



SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY
SFCJPA.ORG

**Notice of Regular Meeting of the
BOARD OF DIRECTORS
City of Palo Alto Council Chambers
250 Hamilton Avenue, Palo Alto, California
June 29, 2017 at 3:30 p.m.**

AGENDA

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MEETING MINUTES: May 25, 2017 Regular Board meeting
4. PUBLIC COMMENT – *Individuals may speak on any topic for up to three minutes; during any other Agenda item, individuals may speak for up to three minutes on the subject of that item.*
5. REGULAR BUSINESS – Executive Director’s Report
 - a. S.F. Bay-Highway 101 project: discuss construction activities and planning
 - b. Upstream of Highway 101 project update
6. BOARD MEMBER COMMENTS – *Non-agendized requests or announcements; no action may be taken.*
7. ADJOURNMENT

PLEASE NOTE: This Board meeting Agenda and supporting documents related to items on the Agenda can be viewed online by 3:30 p.m. on June 26, 2017 at sfcjpa.org -- click on the “Meetings” tab near the top.

NEXT MEETING: Regular Board meeting, July 27, 2017 at 3:30 PM, City of Menlo Park Council Chambers

San Francisquito Creek Joint Powers Authority
June 29, 2017 Regular Board Meeting
Agenda Item 3
May 25, 2017 Board Meeting Minutes

Director Pine called the meeting to order at 3:38 p.m. at the City of East Palo Alto Council Chambers, East Palo Alto, California.

DRAFT

1) ROLL CALL

Members Present: Director Pine, San Mateo County Flood Control District (SMCFCD)
Director Abrica, City of East Palo Alto
Director Keith, City of Menlo Park
Director Scharff, City of Palo Alto (not present at roll call)

Members Absent: Director Kremen, Santa Clara Valley Water District

JPA Staff Present: Len Materman, Executive Director
Kevin Murray, Staff
Miyko Harris-Parker, Staff
Tess Byler, Staff

Others Present: Trish Mulvey, Palo Alto resident; Jerry Hearn, Portola Valley Resident;
Russell Chen, SCVWD; Sean Charpentier, City of East Palo Alto; Ann Stillman, SMCFCD; Azalea Mitch, City of Menlo Park

2) APPROVAL OF AGENDA

Director Abrica made a motion to approve the agenda. Director Keith seconded. Agenda approved 3-0. Director Scharff not present at time of vote. Director Kremen not present.

3) APPROVE BOARD MEETING MINUTES: APRIL 27, 2017 REGULAR BOARD MEETING

Chairperson Pine made a motion to approve the April 27, 2017 Regular Board meeting minutes. Director Abrica seconded. April 27, 2017 Regular Board meeting minutes approved 2-0. Director Keith abstained. Director Scharff not present at time of vote. Director Kremen not present.

4) PUBLIC COMMENT

None

5) REGULAR BUSINESS

S.F. Bay-Highway 101 project: discuss construction activities and planning

Mr. Materman provided an update on the Bay-101 project activities.

Director Scharff arrived at 3:40 pm.

Director Keith asked for clarification on the scheduled start and completion of the floodwall installation in East Palo Alto. Mr. Murray responded that floodwall installation on the East Palo Alto side would begin in late July and be completed by October 15. Mr. Materman noted that floodwall installation in Palo Alto will be mostly done but cannot be completed until PG&E removes the old pipeline after the new pipeline is installed, likely in mid-October.

Upstream of Highway 101 project update

Mr. Materman provided an update on the creek project upstream of Highway 101, including plans for an upcoming public engagement process to inform the development of our project alternatives and Environmental Impact Report and to inform the communities.

San Francisquito Creek Joint Powers Authority

June 29, 2017 Regular Board Meeting

Agenda Item 3

May 25, 2017 Board Meeting Minutes

Director Keith asked if there would be one public meeting scheduled in each city. Mr. Materman explained that the meetings would not be repetitive meetings like the scoping meetings were earlier this year, but that each of the three planned public meetings would build upon discussions from previous meetings, and therefore there may not be a meeting scheduled in each of the cities. Director Keith replied offering the Laurel School campus as a meeting site and she volunteered to meet with Mr. Materman and the facilitator of the meetings.

Director Scharff asked for clarification on what information will be presented in these public meetings. Mr. Materman explained that the information would include updating the public on the results of the scoping process and alternatives and discussion of what we understand the impacts to be. Director Scharff asked what the timeline is for the completion of a project upstream of 101 to protect against a flood similar to what occurred in 1998. Mr. Materman provided an outline of a potential schedule for the upstream project; complete the Draft EIR in 2017, receive public comments and develop the Final EIR in early 2018, get the EIR certified and apply for permits, with construction anticipated to start in 2019 or 2020. Mr. Materman noted that the Newell Road Bridge replacement is critical to the upstream project as the Pope-Chaucer Bridge cannot be modified until the Newell Bridge is replaced.

