Flood Control and Water Conservation District

DRAFT MINUTES OF THE FLOOD CONTROL ZONE 9 ADVISORY BOARD MEETING HELD MONDAY, JUNE 26, 2023, 6:30 PM – 8:00 PM SAN ANSELMO TOWN HALL COUNCIL CHAMBERS

Advisory Board (AB) Members Present	District Staff (Staff) Present
Bruce Ackerman (BA), Chairperson	Rosemarie Gaglione, Director
Steve Burdo (SB)	Berenice Davidson, Assistant Director
Gabe Paulsen (GP),	Tracy Clay, Principal Civil Engineer
Richard Gumbiner (RG)	Hannah Lee, Senior Civil Engineer
Chris Martin (CM), Vice-chairperson	Joanna Dixon, Associate Civil Engineer
Peter Hogg (PH)	Hugh Davis, Associate Civil Engineer

Item 1. Officer Elections

CM nominated BA for chairperson and RG seconded the nomination. BA nominated CM for vice-chairperson and PH seconded the nomination.

Action by Board: Elect Bruce Ackerman for Chairperson and Chris Martin for Vice-chairperson.

M/S: SB/GP; Ayes: All

Item 2. Approval of Meeting Minutes: March 31, 2022, April 25, 2022, and June 14, 2023

Action by Board: Approval of meeting minutes for March 31, 2022 and April 25, 2022.

M/S: GP/CM; Ayes: RB, CM, BA, Nay: None, Abstain: PH, GP, SB who were not present at those

meetings.

Action by Board: Approval of meeting minutes for June 14, 2023.

M/S: GP/CM; Ayes: All

AB requested staff look into Zoom broadcasting and recording of Zone 9 Advisory Board meetings and to put an action item related to this on the next agenda.

Item 3. Flood District Website

See staff report for information. Comments were received requesting more transparency. SB requested recordings of meetings be placed on the website.

Item 4. Project Updates

See staff report and attached slideshow. There were no actions by the AB on this item.

San Anselmo Flood Risk Reduction Project

GP requested a report on the loan and details of actual bid results in the budget. There were additional questions from the AB that staff answered. There were also comments from the public at the meeting as well as written comments attached to these minutes.

Corte Madera Creek Flood Risk Management Project

There were questions from the AB that staff answered. There were comments from members of the public at the meeting. Richard Simonitch, Director of Town of Ross Public Works, cautioned against going straight to a FEMA Letter of Map Revision covering both the San Anselmo Flood Risk Reduction Project and the Corte Madera Creek Flood Risk Management Project without a prior Conditional letter. Staff will follow up further with the Town of Ross.

Marin County Flood Control and Water Conservation District

Item 5. Historic Revenue and Expense Summary

See staff report and attached slideshow. There were no actions by the AB on this item. The AB had the following questions that staff will report back on:

- Can the Zone put out messaging to avoid putting debris on back fences that could end up in creeks?
- What is the detention capacity of Phoenix Lake?
- What were the deliverables of the Phoenix Lake IRWM project?
- If all projects recommended in the Ross Valley Watershed Program study had been implemented, what would be the benefit to cost ratio?
- Which project in the watershed study had the best benefit to cost ratio?
- What requirements for benefit to cost ratio does the U.S. Army Corps of Engineers have?
- How does removing San Anselmo from Zone 9 affect the Zone's revenue?

<u>Item 6. Open Time For Items Not On The Agenda</u>

Comments received from AB and members of the public requesting that staff record meetings. Staff were asked to investigate cost to secure venues that contain recording equipment.

Item 7. Next Meeting

The AB will be contacted about potential meeting dates in the first week of November of 2023.

Flood Zone 9

MARIN COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT



ADVISORY BOARD MEETING JUNE 26, 2023 Berenice Davidson, PE Public Works Assistant Director Floodplain Administrator

Agenda

- Officer Elections
- Approval of Meeting Minutes
- Flood District Website
- Project Updates:
 - San Anselmo Flood Risk Reduction Project
 - Corte Madera Creek Flood Risk Management Project
- Historic Revenue and Expense Summary
- Open Time for Items Not on the Agenda
- Next Meeting



Item 1. Officer Elections

Article VI of the Advisory Board's bylaws stipulate that officers of the Advisory Board be elected to a two-year term by a majority vote of the Advisory Board. There are two officers — chair and vice-chair. The advisory board will nominate and vote for officers.

Recommended Action: Elect chairperson and elect vice-chairperson.



