

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

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July 11, 2014

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 June 5, 2014 Commission Meeting

1. **Call to Order.** The meeting was called to order by Chair Wasserman at the Ferry Building, Port of San Francisco Board Room, Second Floor, San Francisco, California at 1:05 p.m.

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

Chair Wasserman announced that a quorum was present.

Not present were: Association of Bay Area Governments (Apodaca), Department of Finance (Finn), Governors Appointee (Jordan Hallinan), U.S. Army Corps. of Engineers (Hicks), and Solano County (Spring).

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.

Ms. Lucas addressed the Commission: My name is Karin Lucas. I'm a member of the Friends of Crown Beach in Alameda. We have been following the issue that involves the potential litigation you're looking at under Item 8 on your Agenda.

The reason I am here is because I would like to familiarize you with the concerns we have with the GSA actions. The property is called Neptune Point and is adjacent to Crown Beach. This property was approved and funded for park expansion in the year 2008. At that time it was also endorsed by the City Council including the current mayor.

In 2011 when the property was available, and to be sold by the GSA, the GSA put it up for auction. The East Bay Regional Park District bid a million and a half dollars based on an appraisal.

At that time a private developer by the name of Tim Lewis Communities over bid the Park District by a million and a half dollars with a delayed escrow. Escrow was supposed to be closed in a 180 days.



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**BCDC MINUTES
June 5, 2014**

Three years later escrow has not been closed yet. The property has not been transferred yet to the private developer who wants to build 48 luxury waterfront units on the property.

In addition, to give long extensions to the private developer, the GSA has bent over backwards to accommodate the private developer and has now filed an action to condemn the adjacent street, McKay Avenue, which also provides access to Crown Beach.

I'm sure you're familiar with some of the principles of condemnation. It is most unusual to condemn a street that is already a public street.

This is solely being done to accommodate and provide access to the private developer who needs access plus utility easements over the street.

The street is owned by the state of California and the state of California will not grant the easement to a private developer.

Since then, we have, the Friends of Crown Beach have sponsored a petition which has just qualified for the November ballot measure to zone the site, open space.

Our feeling is that the GSA has ignored Alameda voters and now it's obviously ignoring your requirements. I hope you take action. Thank you.

Chair Wasserman continued the public comment period: Speakers have three minutes and Mr. Abad will give you the signs as you just saw him give them to Ms. Lucas. Our next speaker is Irene Dieter.

Ms. Dieter spoke: My name is Irene and I live in the city of Alameda. There are thousands and thousands of people in Alameda that are waiting to hear what you are going to decide today on this action.

We look to you to protect our shoreline and this particular development has severe impacts on the shoreline. It goes against the desires of the voters.

I have prepared a U Tube video which any of you can look at called the Crab Cove Turn Around. You can see the impacts of cars right now in the area.

If a housing development goes in there it is going to have even more impacts on the parking situation and access to our shoreline.

I encourage you today to do the right thing on behalf of all the Alameda residents and the region, who voted to expand park land there. Thank you.

Chair Wasserman recognized speaker Richard Bangert: I am a resident of Alameda and I'd like to offer a few comments on Agenda Item 8. If the Commission does not take legal action against the GSA federal government's attempt to usurp your planning authority over the San Francisco Shoreline, then, at least in this instance, the Coastal Zone Management Act and the Bay Plan are really just a bunch of happy talk.

If the GSA is successful in seizing that street, they will in effect, increase the residential traffic on that street and this would run counter to the goals of the Bay Plan which is to encourage visitors on the street to this popular destination, Crab Cove which is part of Crown Beach State Beach Park.

I urge you to proceed with an action against the federal government in this regard. Thank you.

Chair Wasserman called for the next speaker: Our next speaker is Gretchen Lipow.

I am Gretchen Lipow, a retired teacher living in Alameda. I have been very active in the group called Friends of Crown Beach.

