

Marin County Flood Control and Water Conservation District

FLOOD CONTROL ZONE 7 ADVISORY BOARD MEETING
SEPTEMBER 20, 2012

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 (which include chairperson and vice-chairperson) be elected to a one-year term by a majority vote of the Advisory Board. The last term began on April 1, 2010 when Michael Perani was elected chairperson and Timothy Ribble was elected vice-chairperson.

Recommended Action: Elect chairperson and elect vice-chairperson.

Item 2. Approval of Meeting Minutes: May 15, 2012

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 three minutes per speaker).

Item 4. Project Status Report

An update on active projects / initiatives occurring in the zone:

a) Las Gallinas Creek Levee Evaluation

The District has been working with the U.S. Army Corps of Engineers (Corps) on completing the first phase of the jointly-funded two phase feasibility study. Supervisor Adams is requesting a meeting with Corps staff to reiterate the importance of completing phase I of the study. District staff and the chairperson and vice-chairperson of the advisory board have been asked to accompany the Supervisor at the meeting. It is expected that the meeting will take place next month.

b) Gallinas Creek Flood Protection & Watershed Program

At the Board's last meeting the following volunteered: Jacqueline Garcia to serve on the Technical Work Group (TWG), Timothy Ribble as an alternate on the TWG, and Michael Perani as a member of the Policy Advisory Committee. The TWG held its first meeting on September 19. The first PAC meeting will be held later this fall/winter.

Next steps include finalization of the work plan and then developing and releasing a request for proposals for specialized consulting services to conduct portions of work outlined in the plan.

A Memorandum of Agreement (MOA) between the District, County of Marin (through County

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Parks), and Las Gallinas Valley Sanitary District (LGVSD) was presented to the Board of Supervisors at their September 18, 2012 meeting. The MOA will guide the submittal of grant applications seeking public funds for the development of a feasibility study for the restoration of Lower Miller Creek, Lower Las Gallinas Creek, and McInnis Marsh.

The purpose of the project is to restore bayland, tidal, freshwater, and upland habitat for resident and migratory birds, fish, and other wildlife, particularly California clapper rails, steelhead, Chinook salmon, and the salt-marsh harvest mouse - all of whom are on the federal list of endangered and/or threatened species. The project would take place along lower Miller Creek, lower Las Gallinas Creek, and in McInnis Marsh, adjacent to McInnis Park on lands owned by the County and the Sanitary District.

The multi-benefit project is consistent with the Las Gallinas Watershed work plan goals to restore habitat and to evaluate the re-use of dredged spoils to restore tidal wetlands. **Additionally, the feasibility study will help the District to identify lands suitable for future wetland mitigation that could be required to make levee improvements and adaptations to sea level rise.**

Marin County Parks staff will take the lead in developing and submitting grant applications on behalf of the County, District, and LGVSD, seeking funding for the development of a feasibility study.

c) Pump Station No. 2 Afterbay Reconstruction

At its April 17, 2012 meeting your board recommended that staff proceed with implementation of a project to reconstruct the Pump Station No. 2 afterbay. Staff met with Nute Engineering, a local engineering firm, this summer to inspect the structure and develop a scope of work for a professional services contract which would include the design of a preferred improvement alternative. Staff anticipates extending a contract for completing the design work this fall. It is possible that construction could be carried out without interruption to the operation of the pump station and could, therefore, be completed in the upcoming fall or winter.

Preliminary cost estimates for construction are approximately \$50,000, though estimates will be further developed and refined through the design process.

d) La Pasada Interceptor Drain Improvement

Noble Consultants has prepared a draft design to slip-line and extend the outfall of the pipeline which will be submitted to regulatory agencies this fall. The District will work with these agencies to finalize the design and obtain permits in time for construction to begin next September, with a completion date goal of October 15, 2013. A hydraulic model developed for the drain previously indicated that the interceptor drain has sufficient capacity to pass up to the 100-year flow under current sediment loading; therefore, the District does not anticipate immediate issues with the functionality of this system over the upcoming winter.

e) Storm Drain Near 507 Vendola

Earlier this year a resident reported that a 4" storm drain pipe draining to the creek at 507 Vendola Dr. was clogged with sediment and causing drainage issues. Staff conducted a field investigation and later performed a topographic and boundary survey to help determine property

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ownership and help define an appropriate course of action. Staff will provide a description of the survey and discuss findings.

Item 5. Next Meeting

Schedule the next meeting of the advisory board. The next meeting, per the bylaws, would be held on the first Tuesday in November (i.e., November 6, 2012).

MEMORANDUM OF AGREEMENT

**BETWEEN THE COUNTY OF MARIN
THE MARIN COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
LAS GALLINAS VALLEY SANITARY DISTRICT
FOR MCINNIS MARSH HABITAT RESTORATION PROJECT**

This Memorandum of Agreement (Agreement) made and entered into this _____ day of _____ 2012, by and between the County of Marin, a political subdivision of the State of California (hereinafter referred to as "COUNTY"), the Marin County Flood Control and Water Conservation District (hereinafter referred to as "DISTRICT") and Las Gallinas Valley Sanitary District, a special district (hereinafter referred to as "LGVSD"), collectively the "PARTIES".