Item 2. Approval of Meeting Minutes

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https://marinflooddistrict.org/meetings/zone-9-advisory-board-meeting-april-25-2022/
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https://marinflooddistrict.org/meetings/special-zone-9-advisory-board-meeting-june-14-2023/

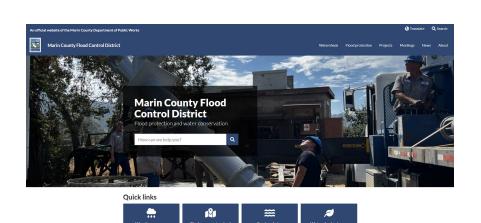
https://marinflooddistrict.org/meetings/zone-9-advisory-board-meeting-march-31-2022/

Recommended Action: Approve the minutes



Item 3. Flood District Website

The Flood District has a new website. Former sites marinwatersheds.org and rossvalleywatershed.org will be decommissioned.



Screen capture of new Flood District website

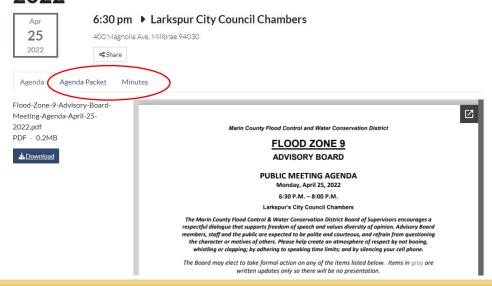
Please visit <u>marinflooddistrict.org</u> for information on flood zones and projects.



Item 3. Flood District Website



Zone 9 Advisory Board Meeting: April 25, 2022





Item 4. Project Updates



San Anselmo Flood Risk Reduction (SAFRR) Project



SAFRR Project Elements

- Sunnyside Nursery Flood Diversion and Storage Basin & Creek Improvements
- Building Bridge 2 Removal & Creek Improvements



Sunnyside Nursery Flood Diversion and Storage Basin

Purpose: Detain creek flow during five year event to reduce flood risk downstream (downtown Fairfax)

Status:

- Fully operational & creek improvements constructed.
- Off-site environmental mitigation plantings planned along San Geronimo Creek
- Winter 2022/23 storms did not require or result in detention
- Starts to fill after Fairfax alarm



Location: 3000 Sir Francis Drake Blvd, Fairfax



Building Bridge 2 Removal

Purpose: Remove obstruction from creek and reduce localized flooding, eliminate structural hazard

Status:

- Upper building removed in 2019
- Completed 90% plans
- Certified CEQA EIR (Update needed)
- Acquired permits (Update needed)
- Met with FEMA HQ





Options

PLAN A – REMOVE BB2 & MITIGATE PRIVATE PROPERTIES

- Preferred Option
- Full benefits of project achieved at completion of construction
- Implement mitigations required by FEMA & CEQA before beginning with BB2 removal
- Timing of Winship Bridge Project by Ross influences CEQA and mitigations required

PLAN B - REMOVE BB2 & INSTALL BAFFLE

- Back up plan
- Baffle alternative creates a restriction that keeps the flow in the creek the same as the bridge did before its removal
- This creates a "no rise" condition, meaning no change in water surface elevation
- The baffle alternative would give us time to implement mitigations for down stream private properties while removing the structurally compromised bridge and meeting grant deadlines.



Building Bridge 2 Removal: Next Steps

Private Property Mitigation – June 2023 to October 2024

- H&H Modeling
- Topographic Survey
- Determine Mitigation Requirements
- Work with Property Owners to Mitigate

Permits and Environmental – June 2023 to March 2024

- CEQA Addendum
- Update Natural Resources Permits
- Building Permits –
 San Anselmo

Design and Construction – March 2023 to October 2024

- Finalize Design
- Bidding and Contract Award
- Construction (Summer 2024)

Private Property Mitigation Measures

COMPLETED:

New H&H Modeling Runs

- Solitary impact of removing BB2
- Updated channel design

Mapped Model Results

Show changes in Water Surface Elevation (WSE) on a map

NEXT STEPS:

Survey

- Survey properties where WSE rises to determine if it occurs within the building footprint.
- Notify affected property owners of up coming survey
- Begin site surveys in early July.

Mitigation Measures

• Rise w/in building footprint, determine mitigation measures and work with the property owners to implement.

Once mitigation requirements are determined in early August, a final decision to go forward with the baffle or not will be made.

FEMA Coordination

- Document FEMA requirements are met at a local level
- Remove Building Bridge 2 and mitigate as required
- •After construction of all SAFRR and Lower CMC project elements are complete submit a Letter of Map Revision to update hydraulic model which better represent flood risk and document changes in creek and floodway.



