

San Francisco Bay Conservation and Development Commission

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February 10, 2017

TO: All Commissioners and Alternates

FROM: Lawrence J. Goldzband, Executive Director (415/352-3653; larry.goldzband@bcdc.ca.gov)
Sharon Louie, Director, Administrative & Technology Services (415/352-3638; sharon.louie@bcdc.ca.gov)

SUBJECT: Draft Minutes of January 19, 2017 Commission Meeting

1. Call to Order. The meeting was called to order by Chair Wasserman at the Bay Area Metro Center, 375 Beale Street, Yerba Buena Room, First Floor, San Francisco, California at 1:13 p.m.

2. Roll Call. Present were: Chair Wasserman, Vice Chair Halsted and Commissioners Addiego, Bates (represented by Alternate Butt), Chan (Represented by Alternate Gilmore), Cortese (represented by Alternate Scharff) DeLaRosa (represented by Alternate Jahns), Gibbs, Gorin, Kim, Lucchesi (represented by Alternate Pemberton), McGrath, Nelson, Randolph, Sartipi (represented by Alternate McElhinney), Sears, Techel, Ziegler (represented by Alternate Brush) and Zwissler.

Chair Wasserman announced that a quorum was present.

Not present were Commissioners: Santa Clara County (Cortese), Department of Finance (Finn), Contra Costa County (Gioia), U.S. Army Corps of Engineers (Hicks), San Mateo County (Pine), Department of Business Transportation & Housing (Sartipi) and Napa County (Wagenknecht).

3. Public Comment Period. Chair Wasserman called for public comment on subjects that were not on the agenda.

Mr. Roman Berenshteyn addressed the Commission: I am here on behalf of Bay Planning Coalition. We are having an event coming up in March. It is an expert briefing on the benefits and challenges of recreational boating in northern California. It will be held on Thursday March 9th from 11:00 a.m. to 1:30 p.m. at Brickyard Cove Marina in Richmond.

Tickets are \$20.00 for Bay Planning Coalition members and government employees and \$35.00 for non-members. Lunch will be provided.

This event will include a presentation on the social and economic benefits of recreational boating as well as a panel on current regulations, studies on the impacts of copper on water quality and the implications of the revised federal standards proposed for copper in marine waters for the San Francisco Bay.

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We will also have a panel on issues surrounding abandoned vessels in the San Francisco Bay and how those issues are being addressed. There will be a host of speakers from different agencies throughout the state and country. You can learn more about this event at our website of bayplanning.org.

Mr. Hunter Cutting was recognized: I am with the campaign to Save Clipper Cove. A lot has been happening in the planning for a marina expansion in Clipper Cove. Unfortunately it appears that a train wreck is still heading towards you.

I have a fact sheet that I am going to pass out that lists everything as well. The good news is that the developers have formally abandoned their plan to close off Clipper Cove and convert it into a private marina.

The bad news is that they still propose to take one-third of the Cove. Compared to taking the entire Cove that seems like a good deal but when you look into what that will mean on the impact for public recreation and public education on the San Francisco Bay it is a disaster.

Under the proposal the marina would expand its footprint from seven percent of the Cove to 31 percent of the Cove. This means that the range and the depth of the programs of the non-profit Community Sailing Center in Clipper Cove will be dramatically reduced.

The configuration of the Marina will be such that it is going to create a choke point that will entirely block beginning sailors and some youth sailors from getting into the Cove. High school sailors and collegiate sailors are going to be pushed part way out of the Cove which is going to mandate additional expenses and will mean that some high school and collegiate racing events will be cancelled.

The dramatic reduction in small boating in the Cove under this proposal is an explicit contradiction of the San Francisco Bay Plan, which calls for an expansion of small boating in Clipper Cove. Marina berthing for boats smaller than 40 feet would be eliminated entirely. There are currently about 90 boats in the Marina that are less than 40 feet and they would have no place to go.

As details about this plan have emerged a whole bunch of new opposition has emerged as well. The Sierra Club has reiterated its opposition to this new proposal and other groups have come forward. All of this has been documented in letters that have been submitted to your staff and your Chair.

Chair Wasserman moved to Approval of the Minutes.

4. Approval of Minutes of the December 15, 2016 Meeting. Chair Wasserman asked for a motion and a second to adopt the minutes of December 1, 2016.

MOTION: Vice Chair Halsted moved approval of the Minutes, seconded by Commissioner Pemberton.

VOTE: The motion carried with a vote of 19-0-1 with Commissioners Addiego, Butt, Gilmore, Scharff, Jahns, Gibbs, Kim, Pemberton, McGrath, Nelson, Randolph, McElhinney, Sears, Techel, Ziegler, Zwissler, Vice Chair Halsted and Chair Wasserman voting, "YES", no "NO", votes and Commissioner Gorin abstaining.

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

a. **New Business.** Does anyone have any new business to ask us to consider?

Commissioner McGrath spoke: There is another vessel that has gone turtle in the Delta. I do think the problems of abandoned vessels or transfer of vessels that are not seaworthy is something that perhaps should warrant some approach. I understand that the channels of the Delta are beyond this Commission's jurisdiction but I do not think the issue is relevant to us. I will put this for our capable Executive Director and have him come back at the appropriate time.

Commissioner Gorin was recognized: Dealing with floods is one of the issues I wanted to raise. BCDC works so hard in developing their mapping some years ago and recognized that Highway 37 was threatened with inundation and, in fact, that happened this week. Highway 37 was closed for most of the past week. It only reopened when Caltrans pumped the water from one side of 37 to the Bay.

This raises the specter and the nervousness of an entire North Bay. We know that this linkage is critical. The work that Sonoma County is doing with the other four counties in looking at Highway 37 and proposed financing mechanisms to elevate and prepare it for even more dire conditions is ramping up. For those folks accessing Napa, Sonoma, and Solano; it was a heads-up experience. Caltrans, thank you so much for opening up the road; now every constituent wants me to do the same thing for every creek in Sonoma County. (Laughter)

Executive Director Goldzband added: And just to take it one step further; Isaac Pearlman of our staff has been detailed as the staffer to attend all the four-county Highway 37 meetings and is regularly reporting back to Lindy Lowe and to me on this. I found out today that MTC is funding 88 percent of the costs associated with the four-county program looking for alternative ways to do financing and routes and so on.

Commissioner Gorin agreed: Absolutely. And this is an example of a regional collaboration involving all of the regional agencies and the four counties. The effect of Highway 37 closure or a threat affects all of the transportation system in the Bay Area.

We are having a briefing in front of the Board of Supervisors of Sonoma County next Tuesday. That is where we are going and the MOU and the direction forward will be discussed at each of the Board of Supervisors meetings over the next month or two.

