San Francisco Bay Conservation and Development Commission
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Agenda Item #4

August 14, 2020

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: Draft Minutes of July 16, 2020 Virtual Commission Meeting

1. **Call to Order.** The virtual meeting was called to order by Chair Wasserman at 1:02 p.m. I am Zack Wasserman and I am the Chair of BCDC. I would like to give the Oath of Office to Tommy Williams who has been appointed as an Alternate Commissioner from the U.S. Army Corps of Engineers.

Alternate Commissioner Williams recited the Oath as a new Commissioner and signed the Oath virtually for participants to witness.

Chair Wasserman stated: Commissioners, please unmute yourself to respond and then mute yourself again after responding.

2. **Roll Call.** Present were: Chair Wasserman, Vice Chair Halsted, Commissioners Addiego, Ahn, Beach (represented by Alternate Williams), Butt, Chan (represented by Alternate Gilmore), Cortese (represented by Alternate Scharff), Gioia, Gorin, Gunther, Lucchesi (represented by Alternate Pemberton), Peskin (represented by Alternate Stefani), Ranchod (represented by Alternate Nelson), Randolph, Sears, Showalter, Spering (represented by Alternate Vasquez), Tavares (represented by Alternate El-Tawansy), Techel (represented by Alternate Hillmer), Wagenknecht, Ziegler, Senator Skinner, (represented by Alternate McCoy) was also present.

Chair Wasserman announced that a quorum was present.

Not present were Commissioners: Governor (Alito-Pier), Secretary for Resources (Eckerle), Department of Finance (Finn), San Mateo County (Pine)

Chair Wasserman continued: Before I open the Public Comment Period for items not on the Agenda, I would like to announce that, once again, we will defer Item 10 on Legislative Matters for our next meeting.

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

Chair Wasserman gave the following instructions: Now, I want to quickly share some instructions on how we can best participate in this meeting so that it runs as smoothly as possible. First, everyone, please make sure you have your microphones or phones muted to avoid background noise. For Commissioners, if you have a webcam please make sure that it is on so everyone can see you. For members of the public, if you would like to speak either during our open public comment period or as part of a specific Agenda Item you will need to do so in one of two ways. First, if you are attending on the Zoom platform, please raise your hand In Zoom. If you are new to Zoom and you joined our meeting using the Zoom application, click the Participants icon at the bottom of your screen and look in the box where your name Is listed under Attendees and find the small hand to the left. If you click on that hand it will raise your hand. Second, if you are joining our meeting via phone, you must press *9 on your keypad to raise your hand to make a comment. We will call on individuals who have raised their hands in the order that they are raised. After you are called on you will be unmuted so that you can share your comments. Remember, you have a limit of 3 minutes to speak on an item. Please keep your comments respectful and focused; we will mute anyone who fails to follow those guidelines or, at worst, dismiss them from the meeting. Every now and then you may hear me refer to the meeting "host" — our BCDC staff are acting as hosts for the meeting behind the scenes to ensure that the technology moves the meeting forward smoothly and consistently.

BCDC has also established an email address to compile public comments for our meetings. Its address is publiccomment@bcdc.ca.gov. I have received no letters from anyone submitting public comment, but I do have requests to speak on Item 9. If we receive any emails during the meeting they will be shared with the Commissioners and be made available on our website bcdc.ca.gov along with the public comment emails that may have been received.

That brings us to Item 3, Public Comment Period. If anyone wants to address the Commission on any matter on which the Commission has not held a public hearing or is not on today's Agenda, you will have three minutes to do so.

Peggy, I don't think we have any public speakers do we?

Ms. Atwell replied: I don't see anybody with their hand raised.

Chair Wasserman moved to Approval of the Minutes.

4. **Approval of Minutes of the June 18, 2020 Meeting.** Chair Wasserman asked for a motion and a second to adopt the minutes of June 18, 2020.

MOTION: Commissioner Randolph moved approval of the Minutes, seconded by Commissioner Wagenknecht.

The motion carried by a voice vote with no abstentions or opposition.

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

I just have a couple of things to note. One is that we held a very successful Financing the Future workshop jointly with the Bay Area Water Quality Control Board. There was a good deal of very useful information and broad participation in it.

I want to note two very important things which are important specifically and symbolically. The fact that it was jointly sponsored by BCDC and the Water Quality Control Board demonstrates that we are broadening and strengthening our partnerships in the effort to adapt to rising sea levels.

And there was very significant participation by CHARG as well, the association of the flood control districts.

What we know but are increasingly and effectively recognizing is that rising sea level is affected not only from outside the gate by waters coming in but also by waters coming such as rivers and creeks and even groundwater. So, this joint effort is a very important one.

It is echoed by the report from NOAA that came out which emphasizes that rising sea level is causing storm damage to occur much more frequently and during high tides and not simply just during major storms.

It was interesting that Fox News reported on it fairly extensively and interesting that the pictures that Fox News used were of Newport Beach flooding over the July 4th weekend.

There was flooding in July in Newport Beach, California not from a storm tide or any major storm but simply high tides and rising sea levels.

The threat is upon us – absolutely. We continue to need and we are accelerating our efforts to figure out how we are going to adapt and protect our built and natural environment in the Bay.

a. **Next BCDC Meeting.** We do not expect to hold a meeting on August 6th and the next Commission meeting will be on August 20th. That meeting also will be held virtually and the agenda likely will include:

(1) A public hearing on the staff's draft Commission Assessment and Strategy report which is required for our NOAA grant.