Private Property Mitigations

- Types of Mitigations being considered:
 - Home elevation
 - Flood proofing
 - Raise mechanical equipment

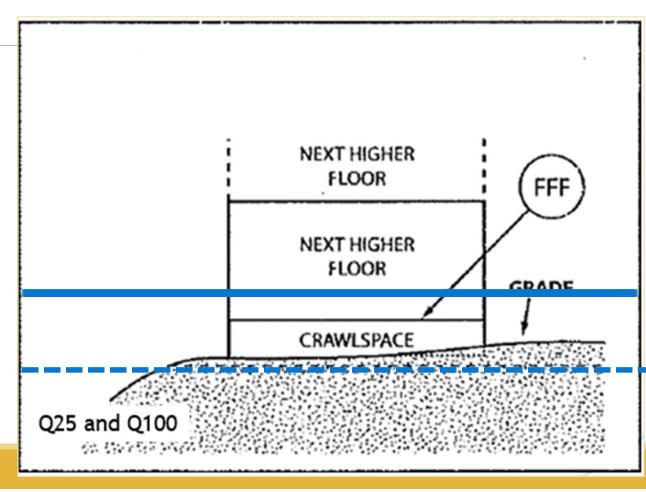




Mitigation: Elevate Home

After Project WSE

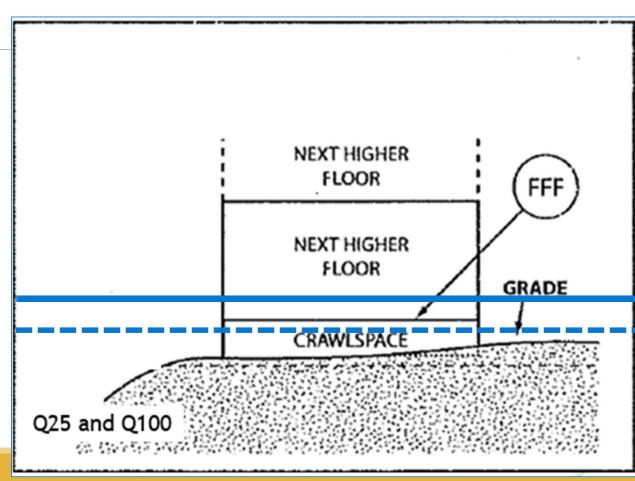




Mitigation: Elevate Home

After Project WSE

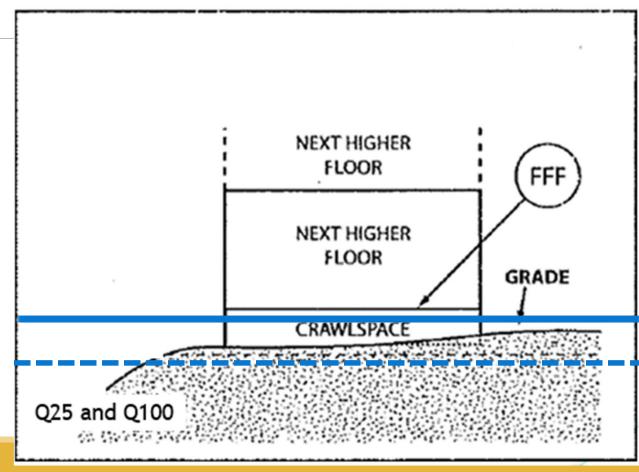




Mitigation: Move Mechanicals

After Project WSE

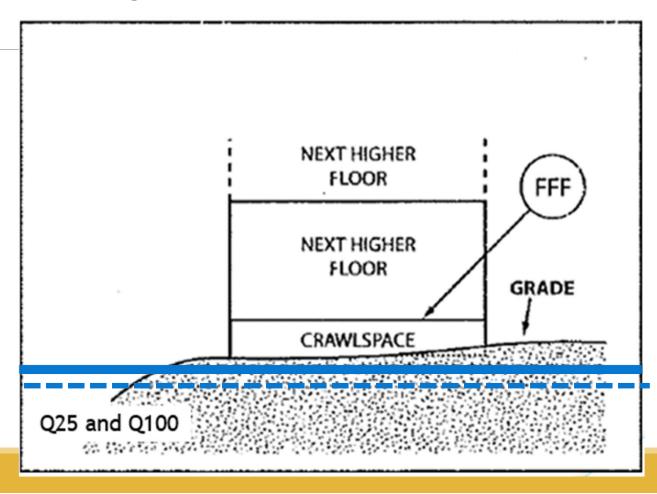




Mitigation: No Mitigation

After Project WSE

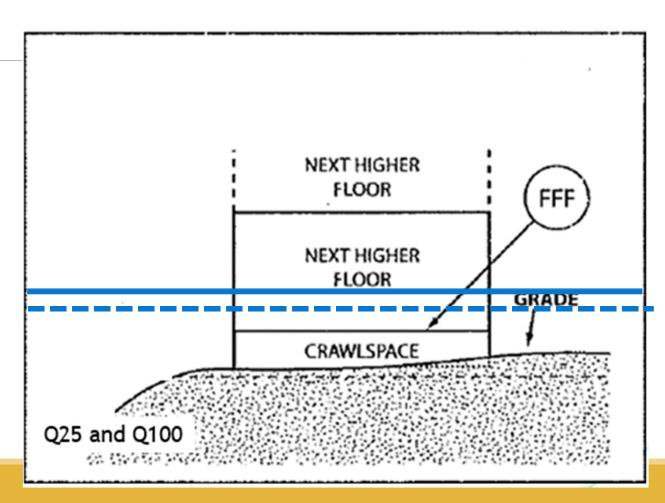




Mitigation: No Mitigation

After Project WSE

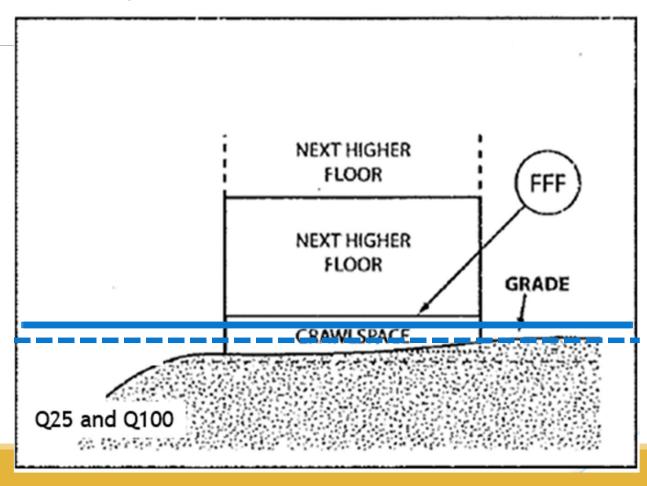




Mitigation: No Mitigation

After Project WSE





SAFRR Project Budget: Cost

Description	Encumbered and/or Spent	Estimated Remaining	Total
Detention Basin Design Costs	\$2,700,000	-	\$2,700,000
Detention Basin Construction	\$6,400,000	-	\$6,400,000
BB2 Design Costs	\$1,000,000	-	\$1,000,000
BB2 Construction	\$100,000	\$3,200,000	\$3,300,000
SAFRR Real Estate Cost	\$5,600,000	\$400,000	\$6,000,000
