

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

50 California Street • Suite 2600 • San Francisco, California 94111 • (415) 352-3600 • Fax: (415) 352-3606 • www.bcdc.ca.gov

October 11, 2013

TO: All Commissioners and Alternates

FROM: Lawrence J. Goldzband, Executive Director (415/352-3653 lgoldzband@bcdc.ca.gov)
Sharon Louie, Director, Administrative & Technology Services (415/352-3638 slouie@bcdc.ca.gov)

SUBJECT: Draft Minutes of September 19, 2013 Commission Meeting

1. **Call to Order.** The meeting was called to order by Chair Wasserman at the Metro Center Auditorium, 101 Eighth Street, Oakland, California, at 1:06 p.m.

2. **Roll Call.** Present were: Chair Wasserman, Vice Chair Halsted, Commissioners Addiego, Bates, Chiu, Cortese (represented by Alternate Scharff), Gibbs, Gioia, Gorin, Hicks, Lucchesi (represented by Alternate Pemberton), McGrath, Pine, Randolph, Sears, Spering, Vierra (represented by Alternate Doherty), Wagenknecht and Zwissler.

Chair Wasserman announced that a quorum was present.

Not present were: Association of Bay Area Governments (Apodaca), Alameda County (Chan), Department of Finance (Finn), Governor's Appointee (Jordan Hallinan), Senate Rules Committee (Nelson), California State Transportation Agency (Sartipi), Association of Bay Area Governments (Techel) and U.S. Environmental Protection Agency (Ziegler).

3. **Public Comment Period.** Chair Wasserman called for public comment on subjects that were not on the agenda. Comments would be restricted to three minutes per speaker.

There were two speakers wishing to make public comment.

John Coleman from the Bay Planning Coalition spoke: We have several activities coming up in the next three weeks that will be of great interest to a number of you.

On Monday we are holding a BCDC briefing at the Port of Oakland's Exhibit Room. It will be on the South Bay Shoreline Study and the South Bay Salt Ponds Restoration. This meeting is open to the public.

On the 25th we're holding a welcoming lunch at Sinbad's in San Francisco for Brigadier General Turner of the Corps who is the head of the South Pacific Division.

On October 11th we will discuss ocean planning. No workshops have been held on the West Coast on this. It will deal with the Marine Sanctuary and maritime traffic through the Marine Sanctuary and the impacts that this will have.

Alison Madden of the San Francisco Bay Marinas for All addressed the Commission: We are a California public-benefit, non-profit organized to try and stop the privatization and the eradication of marinas on San Francisco Bay.



Making San Francisco Bay Better

BCDC MINUTES
September 19, 2013

We believe that marinas are a favored water-based use that's permitted under the McAteer-Petris Act and that they enable access to the water.

I'm here in particular with regard to Pete's Harbor. The staff issued a permit to proceed under the abbreviated region-wide permit to rip out Pete's Harbor which has been there for 50 years and is in good condition.

This did not proceed on a noticed public hearing before the Commissioners voted on the abbreviated region-wide permit which doesn't even require Executive Director action or notification to the Commission.

The notice of intent to proceed might have been notified to the Commission but the notice included only the right to remove the docks not the pilings.

In order to remove pilings the State Lands Commission would have required more environmental review and a public hearing.

We feel that this is justified here. This permit was issued and the work has not yet begun. There is no internal appeal and there is no appeal to the Commission leaving only mandamus.

I am an in-house technology lawyer and I have done public law. McAteer-Petris says that a permit is needed. There is no distinguishing content in the Act between a permit to install or rip out something.

This is a major project and the abbreviated region-wide permit allows minor maintenance and repair not the scope of work that is being planned.

Our law firm in Sacramento provided a ten page letter for the Commissioners to review. The firm was not contacted and I would like the Commission to err on the side of discretion for more environmental review and a public hearing and to avoid a mandamus action which nobody wants to do.

I would like you to ask your external Attorney General, not for an internal affairs inquiry. If we were to go for mandamus the AG would be the person who would show up to defend.

I would like to ask you to ask the Attorney General to do an independent review and to look at whether the McAteer-Petris Act allows this kind of permit to be issued in the dark.

The marina is in good condition and the BCDC staff that reviewed it said it was not. The marina is a historic landmark.

Chair Wasserman added: This matter is not agendized and so it is not appropriate for us to respond to you. We have heard you and we will have discussions with the staff.

Mr. John Briscoe commented: I am speaking today on behalf of Hanson Marine Operations. We have applied for an extension, a renewal of existing sand mining leases in San Francisco Bay and the Delta for another ten years.

Your staff is a pleasure to work with even though they ask hard questions and keep our toes close to the flame.

The Bay is dredged for harbor maintenance. Sand mining is done for a different purpose. Mining is done for construction material.

Sand mining has been occurring for these purposes for about 70 years.

Sand is a renewable resource in that river systems bring new sediment to the Bay every year.

There is also an unnatural load that is being brought down every year. During the era of hydraulic mining between 1859 and 1884, 1.7 billion cubic yards of material were excavated.

That material is continually moving down the river systems and that is added to the natural load.

We're mining 26 hundred acres and we're going to be asking for your approval to continue to mine these areas into the future. We will be mining up to 1.5 million cubic yards per year.

The State Lands Commission is the lead agency under CEQA for this. It is the owner of virtually all of the land.

We really appreciate the enormous cooperation that we have gotten from the staff. We anticipate seeing you again about April at the public hearing.

Chair Wasserman moved to Item 4, Approval of the Minutes. He asked for any comments or corrections from the Commission.

4. **Approval of Minutes of the July 18, 2013 Meeting.** Chair Wasserman entertained a motion and a second to adopt the minutes of July 18, 2013.

MOTION: Commissioner Wagenknecht moved, seconded by Commissioner McGrath, to approve the July 18, 2013 Minutes. The motion carried by voice vote with no objections or abstentions.

5. **Report of the Chair.** Chair Wasserman reported on the following:

a. **New Business.** I would take suggestions now from Commissioners for any new items that we would consider in a future meeting. He received no comments on his request.

