

FLOOD CONTROL ZONE 5 ADVISORY BOARD MEETING
FEBRUARY 15, 2018

STAFF REPORT

Item 1. Election of Chairperson and Vice-Chairperson

Article VI of the Advisory Board's bylaws stipulate that officers of the Advisory Board be elected to a one-year term by a majority vote of the Advisory Board. There are two officers – chair and vice-chair.

Recommended Action: Elect chairperson and elect vice-chairperson.

Item 2. Approval of Meeting Minutes: April 26, 2017

Recommended Action: Approve minutes.

Item 3. Open Time for Items not on the Agenda

Comments will be heard for items not on the agenda (limited to 3 minutes per speaker).

Item 4. Zone Staffing Changes

Former Zone Engineer Jon Liang accepted a new assignment with the Engineering Division of the Marin County Department of Public Works last summer. While he still works for the County, he is no longer available to help in Zone 5. Recruitment of a replacement Zone Coordinator is in progress and a new Zone contact is expected to be in place in this coming spring. In the meantime, zone-related communications can be routed through Hannah Lee at hlee@marincounty.org or 415-473-2671.

Item 5. Easkoot Creek Maintenance Update

The Zone 5 Advisory Board requested a report on the Easkoot Creek maintenance that was performed last year, including expenditures. Although at the last meeting the AB requested this report ahead of this meeting, by the time the last of the expenditure data became available it was already time to prepare the February 15th staff report. AB Chairperson agreed that it was the most efficient use of Zone 5 staff funding to combine the February 15th staff report and the Easkoot Creek report.

The scope of work included managing vegetation in the stream to balance flow conveyance and habitat needs, and restoring the creek bed to design elevation through mechanical removal of accumulated sediments. In order to reach the design elevation, sediment removal took place in the sediment trap adjacent to the Parkside Café and in the vicinity of the bridge crossings at Calle del Pradero and Calle del Pinos. Dewatering and fish salvage operations were required where water is deep enough to harbor fish, which, this year, included the vicinity of the two bridge crossings.

The typical Zone 5 budget allows for two sediment trap excavation events per year – one before the winter rains and the other as an emergency reserve. Excavation at the bridges is not

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typically included in annual budgets for the Zone. This year’s budget was unusually high due to the need for additional sediment removal at 2 of the bridge crossings downstream. Increased vegetation removal beyond the normal annual channel maintenance was also performed by the Conservation Corps North Bay in order to facilitate sediment removal access and operations.

a. Expenditure Summary

Construction crew (Public Works Road Maintenance Division staff time): \$11,663.92
 Environmental compliance services staff time (not including post-project): \$1,041.20
 Flood Control staff time (direct project costs and project coordination/planning):
 \$9,919.50

Salaries and Benefits Subtotal: \$22,624.62 (FY 2017-18 Budget \$50,000)

Specially licensed fish rescue services: \$3,915.96
 Environmental Permitting Fees*: \$9,416.00
 Vegetation management by Conservation Corps North Bay: \$8,914.39
 Construction equipment rental: \$1,430.31

Services and Supplies Subtotal: \$23,676.66 (FY 2017-18 Budget \$30,000)

Grand Total Cost: \$46,301.28

*Of which \$8,292 is for a 5-year programmatic permit from the Regional Water Quality Control Board.

Due to high prices and lack of interested contractors, the District did not award any portion of the sediment removal work to outside construction contractors. The following quotes were received from construction contractors for various scenarios of sediment removal to try to get the best value for the zone. For reference final revenues last fiscal year, ending June 30, 2017 were \$81,872 and expenditures were \$34,473.

Contractor	Quote*	Scope of Sediment Removal
Dixon Marine Services, Inc.	\$54,245	2 bridges + sediment trap
Dixon Marine Services, Inc.	\$25,900	2 bridges only
AMA Diversified Construction	\$43,123	2 bridges only

*these are simply bids/quotes for the work; actual cost may have been higher.

The advisory board also requested a cost comparison between hiring Conservation Corps North Bay (CCCNB) vs. other contractors to perform vegetation maintenance in Easkoot Creek. Forster & Kroeger (F&K) is available to the Zone on an on-call basis if CCNB is unavailable. Hourly rates for crew members for F&K and CCNB are \$35 and \$30.75 respectively. Their crew leader rates are \$45 and \$59.75 respectively. CCNB is a not-for-profit company with a mission of educating youth and conserving natural resources. They have a long history of caring for Marin’s Creeks and do so effectively, sensitively, and efficiently. The District will continue to use the CCNB for this work unless they are not available.

