San Francisco Bay Conservation and Development Commission
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October 26, 2018

TO: All Commissioners and Alternates

FROM: Lawrence J. Goldzband, Executive Director (415/352-3653; larry.goldzband@bcdc.ca.gov)
Peggy Atwell, Director, Administrative & Technology Services (415/352-3638; peggy.atwell@bcdc.ca.gov)

SUBJECT: Approved Minutes of September 20, 2018 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 1:12 p.m.

2. **Roll Call.** Present were: Chair Wasserman, Vice Chair Halsted, Commissioners Addiego, Ahn, Bottoms (represented by Alternate Galacatos), Butt (represented by Alternate Arreguin), Chan (represented by Alternate Gilmore), Cortese (represented by Alternate Scharff), Gioia (departed at 2:36), Gorin, Jahns, McGrath, Peskin, Pine, Ranchod, Sears, Showalter, Tavares (represented by Alternate McElhinney), Techel (departed at 2:48), Wagenknecht (departed at 2:48) and Zwissler.

Chair Wasserman announced that a quorum was present.

Not present were Commissioners: Senate Rules Committee (Alvarado), Department of Finance (Finn), State Lands Commission (Lucchesi), Governor (Randolph), Solano County (Spering), U.S. Environmental Protection Agency (Ziegler)

3. **Public Comment Period.** Chair Wasserman called for public comment on subjects that were not on the agenda. No members of the public addressed the Commission.

4. **Approval of Minutes of the July 19, 2018 Meeting.** Chair Wasserman asked for a motion and a second to adopt the minutes of July 19, 2018.

MOTION: Commissioner Scharff moved approval of the Minutes, seconded by Commissioner Peskin.

VOTE: The motion carried with a vote of 19-0-2 with Commissioners Addiego, Ahn, Galacatos, Gilmore, Scharff, Gioia, Jahns, McGrath, Peskin, Pine, Ranchod, Sears, Showalter, McElhinney, Techel, Wagenknecht, Zwissler, Vice Chair Halsted and Chair Wasserman voting, "YES", no "NO", votes and Commissioners Arreguin and Gorin abstaining.

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

a. New Commissioners. First, I would like to acknowledge that Tony Tavares who has been appointed by California State Transportation Agency as its representative, the Director of District 4. He will be joining us. He is represented today by his very capable Alternate, Mr. McElhinney. Second I would like to welcome Mayor Jesse Arreguin from Berkeley who is Commissioner Tom Butt's Alternate.

b. I would like to ask Commissioner Ahn to report on the Environmental Justice Working Group meeting that was held on September 6th.

Commissioner Ahn reported the following: Since our last Commission meeting in July the Environmental Justice Working Group has met twice. In August BCDC staff presented on spatid distribution of major, permit approvals in relation to socially-vulnerable communities as defined by the ART Program. They looked at permits authorizing potentially, harmful development particularly at ports and water-related industry located in communities that are classified as socially vulnerable and looked into a number of case studies associated with that as well.

In September the Coastal Commission and the State Lands Commission also presented on their recently-released drafts of outreach and environmental-justice policies. This brings up a more-general point that a lot of our work right now is dependent upon outreach to environmental-justice communities.

Social media has been discussed multiple times in our Working Group in trying to figure out how best to connect to communities that often have no idea of the number of regional entities that have an important say in their lives.

With all that in mind I conclude my report.

Chair Wasserman asked: Any questions? (No questions were voiced) I will give a brief report on the Governor's Global Climate Summit which occurred here last week.

It clearly was a successful event. It got excellent media coverage locally and nationally. There were a number of significant announcements made.

The highlight for me was a morning session which was started by some absolutely, wonderful dancers from Fiji. Given the important threat of rising sea level to Fiji it was useful to recognize their culture.

John Kerry's speech wasn't so bad either.

I suspect the most important things that happened there were not so visible. Like many summits it was bringing people together to reinforce ties or sometimes to create new ones. I believe and hope, despite our commitment to transparency, that there were a number of backroom deals made to move things forward because that is the fundamental issue.

The focus of the Summit, fully appropriately, was primarily aimed at reinforcing and recommitting to ways that we can all reduce greenhouse, gas emissions.

There was not so much talk about adaptation. There was some included in John Kerry's speech. As we move forward on our elements of following through on our own adaptation plan we may think about a summit as well. We could have a summit with some of the same goals and some of the same objectives and achievements.

The other part of the Global Summit was that we did send on September 4th a letter to Secretary of Natural Resources Agency, John Laird a letter supporting the activities of the Summit. We did send it in without Commission action but it is pretty non-controversial.

c. **Next BCDC Meeting.** We will not have a meeting on October 1st. Our next meeting will be on October 18th.

d. **Ex-Parte Communications.** If there is anyone who wishes to verbally report an ex-parte communication on a matter that we are adjudicating you may do so now. Keep in mind that this is not a substitute for making a written report which we can no online fairly easily. Anybody wish to take advantage of this? (No ex-parte communications were reported)

That brings us to the Executive Director's Report.

Commissioner Ranchod commented: I was at the Climate Summit as well and would echo your thoughts on it. It was important for bringing folks together. A lot of new, ambitious, climate goals were set and announced. This included a number of national and local, government entities including some that are represented in the room. I want to thank Berkeley for their commitment and a number of other local governments around the Bay Area and the state.

There was leadership at a lot of levels in clearly sending a signal that regardless of what the federal government is doing right now, a lot of progress is being made by all the rest of the country and we can still stay in reach of getting to the next step in the set of goals.

6. **Report of the Executive Director.** Executive Director Goldzband reported: It is hard to believe that autumn starts on Saturday. But football season is underway. Our son, Ben, started high school a month ago and Safeway is selling pumpkins in 80-degree heat. I confess that I have always disliked Labor Day weekend because it reminds me of starting school all over again – back when school did start on the day after Labor Day. But after I moved to the East Coast and saw leaves turn color for the first time, this San Diego boy started loving autumn. Instead of thinking about going back to school each September I now think of F. Scott Fitzgerald's great line in The Great Gatsby:"Life starts all over again when it gets crisp in the fall."

Speaking of crisp, while this is a somewhat long Executive Director's Report I'll do it as quickly as possible.

a. **Budget and Staffing.** We've lost three marvelous staff members since we last met – our H.R. specialist Lawlun Leung who is now working for the City and County of San Francisco. Hanna Miller of our regulatory team started graduate school at the University of Washington. Eliza Berry of the planning staff has taken a job in the private sector.

On positive notes, our incoming Policy and Planning Director, Jessica Fain from New York, has moved her family to the Bay Area and will start with us on October 1st. We are also close to hiring a new planning manager and a new enforcement staff attorney. Unfortunately, we haven't been able to find a replacement for Hanna in the permits unit yet. Peggy is still interviewing candidates for Lawlun's replacement. The search has started for a person to sit in Eliza's chair; great examples of how life begins anew in the fall.

b. **Policy.** As I informed all Commissioners and Alternates last month, the State Auditor's staff began their audit of the Commission's reinvigorated enforcement program this month and are interviewing staff and reviewing information.