You can expect that this road probably will be financed by tolls in some way, shape or form.

b. **New Alternate.** I want to report that we have a new alternate Commissioner, David Rabbit, who has been appointed by Commissioner Gorin. Supervisor Rabbit represents the 2nd District of Sonoma County which fronts on San Pablo Bay. We expect to see Commissioner Rabbit in the future when Commissioner Gorin cannot make it.

c. **Bay Fill Policies Workgroup.** I would like Commissioner Nelson to give us a brief account on the Bay Fill Policies Workgroup meeting that met earlier today.

Commissioner Nelson reported the following: We finished a discussion of a presentation at a previous meeting from the folks at the San Francisquito Creek Joint Powers Authority about flood management and sea level rise adaptations in their area. We then had a presentation about Caltrans' efforts to address sea level rise issues that was presented by Commissioner McElhinney. We had a discussion around those issues.

That was the last of the issue-related briefings we have done over the last two plus years. It has been a long slog of really interesting presentations by a wide group of briefers. We are going to spend the next several meeting digesting the results of all of those briefings and preparing for the Commission workshops that will start in the spring.

Chair Wasserman asked: Any questions about that? (No questions were voiced)

d. **USEPA Wetlands Workshop.** I would ask Commissioner Brush to give us a brief summary of the workshop EPA convened to discuss the permitting process for Bay restoration projects and regional monitoring for Bay wetlands.

Commissioner Brush reported the following: I wanted to start by saying this was a very gratifying event for EPA to be able to host, this wetlands focused restoration workshop on January 5th. It is a time, when we are going to be looking to do what we can locally to maximize the benefit for environmental projects at every opportunity where we have the most willing partners and the most resources to do so. EPA was very pleased, we had a tremendous turnout for this wetlands workshop focused on two tricky aspects of restoration projects. We thought it was an opportune moment because of the Restoration Authority's pending actions in implementing Measure AA, as the funds start coming in to think about these twin challenges in wetlands restoration; that being, permitting overall and monitoring.

The idea is, that we have a very successful model for monitoring in San Francisco Bay, the Regional Monitoring Plan for Water Quality in San Francisco Bay, for trace substances around the Bay; we do not really have an RMP for wetlands. A lot could be done to join these two things, particularly in service of faster permit decision making with a wetlands RMP for San Francisco Bay.

We had a great morning of presentations and then in the afternoon break-out sessions. We had a diverse participation by the public, NGOs, agencies and we are in the process of digesting the break-out session action items and next steps which we expect to get out to the participants by the end of the month.

Among the two next steps is producing an inventory of existing monitoring practices and costs around San Francisco Bay wetland projects. We will be getting together a working group of the primary regulators around the Bay on wetlands restoration projects to look for efficiencies and that includes meeting with the new regulatory chief at the Army Corps of Engineers, Dr. Rick Bottoms, who we are looking forward to meeting with and starting to look for opportunities to use our existing tools in a more coordinated way for projects around the Bay.

Chair Wasserman stated: I did get a report on it that comports with what you have reported. I think it is a very good and very important step. It is clearly related to our action plan in dealing with rising sea level and I think your introductory comments were very appropriate. As

Franklin said, “If we do not all hang together, we will undoubtedly hang separately.” We need local action to protect our environment, our developments and our people from a range of threats.

Chief Deputy Director Steve Goldbeck commented: Several members of our staff also participated from the Planning and the Regulatory sections, as did I. We found it really useful and helpful and appreciated that EPA went out on a limb to talk about this issue which is important but very difficult to address.

We particularly thought that Commissioner Brush’s discussion of the LTMS and a habitat conservation plan in the Delta were good examples for how we can address this issue even without changing any state or federal laws.

It really is consistent with some of the actions that Chair Wasserman mentioned. It also particularly resonated with staff because we have started a project called the, WHAT, which is the Wetland Habitat Assessment Team that is looking at the monitoring plans that have come in from projects that we have already approved and wondering how we can better use those as tools as opposed to just lining our bookshelves with them. We will also be looking at our processes going forward so that we are not requiring a bunch of things that are not used, but we are looking at the more critical things that will help us and other players.

And lastly, I want to say that it really reminded us that as we go forward working on this issue of sea level rise adaptation we are not working in a vacuum and we need to be working with our partners. EPA took a good step in trying to bring everybody into the same room to talk about that.

Chair Wasserman continued: I would recommend to Commission members and others an article in this morning’s New York Times on global warming. It had some very interesting historical, well-illustrated examples that warming throughout the Earth is continuing and is accelerating. The problems we face are not going away and are accelerating.

e. **Next BCDC Meeting.** We will not hold a meeting February 2, 2017. We do expect to probably hold a meeting on February 16th and do expect to launch our next working group on financing the future on the 16th as well.

f. **Ex-Parte Communications.** That completes my report. If anybody wishes to put an ex-parte communication on the record they may do so now. They do need to do so in writing in any event and this goes primarily to our permit applications, not to policy issues. (No comments were voiced)

g. **Executive Director’s Report.** That brings us to the Executive Director’s Report.

Chair Wasserman moved to the Executive Director’s Report.

6. Report of the Executive Director. Executive Director Goldzband reported: Thank you very much Chair Wasserman.

At the start of a new year it is always tempting to say that we will start fresh. But, we really don’t do that, and I would argue that we probably shouldn’t. Sound policy decisions rely on understanding the context in which we make decisions and the knowledge that our decisions

today need to be based upon facts that we have previously learned. The great actress Maureen O'Hara, with whom my father fell in love when she was in "The Quiet Man," was fond of reminding people that "everything was black and white in the beginning." And, just as moving from black and white to color enabled movies to tell new and different stories, your complex policy workshops that are coming up soon and difficult regulatory discussions that may happen next month will be based on previous discussions as well and will enable BCDC to continue to lead the Bay Area's resilience agenda.

On the budget side of the house, we shall learn this month, what our first quarter spending totals were. Also, we are actively reviewing the Department of Finance's recent managerial audit of the Coastal Commission to ensure that we take advantage of learning about Finance's recommendations.

Speaking of budget, I have to let you know that BCDC simply does not have the financial strength to take advantage of webcasting technology offered here. A preliminary estimate provided to us by the staff pegs the cost at about \$60,000 annually.

I have two announcements with regard to staffing. First, Todd Hallenbeck (stood and was recognized) one of our permit analysts, will shift from Regulatory to the Planning staff to work full time on BCDC's GIS program. He will update our existing internal GIS tool known as BayRAT, help organize the agency's GIS data, files and maps, and he'll assist with developing, maintaining and managing GIS data, projects, programs and services. With the departure a few months ago of Javier del Castillo, Lindy Lowe has revamped the way that we will take advantage of a growing group of new technologically savvy BCDC employees. On Friday I had the exciting privilege of visiting the first-ever meeting of a BCDC GIS team!