(2) A briefing on our Bay Adapt program.

(3) An update and briefing on our Enforcement program.

b. **Ex-Parte Communications.** That brings us to ex-parte communications. If anyone has received an ex-parte communication that you have not already reported electronically you may do so now but you still need to report it electronically.

If anyone has such a report please raise your virtual hand.

Executive Director Goldzband chimed in: Before we do that, we know a number of you have been receiving emails with regard to the Howard Terminal issue.

I want to thank Commissioner Gorin for sending each of them to me. Please continue to do that. You don't have to report those as ex-parte communications. We are making sure those are all part of the public record and it is not an adjudicatory matter yet.

Chair Wasserman asked: Peggy, any hands up?

Commissioner El-Tawansy was recognized: I just want to be clear – so when we receive those emails, we are supposed to be forwarding them to whom?

Executive Director Goldzband explained: You can always forward any email that you receive to me and I'll make sure it gets to the right person.

And we will let you know if that email constitutes some type of ex-parte communication. It just so happens that Commissioner Gorin has had plenty of time on her schedule so she is more than happy to send them to me.

Chair Wasserman continued: That brings us to Item 6, the Report of the Executive Director.

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

The American author Sam Keen has written that "deep summer is when laziness finds respectability." While we are now heading into deep summer, this July has been anything but lazy for BCDC, and it does not appear that the rest of the summer will be any different. The regulatory staff is planning an enforcement workshop and is knee-deep in permit applications. Planning staffers are running Bay Adapt and various Bay Plan amendments and our admin staff continue to provide the grease that makes the gears move despite the fact that the state hasn't put a dime into our bank account since the budget was approved over two weeks ago. All this activity reinforces Hesiod's pithy warning from almost 3,000 years ago – "It will not always be summer so you better build barns."

a. **Budget and Staffing.** And building barns – at least virtually and figuratively – is what we are doing this week. The state's new fiscal year began two weeks ago and our organization's budget is just about finalized. I'll make a far more substantial report on the budget next month but the short course is that BCDC will have fewer staff this fiscal year than last; our staff will work fewer hours this year than last due to the state's furlough program and the need to rein in various staff members' vacation balances. And we expect further budget cuts during the fiscal year that starts in 50 weeks. Our senior staff and managers are beginning to triage our work so that the most important projects are given highest priority. I'll give you a full report on August 20th.

On the positive side of the ledger, and there always is one, I actually have some good news from Washington, D.C. On July 1st the full House of Representatives passed omnibus legislation that includes legislation proposed by former BCDC Commissioner and now Representative Jackie Speier to create a significantly larger San Francisco Bay Program – upward of $50 million annually. While I wouldn't bet my mortgage on the U.S. Senate actually considering the highway bill this year, it also includes a number of groundbreaking, green-infrastructure provisions and it's a very positive signal.

b. **Policy Issues.** I am pleased to let you know that BCDC's Oil Spill Prevention and Response team recently completed updating the Regional Harbor Safety Plan. Our staff worked with the San Francisco Marine Exchange, partner agencies and affiliates to promote increased navigational safety in the Bay. You should know that the San Francisco Bay Harbor Safety Committee was the first in the state to move its meetings to an online platform to conduct regular business without delay; the meetings during the past few months featured a larger number of attendees than previously attended the in-person meetings, just as we are finding with all of our virtual meetings for the Commission.

The Regional Water Quality Control Board hosted with BCDC a workshop on future rising sea level, adaptation- financing options. This workshop was an outgrowth of the Commission's "Financing the Future" Working Group. It featured both suppliers of long-term financing and organizations whose work requires such mechanisms and those who demand such financing. BCDC will link to the presentations as soon as the Water Board posts them and I encourage you to look them over. We will schedule a working group meeting for later this summer or early fall and decide next steps.

In addition, I want to than Dr. Mark Gold for giving the opening statement for the workshop.

With regard to our Enforcement Program I want to draw your attention to an e-mail each of you received from Enforcement Manager Priscilla Njuguna yesterday. It included an editorial from the Marin I-J that validates our team's continuing work to clear Richardson's Bay of illegal anchor-outs but also states that enforcement practices should be slowed down due to the COVID-19 pandemic.

Commissioner Greg Scharff, your Enforcement Committee Chair, responded to the editorial in a very positive fashion. His letter stated that the Commission's Enforcement Committee has announced publicly that it will not seek any enforcement action that would put any individual at more risk to the virus. It points out that the Committee actually has extended timelines due to the pandemic and it lauds the work of Senator Mike McGuire as he collaborates with Marin County to find safe and sustainable places on land for existing anchor-outs living illegally on the Bay. That being said, your Enforcement Committee continues to strongly encourage the Richardson's Bay Regional Authority to create a workable timetable during which all anchor-outs will be removed from the Bay.

At your next Commission meeting on August 20th you will have an update on the entire Enforcement Program.

You'll remember that BCDC staff held a meeting last month to talk about our individual and collective responses to the death of George Floyd. I'll be meeting with our staff's Racial Equity Team tomorrow to debrief on that discussion.

During last month's meeting I strongly suggested that BCDC should begin a program to recruit and pay two or three diverse undergraduate interns each summer to expose them to BCDC and our partners. I hope to start this internship program next summer and I have squirreled away the very little bit of funding required for the program to occur. I'll keep your updated regarding its progress.