I have encouraged them, in the strongest way, to contact our Enforcement Committee members as part of their information gathering. One note to remember, while the audit is in progress the auditors' work, including the processes they follow, the questions they ask, and the information they obtain, is confidential. Thus, I can't provide specific information on their progress. However, the Commission will have the opportunity to review a draft of the report in closed session when the time comes several months from now.

Speaking of our enforcement program, each of you received an e-mail from Myles Saron of our legal staff regarding a very large Public Records Act request from the law firm that represents Westpoint Harbor and its owner, Mark Sanders. I'd like Myles to let you know more about that request and how BCDC is responding.

Mr. Myles Saron addressed the Commission: On August 23rd staff received a Public Records Act request from the law firm of Baker Botts on behalf of Mark Sanders in Westpoint Harbor.

This is the second PRA request we have received from Mark Sanders in Westpoint Harbor since August of last year.

Following BCDC's response to that earlier PRA request Baker Botts filed a lawsuit against the Commission last October which remained pending in San Francisco Superior Court.

This latest PRA request includes 15 separate requests on a wide range of topics. On September 4th we provided an initial response. On September 18th we provided a detailed response regarding each of the 15 requests.

The detailed response identifies the documents that we will be providing and indicates that certain documents are exempt from disclosure under the PRA and seeks to clarify or narrow certain requests.

We also provided an estimated timeframe for when staff will be able to produce the responsive documents.

Regarding the requests for documents related to ex-parte communications with past or present Commissioners which is the request I emailed all the Commissioners and Alternates about on August 27th; we will be providing copies of ex-parte disclosure reports from Commission members that we have on file.

Finally, as a related matter; on July 25th we received a PRA request from Baker Botts on behalf of an entity called, "The Alliance 1849". This was recently organized by Mr. Robert Wilson who has submitted numerous public comments during the enforcement proceedings for Westpoint Harbor.

That PRA request included six, separate requests for various records. On August 6th staff responded to the PRA request and provided responsive documents. Approximately a week later on August 14th Baker Botts filed a lawsuit against the Commission alleging that PRA request response was inadequate.

If the Commission would like to discuss these PRA requests and the associated litigation we will schedule the matter for a closed session at the next Commission meeting.

Executive Director Goldzband continued: As Dan McElhinney would be proud to note, Caltrans successfully imploded the last of the Bay Bridge piers that they hoped to remove. And, just as important, Caltrans and the East Bay Regional Park District have started to make the remaining piers marvelous, public-access areas. To help them commence the work BCDC staff requested that the Coastal Conservancy transfer over $1 million to the Park District from the Coastal Trust Fund Account. We are all looking forward to walking the piers!

There is also good news from Sacramento. The Commission supported three pieces of legislation this session. Two have been signed into law by the Governor – AB 2864 by Assembly Member Limon that will allow BCDC to participate in state damage assessments and mitigation required for oil spills in the Bay. AB 2441 was signed into law and this would help remove abandoned vessels from Solano and Contra Costa Counties. We are awaiting SB 1301 by Senator Beall of San Jose which would institute a permitting process and funding for BCDC to participate in early review of flood control projects. We will let you know when and if that happens. Steve Goldbeck has done yeoman's work on these three pieces of legislation and deserves kudos.

It's always nice to be invited somewhere. As such, I am pleased to let you know that BCDC has been invited to join the Delta Stewardship Council's Delta Plan Interagency Implementation Committee (known as the DPIIC). The Delta Stewardship Council was created in 2009 to achieve the state-mandated "coequal goals" for the Delta. Coequal goals refers to the two goals of providing a more reliable water supply for California and protecting, restoring and enhancing the Delta ecosystem.

According to state law, the coequal goals are to be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource and agricultural values of the Delta. After the Council adopted its Delta Plan in 2013 it formed the DPIIC to increase coordination and integration among the myriad different agencies that support the Council's program which includes four key elements: water supply reliability, Delta ecosystem health and restoration, Delta as a place and best available science.

I shall represent BCDC on that body. In addition, BCDC staff will join the DPIIC's technical science team. I'll keep you up to date on this new task – our first meeting will occur during early November.

We will send you a note; it should be in your packet, to the newly published Paying It Forward – The Path Toward Climate-Safe Infrastructure in California. This is a 225-page report of the climate-safe infrastructure Working Group to the Legislature and the Strategic Growth Council that talks a lot about and has serious recommendations about how the state needs to take a look at its infrastructure now and in the future with regard to climate change and that includes rising sea level.

You will remember that we had a briefing on the NOAA/Marine Debris Federal Funding Grant Program. That program is now online and you have in your packets an email from NOAA giving directions about how local communities can apply for those funds.

So speaking of the DPIIC I will give them a briefing in November on what Brad McCrea will now walk you through which is a really marvelous report; the Multi-Agency Regulatory Program that has been developed by BCDC and its state and federal regulatory cousins. It is slated to start on January 1st and that may well actually happen.

So Brad please take it away.

Mr. McCrea addressed the Commission: I am going to talk a little bit about the San Francisco Bay, coordinated permitting approach. It is an approach to bring together state and federal agencies to streamline permitting.

The urgency for a streamlined permitting by state and federal agencies was generated, in large, by Measure AA and the 12-dollar, parcel tax that every Bay-Area property owner has committed to restoration projects.

And because millions of dollars are now flowing to restoration projects. it was seen as imperative to coordinate the state and federal permitting that is needed before that tax-funded work can begin. The goal is to expedite state and federal permitting of restoration projects. Over the past three years a lot of work has gone into making that a reality.

Why do this now and why haven't we done it yet? Why haven't these agencies come together to streamline permitting before? Well, funding is now being provided and that is an important part of this.

Funding is being provided from multiple organizations to incentivize these agencies to work side-by-side to process permit applications together.

Secondly, this is one of those efforts that everyone agrees is the right thing to do; from the Resources Legacy Fund, to the Bay Area Council, to the Silicon Valley Leadership Group and the Bay Area Planning Coalition to folks who fund and build the restoration projects such as Ducks Unlimited, and U.S. Fish and Wildlife, and Audubon and the Coastal Conservancy, and the Santa Clara Valley Water District, and the East Bay Regional Park District to the regulatory agencies ourselves that recognize that there is some sand in the gears of the regulatory process. So everybody wants more wetlands faster.

I will talk about how we are going to do this. Over the past year we have gained a lot of ground. All of the agencies are in. This list includes the U.S. Fish and Wildlife Service, NOAA Fisheries, the Army Corps of Engineers, E.P.A., the Regional Water Quality Control Board, the California Department of Fish and Wildlife and BCDC.

The funding is nearly assembled. The goal is to raise a little over $1 million to pay for these six government employees. Almost 90 percent of that is now committed.

The committed-funders include the Santa Clara Valley Water District, the State Coastal Conservancy and the San Francisco Bay Restoration Authority.

