Water surface elevations subject to refinement following survey investigations.

ESA

Nicasio Spillway Modification Project

Figure 2
Proposed Water Storage Area

enhanced water-use restrictions for District customers. Marin Water also initiated preparation of a Strategic Water Supply Assessment (SWSA) to address water supply reliability and resiliency in the near and long term.[3] The SWSA includes an assessment of current and future hydrological conditions, performance of the Marin Water system under these conditions, consideration of alternatives and strategies, and a roadmap to a more resilient water supply future. The completion of the SWSA initiated an evaluation of the feasibility of adding more water storage capacity to Marin Water's system. The Nicasio Spillway Modification Project is one of the near-term projects identified through this planning effort to enhance water supply reliability.

PROJECT DESCRIPTION

The overall purpose of the Project is to increase locally stored water supplies in the near term to reduce adverse effects on Marin Water customers caused by droughts and other emergencies.

Marin Water would install a 280-foot-long, 4.4-foot-high inflatable rubber gate spanning the width of the existing spillway crest to temporarily increase storage of wet-season inflow to Nicasio Reservoir for future use. Approximately one foot of the existing concrete spillway crest structure would be removed to provide a level surface to install the inflatable rubber gate and ensure no reduction in the current spillway capacity. The maximum normal water surface elevation associated with operation of the inflatable gate would be 170.4 feet NGVD29. This modification to the existing spillway would increase the storage capacity of the reservoir by approximately 3,700 acre-feet.[4] Marin Water would also construct a new control building, install backup power systems, and make related improvements to infrastructure near the spillway.

Construction of the spillway modifications would begin in 2027 and is anticipated to be completed in one construction season. Construction staging would occur in the vicinity of the dam and spillway and potentially on nearby Marin Water land.

Once installed, the rubber gate would be inflated during the wet season and deflated during the dry season, after water levels in the reservoir drop below the spillway crest. Marin Water is developing an operations plan for the Project. As part of the Project, Marin Water will file a petition to extend water right permit P012800.

PERMITS AND APPROVALS

The Project may require permits or other approvals from the following agencies:

Federal

- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service

[3] Marin Municipal Water District. 2023. *Strategic Water Supply Assessment*.

[4] An acre foot of water (equal to 325,851 gallons) is the volume of water it takes to cover an acre of land one foot deep. An acre is about the size of a football field.

- National Marine Fisheries Service

State

- California Office of Historic Preservation
- California Division of Safety of Dams
- State Water Resources Control Board
- San Francisco Bay Regional Water Quality Control Board
- California Department of Fish and Wildlife

Local

- Bay Area Air Quality Management District
- Marin County

ALTERNATIVES

A reasonable range of alternatives, including a No Project Alternative, will be evaluated in the EIR to avoid or reduce any significant environmental effects of the Project in accordance with CEQA and the State CEQA Guidelines.

POTENTIAL ENVIRONMENTAL EFFECTS

The environmental analysis will focus on examining the potential environmental impacts associated with the Project and identifying feasible measures and alternatives that can be implemented to avoid, minimize, rectify, reduce, or compensate for such impacts. The EIR will also discuss growth-inducing and cumulative effects of the Project when considered in conjunction with other related past, present, and reasonably foreseeable future projects.

On the basis of preliminary evaluations, the EIR will consider the extent to which the Project could have the following direct, indirect, and/or cumulative environmental effects:

- **Aesthetics and Visual Resources:** Degrade the existing visual character or quality of public views of the site and its surroundings, conflict with applicable zoning and other regulations governing scenic quality or substantially damage scenic resources.
- **Air Quality:** Increase criteria air pollutants, conflict with or obstruct implementation of an air quality plan, or expose people to substantial pollutant concentrations.
- **Biological Resources:** Adversely affect special-status plant or wildlife species, riparian or other sensitive natural community, or protected wetlands; interfere with the movement of any native resident or migratory fish or wildlife species; or conflict with local policies or ordinances protecting biological resources.
- **Cultural and Tribal Cultural Resources:** Cause a substantial adverse change in the significance of a historical or archaeological resource, disturb human remains, or cause a substantial adverse change in the significance of a tribal cultural resource.

- **Energy:** Result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

- **Geology, Soils, and Paleontology:** Cause potential substantial adverse effects involving fault rupture, seismic groundshaking, seismic-related ground failure, landslides, substantial soil erosion or the loss of topsoil; be located on expansive soil, a geologic unit, or soil that is unstable or would become unstable because of the Project; or destroy a unique paleontological resource or unique geologic feature.

