July 26th, 2022

MARIN CONSERVATION LEAGUE
Protecting Marin Since 1934

Sausalito Planning Commission
420 Litho Street
Sausalito CA. 94965

Re: Comments on Negative Declaration, 70-74 Liberty Ship Way project

Dear Sausalito Planning Commission,

Since its founding in 1934, Marin Conservation League (MCL) has actively worked throughout Marin County to preserve, protect and enhance the natural assets of Marin's lands and waters. In recent years, as the effects of a changing climate have become abundantly clear, MCL has expanded its mission to include consideration of climate change as a factor in virtually every land use decision. Our aim is to educate, advise, and actively participate in local decision-making by advocating for choices that enhance resilience to climate change.

In 2009, the San Francisco Bay Conservation and Development Commission (BCDC) initiated its effort to amend the San Francisco Bay Plan to address shoreline vulnerabilities to climate change. Since that time, there has been abundant documentation around the Bay, no less so in Marin, showing significant developed areas that will be under seawater by the mid- to late-21st century. MCL recognized the need for Marin County to plan for sea level rise and advocated for such studies over a number of years. Marin County now has carried out comprehensive sea level rise vulnerability assessment studies, first on the Pacific Coast and subsequently along the Bay shorelines, C-SMART (2016) and BayWAVE (2017), respectively.

As a consequence of ample documentation of sea level rise (SLR), MCL discourages or opposes new development in shoreline areas without considering future sea level rise. MCL believes that City of Sausalito (Sausalito) must address its decision making and actions to recognize, assess, plan for, and adapt to the current and future vulnerability of its shoreline areas to projected SLR, including increased flooding, groundwater impacts, saltwater intrusion into wells and waterways, and displacement.

MCL has reviewed the Negative Declaration for the proposed 3.9-acre 70-74 Liberty Ship Way project. The site is adjacent to both Schoonmaker beach and a marsh restoration project. Although we understand that vulnerability to SLR is not recognized as a significant impact under the current California Environmental Quality Act (CEQA) guidelines, it is linked to hydrology, flooding and Federal Emergency Management Agency (FEMA) requirements. The project of 105,200 square feet building area is currently 12 feet above sea level; the proposed project elements include: 3 buildings, an 8-foot-wide San Francisco Bay Trail connection through an illuminated sidewalk access, and a 48,979 sq ft. parking lot with 107 spaces. This development needs to complete a Sea Level Rise (SLR) assessment timeline to ensure compatibility with climate change implications.

Although the proposed Liberty Ship Way buildings are claimed not to be within BCDC jurisdiction, the recirculation draft map on p. 19 indicates the extent of BCDC jurisdiction as 100 feet from the shoreline. MCL recommends that Sausalito require that BCDC's SLR planning and adaptation guidelines be applied. This would be proactive for Sausalito as it will address the lifespan of the project, past 2050. Most buildings have a lifespan of at least 50 years. The Liberty Ship Way project does not appear to be planning for SLR.

The Recirculation Draft: 70-74 Liberty Ship Way Project (legistarweb-production.s3.amazonaws.com), on page 78 states: "…none of the proposed structures would be located within this [base] flood zone. The base flood elevations in the area are between 10 and 11 feet above mean sea level; the buildings would be set approximately 2 feet above those levels."

Base floods are the 1% annual chance of a "100-year" flood with potential wave action. FEMA requires freeboard (of 0-2 ft) above the base flood elevation for new buildings. The project documents don't provide any basis for the selection of building elevations that accounts for SLR.

MCL compliments Sausalito on its current process of and working towards incorporating SLR into planning and permitting decisions, per state law. We understand Sausalito's policy is being developed to be compatible with the State of California Sea-Level Rise Guidance (State Guidance) *State of California Sea-Level Rise Guidance*. The State developed this Guidance specifically to support local governments and others in this process. The Guidance document provides a "science-based methodology for state and local governments to analyze and assess the risks associated with sea-level rise, and to incorporate sea-level rise into their planning, permitting, and investment decisions."

The State Guidance provides a step-by-step approach for state agencies and local governments to evaluate the best available SLR projections in decision making. The basic steps are:

- Step 1: Identify the nearest tide gauge
- Step 2: Evaluate the project lifespan
- Step 3: For the nearest tide gauge and project lifespan, identify the range of sea-level rise projections.
- Step 4: Evaluate potential impacts and adaptive capacity across a range of sea level rise projections and emission scenarios.
- Step 5: Select sea level rise projections based on risk tolerance and, if necessary, develop adaptation pathways that increase resilience to sea level rise and include contingency plans if projections are exceeded.

In addition:

- As a planning goal, the Ocean Protection Council's Strategic Plan for 2020-2025, approved in February 2020, includes the objective of ensuring California's coast is resilient to a minimum of 3.5 feet of sea level rise by 2050.
- Some agencies, such as BCDC, go further, requiring projects to plan for a mid-century amount of SLR by 2050 and to have an adaptive management plan for SLR through 2100 (5.7 ft to 6.9 ft in this example, for low and high emission scenarios, respectively) or to the end of the project life if sooner than 2100. (From BCDC's SLR Policy Guidance.)