Potential funders include the East Bay Regional Park District and others.

Written agreements are now being drafted. Inter-agency, funding agreements are being written. An MOU is being drafted. And these agreements will affect two teams.

The idea is that there is a staff-led team called the BRRIT (Bay Resources Regulatory Integration Team) and a team of agency managers. The BRRIT will sit face-to-face several times a week to process applications. And the policy and management team will oversee the BRRIT and will deal with issues as they come up and make sure that the process for permit applications moves along.

We don't know how this is going to go, but confidence is very high that it is going to be great. We had our first policy and management team and everybody is really enthusiastic about this.

Funding won't be in place until the New Year but already people are spending lots and lots of time and effort to get this initiative off the ground.

Chair Wasserman commented: That effort is quite optimistic. As you-all know we are not infrequently opposed to the Army Corps in a variety of ways including in court. However, this effort, particularly at the staff level, is housed at the Army Corps. I think that is a very significant element in this cooperation.

Executive Director Goldzband added: And I will further that by saying it is Rick Bottoms who is the Regulatory Director of the Corps who really has been spearheading the idea that everybody should sit together. I think everybody has very much bought into that.

It is a really, exciting process. What we hope will happen is that the funding will be garnered by the State Coastal Conservancy by the end of the year. We will do a quick-and-dirty, inter-agency agreement with them because it is really easy to do inter-agency agreements which would then provide BCDC with the funds to hire an appropriate-level staffer who will be literally directed to that program only.

That concludes my report, Chair Wasserman, and I'm happy to answer any questions.

Chair Wasserman asked: Any questions?

Commissioner McElhinney commented: We have had a great example of coordinating and streamlining the environmental reviews and permits with Army Corps, the National Marine Fisheries Service, the Fish and Wildlife Service, BCDC and that is the old, Bay Bridge removal that you mentioned earlier.

As a group we were able to dive into, let's not demolish all the piers. Let's build, as part of our Strategic Plan overall, expand and promote diverse, high-quality, public access. Well that is well underway.

September 8th we finished the demolition of the last two marine piers to go – Pier 19 and 20. The Army Corps wouldn't have it – that they remain for bird habitat; good call Army Corps. We removed them on September 8th about noon and it took about eight minutes of slowing down traffic on the Bay Bridge and they were gone in six seconds. It took us a few days to clamshell the debris from the Bay but it was great teamwork with BCDC and Caltrans by those controlled implosions for Pier 19 and 20.

Meanwhile the boardwalk from Y.B.I. that Treasure Island will take control of operation and maintenance of is moving along in construction and will be open this time next year. It is 140 feet to walk out over the Bay and look up at the new Bay Bridge tower. It is going to be fantastic.

And on the Oakland shoreline the sister boardwalk will go out 600 and be 25-foot wide for those of you that don't recall the presentations. (Laughter) Both boardwalks will serve school children and all of us and the communities quite well as high-quality, public access investing in public access instead of demolition.

So we have some great examples to take the lessons learned and move forward at the federal, state and local levels.

Commissioner Zwissler chimed in: I haven't heard anything for a while on the move to this building. Is there an update there?

Executive Director Goldzband replied: We do have news. You will remember that in the budget that was approved by the State Legislature this past June for this fiscal year there is in that budget, and now in BCDC's savings account, $2.5 million for the Metropolitan Transportation Commission/BAHA (Bay Area Headquarters Authority) in partial payment for its tenant improvements to the fifth floor; basically, half the cost – and an agreement to provide rent at the previously-agreed-upon price that was submitted in late 2016, early 2017.

MTC, when this was put into the budget as part of the Governor's May revise, objected to those figures. They say that it is not terribly fair to get paid only half of the tenant improvements and market rate has gone up since the time that the rent had been previously agreed upon.

BAHA talked with various members of the Legislature and they started talking with Finance, BCDC was like the creatures that jump into the trees when the elephants start to rumble. We got out of the way and let them talk but nothing changed.

In August of this year Chair Wasserman and I were invited to a meeting with Steve Hemminger and Jake McKenzie supervisor from Sonoma County who is the chair of MTC and the chair of BAHA. We talked about possibilities.

Candidly, I have been semi-expecting a letter from BAHA kicking BCDC to the curb. This is because they have a budget to balance. That has not happened. And the reason it has not happened is because Twilio which occupies part of the fourth or fifth floor has requested to use the space that would be used by BCDC on a short-term lease through May.

That will garner MTC/BAHA some $1 million. I now know that there are conversations or at least attempted-conversations between MTC/BAHA with the Department of Finance to somehow change the terms of the provision in the Governor's budget that was approved last year.

I can't offer you any more than that except to say, stay tuned. I have told our staff I don't expect us to move this fiscal year. Twilio's short-term lease ends at the end of May. By that time the Governor's budget and the Governor's May revise will be out. Based upon that I imagine there will be final decision as to whether BCDC moves into 375 Beale Street.

Chair Wasserman added: The one other moving piece in this is the reason we can possibly move at all is because the California Attorney General's Office which is in the state building needs more space. They want our existing space.

The tenant improvement numbers that the Department of General Services and the Department of Finance are relying on are extremely unrealistic; much lower than market. If the Attorney General's Office has to go out into the marketplace they are going to have to pay much more than they would pay in the state building taking our space.

We are continuing to work with them to help demonstrate that to the Department of Finance and General Services.

I have a couple of things before we move on to the next item. Larry talked about paying it forward; the description of the infrastructure needs including rising sea level.

I forgot to report one item. Larry and I attended a meeting earlier this month about the future of Resilient by Design with representatives from a number of agencies. The fundamental question was who is going to continue championing the RBD projects? And some of them are moving forward; the local communities and/or the design teams involved are moving them forward.

But if, in fact, they are going to move forward there needs to be a champion. There was no agreement in the room. The dialogue that you will be interested in, however, was the three alternatives discussed.

They were: the existing situation in which it is housed in a government agency but there is a non-profit, fiscal agent working with it or it is housed in and funded by an existing government agency or a new agency is created.

Thankfully, no one was particularly in favor of creating a new agency. There was some discussion about whether BCDC was not, in fact, the right place to house it under either of the potentially, viable alternatives.

The dialogue went something like this; I started saying as much as I would like it housed at BCDC I thought that probably was not wise because any of the projects are going to have to be approved by BCDC. Steve Hemminger took strong exception to that and thought it should be housed at BCDC. This was on the basis that we are the agency that is looking at the entire Bay Region and all of the areas and have the most sustained and justified interest in doing that.

Steve actually persuaded me. Part of the persuasion was a thought that I have had before and may have mentioned in some of our workshops. BCDC is perceived, externally and internally, as primarily a regulatory agency. We do have planning responsibilities and they are growing.

All of you who represent cities or counties champion projects and regulate them. You do it every, single day. There is no reason why we cannot do that.

