

# Flood Zone 3 Advisory Board Meeting

ADVISORY BOARD MEETING

January 13, 2026



# Agenda

FLOOD ZONE 3 ADVISORY BOARD MEETING: JANUARY 13, 2026

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1. Call to Order
2. Roll Call
3. Summary of Action Minutes: July 8, 2025
4. Open Time for Items not on the Agenda
5. District Staff Reports
  - A. Annual Preventive Maintenance Plan
  - B. Zone 3 Projects in Marin City
  - C. Proposed Cardinal Road Levee Project
  - D. Bothin Marsh Evolving Shoreline
  - E. Crest Marin Pump Station
  - F. Sycamore Pump Station
  - G. Review Operations Budget
6. Business
  - Recommended actions related to:**
    - Cardinal Road Levee
    - Coyote Creek Survey
    - Crest Marin Design Contract Amendment
    - Marin City Pond Flood Improvements
    - Sycamore Pump Station
    - Fiscal Year Operating Budget
7. Schedule Next Meeting



# Item 2. Roll Call

JANUARY 13, 2026

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District staff will conduct a roll call and ask for a round of introductions by board members and District staff.

Garry Lion – Chairperson	Kevin Conger – Vice-Chairperson
June Farmer	John McCauley
Steven Reel	Potter Wickware
1 Vacancy	



# Item 3. Summary of Action Minutes

JULY 8, 2025

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Draft minutes from July 8, 2025, can be found here:

<https://flooddistrict.marincounty.gov/meetings/zone-3-advisory-board-meeting-july-8-2025/#/tab-minutes>

**Recommended Action:** Approve minutes



# 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
- When written testimony is presented, it is not necessary to read the entire text; it will automatically become part of the minutes
- All are expected to be polite and courteous, and refrain from questioning the character or motives of others
- Please help create an atmosphere of respect



# Item 5. District Staff Reports

- A. Annual Preventive Maintenance Plan
- B. Zone 3 Projects in Marin City
- C. Cardinal Road Levee Project
- D. Bothin Marsh
- E. Crest Marin Pump Station
- F. Sycamore Pump Station
- G. Review Operations Budget



# 5A. Annual Preventive Maintenance Plan

- Includes preventive maintenance of pump stations and creeks
- Work this fiscal year is within current budget
- Creek maintenance is now regulated by state agencies that protect water quality and habitat and require:
  - Technical justification
  - Mitigation of impacts
  - Regular reporting
- Conservation Corps North Bay (CCNB) has been a key partner for creek maintenance for many decades



Corroded Seminary Drive Pump in 2025

# 5A. O&M Plan – Pump Stations

- Pumps removed for refurbishment on staggered 6-year cycle
- The following pumps were due in 2025 for a contract cost of \$52,068:
  - Seminary Dr #2 Pump
  - Crest Marin #3 Pump
- The #4 Pump at Shoreline is due for service in 2026, with a recommended budget of \$40,000
- Due to aging equipment, we also intend to purchase a new 6” portable pump for Zone 3 for up to \$100,000 for emergency use



Corroded Crest Marin Pump

# 5A. O&M 2025 Report - Creeks

## In these creeks in 2025:

- Coyote Creek
- Crest Marin Creek
- Various Mill Valley Creeks

## Activities:

- Trim low branches
- Trim cattails
- Invasive species removal
- Trash/debris removal
- Sediment removal by hand
- Tide gate maintenance

**CCNB contract cost:**  
**\$136k**



CCNB trimming vegetation in Arroyo Corte Madera del Presidio

# 5A. O&M Report – Other Property Management

**Zone 3 owns and has easements on many properties throughout the zone, particularly in Tam Valley. Property management tasks include:**

- Fire fuel reduction mowing
- Gopher control and filling holes (approaching \$50-100k annually)
- Managing hazardous trees
- Repairing and modifying fences and gates
- Adding or smoothing gravel on maintenance access roads
- Dealing with encroachments
- Maintaining on-site supply of sand and bags for official use in emergencies
- Manage various lease agreements and rights to enter
- Graffiti management

**Contracting budget: \$150k**



# 5A. O&M 2026 Plan – Creeks

## In these creeks:

- Coyote and Nyhan Creek
- Crest Marin Creek
- Various in Mill Valley

## Perform this work as needed:

- Trim obstructing branches and cattails
- Remove invasive species in channel
- Remove debris
- Remove buildup of sediment

**CCNB contract budget: \$100k**

**Larger sediment removal: \$100k**



CCNB removing sediment at Crest Marin Creek

# 5B. Zone 3 Projects in Marin City

Marin City Pond Flood Reduction Project

Marin City Stormwater Plan

Marin City Pond  
Environmental Dredge



# 5B. Marin City Pond Flood Reduction

**FEMA Hazard Mitigation Grant (“Phase 1”) is completed and there is no funding for further stages:**

- 65% Design complete
- All permit application have been submitted. Will need to purchase mitigation credits when the project moves forward
- [CEQA Public Review](#) was posted for public comment\* May 15 to June 23, 2025

## **Recommended Next Steps:**

- Conduct phase II Environmental Assessment for acquisition of the Pond
- Adopt CEQA Initial Study/Mitigated Negative Declaration and award contract amendment to BKF for final design, including a stand-alone tide gate automation feasibility study



\*Response to comments attached

# 5B. Marin City Stormwater Plan

## The Marin City Stormwater Plan completed:

- 3 [Community](#) meetings
- 5 [Task Force](#) meetings
- Engineering analysis and [final Plan](#) was posted on the project website in December.

## Next Steps:

- Coordinate with USACE and Caltrans on their ongoing projects to leverage this effort's analysis and community outreach.



# 5B. Marin City Stormwater Plan

The following slides are an overview of community outreach conducted for the stormwater plan, as requested by the advisory board at the July meeting.

Surveys were conducted to seek community input on the weight of various criteria related to potential projects. The weight of criteria was used to rank the potential projects in the [plan](#) and making recommendations.



# Criteria Categories:

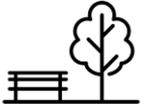
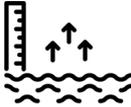
## Flood management effectiveness

- How can this improve the entrance/exit to Marin City?
- Does this reduce flooding near our homes and buildings?
- Climate change resiliency



## What is the impact on our community's health?

- Will this project affect our plants, air, trees, water, etc.?
- Will this increase access to our recreational areas?
- Can the project be combined with green infrastructure features?
- How will this impact our community during construction?



# Criteria Weight Determined Through:

- Online Survey - 25
- Community Meeting Voting Exercise - 15
- In-Person Surveys at Community Events - 193



# Summer Community Outreach

- Project representatives attended 3 Saturday events in the community in summer 2024
- This increased community input from 31 to ~200 surveys





# Feedback Received

Goal should be to control/limit flooding without destruction/change to the fundamental essence of the historical Marin City Community.

We need additional ways in and out - not one viaduct.

Will anything be done to raise Gate Six road to keep it from becoming impassable at any given six foot tide? It is a county road and the problem needs to be addressed for all of the residents of the houseboats in that area.

Limit construction impacts

We need the big community meetings to happen more often.

Reduce flooding

Improve entrance and exit

Green infrastructure

Increase climate change resilience



# 5B. Marin City Stormwater Plan

UPPER WATERSHED Improvement Concept	Flood Effectiveness	Community Health	GPA	Overall Grade
Weight	63	37	100	
Maintenance and Repair	A	B	3.5	A-
Connect Pipes on Hillside	A	B	3.5	A-
Upsize Inlets at Waldo Court	A	B-	3.4	B+
Upsize Inlets Behind Housing	A	B-	3.4	B+
Trash Rack and Sed Basin - Phillips	B+	B+	3.3	B+
Trash Rack and Sed Basin - Pacheco	B+	B	3.2	B+
Landslide Repair - Cole	B+	B	3.2	B+
Hillside Trail and Fire Road BMPs	B	A-	3.2	B+
Vegetated Channel – Pacheco	B-	A	3.1	B+
Re-Reroute Caltrans Drainage	B+	C+	3.0	B
Trash Rack and Sed Basin - Cole	B	B-	2.9	B
Trash Rack and Sed Basin - Eureka/Drake	B-	B-	2.7	B-

LOWER WATERSHED Improvement Concept	Flood Effectiveness	Community Health	GPA	Overall Grade
Weight	63	37	100	
Do Nothing	D-	C	1.1	D+
Proposed Baseline Projects	C	B-	2.2	C+
<b>Phillips Drive Bypass to New Bay Outfall</b>	<b>B+</b>	<b>B-</b>	<b>3.1</b>	<b>B+</b>
<b>Drake Partial Bypass to New Bay Outfall</b>	<b>B+</b>	<b>C+</b>	<b>3.0</b>	<b>B</b>
Drake Watershed Detention	B-	B	2.8	B
Donahue Full Bypass	B-	C+	2.6	B-
Pond New Outfall	C+	B-	2.5	B-
<b>Drake Pipe Upsize and Increase Inlets</b>	<b>C+</b>	<b>B-</b>	<b>2.4</b>	<b>B-</b>
Drake Partial Bypass to Pond	C+	B-	2.4	B-
Drake and Donahue Street Raising	C+	C+	2.2	C+



# 5B. Marin City Pond Enviro Dredge

## Status:

- Phase I Environmental Assessment done in 2021 by Audubon California for Marin City Climate Resilience & Health Justice (formerly Shore Up Marin City)
- Results show elevated lead and zinc, typical of freeway runoff, as well as elevated arsenic due to natural geology
- \$2.5M in funding dedicated by the State for environmental dredging of the pond to remove pollutants

## Next Steps:

- Once Phase II Environmental Assessment for the pond is complete and follow up risk assessments, we can develop cost estimate for environmental clean-up



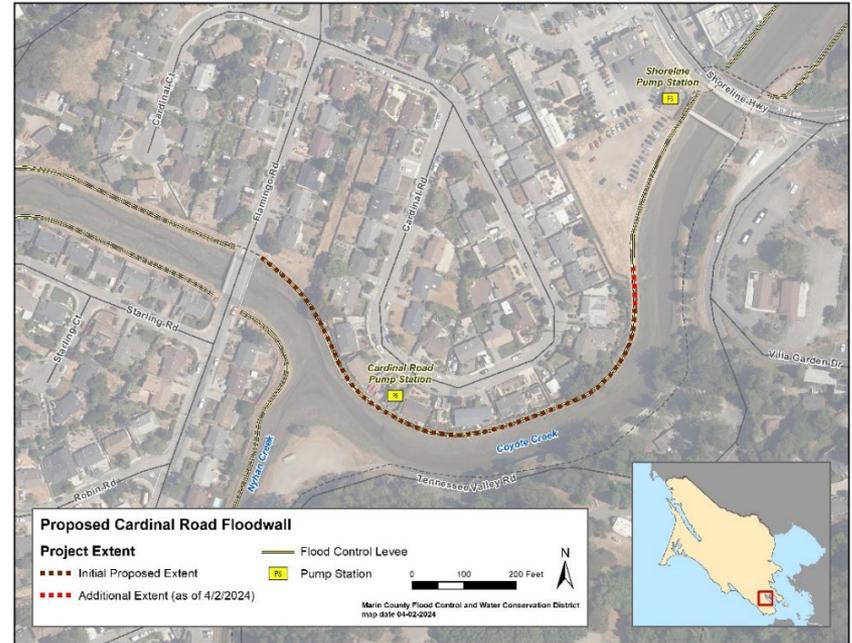
# 5C. Proposed Cardinal Road Levee Project

## Completed:

- 65% design for sheetpile wall
- 2 community open houses
- [CEQA Public Review](#) October 31 to December 1, 2025

## Recommended Next Steps:

- Adopt CEQA Initial Study/Mitigated Negative Declaration
- Award contract for real estate agents to carry out right-of-way acquisition
- Prepare Construction Plans & Specifications



# 5D. Bothin Marsh Evolving Shorelines

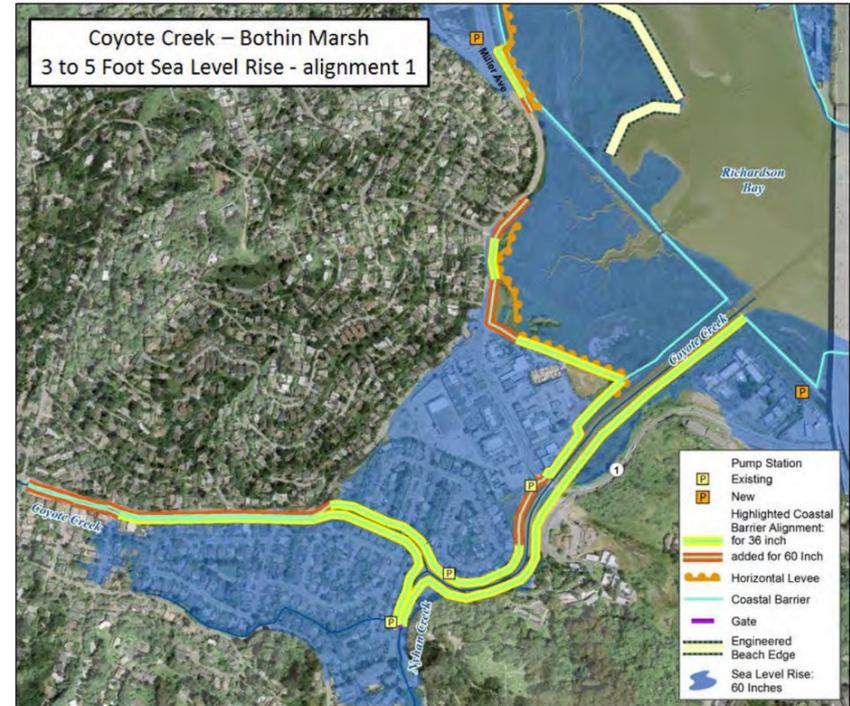


Marin County Parks project closely coordinated with Zone 3.



# 5D. Bothin Marsh Evolving Shorelines

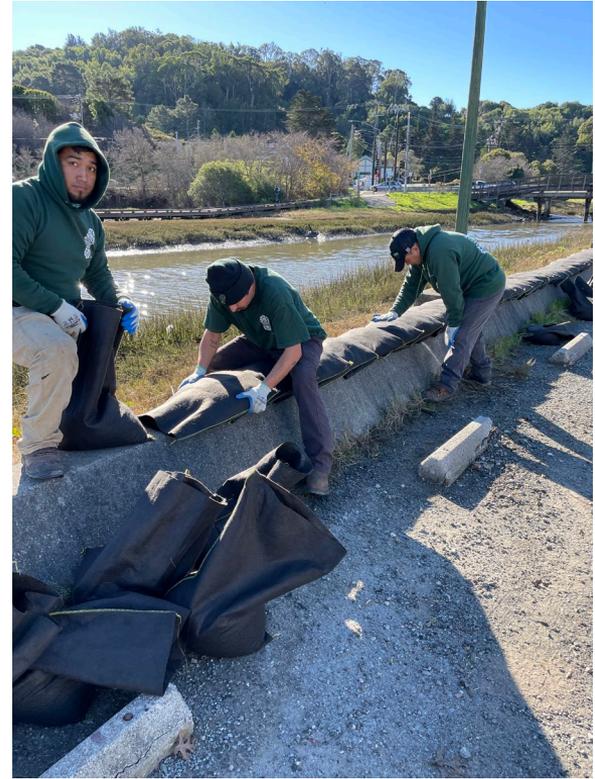
- To recommend the District's next steps to coordinate with this project, staff are currently reviewing:
  - 2016 [Coyote Creek Levee Evaluation](#)
  - 2015 [Richardson Bay Shoreline Study](#)
  - 2017 [Coyote Creek to Bothin Marsh Dredge Sediment Beneficial Reuse Feasibility Study](#)
  - Mill Valley Shoreline Adaptation Planning effort underway
- Recommend Zone 3 survey sediment levels and top of bank elevations in Coyote and Nyhan Creek, with budget not to exceed \$50,000.