Jerry Hearn, Portola Valley Resident, expressed his opinion that the SFCJPA is attempting to, and needs to be, thoughtful with its interactions the Regional Water Quality Control Board as the Water Board has urged the SFCJPA to have a collaborative stakeholder process. Mr. Hearn noted that Mr. Materman sent a letter to the Regional Water Board to seek clarification on what it expected and its response to the JPA was vague so Mr. Hearn wondered if Regional Water Board staff should be involved in the designing of the public engagement process.

Trish Mulvey, Palo Alto resident; concurred with Mr. Hearn's comments. Mrs. Mulvey read a paragraph from the April 25 letter sent to Mr. Materman from the Regional Water Board regarding its expectations of the SFCJPA's public outreach process. Mrs. Mulvey stated that she has been talking with SFCJPA staff on process design ideas.

Directors Pine and Keith volunteered to work with Mr. Materman in June on the public outreach process and on outreach to the Regional Water Board.

Update on grant funding and grant applications

Mr. Materman provided the Board with a brief update on the SFCJPA's status of grant applications and grant funding received to date.

Director Keith asked that the funding available for the upstream project including any grants that the SFCJPA may be applying to be discussed at an upcoming SFCJPA meeting.

Approve Fiscal Year 2017-18 Salary Schedule

Mr. Materman presented the Fiscal Year 2017-2018 Salary Schedule for approval. Director Keith made a motion to approve. Director Abrica seconded. Fiscal Year 2017-2018 Salary Schedule approved 4-0. Director Kremen not present.

6) BOARD MEMBER COMMENTS

Mr. Materman reminded the Board that the next meeting of the Board is on June 29, 2017, with a scheduled 3:30 start time.

7) ADJOURNMENT

Chairperson Pine adjourned the meeting at 4:59 pm.

Minutes Prepared by Clerk of the Board: Miyko Harris-Parker.

San Francisquito Creek Joint Powers Authority
June 29, 2017 Regular Board Meeting
Agenda Item 5
Executive Director's Report

With the help of Kevin Murray, Miyko Harris-Parker, and Tess Byler, I am pleased to submit the following:

a. S.F. Bay-Highway 101 project: discuss construction activities and planning

Over the past eleven months we have discussed construction activities for our project to improve public safety and recreation, and increase marsh habitat from the Bay to Highway 101. The following summarizes the progress of construction activities since the last Board meeting five weeks ago.

The SFCJPA, Santa Clara Valley Water District (SCVWD), cities of Palo Alto and East Palo Alto continue to meet weekly with the SCVWD's levee and floodwall contractor (Teichert Construction) to coordinate construction activities, work sequencing and permit compliance. Additionally, the SFCJPA continues to coordinate utility relocation with those entities, the City of Palo Alto's Golf Course project, PG&E, and the East Palo Alto Sanitary District (EPASD).

Below is an update on the construction activities underway or planned for 2017:

- In May, the SFCJPA submitted formal requests to regulatory agencies to allow for the dewatering of, and construction in, the channel beginning June 1 of this year, which the agencies approved. In early June, Caltrans installed a coffer dam upstream of West Bayshore Road and Teichert installed a coffer dam downstream near Geng Road to block creek flow and incoming tides. This has enabled construction in the creek between the two coffer dams for Caltrans' construction of the Highway 101 and East and West Bayshore bridge and Teichert's construction of the new floodwalls and marshplain in the channel.
- A diversion system, aided by the use of a wet well at the City of Palo Alto Pump Station, was installed to bypass water coming down the creek around the construction site.
- Floodwall installation began on June 10, and will continue on the Palo Alto side from East Bayshore Road to Geng Road and on the East Palo Alto side from East Bayshore Road to Daphne Way for the remainder of this construction season.
- The existing Palo Alto levee from East Bayshore Road to Geng Road is currently being excavated; some of the excavated soils will be used to build a trail/maintenance road behind the new floodwalls.
- In-channel sediment on the East Palo Alto side is currently being excavated, and a portion of the excavated soils will be used to build a trail/maintenance road from East Bayshore Road to Daphne Way behind the installed floodwalls.
- Excavated material from both sides of the creek that are suitable for levee fill will be used for the new Palo Alto side levee on former Palo Alto Golf Course land. The SFCJPA has provided the City of Palo Alto the first payment (\$500,000) of the \$3 Million mitigation fee for project impacts to the Golf Course.
- Since construction of floodwalls in the upstream portion of the project between East Bayshore Road and Geng Road/Daphne Way will be completed this season, and construction of levees from Geng Road/Daphne Way to downstream of Friendship Bridge will be completed next season, the SFCJPA's design consultant has developed tie-in features to be built this fall that will connect the new floodwalls to the existing levees. These features will provide interim flood protection over the winter in the gaps between this year's work and next year's in-channel work to begin in June 2018.
- PG&E plans to mobilize next month to install the cross-creek portion of their new gas pipeline, and complete this work in October, at which time they will then remove portions of the abandoned line outside of the existing channel (Teichert will remove portions of the abandoned line under the existing creek channel and levees in 2018). The U.S. Fish & Wildlife Service and CDFW have approved an SFCJPA request of a site-specific exemption to the Ridgeway's Rail buffer zone that will allow PG&E's work to proceed this summer.