Some Commissioners have asked about parking. There are parking lots around here and if you're interested, let me know. I met this week with BCDC staff to review the 18 months or so since I have been Chair of BCDC. It was a very good meeting with give and take on both sides. The past 18 months have been very positive. We have chosen a new Executive Director that we are all very happy with. We have adopted a strategic plan and are starting to put that into specific work plans with both the divisions within BCDC as well as our individual staff members. The one disappointing news that I have to report is that no matter how much we may not want to do so, we have come to the point where we are going to have to move out of our space and into the State Building on Golden Gate.

b. **BCDC's move.** As you know, state law and the Governor's Executive Orders require state agencies to move into state buildings when there is available space. Despite our best efforts and despite the fact that we should be moving into the new regional headquarters along with our sister agencies, that's not going to happen yet. The move will occur in November. To accommodate that and to make that move as painless as possible (for example, the purging of paper, the cleaning of offices), the BCDC offices will be closed on Fridays starting tomorrow and through Thanksgiving week, when the move is scheduled to occur. There will be phone reception. We will continue to advocate for our ultimate move to the regional headquarters. On this issue we will never, never, never give in.

c. **JPC Meetings.** The Executive Committee for the Joint Policy Committee met last Thursday. It adopted a workplan for the Bay Area Climate and Energy Resilience Project which has the overall goal to accelerate our efforts to reduce GHG emissions and build resilience to climate impacts. If you would like more information, the JPC will be providing a briefing on the project

when it meets in this location tomorrow. The Executive Committee also heard a proposal by the Bay Area Council and The Bay Area Economic Institute to partner on developing a Bay Area Economic Strategy. The Executive Committee also moved to hire Alison Brooks as the new Director of the JPC, subject to ratification by the full JPC tomorrow.

d. **Little Hoover Commission.** I want to talk very briefly about the science and forces that are going on in our need to address rising sea level. We have received a number of articles and press releases about this subject. One of these is the survey of California voters about climate change conducted by Yale University. The survey showed that 79 percent of Californians believe that global warming is happening. Fifty-eight percent of Californians believe that that is caused by human activities. Sixty-three percent are very or at least somewhat worried about it. And 78 percent actually says this issue is important to them personally. When we get to rising sea levels the results are a little more mixed. Only 22 percent believe there has been an increased problem in coastal flooding. However, 73 percent believe that global warming will result in abandoning parts of major cities due to the rising sea levels and flooding. And yet, only 56 percent believe that global warming will actually harm them or their families. Eighty-one percent of those surveyed believed that global warming should be a high or medium priority for the President and the Congress. I believe that this Commission and our constituent agencies need to work ever harder to educate ourselves and the public about the need to address rising sea level. Sea levels will continue to rise. When we include storms, king tides and possible tsunamis, we need to significantly increase our efforts to educate ourselves and figure out what we can do, what we should do and how we're going to pay for it. Larry and I are going to participate in a panel next month before the Little Hoover Commission which is looking into governance and issues arising from climate change. Our testimony will concentrate on the Bay area shoreline governance, the Bay Plan Amendments, our ART Program and other convening efforts and how we can help regional efforts and how the state can best work with local governments.

e. **Next BCDC Meeting.** We will not have a meeting on October 3rd. Our next meeting will be October 17th here at the MetroCenter. It will be a special Commission workshop on the Adapting to Rising Tides Project that will include staff briefings and Commission participation intended to provide us with a more understanding of this important effort. I will not be here for that meeting.

f. **Ex-Parte Communications.** That completes my report. In case you have inadvertently forgotten to report any ex-parte communications, you can do so now. This should also include any text messages you get while you're sitting here about matters before the Commission of an adjudicatory matter. You don't need to do it for policy discussions, but you do need to do it for permit applications and enforcement proceedings.

Commissioner Pine stated: I had some dialogue with Alison Madden concerning Pete's Harbor.

Chair Wasserman moved on to the Executive Director's Report.

6. **Report of the Executive Director.** Executive Director Goldzband reported:

So much has happened since we last met. The Jewish New Year has occurred, which was expected, but the Giants have become cellar dwellers and the 49ers and Raiders have the same record, which were not. Prince George was born, which was expected, but "The Lone Ranger" with Johnny Depp tanked. In spite of all this, BCDC marches on.

Our four budget change proposals are pending at the Department of Finance after being approved by the Natural Resources Agency. We worked in teams to write detailed justifications for each and we remain hopeful that the Administration will approve additional funding to prepare the Bay Area for rising sea level and allow us to move into the 21st Century technologically.

We have two new legal interns to introduce, both of whom have jumped right on into the swing of things. Simran Mahal is a Bay Area native and is a third year student at Washington University School of Law in St. Louis after earning her undergraduate degree at UC Davis. She is focusing on environmental law and has interned previously at Washington University's Environmental Law Clinic, BART, and the Bay Area Air Quality Management District. Noelle Cirisan is a third year at the University of Vermont's law school where she is focusing on environmental law with an emphasis on ocean, coastal and freshwater issues. She is a native of San Luis Obispo and earned her undergraduate degree from San Francisco State.

In addition to the Little Hoover Commission meeting about which Chair Wasserman spoke, I want to let the Commission know of two meetings during the last two weeks that hold great promise for us. BCDC, ABAG, and the State Coastal Conservancy met a couple of weeks ago to start coordinating, collaborating and partnering on our projects in a more formal way so that we can better leverage off each other's efforts. We used a facilitator for help. Last week I met with the heads of the Coastal Conservancy, Save the Bay, the Bay Planning Coalition and Marc Holmes of The Bay Institute to start discussing how we can best work together on a state and federal strategies to ensure that the Bay's stature improves in the eyes of Sacramento and Washington, D.C.

Speaking of the inevitability of fall, the State Legislature adjourned last week after spending considerable time on bills in which BCDC has an interest. SB 122 by Assembly Member Lieu was approved, which extends the Vessel Turn-In Program (VTIP), which provides an alternative for boat owners to surrender an unwanted recreational vessel to participating public local agencies. AB 881, which would have increased the per-barrel oil assessment for oil spill response purposes was shelved and became a two-year bill, which affects BCDC because we are part of the Oil Spill Prevention Response Program. SB 792 by Senator DeSaulnier, which mandates BCDC participation in the 2017 Sustainable Communities Strategy Project and requires BCDC to be housed in the regional headquarters building, also was made into a two-year bill. Finally, because we can't let a meeting go by without an update on the Warriors, AB 1273, as rewritten by the Senate Natural Resources Committee with input by BCDC staff, was approved by both the Senate and Assembly. In addition, arena cognoscenti are interested in the passage of SB 743, by Senate Majority Leader Steinberg that streamlines the CEQA analysis for certain classes of projects and also addresses the proposed new basketball arena in downtown Sacramento. It is unclear whether and/or how those provisions will or will not apply to the Warriors' proposal.

Before I end, I want to reinforce the significance and novelty of our next meeting on October 17. As each of us will be working within our communities on resilience issues for many years to come, we want to use the meeting in mid-October to introduce you to the ART Program in a way that you otherwise would not experience -- we want to give you and your alternates a chance to get your hands dirty (figuratively speaking) and help a community actually plan for rising sea level. You'll be spending a couple of hours working with the diverse ART working group on real issues in a real-time way and we hope that you will be there.

