



## Exhibit A

### **Bayfront Canal and Atherton Channel Flood Management and Restoration Project** Prepared by County of San Mateo October 24, 2017

#### **Purpose:**

The purpose of this MOU is to complete the planning, design, environmental permitting, and secure property access rights for the Bayfront Canal and Atherton Channel Flood Management and Restoration Project (Project) on behalf of the Cities of Redwood City and Menlo Park, the Town of Atherton (Cities), and the County of San Mateo (the County) also referred to as the Bayfront Canal/Atherton Channel Collaborative (Collaborative). This MOU is for design only, does not include construction and operation and maintenance activities, and does not bind any member agency's participation in construction or operations and maintenance activities. This is the first in a series of anticipated future projects that will provide flooding relief to this cross-jurisdictional region.

#### **Project Background:**

The Bayfront Canal is located just north of Highway 101 in the City of Redwood City. The Bayfront Canal extends from west to east, from Douglas Court to Marsh Road and is bounded to the north by Cargill's salt ponds and to the south by residential and industrial properties. The Atherton Channel has approximately 6.5 square miles of tributary drainage area and discharges into the Bayfront Canal near Marsh Road. The Bayfront Canal has an additional 3 square miles of tributary drainage area, most of which is located on the south side of Highway 101. The combined flow from the Atherton Channel and Bayfront Canal, a total of 9.5 square miles of contributing area, discharges into Flood Slough through a tide gate control structure. The watershed area, Project location, and planned future projects within the watershed are summarized in Figure 1.

#### **Hydrology:**

The peak flow rates from the Bayfront Canal Hydrology and Hydraulic Evaluation, prepared for Stanford Hospital & Clinic in June 2017 by BKF, was used to calculate the proportional jurisdictional flow based on watershed areas. The flow contribution percentages presented in Table 1 will provide a baseline funding strategy. These contributions will be expanded upon based on participation and for funding of the construction and operation and maintenance phases of the Project. A reduction of flow contributions per jurisdiction will be evaluated if upstream detention and storm water capture projects are implemented within the watershed.

*Table 1. Jurisdictional Contributions*

<b>Jurisdiction</b>	<b>Watershed Area %</b>	<b>Flow Contribution %</b>	<b>Financial Contribution %</b>	<b>Financial Contribution \$</b>
Town of Atherton	44	38.0	16.5	165,000
City of Redwood City	13	26.0	36.2	362,000
San Mateo County	20	22.0	31.3	313,000
City of Menlo Park	17	10.5	16.0	160,000
Town of Woodside	6	3.5	0.0	0

This Project is the first step towards providing capacity for future projects within the watershed to reduce flooding. The most recent proposed solution that recommends the installation of 4 – 63" HDPE siphon pipes is shown in Figure 2. The alignment passes under Marsh Road to the north of Highway 101 and



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connects to Pond S5 of the South Bay Salt Pond Restoration Project. This alternative needs to be developed adequately to be considered in the environmental permitting process.

### Stakeholders

- **Project partners (the Collaborative):** The Collaborative is composed of the City of Redwood City, City of Menlo Park, Town of Atherton, and the County of San Mateo.
- **Regulatory Stakeholders:** Regulatory stakeholders who require permits include but are not limited to the California Department of Fish and Wildlife (CAFWS), the Regional Water Quality Control Board (RWQCB), the US Army Corps of Engineers, the US Fish and Wildlife Services (USFWS), Caltrans, and the San Francisco Bay Conservation and Development Commission (BCDC).
- **Additional Stakeholders:** Additional key stakeholders who have contributed to the evolution of the Project improvements include but are not limited to Cargill, Stanford University, Stanford Medical, the South Bay Salt Pond Restoration Project (SBSRP), and the San Francisco Estuary Partnership (SFEP).

### Preliminary Design Workshop:

The Collaborative hosted a Preliminary Design Workshop to validate and agree on the preferred design of the proposed Project. The Preliminary Design Workshop included planning, hydraulic, geotechnical, structural engineering, and environmental compliance resources from the County's On-Call Engineering Service Agreements. The goal of the Preliminary Design Workshop effort was to validate and optimize the proposed design and to ensure that it considers environmental permitting and operational limitations and conditions that may impact the life and resiliency of the Project. The following list summarizes the goals and outcomes of the workshop:

- **Review of existing conditions and Information.** Summarize existing information and garner support for a comprehensive alternative to use in the environmental permitting process
- **Implementation strategy.** Collaborate on most recent hydraulic model results and agree on an implementation approach that best meets the environmental compliance and permitting requirements for the preferred alternatives
- **Funding.** Develop high level engineering cost estimate for the preferred alternative and a funding strategy, which explores and considers multiple sources of funding in addition to Capital and traditional sources of funding
- **Schedule.** Develop a preliminary schedule that includes Local, Regional, State and Federal stakeholder updates at key milestones

Following the Preliminary Design Workshop, a representative member from each jurisdiction of the Collaborative participated in the selection of the planning and design team. Regular Review Sessions will be held to incorporate stakeholder input and generate the most effective and resilient solution. Collaboration will take place through subject-specific workshops with Project owners and stakeholders.

