

**San Francisquito Creek Joint Powers Authority**

**April 23, 2009 Board Meeting**

**Agenda Item 6**

**Executive Director's Report**

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

a) Amendment 1 to the JPA Six Party Agreement

The JPA Management Team is currently working on an Amendment to the so called 6-party Agreement made by and among the JPA member agencies to define the roles and responsibilities of the parties in executing the Federal Cost Share Agreement and Feasibility Study with the Corps of Engineers.

The intent of this amendment is to streamline the process for advancing local funding or in-kind services in order to expedite the completion of the Feasibility Study. Given the inconsistencies of federal funding for the Study and a desire to reduce the Study's overall costs and timeline, JPA and member agency staffs are using local money and expertise to supplement Congressional appropriations.

Previously, all advanced funding or in-kind contributions were to be proposed by the parties -- on a task-by-task basis at a maximum of \$100,000 -- through an addendum to the Agreement that required approval by the CEO of each member agency. Amendment 1 will allow for tasks that are proposed to be grouped together and have no specific dollar limit. Parties not proposing to advance funding or provide in-kind services will not be obligated to match funding provided by the proposing agency, and each proposal will still require the approval of the JPA Board and CEO of each member agency.

A draft Amendment 1 has been produced, and is currently being reviewed by the legal counsels of the JPA and member agencies. The final version of Amendment 1 will be presented for JPA Board approval at the May 2009 meeting.

As mentioned above, a result of Amendment 1 will be to reduce the cost of the Feasibility Study. JPA and Water District staff have been working closely with the Corps Project Manager to quantify those savings, and a new Study estimate will be available in May. With those savings and with additional funding, I will propose that the JPA fund the design and environmental planning phases of the our initial capital projects to increase floodwater conveyance on San Francisquito Creek from just west of Highway 101 to the San Francisco Bay, and/or detain floodwaters in the upper watershed. In order to enable this use of these funds and define the JPA's management of these activities, JPA staff is currently drafting a new Capital Projects Agreement, to be entered into by the JPA and the five member agencies. This new agreement, to be presented to the JPA Board this summer in conjunction with a proposed project, will create a JPA Capital Projects budget that is separate from our operational budget to administer and fund project tasks.

b) Highway 101 Bridge Project

Over the past several months, JPA staff has been in communications with Caltrans staff in an effort to coordinate proposed projects of both agencies at the US Highway 101 crossing over San Francisquito Creek. As the JPA is considering options to improve floodwater conveyance under the 101 crossing, Caltrans is in the planning stages of replacing the 101 span over the creek due to deterioration, and to expand the width of the crossing to improve traffic flow.

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On March 27, Directors Robinson and Abrica, Kevin Murray, and I spoke with the Caltrans Region 4 Director and senior Caltrans staff at a meeting hosted by Senator Joe Simitian. We discussed a cooperative approach to cost-sharing components of a single project that would meet the objectives of both Caltrans and the JPA.

The two agencies agreed to work together during April to ascertain the level of flood risk and Highway 101 and develop possible strategies to divide responsibilities – based on each agencies strengths – and costs associated with a project that incorporates floodwater conveyance into Caltrans' span-replacement design.

At an April 23<sup>rd</sup> afternoon meeting, Kevin Murray and I discussed strategies for moving forward with Caltrans Region 4 Director and senior Caltrans staff. A verbal update based on that meeting will be given to the Board within the Executive Director's report.

c) Robin Grossinger, San Francisco Estuary Institute – A Historical Ecology Report of the Downstream Area of San Francisquito Creek

At the May 28, 2009 Board meeting, the consultant engaged by the JPA to study project alternatives for detaining water upstream and increasing flow capacity downstream will present their findings. Following that meeting, the JPA Board will consider possible capital projects in these reaches of the Creek and move forward with design and environmental planning on at least one alternative.

In preparation for that decision, we are inviting individuals with expertise related to the project areas to discuss pertinent issues with the Board during meetings this spring. The Board has previously heard presentations on East Palo Alto's Bay Access Master Plan and options for long-term management of Searsville Dam and reservoir.

As a consultant to the JPA, the San Francisco Estuary Institute (SFEI) investigated the historical ecology and landscape changes over time in the area of the creek currently being considered for an Implementation Project downstream of US Highway 101. Today, Robin Grossinger will present the findings of this phase of our project planning, and review the April 20<sup>th</sup> Technical Memo produced by SFEI for the JPA that is already being used by PWA in their analysis.

The Technical Memo accompanies GIS information developed by SFEI to document historical changes in habitat and hydrology on lower San Francisquito Creek. Understanding historical landscape features – including stream routes, sedimentation, tidal channels, natural flood basins and shoreline erosion -- can improve and provide rationale for flood protection decisions in a number of ways, which Robin will discuss.

Submitted by:



**Len Materman**  
**Executive Director**