SAFRR Staff Labor Costs	\$1,400,000	\$600,000	\$2,000,000
SAFRR Environmental Costs	\$1,400,000	-	\$1,400,000
SAFRR Offsite Environmental Mitigation Costs	-	\$ 200,000	\$200,000
Other Costs (1)	\$100,000	-	\$100,000
SAFRR Structural Mitigation (<i>Place Holder</i>)	-	\$3,000,000	\$3,000,000
Total SAFRR Project Costs	\$18,700,000	\$7,400,000	\$26,100,000
NOTES: 1. e.g. permits, utilities			



SAFRR Project Budget: Revenue

Revenue Source	Amount
State Department of Water Resources Grant	\$8,720,500
Flood Zone 9 Fee (Required DWR Grant Match)	\$8,720,500
Additional Zone 9 contribution (2)	\$6,000,000
Total Revenue Available for SAFRR NOTES:	\$23,441,000

2. Approximately half of fee revenue FY 2023-2027, the rest needed for Corte Madera Creek Flood Risk Management Project contribution

Anticipated Additional Revenue Needs: \$2.7M

District staff are working on a grant application for the FEMA Hazard Mitigation Grant Program to close the funding gap.



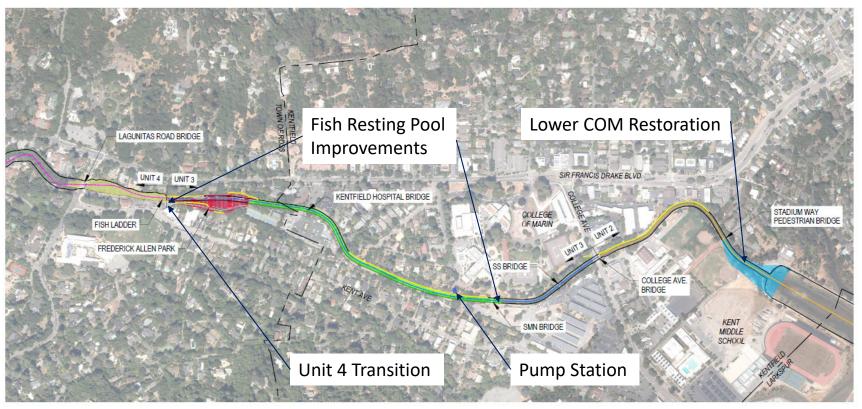
Corte Madera Creek Flood Risk Management (CMC FRM) Project



