

FLOOD ZONE 3 ADVISORY BOARD MEETING
OCTOBER 29, 2024

Staff Report

Item 1. Approval of Meeting Minutes: July 9, 2024

Review July 9, 2024 minutes at this link: <https://marinflooddistrict.org/meetings/zone-3-advisory-board-meeting-july-9-2024/#/tab-minutes>

Recommended Action: Approve draft minutes of July 9, 2024

Item 2. 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 3. Engineer's Report for Zone 3 Marin City Projects (Information Item)

A. Marin City Stormwater Plan (Judd Goodman)

Background: The Marin City Stormwater Plan is aimed at reducing flood risk in Marin City, an unincorporated neighborhood near Richardson Bay. The goal of the Plan is to understand existing flooding conditions and identify potential solutions that enhance flood resilience in Marin City while accounting for community priorities. The Plan will pinpoint areas for flood risk reduction, drainage improvement, and preservation of public access. It will provide detailed recommendations for potential projects that local, regional, state, or federal agencies could implement in the future. Additionally, the plan will support grant funding applications necessary for project implementation. For more information on the Marin City Stormwater Plan, including a summary of completed Marin City Stormwater Task Force and Community meetings and those planned for the future, please see the project [website](#).

Update: A full presentation will be given on the Stormwater Plan at this meeting. The presentation will focus on strong community feedback received this summer, updated scoring of project concepts, and the recommended projects.

B. Marin City Stormwater Pond Infrastructure Improvements (written update only)

Background: The scope of work of this FEMA grant-funded project has expanded significantly since 2020 and currently consists of an estimated \$15 million construction project to install a permanent 50 cfs stormwater pump station and a floodwall at the Pond along with drainage pipe upgrades in the shopping center. Though twice as expensive as the original proposed project (which did not include a pump station), the benefits of the upgraded project as currently scoped are much better for Marin City flood reduction than the original 2017 grant proposal under both current and especially future sea level rise conditions. In June 2023, FEMA approved the revised scope for Phase I final design and permitting and a new \$883,636 contract with consultant BKF was approved by the District Board of Supervisors on September 19 for the pump station design (to 65% level) and environmental compliance. Up to 75% of the design cost is reimbursable by FEMA through a design grant with the rest from Zone 3 funds. Staff received approval from

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FEMA for a completion date for this Phase I work in March 2025. Following design and CEQA, FEMA will complete a NEPA review prior to consideration of award for Phase II of the funding for final plans and specifications (from 65% to 100%) and construction. Note: While the Marin City Stormwater Plan (Item 3.A. above) includes this project in the models that were created, the Stormwater Plan does not change the scope of this project or design.

District staff received approval from the property Owner to conduct site investigations and survey around the pond which was completed in September 2023. The design team is continuing work on the pump station and floodwall design. CEQA/NEPA for this project is scheduled to begin in mid 2024 and the current schedule for the 30-day public comment period is to begin in January 2025. The entire Phase I is scheduled to be completed by March or April 2025.

Update: The project continued design work on the Marin City pond pump station. The District has reviewed the 65% design package. The remaining work under the current grant scope are preparation and submittal of permit applications and CEQA. The formal public review process for CEQA is anticipated to begin in January 2025. The grant pool that funded Phase I (preliminary design and CEQA) has since run out of money to fund Phase II. The District is exploring additional grants for construction.

C. Marin City Donahue Portable Pump Station (written update only)

Background: The purpose of this project is to reduce flooding duration at the intersection of Donahue and Drake by installing and operating two temporary trailer mounted pumps and associated piping systems for up to three years, after which time it is anticipated that the permanent project described in Item 3.B above can be constructed. On March 21, 2023, the District Board of Supervisors approved a \$236,296 professional services agreement, using Flood Zone 3 funds, for BKF Engineers to Design, Support Permitting and Prepare Plans and Specifications for Construction of a Portable Pumping Station at Donahue Street, adjacent to the southbound Hwy 101 offramp. This project is not a Flood District project, it's a County of Marin project. Flood District staff are managing the work. Flood Zone 3 will receive full reimbursement for the cost of the project through a TAM Agreement funded by Senator McGuire.

