



Agenda Item No. 12.

Staff Report

Date: May 13, 2021

To: Mayor Robbins and Councilmembers

From: Richard Simonitch, Public Works Director

Subject: Town Council consideration of providing a preference to the Marin County Flood Control District regarding multiple design options for Frederick Allen Park as part of the District's flood control project

Recommendation

Town Council discuss and authorize the Town Manager to inform the Marin County Flood Control and Water Conservation District (MCFCD) regarding the Town Council's preferred option for the Corte Madera Creek Flood Risk Management Project Phase 1.

Background

Pursuant to the California Environmental Quality Act (CEQA), the preparation of an Environmental Impact Report (EIR) is required whenever there is substantial evidence that a project may have a significant effect on the environment. The EIR is also required by statute to describe a range of reasonable alternatives which would attain the basic objectives of the project that would avoid or substantially lessen any of the significant effects of the proposed project. On February 1, 2021, the MCFCD released the Draft EIR (DEIR) for the project known as the Corte Madera Creek Flood Risk Management Project Phase 1. MCFCD is the lead agency under the CEQA.

The primary goal of the Corte Madera Creek Flood Risk Management Project Phase 1 (CMCFRM) is to reduce the frequency and severity of flooding in the communities of Ross and unincorporated Kentfield by removing the wooden (Denil) fish ladder in Ross that obstructs flow as it passes from the natural creek bottom into the concrete channel as well as making other improvements in and around the present channel to reduce the risk of flooding. The goal of the Proposed Project is to integrate multiple benefits including flood risk reduction, ecosystem restoration, improved fish passage, and recreational enhancements. The DEIR also presented different project alternatives that also remove the fish ladder but minimize impacts to Allen Park. The Proposed Project and alternatives and their primary impacts are discussed later in this report.

The Environmental Review Process

The environmental review process for this project was originally initiated in 2008 under the management of the United States Army Corps of Engineers (USACE). As part of that effort, the USACE prepared a 2010 Baseline Report that provided initial elements for the EIR/EIS to evaluate and identify preliminary project alternatives. On December 23, 2015, the environmental review process for the project began with the

release of the Notice for the Preparation/Intent and Notice of Scoping Meeting of a joint Environmental Impact Statement/Report (EIS/EIR) for the project. A suite of project alternatives for reducing flood risks, such as the removal of the Denil fish ladder and constructing floodwalls, were presented by the USACE at Public Meetings held at the Ross School on April 25, 2016 and again on August 22, 2016. It is important to note however, that prior to 2017 these initial scoping meetings never discussed the possibility of the Fredrick Allen Park riparian corridor concept.

On June 8, 2017, the MCFCD introduced the concept of the Fredrick Allen Park floodplain park project to the Town of Ross Town Council. It was discussed that the MCFCD would utilize a \$7,500,000 grant from the Department of Water Resources (DWR) and Marin County Flood Control Zone 9 (FZ9) funds to remove the fish ladder, build the floodplain park, a floodwall at Granton Park in Kentfield, and stabilize creek banks near the Lagunitas Road bridge. On October 10, 2017, the Town of Ross Town Council conducted a special public meeting to further discuss the concept of the Fredrick Allen Park floodplain project. A public outreach informational meeting and site tour was arranged for certain residents whose properties are contiguous to the Project on Sir Francis Drake Boulevard and Ross Common in the Town of Ross on November 4, 2017 followed by a noticed public outreach site tour for all Town residents on November 18, 2017. On December 14, 2017, the Town Council adopted Resolution No. 2037 supporting the MCFCD and USACE in proceeding with further project development through the completion of the joint EIS/EIR. The USACE published the Draft EIS/EIR for the Project in 2018. As of December 31, 2019, the MCFCD and the USACE have mutually agreed to terminate their agreement and the Project has now transitioned to a locally managed MCFCD project. As a result, the USACE Draft EIS/EIR was shelved indefinitely and a new DEIR was prepared for the project which includes removal of the fish ladder and portions of the concrete channel in Ross and the reconfiguration of Frederick Allen Park into a park co-located with a more naturalized Corte Madera creek floodway.

The MCFCD staff and environmental consultants held public workshops on June 25 and June 30, 2020. These initial workshops were designed to assist MCFCD with developing a project description for the environmental review process and provide attendees with the opportunity to view and comment on the draft Project design and concepts. On July 9, 2020, the Project was presented to the Town Council and an opportunity was presented for initial comments from the Council and the public to be received by the Project team. The proposed reconstruction of the existing Allen Park into a floodplain and natural channel (see Attachment 1) has been the primary point of discussion for Ross Council and residents throughout the development of the project description.

A public scoping meeting for the Project was held on August 27, 2020 by the MCFCD and environmental consultants. The Town of Ross staff submitted comments during the scoping period based on a regular Town Council hearing held on September 10, 2020. The public scoping period for the Project concluded on September 21, 2020.

On February 11, 2021 staff presented an overview of the CMCFRM Draft Environmental Impact Report at the regular Town Council meeting and discussed the CEQA process and provided a preliminary review of the DEIR. Town staff then prepared a draft letter for discussion at the March 11th, 2021 Council meeting. The letter, in its final form, represented the Town of Ross Council and staff's comments on the adequacy of the DEIR and was submitted to MCFCD prior to the March 17, 2021 DEIR public comment deadline. At the March 11th meeting staff also recommended that the Town Council determine its preferred project alternative prior to the Marin County Board of Supervisors (BOS) acting on the FEIR (estimated to be in July 2021) so that the BOS are made aware of the Town's preference related to the project within Ross. As such, Town staff hosted informational field walks on April 14th and 15th followed by a public workshop on April 15th, 2021 to discuss the proposed project and project alternatives in more detail so the public

and Council can learn, ask questions, and discuss the merits of the various alternatives. Following the April 15th workshop, an email questionnaire was distributed via the Town-wide email system to gather initial feedback from community members to inform the Town Council's discussion about the selection of the Proposed Project or one of the DEIR Alternatives.

Discussion

The Town of Ross has a key role in the Project which included participating in the initial development of the project description for the proposed modifications to Frederick Allen Park. Once the BOS (acting as the MCFCD board) adopts and certifies the Final EIR this summer, it is likely that a selection of a project by the MCFCD board will follow shortly thereafter.

The MCFCD must submit an application and plans for any project that is within the Town's jurisdiction to the Planning Department for Design Review. A significant portion of the Corte Madera Creek Flood Risk Management Project Phase 1 occurs over property owned by the Town of Ross and it is therefore strongly advised, although not required, that the BOS select and pursue a project that is known to be acceptable to the Town Council and residents of Ross.

Project Description

The DEIR Proposed Project involves the removal of the existing fish ladder and sections of the existing concrete channel and reconfiguring Allen Park and MCFCD property to provide a more naturalized setting that improves habitat, fish passage, and public access to the creek. New, smaller flood walls would be constructed along the creek bed and at the edges of the creek basin. While the existing paddle and tennis courts will not be affected, up to 80 mature trees in Allen Park could be removed, and up to 70 additional trees could also be removed from MCFCD property along the east side of the channel. The number of replacement trees proposed are similar to, or more than the number being removed. It could take up to 20 years for the new trees to grow and provide the same level of canopy cover for shade and screening found in Allen Park today. The creek would meander some to the west in the park and the multi-use path would be reconstructed to meander with the creek. A site plan for the Proposed Project is shown as Attachment 1.