### Scope:

The scope of work for this Project is defined below. Representatives from the Collaborative will review and select consultants based on proposals submitted by planning, design, and environmental permitting teams from the County's On-Call Engineering Services Agreements to deliver the scope of services listed below. The Consultants will be responsible for validating and calibrating technical information and ensuring that the Project objectives, budget, and key milestones are met.



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Task 1. Initial Hydraulic Analysis, Conceptual Design, and Review: A planning and design team will review previous hydraulic analysis and prepare preliminary designs necessary to initiate environmental permit negotiations. These initial designs will be reviewed in an Initial Design Review Workshop. This workshop will provide an opportunity for key stakeholders to review the proposed design. Consultants with potential conflict of interest will be excluded as the lead for this initial task.

Task 2. Land and Easement Negotiations: Land and easement negotiations with agencies such as Cargill, Caltrans, and West Bay Sanitary District will be facilitated by the planning and design team to secure anticipated easements or to negotiate access for construction activities.

Task 3. Environmental Review and CEQA/NEPA Documentation: The environmental permitting team will prepare the necessary documents. The planning and design team will support the environmental permitting team through review, project description, and the purpose and need statements. This task will build upon the work completed by others for the SBSRP Phase 2 EIR/EIS.

Task 4. Final Design and Construction Documents: Plans and specifications will be prepared at the 60%, 90%, and 100% design stages. The final deliverable will be a set of construction ready plans, specifications and engineering estimates (PS&E). This Task will include construction permitting and grant acquisition.

Task 5. Bidding and Construction: Construction services such as contract bidding support, support for requests for information (RFI), and construction services will be part of an amended MOU or separate agreement.

### Cost and Funding:

Current estimates for planning, design, environmental permitting, and land negotiation tasks are estimated at approximately \$1,000,000. The initial funding contribution for this work from each jurisdiction was estimated based on the percentages listed in the flow allocations listed in Table 1, which will be reviewed under consultant Task 1. The Town of Woodside has decided not to participate and the 3.5% financial responsibility will be distributed by flow contribution across the Collaborative. The Town of Atherton has a contribution maximum of \$165,000 for the MOU. The residual cost resulting from a jurisdictional cap will be distributed by flow percentages to the remaining members of the Collaborative. The updated MOU financial contribution percentages are as follows: Town of Atherton - 16.5%, City of Redwood City - 36.2%, County of San Mateo - 31.3%, City of Menlo Park - 16.0%, and Town of Woodside - 0.0%. This MOU includes all consultant costs to complete this Project incurred as of the Notice to Proceed to the Consultants of October 4<sup>th</sup>, 2017. This MOU is for design only and does not include or bind any member agency's participation in construction or operation and maintenance activities. Funding contributions per jurisdiction, for construction, and operations and maintenance will need to be assessed and negotiated in an amended MOU or separate agreement.

The Collaborative will actively pursue grant opportunities for funding planning, design, and construction throughout the duration of the MOU. This is intended to decrease the overall Project cost to the Collaborative. Any grant awards will be distributed by contribution percentages. Grants or additional funding received will be used to first reimburse members of the collaborative that have agreed to absorb residual costs not funded by capped jurisdictions. Any jurisdiction that is capped will not receive grants or additional funding until the residual cost of their cap has been absorbed.



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### Public Outreach and Education:

A public outreach and education plan will be developed as part of the Project. This outreach plan will be used to inform and educate the public and other stakeholders on the specifics of existing flood risks, potential solutions, and necessary green/grey infrastructure and operation and maintenance investments needed to alleviate flooding in the area. Consistent messaging and informational materials will be shared with the Collaborative to publish on their respective websites and for public distribution. The goal of this effort is to ensure that the impacted communities and stakeholders have a clear understanding of the flood risk reduction this Project will provide, and to educate them on other projects in the system that will need to be completed to ensure the region remains resilient to flooding to the extent possible.