We passed these papers out to you so you can get an idea of what this looks like, the conceptual plan that the East Bay Regional Parks has designed for this location.

This is a plan to develop this into a park which is adjacent to Crown Beach, the longest beach in the East Bay. It's a natural location to become a part of Crown Beach.

Within the red lines on this map there is space available for some of the maintenance trucks that are needed for taking care of the park.

McKay Avenue is the street that the previous speakers have been talking about. That is the street that is the only accessible way to get into this property. This street is owned by the state.

This is a park area that is used by a million and a half people a year. Everybody in Alameda expected us to become a park and we were absolutely shocked when we woke up one day and found out, oops, it looks like it's going to become a residential zone area.

People stepped up and said, let's do something about it. We have an active community that is paying attention to what's going on and we think this really belongs to the part and it is right there by the beach.

I am very pleased to see that you are considering litigation against the GSA. I certainly urge you to do that. Thank you very much.

Chair Wasserman announced the last public speaker: Our last public speaker is John Coleman.

Mr. Coleman addressed the Commission: I'd like to commend Steve Goldbeck working with us on the SB 1184 Hancock language. For BCDC Steve was wonderful to work with and unfortunately the bill died in Appropriations and we look forward in the next session to working with Steve and your staff again.

WRRDA is going to the president's desk Tuesday morning to be signed. WRRDA is the Water Resource Recovery Development Act. A joint letter was signed by BCDC, the Coastal Conservancy, the Bay Institute, Save the Bay and the Bay Planning Coalition. That letter dealt with a number of issues.

A number of them were put into the legislation which will be beneficial to a number of projects here in the area. There is money set aside for beneficial re-use for environmental restoration, i.e. from dredged materials as well as making sure that the ports are being maintained at 50 foot depth according to what the Corps of Engineers has talked about.

It also gives a directive to the U.S. Corps of Engineers to prioritize their projects and to look at infrastructure.

The WIFA part of the WRRDA states that if the money is afforded or allocated, that money could actually be money that BCDC could be applying for through either EPA or the Corps of Engineers to do your projects and work, as well as the Harbor Maintenance Fund was allocated and put to a 100 percent allocation by the year 2025. So the money that is currently collected as a charge or a tax on what's brought into our ports will then be brought back into our ports to allow them to do the necessary work.

This was an area where cooperation worked and in Washington, D.C. we saw a unique thing, we actually had bipartisanship by a wide margin which is unusual.

Thank you for the leadership that was provided by your Executive Director on working with us on that and the other partners that were part of the whole WRRDA discussion.

Finally, we have a new employee at the Bay Planning Coalition, Austin Perez. He is the manager of Policy and Operations. I'd like to have Austin come up and he has a couple of real quick things.

Mr. Perez addressed the Commission: I am looking forward to working with you all. BPC will be holding a couple of events in June.

The first one is next Wednesday, June 11th. It is an expert briefing on fuels for transportation and alternative fuels. There will be speakers from Moffat and Nichol, Chevron and the U.S. Coast Guard.

The second event we have coming up a sea level rise seminar with John Englander who is the best-selling author of, High Tide on Main Street. That's coming up on June 25th here at the Port of San Francisco.

The fuels for transportation briefing will have a major emphasis on LNG development in the Bay Area.

Chair Wasserman continued the meeting: John, I want to thank your organization for your support on SB 1184. We will try again. Commissioner McGrath was recognized by the Chair.

Commissioner McGrath commented: I would like to add my kudos to the efforts to expand the use of the Harbor Maintenance Fund. I spent 12 years as the Port of Oakland's representative on the American Association of Port Authorities trying to get that money completely spent.

The fact that a coalition was built to do that, and finally accomplished it, is a huge accomplishment. Our staff and the environmental groups and John duly deserve significant kudos.

Chair Wasserman announced: The next item of business is approval of the minutes. Commissioner Gibbs, I'm sorry.