The DEIR identifies four project alternatives including the "no project" alternative. The remaining three alternatives similarly include the fish ladder removal and other project components but provide alternatives for the treatment of Allen Park and other locations where the concrete channel is proposed to be removed. Alternative 1 proposes that Allen Park and the concrete channel remain intact with additional fish resting pools cut into the channel bottom. This alternative does not change Allen Park. Alternative 2 is similar to the Proposed Project but proposes a multi-use trail boardwalk that maintains the current elevation adjacent to the rear of the Poplar Avenue commercial and residential buildings and restricting public access to the new natural channel. The DEIR identifies Alternative 2 as the environmentally superior alternative. Like Alternative 2, Alternative 3 resembles the proposed project except this Alternative would use natural stone and rock to replace the concrete retaining walls proposed for Allen Park and other parts of the project.

Primary issues identified during public outreach and Council discussion:

A. Trees, shade, and canopy restoration:

The one significant and unavoidable impact of the Proposed Project identified in the DEIR is the temporary impact on visual quality within Frederick Allen Park. The DEIR states that the impact on visual quality would be significant and unavoidable for a period of approximately 10 years while the planted trees grow to a height where the tree canopy screens views of the concrete structures and surrounding buildings to a level that is similar to the existing visual screening of the surrounding area. The USACE, which has Clean

Water Act section 404 permitting jurisdiction over work on the fish ladder and concrete channel, could enforce a fifteen-foot “no tree” zone adjacent to new and existing floodwalls, which includes the existing concrete channel, where the planting of trees would be restricted. The DEIR assumes this restriction is enforced as a “worst case” for the Proposed Project description and graphic exhibits. It should be noted that this restriction could also require the removal of the existing trees between the multi-use path and the channel in Allen Park if Alternative 1 is selected.

The Town arborist has tabulated the propagation rates for the species of replacement trees identified in the DEIR (see Attachment 2) to provide a better understanding of the rates at which the tree canopy would be restored for the Proposed Project and Alternatives 2 and 3.

B. Impacts to tributary drainage into Corte Madera Creek:

The removal of the fish ladder obstruction from the creek/channel is the primary flood-risk reduction element present in the Proposed Project and all Alternatives except the “no project” alternative. For the Proposed Project and Alternatives 1, 2, and 3, the hydraulic model indicates that the removal of this obstruction will increase the water surface elevation (WSE) at various locations within the creek/channel between the fish ladder and the Kentfield Hospital by six inches up to approximately one foot for the 10, 25, and 100-year storms. However, compared to the Proposed Project and Alternatives 2 and 3, with Alternative 1 the channel WSE would be lower by up to 1 foot down to a location between 15 and 11 Sir Francis Drake (SFD) and increases this WSE up to one foot downstream from this location until there is no net difference in channel WSE downstream of the Kentfield Hospital. What this means is that compared with the Proposed Project and Alternatives 2 and 3, Alternative 1 would improve tributary drainage upstream of 15 SFD inclusive but exacerbate tributary drainage downstream of 11 SFD inclusive to about the Kentfield Hospital.

Any increase in the channel WSE could directly translate to an increase in the WSE for any tributary drainage creeks and conduits which empty into the channel. MCFCD consultants have suggested that the use of flapgates combined with relocating outfalls to lower elevations of the channel will help to mitigate these impacts. Prior to issuance of any permits by the Town, Staff can require that the selected project demonstrates that no net increase in WSE occurs outside the channel. In addition, FEMA requires that any project that causes any increase in the 100-yr WSE within the creek/channel must demonstrate that no residential or commercial structures are impacted by the rise. Again, according to the hydraulic model this condition where the WSE is increased within the creek/channel downstream of the fish ladder is applicable to the Proposed Project and Alternatives 1, 2, and 3.

C. Flood Risk Reduction

Notwithstanding the impacts discussed in B. above, the hydraulic model for the Proposed Project and the Alternatives do indicate a substantial reduction in overbank (not in-channel) floodwater depth of generally up to one foot for properties along Sir Francis Drake, Sylvan Lane, Ross Common, and Poplar especially in the 25-year and lesser storms and up to 1.5 feet reductions for the 100-year storm event (see Attachment 3 for 25-yr).

Compared to the Proposed Project, selecting Alternative 1 would cause little or no change to these WSE reductions outside the creek/channel in a 10 and 25 year storm. However, in the case of the larger, 100-year storm, Alternative 1’s WSE could be between 0.2 and one foot higher than the Proposed Project WSE’s in some areas along Poplar, Redwood, and Sir Francis Drake (see Attachment 4). According to the hydraulic model, the Proposed Project compared to Alternative 1 for the 100-yr storm has additional benefits beginning around 35 Poplar and continuing South toward Kentfield on both sides of Poplar, where approximately twelve properties would see 1" to 6" reduction and eight properties would see 6"

to 12" reduction in floodwaters. On the other side of the creek, for the 100-yr storm, between 11 Sir Francis Drake and the Lagunitas bridge one property sees between 6" and 12" reduction and about five properties and the Town Hall site will see between 1" and 6" reduction in flood waters.

D. Other Issues – Construction impacts and cost

According to the DEIR, the reconstruction of Allen Park within the Proposed Project would require 105 days to complete, and demolition and earthwork operations would be almost continuous through the summer with at least a temporary closure of the multi-use trail. In comparison, the construction impacts of Alternative 1 in Ross would be confined to the fish ladder and creek bottom and can be considered almost negligible. Although the cost to MCFCD to reconstruct Allen Park for the Proposed Project is far greater than the cost to construct Alternative 1 in Ross, it should be noted that if the Proposed Project is not selected, MCFCD would most likely reallocate that money to a different flood control project within the Corte Madera Creek watershed.

Questionnaire Results

The Town conducted an online questionnaire from April 15th to April 30th, 2021 to collect input from residents and stakeholders on the Proposed Project compared to Alternative 1. Three hundred and sixty-three respondents completed the questionnaire.

62% of the respondents preferred Alternative 1 compared to 29% who preferred the Proposed Project. The remainder either did not have a preference or enough information to make a choice. 67% of the respondents who provided their age were over the age of 51, and only 1 of the respondents was under the age of 20. The most popular reason for selecting the Proposed Project over Alternative 1 was the additional flood risk reduction, and the most popular reason for selecting Alternative 1 over the Proposed Project was the preservation of the mature trees, canopy, and shade as important resources to the Town. The results of the questionnaire are tabulated in Attachment 5.

A copy of the Draft EIR and other project information is available for download at:

<https://www.marinwatersheds.org/resources/projects/corte-madera-creek-flood-risk-management-project>

Fiscal, resource, and timeline impacts:

The FEIR will be ready for 10-day public review and comment sometime in July 2021, followed closely by certification of the FEIR, and selection of a project by the BOS. If design review is approved by the Town Council, then the full design plans for the project would be prepared by MCFCD and submitted to the Building and Public Works Department for tree removal, grading, encroachment, and building permit review. The current project schedule calls for obtaining all project permits and approvals by Fall 2021 and starting construction in April 2022.

