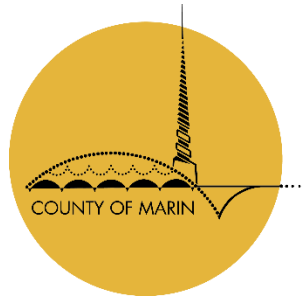




FLOOD CONTROL AND WATER CONSERVATION DISTRICT

AGENDA DATE: October 20, 2026

TO: Marin County Flood Control and Water Conservation District Board of Supervisors

FROM: Robin Bartlett, Public Works, Assistant Director

REVIEWED BY: Christopher Blunk, P.E., Director of Public Works

SUBJECT: Request from the Marin County Flood Control and Water Conservation District to Adopt the Supplemental Environmental Review (SER) and Subsequent Mitigated Negative Declaration (MND) for the Santa Venetia Floodwall Project and authorize staff to enter into and execute Right-of-Way Contracts and Easement Agreements needed to implement the Project.

RECOMMENDATION: 1) Adopt the Supplemental Environmental Review (SER) and Subsequent Mitigated Negative Declaration (MND) for the Santa Venetia Floodwall Project, a supplement to the 2019 Gallinas Levee Upgrade Initial Study/Mitigated Negative Declaration, after considering the environmental review record and comments received during public review; and 2) Authorize the County Executive or designee, on behalf of the Flood Control and Water Conservation District, to negotiate, approve, and execute Right-of-Way Contracts, Easement Deeds and Certificates of Acceptance with property owners as necessary to acquire the property rights needed to implement the Project, subject to available Project funding and the Assistant County Executive's delegated spending authority, and using agreements substantially similar in form to the District's standard agreement templates (Attachments 2, 3 and 4).

SUMMARY: The Marin County Flood Control and Water Conservation District Zone 7 (District) proposes to replace the aging Timber-Reinforced Berm (TRB), a key component of the Santa Venetia levee system, with an approximately 7,800-foot sheet pile floodwall. The proposed floodwall would extend from 55 Meadow Drive, west of the Meadow Drive Bridge, to Pump Station 5, just east of 825 Vendola Drive, and would be designed to provide protection from a 100-year flood event (a flood with a 1% chance of occurring in any given year).

The District previously proposed reconstructing and raising the existing TRB and completed environmental review in 2019. After increasing construction costs and design changes caused the earlier project to exceed available funding, the District evaluated alternatives and advanced the current sheet pile floodwall concept. Because the revised Project changes the design, construction methods, and access, the District prepared the attached Supplemental Environmental Review (SER). The SER concludes that identified impacts related to biological resources and noise/vibration can be reduced to less than significant through mitigation.

Significant work remains before construction can proceed, particularly securing property rights and sufficient funding. A unique challenge for this Project is that much of the existing levee and TRB was constructed on private property without a continuous District-owned parcel or easement providing the property rights and access needed to construct and maintain a modern public flood-protection project. As a result, the District must secure property rights along approximately 110 properties. The District currently holds permanent easements on approximately 16 properties and is advancing another seven to eight locations with partner public agencies, leaving approximately 85 to 90 additional properties where rights may be needed, subject to refinement through final design.

Given the large number of anticipated property agreements, the second recommended action would authorize the Assistant County Executive or designee to negotiate, approve, and execute Right-of-Way Contracts, Easement Deeds and Certificates of Acceptance needed to implement the Project without requiring each agreement to return to the Board. This authority would apply only within existing delegated spending authority and when sufficient Board-appropriated Project funding is available. Agreements exceeding that authority would be brought to the Board separately for approval.

Funding is another significant challenge. The current planning-level Project cost is approximately \$30 million, and the District does not currently have sufficient funding to construct the Project. The District is evaluating state and federal grants and potential local funding options. Securing the necessary property rights is a critical step toward making the Project eligible and competitive for a broader range of grant funding, as many funding programs require adequate site control before construction funding can be awarded or used.

No construction contract or local funding mechanism is being approved as part of this action.

DISCUSSION

Background: Santa Venetia is a low-lying residential neighborhood adjacent to the South Fork of Gallinas Creek. Originally a tidal marsh, the area was filled and developed beginning in the early 1900s, with most residential development occurring in the 1950s and 1960s. Earthen levees were constructed around the neighborhood to keep out tidal waters, and pump stations were installed to manage interior drainage. Over time, the soft bay mud beneath the fill has compressed, causing the neighborhood and surrounding levees to gradually settle, a process known as subsidence. Today, much of the neighborhood lies below high-tide elevations and depends on the levee and pump systems for flood protection.

