

# FLOOD ZONE 9 ADVISORY BOARD MEETING

November 7, 2024

## Item 1. Approval of Minutes for Prior Meetings

See draft meeting minutes from February 26, 2024 here:

<https://marinfooddistrict.org/meetings/zone-9-advisory-board-meeting-february-26-2024/#/tab-minutes>

**Recommended Action:** Approve the minutes.

## 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). While members of the public are welcome to address the Advisory Board, under the Brown Act Board members may not deliberate or take action on items not on the agenda, and generally may only listen.

## Item 3. Updates to Flood Zone 9 By-Laws

As recommended by the Advisory Board on February 26, the District Board of Supervisors approved changes to the below-listed sections of the bylaws on September 24, 2024. The updated bylaws are also attached to this staff report for reference.

- Article III: Membership
- Article IV, paragraph 4. Alternates
- Article V, paragraph 4. Quorum

## Item 4. Project Updates

### San Anselmo Flood Risk Reduction (SAFRR) Project

#### *BACKGROUND*

The primary purpose of the Project is to reduce flood risk by (1) reducing peak discharge by attenuating flows through use of a flood diversion and storage basin, and (2) increasing creek capacity by removing existing obstructions to creek flow and then regrading and improving the creek channel. The project will reduce flooding on over 500 properties. The creek improvements in San Anselmo will also set the stage for the Town's Creekside Park Project. The scope of the SAFRR Project consists of three distinct components: (1) the Sunnyside Flood Diversion and Storage (FDS) Basin at 3000 Sir Francis Drake Blvd; (2) the removal of a building at 634-636 San Anselmo Avenue, referred to as Building Bridge 2 (BB2), in San Anselmo, a structure that partially obstructs the flow of San Anselmo Creek; and (3) structural mitigation measures downstream. Construction of the FDS Basin is complete except for some landscaping required for environmental mitigation.

Removal of the building at 634-636 San Anselmo Avenue (BB2) in San Anselmo is an important component of the SAFRR project. It spans San Anselmo Creek and its foundations are in the channel and are a major obstruction to flow. The buildings on top of the deck of the supporting concrete BB2 bridge were demolished in the summer of 2020. However, the remainder of the BB2 project was delayed primarily due to the building bridge being located within a FEMA regulatory floodway and potential downstream impacts. Removing BB2 removes a hydraulic constriction in San Anselmo Creek. While this removal greatly reduces flood risk, hydraulic models indicate limited and localized increase in Base Flood Elevation (BFE) just downstream of the BB2 site, for the 100-year return period flow event. In order to accurately quantify the extents and level of BFE additional

hydraulic modeling and surveying was performed. A Community Informational Open House about the project was held on January 11, 2024, at the San Anselmo Town Hall to provide an overview of project status and timeline, and an opportunity for residents to learn more about specific project aspects, ask questions and share concerns.

## *UPDATES*

### *Building Bridge 2 Removal*

Work is underway on multiple project tasks to be prepared to construct the project in the summer of 2026. See specific areas of effort below.

**CEQA:** District staff are in the process of finalizing responses to comments on the Second Addendum to the 2018 San Anselmo Flood Risk Reduction Project Final EIR, November 2023, with plans to present the updated EIR to the Board of Supervisors (BOS) in early 2025.

**Real Estate:** Following completion of CEQA efforts, staff will work to finalize easement and property negotiations, with all necessary acquisitions expected to be completed by December 2025. To meet this deadline, preliminary easement descriptions are currently being drafted.

**Underground Storage Tank (UST):** In late 2023, a citizen reported a suspicious looking tank under the bridge to the Town of San Anselmo. Through a series of site investigations and coordination with Certified Unified Program Agencies, which manages hazardous waste, it was determined the tank needed to be closed and later removed. Efforts to close out the UST are on track for completion by December 2024. The closed UST will remain in place and is scheduled for removal when construction begins in 2026.

**Finalize Project Documents:** Draft 100% plans and specifications and modeling are being reviewed and updated for concurrence with information gathered from above activities and concurrence with FEMA requirements. Regulatory permits have been secured but may require extensions. Staff will be reviewing and updating these as well for a target construction date of 2026.