We will have a follow-up meeting. We are going to have some internal meetings on whether we would need any legislative changes to do that. We discussed whether we should add another word to our name; Bay Conservation Development and Adaptation Commission or Sustainability Commission or something. I am not sure this is necessary.

I would point out that the state-created agency; the Joint Policy Committee renamed itself to Bay Area Regional Collaborative. I think there are some contexts and concepts there that should lead us to not be quite as timid as some of us might be inclined to be.

Commissioner Showalter commented: My comment is related to the staff resources needed to do this work. (Laughter)

Chair Wasserman responded: I am going to get to that. We would need more staff resources. We would need more budget. That brings us to Item 7.

7. **Consideration of Administrative Matters.** Chair Wasserman announced: We have received an administrative listing. Brad McCrea is here to answer questions if anybody has any. (No questions were voiced)

8. **Briefing on the Port of San Francisco's Waterfront Land Use Plan update.** Chair Wasserman announced: Item 8 is a briefing on the Port of San Francisco's Waterfront Land Use Plan update. Shannon Fiala will introduce the project.

Planning Manager Shannon Fiala addressed the Commission: Diane Oshima from the Port of San Francisco will be giving us an update on their Waterfront Land Use Plan update.

Ms. Oshima reported the following: I am the Planning and Environment Director of the Port of San Francisco and I am happy to be here with my colleague Anne Cook.

The formal item before you is the Memorandum of Understanding for your consideration so that we can formalize our contract with staff here at BCDC to work on the Waterfront Plan update.

I want to give you a status report on the work that we have done and the scope of the Waterfront Plan update. We have been able to integrate a lot of the Port and BCDC's mission in our work to date.

The Special Area Plan amendments that we will be seeking from this Commission are to be aligned and coordinated with a long, public process that has been underway for almost three years in San Francisco.

We created a Waterfront Plan Working Group with interest from citywide as well as regional perspectives. This was chaired by the former CAO for San Francisco who oversaw the Embarcadero Waterfront Transportation projects. This included a 30-member working group that the Port Commission convened because they insisted that there be depth and breadth in the public, participation process to inform how the Port's Waterfront Plan policy should be updated.

They advised us to create seven advisory teams with different areas of expertise. This working group had over 50 meetings and developed recommendations that were organized by the three sub-committees that they broke into – the Land Use Sub-committee, Transportation Sub-committee and Resilience.

They generated a full array of policy recommendations. They vetted together as a full, working group. Of the 161 recommendations that they produced, 160 of them were accepted unanimously.

We went to the Port Commission through several public hearings and the Port Commission endorsed them all. That is the basis upon which Port staff is now tasked with taking that direction and making policy updates to our Waterfront Plan and working with your staff to align the San Francisco Waterfront Special Area Plan.

The planning process was long and extensive. It had a lot of technical analysis but it was not starting from scratch. The transformation that has taken place along the San Francisco Waterfront has been a direct result of the collaboration that our agencies have had during this period with key stakeholders who now sit on this Commission who had a hand in getting the two agencies together.

The successes have informed thinking about how to do things better, how to add and complement and not change but honor the improvements that have been made on many different fronts.

That effort which started in 1997 wound its way through your Commission to update the Special Area Plan in 2000 was a demonstration of how we could meet your Bay fill and your public-access mission and objectives in a planned context with the Port's Plan policies to meet your regulatory requirements but in an elegant way that respected the unique landscape and the resources that are San Francisco's.

What did make it to the finish line has been an inspiration for a lot of dialogue and brainstorming.

The Special Area Plan that you adopted in 2000 set forth major, open-space, fill removal requirements, historic preservation requirements that were the result of this integration of landscape-scale planning with meeting the mission objectives under the MacAteer-Act.

What BCDC and the region and the City got through this process was major, public benefits that could not have been delivered on a project-by-project, permit-by-permit basis.

We have spent a number of sessions with BCDC staff walking through what are the obligations on the books now, what have we delivered, have we been on time and what still is due to be delivered?

Brannan Street Wharf is the other big, public-benefit park that has been created. It involved taking out a number of piers. The Port met your Bay-fill, removal requirements by taking out piers that were dilapidated and didn't have function and then paid $30 million to create this new, pile-supported park over the water that incorporates some sea level rise adaptation design to try to ward against 12 inches of sea level rise.

It is those kinds of settings and collaborative efforts that we presented to the Working Group as a backdrop for inviting their ideas about how we can do things to make it even better.

People value and appreciate that there has been a lot of expansion of public, open space and public access. They do want to be able to use it more fully for a broader array of recreational pursuits. They wanted to see a more, urban mix of activities that would enliven some of these open spaces.

Another recommendation coming from the Working Group was to do more with historic resources that we have along the Embarcadero. People really value these historic, finger piers. There is an urge to try to engage in a diversity of activities that will provide a number of different activities for the public to come out onto the piers and enjoy the waterfront.

The Exploratorium is an example of how we can provide an activity for people of all ages and backgrounds and people want more of this.

The finger piers are all part of the Embarcadero historic district. People value these as a resource. We worked with the Working Group and with State Lands and consulted with your staff about developing tailored, public-trust objectives that are specific to the historic resources and the historic district to set forth priorities for their preservation to meet the highest, preservation standards and to seismically retrofit them in order to open them up for public use and enjoyment.

In the course of doing that work we did economic feasibility analysis so that they recognize that the conditions of these piers and the costs associated with seismic and other repairs is very high. To meet financial feasibility requirements for historic rehabilitation that there needs to be some give on how we mix higher-revenue- generating uses to pay for the improvements and have lease terms that will allow the investment to be amortized.

Those recommendations we are putting into a test model right now. There is still some question on our part as to whether the recommendations that have come out of the public process to date are going to be received positively by the market. How do the development and the real estate markets view the Port's piers as an opportunity for public-oriented use and historic rehabilitation?

To that end the Port Commission authorized and initiated a request for interest process last month inviting small businesses, non-profits and developers with ideas about different, public-oriented uses and financing strategies for these piers. We will be accepting responses through the end of next month on Halloween.

That will be our means by which we can test whether the recommendations that have come out of the process are going to be functional.

The Embarcadero Waterfront has become this play land in the City's living room and a major, transportation center but we still are a port. We have a diversity of port activities many of which are under the radar for many people. The public's view of maritime industry is that they want to keep that too because it is authentic to the identity of the Port and the beginnings of the City and it makes it a unique engagement of the waterfront.

One of the things that we will be working on with your staff on the Special Area Plan is how to balance those public access and public orientation with the legitimate, working areas that maritime businesses we still need along the Embarcadero as well as along the full stretch of the Port's seven and a half-mile waterfront.

Many transportation-related recommendations also came forward. We have 25 million people a year coming to the Embarcadero and we have many activities mixing in the same place and it has become a safety issue.

The Embarcadero is about three-and-a-half miles of the waterfront. The interplay of the urban mix, the public access, the open-space system, and our historic resources is stretching down to the southern waterfront as well.

We have created the Blue Greenway an open-space system that allows for planning places for water access and water recreation and greening up the Bay Trail in a compatible way with the industry that still must be able to function.

