



November 17, 2020

The Honorable Andrew E. Sweet
Presiding Judge,
Marin County Superior Court
3501 Civic Center Drive
San Rafael, CA 94903

Ms. Lucy Dilworth
2019-2020 Foreperson,
Marin County Civil Grand Jury
P.O. Box 4988
San Rafael, CA 94913

Re: City of San Rafael response to "Climate Change: How will Marin Adapt?" Marin County Civil Grand Jury report dated September 11, 2020

Dear Judge Sweet and Foreperson Dilworth:

At the regular City Council meeting on November 16, 2020, the San Rafael City Council reviewed the report "Climate Change: How Will Marin Adapt?" and in accordance with Penal Code 933 (c) responded to recommendations F1-F5, F7, R1, R4 and R6 as requested.

Should the members of the Grand Jury require additional information, please contact Jim Schutz, City Manager, at (415) 485-3070.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Phillips", with a long horizontal flourish extending to the right.

Gary Phillips
Mayor

RESPONSE TO GRAND JURY REPORT FORM

Report Title: Climate Change: How Will Marin Adapt?
Report Date: September 11, 2020

Response By: San Rafael City Council
Title: Mayor and City Council

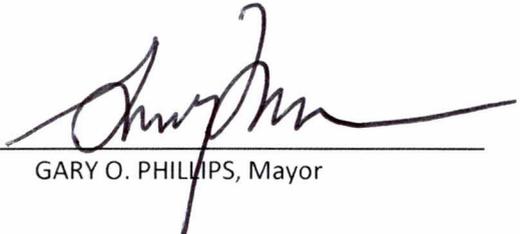
FINDINGS:

- We agree with the findings numbered F1, F2, F3, F5
- We disagree wholly or partially with the findings numbered F4, F7
(See Attachment A)

RECOMMENDATIONS:

- Recommendations numbered R6 have been implemented.
- Recommendations numbered _____ have not yet been implemented but will be implemented in the future.
- Recommendations numbered R1 & R4 require further analysis. (See Attachment A)
- Recommendations numbered _____ will not be implemented because they are not warranted or are not reasonable.

DATED: 12/01/2020

Signed: 
GARY O. PHILLIPS, Mayor

ATTEST: B. Nurmi
for Lindsay Lara, City Clerk

Number of pages attached: 4

**ATTACHMENT A: RESPONSE OF THE CITY OF SAN RAFAEL TO GRAND JURY
REPORT "CLIMATE CHANGE: HOW WILL MARIN RESPOND?"**

FINDINGS AND RESPONSES

The responses below have been made from the perspective of the City of San Rafael's experience with planning for the effects of climate change. Although we work cross-jurisdictionally and are members of the Marin Climate and Energy Partnership, we do not have full insight or influence on the planning practices of other local government agencies in Marin County.

F1. Climate change mitigation efforts by Marin governments have been notably effective in meeting their goals to reduce greenhouse gas emissions.

Response: Agree

The City of San Rafael has worked with the County, other Marin cities and towns, as well as other local partners and community members to collaborate on mitigation efforts. We've been successful in reducing greenhouse gas (GHG) emissions in San Rafael thus far to 25% below 2005 baseline levels. However, GHG emission reductions will be more challenging as deeper reductions are required, and we will need to redouble our efforts to get to a 40% reduction below 1990 levels by 2030.

F4. The existing adaptation efforts across the county pay insufficient attention to the other potential effects of climate change, including impacts on public health, ecosystems, and social equity.

Response: Partially Disagree

In 2017, the City of San Rafael prepared and adopted a Local Hazard Mitigation Plan that addresses all hazards, as well as hazards associated with climate change. In 2018, the City participated in the working group of Marin's county and municipal planners that helped develop a countywide, multi-jurisdictional Local Hazard Mitigation Plan that was subsequently adopted by the San Rafael City Council and the Board of Supervisors (referenced on p. 18 of the Grand Jury Report). The City continues to participate in this working group, which is collaborating to help integrate climate adaptation planning in all the planning efforts of the local jurisdictions.