CMC FRM Project Elements

- Stormwater Pump Station
 - Install a stormwater Pump station to control flooding in the Granton Park Neighborhood
- Unit 4 Transition into Natural Channel
 - Remove fish ladder and lower channel in Unit 4 to increase flow capacity
 - Install taller and/or new floodwalls in Units 2 and 3 to control flood flows
- Fish Resting Pool Improvements
 - Create larger fish resting pools within the concrete channel in Unit 3 to improve fish passage
- Lower College of Marin Restoration
 - Remove the concrete channel from Stadium Way downstream to the natural earthen channel to improve fish and wildlife habitat





These are project components evaluated in the EIR. Not all elements are proceeding to construction.





Figure 01a

MARIN COUNTY FLOOD CONTROL Corle Madera Creek Flood Risk Management Project - Phase 1

Project Components Overview

CMC FRM Project Timeline

Access Ramp and Pump Station Construction

- Access Ramp Completed 2022
- Pump Station to be completed 2023

In-Creek Elements

- CEQA and Permits Complete (may need renewal later)
- Design 90 % Complete
- FEMA In progress
- Seeking additional funding
- Construction Summer 2025



CMC FRM Project Budget: Cost

Description	Encumbered and/or Spent	Estimated Remaining	Total
Maintenance Access Ramp & Stormwater			
Pump Station Construction Cost	\$4,100,000	-	\$4,100,000
Unit 4 Transition into Natural Channel (Fish Ladder Removal) Construction Cost	-	\$3,800,000	\$3,800,000
Fish Resting Pool Improvements Construction Cost	-	\$1,700,000	\$1,700,000
Lower College of Marin (COM) Restoration Construction Cost	-	\$3,500,000	\$3,500,000
Design Costs	\$2,200,000	\$100,000	\$2,300,000
Environmental ¹ Costs	\$940,000	\$360,000	\$1,300,000
Real Estate Costs	\$180,000	-	\$180,000
Staff Labor Costs	\$415,000	\$ 800,000	\$1,200,000
Total CMC FRM Project Costs	\$7,900,000	\$10,200,000	\$18,100,000

NOTES: 1. includes CEQA, permitting, and Lower COM Restoration Design



CMC FRM Project Budget: Revenue

Revenue Source	Amount
State Department of Water Resources Grant	\$7,030,377
Flood Zone 9 Fee (Required DWR Grant Match)	\$7,030,377
SF Bay Restoration Authority Round 6 (Managed by	
Coastal Conservancy)	\$1,410,600
County Sea Level Rise Funds (for Lower COM	
Restoration construction)	\$750,000
Total Revenue Available for CMC FRM	\$16,221,354

Anticipated Additional Revenue Needs: \$2M

District staff are working on a grant application for the FEMA Hazard Mitigation Grant Program to close the funding gap.



CMC FRM Project: Status

Easement acquisition substantially complete

Access Ramp Constructed and Pump Station Install Underway

Completed 90% plans, final updates underway for in-creek

Certified CEQA EIR

Acquired permits (DFW 1600, RWQCB 401, USACE 404, 408, BCDC)



CMC FRM In-Creek Elements: Next Steps

Right of Way - through March 2025

- Negotiate final private property easement needs
- Finalize State Lands lease renewal

Permits – through March 2025

- Building Permit from Town of Ross
- Renew environmental permits if they expire before construction

Design and Construction – through October 2025

- Finalize Design
- Bidding and Contract Award
- Construction (Summer 2025)



Item 5. Historic Revenue and Expense Summary



Program History and Background

- Severe flooding occurred in 2005
- Voters approved an annual Storm Drainage Fee in 2007 to provide funding for flood protection in Ross Valley
- In the 16 years since program initiation, the District has worked with the community to develop and implement flood reduction projects in the Ross Valley





Program Expenditures

- Watershed-wide flood risk identification and reduction studies
- Public outreach and administration
- Engineering and feasibility studies
- Capital improvement projects
- Coordination with the Cities and Towns on joint projects to enhance creeks and remove obstructions like bridges

Expenditures for the program total approximately \$47M to date



Watershed Planning, Outreach & Admin

Title	Approx. Zone 9 Expenditures to date
Ross Valley Watershed Program	\$2M
Outreach and Administration	\$3M



Engineering & Feasibility Studies

Title	Approx. Zone 9 Expenditures to date
Sleepy Hollow Creek/Morningside Feasibility Study (within Town of	\$100k
San Anselmo)	
Lower Corte Madera Creek Project (includes Local Levee Evaluation and dredging studies in Larkspur)	\$4.3M