Update: The goal is to get the pump station operational in time for the 2024/25 winter season. GSW Construction, Inc. has been hired to construct the necessary storm drain modifications at the intersection to accommodate the temporary pumps. Work on this project has started and is expected to be complete by mid-November. A separate contract to operate the portable pumps is scheduled to be considered for award by the District Board of Supervisors on October 29, 2024.

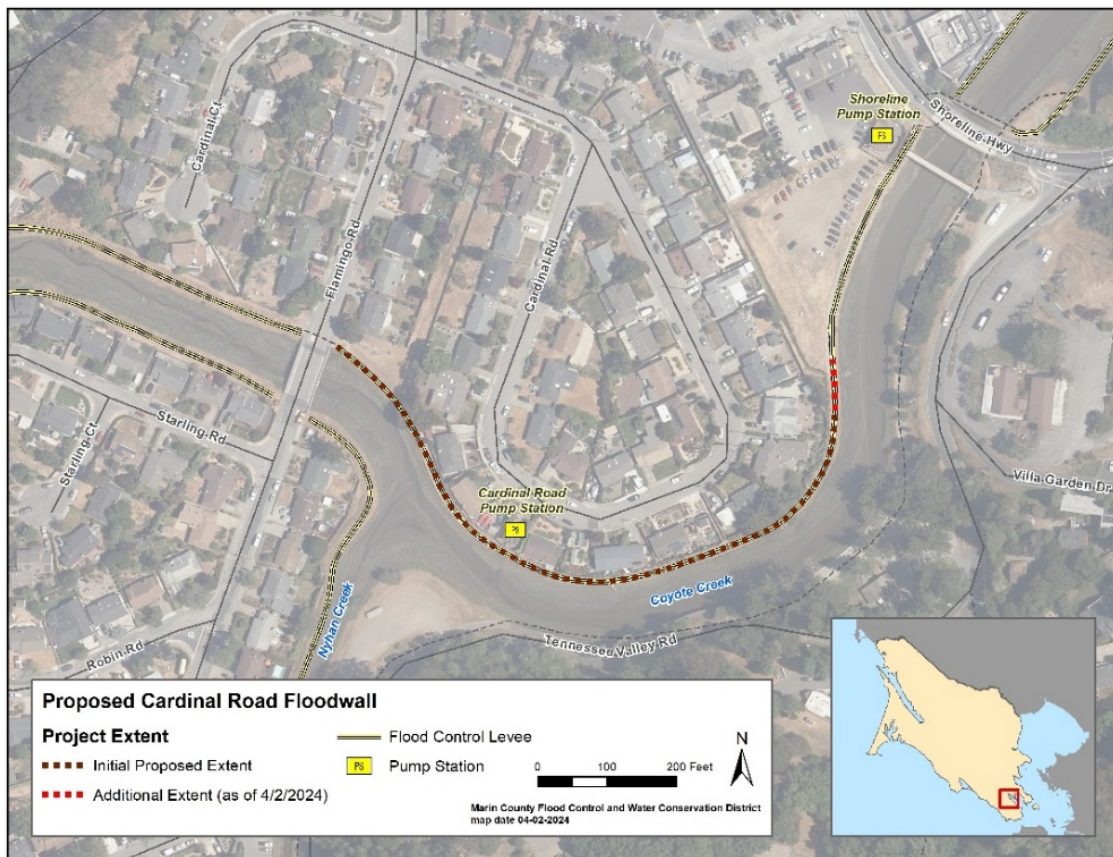
Item 4. Engineer's Report for Tam Valley Project Updates (Information Item)

A. Proposed Cardinal Levee Seepage Mitigation (Information Item)

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Background: The purpose of the Proposed Cardinal Road Levee Seepage Project (Project) is to design a flood barrier wall to resolve seepage issues which are partly due to rodent burrows. The project would upgrade a 1,100+ linear foot portion of the Coyote Creek Levee along Cardinal Road located in the unincorporated community of Tamalpais Valley. Construction of levee upgrades would likely occur in 2027.

