

San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600

State of California | Gavin Newsom – Governor | info@bcdc.ca.gov | www.bcdc.ca.gov

Transmitted Via Electronic Mail

August 12, 2024

Dina Tasini
Director of Community Development
Town of Tiburon
1505 Tiburon Boulevard Tiburon, CA, 94920
Via email: <DTasini@townoftiburon.org>

SUBJECT: BCDC Review of the *Draft Initial Study/ Mitigated Negative Declaration for the Greenwood Beach Restoration Project*, in the Town of Tiburon, Marin County (BCDC Inquiry File No. MR.TB.2024.1; SCH # 2024061144)

Dear Dina Tasini:

Thank you for the opportunity to comment on the *Draft Initial Study/ Mitigated Negative Declaration for the Greenwood Beach Restoration Project* (CEQA Document), released on June 26, 2024. The project would be located at an approximately 1.4-acre site along the Richardson Bay shoreline at Blackie’s Pasture Park, in the Town of Tiburon, Marin County (APNs: 055-041-18, 055-041-17, 055-014-12). The goal is to restore and enhance Greenwood and Brunini beaches using a “living shoreline” approach to reduce rates of shoreline erosion, improve shoreline habitat and recreational values, and improve shoreline sea level rise resilience.

The San Francisco Bay Conservation and Development Commission (Commission) is a responsible agency for this project and will rely on the CEQA Document when it considers the project. Our staff has prepared several questions and comments, below, that should be addressed through the Commission permitting process as appropriate. As we receive additional details on the project, we will be able to provide more detailed responses and can work closely with the project proponents to ensure the project is consistent with Commission laws and policies.

1. **Public Access and Recreation.** Section 66602 of the McAtteer-Petris Act states, in part, “that maximum feasible public access, consistent with a proposed project, should be provided.” In addition, the Bay Plan includes a number of relevant policies related to Public Access and Recreation. The Public Access policies provide that maximum feasible public access to and along the waterfront, and on permitted fills, should be provided in and through every new development in the Bay or on the shoreline, whether it be for housing, industry, port, airport, public facility, wildlife area, or other use for wildlife and restoration areas. Please see a few questions and comments specific to public access below:
 - a. **Impacts to public use from excavation of the local borrow area.** On August 4, 2024, BCDC received comments (via two e-mails) from a member of the public regarding potential impacts to public use of the beach area from excavation of the local borrow area (local flood control delta). The project team was copied on the e-mails sent to me.



Dina Tasini
BCDC Review of the *Draft Initial Study/ Mitigated Negative Declaration for the Greenwood Beach Restoration Project*, in the Town of Tiburon, Marin County
(BCDC Inquiry File No. MR.TB.2024.1; SCH # 2024061144)

August 12, 2024
Page 2

We understand that the borrow area would expect to naturally fill in within one to three years through natural sedimentation from storm outflows and deposition of Bay mud, and that this would be monitored over time. Please address whether it is expected that the naturally re-deposited material would be of similar stability and quality of the existing substrate, such that it would allow people to safely access the mudflat area at lower tides as they do today. If not, please explore any potential modifications to the design that may allow this area of the site to continue to provide similar public use opportunities as it does today. Please note that we may require the stability of this area for public access to be monitored as part of the monitoring program.

- b. **Improved path of travel to the beach.** As we discussed during our meeting regarding public access on May 2, 2023, an improved path of travel should be provided to the beach to ensure the project provides maximum feasible public access. Please also confirm with the appropriate ADA coordinator (Town of Tiburon or Marin County) whether accessible beach access at this site (i.e., an accessible route of travel to the high tide line) may be required to fulfill the Town's or County's obligation for programmatic beach access under Title II of the Americans with Disabilities Act. Please share with BCDC staff the results of that discussion as soon as you are able. We are happy to discuss this with you further.
 - c. **Cable and post fences.** Page 19 of the CEQA document mentions placement of temporary cable and post fences with dedicated public access gaps. Please provide a conceptual plan showing the extents of the fences and the locations and dimensions of the public access gaps.
 - d. **Impacts to public access during construction.** Any future BCDC permit issued under the project will require a detailed construction detour and closure plan to ensure that impacts to public access are avoided and minimized during construction.
 - e. **Other public access comments.** Please also be sure to review and address other questions and comments related to public access in the December 21, 2022, sent to the project team by the Bay Restoration Regulatory Integration Team (BRRIT).
2. **Basis of Design and Monitoring and Adaptive Management Plan.** As requested in previous letters sent to the project team by the BRRIT, it will be important to provide a basis of design document describing the principles, assumptions, rationale, criteria, and considerations used for calculations and decisions during project design. In addition, please provide a draft Monitoring and Adaptive Management Plan (MAMP) when you are able. The MAMP should describe monitoring metrics, methods, duration, and frequency; include performance criteria to evaluate the Project's progress towards meeting goals and objectives; discuss adaptive management that may be implemented if performance criteria are not met; and include long-term management and maintenance.


Dina Tasini
BCDC Review of the *Draft Initial Study/ Mitigated Negative Declaration for the Greenwood Beach Restoration Project*, in the Town of Tiburon, Marin County
(BCDC Inquiry File No. MR.TB.2024.1; SCH # 2024061144)

August 12, 2024
Page 3

3. **Updated State of California Sea Level Rise Guidance.** The CEQA document references the 2018 Sea Level Rise Guidance from the State of California Ocean Protection Council (OPC). The OPC updated this guidance in 2024, and we recommend that this be used for any sea level rise planning. The new guidance can be found at the following URL:
<https://opc.ca.gov/2024/06/for-immediate-release-ocean-protection-council-adopts-updated-guidance-to-help-california-prepare-for-and-adapt-to-rising-seas/>
4. **Other remaining comments from previous letters from the BRRIT.** We also recommend reviewing in general the previous comment letters sent from the BRRIT to ensure that the regulatory agency concerns are addressed during the pre-application and application process. Where feasible, we recommend that draft reports and materials be provided prior to application submittals, so that any remaining agency concerns are addressed early in the process.

Thank you for providing the staff with an opportunity to review the *Draft Initial Study/ Mitigated Negative Declaration for the Greenwood Beach Restoration Project*. We recognize the importance and scope of this project and hope these comments aid you in finalizing the environmental document and your BCDC permit application. We look forward to working with you and the project sponsors as the project is developed and through the permitting stage. If you have any questions regarding this letter or the Commission's policies and permitting process, please do not hesitate to contact me at 415-352-3668 or schuyler.olsson@bcdc.ca.gov.

Sincerely,

DocuSigned by:

A67BAB4E82A64F7...

SCHUYLER OLSSON
Senior Environmental Scientist (Specialist)
San Francisco Bay Conservation and Development Commission
375 Beale Street, Suite 510, San Francisco, California 94105
Tel: 415-352-3600 | Fax: 888 348 5190
Email: info@bcdc.ca.gov | Website: www.bcdc.ca.gov

SO/ra

cc: State Clearinghouse, state.clearinghouse@opr.ca.gov