Second, we have a new intern to assist our legal staff, Nora Nararujaneetanan. (stood as was recognized) Nora earned her bachelor of law degree in Thailand in 2013 and a Masters of Law in Environmental Law from Vermont Law School last May which makes her a White Swan. Last fall she was an intern at the Office of Agricultural Affairs at the Thai Embassy in Washington, D.C. where she worked on issues involving U.S. ocean and coastal law, marine fishery management and aquaculture laws. Nora will be with us until mid-May and we are happy to have her.

Speaking of our legal team, I would like Marc Zeppetello to provide the Commission with an update on our Point Buckler enforcement matter.

Chief Counsel Zeppetello reported the following: The Commission adopted its Cease and Desist and Civil Penalty Order on Point Buckler on November 16th. In early December the San Francisco Bay Regional Water Quality Control Board adopted a penalty order against John Sweeney and Point Buckler Club in the amount of just over 2.8 million dollars. It was about half of the penalty that had been proposed by staff.

On December 15th Sweeney and Point Buckler Club filed a petition for writ of mandate and a complaint for injunctive relief against BCDC and the Water Board. They challenged the substance of the two orders. On the Water Board side they were challenging the clean-up and abatement order that had been adopted in the fall. They are still going through an administrative process challenging the penalty.

They also raised CEQA claims against both agencies for taking enforcement action allegedly without complying with CEQA.

The most recent update is that yesterday the United States filed a complaint in federal district court in Sacramento against Sweeney and Point Buckler Club under the Federal Clean Water Act alleging discharges of pollutants and of dredge and fill material in violation of Section 301, 309 and Section 404 of the Clean Water Act.

Things will continue to evolve on several different fronts.

Executive Director Goldzband added: Marc is speaking with various folks with regards to BCDC's lawsuit against the Corps of Engineers in order to try to arrange a mutually-agreed upon date for discussions with the Department of Justice and the Court.

I want to let you know that, on January 12th, Chair Wasserman and I approved an emergency permit request that we had received a day earlier from the state Department of Fish and Wildlife. CDFW needed to repair two 10-foot wide levee breaches and to construct an approximately 1,400-square-foot temporary pad for accessing the repair site at the Burdell Unit of the Petaluma Marshes Wildlife Area in Novato. The levee breaches occurred during last week's combined storm and extreme high tide events and were allowing brackish water to flow into a freshwater wetland. The work began on January 11th and is estimated to take a week. Consistent with your emergency permit practices, CDFW is working with the Commission staff to complete and submit a permit application for the work and receive a formal permit with conditions. I want to thank Jaime Michaels and Brad McCrea for ensuring that we gave CDFW a timely response.

I am very proud to let you know that BCDC's Adapting to Rising Tides Program will be leading a panel at the National Adaptation Forum this spring in Minneapolis. It is currently titled: "People Centered Planning for Resilient Communities." The panel will include Amy Chester, Managing Director of Rebuild by Design in New York, Allison Brooks of the Bay Area Regional Collaborative who is working hard on the Bay Area Resilient by Design program and representatives from local community groups. The focus of the panel will be to reframe the current focus of climate adaptation planning and preparation. The current process usually begins by identifying, reviewing and analyzing assets, but not people assets; followed by evaluating how their damage or loss will affect the people and communities that rely on them. Fortunately, several projects and programs around the country are changing this paradigm by beginning their analyses by asking people and communities what assets and issues are most important to them. The panel will discuss how to reframe the approach and evaluate the risks and the benefits.

I want to point out a few things in your packets. A few weeks ago we sent to you a short and eminently understandable piece from the renowned climate scientist, Michael Oppenheimer, entitled "How High Will the Seas Rise?"

We also have provided you with a couple of pieces from the Public Policy Institute of California to let you know how Californians view climate change and associated policies. In this short excerpt from a longer report, while it concentrates on mitigation, it states that 61% of Californians say that it is very important for California to prepare for climate change now and almost that percentage believe that the effects of global warming already have started.

Finally, I have one more announcement that demonstrates that we simply don't start fresh every year. Your FPPC Form 700s are due on April 1st. Each Commissioner and Alternate should have received in October an e-mail from the FPPC stating that the FPPC created an "eDisclosure" account for you and that you can file your Form 700 electronically. Please let me know if you did not receive that e-mail. I am going to ask you to go back to your computer, check your October emails and check your spam folders. If you did not receive it please email me and we will make sure that you get a second copy because we assume that a first was sent. You do not have to file electronically. You can continue to file in paper form.

Now I am happy to take any questions Mr. Chair.

Chair Wasserman asked: Any questions for the Executive Director? (No questions were voiced) Chair Wasserman moved to Item 7.

7. Consideration of Administrative Matters. Jaime Michaels has come to the table in eager anticipation of your questions. The Administrative Listing was mailed on January 13th. Does anybody have any questions about the Administrative Matters? (No questions were voiced)

8. Briefing Sand Mining Permit Compliance and Progress on Studies Chair Wasserman announced: Item 8 is a Commission briefing on sand mining permit compliance and the progress on the studies from those who do sand mining in our Bay. Brenda Goeden will introduce the briefing.

Sediment Program Manager Goeden presented the following: Today you will be briefed on the progress to date on the sand mining activities and the studies you required as part of three sand mining permits that you authorized and issued in May of 2015. Mr. Bill Butler of Lind Marine and Tina Lau of Hanson Marine Operations will present the activities that they have completed. In the audience is Mr. Mike Bishop of Hanson Marine Operations for further questions. And with that I will turn it over to Mr. Butler.

Mr. Bill Butler addressed the Commission: I am with Lind Marine, one of the two companies authorized to conduct sand mining activities in the Bay, and along with my colleague, Tina Lau from Hanson Marine we are going to provide a briefing on the status of those permits and certain conditions in those permits as ongoing studies that are required by those permits. In particular, we are going to discuss the levels of mining activity that we have experienced over the past year and also provide updates on the status of the benthic habitat study, the water quality study and sediment transport studies which are required by the permits.

Your Commission authorized three permits at the end of April 2015; separate permits were issued for Hanson Marine Operations in the Central Bay, for Lind Marine Operations on the Middle Ground Lease in Suisun Bay, and for the Suisun Associates, a joint venture operation of both companies with mining in the Suisun Bay and Channel. Those permit authorizations continue through April of 2025.

The permits authorize sand mining activities subject to annual and overall volume limitations. For Hanson's Central Bay permit, volumes are limited to 1.14 million cubic yards annually on a cumulative rolling average. There are also annual peak volumes of 1.395 million cubic yards allowed so long as the cumulative rolling average remains 1.14 million cubic yards

and the 10 year total volume of 11.41 million cubic yards is not exceeded. The blue portion of the graphic illustrates the actual volumes mined by Hanson Marine in the Central Bay in Calendar 2016, consistent with how the annual volume limitations are tracked on a calendar year. As you can see Hanson's volumes over this 12 month period were about 53% of the annual volume limit, at about 609,000 cubic yards. It was well within the permit volume limits. However, it is important to note that we are seeing the expected increase in demand for this resource that we talked about when the permits were issued. The mined volume for Hanson in the Central Bay is actually about 16 percent higher than the volume mined in calendar 2015.