## *FDS*

Although the FDS has been fully functional since 2023, two important activities were underway this year and are now complete: environmental mitigation planting on the FDS site and an adaptive management project aimed at reducing stream bank erosion in the vicinity of the creek restoration site adjacent to the FDS outfall. As this is now a maintenance activity, please see Item 5.d below.

## *PROJECT BUDGET*

The following is a summary of San Anselmo Flood Risk Reduction Project costs to date and anticipated future costs and funding sources. These costs are continually refined and periodically updated.

### *Project Cost:*

Total cost spent to date is \$16.6M for the SAFRR project, including FDS and the planning and engineering work that has been done to date on Building Bridge 2. The estimated remaining cost is \$8.7M which includes the construction cost to remove of BB2 for a total estimated SAFRR project cost of \$25.3M. Prior to the next AB meeting staff will update the cost estimates which have not been updated recently and will provide a detailed summary of past expenditures and estimated future expenditures.

#### Existing Revenue:

\$8,720,500	State Department of Water Resources (DWR) Grant
\$8,720,500	Flood Zone 9 Fee (Required DWR Grant Match)
\$6M	Additional Zone 9 contribution
<i>\$23,441,000</i>	<i>Total Revenue</i>

#### Estimated Additional Revenue Needed: \$1.9M

Due to scheduling delays related to FEMA compliance, the District requested a grant extension from the Department of Water Resources (DWR). A tentative extension has been secured from December 2024 to December 2025, pending DWR's formal review and approval. DWR will assess project progress next year and consider an additional extension if required to complete the project.

### Corte Madera Creek Flood Risk Management Project

#### BACKGROUND

The goal of this project is to reduce the frequency and severity of flooding and to protect human life and property in the communities of Ross and Kentfield by enhancing and improving Corte Madera Creek. The project will make improvements to the concrete channel that the U.S. Army Corps of Engineers (USACE) built in the 1960-70s. The project area starts upstream at Lagunitas Road in the Town of Ross and ends downstream at the earthen channel in Kentfield. The proposed channel improvements reduce flood risk for the 25-year flood event to residents and businesses within the Town of Ross and Kentfield. The project includes elements that would increase flow conveyance capacity, provide flood protection, and enhance habitat within Corte Madera Creek.

The project includes these elements:

- *Natural Channel Transition and Raised Floodwalls:* Remove a fish ladder and lower the channel within Unit 4 to remove an impediment to flood flow and install taller floodwalls in Units 2 and 3 to control flood flows
- *Fish Resting Pool Improvements:* Create larger fish resting pools within the concrete channel in Unit 3 to improve fish passage
- *Granton Park Pump Station:* Install a stormwater pump station to control flooding in the Granton Park neighborhood and a maintenance access ramp
- *Lower College of Marin Restoration:* Remove portions of the concrete channel from Stadium Way downstream to the natural earthen channel to improve fish and wildlife habitat

The Environmental Impact Report (EIR) was certified by the District Board of Supervisors on August 17, 2021. Regulatory permits have been obtained. The funding from CA Department of Water Resources Grant was extended to March 31, 2026. The project is being bid as multiple contracts spanning several years.

#### UPDATES

##### Granton Park Pump Station

Construction of the maintenance access ramp in the Granton Park neighborhood was completed in 2022. The new Granton Park stormwater pump station is newly in service this fall 2024. See Item 5 for more information on these facilities now that they are constructed.

Lower College of Marin Restoration

Funding has been secured to proceed with construction of the Corte Madera Creek Lower College of Marin Restoration component of the overall project. Real Estate will be working this winter to finalize temporary construction easements on College of Marin property. Permits and regulatory requirements have all been met, and construction is planned for summer 2025.

Unit 4 Transition and In-stream Improvements

Draft 100% plans and specifications are being reviewed and modeling updated to include the Lower College of Marin Restoration improvements as part of the existing conditions for review and concurrence with FEMA. Regulatory permits have been secured but may require extensions. Construction for the improved fish resting pools, raised elevations of segments of existing concrete channel walls, and Unit 4 transition to the upstream natural channel is currently planned for summer 2026.