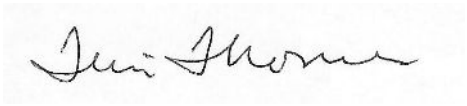
MCL recommends that Sausalito require that the 70-74 Liberty Ship Way Project description include the following:

1. Add the following items to the Project Description (section 2.5):
   a. Address drainage issues as it is important to know if drainage is going to be increased etc. and how it is being managed, the direction and flow, and whether or not it is it in existing pipes and outfalls.
   b. State the first finished floor elevation for buildings so we are assured it complies with the FEMA requirements any other requirement by Sausalito. Identify if you include freeboard as an additional precaution for unknowns. At a public meeting we were told verbally that the elevation would be the FEMA requirement plus 1.9 feet freeboard but it is not identified in the document nor can it be seen in the cross-section. Is that correct, and if so, what is the source of the 1.9 feet freeboard? For your information, San Rafael is requiring a 3-foot freeboard for buildings.
2. Put a checkmark on page 18 on hydrology and water quality. It isn't checked even though it is discussed.
3. Identify several elements in the Hydrology and Water Section to address SLR (page 68):
   a. Establish the minimum construction elevation in low lying areas to account for SLR.
   b. Although using grassy swales to filter runoff and improve water quality component is positive, there needs to be more discussion of this approach. Here are some needed changes plus some questions that need to be addressed.
      i. Identify why the San Francisco Bay Regional Water Quality Control Board (RWQCB) is not listed as a regulator on this.
      ii. How is the drainage dispersed throughout the site?
      iii. Is there any increase in runoff or speed of runoff needs to be for long term with SLR.
      iv. Realize that while SLR isn't required by CEQA it does link back to the FEMA and flooding issues. Drainage is linked to hydrology, run-off and flooding which is a link to FEMA and SLR. How is Sausalito addressing it and how is it applied to this project?
      v. There are two FEMA flood zones; the100-year flood zone requires flood insurance and 500-year flood zone does not. Clarify that the developed portions

of the site are in the 500-year flood zone. Even if this is true, it could be in a higher flood zone as seas rise. Attached please see the Sea Level Rise maps for this area for 2050 and 2100 (see Attachment).

4. Since groundwater is 6 feet below grade, explain why dewatering is not required. Realize that groundwater is not currently looked at in SLR and yet could affect the future flooding and foundation stability.
5. Use the general five step process outlined in the State Guidance as described above. Also consider State Guidance on page 32, which recommendations to "Consider local conditions to inform decision making". This identifies the interplay between sea-level rise and conditions such as contaminated soil, groundwater, or stormwater systems. Also on page 32, "Include adaptive capacity in design and planning. Uncertainty around the magnitude and timing of future sea-level rise, coupled with the potential impacts of rising seas on California's coastline, warrant a proactive approach that builds adaptive capacity into project design and planning." Measures must be taken.
6. Follow the BCDC SLR planning and adaptation requirements.
7. Include adaptation strategies for both near term and longer-range scenarios that don't create negative impacts on neighboring properties.
8. Ensure that the solution or measure increases sustainability and resilience in that it will not result in other climate change-related implications such as increased greenhouse gas emissions, increased fire hazard, or negative impacts on biodiversity.
9. Evaluate both the short- and long-term impacts and the benefit/value for the investment. Will it be a short- term solution only, or will it also be effective in moving a long-term strategy?
10. Present sound engineering advice and best available science for maximum effectiveness.
11. Adequately assess the environmental impacts and/or benefits. Specifically, will the project encourage the preservation and creation of the wetlands within its boundaries? Consistent with MCL's longstanding position, ensure, at minimum that there is "no net loss" of wetlands. Wetlands include areas where water covers the soil all year or seasonally. Wetlands along shorelines slow erosion and absorb flood waters by attenuating waves. Wetlands and adjacent uplands provide valuable habitat, effectively sequester carbon and act as sediment traps for runoff.
12. Protect the health and welfare, as well as the quality of life, for the human environment by evaluating the beach impacts of the project regarding the beach access in the long term and how it will be managed.
13. Integrate adaptation to SLR when maintaining, designing, and planning for the public realm such as the San Francisco Bay Trail, public spaces such as Schoonmaker Beach and access to them, as well as multi-modal transportation networks, essential services, facilities, utilities, and other public infrastructure.

We thank the City of Sausalito for considering these comments.



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Councilmember Susan Cleveland-Knowles
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ATTACHMENT
SAUSALITO SEA LEVEL RISE MAPS
70-74 Liberty Ship Way

2050 Sea Level Rise

2050 plus 100-year storm

2100 Sea Level Rise

2100 Sea Level Rise plus 100 year storm