These graphs represent the same information for the two lease areas up in Suisun Bay for the same time period. Volumes mined from both of these lease areas were both within the permitted limits; about 31% of the permit limit on Middle Ground and about 78% of the permitted limit on Suisun Associates. As with Hanson's Central Bay volumes, we are experiencing the same increase in demand for the resource there. The total volumes from both of these lease areas in calendar 2016 were nearly double what the volumes in 2015. The bottom line as far as volumes are concerned is we are well within the permit limits, but the demand is increasing as we expected. With that I am going to turn it over to Tina Lau from Hanson to provide the updates on the studies.

Ms. Lau reported the following to the Commission: I am here to provide updates on the three studies that were required as part of our permit. The first one is the benthic study and the purpose of that study was to help us increase our understanding of the benthic ecology and then the effects of sand mining on that ecology. We convened a technical advisory committee (TAC) and those were comprised of members from BCDC staff, California State Lands Commission, U.S. Army Corps of Engineers, the San Francisco Regional Water Quality Control Board, the National Marine Fisheries Service, and the California Department of Fish and Wildlife The USGS provided a biological specialist who was able to lead the TAC efforts, and also representatives from Hanson and Lind Marine.

Once the TAC was established we got together and developed the study questions and the parameters and agreed upon the objectives of the study, which were to characterize the benthic habitat conditions where sand mining occurred and compare that to control areas; compare and contrast the physical and biological characteristics of the benthic habitat and community of the control areas and of the sand mining areas; and assess the potential impacts of sand mining disturbance on habitat conditions and habitat functions. Once the objectives were put together, we developed a request for proposals and sent it out. Once we received the proposals, we conducted in-depth analyses of the competitive bids. The TAC selected NewFields to perform the study.

NewFields specializes in oceanographic investigation and evaluation, sediment profile imaging (SPI) and sediment management. They have extensive experience conducting sediment investigations and also benthic habitat and community structure characterization. They have also done extensive work in the San Francisco Bay Area. They were familiar with the conditions that they would be working in. Once they were selected, they developed and finalized the sampling and analysis plan, which was approved by the TAC.

The design was a general before-and-after controlled impact study design, which involved having control sites in Central Bay and in Suisun; conducting sampling at those control sites; and then selecting sampling points in the lease areas pre-mining, sampling; and then 12 months later post-mining, and doing a comparative analysis. The aspects of the study included: aerial mapping of grain size assessment, total organic compound assessments; benthic community data; and underwater video images. The baseline sampling was completed in October of 2016. The next round of sampling is scheduled for October 2017 as the 12-month post-disturbance sampling and then the study is anticipated to be completed in April 2018.

The second study that we have undertaken involved assessment of the effluent from the mining vessels. This is the water quality study as required by the San Francisco Regional Water Control Board. The study involved two seasons of sampling. We conducted sampling in August of 2015 and April 2016 and samples were collected from Central Bay, Middle Ground and Suisun Channel. Samples were collected to characterize the effluent chemistry and toxicity and the extent and the transport of the plume within the surface waters and then also the composition of the effluent plume at three points upstream, mid-point and downstream. The study and analyses has been completed and we have submitted our draft final report to the Regional Water Board and to BCDC as well. We are awaiting comments for finalization.

It is important to note the study conclusion. "Overall the monitoring results from both surveys demonstrate that discharges, the effluent, from sand mining operations do not adversely impact the water column with regards to chemical concentrations or toxicity and that any physical effects related to plume turbidity are spatially limited and ephemeral in nature."

The final study required in our permits is the sediment process TAC. This is an effort led by the BCDC staff and our first stakeholders meeting is proposed for February 2017. The TAC will be working with an independent science panel to develop the study questions and the design. That is the end of our presentation. Are there any questions?

Executive Director Goldzband commented: I want to give one piece of context before peoples' questions. You will remember that it was a year and a half ago that the Commission dealt with sand mining permits. It was a difficult issue for the Commissioners to deal with because, as a number of you all told us, you did not really have the context that the policies required, or that we wanted to make the decision. What staff told you we would do is, with the funding that was proposed and accepted by the sand mining industry, complete a number of studies that would make sure that the next time this Commission dealt with sand mining, the kinds of answers you were looking for would be available. That is why these three studies are going on in the way that they are. You will remember that we required annual reports from the sand miners to make sure that you were kept apprised of the progress of the studies and their results.

Commissioner McGrath had a question: I looked at your comments on the benthic study and I was curious to how many samples you were taking. I am always interested in sediment and grain size. I am wondering how robust it is. Ms. Lau replied: The plan was for 60 samples to be collected. That is a very fair and astute question because that was something that the TAC did consider thoroughly; the robustness of the data that would be collected.

Vice Chair Halsted had a follow-up question: Is there much difference between the quality of the sand in the three sites? Ms. Lau clarified: And by quality do you mean characteristics? Vice Chair Halsted answered: Yes. Ms. Lau replied: Yes. There is and I am actually not the expert on that.

Mr. Butler responded: There are some differences in the qualities of the sand between the three sites. In particular the sand that is in the Central Bay where Hanson operates is typically more coarse. The sands that are in Suisun Bay are typically quite a bit finer which means they are used for different things. The sands that are in the Central Bay can be used by themselves for manufacture of ready mix concrete which requires a little different quality of sand. The sands in Suisun Bay can be used as a blend in that product or in the manufacture of hot mix asphalt and for fill sands. Our permits do actually require that we characterize the sizes of the sands as we are mining. With all of our quarterly reports, we are submitting the results of those sizes to BCDC.

Chair Wasserman thanked the presenters and moved to Item 9.

9. Public Hearing and Possible Vote on Galilee Harbor Settlement Agreement, Second Amendment. Chair Wasserman announced: Item 9 is a public hearing and possible vote on the second amendment to the Galilee Harbor Settlement Agreement. Erik Buehmann will present the staff recommendation.

Principal Permit Analyst Buehmann addressed the Commission: On January 6, 2017 you were mailed the proposed second amendment to the Galilee Harbor Settlement Agreement between the Commission and the Galilee Harbor Community Association.

The proposed amendment would reauthorize the residential use of Galilee Harbor Marina for an additional 20 year term and would approve certain modifications to the Galilee Harbor Marine Service Harbor Project requested by the Community Association and terminate a surety bond previously provided by the Association.

The history of this agreement is complex and the agreement itself is complex. I am going to give a brief summary of the background and what was required under the original agreement. I am then going to summarize what is proposed in the second amendment. Because of the size of the original agreement we did not provide each of you with copies but we have some copies here for review. The proposed second amendment mailed out to you does not contain the entire agreement rather it contains only the parts proposed to be modified. This format is consistent with the first amendment to the agreement, which the Commission approved in 1998. After my overview the Galilee Harbor Community Association is going to give a brief presentation about the project and the proposed changes.