Alternative actions

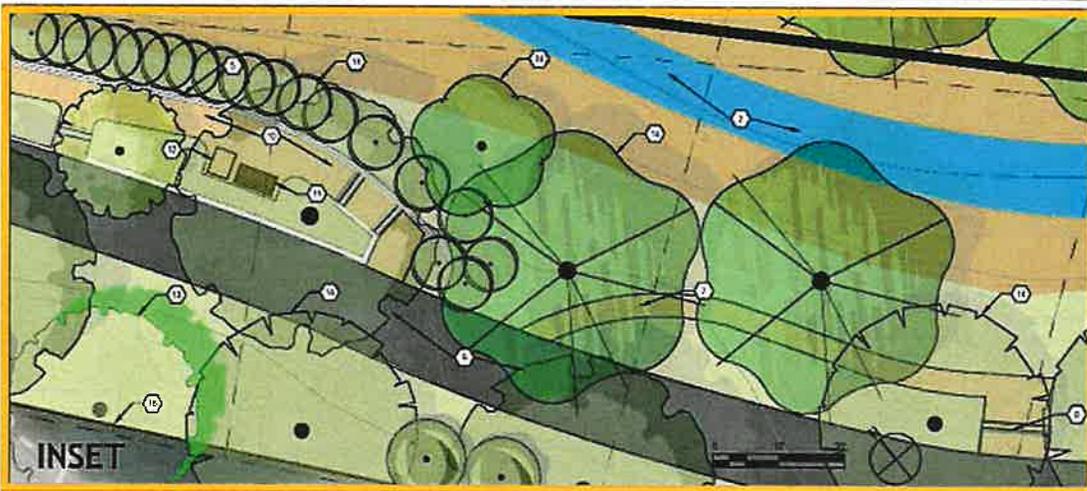
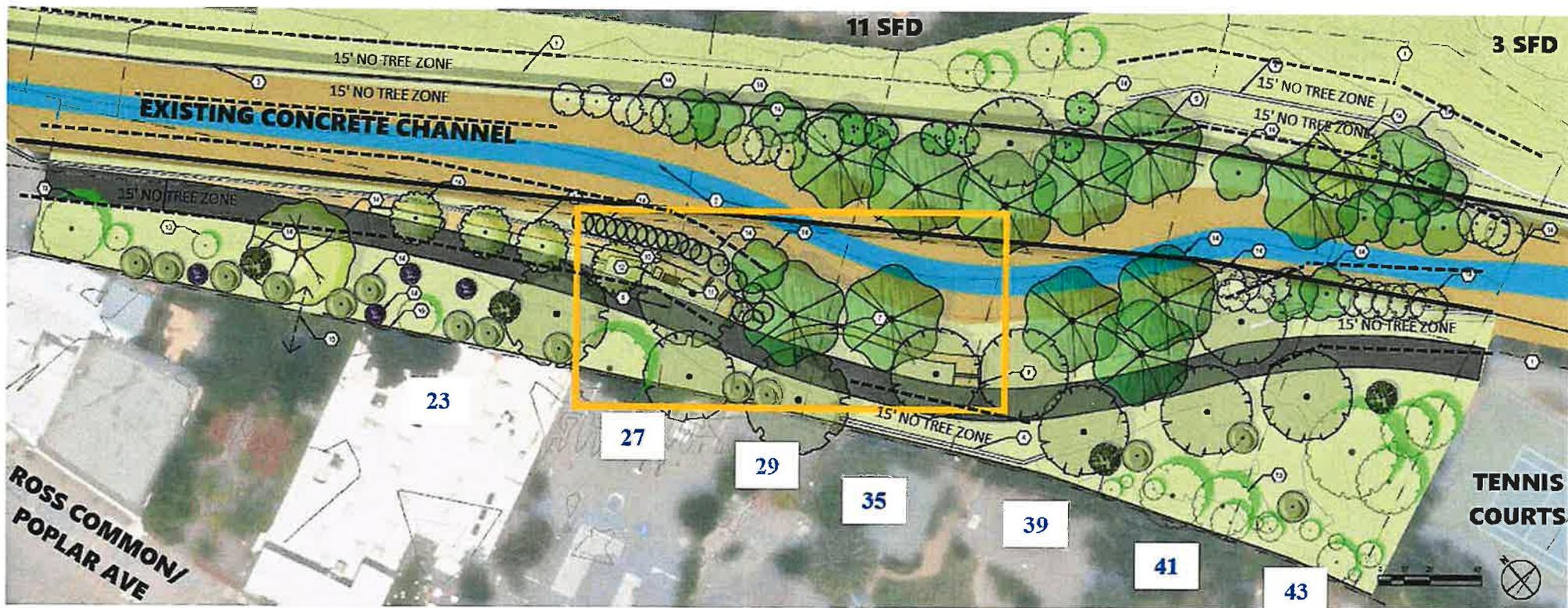
None.

Environmental review

A project EIR is being prepared and the DEIR has been released for public comment. The public comment period closed on March 17, 2021 and the hearing on the Final EIR by the BOS may occur sometime in July, 2021. The County of Marin is the Lead Agency, and The Town of Ross is a responsible agency in the preparation of the Project EIR.

Attachments

1. Site Plan of Proposed Project
2. Propagation rates and types of proposed tree species
3. Proposed Project Changes in Water Surface Elevation, 25-Year Flood Event
4. Difference in water surface elevation between Alternative 1 and the Proposed Project
5. Summary of Public Outreach Questionnaire
6. Public Comment received