We will also re-route a ditch that runs behind some properties on Cardinal Road and drains through a tide gate in the levee. The flows would be directed to Shoreline Pump Station, located on the opposite side of the shopping center employee parking area. The proposed levee upgrade will be extended approximately an additional 150 feet to cut off potential for seepage through the gated pipeline in the levee that we are considering abandoning. Doing this will eliminate the need to stage a portable pump.



Proposed Extent of the Cardinal Road Levee Flood Barrier

Preliminary estimated costs to construct this project are \$3-5M. The Advisory Board previously recommended an increase of \$275,000 to the already approved \$325,000 budget. The final budget of \$600,000 includes a consulting contract that will cover the design, right-of-way planning, environmental compliance and re-routing the Cardinal ditch to Shoreline Pump Station.

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More information on this project can be found on the project website:

<https://marinflooddistrict.org/cardinal-road-levee-project/>

Update: The District selected a qualified consultant to move forward with the project and the firm was recommended to the District Board of Supervisors on September 24, 2024 for approval. The design project started early October 2024.

At the last meeting, the Advisory Board requested more information about costs for easement acquisition. Easement acquisition costs include obtaining title reports, appraisal fees, paying for the labor of a Real Property Agent, and paying for the project's impacts to improvements (e.g. structures) on the property. Compensation to property owners for the easement is based on the fair market value as determined by an appraiser. Updates on easement acquisition budget needs will be provided to the Advisory Board over the coming year as we learn more about the proposed project right of way needs.

B. Crest Marin Pump Station Rehabilitation Design (written update only)

Background: The Crest Marin Pump Station is a stormwater pump station that discharges to Nyhan Creek and is located at 297 Flamingo Road (near the intersections of Tennessee Valley Road/Flamingo Road and Marin Ave). The Crest Marin Pump Station was constructed in 1978 and is reaching the end of its expected useful life. Staff have been reporting to the Advisory Board about increasing maintenance needs and costs at this station. Schaaf & Wheeler was awarded a consulting contract by the District Board of Supervisors in January 2023 to conduct a condition assessment of the Crest Marin Pump Station. They summarized the assessment for the Advisory Board in October 2023 and provided recommendations for short term and long-term improvements to address condition and reliability issues. Based on the assessments, age of equipment, and reliability of the pump station it is recommended to complete a full pump station rehabilitation. The Advisory Board on October 10, 2023 recommended the District Board of Supervisors award a design and environmental compliance contract for the pump station and potentially associated drainage improvements with a budget no more than \$500,000.

The construction cost estimate for a full pump station upgrade amounts to \$3.24 million which includes a 20% construction contingency. Design, construction management, permitting, and administration could add another 50% or \$1,350,000 for a total budget estimate of \$4,600,000.

This work is being coordinated with PG&E, which needs to relocate a leaning transmission tower away from the Nyhan Creek levee. Though the transmission tower has been removed a permanent location still needs to be identified.

Update: The District recently advertised a Request for Qualifications and Proposals for potential consultants to carry out design and environmental compliance. It is anticipated that a firm will be recommended to the District Board of Supervisors for approval in early 2025. Work is also underway to develop a

project website.

Item 5. U.S. Army Corps of Engineers Coyote Creek Flood Control Project

In response to questions from the Advisory Board at the July meeting, following is a summary of responsibilities of the District and U.S. Army Corps of Engineers (USACE) with respect to this project.