In 1996 the Commission and the Community Association entered into a settlement agreement to resolve litigation between the parties. The original dispute arose from a disagreement between the Commission and the Community Association about whether a permit was required for a community of 34 residential live-aboard boats and four houseboats located along the City of Sausalito Waterfront in Richardson Bay. In the original litigation the Community Association contended that the community pre-existed the establishment of the Commission and

therefore no permit was required. The Commission contended that the community was established after the enactment of the McAteer-Petris Act and it raised issues under the Act and the San Francisco Bay Plan as non-water oriented use in the Bay.

The settlement agreement was entered into after years of negotiations. The goals of the agreement were to resolve the litigation, allow the Community Association to redevelop the community with modern and safe marina facilities and bring the community into compliance to the fullest extent feasible with the goals of the McAteer-Petris Act in the Bay Plan by providing public access, marsh restoration and requiring fill removal.

The rationale given at the time was that the agreement would provide for an eventual end to the non-water oriented uses at the site. The residential uses would eventually sunset and the area would be used for water-oriented uses. The original agreement authorized constructing modern marina facilities for the 34 live-aboard boats and four houseboats at Galilee Harbor and a maritime work space for the residents on the upland areas.

The agreement authorized residential uses for the Marina for a 20 year term at the end of which the Commission would reauthorize the continued use for one additional 20 year term if after public hearing the Commission found that there is no foreseeable need for the property in the Bay to be used for water-oriented or public trust uses within the next 20 years and the Community Association has complied with specified conditions in the agreement.

January 2015 as part of its request to reauthorize the 20 year term the Community Association submitted a draft public trust needs report which examined the need for the parcel in the Bay for water-oriented and public trust uses within the next 20 years. Commission staff provided comments requesting the Association review population growth and potential water-oriented facilities in Sausalito.

On January 31, 2016 the Association submitted its final public trust needs report. The report examined public trust needs for the site related to marine commerce, navigation, fishing, protection of marine ecology and public recreation. The report examined uses throughout the Bay Area and looked specifically at Richardson Bay in Sausalito. The report concluded that there was no foreseeable need for the site to be used for water-oriented or public trust uses within the next 20 years.

Galilee Harbor already promotes some public trust uses in the upland areas and in the Bay through public access trails, marsh restoration and maintaining publicly-accessible dock and pump facilities at the site. The report's review of current demand for recreational boat facilities at Sausalito and current park planning in Sausalito concluded that the Marina would not be needed to accommodate recreational boat berths or recreational public waterfront parks in the next 20 years.

The original agreement had certain requirements. These requirements must be met for the Commission to reauthorize an additional 20 year term; specifically, requirements related to the affordability of the Marina berths, public access and marsh restoration. The original agreement provided for requirements governing vacancies and occupancy of the Marina. The Marina was intended to be a low to moderate-income community for artists and craftsmen. The agreement provides affordability controls.

Based on the most recent certification of compliance that was submitted by the Association pursuant to the agreement dated June 10, 2106; 35 of the 38 berths are occupied by low to moderate income units consistent with the restrictions in the agreement, furthermore, the Marina has been constructed with modern waste management facilities that comply with the requirements of the agreement.

The agreement required approximately 1.2 acres of public access along approximately 890 feet of shoreline within the shoreline band and outside of the shoreline band. The access includes a paved pedestrian pathway along the shoreline and around the development, two public open spaces, picnic tables and benches, trash receptacles and public access signs. All the public access amenities have been constructed except for several changes requested by the Association in the second amendment and a restroom associated with the Marine Services Building that has not been built.

The agreement required paving public access parking spaces adjacent to Dunphy Park. As requested by the Association and proposed in the second amendment the paved public spaces would be postponed in order to accommodate the city of Sausalito's planned rehabilitation of Dunphy Park. In the interim, unpaved parking is available.

Additionally, the agreement required a public access pathway on a parcel called the Spit, which extends perpendicularly into the Bay to the south of the development. As requested by the Association and proposed by the second amendment, this requirement would be removed due to public safety concerns. In its place the Association would restore marshland adjacent along the shoreline in this area; approximately 900 square feet. The area of the Spit and the rest of the public access was dedicated as public access and open space in a deed restriction instrument approved by the Commission staff in 1998 and recorded in 2000.

The agreement required approximately 27,537 square feet of marsh restoration along the shoreline. The restoration was completed in 2004.

The second amendment proposes several other changes to the agreement. The original agreement required that the development be constructed in accordance with a specific phasing plan. This was deemed necessary at the time in part to ensure the construction of the public access and the marsh restoration requirements and to ensure that the Association constructed the development in an orderly manner.

The public access and restoration components along with the Marina redevelopment have been completed. The Association states the phasing program hampers its ability to fund the project and complete the proposed Marine Services Building which would be used for maritime ship repair and related work; as a result, they request the phasing requirements be removed.

The second amendment also proposes a new design for the Marine Services Building to accommodate a redesigned program. An open space area originally proposed for part of the working lawn will be provided as public open space. A new 1,360 square foot public access area and new benches would be provided and a new 725 square foot public access pathway would be included along the side of the building. The second amendment also provides for after-the-fact approval of 83 square feet of fill associated with the concrete ramp, which was paved over as part of DTSC-approved changes to the remediation plan for the site.

Finally, the Association has requested that the Commission terminate the \$75,000.00 surety bond provided by the Association under the terms of the agreement.

Doreen Gounard will now give a presentation for the Galilee Harbor Community Association.

Ms. Gounard addressed the Commission: My name is Doreen Gounard and I am the Harbor Manager of Galilee Harbor enhancement since 2004. I am also a resident member of Galilee Harbor since 1996. I was sitting here when we got the first approval.

Galilee Harbor Community Association is a non-profit membership organization of 38 households. And 85 percent of our members are low income. Our ages range from two years old to 85. We work in the marine services and the arts. Each household puts at least six work hours every month to maintain our facilities thus we are able to keep our rents low. Many members are involved with the greater community. We have had members on the Marin County Board of Supervisors, the Sausalito City Council, the Sausalito Planning and Design Review, the Parks and Recreation Commission, the Business Advisory Committee, the Sausalito Historical Society and many other civic organizations.

We are located in central Sausalito at 300 Napa Street. Galilee Harbor is 6.8 acres consisting of four parcels; two are upland parcels and the third is totally submerged. The fourth is mostly submerged. Galilee owns these parcels which are intersected by four underwater streets that we lease from the city of Sausalito. Our neighbors include the Schoonmaker Marina. We also have Dunphy Park in our vicinity. There is a three story office building on our north boundary.

The history of the site is that there has been a boat yard here for over a century. It has been a live/work site for over 100 years. Pre-World War II huge structures covered the boat yard on the upland parcel. And during World War II the barges were built for the War effort in those structures. The structures were finally demolished by a developer in 1980.