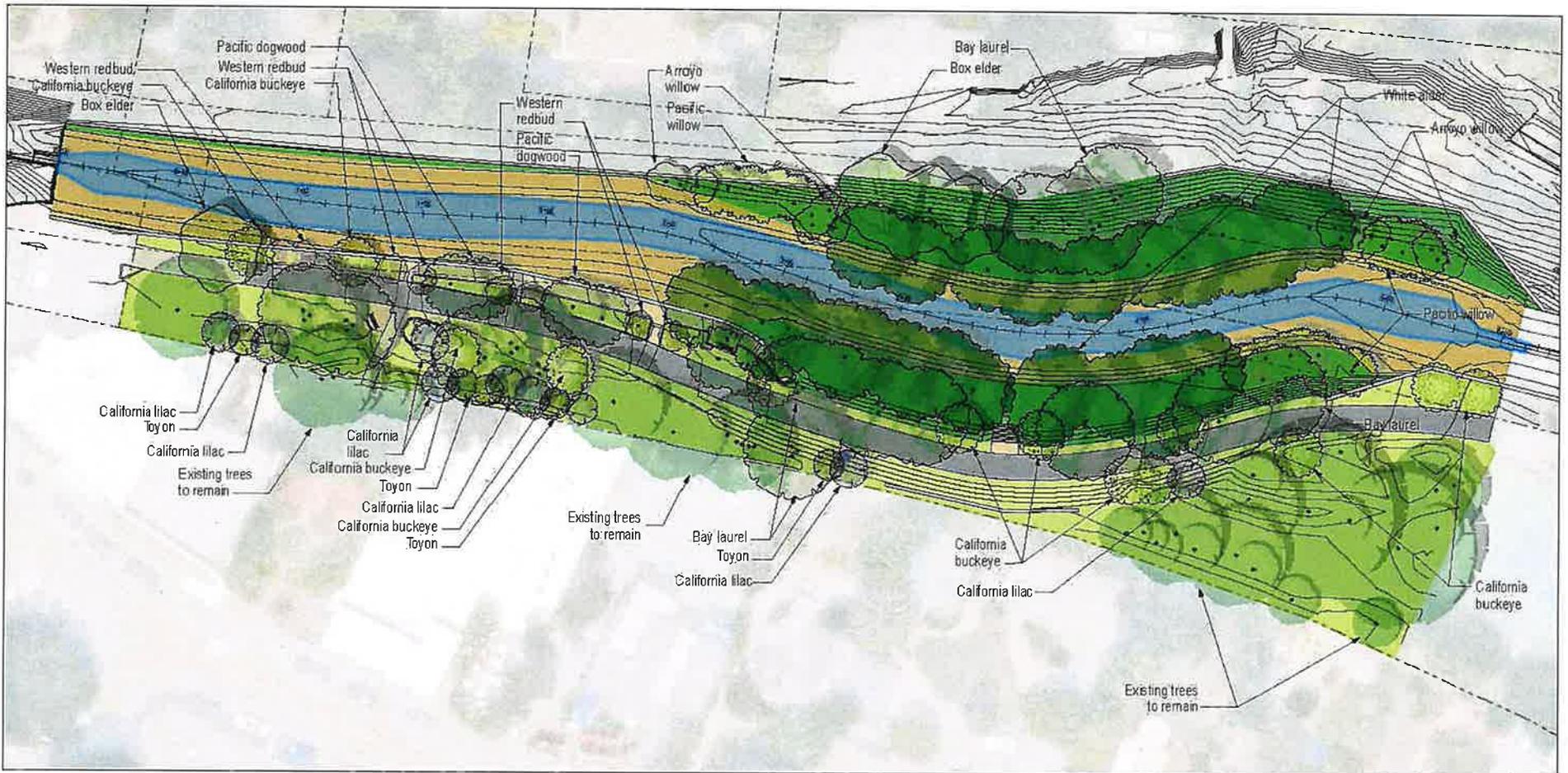


ATTACHMENT 1

SITE PLAN OF
PROPOSED PROJECT

**ATTACHMENT 2
TREE PROPOGATION RATES AND SPECIES**

Plant Species	Growth rate	Maturity (ft.)	Container sz.
Acer macrophyllum, Big leaf Maple	36"/yr.	Height: 30-70 Spread: 30-50	15 gal. 7-8 x 2-3ft.
Acer negundo, Box Elder	36"/yr.	Height: 40-50 Spread: 35-40	15 gal. 7-8 x 2-3ft.
Alnus rhombifolia, Wht. Alder	36"/yr.	Height: 50-90 Spread: 40-70	15 gal. 7-8 x 2-3ft
Cornus nuttalli, Western Dogwood	24"/yr.	Height: 40-50 Spread: 20-25	15 gal.7-8 x 2-3ft
Physocarpus capitatus, Pacific ninebark		Shrub: to 8 ft.	5gal 1-2ft
Quercus agrifolia, Coast Live Oak	12-24"/yr	Height: 20-70 Spread: 20-70	36" box-12-14 x 5-6ft.
Quercus lobata, Valley Oak	24-36"/yr	Height: 50-70 Spread: 50	24" box-8-10 x 2-4ft
Salix lasianra, Pacific Willow	36"/yr	Height: 10-40 Spread: 10-25	1 gal. 12" or less
Salix lasiolepis, Arryo Willow	36"/yr.	Height: 10-35	
Salix sitehensis, Sitka Willow	36:/yr.	Height: 23ft	
Umbellularia californica, Bay laurel	12-24/yr.	Height: 60-80 Spread: 30-40	15 gal. 3-2ft. 24"box: 4-5 x 3-4 ft.

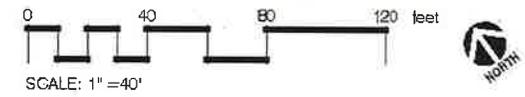


Proposed Trees Overview



Bay laurel Box elder California buckeye California lilac Toyon Western redbud White alder

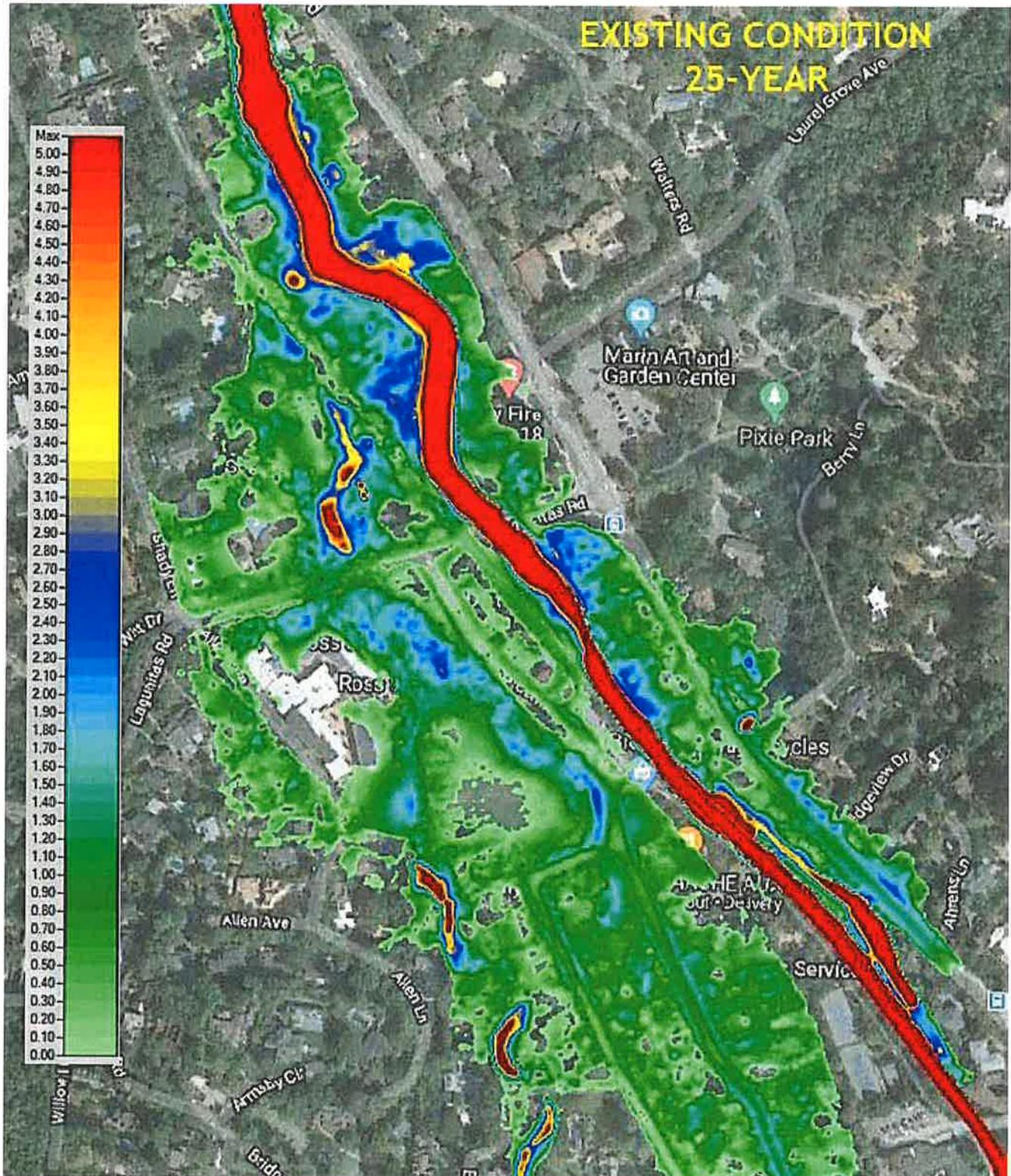
Photos: Calscaps, Selactrae UFB, Bob Perry, Gardener.net, Jessica Hall