Subsequently, the City of San Rafael has integrated much of this work into a just-released Draft General Plan 2040, which includes a State-mandated Equity, Diversity and Inclusion Element and a Safety and Resilience Element addressing climate impacts. The Draft General Plan 2040 also includes two supportive documents to begin San Rafael's adaptation efforts: a Flood Risk and Sea Level Rise Adaptation Report and Sea Level Rise Adaptation Technical Guidance Study, conducted by ESA. In addition, there are two ecosystem related climate adaptation projects in San Rafael: the San Francisco Estuary Institute's eel grass and oyster bed restoration project in the Bay off Shoreline Path, and the Tiscornia Marsh Restoration Project, proposed outboard of Pickleweed Park. The City is the lead agency for this restoration project.

Although public health has not been addressed explicitly in San Rafael, the City has supported a student project assessing extreme heat effects and solutions, and the City supports a number of programs related to food security such as ExtraFood.org and COVID-19 related food pantries. In addition, the City

is currently working with the County of Marin on a Prop 68 Ocean Protection Council grant to develop an equitably-driven climate resilience project in the greater Canal area of San Rafael, which centers the work in social equity and collaborative decision-making.

F7. *Cross-jurisdictional collaboration and coordination will be required for successful adaptation efforts, but Marin lacks any overarching organizational or governance structure to facilitate this.*

Response: Partially Disagree

Although no one overarching organizational or governance structure currently exists to address all aspects of climate change impacts, it is unclear if this is the best approach moving forward. There are numerous types of climate impacts, some which overlap with other natural or human-made disasters or threats, each requiring different sets of solutions across a multitude of stakeholders and regulatory structures.

And as noted in the report, there are several other major collaboration and coordination efforts already happening in the County that address some of the most pressing impacts related to climate change. First is the Marin Wildfire Protection Authority, a county-wide Joint Powers Authority approach to fire prevention which is a model worth exploring for adaptation approaches to other hazards. The issues and solutions are clear and discernable, and the coordination effort has dedicated funding. Second, there is a County-led Sea Level Rise program based on the BayWAVE vulnerability assessment. The issues and solutions are less clear and discernable at this point, but the coalescing around flood risk and sea level rise is significant. In addition, the DRAWDOWN: Marin effort addresses both climate change mitigation and adaptation and resilience. This program is being developed and finalized and could be an overarching organizational structure to work from. There is also a county-wide Community Development Directors group meeting to synchronize planning efforts around the county specific to general plan policies and adaptation efforts, and a County-wide Local Hazard Mitigation Plan that provides and organizational structure to work from.

RECOMMENDATIONS AND RESPONSES

R1. *The board of supervisors, in collaboration with the municipalities and other agencies affected by climate change, should convene a multi-jurisdictional task force (referred to in this report as the Marin Climate Adaptation Task Force) charged with developing a single, comprehensive, multi-jurisdictional adaptation strategy for all of Marin.*

Response: This recommendation requires further analysis.

As noted above, much coordination has already been done around the county with regard to climate change. It is unclear whether a single, comprehensive, multi-jurisdictional adaptation strategy for all of Marin is the best way to approach the various impacts of climate change. There is already a county-wide Local Hazard Mitigation Plan, which all Marin jurisdictions are party to, which includes climate impacts as well as threats from other non-climate specific hazards. It may be that an approach like this is better suited to developing a coordinated strategy or approach. It may also be that the best way to address climate threats is through sector or threat-specific coordination efforts such as the Marin Wildfire Prevention Authority and the BayWAVE sea level rise program since each of these threats is specific,

complex and requires significant stakeholder involvement, regulatory approaches, expertise and solutions. The City's Draft General Plan 2040 Policy S-3.6: Resilience to Tidal Flooding contains a program specific to countywide coordination regarding sea level rise and flooding. Program S-3.6C: Countywide Agency/Joint Powers Authority states *"Work with the County of Marin to facilitate the formation of a centralized countywide agency or joint powers authority to oversee adaptation planning, financing, and implementation."*

