

**TOWN OF FAIRFAX
COUNCILMEMBER REPORT**

To: Mayor and Town Council

Meeting Date: February 3, 2010

From: Councilmember Weinsoff

Subject: Resolution - Ross Valley Flood Prevention

As the Council and the community are aware, and the recent rains remind us, the danger from another flood similar to the one Fairfax and the Ross Valley suffered on December 31, 2005 is constant. As a result, the Ross Valley towns/cities, the County, and concerned community organizations such as the Friends of Corte Madera Creek and the Flood Mitigation League continue to press for flood protection measures even as we wait for the State Supreme Court to rule on the challenged "flood fee."

The proposed resolution before the Council offers an opportunity to promote important long-awaited flood protection in the lower part of our watershed. It expresses the Ross Valley's collective strong interest in having the Army Corps of Engineers advance its schedule for work on "Unit 4," including, in the near term, preparation of the required environmental review under NEPA and CEQA. "Unit 4" extends from the upstream end of the existing concrete channel in Kentfield to just above the Lagunitas Bridge near the Ross/San Anselmo border. As Fairfax residents may be aware, federal law enacted in 1986 prohibits the Army Corps of Engineers from any flood control work in Fairfax ("Unit 6") or San Anselmo ("Unit 5") as originally authorized under the Flood Control Act of 1962. The proposed work in "Unit 4" would specifically remove and replace the ineffective and environmentally harmful existing "fish ladder" just below the Lagunitas Bridge and provide needed bank stabilization in this reach of Corte Madera Creek.

This resolution is being considered by the Town/City Councils in Fairfax, San Anselmo, Ross, and Larkspur, and by the County, to obtain the support of our elected federal representatives to identify funding and press the Corps into scheduling the approved work as soon as possible.

RESOLUTION NO. 10-

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX URGING THE U.S. ARMY CORPS OF ENGINEERS AND OUR ELECTED OFFICIALS TO EXPEDITE THE IMPLEMENTATION AND COMPLETION OF THE PROJECT WORK RELATED TO UNIT 4

WHEREAS, Marin County's Ross Valley has a long history of flooding, which threatens human life and has caused severe damage to the residential, commercial, and institutional properties along the Corte Madera Creek; and

WHEREAS, in 1962, the U.S. Congress recognized this problem and enacted the Flood Control Act of 1962 to direct the U.S. Army Corps of Engineers to provide flood prevention improvements along a 6.5-mile stretch of Corte Madera Creek from San Francisco Bay through the towns of Corte Madera, Larkspur, Kentfield, Ross, San Anselmo to Fairfax (referred to as Units 1-6); and

WHEREAS, in 1971, after the completion of Units 1, 2, and 3, the cities of Fairfax and San Anselmo (Units 5 and 6) opted out of the project, the Water Resources Development Act of 1986 limited the scope of the Army Corps of Engineer's project through Unit 4, which extends from the upstream end of the existing concrete channel to the Sir Francis Drake Boulevard Bridge at the upstream boundary of the Town of Ross and the Town of San Anselmo; and

WHEREAS, significant components of the Army Corps of Engineer's project include: (1) a natural sediment basin within the existing channel, (2) raising of the floodwalls in Units 2 and 3, (3) removal and replacement of the fish ladder in Unit 4, and (4) bank stabilization work along Unit 4; and

WHEREAS, the project will reduce the flooding risk, as well as fully respect the environmental concerns expressed by the community, including minimizing the use of concrete, maintaining a way for fish to pass, and preserving plants and trees; and

WHEREAS, for several years, the Army Corps of Engineers has been conducting required environmental review for the project, including a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR); and

WHEREAS, this process is taking longer to complete than originally represented and senior staff previously working on this project have been reassigned to other projects; and

WHEREAS, there is no certain date for the actual completion of this project, which was originally assigned by the U.S. Congress forty-seven years ago; and

WHEREAS, the Army Corps of Engineers' Unit 4 project is a critical component of the Ross Valley Watershed Flood Protection Program for Corte Madera Creek; and

WHEREAS, the Army Corps of Engineer's hydrologic and engineering studies, and the actual project improvements are vital part of the collaborative federal, state, county, and municipal effort to reduce the flooding of the Corte Madera Creek.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Fairfax that it urges the U.S. Army Corps of Engineers and our elected officials to expedite the implementation and completion of the project work related to Unit 4. This project is long overdue and is a vital link to reducing the risk of flooding in Ross Valley.

The foregoing Resolution was adopted at a regular meeting of the Town Council of the Town of Fairfax held in said Town on the 3rd day of February, 2010 by the following vote:

AYES:
NOES:
ABSENT:

LEW TREMAINE, MAYOR

Attest:

Town Clerk