

**CALIFORNIA STATE LANDS
COMMISSION**

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October 30, 2024

File Ref: SCH # 2024091190

Ron Downing, Director of Planning
Golden Gate Bridge, Highway and
Transportation District
1011 Anderson Drive
San Rafael, CA 94901

VIA REGULAR & ELECTRONIC MAIL: LFEP@goldengate.org

**Subject: Notice of Preparation for an Environmental Impact Report for the
Larkspur Ferry Service and Parking Expansion Project, Marin County**

Dear Mr. Downing:

The California State Lands Commission (Commission) staff has reviewed the subject Notice of Preparation (NOP) for an Environmental Impact Report (EIR) for the Larkspur Ferry Service and Parking Expansion Project (Project), which is being prepared by the Golden Gate Bridge, Highway, and Transportation District (District). The District, as the public agency proposing to carry out the Project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The Commission is a trustee agency for projects that could directly or indirectly affect State sovereign land and their accompanying Public Trust resources or uses.

Commission Jurisdiction and Public Trust Lands

The Commission has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The Commission also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6009, subd. (c); 6009.1; 6301; 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and

waterways, are subject to the protections of the common law Public Trust Doctrine.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the state for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On tidal waterways, the State's sovereign fee ownership extends landward to the mean high tide line, except for areas of fill or artificial accretion or where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present day site inspections.

Project Description

The District proposes to expand Larkspur Ferry service and parking at the Larkspur Ferry Terminal to meet its objectives and needs as follows:

- Relieve congestion within the US-101 highway corridor and the Golden Gate Bridge by providing increased ferry service
- Meet increasing demand for ferry service from Larkspur and Sonoma and Marin Counties to existing and planned ferry terminals in San Francisco
- Develop parking solutions that will accommodate additional passengers accessing current and expanded ferry service to San Francisco

From the Project Description, Commission staff understands that the Project would include the following components that may indirectly affect State sovereign lands and the public trust resources and values those lands provide:

- Expansion of the main parking lot
- Enhancement of the bike path between the main parking lot and marsh
- Increase in ferry service - additional high speed vessels, new service route, and number of trips per day

Environmental Review

Commission staff requests that the District consider the following comments when preparing the EIR, to ensure that impacts to State sovereign land are adequately analyzed if the Commission uses the EIR to support a future lease approval related to the Project.

General Comments

1. Project Area and Location: The Project area should include the marsh on the northern bank of Corte Madera Creek that is directly adjacent to the south

side of the Larkspur Ferry Terminal main parking lot. This marsh was the prior mitigation site for the rock rip rap wall installed along the south bank of Corte Madera Creek at the Greenbrae Boardwalk. This parcel is approximately 7.4 acres and was under a previous lease ([PRC 7309](#)) with the Commission. The marsh may be impacted by Project activities to expand the main parking lot and enhance the bike path, and those impacts should therefore be addressed in the EIR. The marsh should also be integrated into the Project itself because the marsh will provide flood protection and minimize impacts from sea level rise to the expanded main parking lot and bike path, as well as the existing ferry terminal. To adequately perform that function over the course of the Project's lifespan, the marsh needs to be actively managed and adapted to sea level rise. Adaptation strategies to maintain the marsh's flood control function could include elevating the marsh with sediment, planting native vegetation for erosion control, and improving drainage systems. The marsh is within the Commission's jurisdiction, and a lease would be required for activities to manage the marsh and its resources.

In addition, the Project area should include the existing rock rip rap revetment that was previously installed along the Greenbrae Boardwalk community as mitigation for the original Larkspur Ferry Terminal. The revetment is under lease with the Commission ([PRC 7187](#)), and a new lease is scheduled for consideration by the Commission at its meeting on Tuesday, December 17, 2024 (<https://www.slc.ca.gov/meetings/>). The revetment's purpose is to protect the upland property from the wake of existing ferry vessel activities. In its current deteriorated state, the revetment is not functioning as intended. Given that the Project contemplates more ferry trips and use of faster vessels, the shoreline can reasonably be expected to need significantly increased protection from larger and more frequent vessel wakes. Sea level rise will also compound the flood risk to the Greenbrae Boardwalk community. The sea level in this area is projected to rise between 0.8 to 1.3 feet by 2050, according to the Ocean Protection Council's [2024 Sea Level Rise Guidance](#). The revetment has significantly degraded since its installation. The land underneath the revetment has subsided over the years, and portions of the revetment are sunk into the underlying bank and, in some cases, covered over with sediment. The preliminary [Wake and Shoreline Analysis](#) performed by the District did not appear to measure wake height for this area, only the northern Corte Madera Creek Channel. The District should undertake a more detailed Wake and Shoreline Analysis study that includes this area and measures wake impacts to the revetment. Given these risk factors for flooding in the Boardwalk community, the Project may need to be augmented to include repair or replacement of the revetment. Alternative strategies to hard armoring, such as nature-based solutions like living shorelines, should be considered in any activities to modify the revetment and improve flood protection and resiliency of the upland property,

consistent with the Commission's 2023 [Shoreline Adaptation and the Public Trust](#) report.

Climate Change

2. Sea Level Rise: The NOP indicates that sea level rise will be studied as part of the EIR. The Commission recommends that the study uses the projections from the most recent State guidance (referenced above) and includes consideration of the Intermediate scenario as the lower bound and the High scenario as the upper bound for analysis. Sea level rise scenarios should also be incorporated into wake height impact studies.

Thank you for the opportunity to comment on the NOP for the Project. As a trustee agency, Commission staff requests to be kept advised of changes to the Project Description and associated document scope. Please send additional information on the Project to the Commission staff listed below as the EIR is being prepared.

Please refer questions concerning climate change to Maren Farnum, Senior Environmental Scientist, at (916) 574-0966 or via email at Maren.Farnum@slc.ca.gov. For general questions concerning environmental review, please contact Afifa Awan, Senior Environmental Scientist, at (916) 574-1891 or via email at Afifa.Awan@slc.ca.gov. For questions concerning Commission leasing jurisdiction, please contact George Asimakopoulos, Public Coordinator, Land Management Division, at (916) 574-0990 or via email at George.Asimakopoulos@slc.ca.gov.

Sincerely,



Nicole Dobroski, Chief
Division of Environmental Science,
Planning, and Management

cc: Office of Planning and Research
A. Awan, Commission
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M. Farnum, Commission
K. Foster, Commission