Finally, Chair Wasserman, in response to the state budget that reduces state employee salaries by 9.23 percent and substitutes for that reduction two furlough days per month; I shall take my first two furlough days next Thursday and Friday and I'll be on vacation the next week up in Mendocino. Starting in August I'll be taking my furlough days on the second and fourth Fridays of each month for the next two years.

Please note that I will always be available to you and to the public for anything that is critical.

That completes my report, Chair Wasserman, and I am happy to answer any questions.

Chair Wasserman asked: Do any Commissioners have questions for our Executive Director?

Ms. Atwell responded: Nobody has their hand up.

7. **Consideration of Administrative Matters.** Chair Wasserman stated: We do not have an Administrative Listing so we will move on to Item 8.

8. **Possible Adoption of State Rising Sea Level Principles.** Chair Wasserman announced: Item 8 is a public adoption of State Rising Sea Level Principles. Executive Director Goldzband will introduce the item and then introduce Dr. Mark Gold, the Executive Director of the California Ocean Protection Council.

Executive Director Goldzband addressed the Commission: Thank you, Chair Wasserman. Commissioners, you will remember that you heard from Dr. Gold several weeks ago introducing the principles that the Ocean Protection Council, the California Natural Resources Agency and Cal EPA. each have adopted that will ensure that California as it moves toward adapting to rising sea level will honor its various commitment to people and nature.

You had a short but very interesting discussion when Dr. Gold presented these principles to you. You will remember that you asked staff to prepare a resolution of adoption with one amendment – that amendment being an added seventh principle that would call on the state to ensure that all social equity and environmental justice principles are imbedded in its actions throughout the adapting-to-rising-sea-level challenge that faces us all.

That is what staff has done. It is what has been mailed to you. And now I would like to ask Dr. Gold to chime in as he wishes with regard to those principles.

Dr. Gold commented: Thanks Larry, I greatly appreciate your introduction. It was great to hear you announce that there would be an equity internship next summer. I am eager to work with BCDC and hopefully OPC together with BCDC can get this to be the norm throughout Agency and maybe even Cal E.P.A. as well. I think it is something that is long overdue and something that is absolutely critical.

BCDC has been "Best in Class" in the state in how you have been dealing with sea level rise. Many of the elements of the principles are very similar to what BCDC has been doing for quite some time.

I think the Amendment makes sense. And with passage of this it will definitely lead to some discussions on making sure that this becomes what the principles are for all 17 agencies and moving forward it would be great to see.

I think this is critical, the action that you are taking today and another example of leadership in the Bay Area that will influence sea level rise and coastal resilience actions from all state agencies moving forward.

And so, you will join the California Coastal Commission and the State Lands Commission as well as Secretary Crowfoot and Secretary Bloomfield and Controller Yee in their strong endorsement of these principles as well.

And with that I strongly urge you to support the principles before you. Thank you.

Chair Wasserman continued: Thank you very much Mark. Peggy, do we have any public comments on this matter?

Ms. Atwell answered: I don't see anybody with their hands raised. So, no, we don't have any.

Chair Wasserman asked: Do any Commissioners have comments or questions?

Commissioner Pemberton was recognized: I wanted to express my enthusiastic support for this action. The State Lands Commission also previously endorsed these principles and I am really happy to do the same.

Commissioner Nelson commented: I wanted to thank staff and Dr. Gold for working to add the seventh principle about social justice. We had a discussion some time ago about that and we felt that it was implicit in other parts of the principles but it is a real improvement to have that in there.

Chair Wasserman asked: Any other comments or questions?

Ms. Atwell responded: Nobody else has their hand up, Chair.

Chair Wasserman announced: Then we will ask for a motion and a second.

Ms. Atwell interjected: Excuse me, Chair Wasserman. We have some late hands.

Commissioner Showalter was recognized: I think I was jumping the gun a little bit. I would like to move enthusiastically that we adopt this resolution. I am very, very pleased to see it come before us and I really appreciate the quickness with which it was done and also the importance of adding environmental justice.

That has become more and more evident in the last few months. It is really appropriate that we should explicitly state it. So I move approval.

Chair Wasserman asked: Is there a second and then we will go on to other comments.

Commissioner Nelson chimed in: I will second it.

Chair Wasserman continued: Peggy, please call the roll. Federal representative may vote on this matter.

MOTION: Commissioner Showalter moved approval of the resolution, seconded by Commissioner Nelson.

VOTE: The motion carried with a vote of 21-0-1 with Commissioners Addiego, Ahn, Butt, Gioia, Gorin, Gunther, Randolph, Sears, Showalter, Wagenknecht, Ziegler, Gilmore, Scharff, Pemberton, Stefani, Nelson, Vasquez, El-Tawansy, Hillmer, Vice Chair Halsted and Chair Wasserman voting, "YES", no "NO" votes, and Commissioner Williams voting "ABSTAIN".

9. **Public Hearing and Possible Vote on an Application by California Barrel Company, LLC, and Port of San Francisco for the Potrero Power Station Mixed-Use Development Project, in the City and County of San Francisco; BCDC Permit Application No. 2019.006.00.** Chair Wasserman stated: Item 9 is a public hearing and possible vote on a proposed mixed-use development along the San Francisco waterfront at the site of the former PG&E Potrero Power Station. Yuri Jewett of our staff will introduce the proposal.