- **Greenhouse Gas Emissions:** Generate greenhouse gas emissions that may have a significant effect on the environment or conflict with applicable plans, policies, or regulations.

- **Hazards, Hazardous Materials, and Wildfire:** Create a significant hazard through routine transport, use, or disposal of, or reasonably foreseeable upset or accident conditions; emit hazardous emissions or handle hazardous materials within one-quarter mile of a school; impair implementation of an adopted emergency response plan or evacuation plan; expose people or structures to a significant risk involving wildland fires; require the installation or maintenance of infrastructure that may exacerbate fire risk; or expose people or structures to significant risks resulting from post-fire runoff, slope instability, or drainage changes.

- **Hydrology and Water Quality:** Violate water quality standards or waste discharge requirements, otherwise substantially degrade surface water quality, or conflict with a water quality control plan; substantially alter drainage patterns in a manner that would result in substantial erosion or siltation, substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or offsite, or impede or redirect flood flows**;** Substantially decrease groundwater supplies or interfere with groundwater recharge such that the Project may impede sustainable groundwater management of the basin or conflict with a sustainable groundwater management plan.

- **Land Use, Agricultural, and Forestry Resources:** Conflict with land use plans, policies or regulations; convert farmland to non-agricultural use; or result in the loss of forest land.

- **Noise and Vibration:** Generate a substantial increase in ambient noise levels in the vicinity of the Project in excess of standards established in local general plans or noise ordinances, or applicable standards of other agencies or result in generation of excessive groundborne vibration or noise levels in the Project site vicinity.

- **Population and Housing:** Displace substantial numbers of people or housing, necessitating the construction of replacement housing elsewhere.

- **Recreation:** Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

- **Transportation:** Conflict with a program, plan, ordinance, or policy addressing the circulation system including transit, roadway, bicycle, and pedestrian facilities; conflict with CEQA Guidelines section 15064.3 subdivision (b); substantially increase hazards due to a geometric design feature or incompatible uses; or result in inadequate emergency access.

- **Utilities, Service Systems, and Public Services:** Require construction of new or expansion of existing utilities that could cause significant environmental effects; generate solid waste in excess of state or local standards or in excess of the capacity of local infrastructure; or result

in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities.

SCOPING MEETINGS

Two public scoping meetings are scheduled to take place on Thursday, May 22 and Tuesday, May 27, 2025.

- **In-Person meeting on Thursday, May 22 6:00 to 8:00 p.m. meeting:**

  Address: Board Room at Marin Water's offices, 220 Nellen Avenue, Corte Madera, CA 94925

- **Zoom information for Thursday, May 22 6:00 to 8:00 p.m. meeting:**

  Meeting link: https://marinwater.zoom.us/j/84070451584
  Dial-in Number: 1-669-444-9171
  Meeting ID: 840 7045 1584

- **Zoom information for virtual meeting on Tuesday, May 27 1:00 to 3:00 p.m. meeting:**

  Meeting link: https://marinwater.zoom.us/j/83247604594
  Dial-in Number: 1-669-444-9171
  Meeting ID: 832 4760 4594

The objective of the meetings is to brief interested parties about the Project and obtain the views of agency representatives, interested parties, Native American tribes, and the public on the scope and content of the EIR, including potentially significant environmental impacts and potential alternatives or mitigation measures to avoid or reduce any significant impacts.

COMMENTS

This notice is being circulated to obtain suggestions and information from other agencies, the public, and other interested parties on the content and scope of issues to consider in developing the EIR. The primary purpose of the scoping process is to identify important issues raised by the public and responsible and trustee public agencies related to the Project's potential impacts, issuance of regulatory permits and authorizations and natural resource protection. Written comments from interested parties are invited to ensure that the full range of environmental issues related to implementation of the Project are identified.

The Draft EIR is currently anticipated to be available for public review and comment in the fall of 2025. Upon publication, the Draft EIR will be posted on a Marin Water web page created for the Project.