Finally, Mr. Chairman, I want to recognize two staff members for some marvelous work. Javier del Castillo, our GIS guru, was invited to give a presentation on the Adapting to Rising Tides pilot project at the ESRI International User Conference in San Diego in July. This conference is the leading international GIS conference of its kind, and Javier's talk described the incredibly successful mapping and technical aspects of the ART project. In addition, the lead article in NOAA's summer magazine, which I am holding now, is titled "Climate Change: Mainstreaming Adaptation Planning in San Francisco Bay." You each have a copy of the article, and I commend it to you highly -- especially since Sara Polgar of our staff leads off the article with two very big quotes.

That completes my report Mr. Chairman and I am happy to answer any questions Commissioners may have.

Chair Wasserman moved on to Item 7.

7. **Consideration of Administrative Matters.** Jaime Michaels is here if Commissioners have any questions regarding the listing that was distributed to us.

Commissioner Wasserman moved on to Item 8.

8. **Public Hearing and Vote on an Application by Chris Zimmerman at 340 29th Avenue in the City of Oakland, Alameda County; BCDC Permit No. 2013.002.00.** Chair Wasserman announced that Item 8, a public hearing and possible vote on the application by Chris Zimmerman for a senior co-housing building and public access within the shoreline band along the Oakland-Alameda Estuary. Erik Buehmann of our staff will make the presentation.

Mr. Buehmann presented the following: On September 6th you were emailed a summary of an application to construct the Phoenix Common Senior Co-housing Development along the Oakland/ Alameda Estuary just south of the Park Street Bridge at the end of 29th Avenue.

The project would involve constructing a four story, 41 unit senior co-housing facility with approximately 8,263 square feet of the 18,933 square foot proposed building within the 100 foot shoreline band.

The project includes a 1,649 square foot private patio. Public access proposed includes constructing an approximately 87 foot long 27 to 32 foot wide public access promenade, a total of 2,351 square feet paralleling the Oakland Estuary and including public access landscaping and installing public improvements at the end of 29th Avenue.

The project would also replace approximately 1,963 square feet of existing pile-supported Bay fill that has been damaged by fire to create a new public access pier.

The total area of the pier is 2,522 square feet with 1,963 square feet in the Bay and 559 square feet in the shoreline band.

As part of the renovation the pier would be slightly reduced in size by removing approximately 194 square feet of decking from the edges of the pier.

The applicant states that the existing pilings are in good condition and will likely not need replacement, therefore, no pile driving or in-water work will be required to rehabilitate the pier.

An existing 1,065 square foot floating boat dock would be removed and replaced with a 650 square foot floating dock for use by the residents of the facility.

The project has gone through several changes during the permitting process. The project as originally proposed in a draft application submitted in August 2011 contained a 13 foot wide public access promenade or about 1,030 square feet. Through discussions with staff the applicant increased the width of the promenade to between 27 and 32 feet totally 2,351 square feet.

The applicant achieved this amount of public access by trimming back its proposed private patio which in its current form is open to the public promenade providing some activation for the area.

With these revisions the public access proposed with this project now corresponds with access required of nearby projects.

The BCDC permit for Water Park Lofts, a three building residential development located directly southeast of the Phoenix Commons Site requires a 32 foot wide public access area.

The public access promenade proposed for the Phoenix Commons Site would smoothly link with this Water Park Lofts access area.

Moving down the estuary, the BCDC permit authorizing the nearby Signature Properties Residential Development just south of the Water Park Lofts site requires a public access area that averages 45 feet wide.

South of Signature Properties, the BCDC permit authorizing the University of California Crew Facility located at Glasscock and Derby Avenue requires a 45 foot wide public access area.

While the Phoenix Commons Project provides less square footage in permanent public access than these adjacent sites, the public access proposal is enhanced by the unique public access experience provided by the pier, by the completion of the Bay Trail connection through these adjacent sites to the end of 29th Avenue and by the improvements of the band at 29th Avenue.

The applicant initially proposed to use the pier for private residential uses. Since the renovation of the pier qualifies as new Bay fill the pier would have to satisfy the use requirements of the McAteer-Petris Act. A residential use would not satisfy these requirements.

Through discussion with the staff the applicant changed its proposal to provide the refurbished pier exclusively for public access for however long the applicant has a property interest in the land on which the pier is located.

Currently, the applicant holds a lease with the Army Corps of Engineers, owner of the Oakland Estuary, for five years renewable four times for a total of 25 years.

Due to security concerns the pier would be gated and closed at night.

The Design Review Board reviewed this project on November 5, 2012 and expressed support for the project. The Design Review Board accepted the nighttime closure of the pier and encouraged the applicant to provide a clear separation between the private patio and the public promenade.

The applicant has provided sea level rise projections for the project which will be shown as part of its presentation and are included in Exhibit G of the staff summary.

The projections show that the public access promenade and pier would be resilient past the mid-century of anticipated sea level rise but would likely be inundated at approximately one foot at the end of the century.

The staff summary lists the issues raised by the project, in particular; whether the proposed fill for the project is consistent with the McAteer-Petris Act and the Bay Plan policies on fill including policies on safety of fills and sea level rise and whether the project provides maximum feasible public access consistent with the project.

I would like to point out an error in the staff summary. The staff summary states that because the new pier deck and boat dock will be smaller than the existing deck and dock, the project will result in a net increase of 1,259 square feet of Bay surface area. This is incorrect. The proposed project would make the Bay larger by 609 square feet.

Here to present the project are Linda Herman, the project consultant and Jeff Zimmerman, architect for the project.

Ms. Linda Herman spoke: I'm the project manager and I want to give a quick context to what this project is because it is so unique.

This is a senior co-housing which means people own the building. There isn't an outside landlord. It's an intentional community meaning that people choose to live there as they age.

We believe that the residents will be great stewards of the public access being on the water.

We have had changes to the project in an attempt to balance the public need and the private need, particularly the security needs of the seniors living there.

Where there is now absolutely no access to the water, there will be low fences around the patios so you'll have immediate views down to the water.

We're creating connection from the existing public access all the way to where ultimately the Bay Trail will come.

While we're requiring that the pier and dock be closed at night, it will be open during the day. This is for the purpose of security for the seniors.

Per the DRB we've created a strong delineation between public and private so neither feel uncomfortable.

Mr. Jeff Zimmerman presented the following: I spent the last 58 years in the Bay area and the staff has educated me on the ecosystem that we live on.

Currently the Bay Trail dead ends into Tiki Tom's.

The fire that occurred in 2010 was the impetus for the name Phoenix Commons.

At the 29th Avenue sidewalk and terminus we cleaned up the terminus, provide for vehicular emergency access as well as handicapped access to the promenade which currently doesn't exist.

Today the boardwalk is seven feet above the mean high water mark. By the year 2050 we expect 16 inches of rise. This is just rise without a hundred year flood and the FEMA action.

