

July 14th, 2021



Protecting Marin Since 1934

Mayor Kate Colin and
San Rafael City Councilmembers
1400 5th Avenue
San Rafael, CA 94901
Email: city.clerk@cityofsanrafael.org

Re: General Plan 2040, Baylands Corridor delineation, and Canalways

Dear Mayor and Councilmembers:

Marin Conservation League (MCL) appreciates the caliber of San Rafael's 2040 General Plan update and the leadership with which the public planning process continues to be conducted. In addition, MCL appreciates the opportunity we were afforded to represent both environmental and climate change interests on the 2040 Steering Committee as well as this opportunity to add further comment to the redlined goals, policies, and programs in the 2040 Draft. This letter focuses on one of the changes that was not included in the redlined version of the Draft, though there were requests during the Planning Commission's public hearings to include it.

MCL urges the City to include its own policy and programs that **establish a Baylands Corridor that overlays San Rafael's shoreline and that is consistent with the delineation and protections for the Marin County Baylands Corridor as outlined in the 2007 Marin Countywide Plan (CWP)**. Without this, the San Rafael General Plan 2040 falls short in two ways. 1) It lacks sufficient protection for baylands habitat within City boundaries. 2) It misses potential opportunities those protections would extend to the City's efforts to mitigate future flooding and related impacts due to sea level rise, especially for nature-based improvements.

As transitional zones between terrestrial and aquatic ecosystems, baylands incorporate a variety of habitats as well as provide ecological connections to uplands. Both baylands and adjacent uplands support the biodiversity of bay-dependent migratory and resident birds and mammals. These zones include both tidal areas as well as remnant undeveloped diked properties that would be tidal in the absence of levees, sea walls and other manmade structures that block tides.

The Marin County Baylands Corridor in the CWP encompasses shorelines that contain historic marshlands. The historic high and low tide elevations form the geographic and environmental basis for bayland boundaries shown on maps prepared by the San Francisco Estuary Institute and adopted in the CWP. A Baylands Corridor is different than delineations for a Wetland Overlay, as described

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in GP 2040 Policy C-1.1. The wetland overlay relies on the presence or absence of wetland indicators to determine jurisdictional wetlands and waters that would be subject to Section 404 of the Clean Water Act. Alternatively, delineating a Baylands Corridor sharpens attention not only to unique environmental characteristics but also to opportunities to protect the marshes, tidelands, and diked lands that were once wetlands or part of the bays along with their adjacent undeveloped uplands. Establishing a Baylands Corridor should be considered for inclusion in two Elements of the 2040 Plan: (1) in the Conservation and Climate Change Element, added to Policy C-1.1 Wetlands Preservation or C-1.2 Wetlands and Sea Level Rise, and (2) under Flooding and Sea Level Rise and the S-3 section of the Safety and Resilience Element.

While the evolution of the Bay Area's baylands is closely related to the changes in sea level over thousands of years, it is mainly the diking and filling of wetlands over the past 150+ years that resulted in the loss and degradation of nearly 90% of San Francisco Bay's tidal wetlands. With the added threat of sea level rise, development in remaining areas is entirely inappropriate not only from a wetland protection and ecological point of view, but also in terms of flood risk and human safety.

The historic marshlands of San Rafael that lie within the CWP's Baylands Corridor lie within GP 2040's Flood Hazard Areas map (Figure 8-2) and Sea Level Rise Prediction Map (Figure 8-3). They also lie within CWP's "very high level of liquefaction susceptibility" zone (Map 2-11) and subsist of soils, which include water-saturated mud and artificial fill, that are subject to the highest level of amplification of seismic shaking (Map 2-9). Communities and property owners will likely assume greater responsibility for the true costs of locating development in areas of increasing sea levels, storm surge and subsequent flooding over time. Bayland communities need to begin adaptation now to manage risk and create greater social and ecological resilience.

Two comprehensive documents, San Rafael's 2014 "Climate Adaptation – Sea Level Rise" white paper and Marin County's 2017 "Bay Waterfront Adaptation and Vulnerability Evaluation" (BayWAVE) report, together make the case for protection by documenting the human and asset vulnerabilities along the shorelines and the associated dollar costs of ignoring rising waters. The bottom line of both reports is that action needs to get underway to protect the environment, infrastructure, and residents.

One large remnant of undeveloped, diked property along San Rafael's shoreline is a key marsh amid a string of shoreline ponds, Canalways. It is important for wildlife. At three feet below sea level, the property has varied habitats including fresh and brackish water, mudflats, pickleweed, shallow ponding, and upland grass and shrub areas. It is a feeding area not only for migrant birds but also for herons and egrets which nest on nearby West Marin Island, part of Marin Islands National Wildlife Refuge.

As stated in the Neighborhoods Element under Canalways, “Environmental advocacy groups have endeavored to conserve the property and acquire it as open space for five decades.” The City has also sought preservation of this unique site, signing an agreement in 1990 with the State Coastal Conservancy to receive a grant for \$500,000 to acquire the property “for purposes of habitat preservation and enhancement, and public access”, with an additional \$40,000 to complete an enhancement plan.