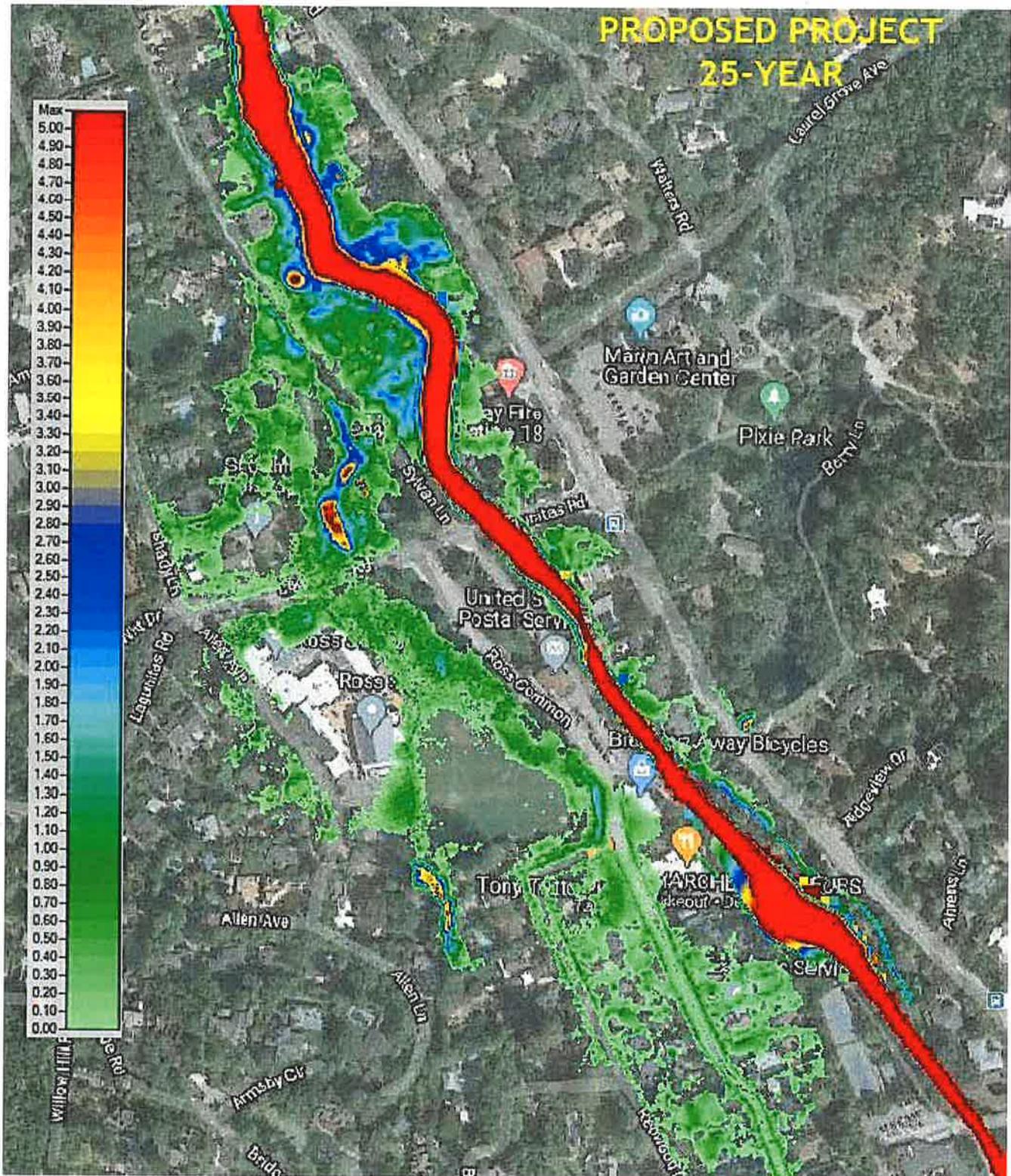
CORTE MADERA CREEK
THROUGH FREDERICK ALLEN PARK



ATTACHMENT 3
25-YR FLOOD EXISTING CONDITION

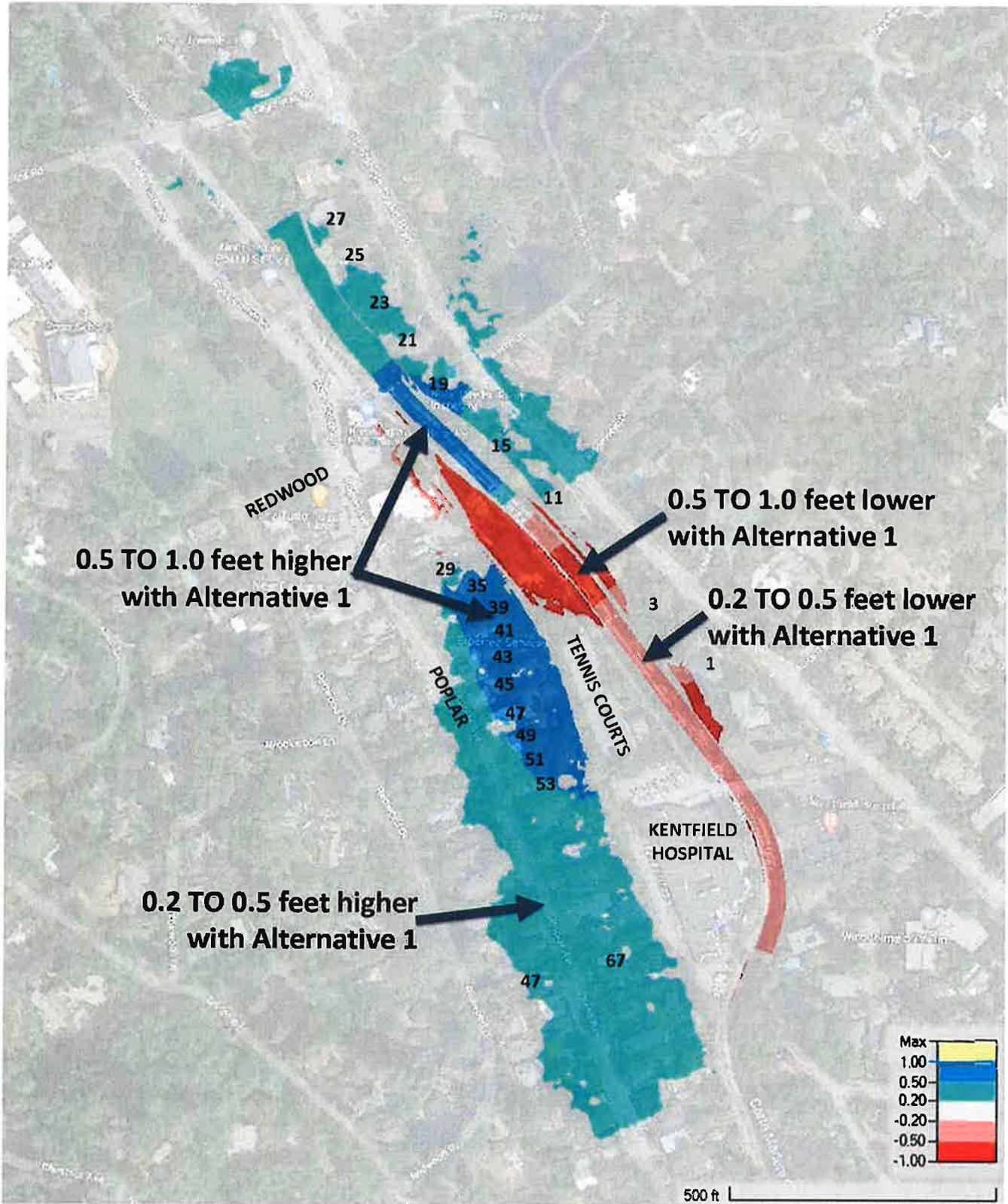


ATTACHMENT 3 25-YR FLOOD WITH PROPOSED PROJECT



ATTACHMENT 4

Draft EIR Figure 5.3-8: Difference in Future Water Surface Elevation Between Alternative 1 and Proposed Project – 100-Year Flood Event



ATTACHMENT 5
QUESTIONNAIRE RESULTS SUMMARY

Number of Responses: 363

Preference:

- I prefer option A, creek access (Proposed Project). 104 (28.81%)
- I prefer option B, in-channel improvements (Alternative 1). 224 (62.05%)
- I do not have a preference, either option would be fine. 9 (2.49%)
- I do not have enough information to have a preference. 24 (6.65%)

Location of Residence:

- A resident of Ross. 307 (84.57%)
- A resident of Kentfield, Greenbrae, or Larkspur. 28 (7.71%)
- A resident of San Anselmo or Fairfax. 15 (4.13%)
- Other 13 (3.58%)

Age:

- | | |
|-------------------|--------------|
| 10-19 years old | 1 (0.27%) |
| 20-35 years old | 11 (3.01%) |
| 36-50 years old | 106 (28.96%) |
| 51-65 years old | 122 (33.33%) |
| 66 or older | 117 (31.97%) |
| Prefer not to say | 9 (2.46%) |

Why Option A (Proposed Project)?

