

# CHAPTER 1

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## Introduction

### 1.1 Purpose of the EIR

The City of San Rafael (City) is the lead agency responsible for preparing this environmental impact report (EIR) under the California Environmental Quality Act (CEQA). CEQA requires the preparation of an EIR when a project could significantly affect the physical environment. The City determined that the Tiscornia Marsh Habitat Restoration and Sea Level Rise Adaptation Project (Proposed Project, or Project) could potentially cause significant environmental impacts, and that preparation of an EIR was therefore required for the Project to comply with CEQA.

The City has prepared this EIR to inform the City's Planning Commission (Commission), the public, and responsible and trustee agencies reviewing the Proposed Project about the potential physical effects of the Proposed Project, both beneficial and adverse, on the local and regional environment. This EIR was prepared in compliance with CEQA (California Public Resources Code, Sections 21000 et seq.) and the CEQA Guidelines (California Code of Regulations Title 14, Sections 15000 et seq.).

This EIR describes the Proposed Project under consideration by the City. The document characterizes the Project setting, discloses the range of potential environmental impacts of the Proposed Project, and identifies mitigation measures for impacts identified as significant. The EIR also addresses cumulative adverse impacts to which the Proposed Project could make a substantial contribution. Also, as required under CEQA, it describes and evaluates potentially feasible alternatives to the Proposed Project that could avoid or reduce significant impacts while still meeting most of the Project's objectives.

### 1.2 EIR Process

#### 1.2.1 Early Public Engagement

In order to obtain early public input in the Project planning process prior to initiation of CEQA by the City of San Rafael, the Marin Audubon Society, as the Project sponsor, worked with the Multicultural Center of Marin (MCM), a group that is deeply involved in the local community through a variety of existing programs (e.g., co-organizing a Día de los Muertos festival with the Canal Neighborhood community, providing fellowships and mentoring programs for transitional youth and youth in conflict, producing radio and online shows hosted in Spanish and English, leading the Marin Rapid Response Network to safeguard the civil rights of community members

targeted by Immigration and Customs Enforcement [ICE] raids, etc.). With the goal of engaging the Project site's diverse surrounding communities in the planning process, MCM conducted outreach activities to educate the communities adjacent to the Project site about sea level rise, nature-based adaptation solutions, and the adaptation and resiliency goals of the proposed Project at Tiscornia Marsh.

MCM held two in-person public meetings to reach local communities and solicit input on the Project, one in January and one in April of 2018. These meetings were held locally and were supported with childcare services, food, and Spanish and Vietnamese translation services. A community site walk was also held in April of 2018, supported by on-site translation services, which included posters of potential Project conceptual alternatives and a tour of the site describing potential Project components. All three of these meetings were advertised with outreach flyers in Spanish and English and through local community events. A third public meeting was held virtually in October, 2020, with live Spanish and Vietnamese translation services. MCM has also created a public-facing website for the Project in Spanish and English; produced a radio show and short video to educate community members on flooding, sea level rise, and the proposed Project to encourage participation in the planning process; created online information sheets in Spanish covering the Project alternatives and information on flooding and sea level rise; and engaged local non-profits as potential partners (e.g., community councils, schools, Parent Services Project, Canal Alliance) to help reach additional community members.

## 1.2.2 Notice of Preparation and Scoping

In accordance with Section 15082 of the CEQA Guidelines, the City, as the CEQA lead agency, prepared and disseminated a notice of preparation (NOP) for this EIR. The NOP contains a description of the Proposed Project, a summary of existing conditions at the Project location, maps of the Project site, and a summary of the probable environmental effects of the Proposed Project to be addressed in the EIR, as well as instructions for joining the scoping meeting and for submitting written comments. On January 25, 2021, the NOP was mailed to interested parties, including individuals, and to federal, state, and local agencies, and was posted by the California State Clearinghouse beginning on February 19, 2021 and by the Marin County Clerk. The 30-day scoping period for the Project remained open through February 26, 2021. On February 23, 2021, the City held a Project scoping and update meeting to receive comments on the scope of the EIR.

The City received three comment letters from federal and state agencies and local organizations during the comment period. The City's staff report, NOP, and comment letters are included in Appendix A.