In the 1960s you see here the Napa Street Pier with fishing and live-aboard boats. You see crab shacks around the right side of the pier. After the 1989 earthquake the city of Sausalito demolished the pier and adjacent buildings. This exposed the Spit parcel, which was mentioned earlier which is located behind our current office.

Here you see the original site plan for the site when we signed the settlement agreement back in 1996. We have completed the public access improvements and reconstructed the marina portion of the project.

Due to a century of boat yard activity on the site the soils have become contaminated with lead, PCBs, diesel fuel et cetera. We developed a remediation plan with the Department of Toxic Substances Control (DTSC). This area of the uplands was capped with a 20 mil plastic liner then covered with 10 inches of topsoil and vegetation. We had originally planned to use this area as a boat-working yard which would have covered the entire area with asphalt. Now we are proposing to downsize our outdoor working area and relocate it to the north side of the planned building. We would like to keep most of this area as it is presently; grassy, open space adjacent to the shoreline.

Our marsh plan has been very successful along this section of the shoreline. The Galilee children were active in planting the marsh with help from Ranger Linda Holm of the San Francisco Bay model. Her letter is in your packet. The greater Galilee community protected this marsh during the '07 Costco Boson oil spill. This act of stewardship is noted in the letter from the San Francisco Baykeeper, which is also in your packet.

We constructed the shoreline path that gets a lot of use today. We have tourists, locals, dog walkers and people walkers use this path. It really connects Sausalito's Dunphy Park to the Schoonmaker path, which brings you to Schoonmaker Beach, which is a very heavily walked area in Sausalito.

We installed a bike path and the signage for the bike path. This bike path is on the western edge of upland parcel, which connects to our shoreline path creating a contiguous public access around the entire site perimeter.

We have installed ADA measures on the property. Our docks are now accessible to all people at all stages of the tide. Today the marsh has filled in providing abundant wildlife habitat. This is our public access pier, which we built, which brings one to the boats. We also have a viewing platform for people and tourists that visit the site. We have no locked gates at Galilee Harbor. We are open at all times.

We have pilot houses that were rescued from destruction from the ferry boat Ezaqua that was commissioned in 1914. We often have historical displays in the windows about the waterfront for the public to enjoy. At Galilee Harbor we have excellent water quality. We are a zero-discharge harbor. Each berth has a direct shore side sewer hook-up. No gray or black water enters the Bay. The Richardson Bay Harbormaster Bill Prize inspects our boats to assure that they are properly connected to the sewer system. Please note his letter in your packet.

The first Saturday in August is our annual Maritime Day Celebration, which you are all welcomed to come. It is always the first Saturday in August. This past year was our eleventh year of doing this event. The event is free and open to the public. We feature live music, boat building demonstrations, visiting boats from the San Francisco Maritime Museum and Spalding Boat Works, open resident boats for the public to tour, free boat rides, our marine flea market, artists booths and we even raffle off a boat – rowboat. (Laughter)

We look forward to fulfilling our live/work mission. Our next goal is to construct this two story Marine Service Building. It will be approximately 45 feet by 80 and will be used primarily for marine workshops and art studios. One quarter of it will be for the Harbor's bathrooms, laundry, meeting room and office. By releasing the surety bond that would help us to secure financing to complete our vision. There will be a small boat working area on the north side of the building. Most of the work will take place inside of the building to control dust and fumes.

We are now proposing to keep the lawn area as open space. On controlled occasions like Maritime Day it will be available for public access. We must maintain the vegetation and not allow anyone to puncture the liner for us to remain in compliance with our DTSC deed restrictions.

The small area to the right of Dunphy Park will be paved for parking when the city of Sausalito has completed its plan to improve the park. That process is moving forward due to some recent funding. The project should begin this summer and we will do our paving at the same time that they do theirs.

Our current office building was built before World War II and it also serves as our community meeting room. It will become a fish and bait shop in the future. The Spit is located behind the office and Dunphy Park is to the right. It is 15 by 40 foot long.

Most of Parcel 4 is submerged and the entire parcel has been dedicated as open space as required by the settlement agreement. In the past Napa Street Pier actually protected the Spit. We had envisioned a five foot wide public path and bench on the Spit but due to the erosion of the land water is coming up and we have also had law enforcement issues that we have encountered. Please see our police chief's letter that is in your packet, which explains it further.

We are now proposing to install more vegetation along the top of the bank and additional marsh landscaping in the inter-tidal zone to allow the area to remain a safe haven for wildlife. The Spit currently provides wildlife habitat for Night Herons and seasonal river otters. Galilee Harbor has not only survived these past 20 years but has thrived and has been an alert steward to all the beings around us. Our children understand how to live amongst the wild birds, how to care for and be careful for the plants and marine life in our neighborhood.

Today Galilee Harbor respectfully requests renewal of the settlement agreement. I am available for any questions as well as Donna Bragg who is our Project Coordinator for the last 30 years as well as any legal questions you may have for attorney Mary Hudson who also was here for the first settlement agreement.

Chair Wasserman announced: With that we will open the public hearing. We have three speakers. We will proceed with them before we go to Commissioner questions and comments.

Mr. Roy Bateman was recognized: I recently retired from 33 years as Federal Grants Manager at the Marin County Community Development Agency. In that capacity I administered federal community development block grant funds that provided Galilee Harbor with over two million dollars in federal funding for site acquisition, harbor facilities and for public improvements. I have a letter on file supporting Galilee Harbor's request for renewal of the settlement agreement.

During my three decades with the County I saw the Galilee Harbor Community Association develop its capacity as a property manager. The Association is a reliable steward of the natural environment, the historic working waterfront and the community benefits of affordable live/work space for low income people.

I was very impressed when the staff at Galilee Harbor described to me how they had been successful in transplanting inter-tidal plants from one area of the shoreline to another so that cord grass, pickle weed and salt grass are now firmly established. The folks who live at Galilee experience the environment in a very deep and connected way. Public access at Galilee Harbor is a great experience for folks in the community who have a more tenuous connection to the

environment. Not only are those piers open at all times to the public but the experience of seeing the live-aboard boats, peoples' homes on the water really draws folks in a way that just seeing the shore is not as compelling.

Their harbor manager is certified as a first responder for marine oil spills and they take that responsibility seriously. The Galilee Harbor Community Association has become a highly competent property manager. They are not only able but also willing to enforce rules and regulations that have been adopted for the public good. When they have used federal funds for improvements they have carefully complied with federal labor standards requirements and prevailing wage requirements. I can assure you that those regulations are detailed and difficult.

I do not have to tell you how important a community like this is for preservation of affordable housing. I hope you will renew the settlement agreement to preserve this unique community.

Mr. Holden Crane commented: I wanted to present a letter from the Arques School signed by the founder and director Robert Darr. Mr. Darr is a lifelong teacher and builder of traditional boats in Sausalito. He is my teacher and I finished his formal education 15 years ago, graduated. Today I run a small boat shop. I live at Galilee and because of Galilee we have an affordable place to live. I hope that you will review this carefully. It is an important issue.