Excerpt of Richardson Bay Shoreline Study



# 5D. Interim Measures



Floodwall near Dipsea Café at King Tide. Photo left from Breeze Kinsey. Photo right CCNB placing sandbags.



# 5E. Crest Marin Pump Station

**This is a very large pump station through which all of Crest Marin Creek must pass, as currently configured.**

- Design is 30% complete.
- Construction cost estimates have increased from [\\$3.24M](#) to \$5.075M.

## **Next Steps:**

- Amend design contract adding building structural and bank stabilization design tasks.
- CEQA review.
- Prepare construction plans & specifications.



# 5E. Crest Marin Pump Station

The design engineer Schaaf & Wheeler will provide a brief [presentation](#) on the project.



**COUNTY OF MARIN**  
DEPARTMENT OF PUBLIC WORKS

**FLOOD CONTROL & WATER  
CONSERVATION DISTRICT**  
**CREST MARIN PUMP  
STATION REHABILITATION**

# Agenda

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**1** Project Status Update

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**2** Proposed Improvements

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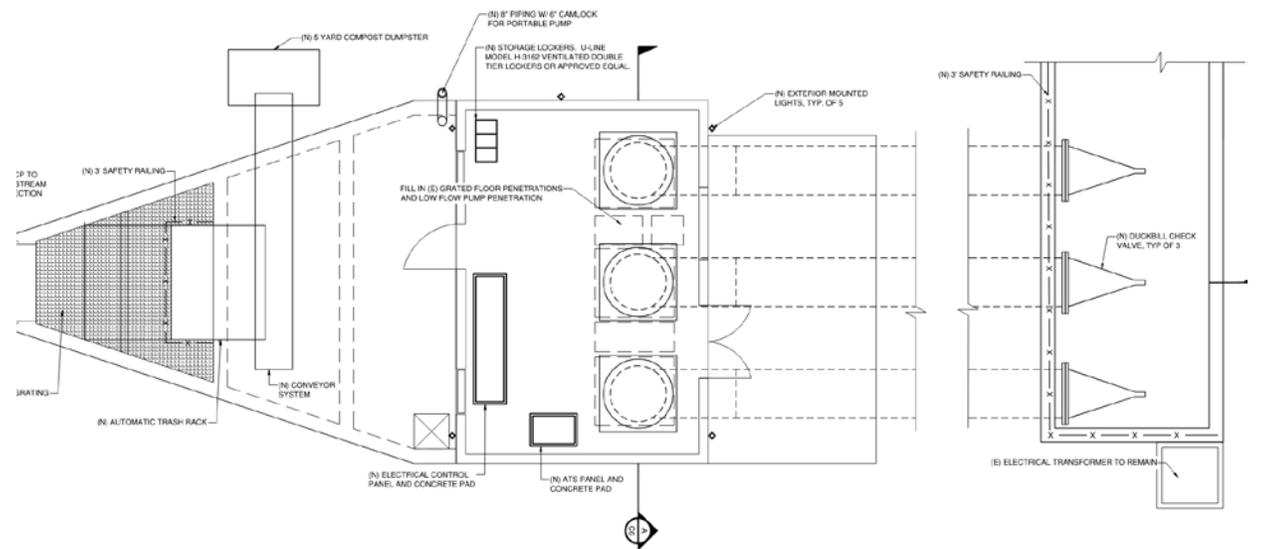
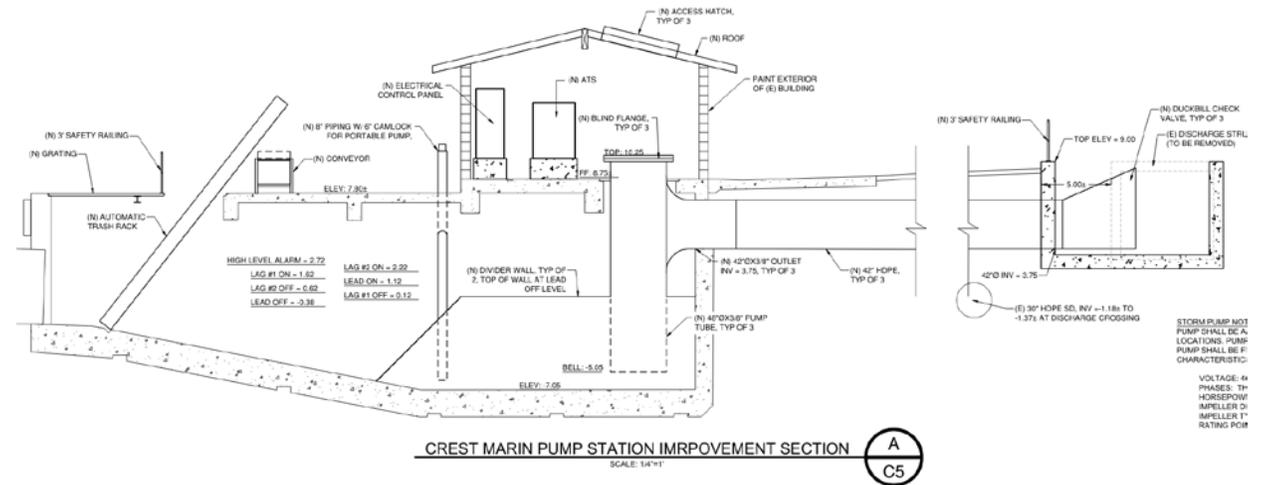
**3** Current Estimate of Probable Construction Cost and Project Schedule

# Project Status Update

- **Recently Completed Alternatives Report, Basis of Design, and 30% Design Submittal**
- **Currently Working on 60% Design**
- **Environmental Permits Applications and Reports are Being Prepared**
- **PG&E Application for New Electric Service**

# Proposed Improvements

- Replace Pump Station Building
- Replace Pumps & Discharge Piping
- New Diesel Generator
- Replace Intake Structure on Crest Marin Creek
- New Automatic Trash Rack in Wetwell
- New Discharge Structure and Check Valves





# Estimate of Probable Construction Cost

- **Alternatives Analysis Cost = \$3,200,000 + 20% Contingency = \$3,860,000**
- **Additional Costs Identified During Preliminary Design and Alternatives Selection (Costs shown are the increased costs from original assumed improvements, not the total cost of the work)**
  - **Replace Building = \$70,000**
  - **Generator Pad Supported on Helical Piles = \$70,000**
  - **Replace Discharge Structure and Support on Helical Piles = \$250,000**
  - **Replace Retaining Wall Downstream of Discharge Structure = \$50,000**
  - **Bank Stabilization = \$50,000**
  - **Automatic Trash Rack in Wetwell = \$250,000**
  - **Stainless Steel Pump Tubes and Discharge Piping = \$200,000**
  - **Improve Pump Station Access = \$110,000**
  - **Increased Pump Cost to Mitigate Hydraulics and Wetwell Constraints = \$400,000**
  - **+ Increased Equipment Costs and Miscellaneous Improvements**

**Current Estimate of Probable Construction Cost w/ 20% Contingency = \$5,880,000**

# Project Schedule

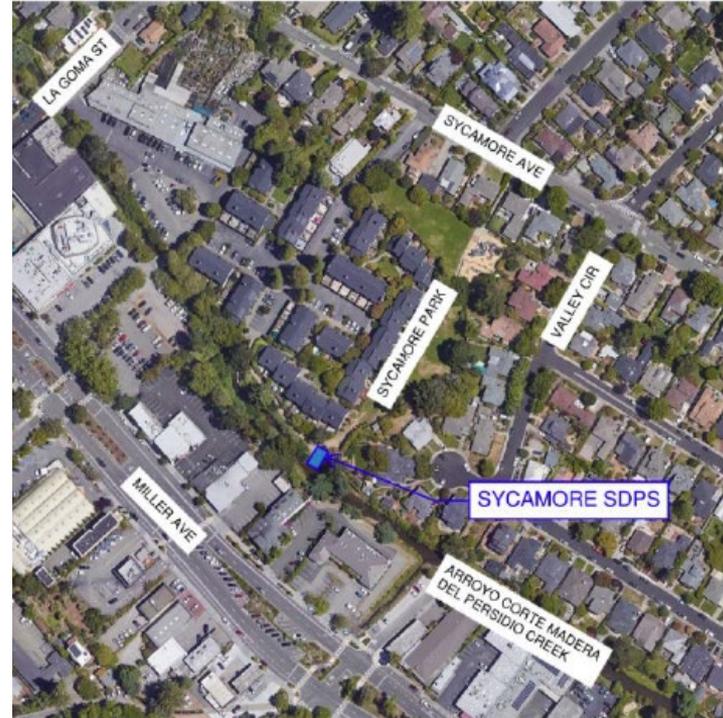
- **Design and Environmental Permitting – Ongoing, Estimated Completion in February 2027**
  - **Environmental Permitting Process Estimated to Take 12 Months**
- **Bid and Contract Approval – February through April 2027**
- **Construction – April 2027 through December 2028**

**QUESTIONS?**

# 5F. Sycamore Pump Station

- This is a City of Mill Valley project with [funding](#) support from Flood Zone 3.
- Design is 90% complete.
- Construction cost estimates have increased from [\\$1.5M](#) to \$2.2M.\*
- City requested Zone 3 maintain renovated pump station - District Board of Supervisors would need to:
  - Increase Zone 3 baseline budget (~\$50k annually).\*
  - Accept permanent easements to the District.\*

\*The advisory board may recommend these actions today as part of Item 6.



City map locating Sycamore Pump Station



# 5G. Review Operations Budget

- Every two years the advisory board is asked to recommend a baseline budget for Zone 3 (see Item 6).
- The proposed budget would cover the **two fiscal years** from July 1, 2026 through June 30, 2028.
- The request is to recommend a **baseline operations budget**, which does not include major project expenses, and is intended to be **relatively consistent from year to year**.
- Major project expenses, like design contracts and construction contracts, will have to be accompanied by additional recommendations for budget amendments.
- The items shaded green represent the baseline budget items for your board to focus on today. Revenue, staff and overhead are provided for context.



# 5G. Review Operations Budget

Category	2024 Actuals	2025 Actuals	2026 Budget	2027 Recom'd	2028 Recom'd
Tax/Interest Revenue	\$3.46M	\$3.78M	\$2.78M	<b>\$2.79M</b>	<b>\$2.88M</b>
Grant Revenue	\$189k	\$2.16M	\$366.1k	<b>\$0</b>	<b>\$0</b>
Maintenance Svcs	\$237k	\$178k	\$584.1k	<b>\$515k</b>	<b>\$515k</b>
Professional Svcs	\$1.27M	\$880k	\$1.52M	<b>\$100k</b>	<b>\$100k</b>
Construction/Trade	\$0	\$1.29M	\$3.41M	<b>\$100k</b>	<b>\$100k</b>
Other Svcs & Supplies	\$42k	\$258k	\$111.4K	<b>\$82.5k</b>	<b>\$82.5k</b>
Staff & Overhead	\$1.3M	\$1.3M	\$1.15M	<b>\$1.35M</b>	<b>\$1.4M</b>



**Fund Balance: \$19M**

**Net Increase \$600k annually**

# 5G. Breaking Down Revenue Sources

Category	2024 Actuals	2025 Actuals	2026 Year to Date*	2027 Estimated	2028 Estimated
Basic Property Tax	\$2.57M	\$2.68M	\$1.51M	<b>\$2.57M</b>	<b>\$2.65M</b>
ERAF Returned	\$197.1k	\$215.7k	\$133.1k	<b>\$209.8k</b>	<b>\$216k</b>
Interest and Rents	\$692.3k	\$881.3k	\$246.1k	<b>\$15k</b>	<b>\$15k</b>
TAM Grant	\$189.2k	\$287.2k	\$348k	<b>TBD</b>	<b>TBD</b>
FEMA Grant	\$0	\$1.87M	\$18.1k	<b>\$0</b>	<b>\$0</b>
<b>Total</b>	<b>\$3.65M</b>	<b>\$5.94M</b>	<b>\$2.23M</b>	<b>\$2.79M</b>	<b>\$2.88M</b>

\*As of December 12, 2025



# 5G. Services and Supplies

Category	2024 Actuals	2025 Actuals	2026 Year to Date*	2027* Recom'd	2028* Recom'd
Pump Maintenance	\$18k	\$261.9k	\$52.1k	\$140k	\$170k
Other Maintenance	\$220k	\$153.4k	\$60.9k	\$375k	\$345k
Professional Svcs	\$1.26M	\$912.5k	\$213.9k	\$100k	\$100k
Construction/Trade	\$1,127	\$1.29M	\$0	\$100k	\$100k
Utilities	\$32.3k	\$33.9k	\$13.9k	\$37k	\$37k
Other Expenses	\$7,512	\$641	\$544	\$45.5k	\$45.5k
<b>Total</b>	<b>\$1.54M</b>	<b>\$2.65M</b>	<b>\$341.4k</b>	<b>\$797.5k</b>	<b>\$797.5k</b>



\*Action requested by Advisory Board in Item 6

# 5G. Services and Supplies

## **Major expenses included in recommended 2027 budget:**

- Purchase of 6” portable pump, and misc. rentals for emergencies.
- Refurbishment of 1 pump at Shoreline Pump Station.
- Contract for operation and monitoring of Sycamore Pump Station.
- Creek maintenance, rodent mitigation on levees, and other property management.
- Electricity for pump stations and water for other maintenance needs.
- Small professional and trade services contracts for unanticipated items, e.g. emergency levee repairs.