The Timber Reinforced Berm (TRB) was constructed after damaging floods in the early 1980s and has provided flood protection for approximately four decades. The Supplemental Environmental Review (SER) documents that the TRB is aging and that subsidence has lowered portions of the flood-protection system below FEMA's base flood elevation. Continued subsidence, combined with rising sea levels, is gradually reducing the protection provided by the existing system. These vulnerabilities were demonstrated in January 2026, when winter storms and unusually high king tides overtopped portions of the existing flood-protection system.

History of Flood Protection Project Development: Flood protection project development in Santa Venetia has been underway for several years. The District previously developed the Gallinas Levee Upgrade Project, which proposed reconstructing and raising the existing TRB. The District completed environmental review for that project in 2019 and subsequently continued advancing design, funding, and the property rights needed for construction and long-term maintenance.

In 2021, Zone 7 voters considered a parcel tax to provide additional local funding for the project to raise the TRB. The measure received 66.29% approval but fell just three votes short of the two-thirds vote required for passage. As a result, the additional local funding anticipated for the project was not available. The District nevertheless continued advancing the project using other available funding.

By 2022, revised construction estimates had increased to more than twice the prior estimate. The increase reflected design changes needed to address levee seepage as well as escalating labor and material costs, supply-chain constraints, inflation, and other construction-market conditions. With the revised project cost exceeding available funding, the District paused the earlier project and evaluated alternative approaches to identify a more feasible path forward.

The District subsequently evaluated alternatives including reconstruction of the TRB, a precast concrete wall, and a sheet pile floodwall. In 2023, the District Board approved advancing the sheet pile floodwall alternative for further design and environmental review. The current Project reflects the District's continued effort to advance a long-term flood-protection solution while adapting to the funding, property-rights, site conditions, and construction-cost challenges that affected the earlier project.

Proposed Project: The proposed Project would construct an approximately 7,800-foot (nearly 1.5-mile) sheet pile floodwall generally along the existing levee alignment from 55 Meadow Drive, west of the Meadow Drive Bridge, to Pump Station 5, just east of 825 Vendola Drive. The floodwall would consist of interlocking vertical sheet piles and may include composite or steel materials.

At Meadow Drive, the Project includes a passive flip-up floodgate, reconstructed roadway and sidewalk, and short concrete walls connecting to the floodwall. Construction would require removal of the existing TRB and certain improvements within the work area and may require both land- and water-side access because of the constrained location behind existing residences.

The District intends to complete floodwall construction in one construction season, generally May through October, with approximately 90 to 120 workdays for floodwall installation. If sufficient funding is not available for the entire Project at one time, the SER also evaluates phased implementation over up to 10 years, prioritizing the most vulnerable levee sections.

Right-of-Way and Property Access: Obtaining the property rights necessary to construct, access, inspect, maintain, repair, and ultimately replace the proposed floodwall is one of the most significant remaining Project delivery challenges. Much of the existing levee and TRB was constructed on private property without a continuous District-owned parcel or easement providing the property rights and access needed to construct and maintain a modern public flood-protection project.

As a result, the District must secure appropriate property rights along approximately 110 properties. The District currently holds permanent easements on approximately 16 properties and is advancing approximately seven to eight additional locations involving partner public agencies. Even after those agreements are completed, the District could still need to obtain property rights affecting approximately 85 to 90 additional properties, subject to refinement through final design. Individual parcels may present different ownership, boundary, title, access, existing-improvement, and construction-impact issues that must be addressed separately with each property owner.

Because the District may need to acquire property rights from approximately 85 to 90 additional properties, bringing each individual Right-of-Way Contract or Easement acceptance to the Board for approval would significantly slow the acquisition process. To streamline this work, the second recommended action would authorize the Assistant County Executive or designee, on behalf of the District, to negotiate, approve, and execute agreements needed to acquire property rights for the Project, using agreements substantially similar to the District's standard agreement templates.

This delegated authority would be limited to agreements within the Assistant County Executive's existing spending authority and for which sufficient funding previously appropriated by the Board is available in the Project. No agreement would be executed without available Board-approved appropriations to support its cost. Any agreement with a recommended cost to the District exceeding the Assistant County Executive's delegated spending authority would be brought to the Board for approval. This approach is intended to streamline acquisition of the large number of property rights needed to implement the Project while maintaining the Board's existing fiscal controls and approval authority for agreements above the delegated limit.