By 2100, the rise is 55 inches. We're looking at a bell curve here that everybody here needs to deal with. This is alarming.

In 2100 we would be similar to what the East Coast just went through in Sandy. We could experience those same kinds of conditions in the Bay then.

In conclusion, I can't imagine better stewards of this waterfront than the people that are going to be moving in here. This facility will be well taken care of.

Chair Wasserman called for questions from Commissioners.

Commissioner McGrath inquired: I do believe this site is relatively unique in terms of the Bay sites that we see because the land in question was not state land rather it was excavated by the Corps of Engineers in the effort that made Alameda into island. Is that correct?

Mr. Buehmann replied: That's correct. Almost all of the Oakland Estuary is owned by the Army Corps of Engineers because they created the canal.

Commissioner McGrath continued: So unlike some areas where we see land where there used to be Bay, now we see Bay where there used to be land.

Mr. Buehmann replied: That is correct.

Mr. Zimmerman added: The soil conditions there do not suggest that that was Bay.

Commissioner Gorin commented: I do love the concept and the fact that this is going to be a marvelous facility for our seniors and they are good stewards of the land and water.

I'm glad that you recognize that we have an issue here with the Bay level rise and the sea level rise and you're addressing that.

I have less of a concern with the pier than I do with the fact that the project seems to be at ground level. It's not an additional elevation above the ground level.

Are you really looking at potential Bay level rise and how that will affect the project?

Mr. Zimmerman responded: First of all, the pier is the same height as the levee or the water edge. If we're in water, the whole city of Alameda is – you're blowing bubbles over there.

It's an issue that we need to address but I don't think one project can address that.

The designing of the senior project access is one of the main design criteria, Getting people at Bay and having them move around and using the Bay Trail is very critical.

The community spaces are on the ground floor. The residential units and some of the community spaces are second, third and fourth floor.

We have space that in 2100 could get some water damage. It's not going to be in water unless we have a Sandy situation.

Commissioner Gorin continued the conversation: This is an acknowledgement that what we will have to deal with in 50 to one-hundred years, or our children actually, is going to be immense and massive. And even though it is one project at a time, maybe that's what the developers around the Bay area should consider.

Commissioner Scharff voiced some concerns: I have some concerns about the access on the pier. What I understood is that the pier is accessible to the public only as long as you have a lease for the pier with the Corps of Engineers.

Mr. Zimmerman agreed with this statement. Commissioner Scharff continued.

And you initially have a five year lease that's renewable. What's your incentive to renew the lease?

Mr. Zimmerman answered: Well, we're going to spend a quarter of a million dollars resurfacing that pier. We want to use it as well as letting the public use it.

The lease is important for the residents of that building.

Commissioner Scharff inquired further: So is there a condition that they have to renew the lease?

Mr. Buehmann replied: There is not a condition that they have to renew the lease in our recommendation but there is a recommendation that we include a special condition that says, if at any time the lease expires, their property interest expires.

So, be it a lease or the lease ends and they don't get fee title, they'll have to remove the pier.

Commissioner Scharff delved deeper into the matter: So, the way this works is that the individuals buy their co-housing units, they own them. Is that correct? Mr. Zimmerman answered in the affirmative.

Commissioner Scharff continued. And so it's really a condominium development with the seniors owning everything. So, is it the Board of Directors of the seniors that would maintain the upkeep of the pier? And if they choose not to renew the lease then they would just have to remove it and they would be done with that expense?

Mr. Zimmerman replied: The sad reality is removing that would be a lot more expensive than keeping it. The second thing is, if they want to use that dock they have to have a pier so there's an incentive there. And being that they are seniors living in a co-housing environment, it would be almost against their nature to stop doing it.

Commissioner Scharff opined: Well, people do things for a lot of financial reasons when things get tough. Is there any reason why we can't have a condition that they have to continue to renew the lease?

Deputy Attorney General Chris Tiedemann offered commentary: One of the reasons is that the Corps of Engineers might decide not to renew the lease.

Commissioner Scharff stated: I thought they had an option to renew for five years and this was at their option for the next 25 years.

Mr. Buehmann replied that this option was at the Corps' option.

Architect Zimmerman added: That building in this slide was illegal for God knows how many years. The Army Corps never said anything about it. We're putting a dock and a deck for public use.

Chair Wasserman open the discussion to a public hearing. He had three people wishing to speak.

Mr. John Coleman commented: On behalf of the Bay Planning Coalition I hope that the Commissioners approve Item 8 with the conditions that have been set forth.

This is a blighted area that is going to be improved both visually and aesthetically for the general neighborhood but it's going to be an improvement to what we have today.

Mr. Jeff Fearn made public comment: I really hope that you will look favorably upon this application. The project is unique in a variety of ways.

It will be one of the first complete, real co-housing project for elders in the area. The beauty of this has to do with the fact that there is a group that has already starting to plan and deal with the whole notion of running the homeowner's association.

It's very different than a condo project. It's a participatory community in which the people that live there have a stake in their environment and aging in place successfully

The other thing that is unique about this project is that the developer is actively involved with assisted living and senior housing in Alameda and has been for decades.

The beauty of this whole project is that one of the programs is an education program that many people in the Alameda and Oakland community will have access to which is basically how to age successfully.

There aren't very many options like this.

Ms. Betsy Morris spoke: I am a regional and city planner by profession and training, mostly as a consultant. I'm active in many of the discussions around climate change and have had the privilege of working with one of your sister organizations, the Coastal Conservancy on just this kind of urban-edge issues.

I'm here wearing my hat as co-host of East Bay Co-housing which is a network of almost 25 hundred people actively interested in various forms of collaborative, cooperative and co-housing communities, eco-villages, housing cooperatives and co-housing communities.

I'm also the former research director and an active co-housing researcher. I wanted to second some of the other remarks that have been made about co-housing.

My own support for this project comes from this larger perspective as well. Folks are yearning for ways to be better stewards of the urban environment.

Our data shows that people living in co-housing are hyper-civic, extremely passionate about the environment, willingly take on additional responsibilities and I could cite examples from around the country.

This project would be unique in that it's on an urban waterfront. I would be excited to see that waterfront improved.

I would like to verify that the co-housing intention, the movement, the support structures are documented that co-housing neighbors can be good neighbors.

We need some new models for how to create housing that is more clustered, that leaves a little bit less of a footprint. I encourage you to seek other ways to collaborate with intentional communities.

Chair Wasserman entertained a motion to close the public hearing.

MOTION: Commissioner Sperring moved to close the public hearing, seconded by Vice-Chair Halsted.

Chair Wasserman asked for a reading of the staff recommendations.