The Coyote Creek Flood Control Project was constructed by USACE in partnership with the District in the 1960s. In this partnership, the District is the local sponsor, and as such is responsible for all ongoing maintenance and upgrades to the system following initial construction. USACE maintains the following roles in the project:

- Their Levee Safety Program staff periodically perform visual inspections focusing on maintenance and encroachments. On a separate cycle, they also periodically update their analyses of the system's risk.
- They oversee compliance with Section 408 of the United States Code when any alterations to the project are proposed, ranging from District-initiated levee upgrades or encroachments by a swimming pool in a back yard on an easement for the project. The USACE must approve all alterations or encroachments through Section 408 permission.
- Their regulatory branch also oversees compliance with Section 404 of the Clean Water Act and Section 7 of the Endangered Species Act (through consultation with U.S. Fish & Wildlife Service) to protect water quality and habitat. USACE provides permits for maintenance and alterations to the project.
- Their Rehabilitation Program provides post-disaster assistance in repairing facilities damaged due to floods. USACE provides technical assistance to all its partners, however financial assistance is contingent up on complying with certain standards as verified by the Levee Safety Program staff in their periodic inspections. Due to encroachments, the Coyote Creek project is not currently eligible for this post-disaster financial assistance.

The Advisory Board asked at the last meeting what constitutes an encroachment on the USACE project and who pays for abatement. Any structure within the project easement and also trees within 15 feet of the land-side levee toe must be approved through Section 408 or it is considered an encroachment on the project. Examples of encroachments on this project not approved through Section 408 include:

- Certain pipes that penetrate the levee
- Private fences and landscaping
- Public non-motorized pathway
- A portion of a residential structure

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- Vegetation

Previously, USACE cited a high-risk encroachment - a PG&E power transmission tower on the bank of Nyhan Creek, but this tower started leaning and was removed by PG&E in 2023. The District is currently coordinating with PG&E and the Tam Valley Community Services District (TCSD) to identify a permanent location that does not encroach on the project. Regarding the relocation of the PG&E transmission tower, the District 3 Supervisor has convened a small working group with representatives of TCSD, Flood Zone 3, and PG&E to evaluate locations for the tower. This group will bring recommendations to TCSD in the future. The initial meeting was held October 21, 2024.

Item 6. Zone 3 Fund Report and Projections

Updated financial projections are provided in the attachment, which include the cost of Crest Marin Pump Station and Cardinal Levee projects with the baseline budget costs, as well as the Marin City Permanent Pump Station (assuming a FEMA grant for construction, which may change). This projection does not include the Marin City Portable Pump Station at Donahue because that is fully reimbursed through a Transportation Authority of Marin funding agreement.

By 2028 the projection shows a fund balance of about \$9 million which will be needed at that time for renovation of Cardinal and Shoreline Pump Stations which are nearing the end of their expected design life.

Item 7. Annual and Preventive Maintenance Work Program

Pre-winter maintenance is wrapping up for the year. For more information on what this includes in Zone 3 see the January 9, 2024 staff report (located here: <https://marinflooddistrict.org/meetings/zone-3-advisory-board-meeting-january-9-2024/>).

A. Pump Stations

i. Regular Maintenance:

Major preventive maintenance took place at the Crest Marin and Seminary Drive pump stations. The pump at Crest had some parts that were corroded and eroded, requiring some extra work beyond the standard refurbishment. The pump maintained at Seminary had some worn and corroded parts as well and needed a sensor replaced. The standard refurbishment would have cost \$27,500 for these two pumps, but with the extra work the overall cost is \$40,500. This work still fits within the baseline budget for Zone 3.

ii. Repair Needs:

The roof at Crest Marin pump station was repaired in September for a total contract cost of \$18,000. This work fit within the baseline budget for Zone 3.

B. Vegetation and Sediment Removal

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Vegetation overhanging the concrete channel of Coyote Creek is removed as needed to facilitate inspection of the concrete walls and tide gates. Sediment removal needs were evaluated in April, and none needed to be scheduled this year in Zone 3.

For many years the City of Mill Valley has been conducting maintenance of their stormwater facilities and drainage channels each year with funding support through a cooperative agreement with Flood Zone 3, the last of which expired at the end of June. The City suggested it would be more efficient for the District to conduct the maintenance work in creeks directly through its annual creek maintenance contract with the Conservation Corps North Bay (CCNB). The City and District are working on right-of-way agreements so the CCNB can work in the City's roadway, property, and easement rights-of-way. Meanwhile, the CCNB is conducting maintenance in locations where the District has existing easements or ownership within the City, such as segments of Sutton Manor Creek.