Shoreline Development Analyst Jewett presented as follows: Good afternoon Chair Wasserman and Commissioners.

On July 3rd you were mailed a summary of an application and staff recommendation for the construction of the Potrero Power Station Mixed-Use Development Project located in the City and County of San Francisco.

The project is located along the City's southern waterfront on the site of PG&E's former Potrero Power Station. It is bounded by another mixed-use development project to the north, Pier 70, which was approved by the Commission in November of last year; to the south of the site is Warm Water Cove and to the west is Illinois Street.

The project would redevelop a 29-acre, former industrial site. The project features a variety of uses including approximately 2,600 residential units, commercial and life science offices, light industrial, retail, and community facilities, a boutique hotel, and approximately seven acres of parks and open space. The project is expected to serve approximately 11,335 residents and employees daily on site in addition to members of the public. The project would provide 2.86-acres of dedicated, public-access areas.

The project would result in approximately 7,025 square feet and 1,076 cubic yards of net Bay fill. Pile-supported fill would be required to build one of the three Bay overlook terraces, and if determined feasible for construction, a pile-supported, public, recreational dock. Fill would also be placed for new riprap as well as repairs to existing revetments.

The project would create a new permanent shoreline with the construction of a new sea wall in the shoreline band. Once the new wall is constructed the existing sea wall would be demolished allowing for 1,038 square feet of upland fill to be returned to the Bay.

Here is a brief overview of the 2.86-acres of dedicated, public-access areas for the project. The first public-access area as seen on the left of your screen is the Point which would feature a nature-based area and picnicking; next we have Stack Plaza, a public plaza that is anchored by the historic smokestack; and lastly, the Waterfront Park, a linear park that follows

the shoreline which would feature Bay overlooks, a lawn, a plaza in front of Block 4, and based on a forthcoming feasibility analysis - possibly a recreational dock. I will have the Project team provide more detail of these areas in their presentation.

As highlighted in yellow, the public access areas would be connected by a new segment of the San Francisco Bay Trail/Blue Greenway which would also connect the Project to the adjacent Pier 70 Development from 23rd Street as well as create a spur of the Bay Trail/Blue Greenway to allow for continued future connections along the San Francisco Waterfront.

The Project would be developed in six phases over approximately 16 years. The public-access areas would be constructed as part of the first, four phases of development. The Point would be completed during Phase One of the overall project.

Stack Plaza would also be completed during Phase One of the overall project associated with Block 9. Although not dedicated, public-access areas, Turbine and Humboldt Plazas would also follow this time frame.

Next, during Phase 3 of the overall development, the completion of the northwest corner of Waterfront Park would be associated with Block 4.

And lastly, the southern portion of Waterfront Park would be completed with the fourth phase of the overall development.

The Project would also include three view corridors: One at Craig Lane, one at Humboldt Plaza and one at 23rd Street.

A special events program is also proposed for the Project. The Point and Waterfront Park would host free public events that are available on a first come, first served basis and would not require restricted access with a fence or barrier, for example. Stack Plaza would also host free public events as well as limited ticketed events that would restrict access to the Plaza with activities associated with the event.

The Commission's recently developed Community Vulnerability Mapping Tool identifies the site as having "Low Social Vulnerability" which points to the low population density of this area. However, the tool also identifies the site as having "High Contamination Vulnerability" which is reflective of the site's former industrial use. Prior to applying for a BCDC permit, the applicants conducted community engagement for the project and remediation efforts have been ongoing. I will have the Project team go into more detail of their community-engagement process and outcomes in their presentation.

A new sea wall would raise the majority of the site including the Bay Trail/Blue Greenway and most shoreline, public-access areas to a finished grade of 17.5 feet. At the end of the century these areas are anticipated to experience coastal flooding only during an extreme storm event. However, the lower-lying approach to the potential recreational dock is anticipated to experience flooding during a 100-year storm event by 2050 but would remain viable during non-storm conditions and less extreme events.

The applicants have identified a number of possible, future, adaptive measures for the shoreline such as reconstructing or elevating public-access areas including the approach to the recreational dock. The applicants proposed to further develop a Sea Level Rise Adaptive

Management Plan within five years of occupancy of the first phase of the Project with subsequent five-year updates and to establish a funding mechanism for necessary adaptation measures through a Community Facilities District.

And lastly, staff created our own sea level rise visual for the Project. You can see Clesi Bennett, a former planner with BCDC, representing current Mean Higher High Water and myself standing at the proposed, finished grade for the public-access areas, a human-scale visual we felt would help communicate the height of this new sea wall and the proposed resiliency for the Project.

The Staff Summary highlights the relevant policies raised by the Project including whether maximum, feasible, public access is provided consistent with the Project, and if the Project is otherwise consistent with the San Francisco Waterfront Special Area Plan and the Commission's laws and policies related to Bay fill, public access, recreation, scenic views, environmental justice, and sea level rise.

I will now introduce Enrique Landa representing California Barrel Company and his team to present the Project in more detail.

Enrique Landa of California Barrel Company addressed the Commission: This is Enrique Landa. I am the project sponsor and a partner here at California Barrel Company. I am joined today by Kevin Conger of CMG who has been our landscape architect throughout the entitlement process.

This will be the third time we have presented this project to you. During the last two times we learned a lot and you are going to see some of the changes reflected based on your comments.