Engineering & Feasibility Studies

Title	Approx. Zone 9 Expenditures to date
Corte Madera Creek Units, 2, 3, & 4 U.S. Army Corps of Engineers	\$2M
Phoenix Lake IRWM Project	\$3.3M
Detention Basin Studies (Lefty Gomez, Loma Alta Preserve, Deer Park, and Memorial Park)	\$1M



Capital Improvement Projects

Title	Approx. Zone 9 Expenditures to date
San Anselmo Flood Risk Reduction	\$18.7M
Corte Madera Creek Flood Risk	\$7.9M
Management	
Hillview Pump Station and Storm	\$1M
Drain Project (within City of	
Larkspur)	



Coordination and Maintenance

Title	Approx. Zone 9 Expenditures to date
Creek Maintenance	\$1.5M
Culvert Inspections, Replacements, and Repairs	\$250K
Bridge Projects with City and Town Partners	\$2M
Flood Preparedness Pilot Program	\$100k

Item 6. Open Time

- 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 7. Next Meeting

 Additional special meetings may be held for other project needs like budget adjustments



END

Lee, Hannah

From: John Crane <johncranefilms@gmail.com>

Sent: Monday, June 26, 2023 1:44 PM

To: Inquiry, Flood

Subject: Fwd: Comments for Item #4 June 26, 2023 Flood Zone 9 Advisory Board **Attachments:** RV Z9 update 120722.pdf; FZ9 Advisory Board Meeting JUNE 26, 2023.pdf

Follow Up Flag: Follow up Flag Status: Flagged

Please add the PDF of my letter attached.

Please add my comments for:

Agenda Item #4 June 26, 2023 Flood Zone 9 Advisory Board - John Crane

TO: Flood Control Zone 9 Advisory Board

DATE: June 26, 2023

RE: THE INSURMOUNTABLE PROBLEMS FACING SAFRR

Has the Zone 9 Advisory Board ("Advisory Board") fully considered the problems facing the San Anselmo Flood Risk Reduction (SAFRR) project?

A presentation made by the District to San Anselmo Town Council meeting held on March 28, 2023 revealed the following unresolved shortcomings for the San Anselmo Flood Risk Reduction project (SAFRR):

- It is more than 5 years since the SAFRR EIR was certified by the Board of Supervisors yet the project remains stalled, and the Grant deadline is rapidly approaching
- The hydrological models need revising since the project parameters have changed
- Inadequate surveying has led to an inability to provide a workable plan based on reliable field data
- The number of parcels requiring mitigation is unknown due to lack of survey information
- The District has yet to meet with all the impacted property owners to discuss mitigation promised over 5 years ago despite assuring the Town Council it would meet with them within two months during the presentation

- As a result, there is no mitigation plan for impacted residential and business property owners and there is no funding
- The District ignored FEMA regulations that require downstream flood mitigation creating an impasse since there is now inadequate funding
- Requirements for Grant include the basic condition that "Grantee demonstrates the availability of sufficient funds to complete the Project..." it is
 doubtful that the District can meet this requirement
- The Grant Deadline runs out in 2024, and the District may have to pay back millions of dollars
- The Plaza Closure has taken away public space from residents, and created controversies over safety and the cost of repairs

The Marin County Flood Control and Water Conservation District ("the District") decision to continue pursuing SAFRR to avoid paying back a grant is unacceptable and irresponsible; considering removing BB2 and installing a baffle while getting no flood benefit is a waste of money; and trying to get around mitigation as required by FEMA is wrong, and harming residents in the process is morally reprehensible and legally irresponsible. It is also against the "Do No Harm Policy."

Circumventing FEMA "no-rise" regulation, as suggested by some District officials, will place the Town of San Anselmo in legal jeopardy and eventually costly legal battles. FEMA is there to protect people from misguided actions by others.

MOST OF THE MONEY IS GONE AFTER WASTING \$52.1 MILLION TAXPAYER DOLLARS

As of December 7, 2022, the expenditures to date were \$52.1 Million for Ross Valley Program Flood Fees Zone 9 vs. revenues of \$56.9 Million leaving a balance of \$4.8 Million. Please see attached. The expenditure of \$52.1 Million has not resulted in any flood remediation for the Town of San Anselmo, but instead went to consultants, studies, and planning. As of December 7. 2022 only \$4.8 Million left, how can the District solve all the problems identified above? Tonight, new timelines, and new budget numbers are being presented. The revised numbers underscore all the inadequacies in the District's inability to deliver as promised.

Has the Advisory Board reviewed the budget numbers being presented tonight and determined that they are accurate and verified? Based on past performance, does the Advisory Board believe the timelines are realistic and accurate?