Commissioner Gibbs inquired: It's correct that we'll be considering the matter of Robert Crown Beach and Crab Cove in closed session, is that Correct?

Chair Wasserman responded: Correct.

Commissioner Gibbs continued: I wanted to make a brief remark given that so many people from Alameda came to speak on it. As a resident of Alameda and a member of the Commission I just wanted to note that this is really is a remarkable facility. There is so much of an expansive beach fronting directly on views of San Francisco that is very accessible to the public and the Crab Cove is really an outstanding example of an interpretive nature facility used by many of the families in the East Bay.

I think it's really the best of what we stand for in terms of trying to make the Bay accessible. I wanted to note this and thank the members from Alameda who came to speak.

Chair Wasserman continued: Thank you. Commissioner Wagenknecht moved the minutes. Do we have a second? Vice Chair Halsted seconded. Any corrections? None, okay.

4. **Approval of Minutes of the May 1, 2014 Meeting.** Commissioner Wagenknecht moved, seconded by Vice Chair Halsted, to approve the May 1, 2014 Minutes. The motion carried by voice vote with Commissioner Ziegler abstaining.

Chair Wasserman moved on to Item 5, Report of the Chair.

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

a. **New Business.** We start ritualistically with anyone wanting to suggest new business for a future agenda. Now is the time to do it. You can talk to me or Larry at any time to suggest items. None. Okay.

b. **Engineering Criteria Review Board.** You will find in your packet a recommendation to appoint William T. Holmes and Professor Martin Fischer to our Engineering Criteria Review Board. Mr. Holmes is an expert in seismic vulnerability of buildings and loss estimation. He has 45 years of practical experience in all aspects of designing structures, particularly designing for protection from earthquake effects. Martin Fischer is a Professor of Civil and Environmental Engineering at Stanford University. He also is the Director of the Center for Integrated Facility Engineering and the Coordinator of Building Energy Efficiency Research at Stanford's Pre-court Energy Efficiency Center.

The recommendation provides their extensive qualifications and I believe that they are eminently qualified to serve on the board and assist us. Unless any Commissioner has issues or questions, I intend to appoint them to the ECRB. Hearing none, I will do so.

Our Rising Sea Level working group continues to meet. They met before this meeting and heard a very interesting presentation from a group called RSM that does risk management analysis for insurance companies and government agencies on analyzing probabilities in dealing with uncertainties. We then had some discussion about how we want to proceed. We are going to meet again in two weeks when there will not be a Commission meeting and will, hopefully, give staff directions to develop a report that we'll review and then present to the full Commission on how to move forward on our next steps on adapting to rising sea levels which we know is happening. There was a meeting of the Climate Readiness Institute core group. This is a group of U.C. Berkeley, U.C. Davis and Stanford University working together. This is a good sign. They are working on an approach to practical solutions and actions for climate readiness overall including rising sea level. We will keep you updated on their activities. There is a meeting tomorrow of the Alliance for Regional Climate Coordination and Collaboration Agencies (ARCCA). This is a statewide group with representatives from San Diego, Los Angeles, Sacramento and the Bay Area sharing best practices on adapting to climate change issues. Larry and I have been active in it as is Bruce Reardon from the JPC. We will at our next meeting in mid-July give you a report on where that stands.

c. **Next BCDC Meeting.** There is no meeting of this Commission on June 19th and there is no meeting on July 3rd. Therefore, our next meeting will be held July 17th, here at the Ferry building, where we will take up the following matters:

(1) We will consider permit applications to build bridges in Fremont (in Alameda County) across a tidal channel and in Larkspur (in Marin County) across Corte Madera Creek.

(2) We may consider permit applications to redesign Scott's Seafood in Oakland, Alameda County.

(3) We will have the briefing on sand mining in San Francisco Bay that we had originally scheduled for today.