We had a big recommendation for upping the water recreation along the waterfront.

One of the new content areas that follow your leadership is to add resilience goals and policies in the Waterfront Plan. It is a 20-year-old plan and we didn't recognize sea level rise and other resilience challenges.

We have defined this as the capacity of the Port to maintain its function and vitality in the face of natural or human-caused disruptions. Core to this is the Embarcadero Sea Wall Program which we hope to be able to schedule for an informational for the Commission. It is a major undertaking to stabilize that sea wall which is not just to keep the Port intact but to keep the eastern edge of the City intact and all of the infrastructure that relies upon it.

As part of the Sea Wall Program and as part of your efforts region-wide to advance collaboration on sea level rise adaptation we have a great laboratory of learning and teaching here and that will be incorporated into the Waterfront Plan.

We also recognize the need for community and social cohesion; the whole environmental justice and economic equity pieces that bring our citizens and our stakeholders together in one frame. The more cohesive those communities are after a disaster the better we will be able to respond and jump back.

We look to take a lead from the direction that you are setting for all of us in the region.

That is a preview of things to come. We are very excited about the engagement, the interest and the support from our stakeholders and look forward to hearing questions and your ideas as well. Thank you very much.

Commissioner Gioia asked: Will this effort address the transportation function of the waterfront? As water transportation grows around the Bay there may be a need for greater capacity. Are you going to address that and how?

Ms. Oshima answered: On transportation the Port is actually somewhat limited on our ability to affect the Embarcadero. The San Francisco Municipal Transportation Agency, the Public Works Department; they actually have more direct control and funding of that.

The Water Emergency Transportation Authority (WETA) we work with on an ongoing basis. Expansion of the Downtown Ferry Terminal is under construction right now and that is where the Port Commission has a more direct hand in planning for and working with the agencies that have the funding and the operational resources to expand ferries.

The Port is the landlord. We are not a ferry operator. We will try to work in creating the places.

Commissioner Gioia continued his inquiry: Looking at possible expansion along Port-owned property for more intense, ferry service operations; that is what I am asking about – not the actual routes. Will the capacity for terminals be part of this?

Ms. Oshima explained: That is part of it. It is happening now. In addition to the Downtown Ferry Terminal expansion at the Ferry Building there is a Mission Bay ferry that is planned down at the southern end of Mission Bay in anticipation of the Warriors as well as U.C.S.F.

Even down towards Pier 70 and further south the Port Commission is asking about that too. We work closely with the operators to try and align with their strategic plan so that we can catch the wave.

Commissioner Peskin had questions: Going back to the 1997 tripartite, type agreement which Anne and I were involved in. In those days it was considered a conspiracy. (Laughter) It was a conspiracy between Will Travis, Mark Holmes at Save the Bay and Dennis Bowie who was then head of the Port.

In that original paper there were actually three, long-term, open spaces two of which you mentioned; Brannan Street and Pier 27. And then there is a third one which ultimately got dropped out of the Special Area Plan which was the Taylor/Jefferson Street parking lot improvements.

Does the Waterfront Land Use Plan update or the Special Area Plan amendments that are being contemplated go back to resurrecting that opportunity?

Ms. Oshima answered: Yes. (Laughter)

Commissioner Peskin continued: And obviously the devil is going to be in the details but I welcome, a generation later, the update to the Waterfront Land Use Plan and the Special Area Plan amendments that will be forthcoming.

I am sure we will have to wrestle with all sorts of public-trust issues and other thorny things but it has been a great thing over the last 20 years.

The other thing you mentioned; we used to get these updates and I haven't seen them in the last couple of years. There were a bunch of terms that the Port had to meet some of which have been ticked off; the Embarcadero Historic District, the open spaces that we just talked about but then there was also a whole bunch of fill removal. I remember that was a little thornier. Where is that at?

Ms. Oshima replied: We are through most of those obligations and they have been delivered on time. Piers 24, 34 and 36 have been removed. Two of them had to get out of the way for the Brannan Street Wharf Park. And the last one that is still on the list was the removal of half of Pier 23 which at the foot of Telegraph Hill.

There is a lot more history to that. Actually Lindy Lowe was before you some time ago to speak on some work that our agencies have done to try and find a replacement, public benefit because now with the success of the pier rehabilitation projects there has been a change in heart and the Port wants to keep the entirety of Pier 23. What we have proposed is to look at creating investment and improvement of the Farmer's Market/Ferry Building area behind the Ferry Building as a legitimate, public, gathering spot and plaza as the replacement, public benefit.

There are a lot of moving parts that we need to work with. It is the last, major gap that we see as part of the complete, open-space plan for the northern half of the waterfront.

Commissioner Scharff was recognized: I wanted to follow up on that from our Commission's point of view. What are the impediments to saving the entire pier?

Ms. Oshima explained: Largely it boils down to cost. To open it up for public use; these piers are a hundred years old. They were built for industrial, heavy loads of cargo that was being exchanged. While they might have some vertical, load-bearing capacity, they have zero for seismic.

If we want to open it up to the public we have to pay for a very, expensive, seismic retrofit. And the cost depends on the condition of the pier. You could be looking at an 80-million dollar investment just to get the seismic retrofit.

Secretary-of-Interior standards for historic preservation is the standard that we have to make any improvements to the piers. You can make changes but they have to meet very, stringent and historic, preservation standards which also add cost.

If you look at the strict playbook of what are public-trust uses that have been recognized in law and by the State Lands Commission over time there aren't that many revenue-generating uses that are formally recognized in public-trust interpretations. Hotels would probably one of the few revenue-generating uses and San Franciscans have prohibited hotels from being developed on these piers.

We did some analysis to find that it is technically and design-based feasible to retrofit a pier for a hotel but because of that prohibition the Working Group decided they did not want to revisit that question as part of the Waterfront Plan.

One of the things that we are looking at for these public-trust objectives strategies for the Embarcadero Historic District is broadening what we would define as being the public-oriented uses that could be in these piers.

What is behind a lot of the recommendations from the public is, go out there and expand what you can offer along the San Francisco Waterfront.

Vice Chair Halsted commented: I wanted to add my support to your efforts. It has been almost 30 years that you have been working on this planning process. I think your constancy and your determination to come out with good results for the public are making a huge contribution. So I commend you to continue as long as you can. The Working Group that you put together has been very successful. I am looking forward to more participation.

Commissioner Pine chimed in: You mentioned that in the future you will bring a presentation to the Commission to update us on the plans for the new sea wall. Maybe you could give us a little preview in that it is a multi-million dollar project. I wonder how you do this kind of massive improvement without having significant impacts on historical buildings and the look and feel of the shoreline.

How does that get integrated into everything you have shown us?

Ms. Oshima replied: It is a bit of a Chinese puzzle. Back in 2016 the Port did an initial vulnerability assessment for the Sea Wall Program which collected the geo-technical studies that we had along the sea wall to look at it together and see what we would surmise from that collection of information from the standpoint of performance in a major, seismic event and found that there were problems.

