

To: SFCJPA Board of Directors and Alternates
Date: February 22, 2022
Subject: Regular Update

Honorable Board members and Alternates –

There are no pressing action items for the SFCJPA Board’s consideration this month. We are providing this memo in lieu of a February Executive Director’s report.

Project Updates

Reach 2 Project -

Good news:

Original \$3M HMGP grant award has been confirmed for the P/C bridge. An additional budget request is under consideration. A determination is anticipated within two months. A ‘Welcome Call’ with CalOES occurred on 2/14. The official grant kick-off meeting for the grant is scheduled for March 3rd. Our ‘Period of Performance’ has officially begun.

Permit application schedule:

We anticipate having all required information compiled for an early April draft permit application submittal.

Channel Widening:

USACE has completed their preliminary hydraulic and economic analyses of the proposed project. These are key steps in determining potential damages from future floods and the economic benefit of investing federal funding towards construction. The preliminary results of the economic analysis will be shared with staff on Feb 23.

Site 5 West Bayshore Inlet

We have learned more about the original construction of the concrete block wall in the Site 5 vicinity. This wall was not built to FEMA standards. Because upstream bridge replacement and widening work will convey more water downstream, we must be very careful not to transfer risk to this downstream site. It now appears more likely that this widening site can’t be deferred and must be included in the overall Reach 2 work. To prepare for this possibility, we are including the proposed work at Site 5 in our permit applications and will begin to explore additional design possibilities for this site.

Palo Alto and East Palo Alto Top-of-Bank Features

There are existing, aging structures along a section of the creek bank downstream of the Newell Bridge that protrude above the top of the natural bank. On the East Palo Alto side, this is a long gravity wall (a heavy, trapezoidal concrete structure) along Woodland Avenue. On the Palo Alto side, this is a long sack-crete structure at the top of the bank. Valley Water (VW) is concerned that the structural integrity of these aging features (built in the late 1960's) may not be reliable enough to withstand additional flows resulting from replacement of the bridges. We want to be sure we are not transferring risk to these areas. Therefore, we are working with Valley Water to obtain Permissions to Enter enabling Valley Water's survey team to access private properties on the Palo Alto side to conduct an evaluation.

The exact necessity, scope, cost, timing, construction design details, logistics, FEMA, and regulatory permitting implications for this work are being evaluated. No final determinations of any kind have been made so far. However, we will need to produce a supplementary CEQA document if those structures are to be repaired or replaced. The supplementary CEQA process will require about a year. SFCJPA and VW legal teams and staff are conferring and if it will be needed, intend to begin this process promptly upon determination.

Outreach to Top-of-Bank area neighbors along Edgewood drive has begun. Margaret is actively reaching out to property owners and is collecting official "Permission to Enter" authorizations from both channel widening and top-of-bank areas so that Valley Water can plan for and conduct their survey and evaluation work.

As of February 22, 15 of the necessary 47 Permissions to Enter (PTEs) have been obtained. We hope to have all willing property owners' PTE's in hand before the end of March. Because the existing top-of-bank structure on the East Palo Alto side is along Woodland Avenue, the structure can be surveyed without entering private property. We do not anticipate needing any PTEs for the East Palo Alto side of the creek.

Reach 2 Project Costs and Funding Status

We coordinate regularly with our colleagues at Valley Water to update the Reach 2 project costs and funding information to reflect recent changes in the project and in known or anticipated grant funding. The summary table below includes our most recent project cost estimates and funding projections as of February 10, 2022.

Assuming all grants & USACE (Best Case)	Assuming all but USACE (Potential A)	Assuming all but Cal Trans (Potential B)	Assuming NO CalTrans or USACE (Conservative)	Assuming No Cal Trans, USACE or Prop 1 (Worst Case)
\$11,768,974	\$19,968,974	\$20,710,150	\$28,910,150	\$31,785,150

Summary of Reach 2 Project Elements and Status

Reach 2 Elements	Design	Permitting	Rights of Way	Utility Relocations	Construction Funding
Status	50% - 90%	<p>Work on potential optimization of widening sites to minimize impacts to trees, creek channel and property owners has been completed and recommendations have been reviewed and accepted by Valley Water. Supplemental CEQA documentation will be needed for repair or replacement of existing top of bank features in Palo Alto.</p>	<p>Coordination ongoing between SFCJPA and Valley Water re. rights of way process.</p> <p>Additional right-of-way work will be necessary for future repair/replacement of existing top-of-bank features in Palo Alto.</p> <p>Letters to property owners have been mailed, and initial conversations with residents have begun. Valley Water is leading on easements for channel widening in Santa Clara County.</p> <p>SFCJPA is supporting VW by conducting individual outreach to property owners for initial Permissions to Enter (PTEs).</p>	<p>Utility relocation coordination is underway. PG&E has assigned a new PM for coordination.</p>	<p>Previously 'wait listed' HMGP channel work funding application is now 'active' and seems likely to be funded for the requested \$5M in construction funding.</p>
This Month's Update	<p>V.W will lead any necessary design for repair /replacement of existing top of bank features.</p>	<p>An all- agency meeting was held February 8, 2022.</p> <p>Draft permits applications will be submitted April 1, 2022.</p>	<p>Notice of Determination to appraise property owned by San Mateo County for Reach 2 easement will need to be</p>	<p>Design information and recommendations for temporary and permanent locations of the two PGE and ATT jointly owned electrical and communication</p>	<p>VW and SFCJPA have been coordinating on the expanded grant request with CalOES, and the</p>