## 1.2.3 Draft EIR

This Draft EIR is available for review and comment by federal, state, and local agencies and interested organizations and individuals for a 45-day period identified in the notice shown inside the front cover of the document. Notice of this Draft EIR has also been sent directly to every

agency, person, or organization that commented on the NOP. During the public comment period, written comments on the adequacy of the Draft EIR may be submitted electronically to:

Theo Sanchez, Associate Civil Engineer  
 City of San Rafael  
 Theo.Sanchez@cityofsanrafael.org

All written comments must be submitted to the City by Tuesday, October 26, 2021, at 5:00pm. During this 45-day review period, copies of the Draft EIR will be available for public review at the City of San Rafael, Tiscornia Marsh Project Website:

<https://www.cityofsanrafael.org/tiscornia-marsh/>

Should you require access to a physical copy of the Draft EIR, one will be available at:

City Hall, Community Development Department  
 1400 Fifth Avenue, Top Floor  
 San Rafael, CA 94901

The City will also conduct a public hearing to receive oral comments on the adequacy of the analysis included in the Draft EIR. The meeting will be held on:

**Date:** Tuesday, October 26, 2021  
**Time:** 7:00 p.m.  
**Location:** [www.youtube.com/cityofsanrafael](http://www.youtube.com/cityofsanrafael). Instructions on how to participate online will be available on the YouTube channel.

COVID-19 ADVISORY NOTICE: Consistent with Executive Orders No. N-25-20 and No. N-29-20 from the State of California and the Marin County March 16, 2020 Shelter in Place Order, the San Rafael Planning Commission hearing listed above WILL NOT be physically open to the public and the meeting will be streamed live to YouTube at the web address listed above.

## 1.2.4 Final EIR

All written comments received on the adequacy of this Draft EIR during the public review period will be addressed in a “response-to-comments” document that, together with this Draft EIR, will constitute the Final EIR. The response-to-comments document will also present any changes to the Draft EIR resulting from public and agency input, as well as changes initiated by City staff.

Before any decision to approve, revise, or reject the Proposed Project, the Commission will review the Final EIR and consider certifying the document at a regularly scheduled Commission meeting. Upon EIR certification, the City may proceed with Project approval actions. Approval of the Proposed Project would include written findings for each significant adverse environmental effect identified in the EIR (CEQA Guidelines Section 15091). At the time that CEQA findings are adopted, the City would also adopt a mitigation monitoring and reporting program (MMRP) for adopted mitigation measures (discussed further below).

## 1.2.5 Mitigation, Monitoring, and Reporting

Although the CEQA Guidelines do not require that the specific reporting or monitoring program be included in the EIR, California law requires lead agencies to adopt a Mitigation Monitoring and Reporting Program (MMRP) for those mitigation measures that are conditions of project approval and that are necessary to reduce or avoid significant effects on the environment. All adopted measures will be included in an MMRP to ensure CEQA compliance during Project implementation (CEQA Guidelines Section 15097(a)).

## 1.3 Organization of the EIR

Before this chapter, this EIR contains a summary chapter, which provides a concise overview of the document. The Executive Summary chapter allows the reader to review a summary of the analysis of potentially significant effects, proposed mitigation measures, residual environmental impacts after mitigation, and alternatives to the Proposed Project that would reduce or avoid effects on the environment. The Executive Summary culminates with the Summary of Environmental Impacts and Mitigation Measures, a table that lists each identified environmental impact, associated mitigation measures, and the level of significance of each significant impact following mitigation.

Following this chapter, this EIR has been organized as follows:

**Chapter 2, *Project Description*.** This chapter provides a detailed description of the Proposed Project, including the Project vicinity, existing facilities, construction information, and anticipated maintenance requirements. It presents a discussion of existing operations, Project needs, and Project objectives, along with a brief overview of anticipated regulatory requirements.

**Chapter 3, *Environmental Setting, Impacts, and Mitigation Measures*.** Each environmental topic applicable to the Proposed Project is discussed in a separate section of this chapter. Each section contains a description of the setting (existing environmental and regulatory setting) and the environmental impacts that could result from the Proposed Project. Each section also presents feasible mitigation measures for significant adverse impacts. The criteria used to assess the significance of adverse environmental effects are identified, and the significance of the impact both before and after mitigation is reported.

**Chapter 4, *Other CEQA Issues*.** This chapter describes the Proposed Project's growth inducement potential and the significant and irreversible environmental changes of the Proposed Project.

**Chapter 5, *Alternatives*.** This chapter evaluates a range of alternatives to the Proposed Project, including the No Project Alternative, which is required by CEQA.

**Chapter 6, *EIR Preparers*.** This chapter lists the persons who prepared this EIR and their affiliations.

## 1.4 References

No references are cited in this chapter.