C. Levee Maintenance

Gopher holes in the earthen levees along Coyote Creek were filled with bentonite in late September to reduce the risk of seepage. Conditions of the levee are continually inspected throughout the winter during storms, and/or high tides when seepage is most evident.

Item 8. Schedule of Next Meetings and Adjourn

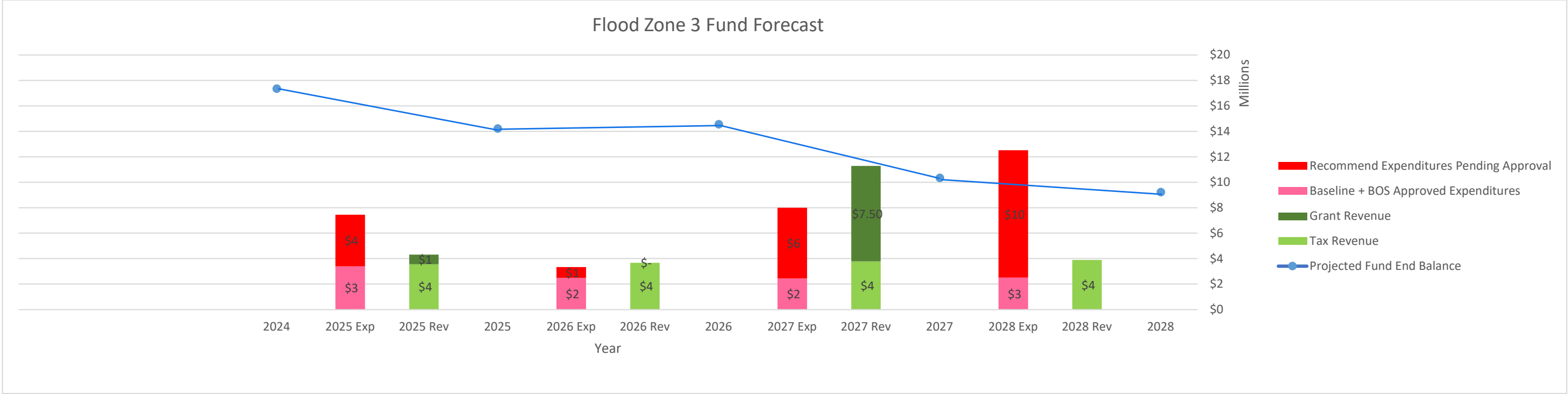
Advisory Board adopted a schedule of meetings on the second Tuesday of the months of January, April, July, and October. Special meetings can be called if needed, and regular meetings may be canceled if there is no business need.