COMMENT PERIOD: As stated above, the NOP review period is from April 30, 2025 to June 4, 2025. Written comments on the scope of the EIR must be received by Marin Water no later than 5:00 p.m. June 4, 2025. Written comments must be sent:

- By mail to:

  Marin Water, c/o Elysha Irish
  220 Nellen Avenue
  Corte Madera, CA 94925

  with the letter subject heading "RE: Nicasio Spillway Modification Project public comment", or

- By email to: eirish@marinwater.org with the subject heading "RE: Nicasio Spillway Modification Project public comment"

Each responsible and trustee agency is required to provide the lead agency with specific detail about the scope, significant environmental issues, reasonable alternatives, and mitigation measures related to the responsible or trustee agency's area of statutory responsibility that each agency wants explored in the EIR. In responding to the NOP, responsible and trustee agencies should indicate their respective level of responsibility for the Project. Responsible and trustee agencies will need to use the EIR prepared by Marin Water when considering issuance of permits or other approvals for the Project.

PLEASE NOTE: Marin Water's practice is to make the entirety of comments received part of the public record. Therefore names, home addresses, home phone numbers, and email addresses of commenters, if included in the response to this NOP, will be made part of the record available for public review. Individual commenters may request that Marin Water withhold their name and/or home addresses, etc., but if you wish Marin Water to consider withholding this information, please state this prominently at the beginning of your comments. In the absence of this written request, this information will be made part of the record for public review. Marin Water will always make submissions from organizations or businesses, and from individuals identifying themselves as representatives of, or officials of, organizations or businesses, available for public inspection in their entirety.

If you submit written comments on this NOP, you will automatically be added to the distribution list for future notices and information about the environmental review process for the Project. If you do not wish to submit comments on the scope and content of the EIR but would like to be added to the mailing list, you can submit to the above Marin Water contact your own contact information, including email address, with a request to be added to the mailing list.

Interested parties may also provide oral comments on the proposed content and scope of the EIR at the public scoping meetings listed above. Additional information regarding the Project can be found on the Marin Water web page at https://www.marinwater.org/SpillwayModifications.

APPENDIX NOP-1

Assessor Parcel Numbers Associated with the Nicasio Spillway Modification Project

This Appendix lists the Assessor Parcel Numbers of properties that are affected by the proposed water storage area for Nicasio Reservoir.

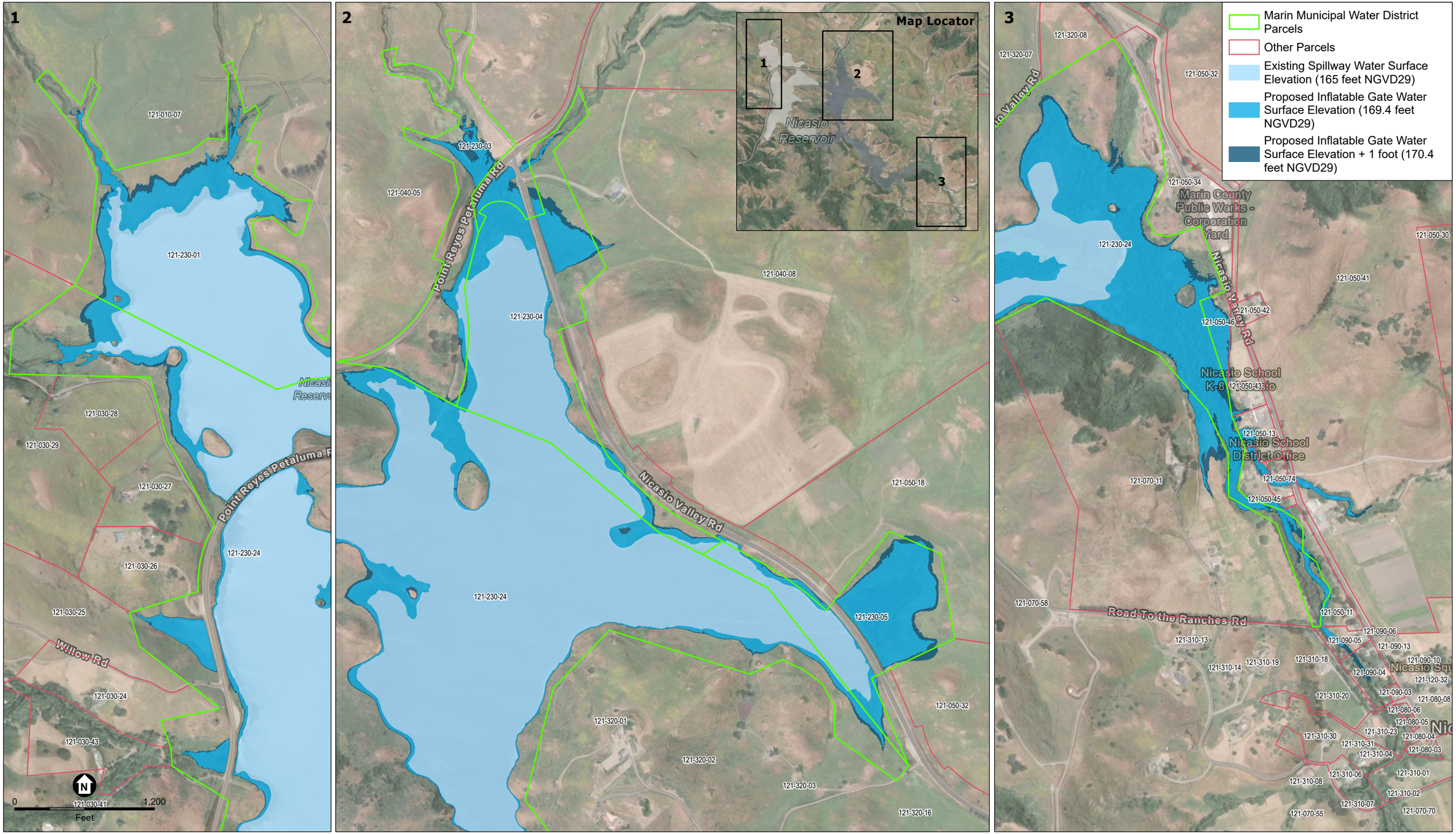
PARCELS AFFECTED BY THE PROPOSED WATER STORAGE AREA FOR THE NICASIO SPILLWAY MODIFICATION PROJECT