Ross Valley Program-Flood Zone 9 Fee Revenue and Project Expenses through 2022

Revenue	\$56.9M
Fee Revenue through FY 22	\$36.8M
Grant Revenue	\$20.1M
Projected fee revenue FY 23-27	\$14.7M
Expenditures to date	\$52.1M
Work Plan-Flood Risk Reduction Projects	\$40.4M
Creek Maintenance Funding: Towns and County	\$1.0M
Engineering and Feasibility Studies Lefty Gomez Basin Loma Alta Basin Deer Park Basin Memorial Park Basin Lower Sleepy Hollow Creek improvements Phoenix Lake Dual Purpose	\$10.7M

DISTRICT FAILURES AND INCOMPREHENSIBLE DECISIONS

Can anyone on the Advisory Board see a remedy for District failures, and incomprehensible decisions? Spending taxpayer money without viable solutions is what led to the waste of \$52.1 Million Dollars. Funding without answers is not acceptable to taxpayers.

It has been established by the District that over \$10 Million will be needed for mitigation measures for those impacted by the project. It is equally clear that there is serious concern that funding for the measures has not been identified and is not available. Since additional funding will be required, where will that money come from? And how much is needed, since the scope of mitigation is unknown? And what money is available to be spent on surveys, new hydrological studies, and construction? Where will the money come from for the successful completion of SAFRR?

It is time for the Advisory Board to acknowledge that the Marin County Flood Control District flood plan does not deliver the benefits promised and that SAFRR is facing insurmountable problems that have yet to be addressed, and cannot be resolved with the current funds left. It is time for the Advisory Board to act responsibly. Rubber stamping or ignoring these problems will only further undermine the Advisory Board's credibility.

Respectfully,

John Crane

86 Sir Francis Drake Blvd Ross, CA

John Crane Films

415.847.5054

email: johncranefilms@gmail.com



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Respectfully,

John Crane 86 Sir Francis Drake Blvd Ross, CA

Ross Valley Flood Protection and Watershed Program Update DECEMBER 07, 2022















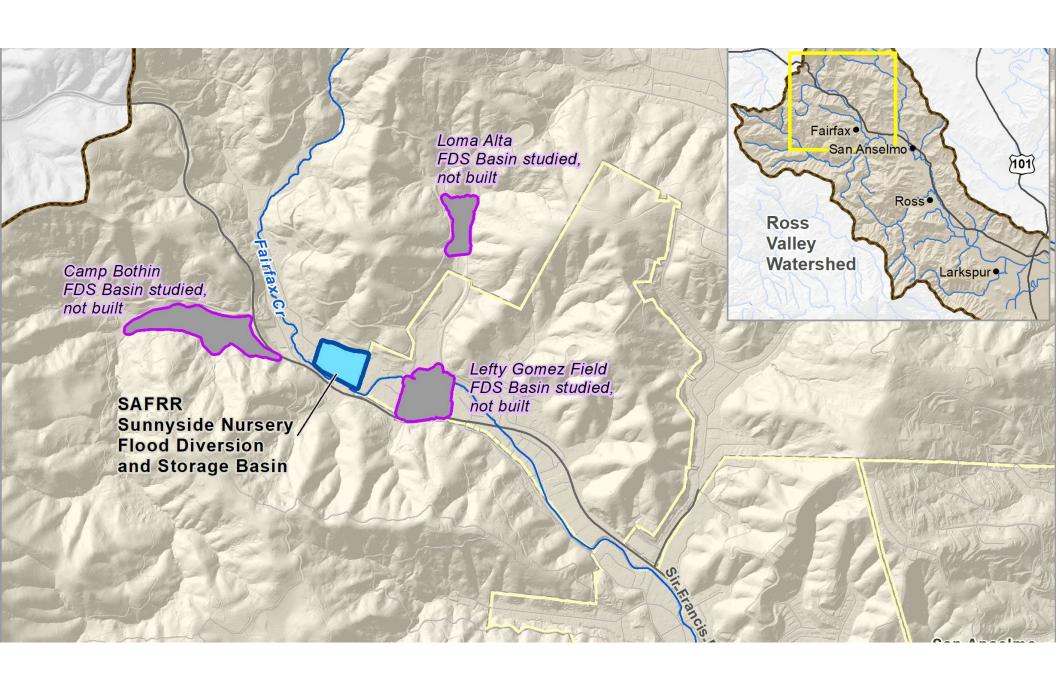
MarinFloodDistrict.org Contact us: 415-473-6528 bdavidson@marincounty.org