- The ability to access the naturalized channel for recreation. 49 (23.11%)
- The ability to access the naturalized channel for learning opportunities. 16 (7.55%)
- Option A improves fish passage and wildlife habitat. 56 (26.42%)
- Option A creates slightly better flood risk reduction than Option B. 62 (29.25%)
- The reconfigured park and creek will be an improved visual resource for the Town. 41 (19.34%)

Why Option B (Alternative 1)?

- The mature trees and landscaping are very important natural resources, and it could take 20 years for the new trees to grow to the same level of canopy for shade and screening that exists today. 193 (70.7%)
- The flood benefits from Option B are substantially similar to Option A. 137 (50.18%)
- The added cost to MCFCWCD does not justify constructing "Option A". 67 (24.54%)
- The added construction and environmental impacts (dust, noise, dirt and tree removal, etc.) do not justify constructing "Option A". 80 (29.3%)
- I am concerned that "Option A" will have a negative impact on my home. 15 (5.49%)

ATTACHMENT 6

From: [Richard Simonitch](#)
To: [Hugh Cadden](#)
Subject: RE: CMC Flood Risk Management Project Phase 1
Date: Thursday, April 15, 2021 12:36:00 PM

Thanks Hugh.

It seems that Joanna is saying that they don't have a budget for Ross because they don't have a project yet for FY21/22. I believe that the CMC FRM project is "programmed" into a 5-yr (or something similar) FZ9 Capital Improvement Program. A CIP is by no means a rigid commitment and money can be moved to/from other FZ9 projects if it appears that a desired project is going to be underfunded for whatever reason.

She sounds rather hopeful that the grant can be "transitioned" to other parts of the CMC FRM project if Alternative 1 is selected, which is the message I am getting from County staff as well. "Migrating" is entirely another matter as we discussed on the walk.

Thanks again,

Richard Simonitch
Public Works Director/Town Engineer
Town of Ross
P.O. Box 320
Ross, CA 94957
(415) 453-1453 ext. 115

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From: Hugh Cadden <hjcadden@gmail.com>
Sent: Thursday, April 15, 2021 11:52 AM
To: Richard Simonitch <rsimonitch@townofross.org>
Subject: Fwd: CMC Flood Risk Management Project Phase 1

Richard, Here is the email in response to my question whether Alternative 1 would meet the existing DWR grant requirements. It is pretty much self explanatory. Regards, Hugh

----- Forwarded message -----

From: **Dixon, Joanna** <JDixon@marincounty.org>
Date: Tue, Apr 13, 2021 at 1:01 PM
Subject: RE: CMC Flood Risk Management Project Phase 1
To: Hugh Cadden <hjcadden@gmail.com>

Hugh, cost consideration is not an official part of the EIR process, which is why I did not respond to your question. Without the support from the Town of Ross for the Project as proposed, which would

modify the park, we will need to go back to our grant manager at the Department of Water Resources and request the proposed changes to accommodate Alternative 1 instead. We are hopeful that if necessary, the grant funding can be transitioned to cover the Alternative 1 proposal instead, however the grant does have a requirement that the work include restoration, so without the removal of concrete and restoration of the creek to a more natural section through Allen Park, there is a question as to whether the removal of the wooden fish ladder structure and the work in the upstream natural section of the creek combined with the improvements to the fish resting pools will be sufficient on their own to satisfy the restoration component of the grant funding.

Joanna Dixon

From: Hugh Cadden <hjcadden@gmail.com>

Sent: Tuesday, April 13, 2021 12:39 PM

To: Dixon, Joanna <JDixon@marincounty.org>

Subject: Re: CMC Flood Risk Management Project Phase 1

Joanna, It has been almost a month since I emailed you and asked: Assuming Alternative 1 is selected as the project can it be funded with the current DWR grant? Please respond ASAP as the Town site visit is tomorrow. Thanks. Regards, Hugh

Sent from my iPhone

On Mar 16, 2021, at 5:15 PM, Hugh Cadden <hjcadden@gmail.com> wrote:

Joanna, Thanks for the information and the current DWR grant budget. I am familiar with the CEQA requirements and respectfully disagree with your interpretation. In any event, assuming Alternative 1 is selected as the project can it be funded with the current DWR grant? Regards, Hugh

On Mon, Mar 15, 2021 at 11:31 AM Dixon, Joanna <JDixon@marincounty.org> wrote:

Hugh,

Thank you for your inquiry. At this time there are not currently any specific defined budgets for the Proposed project or for Alternative 1 other than that Flood District is working through the terms and conditions of the grant funding from the State Department of Water Resources with the goal to design a fiscally responsible project that fits within the budget of the funding currently available. I am attaching the DWR grant budget for your reference below. Our designs have currently been developed to the 35% level. The Flood District has a professional services contract agreement with Panorama Inc. to develop the Environmental Impact Report and to prepare and obtain environmental permits for the construction of the project as we finalize the EIR and hope to have one of the project alternatives approved by the

District Board of Supervisors by June or July of this year. Our professional service agreement with GHD, who is providing the design and hydrology for the project, is an On-call contract that the District authorizes individual tasks associated with the project design as we move forward through the process.

The California Environmental Quality Act (CEQA) requires preparation of an Environmental Impact Report (EIR) to disclose the impacts of a project and define feasible mitigation and alternatives to reduce or avoid significant impacts. The Draft EIR has been prepared in compliance with CEQA and discusses the various environmental impacts that would result from the project. CEQA does not address economic impacts or cost with the exception that cost can factor into a decision on feasibility of alternatives as discussed in Chapter 5 of the EIR. Initial engineering and cost analysis indicate that the proposed project and Alternatives 1 – 3 can be conducted within the available and reasonably foreseeable grant funding. More detailed cost analysis will be conducted during a subsequent phase of engineering/design based on the Board of Supervisor's decision on whether to approve the project as proposed or an alternative.

