

County of Marin

**COUNTY SERVICE AREA 6 ADVISORY BOARD MEETING
APRIL 4, 2018**

STAFF REPORT

Item 1. Welcome, Introductions, and Sign-In

The Advisory Board (AB) chairperson will commence the meeting and ask members of the board and staff to introduce themselves.

Item 2. Reading of “Respectful Dialogue” Statement

Staff will read the “respectful dialogue” statement at the top of the meeting agenda.

Item 3. Approval of October 4, 2017 Meeting Minutes

Recommended Action: Approve minutes from the October 4, 2017 meeting.

Item 4. Open Time for Items Not on the Agenda

Comments will be heard for items not on the agenda (limited to three minutes per speaker).

Item 5. Gallinas Creek Geomorphic Dredge Project Update

a) Background on Dredging Project Costs and Available Budget

Staff will present a short presentation of slides previously presented at CSA 6 meetings that summarize the anticipated costs for the historic dredging project versus the proposed geomorphic dredging project.

b) Geomorphic Dredge and Disposal Design Update

Staff members have been leading planning and outreach efforts for the dredging project (known as the “Gallinas Creek Geomorphic Dredge Project”) including overseeing CLE Engineering on the project plans and evaluation of disposal alternatives. CLE has previously completed a peer review of staff’s geomorphic design approach, constructability review and a new creek hydrographic survey. CLE is currently working on creek sediment sampling and the initial site assessment evaluations for McInnis Park Restoration Site, the Las Gallinas Valley Sanitary District (LGVSD) and the San Rafael Airport site.

Updates on the various active design tasks are below:

- i. Sediment Sampling and Analysis for Dredge Disposal Site Acceptance. Placement of dredged sediments requires sampling and analysis for chemicals of concern (COCs) per regulatory requirements. Sampling and analysis of sediments for disposal from the creek was completed in January 2018. The results were brought to the Dredge Material Management Office (DMMO) in February 2018 and approved without constraints for uplands placement such as at the Airport (see “Disposal Site Evaluations” below) or LGVSD upland sites. However, in one of the sediment composite samples, two COCs were slightly elevated above wetland reuse limits (such as for placement at the McInnis site) and the DMMO requested that the individual samples forming the composite sample be further analyzed. The results of this additional analysis were conducted in February 2018 and the results brought back to the DMMO in March 2018. The further analysis showed that only one of the three individual samples from the composite was slightly elevated in the two COCs. At the March meeting, the DMMO required that sediment from this one isolated area (approximately 9,000 cubic yards) be covered with

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four feet of clean sediment if reused in a wetlands project such as McInnis Marsh. In summary, all the dredge sediment is acceptable for uplands reuse without constraints, and approximately 90 percent of the sediment can be reused in a wetland environment without constraint with the remaining 10 percent requiring 4 feet of clean sediment as a cover.

- ii. *Dredge Disposal Site Evaluations.* Staff have done no further work with the San Rafael Airport regarding sediment disposal and have focused on the McInnis Marsh Restoration Project and the Las Gallinas Valley Sanitary District sites. Staff will present the currently known pros and cons for each of the proposed disposal sites along with any available estimated cost information. It is not anticipated the advisory board will take any actions on this topic at this meeting as several important tasks are still in progress. Staff anticipate seeking a final recommendation from the advisory board regarding which dredge sediment disposal site to perform final design and permitting for at a future special meeting sometime in summer 2018.
 - a. ***McInnis Marsh Restoration Project Site.*** Staff have continued to work closely with Parks Staff to oversee technical studies associated with the marsh design and the reuse of Gallinas Creek dredge sediments. The lead consultant for Parks is ESA Associates and their kick-off meeting was in January 2018. The initial focus of ESA is on the biological and ecological design basis for the project and not yet the engineering design using the dredge sediments. Final permitting for the McInnis Project is not in the ESA scope and will be the subject of another RFP planned to be awarded by Parks this Summer 2018. Parks has provided an anticipated schedule for the McInnis project that will be presented at the Advisory Board meeting. The draft schedule shows a possible construction date of 2021 or 2022. Staff has engaged ESA and Parks on the schedule and is exploring the possibility of phasing placement of the dredge sediments earlier to allow for dredging prior to implementation of the larger project. An update on this project will be provided at the meeting. We expect further clarity in the next two to three months.
 - b. ***Las Gallinas Valley Sanitary District Uplands Disposal Site.*** Staff has continued to meet with LGVSD staff to evaluate placement of dredged sediments at an upland location owned by LGVSD. The initial results have been very positive and LGVSD staff have confirmed their willingness to allow for the placement of dredged sediments at a disposal location constructed and operated by CSA 6's dredging construction contractor. There may be some areas of wetlands at LGVSD that will require delineation prior to final acceptance of the proposal. Given the large size of the LGVSD available area, Staff currently does not anticipate significant issues with locating and permitting a sediment placement facility within the available LGVSD area.
- iii. *Results from Marin Project Coordination (MPC) Meeting on Two Dredge Add-On Projects; (1) Dredge to Docks and (2) Dock Extensions.* On February 1, 2018, Staff along with two CSA 6 Board Members (Ellen Stein and Kenneth King) presented the two geomorphic dredge add-on projects to the monthly informal permit information meeting (MPC) for Marin County. The MPC meeting is a monthly meeting of the permitting agencies in which applicants can receive advice and guidance on potential projects at an early stage. The meeting is voluntary and advisory only and does not constitute a permit approval. Staff presented the following two dredge add-on projects; (1) allowing individual dock owners to extend dredging outside of the geomorphic dredge template to their private docks (2) allowing individual dock owners to extend their private docks to