This site is unique in that it has been inaccessible to San Franciscans since the Civil War. We like to start with this image to show two things.

The first thing is how densely built up our site was and how much activity was there even at a time when a lot of San Francisco still had vacant lots in Dogpatch and across Mission Bay.

Here is the site today and you can see it is still cut off from the waterfront.

Neighboring Pier 70 has been cleared and is being prepared for construction as is our site.

The site is highlighted by two power stations that bookend the site and have set the foundation for a new development.

Along the water you see 1965 Unit 3 along with its 300-foot stack that will be retained. And then to the west you see the 19th Century Station A which will also be retained and that industrial nature that BCDC asked us to show and enhance will be a part of this project.

The Power Station is just of Pier 70 bordered by 23rd Street and the Bay in the Dogpatch Neighborhood. In the future our goal was to integrate as much as possible into Pier 70. So in the future these two developments which really form one neighborhood will be integrated not only through the Blue/Greenway but connections in streets for pedestrians and all forms of transit.

The question came up as to the environmental condition of the property and the environmental condition of the Power Station is something that has been a top of mind not only for us but for PG&E.

PG&E when it sold the Power Station to a private, power company retained the environmental responsibility for the site and it has been a process that has been agreed upon with the Water Quality Control Board and an outflow of Cal EPA. which has been a lead agency overviewing all of the remediation.

Today, 85 percent of the site has been characterized as "remediated" and has received a no-further-action vote from the Water Board. We have been working closely with PG&E and the Water Board to facilitate the last 15 percent and it has been a collaborative process to help speed this along so not only would our site be ready for development but also Pier 70 the remediation would be finished.

We anticipate that all the remediation will be done in the next three years while our site is still under construction.

The question was raised as to what outreach we did during the process and we did quite a lot of outreach. One of the unique challenges of developing an area that no one has been to is that no one has contacts. So we really tried to welcome the public through as many ways as we could think possible.

We hosted large events bringing more than 80,000 people to the site and through the Burning Man Street Festival. We held weekly site tours to welcome San Franciscans all across the site and introduce them to this portion of the waterfront and hear back how they would like to see the community developed.

We had community meetings quarterly and then we help develop our office hours where a member of the project team, most often a senior principal, would sit down and meet with the public and discuss concerns.

All in we received quite a positive reaction to our outreach process. And that was reflected in the approvals that the Project has received to date.

The Project has been unanimously approved at everybody that it has been before; at the Planning Commission, at the SFMTA, the Port Commission, SF PUC, the Board of Supervisors and then final approval.

Our site and land-use plan for the Project is a neighborhood developed between two, former, power stations and will be adapted and re-used.

The Project is a majority, residential project and all of the blocks you see here in the lighter color will be developed as residential – 2,600 units in total. What you see in blue are commercial uses that can be life science or office. We provide for a hotel and other uses such as retail, community facilities and lots of public, open space.

Waterfront Park will allow access to the waterfront and view corridors that were mentioned as well as a park within the site, Power Station Park that will be developed within the Project itself.

Our Project took community and social responsibility very seriously. And although we were a private project different from the private/public partnerships like a lot of the other waterfront projects; we matched the 30 percent affordable of Pier 70.

Our affordable, housing strategy targets an average AMI of 72 percent rental, 99 percent for ownerships and matches the AMIs consistent with the San Francisco Planning Code.

Overall the Project will also provide $45 million in affordable housing fees that will be spent in District 10.

We have some unique partnerships that we want to highlight including a partnership with a Homeless Prenatal Program to provide 36 units of housing for clients of their program to help bring them to our site bringing equally-affordable housing to help the program enhance its efforts.

We are working on community facilities which is something we heard loud and clear. Some of the things we'd like to highlight is the partnership at the YMCA. of San Francisco who we will build for and they will operate a 25,000-square-foot, community facility. We are providing up to $2.5 million to the San Francisco Public Library for a facility either on our site or within three-quarters of a mile of our site. And we have made a commitment to bring a library to our site should they want to be here.

We will be providing two, on-site, childcare facilities for a total of 6,000 feet. As mentioned earlier we will also be providing light-industrial space along 23rd Street and Illinois Street including a space for La Cocina, the food-based incubator that has been very successful in the City.

Transportation is something we took very seriously. There was no point in opening up a waterfront if people couldn't get here. So we offered up a lot of options to come to the site including a bus line that will be staying at an embarkment just off of Stack Plaza, a very robust, transportation, management plan to ensure that whoever works here lives here, has access to public transit as well as $65 million of transportation fees that we will be paying.

Historical preservation is something that is key to this site and something this Commission challenged us to do more of. When we started early on there was a commitment to retain the stack and also portions of Unit 3 but less so on Station A.

I am happy to report that both power stations will be retained and parts of them will be re-used in the Project itself.

This Project is proud to announce that we are working with Herzog de Meuron that worked on the San Francisco DeYoung Museum but also power stations around the world, most notably the Tate Gallery in London to redefine and reinterpret and then re-use Station A to create a new world-class, office building that will be the backdrop of the public park and some of the amenities on site.

Overall in regard to community benefits the Project is contributing quite a bit to our surrounding community; not only will we produce quite a lot of affordable housing but all total we will have about $862 million of benefits that will come to the community as a part of this project.

Finally, one of the things that really excited us about this project and working with Dogpatch was re-opening this portion of the waterfront. As you can see it is presently a post-industrial, inaccessible location that members of the Southeast District of San Francisco have never had access to.