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b. Environmental Permitting

The District's vegetation and sediment maintenance activities in Easkoot Creek are regulated by several State and Federal agencies, including the San Francisco Regional Water Quality Control Board, the California Department of Fish and Wildlife, the U.S. Army Corps of Engineers (which consults with the U.S. Fish & Wildlife Service and National Marine Fisheries Service through the Endangered Species Act). Many of these permits cover multiple years of maintenance but come with one-time as well as annual fees. Pursuing permits and renewals, and meeting their conditions for monitoring, reporting, and mitigating and avoiding impacts to threatened species involves considerable staff time and sometimes contracting and consulting costs. This is a common situation for any creek similar to Easkoot in the Bay Area. A summary is below of the permits, some of which were recently renewed, and others which are expected to expire soon.

In addition to environmental permits, permission is obtained from private property owners and the National Park Service before performing preventive maintenance work where the District does not own the land or have an easement (see d and e below).

i. California Department of Fish & Wildlife

In 2012, prior to construction of the sediment trap adjacent to the Parkside Café, the California Department of Fish and Wildlife (CDFW) granted the District a Routine Maintenance Agreement to perform vegetation and sediment management in specified sections of Easkoot Creek for flood risk reduction purposes. This permit expired in 2016 so staff applied for an extension through 2020. The extension was granted because the District was able to demonstrate through annual monitoring that the sediment trap reduced the amount of sediment and frequency of sediment removal occurring at the Calle bridges. If the District had been unable to demonstrate this, CDFW could have required removal of the sediment trap and restoration of the creek to its original configuration.

This type of permit, a "Lake and Streambed Alteration Agreement" per Fish and Game Code section 1602, comes with an annual fee which is currently \$281 per site worked on in a given year. This year four sites needed maintenance. Seven sites in the Zone are covered for sediment removal, including each of the "Calle" crossings, Arenal Bridge, and the sediment trap. Two additional sites are covered for vegetation maintenance from Calle del Pinos to Calle del Ribera, and from behind the Stinson Beach Community Center to the Parkside Café.

ii. Regional Water Quality Control Board

Previously, every time sediment removal was conducted in Easkoot Creek the District applied for water quality certification under section 401 of the Clean Water Act (CWA) through the San Francisco Bay Regional Water Quality Control Board (Water Board) which cost \$2,025 in 2016. The District has also been working for several years to negotiate a 5-year programmatic certification, covering all sites the District regularly maintains, which was approved by the Water Board in July 2018.

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Programmatic certification fees are similar to the one-time fees for Zone 5, however the hope is to reduce staff costs through this approach.

iii. U.S. Army Corps of Engineers

The District also obtains a multi-year permit from the U.S. Army Corps of Engineers under Section 404 of the CWA for sediment maintenance in Easkoot Creek. The permit applied for prior to construction of the sediment trap expired following 2017's pre-winter sediment removal operation and is in the process of being renewed. There is no fee for this permit, but there is associated staff time with this renewal effort.

c. District-Maintained Easements

Within District easement locations (from behind the Community Center to the upstream corner of the Parkside Café), the Easkoot Creek channel was inspected by staff late last summer and routine vegetation maintenance was completed in early fall. In fall of 2018, the District anticipates completing the routine vegetation maintenance on an as-needed basis following inspection by staff or reports from the advisory board or community members.

d. Private Properties – Residential

In portions of the Easkoot Creek channel where the District has no easement, District staff and advisory board members again attempted in 2017 to obtain permission from property owners to conduct inspections and vegetation maintenance, and additionally sediment removal at Calle del Pradero and Calle del Pinos. There was greater success this year than last year in obtaining permission. The District currently holds 5-year rights to enter from 5 property owners: one property owner declined vegetation maintenance but allowed the sediment removal; one permitted sediment and vegetation maintenance; three permitted vegetation maintenance. Without permission granted to District for maintenance in areas with no easement, the individual property owners are responsible for the creek maintenance.

e. Federal Properties – National Park Service

Removal of sediment from the trap adjacent to Parkside Café is the primary ongoing task being done by the Zone utilizing National Park Service (NPS) property. It is being done under a Special Use Permit (SUP) (see ii. below). The SUP does not cover maintenance work elsewhere in Easkoot Creek, although debris and vegetation-related concerns have been observed and reported.

i. Debris in Creek

On January 8th, the advisory board chairperson contacted staff about debris in Easkoot Creek in the Parkside/post office area. As National Park Service (NPS) has taken responsibility for the creek in this area, the issue was passed along to them along with an offer of assistance. NPS responded that they would have their maintenance foreman investigate promptly. Given proximity to Arenal, the County Road Maintenance division was also notified and both agencies are monitoring the situation and responding appropriately.