San Rafael’s 2014 white paper states that the levee constructed along the shoreline path of Canalways is likely not adequate to accommodate projected sea level rise and suggests that this site is an opportunity for possible retreat and conversion to tidal marsh. The current 2040 Plan Policy C-1.1 Wetlands Preservation has only two specific marsh restoration projects listed under Programs. Our hope is that the City will be amending the 2040 Plan sometime in the future to include a Canalways Marsh restoration program.

Fourteen years ago, MCL along with Marin Audubon, Marin Baylands Advocates and Marin Sierra Club, urged the County to adopt a Baylands Corridor as part of their updated 2007 Countywide Plan. MCL now encourages San Rafael to do the same.

Specifically, we request that San Rafael include in its 2040 Plan a policy and/or programs that establish and integrate a Baylands Corridor that overlays San Rafael’s shoreline and is consistent with the delineation and protections for the Marin County Baylands Corridor as outlined in the CWP. This is a necessary step forward in a regional and coordinated approach to adaptation planning that will foster protection of San Rafael’s bayland resources for wildlife and offer potential sea level rise adaptation opportunities to surrounding communities.

Thank you for your consideration of this request.

Sincerely,



Robert Miller
President
SR GP 2040 Steering Committee member

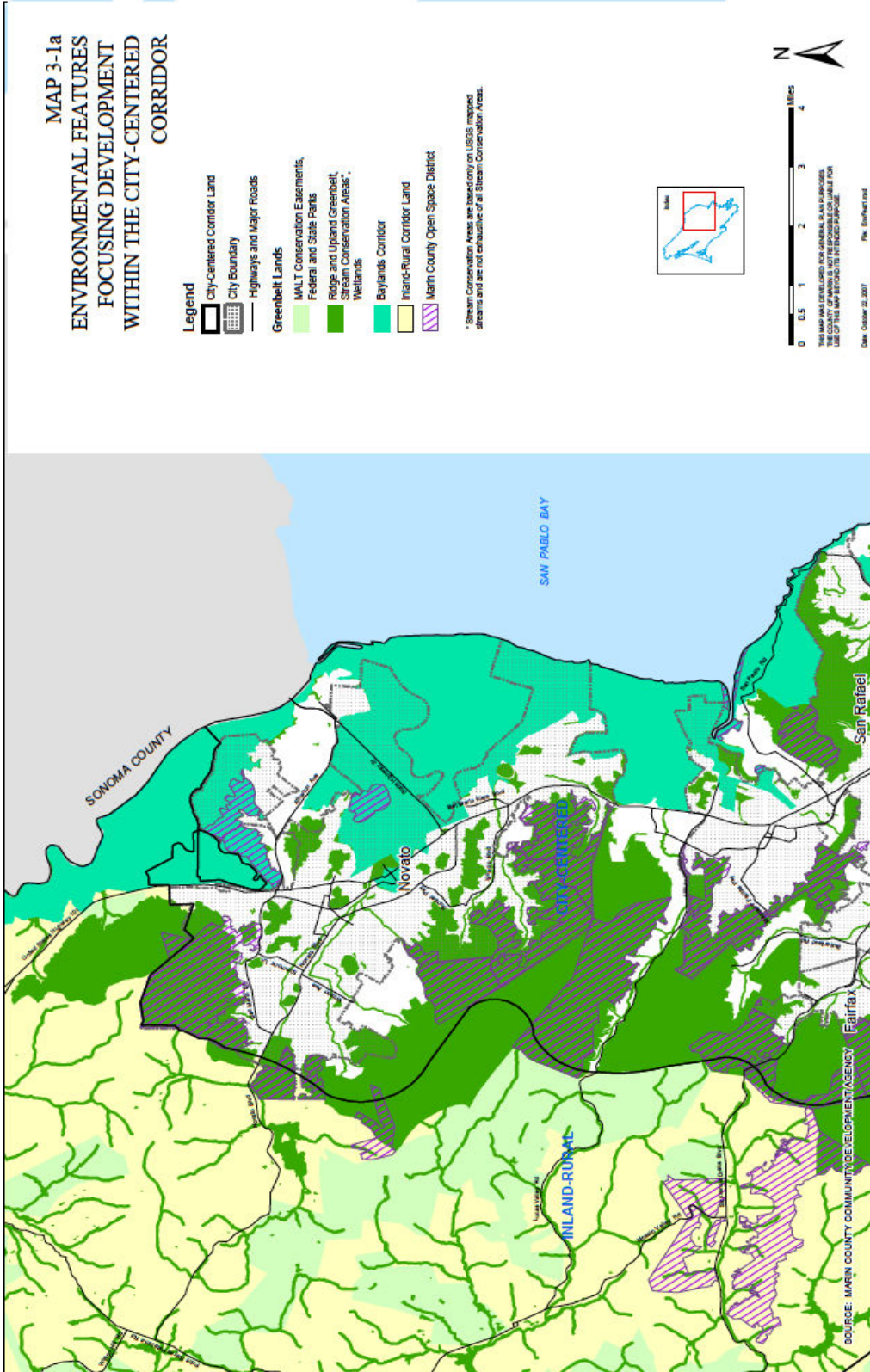


Kate Powers
Land Use, Transportation and Water
SR GP 2040 Steering Committee member

cc Barry Miller

Attachments:

Maps 3-1a and 3-1b from the 2007 Marin Countywide Plan, “Environmental Features Focusing Development within the City-centered Corridor”. They include delineation of the CWP Baylands Corridor.



