



THE TOWN OF
CORTE MADERA
MARIN COUNTY CALIFORNIA

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Corte Madera, CA
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Town Council
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Town Clerk
415-927-5085

Finance Department
415-927-5055

Central Marin Fire Department
415-927-5077

Planning Division
415-927-5064

Building Division
415-927-5062

Public Works Department
415-927-5057

Parks and Recreation
Department
415-927-5072

Sanitary District No. 2
415-927-5057

Central Marin Police Authority
415-927-5150

August 21, 2024

The Honorable Judge Mark Talamantes
Marin County Superior Court
P.O. Box 4988
San Rafael, CA 94913-4988

Rod Kerr, Foreperson
Marin County Civil Grand Jury
3501 Civic Center Drive, Room #275
San Rafael, CA 94903

Town of Corte Madera Response to Grand Jury Report “Sea Level Rise: The Water is Upon Us. We Cannot Run - We Cannot Hide”

Dear Honorable Judge Talamantes and Foreperson Kerr:

At its regular meeting on August 20, 2024, the Town Council reviewed the report “Sea Level Rise: The Water is Upon Us. We Cannot Run - We Cannot Hide,” dated May 31, 2024. The report requests a response from the Town of Corte Madera to findings 1, 2, 3, 4, 5, 6, (F1, F2, F3, F4, F5, F6) and recommendations 1, 2, 3 (R1, R2, R3). Please see the attached response from the Town.

Should the members of the Grand Jury require any additional information, please contact Town Manager Adam Wolff at 415-927-5059 or awolff@cortemadera.gov

Sincerely,

Eli Beckman
Mayor, Town of Corte Madera

RESPONSE FORM: 2023-2024 Marin Civil Grand Jury Report

Report Title: Sea Level Rise: The Water is Upon Us. We Cannot Run - We Cannot Hide
Respondent/Agency Name: Town of Corte Madera
Submitter Name: Eli Beckman Title: Mayor

FINDINGS

- Agree with the findings numbered: F5
- Disagree *partially* with the findings numbered: F3, F4, F6
- Disagree *wholly* with the findings numbered: F1, F2

(Attach a **statement** specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered N/A have been implemented.
(Attach a **summary** describing the implemented actions.)
- Recommendations numbered N/A have not yet been implemented, but will be implemented in the future.
(Attach a **timeframe** for the implementation.)
- Recommendations numbered N/A require further analysis.
(Attach an **explanation** and the scope and parameters of an analysis or study, and a **timeframe** for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This **timeframe shall not exceed six months** from the date of publication of the grand jury report.)
- Recommendations numbered R1, R2, R3 will not be implemented because they are not warranted or are not reasonable.
(Attach an **explanation**.)

Date: 8/21/24 Signed: 

Number of pages attached: 4

SEA LEVEL RISE INITIATIVES IN CORTE MADERA

The Town of Corte Madera would like to provide further information on our sea level rise adaptation measures to date which were not included in the Civil Grand Jury Report, and correct misleading information included in the Report.

As stated in the Civil Grand Jury Report, in 2019 the Town initiated a climate adaptation planning process, which was completed in 2021 with the Corte Madera Town Council's acceptance of the final Climate Adaptation Assessment. The Assessment includes an overview of actions that can be taken to respond to sea level rise, which fall into four general categories: no-action; flood accommodation; shoreline protection; and managed retreat (p. 71). These categories of coastal and SLR adaptation actions are widely accepted and discussed at regional, state, and national levels (California Coastal Commission: Residential Adaptation Policy Guidance, Adaptation Land Use Planning: Guidance for Marin County Local Governments) and were provided in the document for context, to illustrate the breadth of approaches to SLR. The Assessment states that "No single category of action(s) is considered "better", or "best", as different types of actions are appropriate for different locations and for different vulnerabilities and resource protection goals" (p. 72).

The Civil Grand Jury Report references this section of the Assessment and inaccurately suggests that the Town is considering managed retreat as an approach. In contrast to what the Grand Jury Report suggests, this section of the Assessment highlights that "Town staff and its elected officials are committed to protecting its residents, property owners, businesses and infrastructure, but this can only be achieved by partnering with the community to develop and implement adaptation actions that are widely supported" (p. 71). This remains the case, and the Town is actively working with residents to develop strategies that will protect the community in place through its Shoreline Adaptation Engagement Effort.

The Town's Shoreline Adaptation Engagement Effort began in Fall 2023 and is currently in its final stages. The effort aims to provide all shoreline residents and stakeholders with the best, most recent information about current and future vulnerabilities and the opportunity to share their ideas, concerns, and needs with Town staff and leaders. Its goal is to develop the next steps of shoreline adaptation in partnership with the community and Town Council. To that end, staff have held multiple events, including king tide pop-ups, virtual workshops, small stakeholder gatherings, and public meetings focused on sharing information about flood vulnerabilities and listening to community input. An online video and tool to visualize flooding impacts was also developed, called the Shoreline Flood Explorer: Corte Madera. This video was shared with the community through various mediums ahead of a mailed feedback form that was sent out to all shoreline residents and stakeholders in the engagement area. The responses to the feedback form show support for taking the next steps to develop infrastructure projects that can protect shoreline neighborhoods, as well as a variety of supplementary flood mitigation measures. The Town will continue to engage with residents and stakeholders on a regular basis while developing these mitigation strategies further.

More information on the Shoreline Adaptation Engagement Effort, updates, and ways to get involved can be found here: <https://cortemaderaadapts.org/shoreline>.

RESPONSE TO GRAND JURY FINDINGS

F1. A comprehensive countywide agency is necessary to effectively address the impacts of sea level rise in Marin County.