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the deeper water of the proposed dredging template. The results from this meeting will be presented at the Advisory Board meeting. The meeting notes (not minutes) are attached to this staff report.

In summary, the agencies were strongly against the dredge to docks option and advised that impacts to vegetation and habitat from the non-geomorphic dredge would very likely trigger a full EIR and result in significant permitting and mitigation costs. The CSA fund cannot currently afford an EIR. With regards to the dredge to docks add-on project, Staff strongly recommends against including the dredge to docks in the project design and that no design project be pursued that triggers a full EIR.

With regards to the dock extension add-on project, a USACE Section 10 permit that involves potential impacts to navigation will be required. The agencies preferred the dock extensions to the dredge to docks option, but raised several permitting concerns related to the extensions.

- iv. Updated Topographic Survey – The results of the bathymetric survey are done. However, there are some areas outside of the bathymetric survey that were shown as potentially being impacts that will require additional topographic (land based) surveying. CLE is currently working up a cost for this additional survey that will be an add-on to their contract.

c) **Next Steps**

Staff will continue with the project design development focusing on the geomorphic dredge template extending in the main channel from approximately 52+50 (just below confluence of north and south forks) to approximately 157+38 (upstream limits of CSA 6), including around the inner bend of Santa Margarita Island, and expect to come back to this Advisory Board with a recommendation on the sediment disposal site at a special meeting in Summer 2018. The proposed budget (see Item 6) includes the cost for final design services to prepare plans and specifications for construction.

Recommended Action: *Recommend Staff continue with the project design development using the geomorphic design template with no provisions for dock extensions or additional dredging to the existing docks.*

Item 6 – CSA 6 FY 2018-2019 Budget Review

Staff will present the proposed CSA 6 FY 2018 – 2019 Budget for review and to make a recommendation for approval by the County Board of Supervisors.

Recommended Action: *Recommend that the County Board of Supervisors approve budget.*

Item 7 – Schedule Next Meeting

Staff recommend meeting in sometime this summer, likely between June and August 2018 with the anticipation of seeking a recommendation on a preferred disposal site to accept the dredged sediments.

Roger Leventhal

Notes from Lower Gallinas Creek Dredge Meeting at MPC Meeting – 2/1/18

The following are approximate notes from today's 30 minute and Q&A presentation of potential proposals for Creek dockside owners to pay extra to dredge outside of the geomorphic dredging template dredge to their docks, or alternatively to extend docks to deeper water. These notes are approximate and so not represent an exact transcription of the discussion.