Mr. Buehmann read the staff recommendations: The staff recommends that the Commission approve BCDC Permit No. 2013.002.00 to authorize the proposed project.

The staff recommendation contains special conditions that require the permittee to take a variety of measures. These include: the permittee will provide the approximately 2,351 square foot promenade and the 2,522 square foot pier exclusively for public access and will provide public access landscaping and improvements to the end of 29th Avenue.

The public access pier will be maintained by and at the expense of the permittee for as long as the permittee holds a valid property interest in the property.

If at any time the permittee's property interest terminates, the pier must be removed.

The pier will have a 42 inch railing separating it from the public promenade and three gated openings, each 30 feet long.

The pier may be closed at night for safety.

The permittee shall coordinate with the city of Oakland to allow construction of the proposed bicycle and pedestrian crossing beneath the Park Street Bridge.

The permittee shall record public access guarantee for the public access promenade and landscaping. The permittee will not be required to guarantee the public access pier or the improvements to the end of 29th Avenue although these improvements will be required as part of the permit.

The permittee's ability to provide these public access amenities is subject to its property interests with the Corps for the pier and its approval by the City for the end of 29th Avenue.

As conditioned, staff believes that the project is consistent with your laws and Bay Plan policies regarding fill and public access.

And with that we recommend that you adopt the recommendation.

Chair Wasserman mentioned that Chief Deputy Director Goldbeck reminded him that a vote was not taken on closing the public hearing.

Chair Wasserman requested: All those in favor of closing the public hearing on this item say "aye". The public hearing was closed by a voice vote with no objections or abstentions.

Chair Wasserman asked if there were any questions or comments on the staff recommendation.

MOTION: Commissioner McGrath moved for acceptance of the staff recommendation, seconded by Commissioner Sears.

Commissioner McGrath commented: I had the good fortune to be the environmental manager of the Port of Oakland which was the regulatory agency for this area.

This area was one of the tremendous challenges. When I came to Oakland at least two city council members and the county supervisor were all strong proponents for public access and worked together with activists.

This area is an inviting and open space. I do salute the staff in making sure that this matches. The City's commitment to providing public access in this very difficult area gives us these rare opportunities. I would urge a vote in support.

Chair Wasserman asked for any further comments or questions. He commented: I would echo Commissioner McGrath's comments and also compliment the staff on some hard and creative work in getting this done.

Vice Chair Halsted commented: I would like to advocate for this project. I am very pleased that it is moving forward. I am very pleased that the public access has increased. I think this is a great thing and I hope we do pass it.

Chair Wasserman asked: Has the applicant reviewed the staff recommendation and do you have any comments on it?

Ms. Herman answered: We have reviewed it and we have no comments.

Chair Wasserman asked for a roll call vote on this item.

VOTE: The motion carried with a roll call vote of 17-0-1 with Commissioners Addiego, Bates, Chiu, Scharff, Gibbs, Goia, Gorin, Pemberton, McGrath, Pine, Randolph, Sears, Spering, Wagenknecht, Zwissler, Vice Chair Halsted and Chair Wasserman voting, "YES", No "NO" votes and Commissioner Doherty abstaining.

Chair Wasserman announced: The permit is approved and congratulations for a very good project. We will now turn to Item 9 and welcome Commissioner Pine and Commissioner Addiego to make a presentation on the San Mateo County Waterfront and Related Issues.

9. **Briefing on the San Mateo County Waterfront and Related Issues.** Commissioner Pine presented the following: I serve on the San Mateo County Board of Supervisors and I'm looking forward to telling you about the Bay shoreline in San Mateo County.

When you land at the San Francisco International Airport you will see signage to the effect of, Welcome to San Francisco, Mayor Lee. That would be incorrect.

The signage should read, Welcome to San Mateo County, Supervisor Dave Pine, First District.

Back in 1856 San Mateo County was part of San Francisco.

San Mateo County is about 450 square miles. Most of it is protected open space. Essentially, 78 percent of San Mateo County is protected lands.

On the Bay side we have 18 cities with about 657,000 people squeezed in there right up against the shore. The total county has 720,000 people.

All of our development is concentrated on the Bay shore.

This is a very highly diverse county. We're about 41 percent Caucasian, 25 percent Asian, 24 percent Hispanic and we're also an extremely wealthy county. And we are fortunate to have a very strong economy.

Council member Mark Addiego from South City will talk about their geography and Len Materman who heads up the San Francisquito Creek JPA which I'm also a member of will talk to you as well.

The story of San Francisco Bay in San Mateo County is one of massive transformation. It's entirely driven by incredible population growth over a relatively small amount of time.

Most of this growth and development occurred before BCDC was on the scene.

In 1940 111,000 people were in the entire county. It doubled in population in 1950 to 235,000 and it almost doubled again in 1960 to 444,000 up to 556,000 in 1970 and then it's moved up to 718,000 today.

We are a built-out county because we put a high value on open space. We are not going to develop those green areas. There is no land on the Bay side.

We need to build up but there is pressure for development on the shoreline.

We need to keep the theme of sea level rise as we speak about the county. The Pacific Institute Report found that with a 100 year coastal flood combined with a 55 inch sea level rise, a worst case scenario, there would be 64 billion dollars worth of damage in the entire Bay area but 40 percent of that would be in San Mateo County.

There would be 280,000 people in the Bay area affected and 110,000 of those people would be in San Mateo County.

We have 530 miles of roadways that would be affected in such an incident.

We have ten miles of railroad tracks.

We have 31 megawatts of locally generated energy that would be affected.

We have five waste treatment plants among other assets.

San Mateo County is the most vulnerable in the Bay area and by many measures is the most vulnerable in the state.

Highway 101 is on fill and the water is already licking up against your tires.

After the 1906 Earthquake San Francisco put a lot of the debris from that quake along the area straddling Highway 101 as you see here.

Because of the uses of this area as a dump and as a railroad yard, it's highly contaminated. At one point there were six Superfund Sites in this area.

In spite of this, developers still have their sights on this area. There is an ongoing effort by development interests to put about 12 million square feet of buildings in this empty space, retail office and residential.

A draft EIR is in circulation dealing with this area. Nothing has happened because of the contamination but current technologies are going allow that to be remediated. We will then see development on this site.

San Bruno Mountain is the enormous mount you see driving to SFO when you're coming north. This is a phenomenal place. It is considered an ecological hotspot. It has numerous endangered species, both flora and fauna.

At one point in time it was proposed to scrape off the whole top of the mountain and stick it in the Bay and build 20,000 more homes. This was stopped.

The shoreline in South City is the heart of America's biotech industry.

Commissioner Addiego spoke: The city of South San Francisco has 65,000 residents. We consider our city to be the economic engine of San Mateo County.