And our challenge and what we would like to do is to make it so people are able to come to this area and enjoy it. And one of the things that really motivated us during the process was we saw photographs of what Crissy Field looked like in the early 90's and we now know what that space is like today. And Crissy Field didn't look too different from what the Power Station looks like today.

I now want to turn it over to one of the people that helped transform Crissy Field, Kevin Conger of CMG who will let you know about our plans to open up the waterfront and bring in turn this portion of the Bay to a special place that all San Franciscans can enjoy.

Mr. Conger addressed the Commission: Good afternoon Commissioners. It's nice to be with you all here in my backyard. I am the president and founder of CMG Landscape Architectural. We are a San Francisco Bay Landscape architectural firm that is focused on social and ecological resilience in the Bay Area and San Francisco primarily.

The thing that is so critical about this project is it is really completing for the Dogpatch and this part of the City access to the waterfront in a place that has not had access for nearly 100 years.

This project will help connect Crane Cove Park, The Point and Warm Water Cove. It will importantly connect the street-scape and the pedestrian connections from Dogpatch through the site to the waterfront while keeping some of the historical, industrial artifacts intact.

There are seven acres of open space in the Project. Humboldt Street which connects to the waterfront which terminates in the Waterfront Plaza is an important way to invite and attract people to the waterfront and similarly 23rd Street which passes historic, Station A and down to the historic Stack which terminates in the Plaza at the Waterfront. It is also a way to invite the community down to the waterfront so that as many people as possible are attracted to get down there.

And Power Station Park which is right in the middle of the site is also oriented to the waterfront and terminates in the rehabilitated historic Unit 3 which is also on the waterfront. So basically the entire, open-space network is oriented towards inviting people toward the waterfront.

I want to talk about the sea-level-adaptation strategy. The image on the top shows the current site elevations and the vulnerability to 100-year floods. And the image on the bottom shows the line of defense which is in pink, which is raising all of the site to be above the 100-year, flood level plus six feet of sea level rise.

The areas that are in orange are the access down to the potential boat dock and that will be affected by future sea level rise and needs to be further adapted. But the entirety of the rest of the site including the Blue/Greenway will have protected public access for 100-year, storm event plus six feet of sea level rise.

The Blue/Greenway and the Bay Trail are going to be protected against future, sea level rise.

The Point is meant to be more rustic and is really different from the rest of the waterfront open spaces that are found along the Pier 70 Project. It is more nature-based and presents a unique destination.

The Bay Overlook Terrace is an extension of 23rd Street so that there is one more opportunity to get out and above the water and it is taking advantage of an existing infrastructure that is in place now that will be retrofitted to provide increased access to the water.

Chair Wasserman announced: I will open the public hearing. Do we have any public speakers?

Ms. Jude Deckenbach spoke: I am Jude Deckenbach and I am with Friends of Jackson Park which is a neighborhood group who is dedicated to creating and improving the open, green spaces focused mainly on Jackson Park but others as well.

We stand in support of this project as we are especially pleased with the approximately seven acres of open space within the development; most notably, the open space created along the waterfront.

I'm sure I don't need to tell you about the amount of development that the eastside of the City has absorbed which has been relentless. Unfortunately, not all of the promised infrastructure to support said development has materialized.

That is why we are thrilled to have a developer who sought community input and actually listened to the community and created a subsequent project which addresses the critical needs for open space within the Project and along the waterfront.

Creating public access to the waterfront has been a neighborhood desire for decades. I would just like to encourage you to support this project as Friends of Jackson does also. Thank you.

Mr. Mark Olsen commented: Good afternoon Commissioners. My name is Mark Olsen and I am a local resident. I just wanted to say how appreciative I am when Enrique and his team the amount of public engagement and opportunities to review the work and to experience how it actually took the comments and opinions into account. It was very impressive.

I've been involved in a few projects in the past or impacted by a few projects in other areas and this has really been topnotch.

We are a huge fan of getting access to the waterfront and we think the team has done a beautiful job here. That's all, thank you.

Mr. Bruce Kin Huie addressed the Commission: thank you Commissioners and staff. I live four blocks from this location in Dogpatch. I've lived here for about 19 years. This tremendously opens up the Bay for the neighborhood of Dogpatch but also the adjacent neighborhoods of Mission Bay, Bayview to the south and then Potrero Hills to the west.

We've been working with the developer over the past four years. We plan to continue to work with the developer and we are really excited about the opening of the Bay for all the neighborhoods in the southeast section of San Francisco.

So thank you for the opportunity to fully support it. We'd like to ask for your support as well.

Mr. Ethan Strull was recognized: I am with the San Francisco Housing Action Coalition and we are proud to support the Potrero Power Station Mixed-Use Development.

As has been mentioned, the project team has done an exemplary job of outreaching to San Francisco, the San Francisco community and prioritizing the Bayfront throughout this process.

And the project is building 2,600 new homes for current and future San Franciscans, 30 percent of which are slated as below market rate.

This is a huge step in addressing the shortage of housing across our region and making homes more affordable in the Bay Area.

Please approve this project and do what you can to help push it forward. Thank you.

Mr. John Coleman commented: My name is John Coleman with the Bay Planning Coalition and I'd like to thank Chair Wasserman and the Commissioners and BCDC staff for the opportunity to speak on this project.

