

Cyndie Martel

From: Jennifer Mota <jrosemota@gmail.com>
Sent: Monday, August 11, 2025 1:13 PM
To: Judd Goodman; Berenice Davidson; Tracy Clay; Inquiry Flood; floodinquiry@marincounty.org
Cc: R9-MIT-FMandI@fema.dhs.gov; townccouncil@sananselmo.gov; Christa Johnson; Richard Simonitch; CouncilAll
Subject: [EXTERNAL] Request for Adequate Mitigation Measures and CLOMR Review – San Anselmo Creek BB2 Removal Project

To:
Marin County Flood Control and Water Conservation District
P.O. Box 4186
San Rafael, CA 94913

CC:
FEMA Region IX
Attn: Floodplain Management and Insurance Branch
1111 Broadway, Suite 1200
Oakland, CA 94607

Subject: Request for Adequate Mitigation Measures and CLOMR Review – San Anselmo Creek BB2 Removal Project

Dear Marin County Flood Control District and FEMA Region IX,

I am writing regarding the proposed BB2 Removal Project and the associated Conditional Letter of Map Revision (CLOMR) submitted by Marin County. As a property owner whose home lies within the regulatory floodway and AE flood zone, and who has been identified as requiring mitigation due to a modeled increase in the 100-year Base Flood Elevation (BFE), I have serious concerns.

The County's acknowledgment that mitigation is needed for my home confirms that the project causes an adverse flood impact. According to 44 CFR §60.3(d)(3) and Marin County Code §23.09.038, no rise in BFE is permitted within the regulatory floodway unless full compliance with §65.12 is achieved, including mitigation of all structural impacts.

While I acknowledge that wet floodproofing may reduce certain forms of flood damage, it does not maintain pre-project conditions if the Base Flood Elevation at my structure is rising. FEMA Technical Bulletin 7 explicitly states that wet floodproofing does not eliminate the exposure of the structure to flooding, and FEMA's CLOMR approval under 44 CFR §65.12 requires that all adverse impacts are mitigated, not simply reduced. The mitigation measures proposed for my property do not appear to meet the standards set forth by FEMA or the County's own floodplain management ordinance.

Required Mitigation Standards and Cited Sources

Category	Required Mitigation	Standard / Citation
Hydrostatic pressure relief	Flood openings in crawlspace, totaling at least 1 square inch per square foot of enclosed area; must be located in at least 2 walls, and ≤12" above grade	FEMA Technical Bulletin 1 (TB-1), 2020, pp. 11–13
Anchoring	Structure must be anchored to resist flotation, collapse, and lateral movement	FEMA TB-2, 2009, p. 2; 44 CFR §60.3(a)(3)(i); Marin County Code §23.09.034(a)
Utility protection	All mechanical/electrical/gas equipment below BFE must be elevated or designed to prevent floodwater damage	FEMA TB-7, 2013, pp. 4–6; Marin County Code §23.09.034(b)
Structural analysis (floodway)	Structures exposed to increased velocity/depth in floodway should be assessed for strength; structural reinforcement may be required	44 CFR §65.12(b)(4); FEMA Guidelines for Floodway Encroachments, 2022
Freeboard requirement	Structures should be elevated at least 1 foot above BFE	Marin County Code §23.09.034(c)(1)
Use of space below BFE	Must be limited to parking, building access, or storage; no habitable use	FEMA TB-1, p. 5; 44 CFR §60.3(c)(5)

This project’s compliance with 44 CFR §65.12, §60.3(d)(3), and Marin County Code §23.09.038 hinges on the adequacy of mitigation for structures affected by the BFE increase. The proposed measures for my home—limited to wet floodproofing (flood vents and partial electrical elevation)—do not constitute full mitigation under FEMA or local standards, particularly given the following:

- Wet floodproofing does not eliminate exposure to floodwaters. It is a damage-reduction technique, not a protective measure that restores pre-project conditions. (Source: FEMA TB-7, 2013, p. 2)
- FEMA requires that all adverse impacts from a project causing a BFE rise be fully mitigated as a condition for CLOMR approval. (Source: 44 CFR §65.12(b))
- No rise in flood levels is permitted in the regulatory floodway unless these mitigation requirements are satisfied in full. (Source: 44 CFR §60.3(d)(3))
- Marin County’s own ordinance (Chapter 23.09.038) mirrors this requirement, stating: “Prohibit encroachments...within the regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses...that the proposed encroachment would not result in any increase in flood levels during the base flood discharge.”

I request written documentation demonstrating that the mitigation proposed for my property and my neighbors’ properties fully satisfies FEMA requirements under 44 CFR §65.12 for CLOMR approval, specifically:

1. A re-evaluation of the sufficiency of the mitigation measures currently proposed for my home, which include only the installation of additional crawlspace flood vents and the elevation of some electrical boxes.
2. Engineering documentation that certifies the current mitigation measures will eliminate all adverse impacts associated with the BFE rise at my home.
3. A description of the mitigation alternatives considered, and why more robust measures (e.g., anchoring retrofits, full utility elevation, raising homes, flood walls, etc.) were not proposed.

4. Clarification as to whether my home's foundation is currently anchored, and if not, why anchoring is not part of the mitigation strategy.
5. If the County asserts that the proposed wet floodproofing measures restore pre-project conditions, written documentation and engineering justification showing that post-project flood depth, duration, and velocity at my structure are equivalent to pre-project conditions, and that the structure's risk profile is not increased.
6. Assurance that the CLOMR will not be approved unless and until full mitigation—compliant with all applicable federal and local standards—is provided and documented.

I respectfully request a formal written response within 30 days.

With Concern,
Jennifer Mota
Owner and Resident
82 Sir Francis Drake Blvd.
Ross, CA 94957