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ii. Special Use Permit

The Special Use Permit (SUP) with the National Park Service expires on September 30, 2018. Through the existing permit we are able to maintain the sediment trap through this year provided work is scheduled a little earlier in the season than usual, but will be working concurrently to extend and revise the existing SUP and/or discuss alternative arrangements for maintenance of the sediment trap.

Item 6. FY 2018-19 Budget Review

The Zone 5 budget for FY 2018-2019 (begins July 1, 2018 and ends June 30, 2019) will be presented to the Board of Supervisors at a hearing this summer. A proposed budget summary will be presented to the AB by staff for review.

Recommended Action: Recommend Board of Supervisors approve budget.

Item 7. Schedule Next Meeting

Per the Zone Bylaws, the next meeting is tentatively scheduled for February 14, 2019.

**FY 2017 - 2018 Budget Report
FCZ #5 Stinson Beach
Fund 23750**

Budget Summary			
Account Description	FY 2016-17 Budget	FY 2016-17 Projected	FY 2017-18 Budget
Fund Beginning Balance	\$185,643	\$236,217	\$248,267
Expenses			
Salaries and Benefits	\$35,000	\$35,000	\$50,000
Services and Supplies (details below)	\$23,800	\$23,800	\$30,000
Total Expenditures	\$58,800	\$58,800	\$80,000
Revenue			
Taxes	\$59,278	\$70,000	\$70,000
Revenues From Use of Money and Property	\$250	\$475	\$475
Intergovernmental Revenues	\$375	\$375	\$375
Total Revenue	\$59,903	\$70,850	\$70,850
Contingencies	\$186,746	\$248,267	\$239,117
Major "Services & Supplies" Expenditures			
Professional Services			
Contingency	\$5,000	\$5,000	\$5,000
SubTotal	\$5,000	\$5,000	\$5,000
Maintenance & Repair Services - Land & Buildings			
CCNB (Conservation Corps North Bay)	\$9,300	\$9,700	\$9,700
Miscellaneous	\$2,700	\$7,000	\$7,000
SubTotal	\$12,000	\$16,700	\$16,700
Construction			
CCNB Planting and Irrigation Installation	\$0	\$0	\$0
CCNB Quarterly Maintenance	\$5,000	\$0	\$0
SubTotal	\$5,000	\$0	\$0
Miscellaneous Services & Supplies (Includes Permit Fees)	\$1,800	\$2,100	\$8,300
Total	\$23,800	\$23,800	\$30,000

**Flood Zone 5 FY 2018-19 Proposed Operating Budget
with anticipated three-year cash flow projection**

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FY 2016-2017 Fund Ending Balance: \$291,543

Proposed budget, subject to change

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

Some expenditures include 3% annual increase

Staffing Costs						
1	Road Maintenance Staff	\$ 6,202	\$ 17,000	\$ 17,000	\$ 17,510	\$18,035
2	Real Estate Division Staff	\$ -	\$ 1,000	\$ 1,000	\$ 1,030	\$1,061
3	Engineering Division Staff	\$ -	\$ 1,000	\$ 1,000	\$ 1,030	\$1,061
4	Water Resources Staff and Special Cost	\$ 20,973	\$ 31,000	\$ 31,000	\$ 31,930	\$32,888
	Salaries, Benefits, and Overhead	\$ 27,175	\$ 50,000	\$ 50,000	\$ 51,500	\$ 53,045
Maintenance & Repair Services						
5	Maintanance - Creeks	\$ 421	\$ 16,700	\$ 16,700	\$ 17,201	\$ 17,717
Professional Services						
6	Professional Services Contracts	\$ -	\$ 5,000	\$ 5,000	\$ 5,150	\$ 5,305
7	Other Trade Services	\$ -	\$ 5,000			
Miscellaneous						
8	Travel	\$ -	\$ 300		\$ -	\$ -
9	Misc. Expense	\$ 6,877	\$ 3,000	\$ 3,000	\$ 3,090	\$ 3,183
	Service and Supplies	\$ 7,298	\$ 30,000	\$ 24,700	\$ 25,441	\$ 26,204
	Total Expenditures	\$ 34,473	\$ 80,000	\$ 74,700	\$ 76,941	\$ 79,249
10	Revenues (increase approx. 0.5% annually)	\$81,872	\$82,281	\$82,693	\$83,106	\$83,522
	Projected Fund Ending Balance**	\$ 291,543	\$ 293,824	\$ 301,817	\$ 307,982	\$ 312,255

**Fund Ending Balance for 2016-17 is as of 6/30/2017. Future year fund ending balance will change with updated information.

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