### Future Work:

The Project is limited to the planning, design, environmental permitting, and easement negotiations necessary to advertise for bidding. Land rights resulting from legal transfer and holding of easements will belong to the jurisdiction in which the land exists. Negotiations of any necessary easements or land acquisitions will be facilitated with support from the County, the Collaborative, and the design Consultant. Future Addendums, MOUs, or Agreements will be required to address the construction and maintenance of the Project.

In addition to this Project, potential flood mitigation provided by upstream stormwater retention projects in the Bayfront Canal and Atherton Channel watersheds will be analyzed by the Collaborative as needed. Flow allocations per jurisdiction may be adjusted if it appears that upstream detention improvements reduce flow contributions to the Project and once the improvements have obtained significant design and funding. Table 2 below describes the potential future projects that may affect the existing flow contribution allocations listed in Table 1.

*Table 2. Potential Future Projects*

<u>Project</u>	<u>Responsible Party</u>	<u>Goal</u>	<u>Cost<sup>1</sup></u>	<u>Contribution<sup>2</sup></u>
Bayfront Canal and Atherton Channel Flood Management and Restoration Project	All Parties	Mitigate flooding adjacent to Bayfront Canal	\$7,000,000-\$8,000,000	N/A
Holbrook-Palmer Detention Basin (Las Lomas School District)	Town of Atherton	Retain dry weather flow and first flush for water quality treatment	\$13,600,000	TBD
Tide Gate Upgrades	All Parties	Prevent high tide waters from entering the watershed	TBD	N/A
South Bay Salt Pond Restoration Phase II	Coastal Conservancy	Receive flood waters from Bayfront Canal/Atherton Channel	TBD	TBD
Chrysler Pump Station	Menlo Park	Convey flood waters to Flood Slough	\$7,000,000	TBD
Douglas Ave Pump Station	Redwood City	Convey flood waters to Bayfront Canal	TBD	TBD
Broadway Pump Station	Redwood City	Convey flood waters to Bayfront Canal	TBD	TBD
Fifth Ave Pump Station	Redwood City	Convey flood waters to Bayfront Canal	TBD	TBD
Athlone Terrace Pump Station	San Mateo County	Convey flood waters to Atherton Channel (ultimately Bayfront Canal)	TBD	TBD

<sup>1</sup> Costs are approximate and do not include construction permitting, easements, or O&M.

<sup>2</sup> Flow reductions to system will be determined following hydrologic analysis.



**Exhibit A**

Figure 1. Bayfront Canal and Atherton Channel Project Location and Future Projects within Watershed