Securing these property rights is also important to the Project's funding strategy. Many competitive state and federal grant programs require applicants to demonstrate adequate site control before construction funding can be awarded or used. Advancing easement acquisition would therefore help position the Project to become eligible and competitive for a broader range of potential grant funding while final design, permitting, and funding efforts continue.

As right-of-way work advances, staff will work directly with affected property owners regarding permanent and temporary easements, construction access, and private improvements that may be affected, including docks, decks, patios, fences, landscaping, and access features.

Project Cost and Funding: The current planning-level Project cost is approximately \$30 million, including design, right-of-way acquisition, permitting and environmental mitigation, construction, construction management, and other project-delivery costs. The estimate will continue to be refined as the Project advances.

The District has secured funding for planning, engineering, environmental review, and Project development but does not currently have sufficient funding for construction. Existing Zone 7 revenues alone are insufficient to fund a project of this magnitude. Staff is therefore evaluating

state and federal grants and potential local funding mechanisms. Many competitive grants require a substantial local contribution; for example, a 25% local match for a project of this magnitude could exceed \$7 million, depending on final Project cost and grant eligibility.

Potential local funding mechanisms could include a parcel tax, benefit assessment, or other legally available approach, each with different legal and procedural requirements. No local funding mechanism is proposed for approval through this action. Any future local funding strategy would be presented separately to the Board and community before a decision is made to proceed.

Securing sufficient funding and the necessary property rights remain the two most significant challenges to advancing the Project to construction. The Project is identified as a priority flood-control project in the County's 2026 Legislative Platform, including efforts to obtain state and federal funding and assistance with property-rights challenges. The January 2026 flooding further underscored the importance of advancing both near-term flood-protection measures and a long-term solution for Santa Venetia.

Next Steps: If the Board adopts the SER and Subsequent MND and approves the Project as evaluated in those documents, the District would proceed with final design; right-of-way and easement acquisition; property-owner coordination; regulatory permits and approvals; refinement of Project costs; pursuit of state and federal grants; and development of potential funding alternatives for future community and Board consideration.

These activities can proceed in parallel where appropriate, but construction cannot proceed until the District has secured the necessary property rights, regulatory approvals, and sufficient funding.

POLICY FRAMEWORK: The Project supports the District's flood-risk-reduction responsibilities and applicable policies for resilient public infrastructure and climate adaptation. The SER identifies the Project as an adaptation measure addressing sea level rise and continued land subsidence and finds the Project consistent with applicable Countywide Plan, Santa Venetia Community Plan, and Climate Action Plan policies when required mitigation measures are implemented.

EQUITY IMPACT SUMMARY: The Project is intended to improve flood protection for the existing Santa Venetia community by replacing an aging flood-protection structure with a more durable system designed for the 100-year flood over a 30-year design life. The Project would improve flood protection for residents, homes, public infrastructure, and community assets within the flood zone.

COMMUNICATIONS & COMMUNITY ENGAGEMENT: The District has engaged Santa Venetia residents throughout development of both the earlier TRB project and the current floodwall concept. The SER notes that resident input was considered in selecting the 11-foot design elevation. The environmental review process has provided additional opportunities for public review and comment.

If the SER is adopted, community engagement will become increasingly important as the District begins the broader right-of-way acquisition process and evaluates potential funding alternatives. Property-owner coordination will address permanent and temporary easements, construction access, affected private improvements, and resident-notification requirements associated with

construction and vibration monitoring. The District will also engage the broader Zone 7 community as potential funding alternatives are developed for future consideration.

PERFORMANCE MEASURES: Performance will be measured by successful implementation of the adopted Mitigation Monitoring and Reporting Program (MMRP); progress toward acquisition of required property rights; completion of final design; advancement of required regulatory approvals; development of a viable funding strategy; and, if funding and property rights are ultimately secured, completion of floodwall construction in accordance with approved plans, permits, schedule, budget, and mitigation requirements.

CONTRACT RENEWALS / PERFORMANCE OUTCOMES: No specific contract is included in this Board action. Right-of-Way Contracts, Easement Deeds, and Certificates of Acceptance within the Assistant County Executive's delegated spending authority would be executed pursuant to the authority requested through this action and only when sufficient Board-appropriated Project funding is available. Agreements exceeding that delegated authority, as well as future Project funding and construction contract awards requiring Board approval, would be brought to the Board separately.