Since then the scope of the Sea Wall Program is to build better knowledge about our understanding of the soils and the sea wall itself has been built in segments over a long period of time.

Slight changes in construction over time means that the sea wall performs differently along different locations. We need to get our arms around understanding that in greater detail because the guesstimate of costs for seismic reinforcement of the muds underneath the sea wall that are really the vulnerable part – the sea wall itself is a pile of rock and then it is buttressed by piles and then concrete walls – it is pretty solid if it doesn't slip around. So you have to try and stabilize the soil underneath.

This measure was probably in the two to three billion-dollar range for costs. So it was a project that was not going to happen in one fell swoop. It would have to be phased.

As you phase it over time you also have to adapt and incorporate planning for the longer-term, sea-level rise conditions. Those twin situations of having an urgent, seismic risk today which means we have to try and move forward and prioritize the areas that have the most potential for life-safety and damage and move as quickly as possible scaled against the need for all of us to be able to have these collaborations about what is the smart way to adapt incrementally over time until a point at which you really have to be looking at replacing it with something major and new and the public policy and planning discussions that need to support that – that is going to take a longer-term timeframe.

San Franciscans are going to be presented with a ballot measure this November for $450 million to fund the first phase of the most, urgent, seismic improvements that need to take place while we are having a community-engagement exercise on the planning for the subsequent phases of the sea wall – seismic improvements integrated with adaptation and then ultimately conversations about what that longer-term vision for what the San Francisco Waterfront should be.

In the meantime the sea level is not rising immediately. People like what they enjoy along the waterfront now. We can't just stop and not do anything because the piers are deteriorating. We have these choices about do we try and make some investment for this interim period so that we can still get useful life out of resources that people like and can we improve them for the public's enjoyment of the waterfront. We will only be able to do that if we have private partners who work with us who could then be partners with us in solving for some of the sea wall improvements that might be incorporated into projects going forward.

It doesn't mean that everything is going to fall into place. But those are the moving pieces that we are trying to coordinate simultaneously.

Chair Wasserman commented: I want to join in thanking you for the presentation but more importantly for the work; both the extent of the outreach work and the focus.

I would ask that you and our staff figure when, but with some frequency, keep us updated on the responses to the RFI because they are potentially as important models as the Resilient by Design projects for what we can do in the Bay.

9. **Staff Recommendation on a Contract with the Port of San Francisco for Planning Needed to Update the San Francisco Waterfront Special Area Plan.** Chair Wasserman announced: That brings us to Item 9 which is a staff recommendation on a contract with the Port of San Francisco for planning needed to update the San Francisco Waterfront Special Area Plan. Shannon Fiala will present the staff's recommendation.

Planning Manager Fiala stated: In your packets you will find the staff report and recommendation on a contract with the Port of San Francisco for amending the San Francisco Waterfront Special Area Plan. Staff recommends that the Commission authorize the Executive Director to execute a contract with the Port of San Francisco for the purpose of providing the Commission with up to $150,000 for assistance in developing amendments to the San Francisco Waterfront Special Area Plan in coordination with the Port's ongoing update to its Waterfront Land Use Plan.

The staff also recommends that the Commission authorize the Executive Director to amend the contract as long as the amendment does not involve substantial changes in the scope.

Executive Director Goldzband added: And I have an amendment to that staff recommendation. A couple of years ago we had a discussion among all of us and with staff about what does that last sentence mean about substantial changes in scope.

You also wanted to make sure that the Executive Director was limited as to how much he or she could actually increase the contract. You decided to tell me to limit that to 10 percent. I would urge you to adopt the recommendation with the following addition to the end of that sentence.

Eliminate the period behind the word "scope" and include the following words: "or increase in value by more than 10 percent". This is so that the Executive Director can change the scope as long as it does not involve substantial changes and can agree to an increase in the value of the contract to no more than $165,000 without coming back to the Commission for approval.

MOTION: Commissioner Peskin moved approval of the staff recommendation as amended, seconded by Commissioner Ahn.

VOTE: The motion carried with a vote of 20-0-1 with Commissioners Addiego, Ahn, Arreguin, Gilmore, Scharff, Gioia, Gorin, Jahns, McGrath, Peskin, Pine, Ranchod, Sears, Showalter, McElhinney, Techel, Wagenknecht, Zwissler, Vice Chair Halsted and Chair Wasserman voting, "YES", no "NO", votes and Commissioner Galacatos abstaining.

10. **Staff Recommendation on an Interagency Agreement between the Commission and San Francisco State University for the RIPTIDES Program Internship.** Chair Wasserman announced: Item 10 is a staff recommendation on an inter-agency agreement between the Commission and San Francisco State University for the Riptides Program internship. The presentation will be made by Erik Buehmann.

Chief of Federal Consistency and Permits Erik Buehmann presented the following: Thank you Chair Wasserman and Commissioners. In your packet you have a staff report and recommendation dated September 14, 2018 to authorize the Executive Director to execute an inter-agency agreement with San Francisco State University to provide up to $14,855.00 to the University for technical assistance. BCDC has received three master's student interns from the University's Estuary and Ocean Science (EOS) Center, which is the new name for the former Romberg Tiburon Center in the Center's Research Intensive Pedagogical Training for Inter-disciplinary Estuarine Scientists or RIPTIDES program. (Laughter) The master's students will investigate monitoring and success of wetland restoration projects permitted by the Commission and mitigation requirements imposed in Commission permits over the past 20 years.

The information compiled and analyzed by these students will help inform the Commission's review for future habitat projects and will inform requirements for monitoring in future permits. Their work may also inform some regional efforts such as the Wetland Regional Monitoring Program and Measure AA coordination. The students this semester are Rowan Yelton, Chrissy Edmiston, and working with the Sediment Management Team is Dulce Cortez who will assist in developing a sediment management plan for San Pablo Bay. Stuart Siegel of the EOS Center will serve as a technical resource to the interns and BCDC staff to help guide the effort and review the data. The funds provided by the interagency agreement will compensate S.F.S.U. and Dr. Siegel for this work pursuant to a work plan drafted by BCDC staff.

The staff also recommends that the Commission authorize the Executive Director to amend the agreement in the future so long as the amendment does not substantially change the scope or amount of the contract.

Executive Director Goldzband commented: We want to change the last sentence so that after the words, "substantial changes in" we eliminate the word, "either" and we write, "does not involve substantial changes in the scope or – and then eliminate, "amount of the contract" and insert instead, "increase the value of the contract by more than 10 percent". So the last part of the last sentence will read, "as long as the amendment does not involve substantial changes in the scope or increase the value of the contract by more than 10 percent".

Erik and a couple of other staffers deserve real kudos for this. You will remember that about a year and a half ago we had a staff retreat at China Camp. As a result of that staff retreat we realized that we were not taking full advantage at all of our cousins at the Research Reserves, the National Estuary and Research Reserves, one of which is at China Camp.