Whereas, Lower Gallinas Creek and Lower Miller Creek both enter the bayland in an area known as the McInnis Marsh, and

Whereas, McInnis Marsh is adjacent to McInnis Park, and

Whereas, McInnis Marsh is owned by COUNTY and managed by its Parks Department who will be responsible for all COUNTY duties described hereinafter, and

Whereas, McInnis Marsh is a desirable site for bayland, tidal, freshwater and upland habitat restoration, and

Whereas, the re-establishment of ecologically contiguous bay/marsh/creek transition zone will support response to climate change, and

Whereas, an increase in creek/bay connectivity will support salmonid rearing and migration between bay and creek ecosystems, and

Whereas, contiguous marsh habitat ranging from subtidal channels to upland, and increased tidal exchange at McInnis Marsh will improve habitat for clapper rail and salt marsh harvest mouse, resident and migratory birds and other wildlife, and provide an opportunity to restore a variety of habitats that will have great biological value while maintaining resiliency to rising sea levels, and

Whereas, COUNTY, in collaboration with LGVSD, and DISTRICT, desires to undertake the Lower Gallinas Creek, Lower Miller Creek, and McInnis Marsh Habitat Restoration Project (hereinafter "PROJECT"), and

Whereas, COUNTY will be responsible for managing the PROJECT, and

Whereas, COUNTY will develop a grant proposal to be submitted to multiple state and federal public funding sources on behalf of the PARTIES to provide for the feasibility planning, design, and modeling for the PROJECT, and

Whereas, the improvement of flood and sediment conveyance in Lower Miller Creek will provide a benefit to LGVSD, and

Whereas, the discharge of secondary effluent or recycled water from LGVSD to McInnis Marsh may provide ecological benefits

Whereas, the PROJECT will identify methods to sustain subtidal channels and improve navigational access to lower Las Gallinas Creek, and

Whereas, the PROJECT will identify lands within the County suitable for the beneficial re-use of dredged materials, and

Whereas, the PROJECT will identify lands within the County suitable for future wetland mitigation for levee improvements and adaptations to sea level rise, and

Whereas, the improvement of flood and sediment conveyance for Miller Creek will provide a benefit to the DISTRICT and the COUNTY, and

Whereas, the PROJECT will provide opportunities for public access, education, and recreation along trails spanning multiple habitat types within the McInnis Marsh, and

Whereas, the PARTIES agree that subsequent agreement(s) with respect to facilities ownership, maintenance, and monitoring will be required to move forward with final approval and construction of the PROJECT and for the ongoing maintenance and operations of the PROJECT, and

Therefore, COUNTY, DISTRICT, and LGVSD are entering into this Agreement to meet the goals listed below.

Goals

- A. Re-connect Miller Creek to sub-tidal channel reaches of Gallinas Marsh.
- B. Facilitate the establishment of wetland/transition and upland habitats deemed most appropriate by state and federal natural resource agencies.
- C. Provide 100-year flood conveyance, and reduce potential flooding of LGVSD facilities and adjacent properties.
- D. Enhance existing clapper rail habitat.
- E. Provide additional suitable salt-marsh harvest mouse habitat.
- F. Provide access to riparian and estuarine habitat and high-flow refugia for salmonids and other fish.

- G. Increase tidal exchange to sustain subtidal channels and navigational access Las Gallinas Creek.
- H. Identify opportunities to beneficially re-use material dredged from Las Gallinas and Miller Creeks.
- I. Identify opportunities to mitigate wetland fill for levee enlargement and implementation of sea level rise adaptation measures.
- J. Identify opportunities to beneficially reuse secondary effluent or recycled water generated from the LGVSD plant
- K. Protect the regulatory status of LGVSD's current discharge outfalls to Miller Creek, or provide an alternative which preserves LGVSD's ongoing ability to meet discharge requirements

Statement of Agreement

It is mutually agreed and understood that, upon signing of this Agreement:

- A. COUNTY, DISTRICT and LGVSD will make a good faith effort to locate, secure and leverage funding from federal, state, local and private sources to support the PROJECT, including the development and implementation of the feasibility study and the habitat restoration design and plan.

Contacts and Notices

All notices under this Agreement shall be in writing (unless otherwise specified) delivered to the parties by hand, by commercial courier service, or by United States mail, postage prepaid, addressed to the parties at the addresses set forth below or such other addresses as the parties may designate by notice.

For COUNTY:	Elise Holland Chief of Planning and Resources Marin County Department of Parks and Open Space 3501 Civic Center Drive, Room 260 San Rafael, California 94903 Phone: (415) 473-2820 Facsimile: (415) 473-3795 eholland@marincounty.org
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For DISTRICT:	Liz Lewis 3501 Civic Center Drive, Room 404 San Rafael, California 94903 Phone: (415) 473-7226 Facsimile: (415) 473-3779 llewis@marincounty.org
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For LGVSD:

Mark Williams
General Manager
Las Gallinas Valley Sanitary District
300 Smith Ranch Road
San Rafael CA 94903
Phone: (415) 472-1734
Facsimile: (415) 499-7715
mwilliams@lgsd.org

Duration and Termination

The terms of this Agreement shall remain in full force and effect for five years from the date adopted and signed. This Agreement may be renewed by the mutual consent of all parties. Any party may terminate this Agreement by notifying the other parties in writing.

County of Marin

By: Steve Kinsey
President, Board of Supervisors

Attest:

Clerk of the Board

Approved as to Form:
DEPUTY COUNTY COUNSEL

By:_____

Marin County Flood Control and Water Conservation District

By: Steve Kinsey
President, Board of Supervisors

Attest:

Clerk of the Board

Approved as to Form:
DEPUTY COUNTY COUNSEL

By: _____

Las Gallinas Valley Sanitary District

Attest:

Clerk of the Board

Approved as to Form:
DISTRICT COUNSEL

Las Gallinas Valley Sanitary District