# 5G. Staff and Overhead

County Staff Group	2024 Actuals	2025 Actuals	2026 Year to Date*	2027 Estimated	2028 Estimated
Water Resources	\$990.7k	\$1.03M	\$0	\$1.1M	\$1.1M
Maintenance Crews	\$60k	\$1k	\$5k	\$60k	\$60k
Real Estate	\$22k	\$20k	\$0	\$50k	\$50k
Engineering	\$3k	\$0	\$0	\$5k	\$5k
Print Services	\$700	\$3k	\$0	\$5k	\$5k
A87 Indirect Cost	\$267.1k	\$79.5k	\$0	\$80k	\$80k
<b>Total</b>	<b>\$1.34M</b>	<b>\$1.14M</b>	<b>\$5K</b>	<b>\$1.3M</b>	<b>\$1.3M</b>



# 5G. Project Cost Update

## Marin City Pond Flood Control Improvements

Fund Source	Prior Year Funds	FY 25/26 Proposed	FY 26/27 Planned	FY 27/28 Planned	FY 28/29 Planned	FY 29/30 Planned	5-Year Total
Zone 3	\$400k	\$700k		\$3.4M			\$4.5M
General Fund							\$0
Grants	\$885k						\$885k
Special Funds							\$0
Other*				\$13.6M			\$13.6M
<b>Totals:</b>	<b>\$1.3M</b>	<b>\$700k</b>	<b>\$0</b>	<b>\$17M</b>	<b>\$0</b>	<b>\$0</b>	<b>\$19M</b>



\*TBD now that FEMA funding source for construction is not currently available.

# 5G. Project Cost Update

## Marin City Pond Environmental Dredge

Fund Source	Prior Year Funds	FY 25/26 Proposed	FY 26/27 Planned	FY 27/28 Planned	FY 28/29 Planned	FY 29/30 Planned	5-Year Totals
Zone 3							\$0
General Fund							\$0
Grants		\$150k	\$250k	\$2.6M			\$3M
Special Funds							\$0
Other							\$0
<b>Totals:</b>	<b>\$0</b>	<b>\$150k</b>	<b>\$250k</b>	<b>\$2.6M</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3M</b>



# 5G. Project Cost Update

## Cardinal Levee Seepage Mitigation Project

Fund Source	Prior Year Funds	FY 25/26 Proposed	FY 26/27 Planned	FY 27/28 Planned	FY 28/29 Planned	FY 29/30 Planned	5-Year Totals
<b>Zone 3</b>	\$680k	\$250k	\$3.97M				\$4.9M
<b>General Fund</b>							\$0
<b>Grants</b>							\$0
<b>Special Funds</b>							\$0
<b>Other</b>							\$0
<b>Totals:</b>	<b>\$680k</b>	<b>\$0</b>	<b>\$3.97M</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4.9M</b>



# 5G. Project Cost Update

## Crest Marin Pump Station Rehabilitation Project

Fund Source	Prior Year Funds	FY 25/26 Proposed	FY 26/27 Planned	FY 27/28 Planned	FY 28/29 Planned	FY 29/30 Planned	5-Year Totals
Zone 3	\$715k	\$60k	\$5M				\$5.8M
General Fund							\$0
Grants							\$0
Special Funds							\$0
Other							\$0
<b>Totals:</b>	<b>\$715k</b>	<b>\$60k</b>	<b>\$5M</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5.8M</b>



# 5G. Project Cost Update

Estimated total future costs of current projects to Zone

Project	Additional Zone Cost
Marin City Pond Flood Control Improvements	\$4.1M
Marin City Pond Environmental Dredge	\$0
Cardinal Levee Seepage Mitigation	\$4.2M
Crest Marin Pump Station	\$5.1M
<b>Total:</b>	<b>\$13.4M</b>

**vs. \$19M fund balance**



# 5. Public Comment on District Staff Report

- Comments will be heard for presented in the District Staff Report
- Limited to three minutes per speaker
- When written testimony is presented, it is not necessary to read the entire text; it will automatically become part of the minutes
- All are expected to be polite and courteous, and refrain from questioning the character or motives of others
- Please help create an atmosphere of respect



# Item 6. Business

## ACTIONS BY ADVISORY BOARD

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- As part of the new [Agenda Setting Procedure](#), there is a separate agenda item, referred to as “Business” that includes all actions being requested.
- Most of the information related to these requests is provided in the District Staff Reports.
- The purpose of holding off on taking actions until after all Reports are done is so the advisory board has a total picture of zone needs before taking any action.



# Item 6. Business

ACTIONS BY ADVISORY BOARD

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**Actions can be lumped or voted on separately.**

Action #	Project	Amount <u>this</u> Fiscal Year
1	Cardinal Levee	\$250,000
2	Coyote Creek and Bothin Marsh	\$50,000
3	Crest Marin Pump Station	\$60,510
4	Marin City Pump Station	\$704,439
5	Sycamore Pump Station	\$700,000
	<b>Total:</b>	<b>\$1.8M</b>



**\$19M Fund  
Balance**

# Item 6. Business

## ACTIONS BY ADVISORY BOARD

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### **Recommended Actions:**

- 1) Recommend the District Board of Supervisors increase the Zone 3 current year professional services budget by \$250,000 for real estate consultants for the Cardinal Road Levee Project.
- 2) Recommend District Board of Supervisors increase the current year professional services budget by \$50,000 for a comprehensive survey of sediment levels and top of bank in the USACE-built sections of Coyote and Nyhan Creek and nearby Bothin Marsh.
- 3) Recommend the District Board of Supervisors increase the Zone 3 current year professional services budget by \$60,510 for design tasks to bring the Crest Marin Pump Station structure up to code and stabilize the bank of Nyhan creek around the outfall.



# Item 6. Business

## ACTIONS BY ADVISORY BOARD

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### **Recommended Actions Continued:**

- 4) Recommend the District Board of Supervisors increase the professional services budget by \$704,439 to prepare construction plans for the Marin City Pump Station and design an automated tide gate for use until pump station construction funding can be secured.
- 5) Recommend increasing the Mill Valley funding agreement by \$700,000 to cover increased construction costs for Sycamore Pump Station. This requires a current year budget adjustment of \$700,000 for construction services.
- 6) Recommend Zone 3 operate Sycamore Pump Station following renovation and accept necessary right-of-way.
- 7) Recommend the District Board of Supervisors adopt the Zone 3 Operations budget for Fiscal Years 2026-27 and 2027-28.



# Item 7. Schedule Next Meeting

APRIL 14, 2026

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- The advisory board requested quarterly meetings on the second Tuesday of January, April, July, October.
- So we recommend April 14, 2026.
- Do any board members anticipate being out of town?
- At next meeting we will review the recommended 2-year baseline budget for fiscal years beginning July 1, 2026 and ending June 30, 2027 and beginning July 1, 2027 and ending June 30, 2028.
- Between now and then special meetings may be called for any urgent project needs that come up.



Response to Comments

# Marin City Pond Pump Station Flood Reduction Project

Prepared by



In Consultation with



## DAVID J. POWERS

& ASSOCIATES, INC.  
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Appendix A: Draft Comment Letters

# Section 1.0 Introduction

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The Initial Study/Mitigated Negative Declaration (IS/MND) for the Marin City Pond Pump Station Flood Reduction Project (Project) was prepared in compliance with the requirements of the California Environmental Quality Act (CEQA). The 30-day public circulation period for the Draft IS/MND started Thursday, May 15, 2025 and was extended by one week to end on Monday, June, 23, 2025. The following pages contain responses to comments submitted by agencies, organizations, and individuals during the IS/MND public review period. Copies of the comment letters are attached to this document in Appendix A.

Pursuant to CEQA Guidelines §15073.5, the recirculation of the MND is required when the document must be “substantially revised” after public notice of its availability. A “substantial revision” is defined as:

- (1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance; or
- (2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.

While CEQA does not require formal responses to comments on an IS/MND, this Responses to Comments Memo is included as part of the record and the decision-making body shall consider it along with the IS/MND as part of the decision to adopt the proposed Mitigated Negative Declaration. The comments received on the IS/MND did not raise any new issues about the project’s environmental impacts or provide information indicating the project would result in new environmental impacts or impacts substantially greater in severity than disclosed in the IS/MND. Minor clarifications were added to the text of the IS/MND (refer to Section 3.0 Draft IS/MND Text Revisions). The text revisions do not constitute a “substantial revision” pursuant to State CEQA Guidelines §15073.5 and recirculation of the MND is not required. Based on the whole record, there is no substantial evidence that the project will have a significant effect on the environment and the MND reflects the lead agency’s independent judgment and analysis [CEQA Guidelines §15074(b)].

The Project was developed following completion of and in accordance with the Marin City Stormwater Plan. The District developed the Marin City Stormwater Plan in coordination with various stakeholders including the floating home community on Richardson Bay. Feedback received during the public outreach effort was incorporated in the Marin City Stormwater Plan, as feasible.

# Section 2.0 Responses to Comments Received on Draft IS/MND

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Comments are organized under headings containing the source of the letter and its date. The specific comments from each of the letters and/or emails are presented verbatim, with each response to that specific comment directly following. Copies of the letters and emails received by the Marin County Flood Control and Water Conservation District (District) are included in their entirety in Appendix A of this document. Comments received on the Draft IS/MND are listed below.

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# Topic Responses

Many of the comments received during the public circulation of the Draft IS/MND raised similar concerns and questions; therefore, topic responses have been prepared to respond to those common concerns/questions. The topic responses address the following topics:

- Topic Response A: Marin City Second Culvert Project (Phillips Drive Culvert)
- Topic Response B: Impacts to Gate 6 ½ Road Community and Richardson Bay
- Topic Response C: Sufficiency of Proposed Culvert Repair

The purpose of the topic responses is to provide comprehensive answers in one location and to avoid redundancy throughout the individual responses. Cross references to topic responses are made, when appropriate, in individual responses.

## **Topic Response A: Marin City Second Culvert Project (Phillips Drive Culvert)**

Several commenters referenced the Marin City Second Culvert Project (or Phillips Drive Culvert). As the CEQA lead agency, the California Department of Transportation (Caltrans) has prepared an IS/MND for the proposed Marin City Second Culvert Project. As part of that proposed project, Caltrans proposes to construct a new culvert across US 101 between Post Mile (PM) 3.3 and PM 3.7 in Marin County, California, to reduce flooding at the US 101/Donahue Street interchange. The IS/MND for the Marin City Pond Pump Station Flood Reduction Project has been updated to include this cumulative project (refer to Section 3.0 Draft IS/MND Text Revisions). The Marin City Second Culvert Project and associated pipelines would not physically connect to the Pond and the proposed project.

The Second Culvert Project is an independent and separate project from the proposed Project. The projects are separate and independent for the following reasons:

- The projects are being implemented by different agencies and require their own discretionary approvals.
- The two projects can be implemented independently (i.e., both projects can move forward regardless of whether the other project occurs).
- The projects have distinct purposes and objectives. While both projects aim to reduce flooding, the projects would address different infrastructure deficiencies and the projects convey flows from separate sub-basin watersheds, and the flows are not connected.

The Second Culvert Project is anticipated to increase conveyance across US 101 and reduce flows into the Pond, but does not replace the proposed Project. The IS/MND for the Project has not made any determination on the feasibility of the Second Culvert Project. Further, the two projects are being funded separately. Both projects are required to mitigate their environmental impacts independently in accordance with CEQA.

BKF has conducted preliminary modeling to evaluate the cumulative improvements when both projects are constructed. The preliminary modeling results show that there is not a significant improvement in small storms (such as the 2-year storm) because the Project is already effective at reducing flooding in small storms. However, there is a significant improvement to flood reduction in Lower Marin City in larger storms (such as the 10-year and 100-year storms) with both projects operating together as compared to either project individually. With both projects operating together, the peak water level in the pond is lower, the US 101 offramp is closed for a shorter duration and the maximum flooding extents is less than with either project individually. Further, when both projects operate together, the average and peak discharges out of the 6-foot by 4-foot box culvert are lower than with each project individually. Flooding in Marin City is not completely eliminated even with both projects combined but is significantly reduced and this benefit has been demonstrated through hydraulic modeling.

### **Topic Response B: Impacts to Gate 6 ½ Community and Richardson Bay**

#### ***Increased Water Flow and Soil Erosion***

Several commenters suggested that the IS/MND did not adequately address impacts to the Gate 6 ½ Community and Richardson Bay. Page 96 to 97 of the IS/MND summarizes the existing and proposed flow and scour conditions for the outfall into Richardson Bay. As stated on page 96 of the IS/MND, discharges from the outfall were modeled under existing and proposed conditions to analyze the potential for increased flows and scour at the outfall as a result of the Project. The modeled flow rates under peak and average conditions are summarized in Table 10-1 of the IS/MND. As shown in Table 10-1, both the peak and average flows from the outfall would be reduced with the Project compared to existing conditions. While flows from the outfall may be higher than existing conditions during brief periods of time prior to storm events, the Project would result in an overall reduction of the peak discharge and the average discharge from the outfall during the 2-year, 10-year, and 100-year storm event (refer to Appendix C of the IS/MND). Therefore, the IS/MND concluded that the Project would not result in scour impacts or increased flooding from discharges at the existing outfall.

#### ***Phillips Culvert Option***

Installing a new pipeline from the Pond into Richardson Bay is not feasible as part of the proposed Project. The presence of large, hard rock (chert) that was used to construct the highway and the underlying existing Young Bay Mud would make trenchless installation methods technically infeasible so the US 101 freeway would have to be open cut trenching. Construction of a new pipeline with open trench methods would require significant traffic controls and temporary closure of US 101, which was determined to be cost prohibitive.

Caltrans proposes to construct their new pipe into Richardson Bay using the cut and cover method that will require cutting a trench, installing piles to support the culvert, installing the new culvert in the trench, and backfilling the excavated area. The construction of the Phillips Culvert will require five weekend partial closures of US 101. As discussed above, a similar replacement of the existing culvert as part of the Pump Station project would be cost prohibitive.

### ***Impacts to Biological Resources in Richardson Bay***

As stated on page 40 of the IS/MND, impacts to biological resources were based on a Biological Resource Report prepared for the project by Huffman Broadway Group, Inc. The report, dated October 2024, is attached to the IS/MND as Appendix A. The assessment considered not only impacts to the Pond but to the area at the discharge point into Richardson Bay. Based on the findings provided in the report, no impacts to fish or wildlife would occur on the outflow end of the culvert within Richardson Bay.

### ***Construction Water Quality Impacts***

As explained on page 18 of the IS/MND, construction of the Project would take approximately 12 months to complete. In order to facilitate construction of the Project, a temporary cofferdam would be installed, and the Pond would be dewatered. Dewatering activities would be done in accordance with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit. Further, as explained on page 94 of the IS/MND, the Project would be required to implement a Stormwater Pollution Prevention Plan (SWPPP) during construction. The SWPPP would include best management practices to ensure that soil and construction byproducts do not substantially degrade surface or ground water quality. As noted on page 95 of the IS/MND, post-construction the Project would comply with the Phase II Small MS4 General Permit and would be subject to Low Impact Development (LID) Best Management Practices (BMPs). For these reasons, the IS/MND concluded that the Project would not impact water quality during construction and operation and the comments raised do not invalidate the adequacy of the environmental analysis in the IS/MND.

### **Topic Response C: Sufficiency of Proposed Culvert Repair**

Several commenters questioned whether the proposed culvert repairs, “will be sufficient to ensure its ongoing structural integrity.” As explained on page 11 of the IS/MND, the Project would repair the existing 6-foot by 4-foot storm drain culvert that connects the Pond to Richardson’s Bay. Caltrans previously completed an underwater inspection of the culvert and recommended the use of polyurethane foam to fill voids and cracks along the culvert. Polyurethane foam would be injected into cracks and separations found along the full length of the culvert to fill voids behind the culvert and seal the cracks and separations pending permit approvals. The pressure in the pipeline during pumping will be relatively low. However, the culvert will require periodic inspections and regular maintenance after the existing gaps and cracks are repaired. The District acknowledges that future replacement of the culvert and outfall will be required once the culvert approaches its useful life and funding is available.