(4) We expect to have a briefing on the Hayward Resilience Program.

d. **Ex-Parte Communications.** That completes my report. If anybody wishes to make an on-the-record report of ex-parte communications on permit matters that have come before us or anything else that you have not otherwise reported, now is the time to do so. Nobody. We will now turn to the Executive Director for his report.

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

As the Chair noted, we have delayed until the next meeting the background discussion on the sand mining issues because our staff and representatives of the industry are working together to develop a more fully shared understanding of the issues that the Commission will learn about going forward. This leads me to believe that this BCDC meeting could be one of our shorter affairs. Given that summer starts in two weeks or so, and that we likely shall have only one meeting in each of July and August, perhaps George Gershwin was right when he wrote those famous lines: "Summertime, and the livin' is easy," at least for some of us.

With regard to budget, you will remember that BCDC is facing a rather serious structural deficit amounting to about 7% or 8% of its budget. We have met with the Department of Finance and we are pretty confident that we can fix the deficit over the long term. However, we need to work closely with the Administration and Legislature to fix it in the short term – that is, for the upcoming fiscal year. My goals continue to be to fix the problem by implementing a wide variety of solutions and to protect our staff which is small, hard-working and eminently resourceful. Chair Wasserman has been instrumental in helping us. We certainly will have news for you the next time that we meet on July 17.

Meanwhile, our continued success as an agency attracts some highly qualified interns. We now have two legal interns for the summer. Logan Tillema is a third year law student at the University of San Francisco where he is a junior editor on the staff of the Law Review. He earned his undergraduate degree from San Francisco State University. Margeaux Green is also a third year law student at Golden Gate University. And she works with GGU's highly regarded Environmental Law and Justice Clinic. She is from Seattle and earned her undergraduate degree from Western Washington University in Bellingham.

With regard to policy, I want to kvell a bit. Rick Welts, the President and COO of the Golden State Warriors, told a packed house at the Bay Planning Coalition's Decision Makers Conference, that BCDC staff did a superb job during the complex and difficult time that the Warriors and the City and Port of San Francisco were working with us on the Piers 30/32 project. That's nice to hear.

While that's some good news, I am afraid that we also have some disappointing news regarding the failure of SB 1184. Steve Goldbeck, who handles our legislative issues, will give you an update.

Mr. Goldbeck addressed the Commission: The bill didn't make it out of Appropriations. The Appropriations Committee decides whether bills should be released or held because of fiscal impacts.

We had worked out amendments on the bill with the various parties including the Bay Planning Coalition, Nature Conservancy and ABAG. By then we had broad support for the bill including the Nature Conservancy, the Bay Area Ecosystem Climate Change Consortium, the Bay Planning Coalition, the Bay Area Council, the MTC and ABAG and also local government. Commissioners wrote letters of support including Gioia, Pine, Sears, Techel and Wagenknecht.

We would like to thank the author and all of those who threw in their support on the bill. We are looking forward to moving this proposal in the next session or through other means if appropriate.

Commissioner Nelson commented: In Appropriations was it scored as resulting in significant new budget expenses; things we aren't doing now? If we're going to die why did we die there?

Mr. Goldbeck answered: They don't really score the bill but in the Committee they do a report to the Committee and so the consultant said that the bill could have fiscal impacts for staff costs. That would be the ostensible reason why it didn't pass.

Executive Director Goldzband continued his report: I have previously told you of BCDC's continuing work to integrate our projects with those of ABAG and the Coastal Conservancy to develop a Shoreline Resilience Program. Also, as you know, the ART projects continues to progress and we'll have a review of that during the summer. I also want to let you know that BCDC has started to participate in a rather wide-ranging discussion with the Kresge Foundation, the San Francisco Foundation, the Joint Policy Committee, the Bay Area Council and several representatives of the social and economic justice communities to figure out how the Bay Area can ensure that vulnerable communities are not left behind or somehow made more vulnerable as a result of efforts to adapt to a rising sea level. I will be happy to distribute the group's work plan and its plans to include a wide variety of stakeholders in the coming months as we move forward. I want to make sure that you recognize that one of the things I said at the Bay Planning Coalition was that, we need to ensure as BCDC as a regional governments as well that we create a solution which is fair to all who are affected. This is one of the ways that we can do that.