Ms. Heather Wilcoxon spoke: I have been a member of Galilee Harbor since 1984. I am a working artist. I raised my son there who now is a very well-known journalist for the San Francisco Examiner. I live right next door to the Mono Marsh, which is adjacent to Galilee Harbor. Working with Sausalito I was able to restore that marsh which took a long time. But now it is a thriving marsh and birds' lives are very healthy there. It is exciting to see it healing and growing. Because I live at Galilee Harbor I have been able to afford to live there as a working artist. I am so proud and grateful to be a member of this thriving unique special community. Thank you so much.

Chair Wasserman moved on: With that I would entertain a motion to close the public hearing.

MOTION: Commissioner Gibbs moved to close the public hearing, seconded by Commissioner Nelson.

VOTE: The motion carried with a vote of 19-0-0 with Commissioners Addiego, Butt, Gilmore, Scharff, Jahns, Gibbs, Gorin, Kim, Pemberton, McGrath, Nelson, Randolph, McElhinney, Sears, Techel, Ziegler, Zwissler, Vice Chair Halsted and Chair Wasserman voting, "YES", no "NO", votes and no abstentions.

Commissioner Sears commented: The change in this harbor over time has truly been extraordinary. I hope everyone got a sense of what a very special community and group of people this is. Between Galilee Harbor and Arques School those are probably our two best waterfront organizations in Sausalito for embodying the history of a maritime town. This community is committed to the environment. They are wonderful stewards of the environment. And they are a draw for public access.

The community because of its colorful nature and how special it is draws people to walk along the pathway and gets people familiar with the waterfront in a way that they really do not have opportunities to get acquainted and certainly not elsewhere in Marin and probably not elsewhere in our entire Bay Area.

I do not have to tell you that affordable housing is truly the endangered species in Marin County and elsewhere and this community provides affordable housing. I could not be more supportive of making sure that this community is able to continue thriving and I will move this item.

Chair Wasserman announced: We have a motion and a second from Commissioner McGrath. Erik you want to make the formal recommendation?

Mr. Buehmann spoke: I have some minor modifications to the agreement, corrections. Page 12, line 4 or four lines from the end; bayward should read, landward. Page 16, paragraph 2, line 5, north should be east. Page 25, third line from the end, the deck is to be on two sides of the building, east and north. Page 26, last paragraph, second line from the bottom, faith should be faithfully; in addition, in order to record the agreement we would add four APNs for the parcels in the first paragraph of the recitals on page one.

The Commission staff recommends you approve the second amendment to the settlement agreement between the Galilee Harbor Community Association and the Commission including the Association's requested modifications to the project and terminate the surety bond and reauthorize the agreement for an additional 20-year term based on the findings in the second amendment.

Chair Wasserman asked: Has the Galilee Harbor representative reviewed the amended recommendation and do they agree with it?

Ms. Gounard replied: We accept.

Chair Wasserman asked additionally: And do the mover and the seconder of the motion accept the minor, or not minor, corrections to the record? (Laughter) (Both Commissioner McGrath and Sears nodded assent)

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

VOTE: The motion carried with a roll call vote of 19-0-0 with Commissioners Addiego, Butt, Gilmore, Scharff, Jahns, Gibbs, Gorin, Kim, Pemberton, McGrath, Nelson, Randolph, McElhinney, Sears, Techel, Ziegler, Zwissler, Vice Chair Halsted and Chair Wasserman voting, "YES", no "NO", votes and no abstentions.

Chair Wasserman added: Thank you for the very good work that this community does and the honor and joy it brings to our Bay. That brings us to Item 10.

10. Commission Discussion on Strategic Plan Update. Chair Wasserman announced: Item 10 is a discussion about the need to update our Strategic Plan. Executive Director Goldzband will make the presentation.

Executive Director Goldzband presented the following: You will remember that about three years ago you finished a very complex and groundbreaking kind of strategic plan development process. We think it has been very successful and we said it would last about three years. It is now time for us to start a new process. That is what I want to talk to you about today before you leave.

The Commission approved its current Strategic Plan in May 2013 and you received in your packets prior to the meeting a copy of that Strategic Plan. We hope that you have reviewed it.

Commissioners, staff and external participants all participated in a series of discussions. There were a few workshops at which Commissioners, external participants and staff met together at small tables to discuss various issues. There was much talking and much writing. The result was a revised mission for BCDC. There were three goals, 13 objectives and a really well written, constructive preamble to the document setting out the context for BCDC as it moved forward starting in 2013.

We also said that we would do a work plan and action plan in-house. We worked on that to some extent but ultimately we did not stress as we move forward. This past fall we initiated an RFP whose purpose was to revise the current plan not to recreate it because we do not start fresh; and not to start from the beginning. What we really wanted to do was base this new process on the progress that we made during the past three to four years and BCDC's structural integrity, which has really increased.

There are three components of the revised plan that we would like you to work seriously on. The first is analysis. We want to make sure that we know what our work products are and what our accomplishments have been. We want to make sure that we can measure our progress toward fulfilling our goals and objectives and ultimately determine whether those goals and objectives are still relevant or whether they need to be changed. Second, we need to develop a work plan that is then integrated into the strategic planning process and during the next three to five years that ensure that the recently adopted policy recommendations regarding rising sea level are part of our day-to-day work. And third, we need to improve BCDC's organizational health. There have been myriad budgetary and staff changes during the past four years and we need to take a really strong look inward to help staff and to help BCDC react to those and move forward.

What is organizational health? Organizations either grow or they decline. They do not stay the same. The reason they do not stay the same is because nothing around them stays the same. As a result organizations react to what is around them in different ways.

Each organization defines its growth based upon its own goals. Clearly, Exxon's definition of how it grows is going to be fundamentally different than IBM's. In the public sector a county's growth will be defined differently than a city's growth. Our growth needs to be defined as well.

The way I look at our organization is that we have component parts. And to grow those component parts, which are basically our people and our processes have to operate efficiently, know best how to react to external forces and develop so that we can remain the premier coastal zone management agency in the nation.

That requires us to take a really hard look at how we work, how we organize our systems to fulfill our responsibilities and how staff can grow and continue to excel.

That is not something that we have done a lot of over the last four years in great part because prior to this past fiscal year we did not have any budgetary stability to begin with anyway.

Now that I think we have gained a lot more structural integrity, we have also had a lot of staff turnover and we have an incredibly active Commission, thankfully, which has provided us with an awful lot of direction, which had not happened four years earlier. As a result all of that taken together requires us to take a look inward to make sure that we as a staff use processes to do you proud.

So how are we going to do that? We hired Kearns and West to be our consultant. And we have come up with the following schedule. This month you will receive as Commissioners and Alternates an electronic survey that will gauge all sorts of different things. It is not going to take you more than 10 to 12 minutes to complete.