<image001.jpg>

Joanna Dixon
Project Manager
Marin County Flood Control District

From: Hugh Cadden <hjcadden@gmail.com>
Sent: Sunday, March 14, 2021 12:59 PM
To: Dixon, Joanna <JDixon@marincounty.org>
Subject: Re: CMC Flood Risk Management Project Phase 1

Joanna, I requested a copy of the budget for the proposed Project and Alternative 1 or a website reference where I can access them on-line. As I mentioned, I need the budget information for my comments which as you know must be filed no later than March 17. Please respond to my email no later than the close of business Monday, March 15, 2021. Thanks. Regards, Hugh Cadden

On Fri, Mar 5, 2021 at 8:38 PM Hugh Cadden <hjcadden@gmail.com> wrote:

Joanna,

I am a Ross property owner reviewing the CMC FRM Project Phase 1 DEIR. Please provide me with a copy of the Budget for the Proposed Project and for the Alternative 1 Project or a website address where I can access them on-line. I need the project budget information for my comment submission so time is of the essence. Thank you. Hugh

Linda Lopez

From: Joe Chinn - Town Manager
Sent: Thursday, May 6, 2021 2:48 PM
To: Linda Lopez
Subject: Frederick Allen Park Questionnaire

From: Chris Rankin-Williams <crw@stjohnsross.org>
Sent: Friday, April 16, 2021 1:43 PM
To: Elizabeth Robbins <eliz.robbsins@gmail.com>; Joe Chinn - Town Manager <jchinn@townofross.org>
Subject: Fwd: Frederick Allen Park Questionnaire

Dear Mayor Robbins and Mr. Chinn,

As someone who has worked in Ross for 18 years, has seen several floods firsthand, and who uses the path along the creek several times a week, I would like to respectfully voice an objection the bias in this survey. I have followed this project and a friend was involved in it in the early stages. I feel the descriptions and questions are written in a way that are highly biased against Option A and in a way that promote Option B. The descriptions do not clearly state how Option A will restore the creek or that many of the trees to be removed are non-native ornamental trees.

I appreciate that there are many differing opinions on the project, but if the responses to the survey are going to drive decisions I would hope for a more neutral survey.

Respectfully,
Rev. Chris

The Rev. Chris Rankin-Williams
Rector, St. John's Episcopal Church
Ross, CA
crw@stjohnsross.org
415-456-1102 x103 (office)
415-250-7439 (mobile)
www.stjohnsross.org

Hydrate Your Soul
St. John's, Ross

Begin forwarded message:

From: Town Of Ross <pstreeter@townofross.org>
Subject: Frederick Allen Park Questionnaire
Date: April 16, 2021 at 11:33:16 AM PDT
To: crw@stjohnsross.org
Reply-To: pstreeter@townofross.org



Please click below to complete the Frederick Allen Park questionnaire by April 30, 2021.

[Click Here](#)



Town Of Ross | 31 Sir Francis Drake Blvd, Ross, CA 94957

[Unsubscribe crw@stjohnsross.org](mailto:crw@stjohnsross.org)

[Update Profile](#) | [Customer Contact Data Notice](#)

Sent by pstreeter@townofross.org powered by



Linda Lopez

From: Joe Chinn - Town Manager
Sent: Thursday, May 6, 2021 2:47 PM
To: Linda Lopez
Subject: Frederick Allen Park Questionnaire is skewed in its design

From: Leslie OConnell <laoconnell@sbcglobal.net>
Sent: Sunday, April 18, 2021 6:59 AM
To: Julie McMillan <juliemcmillan@comcast.net>; Elizabeth Robbins <eliz.robbins@gmail.com>; Elizabeth Brekhus <elizabethb@brekhus.com>; Bill Kircher <cwkmisc@gmail.com>; Beach Kuhl <beachkuhl35@gmail.com>
Cc: Richard Simonitch <rsimonitch@townofross.org>; Joe Chinn - Town Manager <jchinn@townofross.org>
Subject: Frederick Allen Park Questionnaire is skewed in its design

Dear Mayor and Council Members,

The Frederick Allen Park Questionnaire is skewed in its design. Decisions are affected by whether information is presented using "gain framing" versus "loss framing." On the questionnaire, all of the reasons one can endorse for choosing the newly renamed "Option A" or "Creek Access Option" (the name itself suggest a gain) are stated in terms of gain. In contrast, the reasons for choosing "Option B" are negative and less optimistic. Studies in decision-making show that people generally will prefer choices using a gain frame.

This is not an honest way to access public opinion.

Respectfully,
Leslie O'Connell

From: [Joe Chinn - Town Manager](#)
To: [Richard Simonitch](#); [Linda Lopez](#)
Subject: Fredrick Allen Park Development Option A
Date: Wednesday, April 28, 2021 2:55:38 PM

From: Leslie Bergholt <lesliebergholt@yahoo.com>
Sent: Wednesday, April 28, 2021 2:54 PM
To: CouncilAll <towncouncil@townofross.org>
Subject: Fredrick Allen Park Development Option A

Dear Ross Town Council,

I am writing to voice my opposition to the proposed Fredrick Allen Park development. Option A, or the “creek access” option, will denude Frederick Allen Park of many valuable trees that shade the parkway and protect the surrounding neighborhood from noise. In addition, I believe this proposed development could potentially damage the value of homes surrounding the area.

Get rid of the fish ladder and call it a day.

Please vote No on option A, or the “creek access” option!

Sincerely,

Leslie Davalos Bergholt
Ross Resident - 1 Southwood

From: [Richard Simonitch](#)
To: [Tyler Child](#); [Jon Child](#)
Cc: [Elizabeth Brekhus](#)
Subject: RE: Frederick Allen Park Options in Ross
Date: Monday, April 26, 2021 9:53:00 AM

1. The proposed floodwall appears to end near your southeast corner so you would see 2 new trees planted in the park right behind your fence (a Toyon and California Lilac is currently proposed), and you would look 6' down and 15' over on the new multi-use path with a naturalized creek another 40' beyond the path.
2. It is almost impossible to know what the Corps will do. I don't think the current trees planted along the channel top were done with the Corps' blessing so that might be an issue with them, or it might not. With Option B, It is unlikely even in the worst case that the Corps will require any tree removal beyond the current location of the multi-use pathway.
3. By visual mock up of Option B, I assume you mean what does the creek bottom look like without the fish ladder. The County has not generated that visual as far as I know.

Richard Simonitch
Public Works Director/Town Engineer
Town of Ross
P.O. Box 320
Ross, CA 94957
(415) 453-1453 ext. 115

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From: Tyler Child <tylerbchild@gmail.com>
Sent: Monday, April 26, 2021 9:25 AM
To: Jon Child <child.jon@gmail.com>
Cc: Richard Simonitch <rsimonitch@townofross.org>; Elizabeth Brekhus <elizabethb@brekhus.com>
Subject: Re: Frederick Allen Park Options in Ross

Thank you Richard.

As a follow-up to your Option B description, I have a few questions.

1) As far as Option B impacts 29 Polar Avenue what could be expected to see out our back gate in a scenario where the Army Corp does not require tree removal?

2) What would instigate the Army Corps. permit approval requirement of tree removal along the channel? How far into Frederick Allen Park would that extend? Is there a chance with this scenario where tree removal and landscaping are changed up to our house and across the channel?

3) Does the town have a visual mock-up of Option B similar to the Option A project board you have posted?

Thank you again for your time and I appreciate your patience with the multiple emails.

Tyler

On Mon, Apr 26, 2021 at 9:01 AM Jon Child <child.jon@gmail.com> wrote:

Thank you Richard.

Had one more question, is there any materials or details on the flood wall construction in Option A?

On some of the schematics posted at the park, show the flood wall and pink box around the flood wall that overlaps on to 3 structures. But there is very little detail in the EIR about the proposed flood wall.

I am referring the flood wall next to the proposed path and overlapping onto residential residences on poplar avenue.

Any details would be helpful. It appears that property owners would be left to deal with FEMA or Army of Engineers on how to handle structures adjacent to wall or with-in 15 feet of the wall.

Is it possible the design requires the destruction or removal of those structures?

As one of those property owners affected, trying to clarify.

Thanks again for any help.

-Jon

On Mon, Apr 26, 2021 at 8:37 AM Richard Simonitch <rsimonitch@townofross.org> wrote:

Hello Tyler,

Visually, with Option B, people will continue to walk and ride through Frederick Allen Park and will see no difference in the park whatsoever. If you looked down into the creek you would notice that the wooden fish ladder behind 3 Ross Common would be gone, some work was done in the natural creek bottom up to Lagunitas bridge, and you would also see more and bigger fish resting pools in the concrete channel.