Speaking of the Joint Policy Committee, I want to ensure that you see in your packet a letter signed by the Executive Directors of each of the four agencies urging the State not to use a tool developed by the state Office of Environmental Health Hazards Assessment to apportion cap and trade funding statewide. Clearly, the Central Valley's difficulties require a majority of the funds, the tool that OEHHA developed unnecessarily limits funding in other locales. We did this as a Joint Policy Committee project. We want to make sure that you all see it. It has more of an impact, for example, on the Air District or on MTC than on BCDC but we definitely work with our partners and we wanted to show our support.

Chair Wasserman already let you know about the Climate Readiness Institute. We think it has the potential to help BCDC and our stakeholders a great deal.

Now, I do need your attention. You have in your packets a notification from John Bowers, our staff counsel and yours truly, that Commissioners and alternates are required to complete successfully the State's ethics training biennially. The Natural Resources Agency has requested that all of our Commissioners and Alternates and appropriate staff complete this training by June 10th of this year. If you have not done so, please go online and complete the training. Also, please note in John's memo that successfully completing local ethics training does not obviate the need to successfully complete the State's training. You will have to have two different certificates; one for your local government role and one for the state government role.

Finally, I am proud to report that "Bobby B. and the Shoreline Band", BCDC's Bocce team, won both the regular season championship and last Monday's playoffs in the Monday night league. I must report that the championship game was played against the Port of San Francisco whose team members wore shirts emblazoned with the quote, "Find a Bay and fill it." Now that we have vanquished such worthy opponents we can relax, enjoy the summer, and in the words of Kenny Chesney, "put our two bare feet on the dashboard" and keep looking ahead.

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

Chair Wasserman continued: Any questions or comments? The structural deficit for us is serious. We do have some encouragement from the Department of Finance looking towards 15/16 for some things to change it. That won't help us in 14/15. We are working with the Governor's Office on a measure that may give us some assistance in the 14/15 cycle. We will keep you posted.

With that we will turn to consideration of administrative matters. We have received a report of the administrative actions taken.

7. **Consideration of Administrative Matters.** Chair Wasserman stated Bob Batha was available to discuss the listings of administrative matters. He stated that the actions were approved as they were and that this was not an action item.

8. **Closed Session to Discuss Potential Litigation.** Chair Wasserman announced: We now move to Item 8 which is a closed session to discuss pending litigation. There are two matters before us. Vice Chair Halsted will Chair the first subject while I am out and I will Chair the second.

Executive Director Goldzband stated: Andy if you can please turn off the microphones, if anyone who is not a Commissioner or alternate or appropriate staff please vacate the room.

(The Commission went into closed session at 1:39 p.m.)

(The Commission resumed public session at 2:38 p.m.)

Chair Wasserman announced: We are back in session and Chris will give a summary of action taken in closed session.

Deputy Attorney General Tiedemann commented: The Commission voted to authorize the Attorney General's Office to file litigation to compel the federal government to comply with the Coastal Zone Management Act and perform a consistency determination or provide a negative determination regarding its condemnation of McKay Avenue.

There was no action taken on the second item.

Chair Wasserman stated: That brings us to Item 9.

9. **Commission Consideration of Information Technology Contract.** Chair Wasserman commented: Item 9 is a consideration of a contract for services that would assist BCDC in implementing a new e-mail service required by the State of California's Data Center. Chief Information Officer Andrew Chin will make the presentation.