San Francisquito Creek Joint Powers Authority
June 29, 2017 Regular Board Meeting
Agenda Item 5
Executive Director's Report

- Between September 1 and October 15, the East Palo Alto Sanitary District plans to install its new sewer line under the creek and tie into its pipeline along the northern boundary of the Palo Alto Golf Course.
- Between September 1 and January 31, Teichert is planning to degrade the abandoned levee that separates the creek from the Outer Faber Tract adjacent to the northern end of the Palo Alto Airport runway. The SFCJPA is securing FAA clearance for project activities, and continues to work with Airport management to minimize the impacts of construction activities on Airport operations.

Additionally, since the last Board meeting, a small contract for stormwater permit support and worker environmental awareness training has been developed between the SFCJPA and Keish Environmental.

The SFCJPA, through a contract with Freyer & Laretta Engineering, has advertised for construction bids for a contractor to relocate the fire hydrant on the Public Storage property in East Palo Alto, and we intend to bring a contract to the Board for approval at the July 27 meeting. The timing of this construction does not impact the timing of other construction activities.

The SFCJPA, through a contract with HT Harvey and Associates, has completed 60% design for the installation of upland refugia mounds and marsh plantings required as mitigation for project impacts to the habitat of special status species. Last fall, the SFCJPA pre-qualified three contractors that specialize in this type of habitat restoration work, and we are currently developing bid documents with the intent of advertising for construction bids in late July and construction occurring between September 1, 2017 and January 31, 2018, the period outside of the nesting season for the endangered Ridgway's Rail.

Finally, mitigation plantings in and alongside the creek are becoming established.

b. Upstream of Highway 101 project update

As discussed at previous Board meetings, the SFCJPA continues to move forward with project planning and environmental documentation for a capital project upstream of Highway 101, and is partnering with the U.S. Army Corps of Engineers to prepare parallel environmental documents. Completion of our EIR separate from, but coordinated with a Corps Feasibility Study Report/Environmental Impact Statement of similar alternatives, will preserve the SFCJPA's opportunity to seek federal funding and early input from federal regulatory agencies, but also to implement improvements on our own or on our own schedule, should there be delays to the federal process.

Corps staff have requested from the SFCJPA the remaining cost (\$50,000) to establish the federally preferred project alternative (called the National Economic Development, or NED, Plan) and have informed us of the remaining cost to complete its Draft Report/EIS and the environmental related documents that are part of the Draft Report (about \$600,000). I have agreed to provide \$50,000 to the Corps' so that it can develop the NED Plan, and SFCJPA and SCVWD staff are now reviewing the costs and benefits of providing further funding to the Corps to complete the Draft Report/EIS.

Meanwhile, we continue to coordinate closely with the Corps and Stanford University on project alternatives and our evaluations of these alternatives. SFCJPA staff and our EIR consultant (ICF) are currently working these entities and SCVWD staff to more precisely define the project alternatives and gather information on temporary and permanent impacts.

Our objective is to move forward with a project that is meaningful to – and supported by – our communities, and achievable within regulatory and land constraints. To achieve this objective, we will use the information being gathered for our EIR to engage the public with meetings planned to begin in late-August.

San Francisquito Creek Joint Powers Authority
June 29, 2017 Regular Board Meeting
Agenda Item 5
Executive Director's Report

Over the past seven months, we have engaged stakeholders well beyond the requirements of the California Environmental Quality Act (CEQA) by hosting site tours with state and federal regulatory agencies; four public meetings on the scope of the EIR; presentations to a city commission, City Council, and neighborhood association; and discussions at our monthly SFCJPA Board meetings.

As discussed at the last SFCJPA Board meeting, the Regional Water Board has indicated to the SFCJPA that a public engagement process beyond the requirements of CEQA is a requirement of its permit. Given that, in February of this year I requested specific suggestions from the Regional Water Board on this process, and I received a response that lists the key elements necessary for a successful public engagement process, including the use of a neutral facilitator who follows sensible ground rules at meetings on neutral ground, where broad attendance by the public and public agency representatives is encouraged. I agree with these key elements, and in mid-June, I began working with one of the facilitators suggested by the Regional Water Board to design the public engagement process. Our goal is to hold three meetings that inform the communities of our progress and that add value – but not delays – to our process. We have focused our efforts on this topic with the Regional Water Board because it is the only regulatory agency that has raised the issue in regards to permitting the project. Finally, at the last SFCJPA Board meeting we also discussed our desire for an efficient and harmonious water quality certification permitting process on this project; to help achieve that I have set up a meeting next month with a Regional Water Board member and that agency's senior staff.

Submitted by:



Len Materman
Executive Director