Grants

The Lower College of Marin Restoration component of the project was awarded a \$555,000 grant from US Fish & Wildlife Service – National Coastal Wetlands Conservation Grant Program and will be administered through the CA Coastal Conservancy. Additionally, CA Coastal Conservancy re-committed funding of \$1,658,270 to cover the balance of the construction costs for this component of the project. The Friends of Corte Madera Creek obtained a NFWF grant of \$155,674 for existing wetland plant salvaging and revegetation work for the Lower COM Restoration component, which helps to reduce the cost of the construction project.

PROJECT BUDGET

The following is a summary of Corte Madera Creek Flood Risk Management Project costs to date and anticipated future costs and funding sources. These costs are continually refined and periodically updated.

Project Cost:

Total cost spent to date is \$8.3 million for this project. The estimated remaining cost is \$8.7 million. Prior to the next AB meeting staff will update the cost estimates which have not been updated recently and will provide a detailed summary of past expenditures and estimated future expenditures.

Project Revenue:

\$7,030,377	State Department of Water Resources (DWR) Grant
\$7,030,377	Flood Zone 9 Fee (Required DWR Grant Match)
\$1,658,270	Coastal Conservancy Grant
\$750,000	County Sea Level Rise Funds (for Lower COM Restoration construction)
\$555,000	US Fish & Wildlife Service National Coastal Wetlands Conservation Grant
\$17,024,024	Total Revenue

Item 5. Annual and Preventive Maintenance Work Program

A. Pump Stations

Starting this fiscal year, the Zone is implementing a maintenance program for its new pump station in Granton Park. Though the District already maintains 17 pump stations, this is the first one in Zone 9. Preventive maintenance for all pump stations is completed every summer and includes the inspection, testing, and as needed replacement of electrical and mechanical components. Pump station back-up generators are annually run-tested, and the fuel checked and maintained as needed. Regular maintenance and monitoring of pump operations is expected to be carried out by a contractor specializing in pump stations. An annual contract budget

of \$40,000 per year is recommended, as well as a contribution of \$10,000 annually to a sinking fund for major preventive maintenance and repairs. Pump Man NorCal, chosen because they are local and know our facilities well, will be performing the winter monitoring and basic upkeep for the new pump station.

Individual pumps are typically scheduled for major preventive maintenance on a six-year staggered interval at each of the District’s pump stations. This major preventive maintenance involves removing one of the pumps in the summer and conducting a thorough inspection and refurbishment (including sand blasting, epoxy coating, re-balance propeller, replace shaft tubes, etc.) before returning it to the station. Unless an issue is identified earlier, staff recommend planning for this major maintenance to occur in 2029 and 2030, then every 6 years after.

**B. Creek Maintenance**

Vegetation overhanging the concrete channel of Corte Madera Creek is removed as needed to facilitate inspection and maintenance of the concrete walls and tide gates. Sediment was removed from the Concrete Channel Fish Resting pools.

The 5-year funding agreements the District had with City and Town partners in the watershed are now expired. Here is a summary of the amounts under those now-expired agreements that were requested and granted reimbursement for each partner municipality:

San Anselmo	\$0 (no reimbursement requests were sent to District)
Fairfax	\$0 (no reimbursement requests were sent to District)
Larkspur	\$15,000
Ross	\$45,000

Under each agreement, up to \$75,000 was available to each municipality over the 5-year term. With the upcoming expiration of the Ross Valley fee in 2027, the Zone no longer has the funding to continue these agreements.

**C. Flood Detention and Storage (FDS) Basin Maintenance**

Maintenance work in Fairfax Creek was completed on October 17, 2024 in vicinity of the 36” RCP (reinforced concrete pipe) FDS Basin outfall. This maintenance repaired right bank erosion and left bank sedimentation caused by excess riprap placed in the active channel along the left bank, at the time of FDS Basin construction. The repairs included:

- removal of encroached rip-rap along the left bank to restore the pre-project Fairfax Creek channel alignment;
- installation of rip-rap to stabilize the undercut right bank adjacent to Sir Francis Drake Boulevard; and
- removal of sediment deposited at the pipe outfall to promote positive drainage.