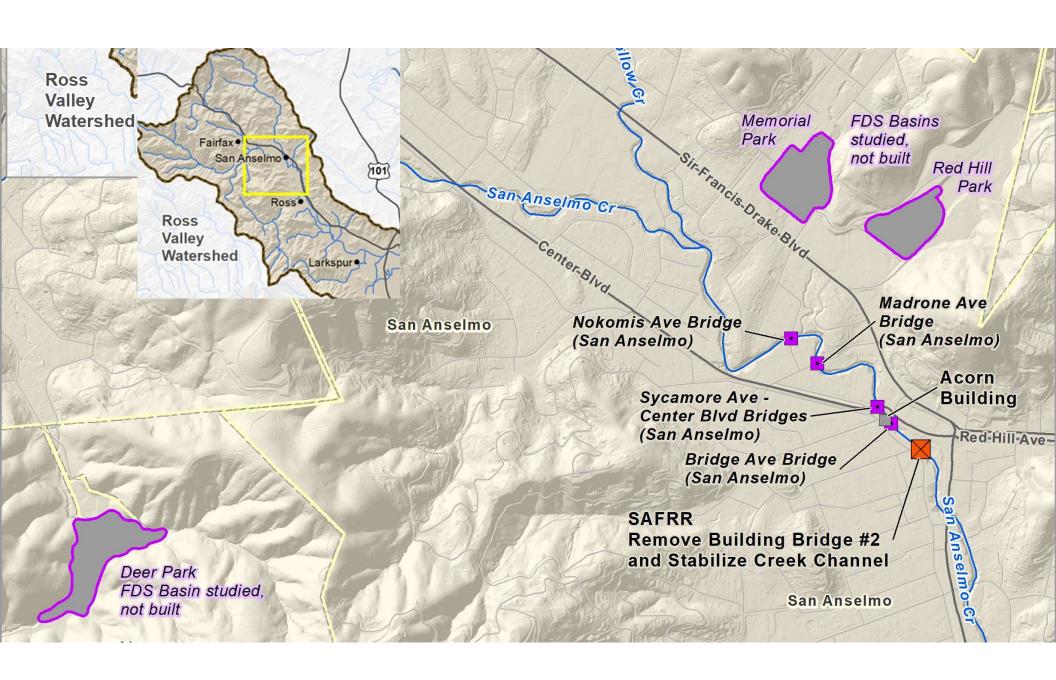
Agenda

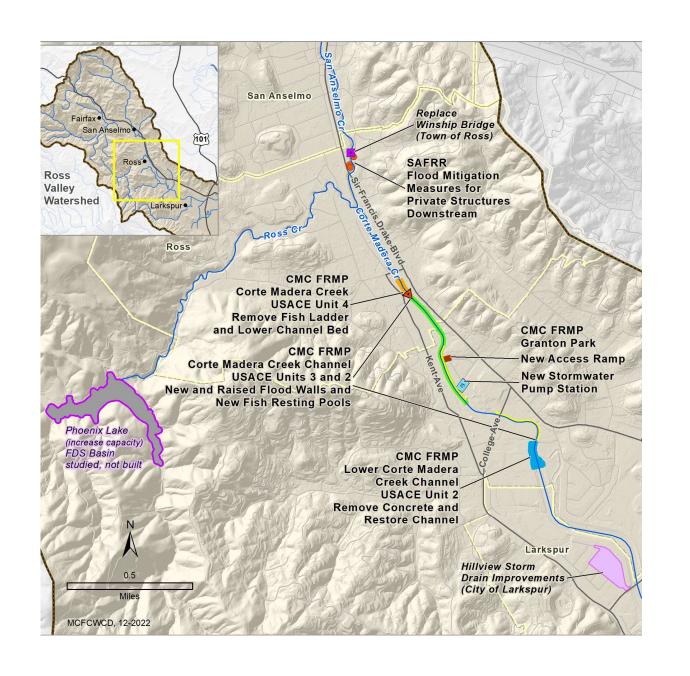
- Overview of District funding and projects (10 minutes)
- Discussion: Bridge removal project within next year -Is this a shared goal? (20 minutes)
- If we have agreement on shared goal, what are the next steps to make it happen? (20 minutes)
- Planning for future meetings? (10 minutes)

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2023 Project Cost Summary

REMOVAL OF BUILDING BRIDGE #2-EXPENDITURES TO DATE

Building Bridge #2 expenditures to date

Design*	\$1	,500,000
Demolition of building	\$	120,000
Purchase	\$1	,750,000
Tenant Relocation	\$	330,000
	\$3	,700,000

Building Bridge #2-<u>estimated</u> expenditures

Total		\$9,900,000
		\$6,200,000
	Residential mitigation	\$2,000,000
	Construction	\$4,000,000
	FEMA compliance	\$200,000

^{*}Design amount includes other costs including project management, State and Federal permitting, FEMA process



Recommended Next Steps

FEMA Compliance

- Letter to FEMA from Ross, San Anselmo and County requesting written feedback on flood mitigation measures and next steps
- ☐ Forgo baffle and current MT-2 application
- ☐ Complete FEMA process