There is a deep-water channel that exists near the former American Bridge United States Steel Foundry along the West Bay cove. During World War II Liberty Ships were built there and launched.

In more recent times segments of the BART tube were built by United States Steel and barged out to the Bay and lowered.

This area is currently a collection of business hotels that feed off the tremendous amount of business traffic that tries to get to San Francisco. The future of this property is in staff review and it is a 900,000 square foot collection of R&D and office space that would complement some of the existing biotech industry in the immediate area.

In the Oyster Point area there is an existing municipal marina that is built on top of a past municipal scavenger dump.

In the past the garbage was simply pushed into the Bay. There were 55 gallon drums of something burning in this dump and one can only imagine what this could have been 50 years ago.

What you see now is the site of SK Shorenstein development that will bring 2.2 million square feet of R&D to join the industry.

Genentech is the heart of the life science/bioscience industry which is now part of the Roche Group. This area includes 12,500 people working in life sciences. It's part of an existing 11 million square feet of laboratory space.

As we move into the muddy zone on this map you see the confluence of San Bruno Creek and Colma Creek. Colma Creek runs through the low regions of the valley and makes its way to the Bay.

From time to time Colma Creek is one of the top ten hot spot trash entry points as declared by Save the Bay.

South San Francisco was originally an agrarian community and became heavy industrial and has now seen itself become a life sciences center. It continues to morph and change and continues to organize.

Commissioner Pine continued: SFO started in 1927 as Mills Field and it's all fill. Big portions of Milbrae were devoured and moved out into the Bay.

SFO is a very challenging airport because of these crossed runways. In the late nineties there were serious proposals to expand the runways into the Bay. This was moving forward and then the dotcom collapse occurred and that fell aside.

The airport has recovered extremely well since those times and now has record passengers. There are now 44.3 million passengers, the seventh busiest airport in the country. There are 30,000 employees and it moves a lot of cargo, like 400,000 tons of cargo.

SFO has learned how to accommodate more flights with new technologies and improvements in radar systems. One has to wonder when this issue of expanding the runways into the Bay will come back because this economy will grow and the demands on this airport will grow.

SFO is completely vulnerable to sea level rise. They are well aware of this. They have been armoring the airport for some time. They have currently engaged in a comprehensive shoreline protection study of all the land that is owned by SFO to try to armor it and build levees to protect their runways and their operations.

There are challenges because part of the vulnerability is outside of the control of the airport. The airport is vulnerable from both the north and the south due to water features found in both locations.

The San Bruno Creek is drainage for the city of San Bruno. It has experienced severe flooding quite frequently. The storm drain channels are only built for a 25 year event.

They do not have anywhere near the capacity needed.

The site is complex because of all of this infrastructure. There are two sewer treatment plants.

There are endangered species found here as well. Some of these are the San Francisco Garter Snake, the Red-legged frog and this open land is dependent on these flood channels.

The governances are incredibly complex. There is the city of South City. There is San Francisco. There is San Mateo, San Bruno. There is two overlapping flood districts. The Coast Guard has property. This is going to be the ultimate inter-agency effort.

We are trying to get agencies to start talking to each other about an area that right now is very prone to flooding and puts a lot of people at risk.

In the Burlingame area everything used to be a dump. All these areas are now fill. We have built dozens of hotels in this area to capitalize on the airport traffic.

Coyote Point is a natural feature and it is a county park. This area is also a world-class windsurfing area.

San Mateo turned their old dump into a gorgeous park.

There are 2,000 acres in Foster City that were mudflats, salt pond evaporation, dairy farms and it was first diked at the turn of the century in 1900 to create dairy farms.

Around 1960 T.Jack Foster said, you know, I bet I can build a city there. All I need to do is raise the land six feet and figure out how to deal with storm drainage and tidal action and stormwater.

They went north of SFO and they dredged massive amounts of material and brought it down to a staging area and built enormous dikes. They put in these lagoons to deal with runoff and storm issues.

They broke ground in 1961 and built the first house in 1963 and it is now a community of 31,000 residents.

Redwood Shores is a fourteen-hundred acre site which was also formerly evaporation ponds. This was built up more recently with a little more sensitivity to the environment.

About 10,000 people live in Redwood Shores.

There is a lot going on in Redwood City. This whole Bair Island area is protected. Lower Bair Island is all being restored as part of the South Bay restoration effort.

The Cargill site is all salt ponds. Salt is no longer being produced in this area. Cargill had made a proposal to restore about 400 acres and built 12,000 homes to house 25,000 people.

This battle has gone on for a long time and Cargill was recently going to pull back from that proposal. It's expected that they will come forward with a new one.

It's not clear how we could accommodate a city of this size in this location. Advocates for the site point out that in a place like San Mateo County there is no housing and the rents just keep going up.

There are plans to develop the property that is now Pete's Harbor and this would fundamentally change the nature of what's happened here and would put these docks in jeopardy. The whole area is very low.

There is a Port of Redwood City. It's the only deep-water port in the South Bay. It started out in the 1850s as a place where we cut down all the redwood trees and we shipped them up to San Francisco. This port essentially moves building materials.

There is currently high tech development in the general area of the Port of Redwood City.

There are tremendous opportunities for restoration of the Dawn Edwards/San Francisco Bay National Refuge area.

Facebook currently occupies what used to be the Sun Microsystems Campus. Facebook is booming. This campus is not big enough for them and they have acquired property around the campus.

The Facebook property is right on the frontline of sea level rise. We have been engaging in dialogue with them because this is a very vulnerable property.

Len Materman, the Executive Director of the San Francisquito Creek Joint Powers Authority spoke: We are a regional government agency of two counties, San Mateo County and its flood control district and Santa Clara Valley Water District plus the cities of Menlo Park, East Palo Alto and Palo Alto and Mayor Scharff is also a member of our board.

This agency has been around for about 15 years and it was formed following a major flood on the San Francisquito Creek which is the dividing line between the counties.

The San Francisquito Creek flows into the Bay and most of it is floodplain which includes about eighty-five hundred properties along the Bay.

The San Francisquito Creek JPA is starting to engage in work on the Bay and we call it the Strategy to Advance Flood Protection Ecosystems and Recreation in the Bay and using the acronym of SAFER BAY.

About 40 percent of the businesses that are in the creek floodplain are also in the Bay floodplain. The agency is taking on the Bay flooding issues that impact these communities.

We have a project along the creek between the Bay and Highway 101 with a goal to eliminate the creek floodplain from here and so protect the businesses and properties in this area just within the Bay floodplain.

The hundred year issues are important to us. Everything we do is not just focused on occasional or frequent flooding but getting people out of the most substantial flooding and getting them out of the flood insurance program.

Everything we do is a hundred year standard.

The SAFER BAY Project received monies from the state and local agencies. We put out an RFP and we are in the process right now of hiring a firm to do the design, the planning and the environmental review of this project.

