

SAN FRANCISCO BAY RESTORATION AUTHORITY

Staff Recommendation
December 16, 2022

**AUGMENTATION FOR
TISCORNIA MARSH RESTORATION AND SEA LEVEL RISE ADAPTATION
PROJECT**

Project No. RA-011
Project Manager: Linda Tong

RECOMMENDED ACTION: Authorization to disburse up to \$386,000 to Marin Audubon Society to augment the grant of \$3,082,000 previously authorized by the Authority to prepare permit applications, develop final designs, continue engaging community members, and begin construction for the restoration of Tiscornia Marsh adjacent to the Canal community in San Rafael, Marin County.

LOCATION: Tiscornia Marsh, City of San Rafael, Marin County; Measure AA Region: North Bay

MEASURE AA PROGRAM CATEGORY: Safe, Clean Water and Pollution Prevention Program; Vital Fish, Bird and Wildlife Habitat Program; Integrated Flood Protection Program; Shoreline Public Access Program.

EXHIBITS

Exhibit 1: [Project Location and Site Map](#)

Exhibit 2: [Tiscornia Marsh Restoration and Sea Level Rise Adaptation Project: Final Design, Permitting, and Initial Construction \(April 22, 2022 Authority Staff Recommendation\)](#)

Exhibit 3: [Tiscornia Marsh Restoration and Sea Level Rise Adaptation Planning Project \(June 7, 2019 Authority Staff Recommendation\)](#)

RESOLUTION AND FINDINGS

Staff recommends that the San Francisco Bay Restoration Authority adopt the following resolution and findings:

Resolution:

The San Francisco Bay Restoration Authority hereby authorizes the disbursement of an amount not to exceed three hundred eighty-six thousand dollars (\$386,000) to Marin Audubon Society to

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augment the grant of \$3,082,000 previously authorized by the Authority to prepare permit applications, develop final designs, continue engaging community members, and begin construction for the restoration of Tiscornia Marsh. All conditions of the Authority's prior authorization to grant funds for this project apply to this augmentation.

Findings:

Based on the accompanying staff recommendation and attached exhibits, the San Francisco Bay Restoration Authority hereby finds that:

1. The proposed authorization is consistent with The San Francisco Bay Restoration Authority Act, Gov. Code Sections 66700-66706.
2. The proposed authorization is consistent with The San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (Measure AA).

STAFF RECOMMENDATION

PROJECT SUMMARY:

Staff recommends that the San Francisco Bay Restoration Authority (Authority) authorize a grant of up to \$386,000 to Marin Audubon Society (MAS) to prepare permit applications, develop final designs, continue engaging community members, and conduct initial construction for the Tiscornia Marsh Restoration and Sea Level Rise Adaptation Project (the project). The project aims to address the extensive loss of tidal marsh at the mouth of the San Rafael Canal in Marin County (Exhibit 1) due to erosion, and to help reduce the flood risk for the adjacent Canal community through restoration of Tiscornia Marsh and associated levee improvements. This disbursement would augment the \$3,082,000 authorized for the project on April 22, 2022 (Exhibit 2). The project will build on and implement the conceptual design work funded by the Authority on June 7, 2019 (Exhibit 3).

The project goals and history of funding are described in detail in the April 22, 2022 staff recommendation. The project authorized for funding on April 22 includes completion of the planning process (which consists of preparing permit applications, developing final designs, and continuing to engage Canal community members in learning about and providing input on the project) and construction of a coarse beach, placement of dredged sediment for tidal marsh creation, construction of a setback levee behind the adjacent diked marsh, and raising of the entire levee within the project site to a uniform elevation.

MAS has modified the project because of funding constraints, timing of receiving dredged material, and other factors. The project will construct the setback levee behind the diked marsh and raise the entire levee within the project site to a uniform elevation as the first phase of construction. Construction of the coarse beach and tidal marsh construction will not be included in the project and will instead happen in a separate, later phase of construction. The \$386,000 augmentation will provide funds for construction costs associated with the project (as revised).

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The April 22, 2022 staff recommendation provides a description of MAS’s experience, the project’s community involvement, and the site conditions.

PROJECT FINANCING

San Francisco Bay Restoration Authority	\$386,000
(December 16, 2022 Augmentation Request)	
Ocean Protection Council	\$804,000
San Francisco Bay Restoration Authority	\$3,082,000
(April 22, 2022 Authorization)	
Project Total	\$4,272,000

MAS and the City of San Rafael will provide in-kind volunteer and staff time totaling an estimated \$130,000 for project management, document review, regulatory coordination, engineering and planning services, and some construction administration support for the project. The Ocean Protection Council has provided a grant to MAS, through their Proposition 1 Funds for Projects that Benefit Communities Entitled to Environmental Justice and Improve Water Quality, to support final design and permitting work.

CONSISTENCY WITH AUTHORITY’S ENABLING LEGISLATION, THE SAN FRANCISCO BAY RESTORATION AUTHORITY ACT:

The project is consistent with the San Francisco Bay Restoration Authority Act as described in the April 22, 2022 staff recommendation.

CONSISTENCY WITH MEASURE AA PROGRAMS AND ACTIVITIES:

The project is consistent with Measure AA programs and activities, as described in the April 22, 2022 staff recommendation.

CONSISTENCY WITH MEASURE AA PRIORITIZATION CRITERIA:

The project is consistent with the Measure AA Prioritization Criteria, as described in the April 22, 2022 staff recommendation.

COMPLIANCE WITH CEQA:

In order to comply with the California Environmental Quality Act (CEQA), the City of San Rafael prepared the *Tiscornia Marsh Habitat Restoration and Sea Level Rise Adaptation Project Final Environmental Impact Report* (Final EIR) to evaluate the potential environmental impacts of the Tiscornia Marsh Habitat Restoration and Sea Level Rise Adaptation Project. The City of

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San Rafael certified the Final EIR, approved the project, and adopted the mitigation monitoring and report program (MMRP) within the EIR on January 11, 2022.

Before the April 22, 2022 Board authorization, the Authority adopted findings based on the Final EIR, which was attached to the April 22, 2022 staff recommendation as Exhibit 5. The Authority found that the project as modified by the mitigation measures identified in the Final EIR avoids, reduces or mitigates the project's potential significant environmental effect to less than significant, and that there is no substantial evidence that the project as modified will have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382.

The project remains substantially unchanged from its description in the Final EIR, and no new environmental information or change in circumstances requires a re-evaluation of the project's potential environmental effects. 14 Cal. Code Regulations Section 15162(a). Accordingly, the proposed authorization remains consistent with the CEQA findings the Authority adopted in connection with the April 22, 2022 authorization.