- The proposed dredging project is considered a “new” dredging project since it is not part of any existing programmatic dredging program from FWS or other regular maintenance dredge program. This makes permitting more difficult since a new permit is required for the project.
- Strong preference for the geomorphic dredge template and concerns that dredging outside the template and into existing vegetation would likely trigger an EIR and significant mitigation costs. Some minor veg disturbance associated with the geodredge probably would not trigger an EIR but non-geomorphic dredging likely would almost certainly require a full EIR.
- USFWS has a no net loss of mudflats – makes permitting more difficult with the larger dredge footprint outside of the geomorphic dredge.
- Ca DFW has a no-take requirement for fully protected species including Ridgway's rail and saltmarsh harvest mouse and will require hand clearing of any marsh vegetation and likely some fencing to prevent habitat impacts (Karen Weiss)
 - They will also require greater than 1:1 mitigation for impacts to habitat
 - The area contains important habitat for Ridgway's rails (formerly Clapper Rails) a listed species
 - Karen said that McInnis could not be used for compensatory mitigation if Ca DFW was paying for part of it (they are currently funding design but not construction). Many if not all public funding grants prohibit use as mitigation.
 - *Post-script comment* - We believe this may be too strict a reading and that it should be possible to use McInnis – if the material goes there – as at least as partial mitigation to dredging impacts.
- Agencies expressed preference and some support of dock extensions over dredge to dock
 - There would be mitigation requirements but may be able to remove old docks and remove creosote piling and get mitigation credits that way
 - Easier to permit dock extensions
 - Would need light transparent materials – meet current standards. RWQCB has new WDR requirements under consideration for docks and any overwater structures.
 - New homeowners for any docks removed as mitigation would have a harder time in the future trying to get a permit for a new dock since the dock removal was used as

mitigation

- Agencies expressed support of community docks as an alternative to dredging or individual extensions. Any design that recused cumulative impacts to habitat are preferred. Agency rules require them to minimize impacts to the environment wherever possible.
- *[post-script comment]* We did not discuss navigational issues associated with dock extensions across the channel at the meeting but subsequent to the meeting developed the following thoughts:
 - A Corps section 10 would be required as well as maybe Coast Guard and State Land permits would be needed (or looked into) and dock extensions would be limited and could not block navigation or hinder the channel or trap debris
 - The County code may have to be changed to allow for dock extensions also – looking into this requirement.
 - There appears to be no advantage to the CSA permitting dock extensions since individual permits will be required.

Post- Meeting

- Investigate what it would take to make the CSA dredging process a maintenance program with a lower permitting threshold and to collect appropriate funds and the required timing
- Consider conducting a survey of dockside owners to determine how many dockside homeowners would like to have their walkways, docks removed and can be used as mitigation.

**CSA 6 FY 2018-19 Proposed Operating Budget
with anticipated three-year cash flow projection**

DRAFT

FY 2016-2017 Fund Ending Balance: \$2,444,382

Proposed budget, subject to change

Expected Expenditure Description	FY 2016-17	FY 2017-18	Year 1	Year 2	Year 3
	Actuals	Budget	FY 2018-19 Proposed	FY 2019-20 Estimate	FY 2020-21 Estimate

Some expenditures include 3% annual increase

Staffing Costs

1 Real Estate Division Staff	\$ -	\$ -	\$ -	\$ -	\$ -
2 Engineering Division Staff	\$ -	\$ 5,000	\$ 15,000	\$ 50,000	\$ -
3 Water Resources Staff and Special Cost	\$ 31,671	\$ 55,000	\$ 55,000	\$ 56,650	\$ 58,350
4 Labor	\$ 31,671	\$ 60,000	\$ 70,000	\$ 106,650	\$ 58,350

Professional Services

5 Professional Services Contracts	\$ 57,176	\$ 76,000	\$ 210,000	\$ 100,000	\$ -
6 Trade Services/Construction	\$ -	\$ -	\$ -	\$ 2,440,000	\$ -

Miscellaneous

7 Misc. Expense	\$ -	\$ 12,000	\$ -	\$ -	\$ -
8 Service and Supplies	\$ 57,176	\$ 88,000	\$ 210,000	\$ 2,540,000	\$ -
9 Total Expenditures	\$ 88,847	\$ 148,000	\$ 280,000	\$ 2,646,650	\$ 58,350

10 Revenues* (assume increase 0.5% annually)	\$219,083	\$220,179	\$221,279	\$222,386	\$223,498
Projected Fund Ending Balance**	\$ 2,444,382	\$ 2,516,561	\$ 2,457,840	\$ 33,576	\$ 198,724

*This is a rough projection based on prior year revenue and does not represent the actual revenue budget.

**Fund ending balance will change with updated information

Note: project/contract funds not expended in a given fiscal year will roll over into the next fiscal year