We haven't formulated the potential design alignments because we are just engaging the firm right now.

It's about a two-year time window that we're looking at in this project for design and environmental review.

The concept of potential horizontal levees with upland transition zones is being looked at in many areas around the Bay. This is to create gradual levees both for efficiency in terms of levee design and cost but also in terms of when the Ravenswood Pond areas can be opened to tidal action because then the upland transition zone can be created to allow for different species to remain in those areas and thrive.

We are starting to import soil for this project now. We're going to start some utility relocation work in October. We anticipate starting the construction of the levees and flood wall areas next early summer or late spring.

The other interesting piece of this project is opening up the creek to recreate a historic connection between the creek and the marshland.

We believe that both for flood control and benefit for the endangered Steel Head that live there and for the benefit of depositing sediments in the marshland and thus sustaining it as a marshland under a sea level rise regime, that this connection makes a lot of sense.

The design criteria for this project is a hundred year creek flow, same time as a hundred year tide with 26 inches of sea level rise.

The EIR was certified last year and we're starting to make progress on the lead up to the major construction activities.

Commissioner Pine commented: This concludes our presentation and we really are at ground zero for some big policy debates and for wrestling with sea level rise.

Chair Wasserman had a couple of questions: What was the basis for choosing 26 inches? What do you envision going along the yellow line on your power point slide?

Mr. Materman responded: At the time that we established the design criteria the recommendation to the Board was to follow what was known then as NRC Curve 3 for sea level rise.

In late 2009, early 2010 the 50 year horizon for NRC Curve 3 was 26 inches. We don't know exactly what we're going to follow on that other project along the Bay. I suspect our recommendation will be to follow the most aggressive scenario as well.

I put in there 36 inches. Obviously, 26 inches is outdated now. I don't know exactly what it might be. It's probably going to be in the range of 30 to 36 inches.

Again, we built for a 50 year scenario and so we try to just follow the curve and see where the current thinking lies.

What will go in the yellow lines will be a combination of things. That's going to be one of the most interesting parts of this project.

In some areas there won't be room to have levees. And we're looking at potentially some passive floodwall strategies that are being tried in other parts of the country and have not been implemented here yet.

This is a floodwall that is flat to the ground until there's a big weather event or tide and then using hydraulic pressure it raises.

I think generally speaking there are levees because the Bay Trail runs through here and a lot of it is on the levees and we want to keep that.

Chair Wasserman announced that there was one public speaker.

Ms. Tania Sole addressed the Commission: I'm coming here as a former resident of Pete's and current resident of Docktown.

One of my solutions that I would like to propose is that BCDC also consider water-based tenants. We have communities such as Sausalito right here in Alameda and Mission Creek in San Francisco.

One of the solutions to sea level rise is not only to consider residents that are based 100 percent on land but to consider residents that would actually live on floating homes.

Chair Wasserman thanked the presenters for their presentations and mentioned that these projects would be watched very closely. He noted that there was no action needed on this matter.

Chair Wasserman moved on to Item 10.

10. Briefing on San Francisco Waterfront Working Group Planning Process. Chair Wasserman announced: This is a staff briefing on the Waterfront Working Group Planning Process. Since this briefing will not specifically address the Warriors' proposal for Piers 30/32, unlike most of our recent San Francisco discussions, I'm going to stay here. I think we all recognize the duality in the sense that it's hard to think about a whole new waterfront plan without thinking about the Warriors' proposal.

On the other hand, it's very important to think about the whole plan. Lindy Lowe will make the presentation.

Ms. Lowe presented the following: We've been meeting since January with the working group, a wide range of diverse individuals, and we have not talked about that project once.

This goes to show you how diverse the San Francisco Waterfront issues are and how difficult and interesting they are. The group of people that have been talking about the San Francisco Waterfront for the last nine months are very committed to the SF Waterfront.

Item 10 is a briefing on the San Francisco Waterfront Planning Process that BCDC staff has been engaged in over the last nine months with the Port of San Francisco staff.

The last time I briefed you on this we were just in the beginning stages of the project, compiling the working group, identifying who might be our facilitator and we've been very lucky to get Sarah Karlinsky the Deputy Director of SPUR to facilitate the waterfront working group.

We've been able to meet seven times with a group of 30 plus or minus individuals that represent a wide range of interests including: union representation, neighborhood groups, bicycle coalition, pedestrian coalition, and people have tracked with the process and have participated vigorously.

The San Francisco Waterfront Special Area Plan guides the planning and decisions along the San Francisco Waterfront.

There are several key issues or components of this plan. One is, from the area between China Basin and Pier 35 during a 2000 amendment to this plan, BCDC set aside its water-oriented use and upland alternatives analysis requirements in this area in exchange for a series of public benefits.

BCDC also removed the replacement fill policy from this particular area. This resulted in greater development opportunities.

The public benefits that are identified in the plan as part of that package are the removal of deteriorating piers, the restoration of the open water, a public access network, an implementation program for those items, several public plazas, the enhancement of Bay views, the preservation of historic resources and new uses to draw the public to the Bay.

So the study area that we have taken on includes that area from China Basin to Pier 35 but it also goes all the way out to the Fisherman's Wharf area.

The issues include, looking for new areas for open-water basins. We have focused on two areas. One is the area in front of what used to be Pier 43½ until the Port removed it.

The area from Pier 29 to Pier 33 is another area that we have looked at.

We've also been looking at the issue of pier condition focusing particularly on piers that need rehabilitation such as Pier 31, Pier 26 and Pier 28.

The other issue that we have been looking at is new areas for public assembly and public open spaces. We've been focusing on the area at the end of Pier 27, Pier 29 (the tip of this pier) and at Ferry Plaza.

Some of the other issues that we have taken up are, maritime and public access. We went to Pier 9 on a field visit and talked about the issues of conflict between maritime and public access. We talked about the possibility of identifying some sites (such as Pier 9) for priority for maritime berthing.

We've discussed the Embarcadero Promenade Roadway and specifically how there are a large number of diverse users using that promenade now and what a challenge this is becoming in balancing the user groups.

We've also talked about the potential that the marginal wharves present for public spaces. The marginal wharves have historically been used for parking cars.

We've talked a lot about way finding and interior access. The group feels like these interior spaces are really special places such as Pier 1. A lot of these spaces are under-utilized and some of the amazing historic rehabilitations of these buildings are not being appreciated because people don't know how to get to them.

The apron access is often not utilized because people don't know that they can go back there.

We're trying to think of ways to activate those spaces and to provide ways to get people back into these spaces.

The other issue is access into the Bay. We've had discussion about getting access for a variety of groups and maintaining safety for maritime as well as public access uses.