CONTRACT RISKS: No specific contract is being awarded as part of this action. Major future Project risks include availability of funding, acquisition of required property rights, regulatory permitting, work in sensitive tidal-marsh habitat, construction access constraints, cost escalation, and schedule limitations associated with seasonal environmental restrictions. These risks will be addressed through final design, permitting, easement acquisition, funding development, mitigation implementation, and future construction contract provisions.

CEQA ANALYSIS: The Project was previously evaluated under the California Environmental Quality Act (CEQA) in the 2019 Initial Study/Mitigated Negative Declaration (IS/MND). Accordingly, the County prepared a subsequent environmental review checklist pursuant to State CEQA Guidelines Sections 15162 and 15163 to determine whether additional CEQA review is required.

The subsequent environmental review checklist (SER) evaluates whether changes to the Project, changed circumstances, or new information of substantial importance would result in a new significant environmental impact or a substantial increase in the severity of a previously identified significant impact. The SER concludes that Project changes would result in new or substantially more severe significant impacts in biological resources and noise/vibration, but that those impacts can be reduced to less than significant through identified mitigation measures.

The SER identified a new impact to bird nesting habitat and a substantially more severe impact to special-status species associated with expanded marsh access and construction timing. Revised biological mitigation requires, among other measures, rare-plant and rail surveys, avoidance buffers, biological monitoring, exclusion fencing, and habitat restoration. The SER also identifies a new potentially significant vibration impact for sheet pile installation near residences west of Meadow Drive Bridge. Mitigation Measure NOI-1 requires resident notification and pre- and post-construction crack monitoring, with repair or compensation for verified vibration-related damage. With mitigation, these impacts would be reduced to less than significant. Other environmental issue areas would not result in new or substantially more severe significant impacts compared with the 2019 IS/MND. The SER therefore supports adoption of a Subsequent Mitigated Negative Declaration.

The IS/MND was circulated for a 30-day comment period from Friday, August 28, 2026 to Monday, September 28, 2026 and comments were received regarding the length of the easements, the demolition that was proposed and properties that would be impacted by the construction. There were also a number of comments in support of the project. A response to comments document has been prepared that addresses the comments received, and none of the comments changed the conclusions reached in the IS/MND. The revised MMRP compiles mitigation measures carried forward from the 2019 IS/MND together with revised biological and cultural-resource measures and the noise/vibration mitigation applicable to the current Project. Staff recommends adoption of the SER, Subsequent MND, and revised MMRP and approval of the Project as evaluated in those documents.

FISCAL, FACILITY & STAFFING ANALYSIS: Adoption of the environmental documents and authorization to continue Project development through the negotiation, approval, and execution of Right-of-Way Contracts, Easement Deeds and Certificates of Acceptance do not commit the District to any specific costs or future project funding mechanisms.

The current planning-level Project cost is approximately \$30 million and is expected to be refined as final design, right-of-way acquisition, permitting, mitigation, and construction planning advance. The District does not currently have sufficient funding to construct the Project. Future expenditures are expected to include property acquisition, final design, permitting, construction, mitigation, monitoring, construction management, and long-term maintenance.

Right-of-Way Agreements and Easement Agreements authorized through this action may be executed only within the Assistant County Executive's delegated spending authority and when sufficient funding previously appropriated by the Board is available in the Project.

Staff will continue evaluating grant opportunities and potential local funding alternatives and will return to the Board for future funding decisions and other required approvals.

ALTERNATIVES: The Board may decline to adopt the Subsequent MND or approve the Project and direct staff to undertake additional environmental review or Project revisions. These actions would delay advancement of the floodwall Project, including final design, acquisition of property rights needed for construction and future maintenance, permitting, and development of potential funding alternatives.

ESTIMATED TIME (in minutes): 5 minutes

ATTACHMENTS:

Attachment 1: [Santa Venetia Floodwall Supplemental Environmental Review and Subsequent Mitigated Negative Declaration - Supplement to the 2019 Gallinas Levee Upgrade Initial Study/Mitigated Negative Declaration, including the revised Mitigation Monitoring and Reporting Program](#)

Attachment 2: District Right of Way Contract

Attachment 3: District Easement Deed for Flood Protection Levee Easement

Attachment 4: District Certificate of Acceptance of Real Property