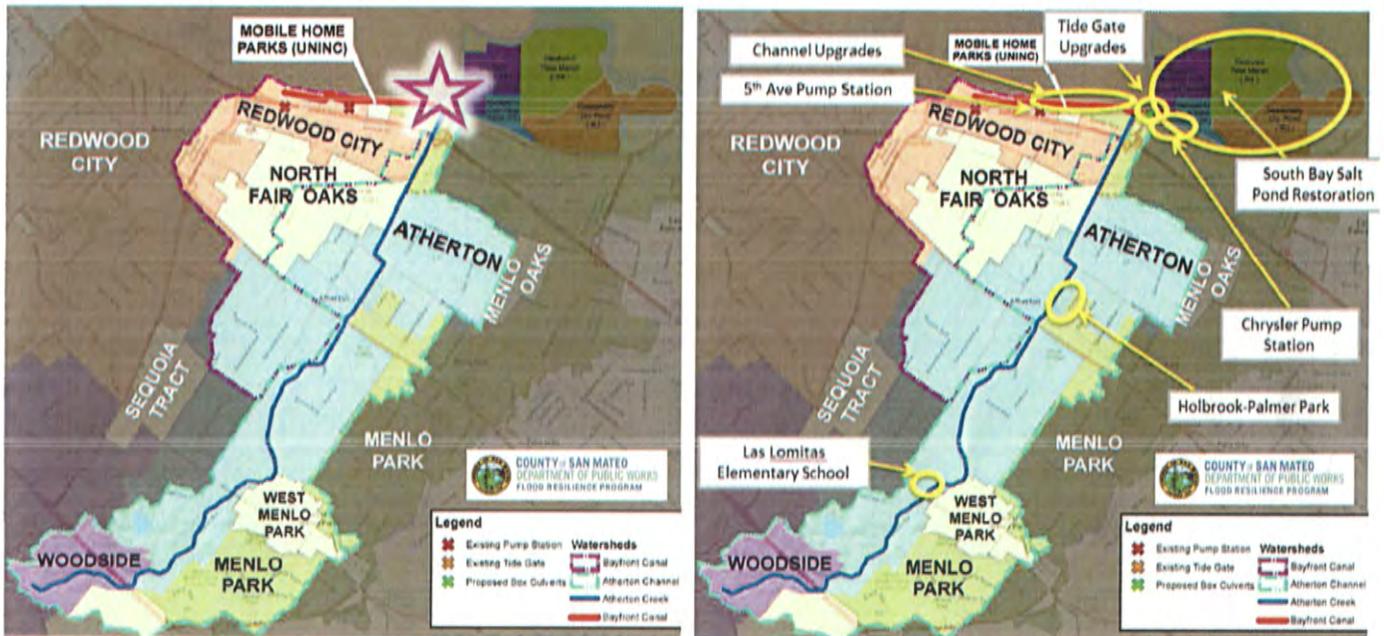
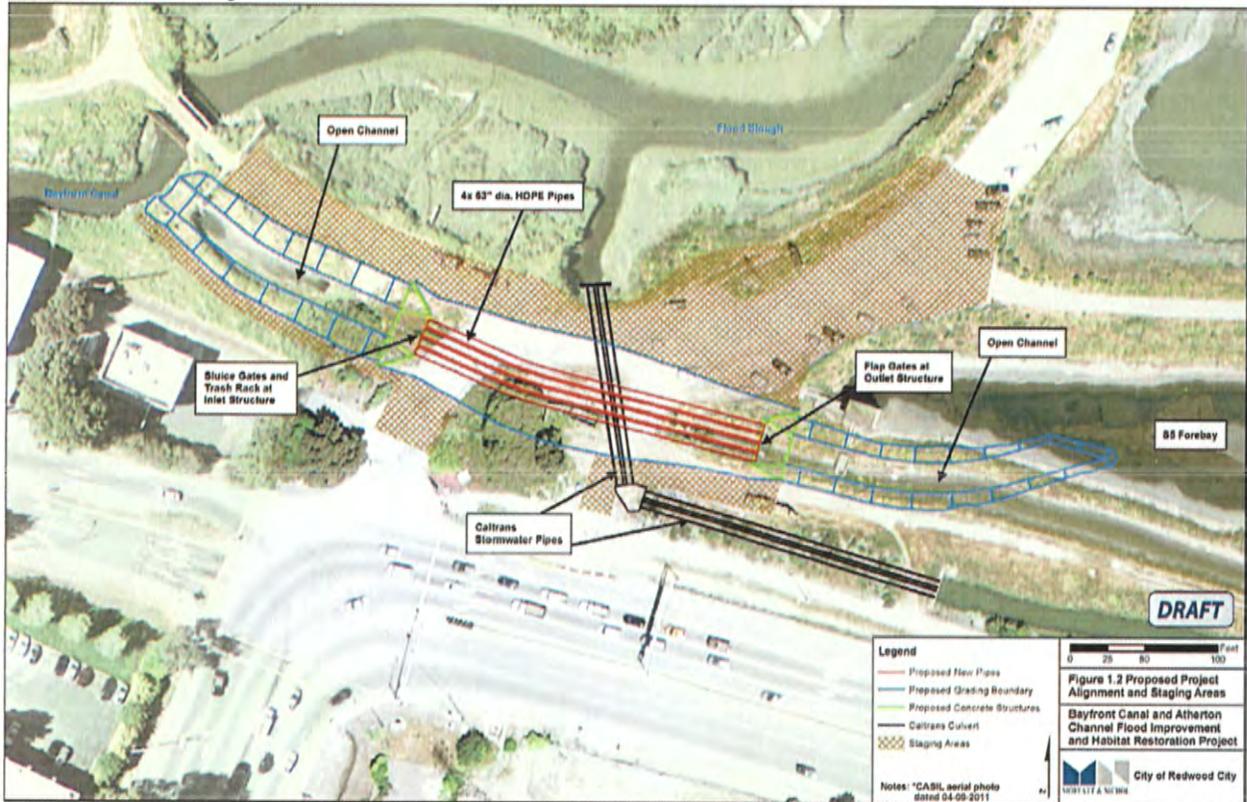




