

Marin County Flood Control and Water Conservation District

FLOOD CONTROL ZONE 4 ADVISORY BOARD MEETING

APRIL 25, 2023

Staff Report

Item 1. Review Meeting Minutes and Notes: October 25, 2022 and January 25, 2023

Draft minutes can be found here:

<https://marinflooddistrict.org/meetings/zone-4-advisory-board-meeting-october-25/>

Recommended Action: Approve minutes.

For reference, notes from the January meeting (no quorum) can be found here:

<https://marinflooddistrict.org/meetings/zone-4-advisory-board-meeting-january-25-2023/>

Item 2. Open Time for Items Not on the Agenda

Comments will be heard for items not on the agenda (limited to three minutes per speaker). *While members of the public are welcome to address the Advisory Board, under the Brown Act Board members may not deliberate or take action on items not on the agenda, and generally may only listen.*

Item 3. Storm Report

The total rainfall at the Tiburon gauge from March 1 to March 31, 2023 was: 10.64". No issues with Zone 4 facilities were reported.

Item 4. Evaluation of Channel Capacity Improvement Options at East and West Creek

At the October 2022 meeting Civil engineer and geomorphologist Matt Smeltzer of Geomorph Design Group provided the advisory board a presentation on the hydraulics and geomorphology of Zone 4 watersheds. The summary, presentation, and additional reference materials can be found here: <https://marinflooddistrict.org/zone-4-reports-and-documents/>

The advisory board then requested preparation of cost estimates for potential conceptual measures identified for East and West Creeks. The District worked with Geomorph Design Group to refine a scope of work to respond to the advisory board's request. The first necessary step in preparing these estimates was additional surveying of the creeks. Surveying had to be delayed a month due to the unusually and consistently wet weather, however, the final phase of surveying was completed in January. The cost for surveying was \$15,435 and was done under the Geomorph Design Group on-call contract utilizing the baseline Zone 4 budget.

The remainder of work in response to the request needs to be done under a new contract with a budget of \$71,760. This was more than what was available in the Zone 4 baseline budget so a budget adjustment was approved along with the contract by the Board of

Marin County Flood Control and Water Conservation District

Supervisors on March 7, 2023. A breakdown of the tasks, approximate timeline, and estimated costs are provided on the following page.

The purpose of Tasks 1c, 2a, and 2b are to support early coordination with partner agencies Caltrans, Richardson Bay Sanitary District, and Town of Tiburon. The deliverables of those tasks will facilitate relevant feedback regarding what existing planning and estimating might be available and what opportunities and constraints the District and consultant should be aware of.

Task	Description	Estimated Cost	Approx. Completion
1.a.	Update Models with Survey Data	\$9,000	April 21
1.b.	Draft Technical Memorandum	\$6,000	April 28
1.c.	Air Photos Site Maps	\$3,600	
2.a.	Preliminary Analysis for Stakeholder Outreach (Caltrans, Town of Tiburon, Sanitary District, Advisory Board)	\$5,760	May 31
2.b.	Update Site Maps for Stakeholder Outreach Exhibits	\$3,600	
3.a.	Develop Draft Project Alternatives	\$11,400	June 30
3.b.	Draft Technical Memorandum	\$11,400	
4	Develop and Present Project Alternatives	\$11,400	July 25
5	Recommended Budget for additional work, if needed (to be detailed at future advisory board meetings)	\$9,600	Special AB meetings TBD or October 24
Total		\$71,760	

Item 5. Annual and Preventive Maintenance Work Program

Listed below is a summary of annual and preventive maintenance work planned for this year. In addition to these pre-winter activities, District maintenance crews check the trash racks and pump stations before, during, and after storms. For questions, email floodinquiry@marincounty.org.