Chief Information Officer Andrew Chin presented the following: The staff recommends that the Commission authorize the Executive Director to enter into a contract of up to \$35,000 for a one-year period to assist the Commission to migrate to the State's new email system. In 2010 Assembly Bill 2408 mandated that all executive branch departments must migrate to a hosted and shared email solution.

The result of this migration likely will be positive for BCDC because it should ensure a higher degree of reliability of email system.

However, because BCDC uses incompatible technology that does not allow functionality with the new system and because the Office of Technology Services does not provide the assistance necessary for that migration, staff proposes that BCDC expend up to \$35,000.00 to hire a consultant to assist BCDC's move to the new system.

The staff further recommends that the Commission authorize the Executive Director to: (1) amend the contract as necessary, including revising the amount or duration of the agreement, so long as the amendment does not involve substantial changes in the services provided; and (2) enter into similar contracts in the future, subject to the availability of funds.

Chair Wasserman continued: We will entertain questions from the Commission or comments. (no response) We did not schedule this for public hearing. Is there anybody from the public who wishes to comment? (no response) I will now recognize Commissioner Doherty.

MOTION: Commissioner Doherty moved that the Commission approve the contract, seconded by Commissioner Techel. The motion passed by a show of hands with no opposition and one abstention.

10. **Commission Consideration and Possible Vote on Bay-Related Comments on the Bay Delta Conservation Plan (BDCP).** Chair Wasserman stated: We will now take up Item 10 which is consideration and possible vote on staff comments regarding the environmental document for the Bay Delta Conservation Plan or BDCP. Joe LaClair will introduce the topic.

Chief Planner LaClair commented: I am here to present staff's recommendation on the comments that should be submitted to the California Department of Water Resources and the U.S. Bureau of Reclamation on the draft environmental impact report and environmental impact statement that were prepared to assess the impacts on the environment of the BDCP, Bay Delta Conservation Plan.

The Commission as a responsible agency should submit comments on projects that will have impacts within its jurisdiction.

Staff has organized several briefings on this matter. On May 1st you heard a panel discussion of experts who considered what the impacts of the Bay Delta Conservation Plan would be on San Francisco Bay and the Suisun Marsh.

The environmental impact report and the environmental impact statement evaluate several different project alternatives for conveyance as well as a number of conservation measures intended to improve habitat, both within the Delta and within the Suisun Marsh to improve the condition of species of concern and other species that are not doing very well because of our management of the Delta.

Based on staff's review of the voluminous environmental documents, Commissioners' comments and questions and input of our experts and the Commission's law and policies, staff recommends that the Commission direct staff to submit the comments that we mailed to you on May 25th and the staff report that you have before you with any revisions or changes that you would want to make today based on your discussion.

In general, the staff believes that the EIR and the EIS does not adequately analyze the potential effects on San Francisco Bay and on the Suisun Marsh. We believe that some of these impacts could be significant and that a more thorough analysis of them needs to be done; in particular, with regard to water quality as a result of changes in fresh water outflow, changes to sediment delivery from the Delta to the Bay and the Marsh, and other impacts on Bay species.

With that, I'm happy to answer any questions you may have. Thank you.

Chair Wasserman asked: Any questions from Commissioners, comment?

Commissioner Nelson commented: I am no longer working for the National Resources Defense Council and I'm not working on this issue right now. I thank the staff for their work here. These are appropriate comments from the Commission. I wanted to note that there have been many, three or four separate independent scientific evaluations of the work that BDCP has been doing. All of them have raised serious concerns and most of them have raised some of the concerns that staff has raised. I move the staff recommendation.

Commissioner Gorin commented: I missed the meeting on May 1st. A group of us were organized to go up to Sacramento last week to talk with the State Water Board about this project and it included supervisors from four or five different counties, North Bay counties primarily plus Contra Costa and a number of staff members.