We started discussions with them and realized that because of the work that Erik and others were doing at BCDC with regard to trying to figure out the reporting structure and how we use reports with regard to monitoring of various habitats we could actually work with the people at China Camp to get this done.

This agreement was born out that meeting which then took a good year or so to really figure out about how we could use their new program which is being funded by the National Science Foundation specifically in part to have their students get real-time experience at different types of organizations like BCDC.

We are grabbing on to that and we have three interns who are very, very excited and we never see them. I want to give great kudos to our staff for putting this together.

Mr. Steve Goldbeck added: Dr. Siegel has not only done extensive, wetland restoration, design work and wetland research, he also is a past intern at BCDC many years ago.

MOTION: Commissioner Showalter moved approval of the staff recommendation, seconded by Vice Chair Halsted.

Commissioner Showalter commented: I am really glad to see this. Restoration science is very new. That means that we don't always know what restoration actions are going to produce what outcomes. It really is important that we go back and look at our projects and see how they worked.

It is not done very often and I am really glad we are doing this. It is very smart.

VOTE: The motion carried with a vote of 20-0-1 with Commissioners Addiego, Ahn, Arreguin, Gilmore, Scharff, Gioia, Gorin, Jahns, McGrath, Peskin, Pine, Ranchod, Sears, Showalter, McElhinney, Techel, Wagenknecht, Zwissler, Vice Chair Halsted and Chair Wasserman voting, "YES", no "NO", votes and Commissioner Galacatos abstaining.

11. **Briefing on Use of Ocean Protection Council Guidance in Permits.** This item was postponed.

12. **Briefing on Boating and Marinas in the Bay.** This item was postponed.

13. **Briefing on Budget Information**. This item was postponed.

Chair Wasserman commented: The presentation on this item is going to be important in looking forward. We are going to need support from those around the table and some Commissioners who are not around the table in talking to legislatures, the governor and various administrative offices on increases in our budget to address at least three things.

One is, not all but some of our turnover is because we can't pay enough. We do have some limits as a state agency. There are some efforts afoot to duplicate what is done in other circumstances with state agencies recognizing geographic pay differences.

Second, we don't have enough resources to adequately do what we are doing right now.

And third, if we are going to take on increased planning we are going to need more budget.

There is going to have to be a campaign and the report on the budget at our next meeting will be an important element in that.

Executive Director Goldzband added: We had planned to give the Commission a briefing on the Ocean Protection Council Guidance on rising sea level and how we work with that with regard to the permit and regulatory plan but the Ocean Protection Council has lost a key member of its staff, Tinya Wong, who used to work for us which is delaying their regional workshops on their own guidance.

What we have decided to do is expand what Erik and Andrea and a couple of other staffers will more than likely present at that and make sure that we have our own workshop. We will present that on November 1 if we find out that the O.P.C. can't really move forward as quickly as it wanted to do.

In any case, we will do that on November 1 and that will be a robust and fun discussion with regard to the new science and how we interpret that.

Second, the briefing on boating and marinas was delayed because of a logistical problem on behalf of the folks who were going to give it.

And then third, the reason we are not doing the budget today is because Chenee, our Chief Budget Officer, came down with a wicked cold over the weekend and couldn't talk until late, yesterday afternoon. As a result we had to delay that but you will get it all, we promise.

14. **Briefing on Development of the Work Plan for BCDC's 2017 Strategic Plan Update.** Chair Wasserman announced: Item 14 is a briefing on the development of the work plan for BCDC's 2017 Strategic Plan Update.

Executive Director Goldzband presented the following: In your packet I want you to look at the foldout and the front page that you have.

The front page is a list of each of the objectives within BCDC's Strategic Plan Update which you approved last year. What we did was to rank them A, B and C.

How we ranked them was pretty simple. We polled staff and we polled senior staff separately and we polled the Chair. Everybody was pretty much in alignment.

About half of the objectives are ranked A and there are a few ranked B and a few ranked C. The really interesting part about what you see in the yellow is that when we take a look at what it would take to actually do these; that is where the Chair's acknowledgement and exhortation to you about our budget comes into play.

It is impossible for us to fulfill these obligations unless we have more staff unless we want to take an awful, lot, more time to do so which we don't have.

In any case, what we did and what staff did and staff needs to be highly commended especially our drafting team; we worked with our consultant to develop an actual, honest-to-gosh work plan for each of these objectives.

In the blue pages you will see what a work plan looks like for two separate objectives. The first objective is, support local efforts to become more resilient to rising sea level and pay special attention to environmental-justice issues across the region.

We already have an environmental-justice working group. There is more to do than just that. If you take a look at the actions that we need to take under the "Action" column and then figure out who the lead is and who is going to end up overseeing that from staff and then looking at the measures of success about whether we accomplished that; you can then see that there are an awful, lot of tasks that we need to do to get there.

We have them listed and we have completion dates listed assuming that we actually get funding that we can use.

You can see that this is a page and a half of actions that you can quantifiably measure to make sure that we actually get them done.

Staff needs to be congratulated because they sat down and talked with each other about what needed to be done, how you do it and how you measure it. And this is what a work plan really needs to do.

On page four is the work plan for another objective, also the same goal but it is Objective 4, increase beneficial re-use of sediment as a resource to help the Bay Area prepare for rising sea level. We are already doing some of this. We have the Bay Plan Amendment on Bay fill that we are actually doing. There is more to do than just that.

My favorite is, work with the U.S. Army Corps of Engineers and others to increase beneficial, re-use of sediment which everybody wants to do. There are various tasks within that.

We have this done and it is a great document. We just can't use it in its current phase in a real, meaningful way unless we get more staff to actually get it done sooner.

I would encourage you to take a look through this because this is not something that we have had before at BCDC. What we will do with this when we get the funds to do most of the A work is we will then create the dashboard based upon those performance measures and make sure that we report that to you all the time.

We will pick out an objective every quarter or every six months and fully report on that as well.

You can see what we are prioritizing on the first page. We are happy to answer questions.

Commissioner Ranchod commented: This does reflect a lot of work and thought so thank you. This level of detail is great and will help us remain accountable to the objectives within the constraints of funding and resources.

Are there some of these that are the A priorities where the resource constraint is not the limitation and it is something else?

Executive Director Goldzband answered: A couple are but the resource constraint, for the most part, is staff. And staff is defined as dollars to get staff.

The real resource constraint that is interesting and this is something that we will talk about in the budget presentation is that on the planning side the state does not fully fund BCDC's planning staff.

BCDC's planning staff is heavily funded by year-long contracts and grants which we have to fight for a lot. There are some that may be two years or three years but for the most part you can't assume that we will have the funds for the planning department over the next 18 to 24 months at the most.

The resource constraint really is a combination of that staff and dollars. One of the things that we will be talking about is how we shift that kind of funding so that the planning staff is fully funded by the state. That really would help along with additional resources.