In addition, DRAWDOWN: Marin is in the process of formalization and may be a venue for further coordination or exploration around climate adaptation planning. This is a broad-based and inclusive effort that the City applauds and has been part of. Importantly this effort includes community leaders, nonprofits, business leaders and others. It will be essential to conduct robust community engagement from all sectors to put in place any countywide effort to address adaptation. A climate adaptation task force or exploration could fit within or without either of these current efforts depending on the outcomes of DRAWDOWN: Marin.

Finally, there is a significant amount of work being done around the Bay Area region through the San Francisco Bay Conservation and Development Commission's (BCDC) Bay Adapt program and the Bay Area Climate Adaptation Network, which both City and County staff participate in. These two efforts are looking at the challenges and solutions to county-wide and regional adaptation planning, specifically with regard to decision-making, permitting, and governance. There is widespread agreement that there is no clear best way to address cross-jurisdictional organization or governance at this time, but the two are conducting research and analyses to help local governments understand and make good choices in these regards.

The City of San Rafael looks forward to working with the County and Board of Supervisors to explore the best approaches to coordinate around the myriad of threats and vulnerabilities due to climate change and other potential natural and human-caused disasters. Currently the City is embarking on adaptation planning and has begun to explore and apply for grants in partnership with the County to proceed from assessment mode to adaptation planning in a coordinated fashion. The City will review the Grand Jury's recommendation through this collaboration with the County. In addition, the City will review the recommendation in the process of adopting San Rafael's new General Plan 2040 and will consider any pertinent outcomes of our analysis in the Implementing Programs sometime in the spring of 2021.

R4. Each member of the Marin Climate & Energy Partnership, should declare its support for broadening the partnership's mission and increasing its funding as necessary to enable it to support overall climate change planning efforts, including both mitigation and adaptation in cities, towns, and other member agencies throughout the county.

Recommendation numbered R4 requires further analysis.

The Marin Climate and Energy Partnership (MCEP) has been a very successful collaboration specific to its current purview and activities. Through MCEP, all of the cities and the County have benefitted from consistent and coordinated climate action plans, annual greenhouse gas inventories, and implementation of priority mitigation projects from the climate action plans. These include actions and projects such as electric vehicle charging, permit streamlining, and Resilient Neighborhoods funding and promotion. Each local jurisdiction contributes a small annual financial amount, which results in significant benefits. Additional contributions could translate into additional coordinated mitigation projects. MCEP has conducted some minimal efforts around adaptation planning. It could also be that

there would be some benefit to additional funding for adaptation-related projects, but it would require further analysis because one of the things that makes MCEP work so well is having a small, dedicated team of staff from the various agencies, including our local public utilities.

Expansion of MCEP's purview would also require expansion of staff involved and there is also the risk of duplication with efforts already in the works such as the Marin Planning Directors Working Group, BayWAVE, DRAWDOWN: Marin, and the countywide Local Hazard Mitigation Plan. The City will work with the other member agencies of MCEP and the Marin General Services Agency to determine the appropriate role of MCEP in relation to adaptation planning and will report back to the City Manager in the spring of 2021.

R6. Each city and town, if it does not have a full-time sustainability coordinator (or similar position), should appoint a committee or commission charged with monitoring and reporting on its climate change mitigation and adaptation efforts.

Response: This recommendation has been implemented.

The City of San Rafael has a full time Sustainability Program Manager and conducts quarterly community forums which provide updates on implementation of our Climate Change Action Plan. The Sustainability Program Manager reports to the City Council on mitigation and adaptation efforts formally on an annual basis as well as informally through the City Council Sustainability Liaison.