I really appreciate that BCDC is doing in evaluating the project. The take away that I heard was, our voices are missing in Sacramento. I would encourage us (the Commission) to send our very firm comments, but also individually as counties and cities to send our own comments especially when the documents come forward in late summer. They were very enthusiastic that we were there talking about this and the effect on the San Francisco Estuary. We need our voices to be heard in Sacramento as this moves forward. I am seconding this.

Commissioner Pine stated: The county of San Mateo did take an action to urge the policymakers involved in the complex Bay issues to make sure that the freshwater flows are given adequate consideration and the health of the Bay given adequate consideration. I think four or five counties have now taken that action. Others could weigh in as a governing board or as individuals.

Commissioner Gorin added: One more follow-up comment, it was primarily organized through ABAG, so a number of the representatives serve on ABAG. I felt like there are opportunities for a BCDC delegation to go to Sacramento individually or as a group because I was the only representative serving on BCDC there at that particular meeting.

Chair Wasserman commented: We are sometimes blessed and sometimes cursed as being a regional agency that is a state agency. Occasionally it amplifies our voice, I think more often it mutes it. There are some internal discussions about that.

I do want to echo the comments. This is very good staff work. This is not for or against the Plan itself and the project. This is saying, the evaluation that has been done thus far we think is not thorough enough and it is part of our responsibility to ensure that the evaluation is thorough.

Chief Planner LaClair commented: I learned this afternoon that the deadline for submitting comments has been moved from June 13th to July 29th. So, you're way ahead of the game.

Chair Wasserman added: Let's not wait, let's do it. We did not schedule a hearing on this. Is there anyone from the public who wishes to speak? We do not have any cards (no response).

Commissioner Nelson moved this item and Commissioner Gorin seconded it.

MOTION: Commissioner Nelson moved to accept the staff recommendation, seconded by Commissioner Gorin. The item passed by a voice vote with no opposition and one abstention by Commissioner Ziegler.

11. **Briefing on Sand Mining Background Report.** Item #11 briefing on sand mining was postponed until the July 17th meeting.

12. **Presentation on *Saltscapes: The Kite Aerial Photography of Cris Benton*.** Chair Wasserman continued: Item #12 is a presentation by our former Executive Director Will Travis and Cris Benton, former Chair of the Department of Architecture at the University of California, Berkeley, on Mr. Benton's new book titled *Saltscapes*.

Executive Director Goldzband commented: A couple of months ago I returned from vacation and found the book, *Saltscapes*, in my inbox that was sent to me by folks at Cargill and I thought it was pretty amazing.

This is a little bit out of the ordinary for BCDC. We are going to make it somewhat short. We think it's an important way for BCDC Commissioners to look at the Bay perhaps in a way that's different than we all normally look at the Bay.

Will Travis presented the following: It is wonderful to be back. Among the greatest delights of my retirement are opportunities I have to share delightful experiences and wonderful events with treasured friends.

I want to share with you the incredible beauty I found in these images of color and form. They could be abstract paintings but they aren't.

They're photographs of salt ponds taken from a remote-controlled camera floating aloft in a kite. The pictures were taken by U.C. Berkeley architecture professor emeritus Charles C. Benton. They are part of a collection in this beautiful book called, *Saltscapes*.

This book is the story of the remarkable transformation of 25 square miles of industrial land that was used for salt production for over a century into a more natural landscape of wetlands that will provide enhanced habitat for wildlife and will also help protect Silicon Valley from sea level rise.

The story of this makeover would have been compelling if illustrated by ordinary documentary photos. But through his artistic genius Cris Benton has made, *Saltscapes*, into two books.

One is the story of this unprecedented landscape transformation. And the other is a collection of spectacular images of dazzling beauty.

Saltscapes could not have been created without Cris Benton's brilliant talent and the publisher, Heyday Books and their commitment to artistic excellence.

The book also required the collaboration and support of another entity, Cargill Salt Company. There were plans to fill the ponds for real estate development before Cargill bought the property.

Cargill staff then became the stewards of the property for decades until the company decided to sell its salt ponds to the public.

