



**Agenda Item No. 15.**

**Staff Report**

**Date:** June 14, 2018

**To:** Mayor Robbins and Councilmembers

**From:** Richard Simonitch, Public Works Director

**Subject:** Discussion and Staff response to the adequacy of the Draft Environmental Impact Report for the San Anselmo Flood Risk Reduction Project.

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**Recommendation**

Town Council review and discuss staff's draft response letter addressing the adequacy of the Draft Environmental Impact Report (DEIR) for the San Anselmo Flood Risk Reduction Project. The 45-day public review period closes 4:00pm on July 2, 2018.

**Background and discussion**

The San Anselmo Flood Risk Reduction Project consists of the removal of a channel-constricting building in downtown San Anselmo and the construction of a flood diversion and storage basin at the former Sunnyside Nursery Parcel in unincorporated Fairfax. In addition to the preferred project, the DEIR discusses 4 alternative projects, including a no-project alternative.

At the May 10, 2018 Council meeting the Marin County Flood Control District (MCFCD) staff presented an overview of the project and described some of the potential impacts to residents along the Corte Madera Creek. On May 16, 2018, Town of Ross residents were notified of the availability of the DEIR and were provided a link to the report by Townwide email. On May 22, 2018 the Marin County Board of Supervisors acting as the MCFCD Board held a public hearing to receive public comment on the DEIR. The public review period of the DEIR began on May 17, 2018 and closes on July 2, 2018.

Residents from San Anselmo and Ross whose property may require physical improvements such as barrier walls to be constructed were invited to attend a special workshop on June 9, 2018 to allow MCFCD staff to describe the project and potential impacts, answer questions, hear concerns and receive verbal comments. The Ross Town Hall was chosen as a convenient meeting location due to its proximity to a majority of the impacted residences.

The reconstruction of the Winship bridge is identified in the DEIR as a potential mitigation measure for upstream flooding. Staff comments on the adequacy of the DEIR are related to the new impacts on the Town of Ross due to the proposed San Anselmo Project. According to the flood profiles provided in the DEIR, the San Anselmo Project causes a rise in water surface downstream of the bridge whether the bridge is completed or not. If the bridge is completed the rise downstream is more pronounced but there is significant lowering of the upstream water surface. The rise upstream is far more pronounced if the bridge

reconstruction is not completed. It should be noted that according to the hydraulic study done for the Winship bridge project (assuming no San Anselmo Project or other upstream improvements) the replacement bridge reduces the upstream water surface elevation and does not change the downstream water surface. The Town of Ross Winship bridge reconstruction project is currently in Environmental review and construction of the new Winship bridge is scheduled to be completed more or less concurrent with the San Anselmo project in late 2020.

**Alternative actions**

Council can modify the proposed draft letter to MCFCD.

**Environmental review (if applicable)**

A project DEIR is complete and the Town staff will be providing comment on the adequacy of the report. The public review period of the DEIR began on May 17, 2018 and closes on July 2, 2018.

**Attachments**

- Draft letter to MCFCD: Town of Ross response to adequacy of DEIR.

July 2, 2018

Marin County Community Development Department  
C/O Rachel Reid, Environmental Planning Manager  
3501 Civic Center Drive, Suite 308  
San Rafael, CA 94903

RE: San Anselmo Flood Risk Reduction Project Draft Environmental Impact Report Comments

Dear Ms. Reid:

Thank you for the opportunity to provide comments regarding the San Anselmo Flood Risk Reduction Project (the Project) Draft Environmental Impact Report (DEIR). The Town of Ross understands that this is a significant step in the California Environmental Quality Act environmental review process and we appreciate this opportunity to provide comments on the adequacy of the DEIR for consideration when preparing the Final Environmental Impact Report (FEIR).

As the Marin County Flood Control and Water Conservation District is aware, the Town of Ross is subject to periodic flooding from Corte Madera and Ross Creeks. Throughout history and as demonstrated by recent events, prolonged and heavy storms can result in high flows exceeding the capacity of the creek in places where conveyance is constrained and floodwaters can breach and escape the creek. With the pending reconstruction of the Winship Avenue bridge, the Town has growing concerns about the Marin County Flood Control District's (MCFCD) ability to successfully mitigate the potential increase in water surface elevation on private property caused by the Project as illustrated in the before-after flood profiles. Similarly, if the Project was to be completed before the completion of the Winship bridge reconstruction, several Ross residences upstream of the bridge would also experience a significant increase in water surface elevation within their property.

With respect to the aforementioned concerns, the Town provides the following comments on the adequacy of the DEIR:

1. Describe, and not by reference, all proposed creek and stream channel improvements, including project alternatives and mitigation measures, within the Town of Ross. The description of in-channel flood wall and barrier mitigation measures on private properties should include some level of detail including diagrams of a typical deck and top of bank retrofit, including a description of materials. To better understand the aesthetic impacts of the improvements, the Town is also requesting photo simulations.
2. In section 4.9-3 (Impacts and Mitigation Measures) the Winship bridge reconstruction project is treated as a mitigation measure to alleviate inundation of properties upstream of the Winship bridge, however the flood profiles still show a rise in water surface elevation downstream of the existing bridge. The DEIR should recognize this fact and discuss adequate mitigation measures without having to refer to the Cumulative Impacts section.
3. The Winship Bridge reconstruction project is inadequately represented as a "Cumulative Impact" in the DEIR. Section 5.4.8 (Cumulative Impacts) the DEIR states that "The Project would have no impact

related to creating or contributing to runoff water that would exceed the capacity of stormwater drainage systems, place housing within 100-year flood hazard areas, or...". This statement is untrue or misleading and should be revised because any increase in water surface elevation in the channel could:

- a. Impact the capacity of a storm drain emptying into the channel (the drainage outlet for the flood-prone Bolinas Avenue at the Winship bridge is one example.)
  - b. Cause a structure to be placed within a 100-year flood hazard area (SFHA) if the inundation exceeds the lowest adjacent grade (LAG) of a structure not protected by a proposed flood barrier (this impact cannot be determined until the LAG is surveyed for each parcel subject to increased inundation)
4. The Cumulative Impacts sections should discuss what recourse is available to the individual homeowners have if they had barriers installed but the implementation of future projects lowers the 100-year flood elevation to a point where the barriers are no longer needed. Conversely, what recourse is available if (for whatever reason) the 100-year flood elevation turns out to be higher than the constructed barrier.

Thank you in advance for considering the above comments and incorporating them into the San Anselmo Flood Risk Reduction Project Final Environmental Impact Report.

Sincerely,

Joe Chinn  
Town Manager

cc: Mayor Robbins and Council Members  
Richard Simonitch, Director of Public Works  
Heidi Scoble, Planning Manager