Exhibit A

Figure 2. Moffat and Nichol Design Alternative





**COUNTY OF SAN MATEO**  
DEPARTMENT OF PUBLIC WORKS  
FLOOD RESILIENCE PROGRAM

**Exhibit A**

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## **APRIL 25th and 26th WORKSHOP/TRAINING DRAFT AGENDA ITEMS**

1. **DWR Contracting/Invoicing/Program Compliance Training**, including: Advanced Payment request and reporting, invoices and backup documentation, implementation round information (Presenters: DWR)
2. **Expectations / reporting / deliverables**, including reporting/grant deliverables expectations, IRWM plan update, expectations for participating in future trainings/committees (ex. SEC, TAC) (DWR/EJCW)
3. **Outreach/engagement trainings (strategies, best practices)**, including drafting outreach curriculum and materials, sharing materials / best practices (EJCW, OPs)
4. **Data collection/Needs Assessment**, including needs assessment methodology (how OPs fit in to overall process)/data collection training, sharing secondary data we already have, materials/tools OPs will be required to use, information sharing/best practices (EJCW, SFEI, Jesus, KT Burdick?)
5. **Environmental Justice/Equity/Cultural/Racial Sensitivity Training**, including greening/revitalizing without displacement, how work will be perceived by community members, the need to be hypersensitive/humble (RCI/ Robin Freeman)
6. **IRWM presentation/training**, including orientation to BAIRWMP current structure, identifying preferred methods for representation and entry into the Coordinating Committee, how communities can best participate, how to achieve sustained involvement of DACs in CC (EJCW/Brian Mendenhall, Michelle Novatny/other CC members?) (20 min pres, 15 min Q&A)
7. **Update on TRIBAL outreach component** (CIEA)

### ***Other items for prioritization (to include in April Workshop/Training or leave for a later date):***

1. **Evaluation METRICS**, including: how OPs will count their “impact” for their project (how do we track data in terms of how many people they reach) (EJCW)
2. **Capacity building**, including: identifying various capacity building needs of OPs, coordinating capacity building trainings (collaborative convo: OPs and EJCW)
3. **Common challenges - collaborative conversations with Outreach Partners**, (example: Engaging homeless populations - collaborative conversation if others are having issue of homeless living along creeks - as it relates to community members and how they can engage (Deb Kramer of Keep Coyote Creek Beautiful’s suggestion)

4. **Outreach Partner Project/Workplan Presentations (OPs)**
5. **WORKSHOPPING OF ALL (so far existing) MATERIALS:** needs assessment, outreach, and otherwise (EJCW/OPs/DWR/TA/Data Partners)
6. **Regional partner break out sessions - regional partner checkins/updates,** including: scheduling of regular regional check-ins (OPs)
7. **NEXT STEPS/UPDATES,** including brief presentation of capacity building/TA components of DACIP, gaps analysis update, conversation about what areas/groups we're currently not reaching with DACIP, what other efforts are happening in communities and how we can integrate our work with them (EJCW)



## BAIRWM DACIP Implementation-level Workplan Development Blueprint

### **Introduction**

At this point in time, the management staff at EJCW are converting the BAIRWM DACIP Agreement Exhibit A – Work Plan, into an implementation-level work plan and budget for each of the 9 projects.

This exercise serves multiple functions:

1. Confirms current thinking on the most value-added deliverables
2. Refines the sequence of processes/tasks/activities and clarifies the appropriate methodologies for achieving the desired deliverables
3. Corrects initial funding allocations for each project, as well as between projects
4. Supports early identification of any needed Agreement amendments (to allow for early reporting to DWR via the quarterly reporting process)

### **Proposed Process**

EJCW staff, in collaboration of Outreach Partners and the technical support team, has already begun the process of developing implementation-level work plans and budgets (as described below), as part of the Projects 2 and 4 work effort. They have been developing detailed work plans and budget spreadsheets for each of the 9 Outreach Partner-developed work efforts.

EJCW has also undertaken the same process for Project 1. Based on the success of the efforts with Projects 1, 2 and 4, EJCW now proposes to undertake the same work effort with projects 3, and 5 – 9.

Through these materials, EJCW is requesting CC review and feedback on this overall management approach and detail. Note: CIEA has submitted their budget and awaiting contract execution upon EJCW's implementation of this same implementation-level work plan and budgeting exercise.