BPC is very excited that this project will reconnect the residents to the Bay. We are also very supportive of all the transportation projects associated with the Project and particularly with the innovative investment on initiating the water-transit service in the San Francisco Waterfront.

The amount of money dedicated to this aspect of the Project is $65 million, of which $2.5 million will be going to connect the existing waterfront in the Marina to Mission Bay and this water system will provide an important transit alternative for San Francisco residents commuting within the City and connecting to regional commuters at the Ferry Building.

And it has been a pleasure working with the development team on this. We are fully in support of the Project and hope you will be supporting it as well. Thank you very much.

Mr. Blake Miller spoke: I am a general member of the public and a soon-to-be resident of the East Bay.

I have been attending some of the public meetings since COVID-29 but one thing I noticed on this project that came to mind is, in thinking about sea level rise in the future, is that I see some sea level rise being some opportunity for development which is in some ways a positive where development is needed; but also, instead of just fortifying the Bay and raising the seawalls up above the Bay that we also need to leave some space down below where our future generations continue to see things lost locally.

As something is redeveloped, they also see something closer down to the water that is getting covered up as opposed to many feet down below and the water just slowly rising – something for the Commission to keep in mind.

Chair Wasserman continued: I would ask for a motion to close the hearing and a second to that motion.

MOTION: Commissioner Nelson moved to close the public hearing, seconded by Vice Chair Halsted. The motion carried by a voice vote with no abstentions or objections.

Chair Wasserman asked: Are there questions or comments from Commissioners?

Commissioner Butt commented: I had one concern and there was one slide that showed the phases of the Project and it looks like that the parts of the Waterfront Park are in Phase 4. They are way down the road somewhere. I had some concerns about that.

Did I see that right or not?

Ms. Jewett replied: I think the applicant might want to address this point. Commissioner Butt, you are correct that it is in Phase 4 but I will have the applicant explain further.

Mr. Landa explained: The parks are set up to be completed throughout the development. The first phase will bring on The Point which is a waterfront park and then there will be portions of the interior developed so parks are getting developed alongside the building that they correspond to.

And then later on parts of the Waterfront Park will follow in the later phases. So it is intended to even out the parks as buildings get developed and not delivering all the parks in the end like Mission Bay did.

Commissioner Butt commented further: A lot of people have seen this and they know a lot more about it than I do and it has been supported by all these agencies and organizations but if it were me I would require the Waterfront Park to be developed first and then everything else following.

There is an awful lot of development that is going to happen before people are going to actually have access to the Bay.

Mr. Landa replied: I think the challenge that we faced was two things. One thing was competing priorities of the infrastructure required to build the development and bring everything across and then also to deliver as much other community benefits such as affordable housing and other things at the same time and we did our best to balance that set of needs.

And again, trying to have parks in every phase of the Project and not delivering them all in the end like some other projects have done.

Commissioner Showalter posed a hypothetical: I am following up on what Commissioner Butt said. What happens if the development stops and they only get the first two phases built? What happens to the waterfront development then?

Mr. Landa responded: My experience with projects in San Francisco is that they go through some phases where they move a little quicker and sometimes they move a little slower but by and large they all get finished.

Our expectation is that the Project will be finished and there is more than enough demand for what comes in but there is some specific performance where the Port lease will occur.

And on the balance of the project it will be developed a lot at the same time as the Project unfolds.

Commissioner Gilmore had questions: I have two questions. I would like the developer to talk about the proposed dock, the feasibility of it. And what happens if it is deemed to be infeasible? Does it just go away? Do you make up open space elsewhere?

And then the second question that I have is, just out of curiosity, I know the affordable units are 30 percent of the Project but what does that work out to be in number of units?

Mr. Landa explained: The Project is approximately 2600 units. So it will be 780 something affordable units that will be done.

The dock in not counted in the open space that has been reported. So it is actually just something that we as a project sponsor have pushed and have tried quite hard to make happen.

As many of you know, creating new docks or waterways on our Bay is not easy to do. And during our last hearing there were some concerns about whether or not the dock was feasible. There is currently a pier review being done by the Port of San Francisco to see the efficacy and feasibility of the dock.

We'd like to have a recreational dock if we can. We think it brings people closer to the water. As you know these are quite difficult and expensive to build. But as a project team we thought it was important to try to create more access to the Bay including right up to the water. And so that is why we have continued and we certainly hope it is feasible and that is able to be built.

Ms. Jewett added: The dock is authorized for construction. So it is in the permit but it is not required public access until they can show that it can be built.

Vice Chair Halsted commented: I would like to follow up on discussion about the dock. I wonder if that dock is intended to provide for any small, kayak-type vessels or is it intended for larger vessels?

Mr. Landa answered: We are really fortunate that Crane Cove Park has a large kayak-launch facility including a rental facility. That is probably a five-minute walk from this location and so we imagine most people will launch out of Crane Cove Park as that facility is set up closer to the water.

We envision this more being larger watercraft that would come and dock at this location.

Vice Chair Halsted asked: That would be temporary docking I assume, right?

Mr. Landa replied: Yes.

Commissioner Scharff inquired about maintenance funding: I was wondering about what provisions have been made to maintain the parks and how that is going to be paid for. Have you run the numbers on the homeowner's associations that there is actually money to do that or are they not the ones that are going to be maintaining the parks?