In February we will have a staff workshop that will go over those comments and begin thinking about how we as staff need to work together and then work with you as we outline what the needs are during the next three to four years.

In March we will go from there to having a Commissioner and external workshop just as we did three and a half years ago; synthesize that input and have more Commissioner and staff discussions which will be voluntary but we hope many of you will want to participate.

The next month we will have a further workshop to refine that which we dealt with in March and there will be a draft revised plan that will be the subject of staff discussion and then in May Commissioner discussion which will then be refined and then there will be a final draft for the Commission to actually take a look at and ultimately approve.

I will say that from what I understand from staff they were a little reticent three and a half years ago to sit down with Commissioners and talk about issues such as this in the ways that we propose; not that they did not want to do it, but they really were not sure what was going to happen.

After the participation there was an awful lot of head nodding saying; that worked. We took the things that we learned from that and instituted a lot of great staff, Commissioner cooperation and collaboration. You have seen that in the rising sea level policy discussions that have occurred over the past couple of years.

We are going to grow upon those previous experiences and do it once again because the more the staff and the Commissioners and the external participants work together the better the product is going to be and the more successful we will be.

That is the process and the calendar. You will get an email from me this January that will include a link for you to go to a survey monkey questionnaire that will be tabulated, not by BCDC, but by the consultants who will then be able to start the process to create the plan with us.

I am happy to take any questions that you may have.

Commissioner Ranchod had questions: There is a lot of good work to build on here including from the process a few years ago. Can you talk more about the process to engage external stakeholders in providing their suggestions and feedback into this, hopefully early in the process. Hopefully there is more than one particular opportunity.

And then, second, I think another important part of this is for the Commission to have some visibility into the work plan and action items that flowed out of this a few years ago and understand they were not stressed and developed as fully as might have been contemplated at that point. In my experience with strategic planning in other organizations and in this one from the past, part of the effectiveness of a plan like this is that it is ultimately a living document and ends up guiding the day-to-day work. It is not something that is just looked at on an annual or quarterly basis.

I think given the size of this group and the stakeholders that we want to engage in this and staff; I think it is important for the Commission to see how this flowed out and actually how those goals and objectives can guide us at a high level for a two to three year period, actually get implemented into measurable metrics that we can look at on a more frequent basis and say, okay, do we need to recalibrate or modify something?

Executive Director Goldzband responded: We have a list of scores of folks who have attended the workshops on rising sea level. We also will include in the list of folks who received the survey everybody who receives our staff summary, which means the staffs of our Commissioners as well as interested parties. My bet is that will go out to somewhere between 100 and 150 people. They will also be invited to at least one of the workshops. We will have the workshops here or at Wendell Rosen and we will set up the tables with 8 to 10 people at each table and there will be a massive amount of talking within and among the tables and there will be a real opportunity to participate.

On the second question, implementing the Strategic Plan was hard to do in some respects and easy to do in others. In some respects we simply could not do various things because there was no money to do it. When we thought about how we are going to activate space, the first thing we thought about doing was, well, what space do we have? How do we even know what space we have? And then, how do you measure that space? And then, how do you activate it; all of which takes staff time and resources and it did not happen.

On the other hand, one of the objectives was, get BCDC into financial stability. Well, we did that. There are varying levels of success. One of the things that will happen in January and February is for us as a group, meaning staff, to literally go through each of those objectives and highlight those things which worked and those things that did not happen and that need more work.

And we will do that through the first month of the process and have a full-on show of what we think worked well and what did not; and what we were successful at what is still a challenge.

With regard to how the work plan gets implemented; one of the things that Kearns and West is suggesting is that we develop a separate document that we can track with and use which is not something we did three and a half years ago. They think that would work with BCDC and so we are still talking about how that can happen.

Commissioner Zwissler commented: When you are thinking about external stakeholder input have you thought about folks who have applied to the Commission; applicants? Perhaps you could give them an opportunity to weigh in.

Executive Director Goldzband replied: We will.

Chair Wasserman commented: I absolutely agree with Larry. The process we went through four years ago was very productive. It worked very well. Strategic plans are by their fundamental nature a little bit inward looking. Our plan was primarily inward looking. There were some elements of outside activities. That fundamental focus still needs to be there because you are looking at the organization and you are talking about it and what you want from it and what you want it to do.

In this effort, in particular, the external piece is going to become much more important; certainly in terms of linking it to our actions in adapting to rising sea level that becomes very important. We have been and continue to be in a transitional time. In many respects we are transitioning from a stewardship organization being primarily reactive to increasingly being a proactive steward of our Bay in our planning aspects.

One of the things we will realize as we go through it is that the balance between regulatory and planning both in terms of money and energy and people and focus has undergone some very significant shifts. We want to recognize that and evaluate how we are doing it.

It is also occurring at a time when we are in the cusp of a very important move into this building to truly integrate ourselves into the regional context. Now being here and being an active member will bring some significant differences so we need to focus on that as well.

I very much welcome the Kearns and West suggestion about a parallel document that is the working matrix. One of my frustrations in general with strategic plans, and very much with this one, is the struggle, which I lost. You do not get to the relevant part in this strategic plan until page nine.

I think with Larry's point that we are not reinventing the wheel we do not need to recreate that. We may have some creative opportunities for not having to wade through very important pages of history and purpose to get to what we really want to talk about. I look forward to the process. It is going to be an exciting one. I think this strategic plan will be very important in guiding us through the next three to four years.

There is no action required on this so if there are no other comments we can move on.

I am going to take Chairman's prerogative and the motion to adjourn in honor of Ron Cowan who passed last week. Ron was a true visionary. He really led the transition of sand dunes to one of the first and best planned communities in this country and had a lot of interaction with this Commission as he did that.

I also want to recognize another part of his vision on which I hope we will continue to focus a lot and that is to utilize our Bay as a true water highway. He was one of the inspirations for the creation of what is now WETA and inspiring more ferry use of the Bay. I think we need to focus over these next few years on that as well. With that I would make the motion to adjourn in honor of Ron Cowan.

Commissioner Randolph commented: I want to second the remarks about Ron Cowan. I was fortunate enough to serve with him back in 2000 on the Blue Ribbon Task Force on Water Transit which was put up with state authority, public/private endeavor, and Ron was the chair of that.

It was to come up with a vision for ferry transit on the San Francisco Bay. It was not an official plan. There was no money behind it but it was a vision of what could be achieved. Ron really drove that. He was the energy behind the whole thing. Ultimately it evolved into the Emergency Water Transit Authority and now we are seeing pieces of that vision dropped into place with the new terminals and services that really grew out of Ron's vision.

11. Adjournment. Upon motion by Chair Wasserman to adjourn in honor of Ron Cowan, seconded by Commissioner Randolph, the Commission meeting was adjourned at 3:03 p.m.