# Federal and State Agencies

## A. U.S. Army Corps of Engineers (June 20, 2025)

**Comment A.1:** Please find my comments below:

1. Page 96. Please update the report to include the expected changes to flood depth, extent, and duration between the with and without project conditions for the hydraulic model runs you have available. Your report refers to the 2-year, 10, year and 100-year. Please include numeric and maps of the changes to flooding expected for those flood occurrences. As possible, please also include results for the 25-year and 50-year.

**Response A.1:** As discussed on page 96 of the IS/MND, the Project included developing a hydrologic and hydraulic model to analyze changes to the discharge flow rates and velocities from the culvert outfall between pre-project and post-project conditions (refer to Appendix C of the Initial Study). The modeling evaluated the Project under the 2-year, 10-year, and 100-year storms. The 25-year and 50-year storm were not modeled because the 10-year storm is representative of a large storm event and the 100-year storm is representative of an extreme storm event. While both 25-year and 50-year storms may be considered as smaller extreme storm events, they are covered by modeling the 100-year storm, therefore modeling smaller storms was not required.

**Comment A.2:** 2. Will the County retain ownership of the estuarine pond after construction? If so, will the County incorporate public access around the estuarine pond as part of this project?

**Response A.2:** Prior to construction, the District would need to either obtain ownership or an easement to operate and maintain the pump station. The decision on this and public access (if any) has not yet been made. The comment does not raise any specific environmental issues or concerns with the adequacy of the environmental analysis in the IS/MND.

**Comment A.3:** 3. The floating homes community has expressed concern via emails about the pump station increasing maximum (not average) flow rates under their homes. To alleviate this potential risk, might the pump project be connected to the new/future Caltrans culvert to avoid impacts to floating homes?

**Response A.3:** Refer to Topic Response B for a detailed response related to maximum flows into Richardson Bay. Refer to Topic Response A for a detailed response on the Caltrans Marin City Second Culvert Project.

**Comment A.4:** 4. Consider adding a report section showing how a vibrant estuarine pond system can coexist with the proposed pump.

**Response A.4:** The Pond supports two muted tidal aquatic resources verified by the U.S. Army Corps of Engineers including Estuarine Intertidal Unconsolidated Bottom and Estuarine Intertidal Emergent wetlands and non-tidal Palustrine Emergent Wetlands. Although installation of the pump station will permanently impact less than one-tenth of an acre of wetlands, the operation and maintenance of the pump stations will not significantly impact the functions and values of the existing estuarine wetlands supported within the Pond. With the exception of storm conditions that require pumping the Pond and/or closing the culvert to prevent tidal water from entering the Pond, the existing culvert to the Bay will remain in an open position maintaining tidal conditions as they exist today. The ebb and flow of tidal waters will continue to provide nutrients and a tidal regime that will support existing aquatic vegetation and aquatic invertebrates and the Pond will continue to provide good foraging habitat for the many shorebirds that visit the Pond today.

# Organizations, Businesses, and Individuals

## B. Potter Wickware (dated May 15, 2025)

**Comment B.1:** The project will produce a surface appropriate for public art visible to the community. I suggest that artistic Marin City residents be invited to submit proposals for public art. Stipulations regarding guidelines and limitations regarding content, appearance and materials should be promulgated. I am happy to assist with this aspect of the project. I am a member of the FZ3 Advisory Board, and a Board member of the O'Hanlon Center for the Arts in Mill Valley and can help with marshalling artistic resources for the project, if needed.

**Response B.1:** The comment does not raise any specific environmental issues or concerns with the adequacy of the environmental analysis in the IS/MND.

## C. Britta Gooding (June 5, 2025)

**Comment C.1:** Gate 6 ½ Residents agree that reduction of stormwater flooding in Marin City must be addressed, and we are happy action is being taken in that regard. HOWEVER, we are very concerned that the project has lost sight of the negative impact on homes and environment at the outflow location on the east side of Hwy 101 at Gate 6 ½ Road, Sausalito CA.

Gate 6 ½ residents were initially encouraged that our needs were being considered when attended the Community Public Presentation, that was hosted by Judd Goodman and County Engineers. We saw and heard that there were plans for a second culvert (The Phillips Culvert) to be located north of our homes. Goodman told us that the second culvert would greatly mitigate the damage to our homes and the soil erosion from the existing culvert.

Therefore, we are unhappy to learn that the Phillips Culvert option proved to be infeasible for your FEMA Hazard Mitigation Grant Program, and that the proposed solution is only the Marin City Pond Pump Station (MCPPS) and minimal repairs to the existing outflow culvert to Richardson Bay which is in the direct path of our dock and our homes. In effect, no consideration for the impact on our homes and Richardson Bay environment.

The Marin City Stormwater Task Force was and is aware that existing storm water from that culvert has already compromised the structural integrity of several homes on Gate 6 ½ Rd. We are still concerned about the increased water flow and increased soil erosion which damages the structural integrity of entrance dock piers and our homes. There's already a large crack on one of the entrance dock pilings. My own houseboat has been affected. I am a new homeowner and was never informed of the proposed project, and now concerned about destruction to my property.

Your proposed increased/maximized water outflow of 50 cubic feet per second (cfs) from MCPPS or more during storm events will be directed through our culvert PRIOR to storm events for approximately two to three hours to draw down the Pond, additionally for many hours DURING

storm events when water levels are below the tide level, and ALSO anticipated higher flow rates that are gravity-fed when the water level in the pond is significantly higher than the tides.

What can be done during the implementation and construction of this project to divert storm water from the culvert, away from our homes, and into Richardson Bay?

**Response C.1:** Refer to Topic Response B for a detailed response on impacts to the Gate 6 ½ community.

**Comment C.2:** We also question whether the proposed repair to the existing 6-foot by 4-foot storm drain culvert will be sufficient to ensure its ongoing structural integrity if using only Polyurethane foam, injected into cracks and separations, or whether a more comprehensive rebuild may be necessary.

**Response C.2:** Refer to Topic Response C.

**Comment C.3:** Finally, we see several studies done from the west side of the freeway for the Pond Pump System. However, we don't see the same studies done for the east side of the freeway at the outflow location. Have any studies been done for impacts of increased water outflow on east-of-Hwy 101 homeowners, environment, soil erosion, fish and wildlife?

**Response C.3:** Refer to Topic Response B.

**D. Blaise P. Simpson (June 5, 2025)**

**Comment D.1:** My fellow Gate 6 ½ Residents and I agree that reduction of stormwater flooding in Marin City must be addressed, and we are happy action is being taken in that regard. HOWEVER, we are very concerned that the project has lost sight of the negative impact on homes and environment at the outflow location on the east side of Hwy 101 at Gate 6 ½ Road, Sausalito CA.

Gate 6 ½ residents were initially encouraged that our needs were being considered when we attended the Community Public Presentations and other public meetings hosted by Marin City, Chief Planning Engineer Judd Goodman and other Caltrans and County Engineers. We saw and heard that there were plans for a second culvert (The Phillips Culvert) to be located north of our homes. Goodman told us that the second culvert would greatly mitigate the damage to our homes and the soil erosion from the existing culvert.

Now, we are unhappy to learn that the Phillips Culvert option was considered infeasible for your FEMA Hazard Mitigation Grant Program, and that the proposed solution is only the Marin City Pond Pump Station (MCPPS) and minimal repairs to the existing outflow culvert to Richardson Bay which is in the direct path of our dock and our homes. In effect, there has been absolutely no consideration about the impact on our homes and Richardson Bay environment.

The Marin City Stormwater Task Force was and is aware that existing storm water from that culvert has already compromised the structural integrity of several homes on Gate 6 ½ Rd. We are concerned that the increased water flow and increased soil erosion will further damage the structural integrity of entrance dock piers and our homes. There's already a large crack on one of the entrance dock pilings.

Your proposed increased/maximized water outflow of 50 cubic feet per second (cfs) from MCPPS or more during storm events will be directed through our culvert PRIOR to storm events for approximately two to three hours to draw down the Pond, additionally for many hours DURING storm events when water levels are below the tide level, and ALSO anticipated higher flow rates that are gravity-fed when the water level in the pond is significantly higher than the tides.

What can be done during the implementation and construction of this project to divert storm water from the culvert, away from our homes, and into Richardson Bay?

**Response D.1:** Refer to Topic Response B.

**Comment D.2:** We also question whether the proposed repair to the existing 6-foot by 4-foot storm drain culvert will be sufficient to ensure its ongoing structural integrity if using only Polyurethane foam, injected into cracks and separations, or whether a more comprehensive rebuild may be necessary.

**Response D.2:** Refer to Topic Response C.

**Comment D.3:** Finally, we see several studies done from the west side of the freeway for the Pond Pump System. However, we don't see the same studies done for the east side of the freeway at the outflow location. Have any studies been done for impacts of increased water outflow on east-of-Hwy 101 homeowners, environment, soil erosion, fish and wildlife?

**Response D.3:** Refer to Topic Response B.

**E. Zach Cohn (June 6, 2025)**

**Comment E.1:** Gate 6 ½ Residents agree that reduction of stormwater flooding in Marin City must be addressed, and we are happy action is being taken in that regard. HOWEVER, we are very concerned that the project has lost sight of the negative impact on homes and environment at the outflow location on the east side of Hwy 101 at Gate 6 ½ Road, Sausalito CA. My home is in direct line with the water flow and it has severely impacted and eroded the bay mud on one side of my home.

Gate 6 ½ residents were initially encouraged that our needs were being considered when attended the Community Public Presentation, that was hosted by Judd Goodman and County Engineers. We saw and heard that there were plans for a second culvert (The Phillips Culvert) to be located north

of our homes. Goodman told us that the second culvert would greatly mitigate the damage to our homes and the soil erosion from the existing culvert.

Therefore, we are unhappy to learn that the Phillips Culvert option proved to be infeasible for your FEMA Hazard Mitigation Grant Program, and that the proposed solution is only the Marin City Pond Pump Station (MCPSS) and minimal repairs to the existing outflow culvert to Richardson Bay which is in the direct path of our dock and our homes. In effect, no consideration for the impact on our homes and Richardson Bay environment.

The Marin City Stormwater Task Force was and is aware that existing storm water from that culvert has already compromised the structural integrity of several homes on Gate 6 ½ Rd. We are still concerned about the increased water flow and increased soil erosion which damages the structural integrity of entrance dock piers and our homes. There's already a large crack on one of the entrance dock pilings.

Your proposed increased/maximized water outflow of 50 cubic feet per second (cfs) from MCPSS or more during storm events will be directed through our culvert PRIOR to storm events for approximately two to three hours to draw down the Pond, additionally for many hours DURING storm events when water levels are below the tide level, and ALSO anticipated higher flow rates that are gravity-fed when the water level in the pond is significantly higher than the tides.

What can be done during the implementation and construction of this project to divert storm water from the culvert, away from our homes, and into Richardson Bay?

**Response E.1:** Refer to Topic Response B.

**Comment E.2:** We also question whether the proposed repair to the existing 6-foot by 4-foot storm drain culvert will be sufficient to ensure its ongoing structural integrity if using only Polyurethane foam, injected into cracks and separations, or whether a more comprehensive rebuild may be necessary.

**Response E.2:** Refer to Topic Response C.

**Comment E.3:** Finally, we see several studies done from the west side of the freeway for the Pond Pump System. However, we don't see the same studies done for the east side of the freeway at the outflow location. Have any studies been done for impacts of increased water outflow on east-of-Hwy 101 homeowners, environment, soil erosion, fish and wildlife?

**Response E.3:** Refer to Topic Response B.

#### **F. Lewis Shireman (June 6, 2025)**

**Comment F.1:** This negative declaration is flawed and should be rejected for the reasons listed below:

1. It is my understanding that the evaluation of the impact of a project must include the effects on the surrounding areas. There is NO inclusion in this document of the impact on the Floating Home Community at Gate 6 1/2 Road, directly in the path of the increased water flow from the culvert.

**Response F.1:** Refer to Topic Response B.

**Comment F.2:** 2. On page 22, under the section "Environmental Factors Potentially Affected", the Population and Housing selection is NOT selected. As has been pointed out at multiple meetings, the increased flow from the pumping station will have a significant impact on the floating homes on the other side of US 101 by pushing more water through the culvert. In prior plans this was avoided by the proposed construction of a new water flow culvert significantly to the north of the existing culvert, but this has been eliminated in this plan. This change has NOT been addressed, and is being ignored in the Plan and Negative Declaration.

**Response F.2:** Under CEQA, population and housing impacts include a project's contribution to growth, its impact on housing availability, and whether it includes unplanned or substantial population growth. CEQA requires analysis of these factors to ensure that development doesn't negatively impact the environment and that communities are adequately planned for growth. The Project involves the construction of a new pump station and does not include new homes or businesses, nor would it displace any existing housing. For these reasons, the IS/MND concluded that the project would not result in any potential impacts to Population and Housing. The impacts associated with discharge from the existing outfall into Richardson Bay are addressed in the Hydrology and Water Quality section of the IS/MND. As stated on page 97 of the IS/MND, based on the stormwater modeling analysis completed for the Project (refer to Appendix C of the IS/MND), the Project would result in an overall reduction of the peak discharge and the average discharge from the outfall during the 2-year, 10-year, and 100-year storm event and, therefore, would not result in scour impacts or increased flooding from discharges at the existing outfall.

The project is proposing to use the existing 6-foot by 4-foot box culvert rather than installing a separate, dedicated pipeline because installation of a separate pipeline parallel and adjacent to the existing 6-foot by 4-foot box culvert was determined to be infeasible. The presence of large, hard rock (chert) that was used to construct the highway and the underlying existing Young Bay Mud makes trenchless installation methods technically infeasible. Construction of a new pipeline with open trench methods would require significant traffic controls and temporary closure of US 101, which was determined to be cost prohibitive for the District.

**Comment F.3:** 3. On page 113, Section 14. Population and Housing, item e) "Result in any physical changes which can be traced through a chain of cause and effect to social or economic impacts?" is checked as "No Impact". However, the existing flow through the existing culvert is having significant

impact already, and increasing this flow, without a new culvert directing the water away from the existing homes will result in significant damage to the hulls and stability of these homes.

**Response F.3:** As explained above under Response F.2, under CEQA, population and housing impacts include a project's contribution to growth, its impact on housing availability, and whether it includes unplanned or substantial population growth. As noted on page 114 of the IS/MND, the Project involves the construction of a new pump station. The primary purpose of which is to reduce flooding in Marin City. As a result, the IS/MND concluded that the Project would have a beneficial social and economic effect. Further, the project does not include new homes or businesses, nor would it displace any existing housing. Refer to Topic Response B for a detailed response on impacts to the Gate 6 ½ community.