### **Confirm deliverables**

- Systematically review the deliverables by project and reevaluate each one to ensure that each product is still a “good” (meaningful, quantifiable and impactful) deliverable (as informed by initial outreach)
- Develop specific alternative language for any deliverable that is determined to need refinement, be reconsidered or be eliminated,



- For those deliverables which are recommended for deletion, EJCW and the technical team will develop more appropriate deliverables where appropriate, and propose these to the CC for potential amendment (see process below)
- Coordinating Committee review of any suggested changes
- Confirm and, if necessary, initiate amendment to accommodate current thinking
- Note: as stated above, this process is already underway with Projects 1 – 4

### **Refine processes/tasks/activities and methodologies**

- Create an excel-based worksheet that will list tasks/methods in sequential order (this will directly support the implementation-level budget allocation discussed below)
- Note: in some cases, there may be a single task list with multiple deliverables
- Using refined deliverables list, review the process described in the Attachment A narrative of signed contract agreement for each deliverable (in bullet format)
- Identify those deliverables with a clear and comprehensive series of associated tasks/methodologies – enter tasks/methodologies into excel table
- For deliverables with partial identification of associated tasks/methodologies, complete list of suggested tasks/methodologies with technical partner support, then enter into excel table
- For deliverables with incomplete or missing identification of associated tasks/methodologies, develop/complete list of suggested tasks/methodologies then enter into excel table (and smartsheets project tracking program).

### **Correct initial allocations of funding**

- Using the attached excel-based worksheet, list tasks/methods in sequential order
- Working with technical support team, Community Outreach partners, and EJCW senior staff, develop a detailed spreadsheet identifying the line-item budget for each task.
- The purpose of this effort is to support budget allocations between projects as needed, manage individual tasks and projects in a detailed manner.

### **Final products for CC's review in March**

- Detailed overall program workplan
- Updated budget and schedule with projections for all subcontractors
- Final subcontract template (currently updating with suggestions from RD and MN)

## Summary of AB 2060 and AB 2064 for February 26, 2018 Coordinating Committee Meeting

### AB 2060

**Notes:** Bill to expand existing requirements to make advanced payments for the first half of funded projects to nonprofit organizations and disadvantaged communities.

**Introduced:** 2/6/2018

**Water: grants: advanced payments.** (1) Existing law, the Integrated Regional Water Management Planning Act, authorizes a regional water management group to prepare and adopt an integrated regional water management plan with specified components relating to water supply and water quality. Existing law provides that an integrated regional water management plan is eligible for funding allocated specifically for implementation of integrated regional water management. Existing law requires a regional water management group, within 90 days of notice that a grant has been awarded, to provide the Department of Water Resources with a list of projects to be funded by the grant funds where the project proponent is a nonprofit organization or a disadvantaged community, or the project benefits a disadvantaged community. Existing law requires the department, within 60 days of receiving the project information, to provide advanced payment of 50% of the grant award for those projects that satisfy specified criteria, including that the grant award for the project is less than \$1,000,000 and requires the advanced funds to be handled as prescribed. Existing law repeals these advanced payment provisions on January 1, 2025. This bill would instead require the department to provide advanced payment for those projects of \$500,000 or 50% of the grant award, whichever is less. The bill would eliminate the requirement that the grant award for the project be less than \$1,000,000 to obtain advanced payment. The bill would eliminate the repeal of these advanced payment provisions. This bill contains other related provisions and other existing laws.

### AB 2064

**Notes:** Bill provides for advanced payment for second half of projects upon demonstrating that progress has been made on the project.

**Introduced:** 2/7/2018

**Integrated regional water management plans: grants: advanced payment.** Existing law, the Integrated Regional Water Management Planning Act, authorizes a regional water management group to prepare and adopt an integrated regional water management plan with specified components relating to water supply and water quality. Existing law provides that an integrated regional water management plan is eligible for funding allocated specifically for implementation of integrated regional water management. The bill, until January 1, 2025, would require a project proponent, upon completion of the first one-half of a project receiving an above-described grant award, to provide a first one-half project accountability report to the department that reports the completion of objectives for the first one-half of the project and documents the expenditure and use of advanced grant funds. The bill would require the department to provide advanced payment of the remaining grant award within 60 days of receiving the report if the project meets certain criteria. The bill would authorize the department to withhold up to 10% of the remaining advanced grant award as retention proceeds that the department is required to release fully to the project proponent upon verification by the department of project completion. The bill would require a project proponent to submit a final project accountability report to the department upon completion of the project. This bill contains other existing laws.

**BAIRWMP Coordinating Committee**  
Schedule of Future CC Meetings

Date	Location
March 26, 2018	ABAG (375 Beale St, SF)
April 23, 2018	SCVWD Advanced Treated Water Facility
May 28, 2018	??
June 25, 2018	??