Reach 2 Elements	Design	Permitting	Rights of Way	Utility Relocations	Construction Funding
			brought to Board in Q1 '22.	poles near Pope Chaucer Bridge has been shared with PGE. PGE can take lead on these, but the two smaller communication poles with ATT must be coordinated separately. In consultation with the City of Menlo Park, the PGE electrical poles will be replaced in very similar locations.	updated application has been submitted.
For Next Month (March '22)	CAP 205 hydraulic modeling to support design development to be completed. Corps to test performance of SFCJPA alternative against other alternatives.	Draft 401 and 404 packages for bridges and channel work being compiled for an April submission. Informal consultation with USFWS and NMFS is underway. Formal consultation will begin when final permit packages are submitted.	Steps to begin process of preparing plats and legal description for easements from San Mateo County. VW will continue easement acquisition legal process for Santa Clara County parcels. SFCJPA will continue outreach to creek-side neighbors downstream of Newell bridge.	Continue coordination of utility relocation for overall project with PGE, not just Pope Chaucer Bridge. Develop cost estimates with utility companies.	Respond as needed for any Requests for Information from Cal OES.
Potential Issues	VW and SFCJPA are evaluating top of bank	Addition of fish migration elements could decrease	Negotiating with private property owners.	Temporary relocation of the four poles is required during	Not all funding sources have been

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	structures downstream of Newell Road.	hydraulic capacity and increase project footprint and costs	Potential repair/replacement of existing top-of-bank features in Palo Alto will increase the scope of necessary easement access needs.	construction. At present, the Bridge Engineer of Record stated that permanent relocation is not required. Costs to this are being evaluated.	secured through agreements and others have timelines that must be met

Reach 2 Milestones

Milestone	By Jan '22)	By July '22)	By Jan '23)	2023/2024 Construction/ Completion
Determination of Site 5 action (in progress)				
USACE FSCA and Feasibility Study				
Acquire land easements				
Utility relocation				
Permits acquired				
Funding agreement				
O&M agreement				
Final Design				
Bid and Award				
Construction of Newell Bridge				2023
Construction of Widening Sites				2023(?)
Construction of Pope Chaucer Bridge				2024
Top-of-Bank ds of Newell				2023/2024

Upstream Detention Evaluation

Our consultants have prepared a draft concept design based on an initial engineering feasibility assessment. We have shared this preliminary information with Stanford and will be providing them a site work plan (where we need to go to gather more information) as stipulated in our site access agreement. We will then revisit the site to collect additional data to get a better understanding of potential environmental impacts of construction.

SAFER Bay

We received notification on February 4, 2022, that our Measure AA grant application for \$4.9M over the next two years was recommended for partial funding. On February 18 we were notified that we will only be receiving \$1M, total. However, there will be future opportunities to apply for additional funding, and we will be diligently preparing for the opportunity. We will be working with staff at the San Francisco Bay Restoration Authority (SFBRA) as they prepare their written recommendation to the SFBRA Governing Board for approval at a public meeting.

Notice of Preparation (NOP) Issuance – The NOP for a Programmatic EIR has been delayed as we evaluate a combined CEQA and NEPA process. There are distinct advantages to a combined process. We will release the NOP once our CEQA/NEPA path forward has been confirmed. USACE is likely to be the NEPA lead agency, with USFW agreeing to be a Coordinating Agency.

We are continuing outreach to project partners and stakeholders. We have met with Don Edwards National Wildlife Refuge, the USACE Santa Clara County Shoreline Project team, CalTrans, BCDC, and other key stakeholders. We are in regular communication with our City partners.

A recent State program to support local community cost-sharing, called PrepareCA, has enabled the SFCJPA and East Palo Alto to request funding for East Palo Alto's match share of the East Palo Alto/SAFER Bay HMGP grant.

Reach 1 Project

We installed 420 gumplant plants in the Reach 1 restoration area last month to supplement marsh restoration plants installed over the past several years. The drought caused growth of invasive species and the new plants will allow us to continue to stay ahead of the final success criteria. The plant specimens were grown in Grassroots Ecology's native plant nursery. Care of the native plants will continue until they are established.

Form 700- Reminder

The Political Reform Act requires public officials to disclose assets and income that may be materially affected by their official actions by filing a "Statement of Economic Interests" (also known as a "Form 700"). All Board members and alternates must file a Form 700 with the SFCJPA. Forms should be mailed to the SFCJPA office attention Clerk of the Board or sent electronically to the Clerk of the Board to mhparker@sfcjpa.org. Please visit the FPPC website for filing information. <https://www.fppc.ca.gov/Form700.html>

Board members must send their Form 700 to the SFCJPA Clerk of the Board no later than April 1 of each year or as posted by the FPPC.

Operations/Administration

We are compiling the first draft of the next fiscal year's budget for the Finance committee's consideration. The Finance committee will be meeting on February 24th.

March Board Meeting

The March regular board meeting is scheduled for Thursday, March 24 at 3:30 P.M. The agenda will include a review of the draft budget for the next fiscal year and the Executive Directors annual performance evaluation.

In the News

The following are recent articles touching on issues related to the SFCJPA's work which the board may find informative.

<https://www.latimes.com/environment/story/2022-02-21/growing-wildfires-pose-new-problems-for-water-supply#:~:text=As%20drought%20lingers%2C%20larger%20and,new%20threats%20to%20water%20supply&text=Already%20diminished%20by%20drought%20and,land%2C%20according%20to%20new%20research.>

[“We're Kind of Built on This Knife's Edge” \(altaonline.com\)](#)

<https://www.nbcbayarea.com/news/local/climate-in-crisis/rising-seas-could-raise-insurance-rates-of-those-living-near-water/2816932/>