The total cost for this work was \$60,000 and is being paid for with the Zone 9 baseline budget.

**D. SAFRR Post-Project Environmental Mitigation Maintenance and Monitoring**

To comply with the environmental permit requirements associated with the San Anselmo Flood Risk Reduction Project, Zone 9 must maintain and monitor the mitigation plantings for at least 5 years and ensure minimum survival of plants at the end of that time. Forster & Kroeger Landscape Maintenance, Inc. is now under contract to complete this maintenance for two years, with the option of extending for the full 5 years. Their cost for the

first two years is \$310,673 with 10% contingency for unknown circumstances. This contract includes frequent weeding, fire fuel reduction, inspecting irrigation, replacing browse protection and replacing plants that died as needed, as well as monitoring and reporting on the progress to permitting agencies annually. This work fits within the \$175,000 annual maintenance budget for these mitigation plantings recommended by the Advisory Board in February. Costs for irrigation water are additional (up to \$10,000 generally) and covered separately under the Zone 9 baseline budget.

## Item 6. Next Meeting

Per the Zone bylaws, regular meetings are held on the first Tuesday in January. Additionally, the advisory board should pick an additional regular meeting date that works for their schedule. Special meetings may be called if there is a project need or other urgent need that comes up between now and the regular meetings.

**MARIN COUNTY FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT**

**BYLAWS OF THE FLOOD CONTROL ZONE 9 ADVISORY BOARD  
APPROVED BY THE BOARD OF SUPERVISORS SEPTEMBER 24, 2024**

**ARTICLE I:           NAME**

This organization shall be called "The Marin County Flood Control and Water Conservation District Flood Control Zone 9 Advisory Board" ("Advisory Board"), existing by virtue of the Marin County Flood Control and Water Conservation District Act ("Act"), Water Code Appendix Section 68-6, and exercising the powers and authority, and assuming the responsibilities delegated to it under the Act.

Flood Control Zone 9 is located within a portion of the Ross Valley Watershed. The zone boundaries were established by Marin County Flood Control and Water Conservation District Resolutions No. 8767, No. 2007-25, and 2007-05. Flood Control Zone 9 is referred to herein as the "Zone", "Flood Control Zone 9" or "Zone 9".

**ARTICLE II:         PURPOSE**

The Advisory Board's focus is on matters within the boundaries of Zone 9 referred to it by the Board of Supervisors of the Marin County Flood Control and Water Conservation District ("District Board"). The Advisory Board shall be consulted by the District Board in all matters affecting the zone, unless doing so is highly impractical or, because of the need to act expeditiously or otherwise, it would likely be contrary to the best interests of Flood Control Zone 9 to bring the matter to the Advisory Board prior to the District Board taking action.

Pursuant to California Water Code Appendix Section 68-6.2, the Advisory Board shall make a report to the District Board on all matters referred to it within 30 days after referral of the matter. The District Board may proceed with an action if the Advisory Board does not make a report within 30 days of referral to it.

Subject to the above considerations, in general, the following types of matters will be referred by the District Board to the Advisory Board for consultation:

- 1) Projects actually or proposed to be funded by the Flood Control Zone 9 budget.
- 2) Initiating or responding to a legal proceeding the results of which are likely to affect the Flood Control Zone 9 budget. (The item will be agendized as a Closed Session item for the Advisory Board in

accordance with the Brown Act and staff will provide a briefing to the Advisory Board.)

- 3) Offering or consideration of an offer to settle a lawsuit, the terms of which are likely to affect the Flood Control Zone 9 budget. (The item will be agendized as a Closed Session item for the Advisory Board in accordance with the Brown Act and staff will provide a briefing to the Advisory Board.)
- 4) Any action requiring the approval of the District Board that is likely to affect the Zone 9 budget, other than contracts or programs that have been reviewed by the Advisory Board through the annual work program and budgeting process.

Any action not requiring the approval of the District Board will not be brought to the Advisory Board for consideration.