Commissioner Gilmore was recognized: Thank you to staff because I know this took an incredible amount of work. It is not the kind of thing that staff likes to do. (Laughter) I really want to commend you for having the discipline to sit down and get this done because it will be helpful not only to staff but also to the Commission because as a very, good friend of mine once said to me is, what is measured is what gets done.

Executive Director Goldzband added: And I think it was General Eisenhower who always argued that the real success of a plan is probably not the plan itself but the process you go through to understand what you are trying to get to.

The sweat equity that is involved with this is huge. The recognition by staff that is really what we want and need to do is also pretty inspiring.

Commissioner Gorin commented: I wanted to echo the thanks of Commissioner Gilmore. I like these kinds of planning exercises because I don't need to implement them. (Laughter) It is somewhat ironic to me that here the governor held his Global Climate Summit last week with a lot of hoopla and a lot of great speakers and Sonoma County had a number of those attendees coming up to Sonoma County to talk about what we were doing for Sonoma Clean Power and adaptation and everything.

So here is a state agency actually working on this for a couple of years and we know how essential this is to move this forward and yet we don't have the staff resources to actually get this job done. It is appalling and ironic.

You had just talked about the fact that we operate not only on state funding and regulatory funding but grants. Where are the opportunities for the grants? We have a lot of great foundations out there talking about the work that we need to do and we represent a lot of folks in Silicon Valley that are doing things that may have some funding. Is anybody out there that is talking to some of those foundations about the good work that we are doing and the funding?

Executive Director Goldzband replied: I have and Allison Brook from BARC has. As a former grant funder for many years let me say this. Foundations don't give grants to government for government to do the work that government is supposed to do.

This is work the government is supposed to do so the Google's of the world, the Facebooks of the world, the Silicon Valley community foundations of the world are not going to be providing Friends of BCDC with a couple of million dollars to do this work because their argument will be, this is something that taxes pay for that governments need to be able to figure out how to do.

That is not to say that they won't be involved in various projects and the like but to actually provide funding for state operations; that is not something that private funders generally do.

Commissioner Gorin continued: And I would say, yes, yes, yes; Sonoma County should pave its roads. (Laughter) I get that and every taxpayer pays their taxes and they expect us to pave the roads. This plan is not something that had been part of our work plan. It is not something that BCDC had been assigned to do. It is absolutely necessary and cutting edge and innovative which is what foundations like.

I get it. I know that. And funding the state is not a lot of fun.

Commissioner Zwissler commented: You are showing us these actions on some of these priorities as examples. Does the thing live as a whole somewhere?

Executive Director Goldzband explained: It is very thick with those blue pages so I decided not to hand it out. There is a link to the whole thing on the BCDC website.

Commissioner McGrath was recognized: I assume that at some point there is a level of effort and an accumulation of PYs and partial PYs that tells us how many resources it takes to do things and you may have to re-prioritize them.

Executive Director Goldzband replied: We figured that out in general terms. One of the things that was really difficult for staff to do was how many people will it take or how many hours will it take? And staff looked at that and said, we don't really know. We can't say this is one-tenth of one person's year. We have been able to figure out how many more people we think it would take to get a good chunk of this done in a certain time.

Commissioner McGrath stated: The reason I ask that question is because I get that sometimes from the Regional Board staff. And in order to get resources to get ahead of the curve at the Port of Oakland I had to develop that. I had to look back at what we had actually done to do something that was successful. And I had to sometimes pound the table. (Laughter)

Executive Director Goldzband replied: And we have to do the same thing with the state with the Department of Finance. If you look at the budget-change, proposal document that we had to prepare it goes to very minute detail about PYs and classifications et cetera. So all of that is hammered out through that process.

Mr. Goldbeck commented: I was going to mention in terms of the foundations and the like; they tend not to want to fund government but they do fund partners to work with us. The Resources Legacy Fund is funding some of the environmental justice communities to work with us on our environmental justice project because we can't fund them directly but they can. I believe we have some funding through our partners on the Natural Capital Project working on the ART Project that is funded by grants as well.

Indirectly that really helps. So keep out there and keep talking to the foundations and such. It wouldn't come directly to us. It would come to folks to work with us.

Chair Wasserman commented: Larry's statement is unquestionably, historically true. If we follow history we will take canoes or rafts or something else out of here assuming we can get in at all. If we are going to survive we need to change the way we think and do things. It is certainly true on the large, climate-change issue. But it is also true on the much-more-local, much-less-sexy, adaptation issue.

Just as we are talking about putting pressure on our government funders we need to figure out ways to better educate and entice some of the private funders because there is no one else who is doing this. And if we don't do it, it ain't gonna get done.

It is going to have to be a different way. We are going to have to think differently. We are going to have to persuade the government funders and the private funders to think differently.

By the way, that means – we -need to think differently.

Commissioner Pine commented: Getting back to the question of funding at the state level; it is obvious that we don't have the resources we need to really accelerate our work on preparing for sea level rise.

A case in point is coming up with the policies for fill and dredging has taken a really, really, long time. I keep hearing it is because we don't have staff.

I wonder that if in this budget cycle staff should recruit all the Commissioners here to lobby on behalf of the Commission and why don't we try to move the needle in a substantial way? We have a lot of connections in Sacramento.

Chair Wasserman replied: I absolutely appreciate that. We are going to do that. My understanding of changes to the current cycle is that this is really held up as the Administration is looking to a new governor coming in. I'm not sure we can break through that logjam. But we are absolutely going to work on it as soon as we can afterwards.

I am working on trying to get a little time with the person I think will be elected governor in November. We are going to work on that.

I also want to be clear so that nobody here is misled; this is an effort that we can do as Commissioners. It is not an effort that staff can do other than providing us information.

Commissioner Zwissler chimed in: It is daunting when we are thinking about resources and asking for additional resources and carrying the message forward. It is a little daunting to have nine, A-priority items. Perhaps we can be a little bit more focused about what are we going to ask for first.

Executive Director Goldzband agreed: No doubt. In addition you will note that a couple of those are already ongoing.

Chair Wasserman added: A couple of them are already ongoing and a couple of them are much more internally related and important to do and those are ongoing. That is only going to be funded by government and not by outside sources. The others looking towards what we need to do to further the planning and start implementing how we adapt to rising sea level; and yes, we will put it in some priority order.

Executive Director Goldzband stated: When you look at playing it forward and I hope that you all take a look at it because it has a lot to do with your local, government response as well to rising sea level. I wanted to thank Adam Fullerton who is our link to the Working Group and has been at all of the Financing the Future meetings. Adam has done a terrific job of keeping BCDC informed and making sure that the folks here recognize what BCDC is doing.

15. **Adjournment.** Upon motion by Vice Chair Halsted seconded by Commissioner Gorin, the Commission meeting was adjourned at 3:02 p.m.

Respectfully submitted,

LAWRENCE J. GOLDZBAND
Executive Director

Approved, with no corrections, at the
San Francisco Bay Conservation and
Development Commission Meeting
of November 1, 2018

R. ZACHARY WASSERMAN, Chair