**Comment F.4:** 4. The culvert that was originally going to be assisted by a new culvert is in poor shape. Increased water flow could result in failure, resulting in significant damage to US 101. This possibility is NOT addressed in this document. Nor has any attempt been made in the document to assess the actual structural condition of the culvert.

**Response F.4:** The box culvert was previously inspected in 2016. The inspection showed several gaps and cracks that will be repaired by the project improvements. If the contractor identifies other deficiencies during construction, those will be repaired. Refer to Topic Response C for additional details on the proposed culvert repairs. The comment does not raise any specific environmental issues or concerns with the adequacy of the environmental analysis in the IS/MND.

**Comment F.5:** As a result of these failures in the planning document the Plan and the Negative Declaration should be rejected.

**Response F.5:** As documented above in Response F.1 through F.4, the project involves the construction of a new pump station and does not include new homes or businesses, nor would it displace any existing housing. For these reasons, the IS/MND concluded that the project would not result in any potential impacts to Population and Housing. The impacts associated with discharge from the existing outfall into Richardson Bay are addressed in the Hydrology and Water Quality section of the IS/MND. Hydraulic modeling shows that peak and average flows in all storms modeled (i.e. the 2-year, 10-year and 100-year, 24-hour storms) are lower than existing conditions, so the proposed improvements are not anticipated to increase impacts to Richardson Bay.

## **G. Cicely Muldoon (June 6, 2025)**

**Comment G.1:** I am writing to express my concern about the adequacy of the Marin City Pond Pump Station Flood Reduction Project Draft IS/MND to disclose and address the impacts of this project on the community of floating homes on the east side of Highway 101 on Gate 6 1/2 Rd. As

written, I question how the analysis meets the threshold for a Mitigated Negative Declaration under CEQA.

I recognize the clear need to improve the flooding situation in the project area and fully support the project in concept. However, as a property owner on Gate 6 1/2 Road, I have witnessed firsthand the negative impacts of the existing outflow from the project area on a number of homes in our community, in some case undermining structural integrity of the homes. Passing reference is made to this issue in the environmental document, and the document even acknowledges that “flow from the outfall may be higher than existing conditions” (when the station is operated prior to storm events).

Please incorporate specific mitigations in the final document to clarify and how this project will not negatively affect the infrastructure and residences on Gate 6 1/2 Rd, including ongoing monitoring to ensure the projected impacts are consistent with the modeling described in the document. Failing further clarity and mitigations, a higher level of CEQA review seems warranted.

**Response G.1:** Refer to Topic Response B.

**H. Felicity Gordon (June 7, 2025)**

**Comment H.1:** Gate 6 ½ Residents agree that reduction of stormwater flooding in Marin City must be addressed, and we are happy action is being taken in that regard. HOWEVER, we are very concerned that the project has lost sight of the negative impact on homes and environment at the outflow location on the east side of Hwy 101 at Gate 6 ½ Road, Sausalito CA.

See attached video of stormwater coming through the culvert at Gate 6 ½ Road in March 2024 AT LOW TIDE, and which was before any additional stormwater from the MC pond was being pumped through our culvert.

I was one of the original Gate 6 ½ residents to attend the MC Stormwater mitigation meetings, and when other resident's joined me at those meetings, we were initially encouraged that our needs were being considered when attended the Community Public Presentation, that was hosted by Judd Goodman and County Engineers. We saw and heard that there were plans for a second culvert (The Phillips Culvert) to be located north of our homes. Goodman told us that the second culvert would greatly mitigate the damage to our homes and the soil erosion from the existing culvert.

Therefore, we are unhappy to learn that the Phillips Culvert option proved to be infeasible for your FEMA Hazard Mitigation Grant Program, and that the proposed solution is only the Marin City Pond Pump Station (MCPSS) and minimal repairs to the existing outflow culvert to Richardson Bay which is in the direct path of our dock and our homes. In effect, no consideration for the impact on our homes and Richardson Bay environment.

The Marin City Stormwater Task Force was and is aware that existing storm water from that culvert has already compromised the structural integrity of several homes on Gate 6 ½ Rd. We are still

concerned about the increased water flow and increased soil erosion which damages the structural integrity of entrance dock piers and our homes. There's already a large crack on one of the entrance dock pilings.

Your proposed increased/ maximized water outflow of 50 cubic feet per second (cfs) from MCPPS or more during storm events will be directed through our culvert PRIOR to storm events for approximately two to three hours to draw down the Pond, additionally for many hours DURING storm events when water levels are below the tide level, and ALSO anticipated higher flow rates that are gravity-fed when the water level in the pond is significantly higher than the tides. What can be done during the implementation and construction of this project to divert storm water from the culvert, away from our homes, and into Richardson Bay? If all water is to be directed out of the culvert at Gate 6 1/2 Rd, will it be feasible for an extension pipe to be added to direct the water to the Bay at a location that directs it AWAY from our homes?

**Response H.1:** Refer to Topic Response B. Regarding the attached video, the District is unable to determine the exact conditions when this video was filmed. However, the existing tide gate currently controls flow from the pond to the outfall. If the pond is full and the gate is closed, there will be significant pressure pushing on the gate. If the gate is suddenly opened, the pressure will push flows through the box culvert and outfall. . Therefore, if the existing tide gate is opened during a low tide when the pond is full of stormwater, very high flows can be discharged from the culvert (well over 100 cfs or more) and that appears to be the conditions in this video (no information was provided). However, this condition is mitigated and not possible under the proposed project because the gate operation is automated to avoid this condition because pumping is limited to the 50 cfs maximum pumping rate and only 25 cfs when one pump operates. The pumping is automatically controlled so that outflow pumping does not occur during low tides. Therefore, this video does not represent post-project flow conditions.

**Comment H.2:** We also question whether the proposed repair to the existing 6-foot by 4-foot storm drain culvert will be sufficient to ensure its ongoing structural integrity if using only Polyurethane foam, injected into cracks and separations, or whether a more comprehensive rebuild may be necessary.

**Response H.2:** Refer to Topic Response C.

**Comment H.3:** Finally, we see several studies done from the west side of the freeway for the Pond Pump System. However, we don't see the same studies done for the east side of the freeway at the outflow location. Have any studies been done for impacts of increased water outflow on east-of-Hwy 101 homeowners, environment, soil erosion, fish and wildlife?

**Response H.3:** Refer to Topic Response B.

**I. Larry Clinton (June 8, 2025)**

**Comment I.1:** Forty homeowners on Gate 6 ½ Dock in Kappas Marina agree that reduction of stormwater flooding in Marin City must be addressed, and we are happy action is being taken in that regard. HOWEVER, we are very concerned that the project has lost sight of the negative impact on homes and environment at the outflow location on the east side of Hwy 101 at Gate 6 ½ Road, Sausalito CA.

Gate 6 ½ residents were initially encouraged that our needs were being considered when they attended the Community Public Presentation hosted by Judd Goodman and County Engineers. We saw and heard that there were plans for a second culvert (The Phillips Culvert) to be located north of our homes. Goodman told us that the second culvert would greatly mitigate the damage to our homes and the soil erosion from the existing culvert.

Therefore, we are unhappy to learn that the Phillips Culvert option proved to be infeasible for your FEMA Hazard Mitigation Grant Program, and that the proposed solution includes only the Marin City Pond Pump Station (MCPPS) and minimal repairs to the existing outflow culvert to Richardson Bay which is in the direct path of our dock and our homes. In effect, no consideration for the impact on our homes and Richardson Bay environment.

The Marin City Stormwater Task Force was and is aware that existing storm water from that culvert has already compromised the structural integrity of several homes on Gate 6 ½ Rd. We are very concerned about the increased water flow and increased soil erosion which damages the structural integrity of entrance dock piers and our homes. There's already a large crack on one of the entrance dock pilings.

Your proposed increased/ maximized water outflow of 50 cubic feet per second (cfs) from MCPPS or more during storm events will be directed through our culvert PRIOR to storm events for approximately two to three hours to draw down the Pond, additionally for many hours DURING storm events when water levels are below the tide level, and ALSO anticipated higher flow rates that are gravity-fed when the water level in the pond is significantly higher than the tides. What can be done during the implementation and construction of this project to divert storm water from the culvert, away from our homes, and into Richardson Bay?

**Response I.1:** Refer to Topic Response A and B.

**Comment I.2:** We also question whether the proposed repair to the existing 6-foot by 4-foot storm drain culvert will be sufficient to ensure its ongoing structural integrity if using only Polyurethane foam, injected into cracks and separations, or whether a more comprehensive rebuild may be necessary.

**Response I.2:** Refer to Topic Response C.

**Comment I.3:** Finally, we see several studies done from the west side of the freeway for the Pond Pump System. However, we don't see the same studies done for the east side of the freeway at the outflow location. Have any studies been done for impacts of increased water outflow on east-of-Hwy 101 homeowners, environment, soil erosion, fish and wildlife?

Looking forward to your thoughts on this dilemma.

**Response I.3:** Refer to Topic Response B.

**J. Kappas Marina (June 23, 2025)**

**Comment J.1:** I am writing on behalf of Kappas Marina, which owns the Gate 6 1/2 floating home pier. Our pier, which provides mooring and access for 35 privately owned residences, is immediately adjacent to the existing outfall from the Marin City retention pond.

While the outfall predates pier construction 50+ years ago, it only became a serious problem after the flood gate was installed during development of the shopping center in the 1990's. The gate seems to have never been properly attended, and consequently the pond has flooded and drained through 4 tide cycles every day since. Every low tide cycle has resulted in extremely high speed water discharge from the pond draining the previous tide, resulting in severe scouring of various channels through Marina property and under some floating home structures. Close proximity shoreline has also shown signs of being negatively impacted. Significant damage has occurred to homes and marina infrastructure in the form of support being eroded away, necessitating ongoing repairs and incurring substantial expense for both homeowners and the Marina.

This project provides potential for remedying this condition for the first time in 30 years, yet it's not clear the proposed project won't, in fact, further exacerbate the situation. Simple gravity fed draining has resulted in cuts 2 - 3 feet deep in places, and if a 50cfs pump were moving water out the scouring would only become worse and accelerated.

**Response J.1:** Refer to Topic Response B. CEQA considers the significant effects of a proposed project on changes to the physical environmental conditions as they exist at the time the IS/MND is prepared. The existing environmental condition itself is not an impact under CEQA. Rather, it is a project's impact on that existing condition (i.e., the environmental baseline) that matters under CEQA. As discussed in the IS/MND and Topic Response B, both the peak and average flows from the outfall would be reduced with the Project compared to existing conditions. The Project, therefore, was found not to result in scour impacts or increased flooding.

**Comment J.2:** The Draft IS/MND and the public meeting on June 18, 2025 were not clear in addressing items of concern related to the proposed pump station. Such items include:

1) Will there be a duckbill valve installed at the existing outfall to be rebuilt, which would reduce the low tide back draining through our property and that of homeowners?

**Response J.2:** The Pond is tidally influenced and will remain tidally influenced in post-project conditions. An automatic tide gate on the new pond discharge structure will prevent backflow from Richardson Bay into the pond while the pump is operating. When the pump is not operating, the automatic tide gate will remain open to allow for tidal waters to move between the pond and Richardson Bay. There is no other backflow preventer proposed. The comment does not raise any specific environmental issues or concerns with the adequacy of the environmental analysis in the IS/MND.

**Comment J.3:** 2) How will pumps be activated, manually on demand, automated level detection, float switch?

**Response J.3:** As explained on page 18 of the IS/MND, the pump station is activated when switched to wet weather mode before a 0.25-inch storm event. The District would be responsible for monitoring storm events and determining when to switch to wet weather mode. Once activated, the pumps would operate automatically based on the water level in the Pond. When in wet weather mode, the pump station will draw down the Pond and continue to turn on anytime the water level in the Pond rises. It will shut off anytime the water level in the Pond is significantly higher than the tide, and water can flow at a higher rate due to gravity flow. Once the water level in the Pond drops back down, the pump station would turn back on. The comment does not raise any specific environmental issues or concerns with the adequacy of the environmental analysis in the IS/MND.

**Comment J.4:** 3) Will pump activation be only at tide stages when water is above the outfall pipe elevation which would minimize additional scouring of bay mud?

**Response J.4:** The pump activation does not consider tide stages other than the relative difference between the level in the pond and the tide level to determine when the pumps should shut off and the automatic gate valve should open to allow for gravity flow out of the culvert. The comment does not raise any specific environmental issues or concerns with the adequacy of the environmental analysis in the IS/MND.

**Comment J.5:** 4) Has consideration been given to diverting the existing outfall to the north which would eliminate ongoing private property damage?

**Response J.5:** Installing a new pipeline and outfall into Richardson Bay, as part of the Project, is not feasible. The presence of large, hard rock (chert) that was used to construct the highway and the underlying existing Young Bay Mud makes trenchless installation methods technically infeasible. Construction of a new pipeline with open trench methods would require significant traffic controls and temporary closure of US 101, which was determined to be cost prohibitive. The comment does not raise any specific environmental issues or concerns with the adequacy of the environmental analysis in the IS/MND.

**Comment J.6:** Despite pleas of numerous close proximity homeowners, onsite meetings with myself and project representatives, and the issues being illuminated at the scoping meetings leading up to the Draft Report, there seems to be a bit of a deaf ear being given to our concerns. These problems are very real and this is a golden opportunity to finally solve some of these decades long negative impacts caused by pond drainage.

The Marina ownership, management and proximity homeowners ask that methods to eliminate future erosion of our property be incorporated into the final plans for the Marin City flood mitigation process.

**Response J.6:** Refer to Topic Response B. The impacts associated with discharge from the existing outfall into Richardson Bay are addressed in the Hydrology and Water Quality section of the IS/MND. As stated on page 97 of the IS/MND, based on the stormwater modeling analysis completed for the Project (refer to Appendix C of the IS/MND), the Project would result in an overall reduction of the peak discharge and the average discharge from the outfall during the 2-year, 10-year, and 100-year storm event and, therefore, would not result in scour impacts or increased flooding from discharges at the existing outfall.

**K. Eos Mahassine (June 23, 2025)**

**Comment K.1:** This project will impact the water quality of Richardson Bay which are supposed to be protected wetlands. This project is intentionally misleading the public by labeling the tidally active Marin City Wetlands and Lagoon as a Pond. A pond is a fully circumscribed body of water that has no movement or flows whereas this “pond” is, according to your own documents, Coastal brackish marsh habitat.

**Response K.1:** The commenter incorrectly states that the Project will impact the water quality of Richardson Bay. As stated in the IS/MND, flows from the Pond are discharged into Richardson Bay under existing and proposed conditions. As stated on page 97 of the IS/MND, based on the stormwater modeling analysis completed for the Project (refer to Appendix C of the IS/MND), the Project would result in an overall reduction of the peak discharge and the average discharge from the outfall during the 2-year, 10-year, and 100-year storm event and, therefore, would not result in scour impacts or increased flooding from discharges at the existing outfall. Further, the Project would be required to incorporate site design, source control, and runoff treatment controls to reduce the rates, volumes, and pollutant loads of runoff from the Project. Compliance with County stormwater management measures would ensure that impacts on drainage and related effects on erosion or siltation, on- or off-site flooding, redirecting of flood flows, creating substantial additional sources of polluted runoff, or exceeding stormwater drainage system capacity would be less than significant. In addition, the pump station will include a screen to capture debris, including plastic trash. This debris and plastic trash currently moves through the culvert into Richardson Bay unimpeded. Therefore, the

Project may improve water quality in Richardson Bay by preventing some trash from moving downstream.