APN	OWNER
121-230-24	MARIN MUNICIPAL WATER DISTRICT
121-230-01	MARIN MUNICIPAL WATER DISTRICT
121-230-02	MARIN MUNICIPAL WATER DISTRICT
121-230-03	MARIN MUNICIPAL WATER DISTRICT
121-230-04	MARIN MUNICIPAL WATER DISTRICT
121-230-05	MARIN MUNICIPAL WATER DISTRICT
121-010-07	MC ISAAC 2006 TRUST MC ISAAC JAMES E TR
121-040-05	HICKS MOUNTAIN RANCH LLC
121-040-08	DOLCINI EARL & MARY PROPERTY TRU DOLCINI PHILLIP L TR
121-050-18	LAFRANCHI LAND COMPANY LLC
121-050-32	LAFRANCHI LAND COMPANY LLC
121-050-41	LAFRANCHI LAND COMPANY LLC
121-050-46	NICASIO SCHOOL DISTRICT
121-050-43	NICASIO SCHOOL DISTRICT
121-050-13	NICASIO SCHOOL DISTRICT
121-050-74	SHONE ROCKY & MARCY FAMILY TRUST SHONE RAYMOND H JR TR
121-050-45	SHONE ROCKY & MARCY FAMILY TRUST SHONE RAYMOND H JR TR
121-050-11	SEYBOLD MIKE & MONICA FAMILY TRU SEYBOLD MICHAEL C TR
121-070-11	ROCKWOOD RANCH LLC
121-090-05	BRIARE WILLIAM & CHILDS-BRIARE K BRIARE WILLIAM J TR
121-090-04	SCHIRO ROBERT G SCHIRO DORENE C
121-070-58	WICK/RATHMANN FAMILY TRUST WICK JOHN P TR
121-270-20	BOSHARD JON & CHRISTINA LIVING T BOSHARD JON TR

APPENDIX NOP-2

Inundation Maps for the Nicasio Spillway Modification Project

This Appendix provides detailed maps for select areas around the Nicasio Reservoir depicting the existing water storage area and the proposed water storage area.



SOURCE: Maxar, 2024; Esri, 2025; Marin County, 2024; USGS, 2018; Black and Veatch, 2025; ESA, 2025

Note: Water surface elevations subject to refinement following survey investigations.

Nicasio Spillway Modification Project

Figure NOP-2a
Proposed Water Storage Area Detail

ESA



SOURCE: Maxar, 2024; Esri, 2025; Marin County, 2024; USGS, 2018; Black and Veatch, 2025; ESA, 2025

Note: Water surface elevations subject to refinement following survey investigations.

Nicasio Spillway Modification Project

Figure NOP-2b
Proposed Water Storage Area Detail

ESA