Flood Zone 3 Baseline Budget and Adjustments FYs 2024-2026												
NOTE: REVENUES ARE REPRESENTED AS NEGATIVE NUMBERS AND EXPENDITURES AS POSITIVE, BUT A POSITIVE FUND BALANCE IS POSITIVE												
Record No.	Description	2023 Original Budget	2024 Original Budget	2024 Actuals	2025 Revised (9/17/2024)	2026	2027	2028	2024 Actual as of 12/12/23	2023 Actual	2022 Actual	Notes
1	Total Property Tax Revenue:	-2,276,594	-2,524,900	-2,786,148	-2,869,733	-2,955,824	-3,044,499	-3,135,834	-77,120	-2,649,583	-2,518,071	
2	Investment and Lease Income:	-50,200	-50,050	-692,305	-713,075	-734,467	-756,501	-779,196	-149,613	-358,203	91,347	
18	Caltrans	0	0	0	0	0	0	0	0	0	-25	
19	Homeowner Property Tax Relief	-9,000	-9,000	-8,688	-8,949	-9,217	-9,494	-9,778	-1,303	-8,674	-8,719	
20	Federal (typically grants)	0	0	-189,163	-748,548	0	0	-7,500,000	-18,291	-51,904	-44,791	FEMA grant
19	Other Government Agencies	0	0	0	0	0	0	0	0	0	0	
21	SB2557 Admin Fee	30,000	30,000	28,151	28,996	29,865	30,761	31,684	0	29,710	28,266	
22	Misc. Revenue	-900	0	0	0	0	0	0	0	0	0	Insurance for pump station
23	Total Revenue Budget/Actuals Baseline:	-2,306,694	-2,553,950	-3,648,154	-3,562,760	-3,669,643	-3,779,732	-3,893,124	-228,037	-3,038,654	-2,407,202	
24	Total Revenue Budget/Actuals Baseline + Project Grants:	-2,306,694	-2,553,950	-3,648,154	-4,311,308	-3,669,643	-3,779,732	-11,393,124	-246,328	-3,038,654	-2,451,993	
28	Maintenance of Buildings and Improvements	500,000	500,000	236,942	562,268	530,000	545,900	562,277	83,256	526,743	446,636	Pumps, City, CCNB, sediment, roof repair, gates and pipes
29	Rent Equipment								729			not budget lines
30	Miscellaneous Expenses	50,000	50,000	7,444	51,500	53,045	54,636	56,275	164	30,590	4,280	sand, bags, pump rental, hardware, room rental
30.1	Proposed Mill Valley Funding Agreement				3,015,000							Separate action Item 6 for 1/9/24 advisory board mtg
30.2	Cardinal Right-of-Way, Permit Fees, Mitigation, and Monitoring					750,000						Action would be brought to the board at a later date
30.3	Crest Marin Permit Fees, Mitigation, and Monitoring					100,000						Action would be brought to the board at a later date
33	Professional Services	75,000	75,000	1,265,302	1,048,160	79,568	81,955	84,414	559,589	273,009	349,990	BKF, GEI, S&W, Wood Rodgers, others on-call
33.1	Cardinal Levee Consulting				540,000							Approved by Board of Supervisors on 9/24/2024
33.2	Crest Marin Rehabilitation Consulting				500,000							Advisory Board action from 10/10/23 mtg
34	Construction	100,000	100,000	1,127	103,000	106,090	109,273	112,551	0	4,760	0	
34.1	Cardinal Levee Construction						2,322,300					Action would be brought to the board at a later date
34.2	Crest Marin Rehabilitation Construction						3,240,000					Action would be brought to the board at a later date
34.3	Marin City Construction							10,000,000				Action would be brought to the board at a later date
35	Rental Equipment			729								
36	Space Rental			375								
39	Education and Training	0	0	0	0	0	0	0	0	0	100	not budgeted lines
40	Mileage	0	0	68	0	0	0	0	0	14	0	not budgeted lines
46	Utilities	0	0	0	0	0	0	0	0	0	12,700	not budgeted lines
47	Utilities - Electric	20,000	20,000	30,525	31,441	32,384	33,356	34,356	8,021	24,843	13,194	pump stations
49	Utilities - Water	2,000	2,000	1,739	1,791	1,845	1,900	1,958	625	1,751	1,837	
50	Total Services & Supplies (S&S) Expenditure Baseline:	747,000	747,000	1,543,147	1,798,160	802,932	827,020	851,831	652,384	861,710	828,736	
51	Total S&S Expenditure Baseline + Potential Projects:	747,000	747,000	1,544,251	5,853,160	1,652,932	6,389,320	10,851,831	652,384	861,710	828,736	
54	Water Resources Staff Costs	769,600	754,630	990,177	1,050,177	1,081,683	1,114,133	1,147,557	0	815,776	688,898	Project managers and engineers, O&M oversight, admin
55	Building Maintenance Staff Costs	92,700	92,700	27,649	60,000	61,800	63,654	65,564	0	39,499	36,187	Operate pump stations
57	Engineering Division Staff Costs	77,250	77,250	2,907	72,000	74,160	76,385	78,676	0	0	0	QA/QC Design and Construction
58	Parks Department Staff Costs	0	0	0	6,000	6,180	0	0	0	0	0	Marin City support
59	Print Shop Staff Costs	0	0	703	3,000	3,090	3,183	3,278	0	83	83	Mailers
60	Real Estate Staff Costs	0	0	21,625	78,750	121,710	15,000	15,450	0	0	0	Working on right-of-way for projects, etc.
61	Roads Division Staff Costs	0	0	26,360	36,000	37,080	38,192	39,338	0	0	0	Mowing, tide gate maintenance, minor sediment removal
62	IST Staff Costs	0	0	0	2,400	2,472	2,546	2,623	0	0	0	Tech support for public meetings
63	Vehicle Maintenance Staff Costs	0	0	5,838	3,000	3,090	3,183	3,278	0	0	0	Maintain pump motors and generators
64	Community Development Agency Staff	0	0	511	12,000	1,500	1,545	0	0	0	0	Oversee project CEQA compliance
65	Indirect Cost Allocation (A87)**	23,426	267,098	267,098	275,111	283,364	291,865	300,621	66,775	23,426	25,192	County Counsel and actual staff cost increase in FY 2022
66	Total Staff Costs (Salaries, Benefits, Overhead):	962,976	1,191,678	1,342,869	1,598,438	1,676,129	1,609,686	1,656,385	66,775	878,783	750,359	
67	Transfer Out	0	0	0	0	0	0	0	0	180,000	15,000	Prior years: Lomita, TAM grant contributions
68	Total Expenditure Baseline Budget/Actuals:	1,709,976	1,938,678	2,886,016	3,396,598	2,479,061	2,436,706	2,508,216	719,159	1,920,493	1,594,095	
69	Total Expenditure Baseline Budget + Project /Actuals:	1,709,976	1,938,678	2,887,120	7,451,598	3,329,061	7,999,006	12,508,216	719,159	1,920,493	1,594,095	
70	Set aside for PUMP STATIONS	0	0						0	0	0	Pump stations due for rehabilitation (moved to lines 34.2&4)
71	Set aside for MARIN CITY	0	0						0	0	0	FEMA grant local share (moved to line 34.3)
72	Total Project Designations:	0	0	0	0	0	0	0	0	0	0	
73	Projected Fund End Balance (assuming future approval of project costs):			17,362,010	14,221,720	14,562,301	10,343,027	9,227,936				
74	Projected Fund End Balance with only Existing and Baseline Budget:			17,362,010	17,528,172	18,718,753	20,061,779	21,446,688				
75				(2024 Actual Balance)								