A. Pump Stations

Zone 4 has three stormwater pump stations. Cove Pump Station was installed in 1978 and was significantly upgraded in 2019-2020, Pamela Court was installed in 1990, and Strawberry Circle Pump Station (Zone 4A) was installed in 2003. These pump stations allow the drainage of stormwater from residential and commercial areas to flow into creeks and wetlands where barriers on the banks and shorelines were built to reduce tidal flooding. Each pump station has 2-3 pumps and two forms of power including a back-up generator or back-up propane powered pump.

Preventive maintenance at all pump stations takes place every year and includes the inspection, testing, and as needed replacement of electrical and mechanical

Marin County Flood Control and Water Conservation District

components. Additionally, individual pumps and motors are typically removed and serviced for *major* maintenance on a six-year interval at each of the Zone's three stations. The Pamela Court #1 pump was removed and serviced in 2022 on schedule and budget. The next pump planned for major maintenance is the Pamela Ct back-up (propane) pump which will be removed for inspection and refurbishment next month. Strawberry Circle #1 is scheduled for 2024 and Strawberry Circle #2 in 2025. Since the new Cove Station pumps were installed in 2019 as part of the above described upgrade project, all three pumps will be due for service in 2025 but they will not all be maintained the same year.

B. Vegetation and Sediment Removal

The East Creek access road is being mowed in the spring. In late September or early October the Conservation Corps North Bay will trim cattails and remove low/downed branches in the channels at East and West Creeks. Sediment was removed from East Creek last year and West Creek is currently being evaluated for sediment removal needs this year.

C. Programmatic Maintenance Permit Status

In 2011 District staff began working with State environmental regulatory agencies requiring programmatic maintenance permits for agencies working in waterways. Creek maintenance activities requiring programmatic permitting include vegetation management, sediment and debris removal, erosion control, maintenance and repair of flood control structures, and levee maintenance. The process began by developing a Stream Maintenance Program (SMP) Manual (see the last version of it here: <https://marinflooddistrict.org/documents/marin-county-stream-maintenance-manual-june-2021/>) and then applying for permits from relevant agencies, which for most sites includes the CA Department of Fish and Wildlife and the San Francisco Bay Regional Water Quality Control Board.

i. Department of Fish & Wildlife (DFW) Routine Maintenance Agreement (RMA)

In October of 2012 the CA Department of Fish & Wildlife issued a Routine Maintenance Agreement for the District's creek maintenance activities. This RMA outlined various measures required in order to minimize impacts to valuable fish and wildlife resources in Marin's creeks. Conditions also included annual notifications, reports, and fees. The 2012 RMA was set to expire at the end of 2016, but an extension was approved until the end of 2021. Last year, staff applied to renew the permit, negotiating a consolidated "site" definition in order to reduce annual fees. This resulted in savings in 2022 of \$4,522 District-wide. The permit was granted, this time for a 20-year period. The current permit is posted here: <https://marinflooddistrict.org/documents/ca-department-of-fish-and-wildlife-creek-maintenance-activities-permit-2021/>. It came with a requirement for additional environmental and biological studies to be incorporated into the maintenance program, so the net permitting cost is greater overall in spite of the negotiated fee reduction.

Marin County Flood Control and Water Conservation District

ii. San Francisco Bay Regional Water Quality Control Board (RWQCB) Order

This permit took additional years to develop and update after the first DFW permit was approved. During the summer of 2017, RWQCB issued the first Waste Discharge Requirements and Water Quality Certification for five years of the District's Stream Maintenance Program. The thirty-page order came with 62 conditions (see it here: http://www.waterboards.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2017/R2-2017-0028.pdf) and RWQCB allowed the District to stagger compliance over the first several years of the permitted period. Some conditions resulting in the most significant changes to maintenance practices, creek inspection, and documentation processes include:

- Maintenance activities including vegetation management (not including annual fire fuel reduction), sediment and debris removal, erosion control, maintenance and repair of flood control structures, and levee maintenance may not exceed a program wide cumulative total of 5,000 linear feet of creek channel and 11,000 cubic yards of sediment and debris.
- Vegetation management activities are limited to trimming and limbing of trees. The SMP Manual allows for limited treatment of emergent vegetation (like cattails and tules). The work must leave the subsurface root structures behind to allow it to reestablish in the spring and summer. Full root mass removal of cattails is permitted using hand tools to maintain a low flow channel but requires approval on an annual basis.
- By May 1 of each year RWQCB requires that the District submit a list of sites to be maintained that summer for their review and approval. 2019 is the first year that RWQCB denied vegetation management approval until it could verify planned work would not exceed program limits. In response, staff identified a subset of sites that would not exceed the 5000 linear foot limit. Previously staff had been notifying DFW and RWQCB each May that the full length of nearly all sites would be included in the program as it is difficult to predict which sites need work that early in the year, but this exceeded the program limits of 5,000 linear feet by approximately twelve-fold. To improve compliance with the order, staff track maintenance needs based on GIS data collection coupled with prioritization of sites on District owned or maintained lands that allows for more accurate reporting to the regulatory agencies.
- With respect to sediment removal, when the District notifies the RWQCB of planned activities, it also must consider whether any potential capital improvement projects (i.e., new bridge or culvert) may be recommended to reduce or eliminate the need for sediment removal in the future.

The RWQCB permit expired at the end of 2022. The District requested to extend the existing permit in July 2021, June 2022, August 2022, and December 2022, and the RWQCB indicated this month that they will extend the permit until their board issues a new permit. The District is working with RWQCB to add Marin to this regional permit which could result in significantly different permit requirements than the existing order:

https://www.waterboards.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2021/R2-2021-0005.pdf

Marin County Flood Control and Water Conservation District

We are coordinating with RWQCB to update the Stream Maintenance Program Manual. Then their Board will consider adopting the new permit this spring.

Item 6. Zone 4 and 4A FY 2023-24 Proposed Baseline Budgets

The County Administrator's Office requested that the Flood Zone Advisory Boards recommend a baseline budget for the beginning of each fiscal year that **does not include major project expenses**. Baseline budgets are intended to be relatively consistent year to year. **Major project expenditures will require separate actions from the AB and District BOS to adjust the budget as needed**. As always, the approved budget may be adjusted as necessary as priorities and project cost estimates for this coming fiscal year are more clearly identified. The advisory board is asked to focus on expenditures that are shaded green within the baseline budgets.

Flood Zone 4:

<https://marinflooddistrict.org/documents/flood-zone-4-proposed-baseline-budget-2023-24/>

Flood Zone 4A:

<https://marinflooddistrict.org/documents/flood-zone-4a-proposed-baseline-budget-2023-24/>

The budget for flood zone 4A only includes maintenance contracting and supplies for the Strawberry Circle pump station. The amount proposed for the next two years is for unexpected repairs only. Staff and utility costs associated with that pump station are charged to Zone 4 to allow the Zone 4A account to slowly accumulate funds to replace the pumps when they reach the end of their expected useful life (typically around 30 years).

Recommended Action: Recommend the Board of Supervisors approve the FY 23-24 baseline budgets for Flood Zone 4 and Flood Zone 4A.

Item 7. Potential Boundary Adjustment(s)

A property owner whose home straddles the Zone 4 boundary requested a boundary adjustment. Property owners would need to make a deposit to cover the Zone's cost for this. This would be an efficient time to make any other boundary adjustments while the administrative process of a series of Board resolutions and hearings is occurring.

In prior Advisory Board meetings, the Advisory Board was interested in investigating expanding the Zone to include properties on the other side of Strawberry drive. This item also gives an opportunity to discuss that.

Item 8. Schedule Next Meeting

Recommended Action: That the Advisory Board adopt a schedule of advisory board meetings on the fourth Tuesday of the months of January, April, July, and October. Special

Marin County Flood Control and Water Conservation District

meetings can be called if needed, and regular meetings may be canceled if there is no business need.