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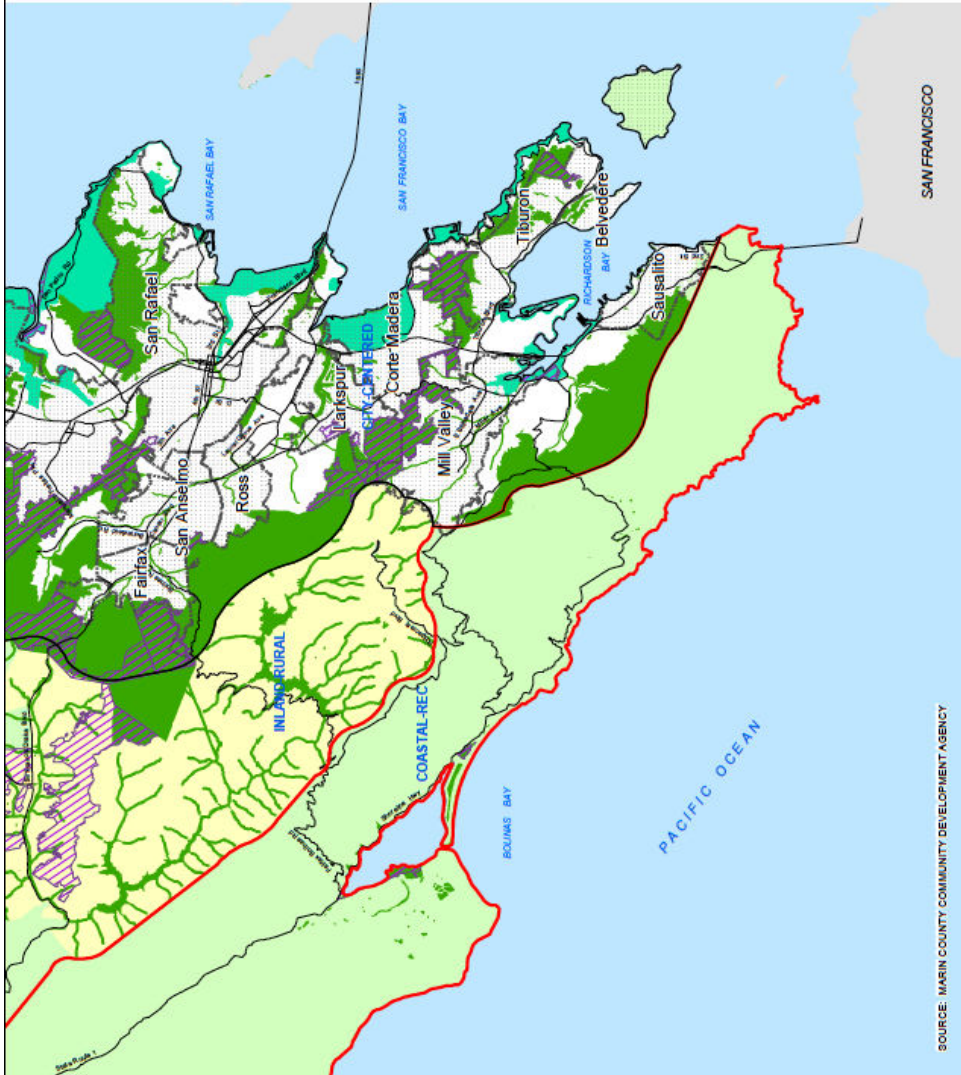
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**MAP 3-1b
ENVIRONMENTAL FEATURES
FOCUSING DEVELOPMENT
WITHIN THE CITY-CENTERED
CORRIDOR**

- Legend**
- City-Centered Corridor Land
 - City Boundary
 - Highways and Major Roads
 - Greenbelt Lands**
 - MALT Conservation Easements, Federal and State Parks
 - Ridge and Upward Greenbelt, Stream Conservation Areas
 - Wetlands
 - Baylands Corridor
 - Inland-Rural Corridor Land
 - Coastal-Recreation Corridor Land
 - Marin County Open Space District
- * Stream Conservation Areas are based only on USGS mapped streams and are not exhaustive of all Stream Conservation Areas.



DATE: OCTOBER 22, 2017
FILE: S3-1b.mxd
SOURCE: MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY
THE COUNTY OF MARIN ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS MAP BEYOND ITS INTENDED PURPOSE.



SOURCE: MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

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