Mr. Landa explained: The Project has committed through its homeowner's association to do that. We have run analysis to make sure that there would be enough funds to do so and we are confident that there will be.

The parks are privately maintained. We do believe that this is the case and we have requirements with the Port and the City to approve the CC&R budget that will control the maintenance of those parks.

Commissioner Scharff continued: To our BCDC staff; so you are comfortable that we won't have this come down the road later where it is not being maintained and we are having to enforce against the homeowners associations which is always a very unpleasant process.

Mr. Landa replied: That's right. Well, we are not released from the maintenance requirement even if it's essentially an HOA.

We don't believe that this will be the case. And we are certainly setting this up in such a way so that will not be the case.

And we are required under our Port lease to maintain them to certain standards. And the Port can step in if we don't.

Commissioner Scharff responded: Alright, thank you very much.

Commissioner Ahn commented: I am excited to see this project. The Potrero Hill Power Plant actually has a history and environmental justice to it based on its proximity to Bayview Hunter's Point.

And there was earlier mention of the community outreach that was done. I'm wondering if you can talk a little bit about its community nexus to Bayview and what has been done around that.

Mr. Landa replied: So the outreach to Bayview was also part of our process. We did try a very broad part of outreach to all communities; Mission Bay, Potrero Hill, Dogpatch and Bayview.

One of the things that we are working on with Dogpatch are ways to strengthen connections down 3rd Street with Bayview. For the time being there will be for the foreseeable future probably 30 more years of industrial work along the waterfront in Piers 96 until you get out to India Basin.

So connections to Bayview are actually quite important to us. We looked at a lot of strategies to bring Bayview to this portion of the waterfront because they have some of the same challenges in that part of the City that we have here where they are cut off from their waterfront. And while there are plans within India Basin, the Shipyard and other things to open that waterfront — for the time being, these waterfronts may be what open first.

The second part is that the reason this power plant is closed and we are all here today was really a community-led process. We plan to honor that as we tell the story of the site itself.

The 300-foot stack that will remain is an image of the industrial past of this neighborhood that Bayview and other parts of this community came from Potrero Hill and Dogpatch and came together to say that it needed to be closed and other solutions needed to be found.

And so one of the things that we are very proud of is that history that brought this project on. And we plan to tell it and celebrate it in the interpretive program of the Project and in the ways that we use the adaptive portions of these historic structures that are being retained.

Commissioner Ahn chimed in: If there is one activist who will look into and promote this struggle it would be Dr. Mo Jackson, a longtime community activist that protested and successfully caused the closure of this power plant. I would appreciate you looking into that.

Mr. Landa replied: Will do.

Chair Wasserman continued: Yuri will you please present the Staff Recommendation.

Ms. Jewett presented the Staff Recommendation:

On July 3rd you were mailed a Staff Recommendation for the construction of the Potrero Power Station Mixed-Use Development Project located in the City and County of San Francisco.

Staff would like to make two minor corrections to your Staff Recommendation which is reflected on the errata sheet mailed to you earlier today. The section "Public Access Phasing" on pages 15 and 16 were mislabeled due to a typographical error (the Phase 3B label is associated with the condition applicable to Phase 4D, and vice versa), and on page 10, for the

section “Public Recreational Dock” we would like to correct a minor typographical error, where the words “the recreational dock” were duplicated. As modified by this correction, the staff recommends that you approve the permit application with conditions.

The staff recommends that you approve the permit application with conditions to:

- Guarantee 2.86 acres of dedicated public access;
- Require a new Bay Trail/Blue Greenway connection along the shoreline;
- Ensure the recreational dock associated with the Waterfront Park is appropriately evaluated for potential future construction;
- Provide for special event programming, keeping the Bay Trail/Blue Greenway and access to the waterfront open at all times;
- Establish three view corridors down the major streets running perpendicular to the Bay; and
- Require that a Sea Level Rise Adaptive Management Plan be further developed within five years of occupancy of the first phase of the Project, updated every five years thereafter, and implemented to take necessary adaptive measures.

With these and other conditions outlined in the Staff Recommendation, the staff believes that the Project is consistent with the Commission’s law and San Francisco Waterfront Special Area Plan and Bay Plan policies and recommends that you adopt the Recommendation of approval.

Chair Wasserman asked: Does the applicant accept the Staff Recommendation?

Mr. Landa replied: Yes we do.

Chair Wasserman continued: Thank you. Is there any further discussion before I ask for a motion? (No questions were voiced) I would entertain a motion and a second to approve the Staff Recommendation.

MOTION: Vice Chair Halsted moved to approve the Staff Recommendation, seconded by Commissioner Wagenknecht.

Chair Wasserman continued: Peggy, will you please call the roll. Federal representatives may not vote on this measure.

VOTE: The motion carried with a vote of 19-0-0 with Commissioners Addiego, Ahn, Butt, Gorin, Gunther, Randolph, Sears, Showalter, Wagenknecht, Gilmore, Scharff, Pemberton, Stefani, Nelson, Vasquez, El-Tawansy, Hillmer, Vice Chair Halsted and Chair Wasserman voting, “YES”, no “NO” votes, and no “ABSTAIN” votes.

10. **Briefing and Potential Vote on Pending Legislation.** (No Pending Legislation was discussed)

11. **Adjournment.** Upon motion by Commissioner Nelson, seconded by Commissioner Wagenknecht, the Commission meeting was adjourned at 2:30 p.m.