The commenter also suggests the title of the project is intentionally misleading because it refers to this tidal aquatic resource as the “Pond.” The commentor is correct this body of water is not technically a pond as defined by the California Department of Fish and Wildlife and other regulatory agencies, but the intent was not to mislead the public or imply that the water body was non-tidal, but to provide a title the public may be familiar with. Also, as the commenter correctly points out, the project description and reports supporting the project clearly describe the Pond as a coastal brackish marsh or estuarine intertidal wetland and are clear this body of water is tidal and connected to Richardson Bay.

**Comment K.2:** Your document, the mitigated negative declaration, states that Marin City was built on Wetlands and the remnant shoreline of Richardson Bay that is found west of the 101 within the property of the Gateway Shopping Mall is important and valuable saltwater marshland habitat and could be valuable to the community as a horizontal levee and as a nature preserve which it was dedicated to be when the mall ownership was transferred into private hands in 1993. Marin City wants to restore these wetlands and they want comprehensive long-term green solutions not short term gray ones.

**Response K.2:** The comment does not raise any specific environmental issues or concerns with the adequacy of the environmental analysis in the IS/MND. The Project would implement MM BIO-2.1 through 2.3 to achieve a no-net-loss of wetlands through on-site establishment at a minimum of a 1:1 mitigation ratio. Implementation of MM BIO-2.1 and MM BIO-2.2 would ensure the Project achieves a no-net-loss of wetlands through on-site establishment at a minimum of a 1:1 mitigation ratio. The Project addresses existing flooding issues based on hydraulic studies prepared for the District. Sea level rise is also a significant issue for Marin City and many other communities along the shoreline of Marin County. Future projects will require a long-term planning process, significant community input, and likely significant funding for implementation. The Project would not preclude future flood control projects. Any future flood control projects would be evaluated as part of separate environmental review process.

**Comment K.3:** We want infrastructure that addresses the issues of 100 year storm events not 10.

**Response K.3:** A stormwater modeling analysis was completed for the Project (refer to Appendix C) to assess the proposed improvements to the Pond during the 2-year, 10-year, and 100-year storm event. Based on the modeling, the depth and extent of flooding would be significantly reduced during the 100-year event. Additional projects are required to prevent flooding in the 100-year storm. The comment does not raise any specific environmental issues or concerns with the adequacy of the environmental analysis in the IS/MND.

**Comment K.4:** The salt marsh harvest mouse habitat of pickleweed that circumscribes the Wetlands and Lagoon and Marin City was intentionally mowed this winter in order to push this project through and destroy the habitat that could have protected this area for the mouse and the community. Environmental health is public health and Marin City needs to improve both.

**Response K.4:** As explained on page 44 of the IS/MND, a field survey was conducted in May 2023 and determined salt marsh harvest mouse does not have the potential to occur within the Project site due to lack of suitable habitat. Further, the Pond is privately owned and neither the County nor District conducted any mowing in the privately owned Pond.

**Comment K.5:** Your project is not acceptable because it continues to run toxic runoff from the freeway over the streets and through the housing of the residents of Marin City into these wetlands without any filtration. We demand that you deal with the sequestration, diversion, retention and filtration of these polluted waters at their source.

**Response K.5:** As explained on page 94 of the IS/MND, the Project will disturb more than one acre and would be required to comply with the State of California Construction General Permit. As such, a Notice of Intent must be submitted to the Regional Water Quality Control Board (RWQCB) and a Storm Water Pollution Prevention Plan must be developed to establish methods for controlling discharge associated with construction activities. Compliance with the requirements of the Construction General Permit and standard grading and best management practices would ensure that soil and construction byproducts do not substantially degrade surface or ground water quality. Further, as stated on page 94 of the IS/MND, the Project would be required to comply with RWQCB procedures for disposal and transport of contaminated groundwater, in addition to site monitoring requirements. Post construction, as explained on page 97 of the IS/MND, the Project would be required to comply with County stormwater management measures. For these reasons, the IS/MND concluded that the Project would not result in significant water quality impacts.

**Comment K.6:** We also demand that you utilize the monies that are being garnered in the name of the residents of Marin City to improve the overall health and wellness of Marin City through a participatory process. When the people in Tiburon cannot even use their boats for three months out of the year, in order to protect the birds of Richardson Bay, how can you propose to load and pump more polluted surface waters and 101 Freeway runoff into the San Francisco Bay without any treatment whatsoever?

**Response K.6:** Refer to Response K.5 above.

**Comment K.7:** When you are proposing, a mitigation from the impact to the wetlands, that you foresee, then this needs to be discussed in terms of wetlands, water quality, public health and environmental impact, so that the community understands what they are facing. The conversations

have never mentioned Wetlands, or that there will need to be mitigation because of their destruction that is being approved here in your negative declaration.

**Response K.7:** The IS/MND concluded that the Project would not degrade the quality of the environment with the implementation of mitigation measures. Impacts to wetlands are discussed on pages 47 through 53 of the IS/MND. With the implementation of MM BIO-2.1 through MM BIO-2.3, MM BIO-4.1, and MM BIO-4.2, the Project’s permanent and temporary impacts to wetlands would be reduced to less than significant. Water quality impacts are discussed on pages 94 through 95 of the IS/MND. Refer to Response K.5 above for a detailed response on water quality impacts.

**Comment K.8:** The impacts to biological resources, potential restoration and recreation as well as community health and aesthetics are significant and the environmental justice issues that adversely affect Marin City remain unresolved. This project is unacceptable and needs to be addressed comprehensively with the participation of the Golden Gate Village team, the Community Services District, and the entire Richardson Bay Community.

**Response K.8:** The IS/MND concluded that the Project would not degrade the quality of the environment with the implementation of mitigation measures. The comment does not cite specific evidence that the project would result in significant impacts. Impacts to biological resources are addressed on pages 46 through 55 of the IS/MND. Impacts to recreation are addressed on page 118 of the IS/MND. Impacts to aesthetics are addressed on pages 24 to 26 of the IS/MND.

**L. Dana Clark (June 23, 2025)**

**Comment L.1:** Thank you for the opportunity to comment on the Initial Study for the Marin City Pond Pump Station Flood Reduction Project (“Pump Station”). I would like to acknowledge the one-week extension of the public comment period, which was helpful since some people who are interested in reviewing this Pump Station document were simultaneously reviewing the Marin City Second Culvert Project: Initial Study with Proposed Mitigated Negative Declaration (“Second Culvert”). I raise below a few questions and concerns about the proposed permanent Pump Station.

**Clarifying and Analyzing Pump Station Relationship with Second Culvert**

In a meeting last week about the Second Culvert, the Caltrans team mentioned that they had been coordinating with the Department of Public Works (DPW). Both DPW and Caltrans have also acknowledged that DPW asked Caltrans to take over the Second Culvert project, after DPW encountered technical difficulties with their original design idea, after engaging geotechnical consultants under the FEMA grant.

A key aspect of the Second Culvert is that it is designed to divert a significant amount of water from the Marin City watershed to be discharged through a new culvert that will go under Highway 101 and discharge into Richardson Bay – all without going through the Marin City pond/wetland/lagoon,

and without needing to utilize DPW's existing culvert, to which DPW is now proposing adding a permanent Pump Station. Since this DPW/Caltrans plan will significantly affect the watershed and volume of water flowing into the Marin City's pond/lagoon/wetland area, it is puzzling that this Initial Study for the proposed Pump Station makes no mention of the Second Culvert project, and does not analyze or discuss how the Second Culvert project, which is moving forward on a similar time frame, would impact either the need for, or operations of, the proposed permanent Pump Station.

**Response L.1:** Refer to Topic Response A.

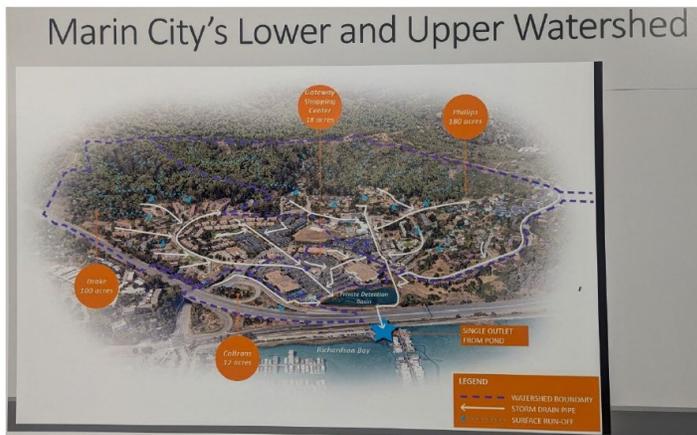
**Comment L.2:** Basis for Pump Station Project?

The Initial Study for the permanent Pump Station also does not provide any real discussion of the basis for the Pump Station project, other than conclusory statements that the Pump Station project "is needed to provide a permanent solution to reduce flooding in Marin City and to maximize the limited conveyance capacity across US 101." However, if the goal is to increase conveyance, it is worth noting that the Second Culvert project would double the "limited conveyance capacity across US 101," by installing a second 6' x 4' culvert parallel to and north of the existing culvert that is proposed to be attached to the proposed Permanent Pump Station.

**Response L.2:** As described on page 2 of the IS/MND, a 2018 drainage study identified several alternatives to reduce flooding in Marin City, including a pump station. In 2023, the District revised the FEMA grant scope to include design and permitting of a 50-cfs pump station. Implementation of the Project would not preclude the Second Culvert project, refer to Topic Response A for a detailed response on this separate project. The comment does not raise any specific environmental issues or concerns with the adequacy of the environmental analysis in the IS/MND.

**Comment L.3:** Questions about the relationship between these projects have been consistently raised during public meetings with DPW and Caltrans. At those meetings, participants were told that "environmental documents" were under development and would address the questions. Unfortunately, this Initial Study for the Pump Station continues to be silent about the relationship between the proposed permanent Pump Station and the proposed Second Culvert. Caltrans has stated in recent meetings that the Second Culvert and this proposed permanent Pump Station are not linked, and that the Second Culvert can go forward regardless of whether the Pump Station is installed. However, the inverse does not necessarily seem to be true. In other words, it is not clear why or whether a permanent Pump Station would be needed, or is the best investment of climate resilience funds, if the Second Culvert is diverting a significant proportion of the watershed away from the Marin City pond/lagoon/wetland.

For context, in a presentation in Marin City on November 20, 2024, Caltrans presented the following slide showing the Marin City Upper and Lower Watersheds:



According to this map, the Phillips drainage, on the reader’s right in the above image, drains 180 acres. This Phillips drainage is being proposed to be rerouted so that it no longer goes into the Marin City pond/lagoon/wetland area. Instead, it will drain into the proposed Second Culvert and out to Richardson Bay. The other drainages shown on this watershed map are from the Gateway Shopping Center (18 acres), Caltrans roads (12 acres), and the Drake drainage (100 acres).

It is surprising (and not particularly helpful to the analysis of Marin City flooding) that this Initial Study for the proposed permanent Pump Station does not reflect, discuss or analyze the impact of the Second Culvert on the need for the proposed permanent Pump Station. Has recent modeling been done that shows the projected impact on existing flooding from the Second Culvert? And the impact from this proposed permanent Pump Station? If so, that modeling analysis has not been shared in this Initial Study or elsewhere, to my knowledge.

Even if one assumes that the Second Culvert is not built (and it is ignored completely in the Initial Study for the Pump Station), another unanswered question that is not addressed in the Initial Study is what does the DPW’s modeling show regarding the flooding improvement established by the proposed permanent Pump Station itself? For example, if the proposed permanent Pump Station was brought online, at what storm intervals would the Marin City entrance be protected from flooding, and at what storm interval does it become impassable?

**Response L.3:** As discussed on page 96 of the IS/MND, the Project included developing a hydrologic and hydraulic model to analyze changes to the discharge flow rates and velocities from the culvert outfall between pre-project and post-project conditions (refer to Appendix C of the Initial Study). The modeling includes the 2-year, 10-year, and 100-year storms. The modeling shows that peak and average flows in all storms modeled (i.e. the 2-year, 10-year and 100-year, 24-hour storms) are lower than existing conditions.

BKF has conducted preliminary modeling to evaluate the cumulative improvements when both projects are constructed. The preliminary modeling results show significant improvement to flood reduction in Lower Marin City with both projects operating together as compared to either project individually. However, flooding in Marin City is not completely eliminated even with both projects combined but is

significantly reduced and this benefit has been demonstrated through hydraulic modeling. These refinements are shown in Section 3.0 Draft IS/MND Text Revisions. The text revisions do not constitute a “substantial revision” pursuant to CEQA Guidelines §15073.5 and recirculation of the MND is not required.

**Comment L.4:** Currently there is no administrative record to answer important questions that decisionmakers might ask, such as: If the culvert conveyance capacity under the highway doubles, such that the Second Culvert diverts approximately half of the water that is currently flowing into the pond/lagoon/wetland from the watershed, is there still a need for a permanent 50 cfs pump station, to be placed on the edge of remnant wetlands, in an area that the community has been advocating be prioritized for open space and ecological restoration?

**Response L.4:** The Second Culvert Project is anticipated to increase conveyance across US 101 and reduce flows into the Pond, but does not avoid the need for the proposed Project. Refer to Topic Response A for a detailed response on the Second Culvert project and Response L.3 above. As mentioned above, the preliminary modeling results show that some flooding would result under the 100-year storm with both projects in operation, so the need for both projects is well documented.

**Comment L.5:** Regarding the drainages shown on the above Caltrans map, local residents have expressed particular concern, in public meetings and other venues, about the 12 acres draining from Caltrans property into Marin City. Stormwater runoff from highways carries toxic pollutants, and residents have had to repeatedly wade through these dangerous floodwaters for years. Accordingly, there is a great deal of interest in better managing and using improved grey and green stormwater infrastructure measures in the Caltrans-controlled areas of land adjacent to Marin City, including in proximity to this proposed project. There have also been recommendations for improvements in the Drake drainage shown above, which is where the majority of Marin City residents live, and where localized flooding has damaged property and caused mold and mildew in homes. At present, neither the 12-acre drainage from Caltrans or the 100 acre Drake drainage are addressed in this Initial Study.

**Response L.5:** Neither the County nor the District have jurisdiction over Caltrans’ stormwater runoff. The Project’s water quality impacts are addressed on pages 94 through 95 of the IS/MND. The Project would be required to comply with RWQCB procedures to address stormwater runoff. Post-construction, as explained on page 97 of the IS/MND, the Project would be required to comply with County stormwater management measures. For these reasons, the IS/MND concluded that the Project would not result in significant water quality impacts.