If any member of the Advisory Board believes that an item on the District Board's agenda affects Flood Control Zone 9 and has not previously been brought to the Advisory Board pursuant to these bylaws, and the member believes the item should have been pursuant to California Water Code Appendix Section 68-6.2, the member shall notify staff for the District so the Advisory Board may be provided an opportunity to render a recommendation. Failure to do so constitutes a waiver of the Advisory Board's ability to file a report regarding the particular matter once the District Board has taken action.

### **ARTICLE III: MEMBERSHIP**

The Advisory Board shall consist of the following seven (7) members:

- (1) One member shall be appointed by each of the member jurisdictions and
- (2) the remainder shall be appointed by the District Board as At-Large members who may be residents of incorporated or unincorporated portions of the zone at the discretion of the District Board of Supervisors.

City and Towns may also appoint an alternate member for their representative jurisdictions. All members shall be residents of Flood Control Zone No. 9.

Standing Rules and Application and Appointment Procedures are specified in Marin County Resolution No. 2016-03 (as amended from time-to-time).



## **ARTICLE IV:       TERM OF OFFICE**

### **1. Term of Appointment**

Each member shall be appointed for a four-year term, which terms are staggered.

### **2. Vacancy**

If a vacancy occurs, the jurisdiction which is represented by the vacancy shall appoint a new Advisory Board member to serve for the remaining duration of the relevant resigning member's four-year term, at which time the appointment shall be reviewed, and then reviewed every four years thereafter.

### **3. Resignation**

A resignation of an Advisory Board member shall be in writing and filed with the Clerk of the District Board.

## **ARTICLE V:       MEETINGS**

### **1. General**

All meetings of the Advisory Board shall comply with all applicable laws, including the provisions set forth in California Government Code Sections 54950-54962, the Brown Act, and the Americans with Disabilities Act.

### **2. Meeting Frequency**

An annual meeting shall be held on the third Tuesday of the month of January. At the annual meeting, the Advisory Board and District staff shall schedule one additional regular meeting to be held that calendar year. In addition, special meetings may be called by the District Engineer when District business needs so dictate. Special meetings may also be called at the request of the Advisory Board Chair. If, as a meeting date approaches, there is no business proposed to be conducted, the annual or regular meeting may be canceled by District staff by noticing the Advisory Board and providing a written update on Zone activities.

### **3. Meeting Time and Place**

Meetings shall be held at a place within or near the boundaries of Flood Control Zone 9 or at the principal office of the District.

### **4. Quorum**

A majority of the seated members of the Advisory Board shall constitute a quorum for the transaction of business.

### **5. Conduct of Meetings**

All meetings shall be conducted and governed by the rules set forth in Robert's Rules of Order. There will be training, as needed, for all members of the Advisory Board on meeting conduct and Robert's Rules of Order

### **6. Voting**

An affirmative vote of the majority of all members of the Advisory Board present at the time shall be necessary to approve any action item before the Advisory Board.

## **ARTICLE VI: OFFICERS AND DUTIES**

The officers of the Advisory Board shall be the Chair and Vice-Chair.

### **1. Election and Term**

Officers shall be elected to a two-year term by a majority vote of the Advisory Board.

### **2. Duties of the Chair**

The Chair shall preside at all meetings of the Advisory Board consistent with Robert's Rules of Order. The Chair shall perform such duties as are necessary to run meetings and assist with identification of training needs for board members.

### **3. Duties of the Vice-Chair**

The Vice-Chair shall carry out the duties of the Chair during her/his absence or disability or during a vacancy in the office of the Chair.

#### **4. Resignations**

An officer may resign from his or her position as Chair or Vice-Chair at any time upon giving written notice to the Advisory Board.

#### **5. Vacancies**

Any vacancies of the Chair or Vice-Chair shall be filled by a majority vote of the Advisory Board.

### **ARTICLE VII: BYLAWS**

These bylaws may be recommended for amendment by a majority vote of all Advisory Board Members so long as the proposed amendment does not conflict with any provisions of the Marin County Flood Control and Water Conservation District Act.

No amendment to these bylaws shall take effect or be binding until the amendment is ratified by the District Board.