One of the things that we have noted along the waterfront is that there are those under-utilized and poorly maintained public spaces. We have identified several of these areas.

We have found some opportunity sites. One of these is Waterfront Park near Pier 39 which is an old design and it's an under-utilized space where a lot of people congregate.

The other site identified is the site near the Giant's Ballpark, South Beach Park. Some areas of this park are also under-utilized.

We have convened the working group. We had four open houses where we have provided people with context so they understand all of the issues with planning along the waterfront.

We've had monthly meetings. They have been a combination of meeting with the working group as well as meeting out at different locations and going to sites.

We've also had meetings on the topic areas I have discussed with you today.

The number one process outcome is increasing the understanding and participation in San Francisco Waterfront planning. We have really done this.

Another one is, identifying a location for a public plaza and open-water basin in Fisherman's Wharf. We're starting our first meeting in October and we'll probably have two to three meetings.

The process outcome of identifying a location for an open-water basin between the area of Pier 35 and China Basin has been started. This was in response to the Cruise Ship Terminal Amendment that eliminated the open-water basin between Pier 27 and Pier 23.

The working group is pointing us in a different direction with respect to public benefits. We are evolving our thinking from an open-water basin to other kinds of public benefits.

Ideas for the design and program for the open space at the ends of Piers 27/29, which was just recently used as the America's Cup Village, have been discussed.

Broad outlines for a strategy to maintain the integrity of the Embarcadero Historic District have been talked about with Piers 31, 28 and 26 being mentioned in that they are in a deteriorated condition. We are having a meeting on this issue next Thursday.

The next step is that we will have the historic resources and priority areas for maritime uses discussion next Thursday with the working group.

We will start our Fisherman's Wharf meetings in October and conclude those in early spring.

We'll compile all of the working group's recommendations and present them both to BCDC and to the Port Commissions and at one or two open houses to be held in the spring and summer of 2014.

And then we'll develop a set of recommendations with Port staff and the working group that will be included in an amendment to the San Francisco Waterfront Special Area Plan.

Chair Wasserman called for any questions on this item.

Vice Chair Halsted commented: I'd like to compliment the staff and the working group. This has been an incredibly constructive process.

There have been some things associated with the America's Cup at the end of Pier 27/29 that have been incredibly successful. We ought to look at what really worked there and try to integrate those things into our findings as well.

Commissioner Bates had a joint question: Who selected the working group and who is on it?

Ms. Lowe responded: BCDC staff and Port staff worked together to select the working group. We also checked with the Executive Directors of both organizations.

When we had our open houses we let people know who we were going to be inviting to the working group and we asked them who else should be part of the process.

We have been very inclusive and have had several agencies/groups wishing to participate and have welcomed them to the process.

The group consists of about 30 people from maritime users to unions to the Barbary Coast Organization, livable cities, Save the Bay and neighborhood activists.

The group has remained constructive and people participate very constructively. It has helped us that the group has gotten bigger.

When we develop a series of recommendations we'll vet those with the working group and there will be some winners and losers.

We will present the recommendations to BCDC and the Port Commissions before we start amending the Special Area Plan.

Commissioner Bates inquired further: When did we think about amending the Special Area Plan?

Ms. Lowe answered: That would probably be in the fall of 2014.

Commissioner McGrath commented: I want to see if I've got the policy framework right. There is competition for different uses.

I'm curious as to whether or not this planning effort is not as worried about the balance among these competing uses based what we understand now about the economics of preserving piers and the relative merits and attractions to the public of those uses.

Ms. Lowe replied: I would not say that there is no concern for a balance, which is still important. We are just starting in a different place. The implementation of the existing public benefits has removed a lot of fill already.

We're also starting from a place where people are on the waterfront now and really using it. We're really getting a sense of, where do people like to spend their time, where are the more attractive areas to visitors, and what kinds of uses attract them along the waterfront.

There will continue to be a balance but it may be a rebalanced balance.

Commissioner Chiu commented: I want to thank you for this process. Are you looking at some of the under-utilized sea wall lots on the land side?

Ms. Lowe answered: Folks have been interested in discussing that and we have not moved in that direction because we feel like we have bitten off plenty to chew at this point.

Commissioner Chiu continued: There are a number of completely under-utilized mostly parking surface lots that are across the street from many points across the northeast neighborhoods.

You might want to incorporate some the work that we have done on this in our planning process in San Francisco. I would be happy to get you some these studies and introduce you to some of the folks that have helped us with this.

Commissioner Zwissler inquired: What is an open-water basin?

Ms. Lowe replied: An open-water basin is a term that is used in the Special Area Plan. It is identified as an area of open water that is either to be preserved or created, created if old piers had to be removed; or preserved if they did not.

There are a number of purposes to the open-water basins. Open waters serve a variety of benefits to the waterfront, views, the ability of the public to get close to the water, the ability of the public to get into the water, the ability of the public to recreate within those open-water basins, the ecological benefits, all of these things are factors.

Commissioner Zwissler inquired: Is MUNI or other transit agencies involved in this?

Ms. Lowe answered: Transportation is a significant component and touches on most of the things that we're talking about along the waterfront.

The SFMTA has been a resource for us. The Metropolitan Transportation Commission just awarded the City and the Port a planning grant to look at the Embarcadero Roadway for improving it for bicycle, pedestrian and all other kinds of transportation flow.

We have been looking to the America's Cup work that was done for transportation as well as old parking studies that have been done for what parking is available in the area.

We do have some pretty good transportation folks in our group.

Ms. Ellen Johnck spoke: I'm a Vice Chair of the Port of San Francisco's Maritime Commerce Committee. It is an advisory committee to the Port and to the City. We explain the value of maritime commerce and hope to retain as much of it as we can.

In terms of transportation, one the big issues that we've been working on with the services down around Pier 50 is ensuring that there's not a conflict between trucking and the uses that are going on there.

My other role is I'm the mayor's appointee to the Historic Preservation Commission. I want to offer our ideas to BCDC. We're an adjunct to the planning department.

The public has enjoyed the America's Cup Pavilion. It's been absolutely phenomenal.

Chair Wasserman made an announcement: The Oakland Museum has an exhibit about the Bay and its history that is exciting. There is a lecture this Saturday in the afternoon at the museum. It is a futurist look at what the Bay might be.

Chair Wasserman entertained a motion to adjourn.

11. **Adjournment.** Upon motion by Commissioner Chiu, seconded by Vice Chair Halsted, the meeting was adjourned by a voice vote at 3:22 p.m.

Respectfully submitted,

LAWRENCE J. GOLDZBAND
Executive Director

Approved, with no corrections, at the
San Francisco Bay Conservation and
Development Commission Meeting
of November 7, 2013

R. ZACHARY WASSERMAN, Chair