**Comment L.6: Gateway Upgrades: For Free? How About a Trade Instead?**

Curiously, though, the drainage from the Gateway Shopping Center, which is privately owned, is being included in this Initial Study. The Initial Study indicates that the Gateway Shopping Center owners are being proposed to receive a publicly financed upgrade to their storm drainage system under their parking lot. See p. 129. There is no indication about whether or how this privately owned property will be contributing to the cost of the proposed pipe upgrade (from a 3’ diameter

to a 7' diameter pipe), either through a financial contribution, or by providing a quid pro quo, for example deeding the pond/lagoon/wetland area to a public entity such as the Marin City Community Services District and/or the Marin County Parks Department.

It seems perverse to propose providing the owner of the shopping center, which has arguably neglected maintenance of the pond/lagoon/wetland area for years, a financial reward through a no-cost upgrade to essential infrastructure, particularly considering that the property is listed for sale. I recommend that decision-makers call for an exchange, whereby the years of deferred maintenance and the proposed pipe upgrade in the shopping center are charged against the value of the pond and its surrounding open space, which should be transferred to public ownership, ideally by the Marin City Community Services District, which in turn can grant necessary maintenance easements for the flood infrastructure aspects of the property.

**Response L.6:** The proposed storm drain upsizing is intended to reduce the chronic flooding of Donahue Street and Drake Avenue by increasing the conveyance of flood flows from these roadways to the stormwater pond thereby reducing roadway flooding especially during smaller but more frequent storms. This pipe upsizing provides significant flood reduction benefits especially in the small more common storms and as such is an important project for Marin City residents. The storm drain upsizing was included in the Project because of this benefit . The comment does not raise any specific environmental issues or concerns with the adequacy of the environmental analysis in the IS/MND.

**Comment L.7: Incorrect Standard for Wetland Mitigation**

On page 48 of the Initial Study, DPW acknowledges that Marin County Plan element BIO-3.2 requires that: Where avoidance of wetlands is not possible, require provision of replacement habitat onsite through restoration and/or habitat creation at a minimum ratio of 2 acres for each acre lost (2:1 replacement ratio) for on site mitigation and a minimum 3:1 replacement ratio for off-site mitigation. Mitigation wetlands should be of the same type as those lost and provide habitat for the species that use the existing wetland. Mitigation should also be required for incursion within the minimum WCA setback/transition zone. P. 43 (emphasis added).

Subsequently throughout the document, however the Initial Study proposes using a 1:1 replacement ratio for on-site mitigation. See, e.g., p. 46 (and multiple other instances). This is an incorrect standard, and should be corrected. Additional planning will therefore be needed to show how to comply with the County's wetland mitigation requirements. This will all be much easier if the pond and surrounding open space is acquired for public benefit.

**Response L.7:** The Marin Countywide Plan includes a policy (Policy BIO-3.2) that provides wetland mitigation ratio guidelines which suggest a minimum ratio of 2:1 replacement for on-site mitigation and a minimum 3:1 replacement ratio for off-site mitigation. The mitigation ratio is a guideline and may be modified (e.g., increased or decreased) at the discretion of the District on a case-by-case basis. As stated on page 49 of the IS/MND, MM BIO-2.2 would require that the Project achieve a no-net-loss of wetlands through on-site establishment at a minimum of a 1:1 mitigation

ratio. This minimum 1:1 ratio would result in a no-net-loss of wetland area and wetland functions which is the goal of the Marin Countywide Plan and ensures a significant impact would not result under CEQA. If the County or other permitting agencies, such as the USACE or RWQCB, require additional mitigation the ratio may increase for onsite mitigation, or the mitigation may be satisfied at an approved mitigation bank off-site.

**Comment L.8: Missing References Relevant to Planning**

Regarding neglected maintenance, the Initial Study for the proposed Pump Station is lacking a key reference for the Project area, which is the Wetland Resource Management Plan (WRMP) that was signed when the shopping center area was developed. Among other things, the WRMP is intended to protect, restore and maintain the pond, surrounding upland habitat, and freshwater marsh.”<sup>1</sup> P. 7 of WRMP.

**Response L.8:** The commenter is correct, a Wetland Resources Management Plan (WRMP), dated September 22, 1992, was prepared as part of the Marin City USA Master Plan (which included the Gateway Shopping Center). The WRMP requirements applied to the Marin City USA Master Plan Project at that time. There is one section of the WRMP related to long-term maintenance post-1998 (Section 4.3.2 page 13) and references annual inspections, invasive weed removal, fencing and trash removal. The proposed project is fully consistent with these long-term maintenance requirements of the WRMP. The WRMP was prepared to meet a number of objectives to include the creation of wetlands to compensate for the loss associated with the shopping center development and long-term management of wetland resources. Implementation of the Project will not compromise the long-term objectives and goals of the WRMP, or result in long-term impacts to wetlands that were created and referenced in the WRMP to compensate for the loss of wetlands associated with the Marin City USA Master Plan development project. The wetlands that were created within the Pond, as part of the WRMP, will not be directly or indirectly impacted permanently by the Project.

**Comment L.9:** It also requires a pollution control plan for surface runoff pollution and long-term site management, including “grease traps, oil-water separators . . . community education, and . . . special landscaping.” p. 9.

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<sup>1</sup> To ensure necessary administrative controls, Marin City USA was to “grant a conservation easement over the habitat preserves in perpetuity to ensure long-term preservation of the habitat.” p. 9-10. There is no record of a conservation easement ever having been recorded, however. The recorded map of Marin City USA reflects that the development offered maintenance easements for public utility benefit, but the Board of Supervisors chose to “on behalf of the public accept the offer of the dedication of Donohue Street, Main Street, Cole Drive, and Cole Court, and rejected all easements.” Recorded Sept. 29, 1995. Access to the site for studies and maintenance has been a chronic constraint on planning improvements in the Marin City pond/lagoon/wetland area.

**Response L.9:** The requirements of the WRMP beyond long term maintenance are not relevant to the proposed project. Storage of materials and spill cleanup related to the proposed Project will be covered in the pump station operation and maintenance procedures as per most County facilities. Also, Page 94 of the IS/MND explains that the Project would be required to implement a SWPPP during construction. The SWPPP would include best management practices to ensure that soil and construction byproducts do not substantially degrade surface or ground water quality. As noted on page 95 of the IS/MND, post-construction the Project would comply the Phase II Small MS4 General Permit. For these reasons, the IS/MND concluded that the Project would not impact water quality during construction and operation.

**Comment L.10:** Another missing reference that was not factored into the Initial Study is the Marin City Community Plan, parts of which note that the community open space should include the pond. See, e.g., p. 21 of Marin City Community Plan.

**Response L.10:** The Project would not conflict with the Marin City Community Plan, which is intended to support implementation of the Marin Countywide Plan, which is referenced throughout the IS/MND. The Project site is not currently open to the public and the Project would not result in any change to public access.

**Comment L.11:** Are the smaller pumps enough?

During the 2024 rainy season, with funding from State Senator McGuire, two temporary pumps with a combined flow of 10 cfs were installed close to the entrance to Marin City. Those pumps were set up to discharge through temporary above-ground pipes into the Marin City pond/lagoon/wetlands. While those pumps are mentioned in this Initial Study, no assessment of their performance and lessons learned from the 2024 rainy season are included. In a public meeting, DPW staff mentioned that these smaller pumps, together with performance of long deferred maintenance (including cleaning out pipes at the Donohue intersection that had been completely compacted with trash) helped contribute to keeping the intersection clear during the last rainy season.

At a public meeting about this proposed Pump Station (the meeting was actually focused more on how to decorate the pump station rather than on the need for the pump station), DPW staff and Schaff & Wheeler staff both indicated that the idea of linking the temporary pump location with the Caltrans cloverleaf for discharge could be potentially interesting, but it is not clear that this smaller-scale approach has been considered. The 2017-2018 Flood Study, which was flawed in many ways, did recognize that there as a potential flood benefit from installing a detention basin in the Caltrans cloverleaf.

**Response L.11:** As explained on page 2 of the IS/MND, the District received funding to construct an emergency portable pump station. The pump station is intended to be a temporary solution to alleviate flooding in lower Marin City until the Marin City Pond Pump Station is constructed. The two diesel-powered temporary pumping

units are relatively small (10 cfs max) and require 24/7 supervision during operation. They are not cost-effective for long term flood reduction. The temporary pump station project is intended to be an interim solution to help reduce the duration of roadway flooding until the permanent, electrically-powered pump station project is constructed but they do not replace the permanent pump station in terms of flood reduction benefits. The lessons learned from the temporary pump station project are not applicable to the permanent pump station.

Installation of a detention basin in the Caltrans cloverleaf is not part of this project and there is currently no detention basin project planned by Caltrans. The comment does not raise any specific environmental issues or concerns with the adequacy of the environmental analysis in the IS/MND.

**Comment L.12: Definition, Delineation and Description of Project Site**

Reading this Initial Study, one would have no idea that the proposed Pump Station would be situated in some of the only open space in the most densely-populated, low-income community of color in the County of Marin, which in turn is situated next to a highway that sees traffic of approximately 240,000 vehicles per day (per Caltrans). None of this relevant information is included in the Initial Study.

**Response L.12:** The Project location is described and shown on pages 3 through 6 of the IS/MND. The Project proposes to construct a pump station within the existing Pond. The primary purpose of the pump station is to reduce flooding in Marin City, which would improve conditions for the community. It is noted throughout the IS/MND that the Pond is located adjacent to US 101. It is unclear how the number of trips per day on US 101 relates to the Project or the adequacy of the IS/MND, as these trips are part of the existing baseline. As discussed on page 120 of the IS/MND, the Project would generate temporary trips from construction workers and trucks traveling to and from the project site. Once operational, the Project would not have any regular occupants or visitors and would not generate vehicle trips besides infrequent trips for maintenance. The Project site is not currently open to the public and the Project would not result in any change to public access.

**Comment L.13:** The definition of the Project Site is a bit unclear and also cursory, and would benefit from further delineation and review by anyone reviewing the Initial Study. For example, the Project site is said to be depicted in Figure 2-3, however, this figure shows a diagonal line going through the middle of the water body, as though the entire water body would not be affected by the proposed Project activities. It defies logic to say that the project site only includes one part of a pond/lagoon/wetland and does not include the remainder. They are all interconnected. In fact, the Initial Study calls for the pond/wetland/lagoon to be dewatered. P. 18.

In other places, the Initial Study describes the Project site as consisting “of a 3-acre privately owned stormwater detention Pond, which connects to Richardson Bay via a 6-foot by 4-foot culvert within Caltrans right-of-way.” See, e.g., p. 24. In public meetings, and in public comments such as these, I

and others have objected to the DPW's characterization of the Marin City pond/lagoon/wetland as a private detention basin; this is not an accurate label for a site that is clearly much more than that.

**Response L.13:** The Project location is described and shown on pages 3 through 6 of the IS/MND. The IS/MND distinguishes the larger Project site (i.e., the 3-acre privately owned stormwater detention pond) from the area that would be physically disturbed by the Project. The Project Boundary shown on Figure 2-3 represents the area that would be physically disturbed during implementation of the Project. As stated on page 18 of the IS/MND, a temporary cofferdam would be installed, and the Pond would be partially dewatered. Figure 2-11 depicts the location of the cofferdam which aligns with the Project Boundary shown in Figure 2-3.

**Comment L.14:** Moreover, on page 44, and in Figure 4-1, the Initial Study notes that the "project site" contains three wetland classifications, with 2.4 acres of estuarine intertidal unconsolidated bottom, 0.82 acres of estuarine intertidal emergent wetlands, and 0.22 acres of Palustrine Emergent Wetlands.

**Response L.14:** Refer to Response L.11 above. In order to accurately account for direct and indirect impacts to biological resources, the IS/MND characterized wetlands for the larger Project site.

**Comment L.15:** The discussion on pages 50-51 of the impacts to those wetlands again mis-states the required mitigation ratio, claiming to apply only a 1:1 ratio when the County requires that it be 2:1 for onsite mitigation, as discussed above. In addition, the Initial Study incorrectly states on page 55 that there is no local conservation plan applicable to the Project site, ignoring that there is a Wetland Resource Management Plan that is supposed to be applied to the project site.

**Response L.15:** Refer to Response L.8 above. The WRMP requirements were for the shopping center development and are not relevant to this Project beyond long term maintenance as discussed above and the proposed project is fully consistent with. The project has met all current regulatory permit requirements for wetlands mitigation and additional mitigation is not required. There are no County requirements for wetland mitigation ratios that apply to this project.

**Comment L.16:** The description of the Historical context of the site on page 58 makes no reference to the rich wartime history of Marin City and Sausalito, and glosses over potential industrial dumping that may have occurred in that context; this is also left out of the discussion of "Potential Off-Site Sources of Contamination," on p. 86.

**Response L.16:** Page 85 through 86 of this IS/MND described existing on- and off-site sources of contamination. A soil and sediment investigation was conducted by others and not by the District in 2021 to characterize soil and sediment for the Pond and upland areas. The only compounds to exceed residential and/or commercial/industrial environmental screening levels (ESLs) were arsenic and lead.

Lead concentrations were detected as high as 620 mg/kg and likely reflects aerially deposited lead from the freeway that has been washed into the pond through drainage from the roadway and adjacent soil. Off-site sources of contamination include TPH and PCE from a former gas station and dry cleaner facility. As explained on page 88 of the IS/MND, implementation of MM HAZ-1.1 would ensure that contaminated soils and/or groundwater on-site would be identified, characterized, removed and disposed of properly prior to ground-disturbing activities, thus preventing exposure of construction workers, nearby sensitive receptors, and the environment to soil contaminants from construction of the Project.

**Comment L.17: Emergency and Construction Access Area**

The project proposes to use the area between the pond/lagoon/wetland and the highway as a “temporary construction exit to be removed and restored before project completion,” Figure 2-11. As residents of Marin City have repeatedly expressed, the lack of a second means of ingress and egress is a key resilience challenge for them. Accordingly, it seems appropriate for this access area (note that a similar zone is being proposed in the Caltrans Second Culvert Project) to be considered by Caltrans, the Community Services District, and other relevant agencies to evaluate the permanent use of this access point for emergency vehicles. This would be especially important in the event of floods blocking the intersection, or in the event of fire.

While the project area itself is not in a zone at high risk of fire, Marin City is situated at the wildland-urban interface and the single point of entry/egress to the community puts its residents at risk should there be a fire. A second access point for emergency vehicles would allow for ambulances, fire trucks and other emergency personnel to reach Marin City even if its only highway access were blocked by floodwaters or bottlenecked with evacuating traffic in the event of a fire. This has been a long-standing concern of Marin City residents, and is likely also of concern to the Fire Department. The California Fire Code has provisions for secondary access points for fire department apparatus.

This Initial Study did not consider the opportunity to turn an access road for construction into a permanent potential for emergency vehicle access to a community that currently only has one way in and out. It simply concludes that “the Proposed project would not result in changes to surrounding circulation systems or established evacuation routes,” and would therefore have a “less than significant impact on emergency access,” thereby missing the opportunity completely. The Board of Supervisors, acting as the Flood Control and Water Conservation District, should consider instructing the relevant parties, including the Marin City Community Services District and Caltrans, to confer and discuss the potential for developing the proposed construction access into a permanent emergency vehicle access point. This would also probably need to be factored into the design of the floodwall.