So Option B has far less construction impacts to the Town; we would hardly notice any construction at all.

Some things to consider with Option B:

In larger flood events, Option B (compared to Option A) provides slightly less flood risk reduction, mainly for the homes along Poplar and Ross Common, but also slightly decreases the water elevation back in the channel.

There is a chance that when the Army Corps of Engineers permit the removal of the fish ladder they will require the trees along the channel both in Frederick Allen Park and the other side to be removed within 15' of the channel.

I hope this helps, let me know if you have any other questions.

Richard Simonitch
Public Works Director/Town Engineer
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From: Tyler Child <tylerbchild@gmail.com>
Sent: Sunday, April 25, 2021 5:12 PM
To: Richard Simonitch <rsimonitch@townofross.org>; Elizabeth Brekhus <elizabethb@brekhus.com>
Cc: Jon Child <child.jon@gmail.com>
Subject: Frederick Allen Park Options in Ross

Greetings,

It was nice to see both of you on the recent town walk discussing the Fredrick Allen Park options. I wanted to follow up with you and see if you could provide me with a more detailed look at Option B. I am unclear of the exact details and would like to make an informed decision.

If either of you is not the correct contact would you please let me know who I can reach out to that will have more information?

Thank you and we look forward to hearing more at the upcoming meeting.

Tyler Child

John C. Crane

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May 1, 2021

Dear Mayor and Council Members, Town of Ross:

RE: Take a Walk in the Park | Frederick Allen Park

Today I took a walk in Frederick Allen Park, and I would like to encourage the Town Council to do the same. I went around 2 PM today (Saturday May 1, 2021) and shot a few iPhone photos. But photos are no substitute for the experience of actually being in the Park, watching how people enjoy it and how incredibly wonderful it is. I hope you will take the time to go see it first-hand before the May 13th Council meeting.

And I hope you will note that cutting down the mature trees, removing the concrete channel and replacing them with flood walls that can't have trees within 15' of them will destroy a lush and dense environment. If we destroy what we have today, it will take at least 20 years to even come close to what we already have.

And with the drought now officially declared, why would we cut down mature trees with deep roots and replace them with immature trees that will need a ton of water to get established?

I hope you will take a walk in the park and enjoy the experience. It's a treasure we should all be proud of and protect.



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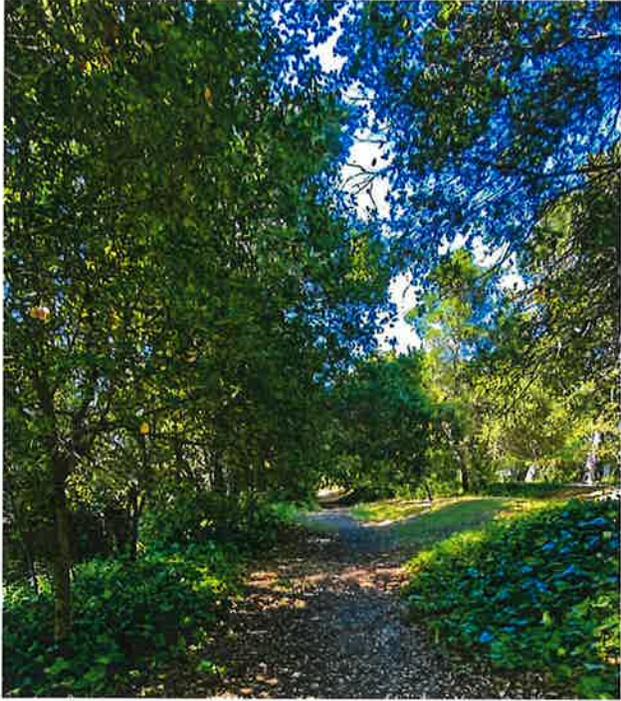
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Thank you for your consideration.

John Crane

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April 30, 2021

Dear Mayor and Council Members, Town of Ross:

RE: Liability and Responsibility for The Corte Madera Creek Flood Risk Management Project

Option A does not offer significantly more flood benefit than Option B. The major difference between the two is that with Option A, the Town of Ross will take on greater liability, more responsibilities, more expense, and subject homeowners to loss of privacy and potential harm. I hope the Town of Ross will require indemnification and funding from the County to pay for all of this. There are much more serious issues facing the Town.

Many potential CEQA impacts have been identified in the DEIR, but few have been analyzed in detail at the workshops. And although CQEA may not look at financial considerations; the Town of Ross and residents would be wise to consider them before adopting a costly plan.

For instance:

- Removing the concrete channel and restoring natural creek banks will increase erosion. Higher velocities - which are already “relatively high” according to Robin J. Lee, PE of Schaaf and Wheeler who prepared the peer review for the Town – will also contribute to erosion. This will require the removal of the “sediment buildup within the proposed floodplain” as noted in the Town of Ross comment letter. Will the County or Town fund its removal?
- Option A’s “Creek access” also periodically increases the risk to people and dogs for pollutants and bacteria. This is noted on page 3.9-20 in the Corte Madera Creek Flood Risk Management Project Draft EIR:

The creek experiences a variety of water quality problems related to nonpoint-source pollution from urban runoff (4.1 miles of storm sewers), septic systems, road and bank erosion; specific concerns include pesticides, bacteria, particulates (sediment), and nutrients (Town of Ross 2009, CCA 2002, in (USACE, 2010)). As stated in DEIR: Friends of Corte Madera Creek Watershed (2006) found elevated levels of both E. coli and Enterococcus at several stations within Corte Madera Creek. *These counts periodically exceeded federal contact recreational criteria.*

- When overland flows become trapped behind the proposed flood walls how will it be removed? Who will be financially responsible for removing it? The homeowner? The Town? The County?
- What happens when the removal of trees and shade and widening of the creek increases water temperature? The DEIR notes that higher water temperatures could exacerbate existing problems with algae and aquatic plant growth and stress migrating salmonids. If

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this happens who will pay for creek restoration?

- How much will the Frederick Allen Park makeover increase on-going maintenance responsibilities, policing, and keeping the public safe during high water events and flooding? Will the Town of Ross have to include this in future budgets or will the County provide funding?

Furthermore, instead of updating the hydrological studies, the old USACE models have simply been repackaged as a cost savings measure. The May 12, 2020 Staff Report and Agreement for Panorama Environmental, Inc. explicitly says:

Utilizing the USACE led-EIR will expedite the preparation of a new Draft EIR and provide a cost savings as the Consultants will utilize the 2018 CEQA technical studies.

This is problematic for many reasons. Including that the 2018 USACE-led EIR, only had one alternative that met the Corps criteria and that was Alt. J. Alt J included the bypass tunnel under Sir Francis Drake Boulevard, and now that has been eliminated without a viable alternative to replace it. In other words, after terminating the USACE, the County has now decided to effectively “bypass” Unit 4 altogether. Where will all the water that was going into the Alt. J bypass tunnel going to go now?

Much of the current work being done by consultants is focused on “selling the project” to the Town of Ross and its residents. Panorama Environmental, Inc. is being paid \$936,493 to create fanciful renderings of trees, paths and shade structures, enhanced presentation graphics, and recycling data that has already been rejected. Suffice it to say that aggressive marketing – done with taxpayer money – is no substitute for providing viable solutions to flooding. That one million dollars could have been put to better use.

Option B does less harm, provides virtually the same flood benefits as Option A and is far less disruptive and costly. It is a much better choice for the Town of Ross. Needless to say, Option B should include County indemnification and funding for maintenance, and other expenses.

Thank you for your consideration.

John Crane