* Currently the revised budget for this fiscal year is the baseline budget, plus encumbered contracts from prior fiscal years carried forward, and approved adjustments for major project contracts.

[**https://marinflooddistrict.org/california-office-of-management-and-budget-a87/](https://marinflooddistrict.org/california-office-of-management-and-budget-a87/)

Shaded gray rows are not part of the baseline budget but are preliminary project estimates provided for context. They would be part of separate actions but the Advisory Board and are pending Board of Supervisors approval.



Projects Recommended Pending Approval	2024	2025	2026	2027	2028	Need Justification
Cardinal Road Levee	\$ -	\$ 540,000	\$ 750,000	\$ 2,322,300	\$ -	Levee seepage increasing significantly, must mitigate to reduce risk of levee failure. We now fill rodent burrows multiple times per year and it is not enough.
Crest Marin Pump Station	\$ -	\$ 500,000	\$ 100,000	\$ 3,240,000	\$ -	All of Crest Marin Creek must flow through 45 yr old pump station, at end of useful life. Last year was manned 24/7 during atmospheric rivers due to repeated failing parts in spite of maintenance.
Cardinal & Shoreline Pump Stations						Pump Stations approaching 40 years, and there are significant drainage issues in the neighborhood. A trash capture device will be put in before Shoreline Station prior to the start of this project.
Marin City Pond Improvements	\$ -	\$ -	\$ -	\$ -	\$ 10,000,000	Protecting the only access to a historically underserved neighborhood. This is 75% funded through a FEMA grant.
Mill Valley Funding Agreements		\$ 3,015,000				