**Response L.17:** The comment does not raise any specific environmental issues or concerns with the adequacy of the environmental analysis in the IS/MND. The temporary construction exit is not intended to be a permanent access route and would require significant traffic controls. The Project involves the construction of a

new pump station to reduce flooding and does not propose to change access into and out of Marin City.

**Comment L.18: Descriptions of Scenic and Ecological Value**

The Initial Study inexplicably seeks to deny that the project area has any scenic value, in a section that ignores the views across the wetland and out to the Bay. It instead focuses on the hills behind Marin City and says that from the bowl area there are obstructed views of the hills behind the pond, the Golden Gate National Recreation Area, and that the proposed Pump Station on the edge of the lagoon/pond/wetland would have no scenic impact on the GGNRA viewshed. See also p. 24 which notes that prominent or scenic vistas “are typically located along roads and trails/paths in the elevated areas of the County” and that “In the City-Centered Corridor, vistas are often obstructed by extensive development along and adjacent to US 101.” This is so illogical, because at this project site, the views are in fact \*not obstructed\* by extensive development along and adjacent to US 101.

By way of contrast, the Initial Study by Caltrans for the Second Culvert, in the same location, found that “[d]espite its relatively developed, suburban character, the Project area has high visual quality, and includes views of scenic features such as Mount Tamalpais East Peak in the distance and the rolling hills of Marin meeting Richardson Bay.” Second Culvert, p. 2-3

**Response L.18:** Page 24 of the IS/MND describes scenic views in the vicinity of the Project site, noting that in the City-Centered Corridor, vistas are often obstructed by extensive development along and adjacent to US 101. Along south US 101, there are views of Mt. Tamalpais and Tamalpais State Park, and, after exiting the Robin Williams Tunnel southbound, there are views of San Francisco and the Golden Gate Bridge. Further, the IS/MND goes on to state that the Project site provides obstructed views of the Golden Gate National Recreation Area. The Project would introduce a new pump station at the Pond; however, the IS/MND found that the Project would not result in a substantial adverse effect on public views since views of Golden Gate National Recreation Area are already obstructed by extensive development along US 101.

**Comment L.19:** Moreover, the Initial Study for the Pump Station discounts the bird life that uses the pond/lagoon/wetland area. On page 44, the Initial Study states that multiple special status bird species (California Ridgway’s rail, California black rail, Great blue heron, San Pablo song sparrow), fish, and one mammal (the salt marsh harvest mouse) have been found in a 10-mile radius of the project site. It then concludes (without citation) that “None of these species have the potential to occur within the Project site due to lack of suitable habitat.” P. 44.

There are a few problems with this conclusory statement. One, the habitat has been deliberately mowed, including during nesting season, in violation of the WRMP (photos and additional background information are available). This is yet another reason why this property should be publicly managed. Two, this statement that none of the birds of concern listed here are using the pond is belied by the source cited by DPW on the previous page – eBird, a birdwatching reporting

site, shows that shows that one of these special status birds, the Great blue heron, has been consistently reported by birdwatchers in the Marin City pond, across many years, at all times of the year.

**Response L.19:** As stated on page 40 of the IS/MND, the discussion of biological resources is based, in part, on a Biological Resources Report prepared for the Project and included as Appendix A to the IS/MND. Appendix A includes additional documentation to support the IS/MND's conclusion that suitable habitat does not exist for the identified special-status species based on the opinion of the Project biologist. The statement referenced by the commenter is referring to federal, and state listed endangered, threatened, or rare species that have occurred historically or are currently known to exist within a 10-mile radius of the Project site, not all avian species. The data was obtained from the California Natural Diversity Data Base (CNDDDB) and presented in Appendix A of the IS/MND. The Biological Resources Report assessed over seventy-three plants and fifty-seven animals listed as endangered, threatened, or rare. Out of the fifty-seven animals nineteen were avian species. In addition to the avian species listed on the CNDDDB, the Biological Resources Report references field visits conducted by the Project biologist and avian species observed foraging and references eBird data as having eighty-eight bird species recorded at the Project site. Page 53 of the IS/MND acknowledges that the Pond supports a variety of waterbirds (e.g., herons and egrets), waterfowl (e.g., ducks and geese), shorebirds (sandpipers, avocets, and stilts, etc.), and other species such as gulls. During dewatering, a portion of the Pond would temporarily be unavailable as a foraging area for waterbirds, waterfowl, and shorebirds. This temporary impact to avian foraging area would continue as long as dewatering is necessary for construction of the Project. While a portion of the Pond would be unavailable as a foraging area, the remainder of the Pond would still support foraging for the various species of waterbirds.

As explained on page 44 of the IS/MND, a field survey was conducted in May 2023 and determined salt marsh harvest mouse does not have the potential to occur within the Project site due to lack of suitable habitat. Further, the Pond is privately owned and neither the County nor District conducted any mowing in the privately owned Pond.

**Comment L.20:** Third, I note that the Initial Study has proposed cutting down 10 trees without replacing them.

[T]he Project would remove six nonnative acacia trees. These acacia trees are not native and would not be considered as protected or heritage trees that would require tree replacement as a form of mitigation. In addition, three non-native acacia trees and one 6- inch-diameter native California buckeye tree would be removed to accommodate the establishment of wetlands within the on-site mitigation area. Impacted aquatic resources shall be offset to achieve a no-net-loss of wetlands through on-site establishment at a minimum of a 1:1 mitigation ratio (refer to MM BIO-2.2).

Therefore, the Project would not substantially degrade the existing visual character or public views of the site and would not conflict with applicable zoning and other regulations governing scenic quality of the County. P. 25.

For context, the Caltrans proposal calls for cutting down 16 trees. There can't be many more than 26 trees down by the pond/lagoon/wetland (we don't know exactly how many, because neither Initial Study provides a map that indicates which trees are proposed to be removed), but neither agency is proposing to replace these trees, apparently because they are mostly non-native so it is not "required." How about consideration of the fact that trees provide effective stormwater retention, noise reduction, clean the air, provide habitat, help to counter the heat island effect, and provide scenic value? It seems very short-sighted to be content to cut a relatively significant number of trees without any commitment to replanting them with native species that are beneficial to wildlife.

**Response L.20:** As noted by the commenter and stated in the IS/MND, the Project would remove six non-native acacia trees. These acacia trees are not native and would not be considered as protected or heritage trees that would require tree replacement as a form of mitigation. As stated on page 54 of the IS/MND, one 6-inch diameter native California buckeye tree would be removed to accommodate the establishment of wetlands within the on-site mitigation area. Impacted aquatic resources shall be offset to achieve a no-net-loss of wetlands through on-site establishment at a minimum of a 1:1 mitigation ratio (refer to MM BIO-2.2). Consistent with MM BIO-5.1, all areas impacted during construction would be revegetated with native grasses, shrub, and tree species to restore habitat value. For these reasons, the IS/MND concluded that the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

**Comment L.21:** Energy

The discussion of energy use by the project does not factor in the embodied carbon in the materials that would be used to construct the proposed permanent Pump Station structure and supporting structures. (The energy discussion, and many sections of the overall Initial Study, include a lot of boilerplate language that is not relevant to this project, such as discussions of the Advanced Clean Cars Program.) Moreover, although methane is released by detention basins more than by natural bodies, and could be released by the proposed dewatering of the pond, this is not mentioned (or mitigated) in the energy section.

**Response L.21:** Pursuant to State CEQA Guidelines Appendix G (and identified on page 67 of the IS/MND), a significant energy impact would occur if a project were to result in the wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct a local plan for renewable energy or energy efficiency. Energy consumption alone does not constitute a significant impact under CEQA. As explained on page 67 of the IS/MND, the construction phase would require energy for the actual manufacture and transportation of materials, preparation of the site

(e.g., demolition, soil off-haul, and grading), and the actual construction of the Project. Adherence to existing regulations and programs would reduce energy loss resulting from the disposal of construction and demolition materials through diversion and recycling. As shown in Table 6-1, operation of the Project would require zero natural gas use. Dewatering activities would be done in accordance with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit. Therefore, the project will result in a less than significant impact related to energy use.

**Comment L.22: Hydrology and Water Quality**

The discussion of hydrology seems that it would be very relevant for the discussion of a proposed permanent Pump Station that is supposed to address chronic flooding. However, the extent of the description of the Hydrology and Drainage Existing Conditions in the Initial Study is the following one sentence: “The project site is located within the Marin City Watershed, which ultimately drains to the Richardson Bay which is connected to the San Francisco Bay.” P.93. This is demonstrably inadequate. And, even though there is a proposal to completely dewater the pond and dredge sediment, the Initial Study concludes that the “construction of the Project would have a less-than-significant impact on water quality.” P. 94.

**Response L.22:** Page 93 of the IS/MND provides an overview of existing conditions as it relates to hydrology and water quality. It is unclear from the comment what additional information is needed. The Pond would not be completely dewatered but as noted in the IS/MND the Pond would be partially dewatered. The IS/MND provides a detailed discussion of the Project’s hydrology and water quality impacts on pages 94 through 98.

**Comment L.23: Conclusion**

To residents of and visitors to Marin City, and to the birds and wildlife of the area, the wetlands/lagoon/pond is not only a critical part of the flood response for the community, it is also an opportunity for open space and access to at least semi-natural ecosystems.

Granted, it has suffered from neglect, it has been inundated with polluted runoff, it could be healthier and more robust, and public access has been restricted significantly (not only to members of the public but also to public officials who have had difficulty getting permission to access and/or study the site). Nonetheless, the pond/wetland/lagoon area is a symbol of hope and potential for regeneration in a community that has suffered from historical discrimination. The private sector nature of the pond is a legacy of this history, and it should never have been privatized.

In the Initial Study, Figure 2-10 shows “Pond Area to Be Transferred to Marin County Flood Control and Water Conservation District,” and the key applies this designation to the entire pond/lagoon/wetland area. This Figure is unclear, but hopefully decision-makers will take seriously this concept of transferring control of the pond area away from the shopping center and to a public entity, to include the Community Services District. One provision of the Marin County Code that was not mentioned in the Initial Study provides that:

BIO-1.2 Acquire Habitat. Continue to acquire areas containing sensitive resources for use as permanent open space, and encourage and support public and private partnerships formed to acquire and manage important natural habitat areas, such as baylands, wetlands, coastal shorelines, wildlife corridors, and other lands linking permanently protected open space lands.

The pond/lagoon/wetland area, together with the access area required for the Second Culvert project, should be acquired and held for public purposes by the Community Services District, perhaps in partnership with the Marin County Parks Department, and those entities can then grant maintenance easements as needed.

Thank you for considering these selected responses to the Initial Study for the proposed permanent Pump Station.

**Response L.23:** This comment is acknowledged. Prior to construction, the District would need to either obtain ownership or an easement to operate and maintain the pump station. Further discussion is on page 16 of the IS/MND. Refer to Topic Response A for a detailed response on the Second Culvert Project. The comment does not raise any specific environmental issues or concerns with the adequacy of the environmental analysis in the IS/MND.

## Section 3.0 Draft IS/MND Text Revisions

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This section contains revisions to the text of the Marin City Pond Pump Station Flood Reduction Project IS/MND dated May 2025. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

Page 136-137 Mandatory Findings of Significance (under Checklist Question b): REVISE the discussion as follows:

### *Cumulative Projects*

Two cumulative projects are being considered and/or implemented by the County in the project vicinity, as described below.

The District is considering a separate dredging project at the Pond to address historic lead and associated zinc from vehicles on US 101. The dredging would involve soil sampling and risk assessments to establish cleanup levels for the contaminants of concern. The maximum amount of dredged material is anticipated to be up to 9,000 cubic yards (cy) of soil. The work would be completed through mechanical excavation with a long reach excavator from the banks and/or aquatic dredging excavator from within the Pond. Sediment free of contaminants may be reused on site in berms or buried backfill consistent with permits issued for the dredging project. Sediments requiring off-site disposal would be transported to an appropriate landfill in trucks via the access gate behind Target or through a temporary roadway on the east side of the pond in coordination with Caltrans.

The Marin County Large Trash Capture Devices project also proposes to install and maintain a state certified full trash capture system within the storm drainage system at the Gateway Shopping Center parking lot. The County is required to implement the project in order to demonstrate compliance with the Amendment to the Water Quality Control Plan for Ocean Waters of California (Ocean Plan) to Control Trash. A CEQA Notice of Exemption (C-24-63\_21-2024-007 Marin County Large Trash Capture Devices) was filed for the project on January 5, 2024.

One additional cumulative project is being considered and/or implemented by Caltrans. The Marin City Second Culvert Project proposes to build a 6-foot by 4-foot culvert that will help mitigate flooding in the Marin City area. The location is near Marin City from Donahue Street to 0.3 miles north of Donahue Street.

Page 138 Mandatory Findings of Significance (under Checklist Question b): REVISE the second paragraph as follows:

The geographic area for cumulative biology, cultural resources, TCRs, geology and soils, hazards and hazardous materials, and hydrology and water quality impacts is generally the surrounding area of the Project site because it would affect common resources and impacts would be limited to the immediate vicinity. Future cumulative development, including maintenance activities at the Pond,

such as dredging, would be required to comply with the existing state, regional, and local regulations including the Migratory Bird Treaty Act (MBTA), Fish and Game Code, National Historic Preservation Act of 1966 (NHPA), California Register of Historical Resources (CRHR), California Native American Historical, Cultural, and Sacred Sites Act, PRC Sections 5097 and 5097.98, Countywide Plan policies, and County Code regulations (as applicable) identified in Sections 4. Biological Resources, 5. Cultural Resources, 7. Geology and Soils, 9. Hazards and Hazardous Materials, 10. Hydrology and Water Quality, and 18. Tribal Cultural Resources of this document to reduce impacts to biology, cultural resources, TCRs, geology and soils, hazards and hazardous materials, and hydrology and water quality to a less-than-significant level. Further, BKF has conducted preliminary modeling to evaluate the cumulative improvements when the Project and Marin City Second Culvert Project are constructed. The preliminary modeling results show significant improvement to flood reduction in Lower Marin City with both projects operating together as compared to either project individually. However, flooding in Marin City is not completely eliminated even with both projects combined but is significantly reduced and this benefit has been demonstrated through hydraulic modeling. For these reasons, the Project would not contribute to a significant cumulative impact to the above discussed resources.

## Section 4.0 Conclusion

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The comments received on the IS/MND did not raise any new issues about the project’s environmental impacts or provide information indicating the project would result in new environmental impacts or impacts substantially greater in severity than disclosed in the IS/MND. Minor clarifications were added to the text of the IS/MND (refer to Section 3.0 Draft IS/MND Text Revisions). The text revisions do not constitute a “substantial revision” pursuant to State CEQA Guidelines §15073.5 and recirculation of the MND is not required.

**Appendix A: IS/MND Comment Letters**

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