And Cargill did help make the publication of *Saltscapes* financially feasible by buying a number of copies sight-unseen.

With thanks to Cargill, with a bow of respect to Heyday Books, it's my honor to share *Saltscapes* with you and to introduce Cris Benton.

Mr. Benton presented the following: It's a pleasure to be here and I'm humbled to present landscape work that you must be very familiar with. Please consider this a photographer's self-exploration of the South Bay Salt Ponds.

Some 20 years ago I started to take pictures from kite-lofted cameras. It's a pretty low-key interesting way to go experience the landscape. One of the most famous kite aerial photographs was taken by George Lawrence and it shows San Francisco in ruins two weeks after the 1906 Earthquake.

In 2003 I had the pleasure of spending a sabbatical at the ExplOatorium. I still do some work with them. During that year I started hiking around the periphery of the Bay and taking photographs with a micro-biologist.

I became familiar with public-access points and particularly entranced with the South Bay Salt Pond landscape. My aerial photography allowed me to see the colors of these landscapes the same way you would see them from a satellite image or from an airplane.

In the following photographs you can see the variety of beautiful colors seen in these ponds from the sky. Everywhere I went in the South Bay were marsh channels of all shapes and sizes. They presented themselves in odd colors.

I had no idea how large our marshes really are until I started seeing these marsh channels appear over square miles and square miles of the South Bay.

You can see remnants of the early salt production which began in the 1860s and blossomed in small mom-and-pop scale operations through the 19th Century and then went through consolidation in the 20th.

There is evidence of the South Bay as a nautical place and it's one of the better-preserved landing ruins which is right at the eastern anchorage of the Dumbarton Bridge.

When the railroad showed up the nautical era ended and the railroad first crossed from Newark to Alviso in 1880. The early railroad was almost all freight.

There used to be a number of Archimedes-screw wind pumps that raised water for transport from one salt pond to another before electricity was widely available. These wind pumps were all locally made.

The Eden Landing Ecological Reserve will be a place open to the public. It's an intriguing plot of what had once been there.

In 1950 there were still six salt production plants in the Bay Area. One of them was Arden Salt Works Number 1 near Jarvis Landing. This area is now the La Riviera Marsh Restoration and embedded in this restoration area are a lot of the old levees and flow control gates from the crystallizer beds of the Arden Salt Works Number 1.

The Mallard II Dredge currently maintains the levees and it does about 10 miles of levees a year.

Cargill gave me permission to photograph their harvest. It's a fun bustling sort of enterprise. Cargill maintains salt stacks in Newark.

The Red Hill Gravel Quarry was once a very deep hole but is less so now that it is being filled in.

The South Bay Salt Pond Restoration Project is a huge effort to re-purpose some of the lands that had formerly been in salt production. A multi-varietal marsh vegetation is slowly establishing itself in this area.

One of my take-aways over the last 10 years is that this area is changing. There is a lot of infrastructure going into place with a purposeful management of water flows. There are interesting and dramatic transformations taking place.

In the 1950s we weren't treating the edge of the Bay very well. We've come a long way. This is extraordinary progress and it's heartening and I'm indebted to BCDC and your efforts in stewardship of the Bay's edge. I look forward to seeing how these next chapters develop.

I'm happy to take questions at this time.

Chair Wasserman continued the meeting: Thank you very much. Any questions or comments? (a round of applause was given to Mr. Benton)

Unless there are any other questions I would entertain a motion to adjourn.

13. **Adjournment.** Upon motion by Commissioner Zwissler, seconded by Commissioner Nelson, the meeting was adjourned at 3:09 p.m.

Respectfully submitted,

LAWRENCE J. GOLDZBAND
Executive Director

Approved, as corrected, at the
San Francisco Bay Conservation and
Development Commission Meeting
of July 17, 2014.

R. ZACHARY WASSERMAN, Chair