Response: Disagree

While the Town of Corte Madera agrees that collaboration amongst the County of Marin, Marin cities, towns, special districts, and public agencies is essential to effectively address the impacts of sea level rise, the Town does not support the creation of a new countywide agency at this time.

The Town of Corte Madera acknowledges that the County of Marin is currently in the process of completing the “Marin County Sea Level Rise Adaptation Organizational Structure and Decision-Making Process” project with consultant AECOM. This project is intended to answer the following questions:

1. How can Marin County best work with its communities, cities, towns, state, and federal agencies to advance solutions to sea level rise?
2. How can the County organize County staff and resources effectively and efficiently to prepare for sea level rise and deliver future adaptation projects?

This work is expected to be completed in Fall 2025. Once this work is complete, the Town of Corte Madera will be in a better position to make an informed decision on the merits of establishing a countywide agency.

F2. To be effective, a countywide agency created to address sea level rise in Marin County should include the County of Marin, all cities and towns, and appropriate special districts in Marin County as funding participants.

Response: Disagree

The Town of Corte Madera acknowledges that the County of Marin is currently in the process of developing the “Marin County Sea Level Rise Adaptation Organizational Structure and Decision-Making Process”. The Town of Corte Madera hopes that funding will be addressed through the recommendations and conclusions of this study. The Town recommends awaiting the conclusion and recommendations of the “Marin County Sea Level Rise Adaptation Organizational Structure and Decision-Making Process” before further recommendations are made.

F3. The complete failure to create and implement effective countywide sea level rise adaptation projects in Marin County will result in significant damages and losses to commercial and residential properties as well as infrastructure, both public and private.

Response: Partially disagree

While the Town of Corte Madera agrees that the implementation of effective, collaborative sea level rise adaptation projects is necessary to avoid damages and losses to commercial and residential properties, as well as public and private infrastructure, it is unclear whether the

creation of a new countywide agency is the best approach to move this work forward. Once the “Marin County Sea Level Rise Adaptation Organizational Structure and Decision-Making Process” project is complete, the Town of Corte Madera will be in a better position to make an informed decision on the merits of establishing a countywide agency.

F4. The 2034 deadline imposed by Sections 30985-30985.8 of the California Public Resources Code for each California county to submit its official sea level rise mitigation plan is “too little too late” for Marin county, and delaying action until then will expose coastal and Bay areas to unnecessary flooding risks, financial and other losses.

Response: Partially disagree

The 2017 Bay Waterfront Adaptation and Vulnerability Evaluation (BayWAVE) finds that in just fifteen years sea level rise may threaten and damage shoreline buildings, roads and utility systems, impacting all of Marin. The Town of Corte Madera is actively working to prepare the community for sea level rise impacts, including by developing a Climate Adaptation Assessment in 2021 and initiating a Shoreline Adaptation Engagement Effort in 2023 to engage with shoreline residents and stakeholders more deeply. The Town is also incorporating sea level rise predictions into infrastructure projects along the shoreline, such as the Paradise Drive Complete Street Project. Thus, while 2034 may be too late, the Town is not waiting for this deadline to take action.

F5. Under-represented populations reside in areas that are severely vulnerable to sea level rise because they are in low-lying ground.

Response: Agree

The Town of Corte Madera agrees that low-income, historically marginalized communities in low-lying areas of Marin are particularly vulnerable to sea level rise.

F6. Sea level rise plans to be developed by a countywide entity should include adaptation strategies that directly apply to under-represented communities in low-lying areas with great exposure to sea level rise, such as the Canal District, areas of Novato, and Marin City, among others.

Response: Partially disagree

The Town of Corte Madera agrees that adaptation strategies aimed to protect low-income, historically marginalized communities in low-lying areas with the greatest exposure to sea level rise must be included in sea level rise planning and implementation efforts.

The Town understands that as part of the “Marin County Sea Level Rise Adaptation Organizational Structure and Decision-Making Process” project, AECOM is conducting an engagement process, including outreach to equity priority groups to seek their input. The Town recommends awaiting the conclusion and recommendations of the “Marin County Sea Level Rise Adaptation Organizational Structure and Decision-Making Process” before further recommendations are made.

RESPONSE TO GRAND JURY RECOMMENDATIONS

By March 20, 2025, the following actions should be implemented by:

R1. The Board of Supervisors, in collaboration with Marin county cities, towns, Bel Marin Keys Community Services District and Marin Water should create a comprehensive countywide agency with authority to plan and implement adaptation efforts addressing the impacts of sea level rise in Marin County.

Response: The recommendation will not be implemented because it is not warranted or reasonable. The Town of Corte Madera does not have the authority to direct the Board of Supervisors to implement this Recommendation.

R2. The Board of Supervisors should actively enlist the participation and support of state and federal legislators toward the creation and funding of this comprehensive countywide agency.

Response: The recommendation will not be implemented because it is not warranted or reasonable. The Town of Corte Madera does not have the authority to direct the Board of Supervisors to implement this Recommendation.

R3. The Board of Supervisors should require the newly created countywide entity to create plans that recognize and address sea level rise exposure and the specific risks to the populations in the Canal District, Marin City, specific areas in Novato, and all low-lying geographic regions where lower income populations reside. The plan should identify and address the risks impacting those populations, which include:

- (a) risks of becoming stranded due to inaccessible roads;
- (b) lack of transportation if evacuations are called;
- (c) mold that may grow inside their homes;
- (d) exposure to infectious diseases due to contaminated standing water;
- (e) need to relocate temporarily or permanently as a result of floods; and
- (f) other community-specific risks identified in regional assessments.

Response: The recommendation will not be implemented because it is not warranted or reasonable. The Town of Corte Madera does not have the authority to direct the Board of Supervisors to implement this Recommendation.