



The
Policies for a Rising Bay
Project

Steering Committee Meeting #5
May 24, 2016

Welcome & Meeting Objectives



1. Present project findings and possible actions
2. Share feedback and comments in open house setting
3. Group discussion and project next steps/ wrap-up

Project Objectives

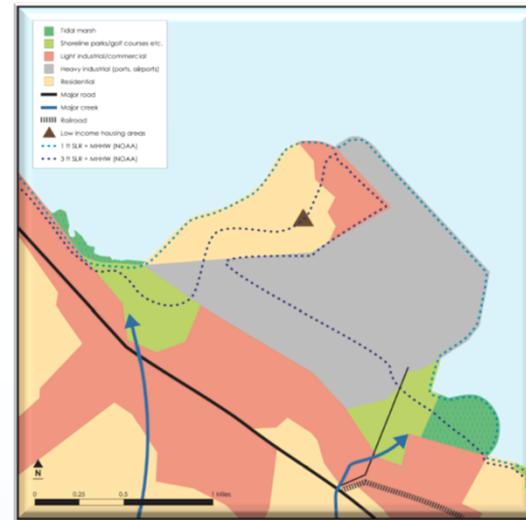


- a) Collaboratively analyze the Commission's policies in light of climate change
- b) Identify how the Commission can most effectively support San Francisco Bay climate adaptation
- c) Determine the type of guidance that would be useful for the Commission, staff and project proponents

Project Process



Steering Committee



Case Studies

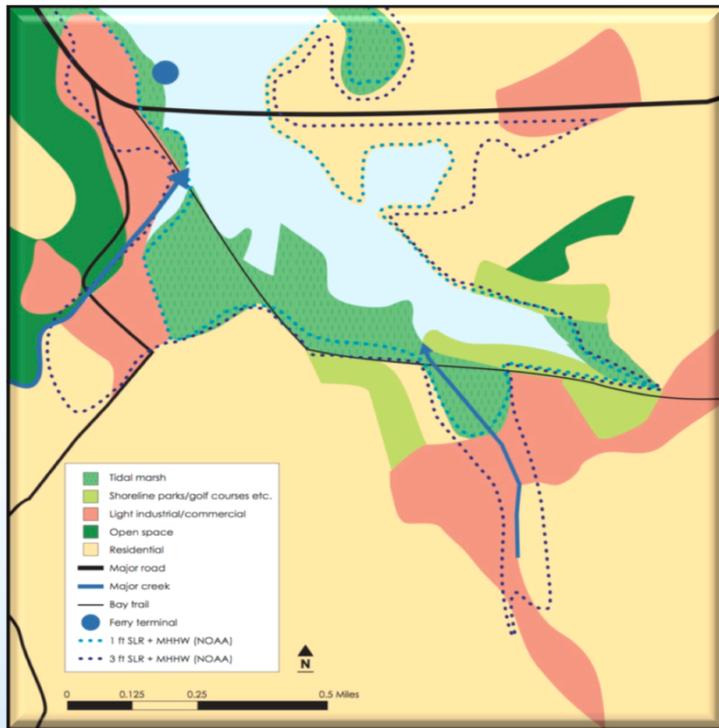


Interviews



Policy Analysis

Case Study – Shoreline Community



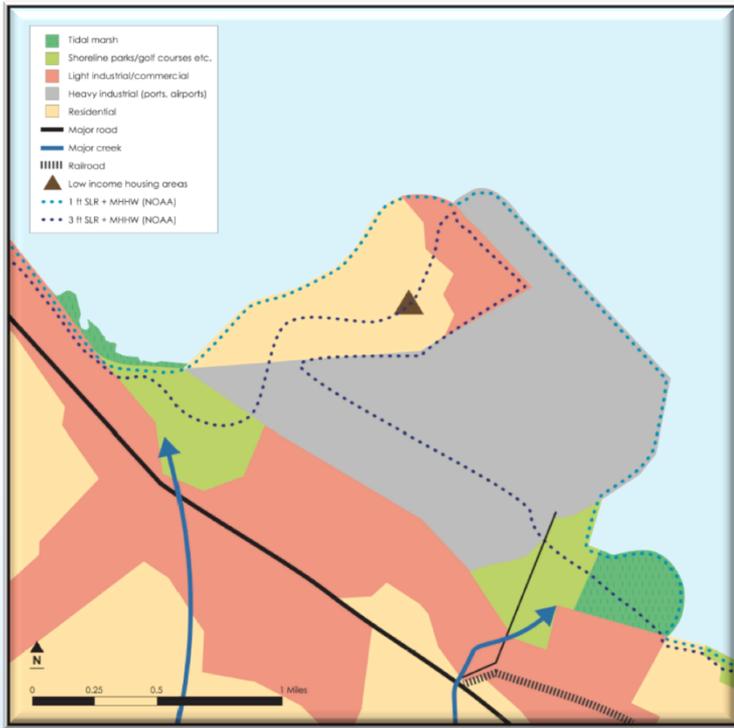
1. How to evaluate tide gate impacts on long-term land use decisions and natural processes?
2. How to weigh long-term potential public benefits over short-term impacts?
3. How should mitigation be evaluated for sea level rise adaptation projects?

Case Study – Transportation



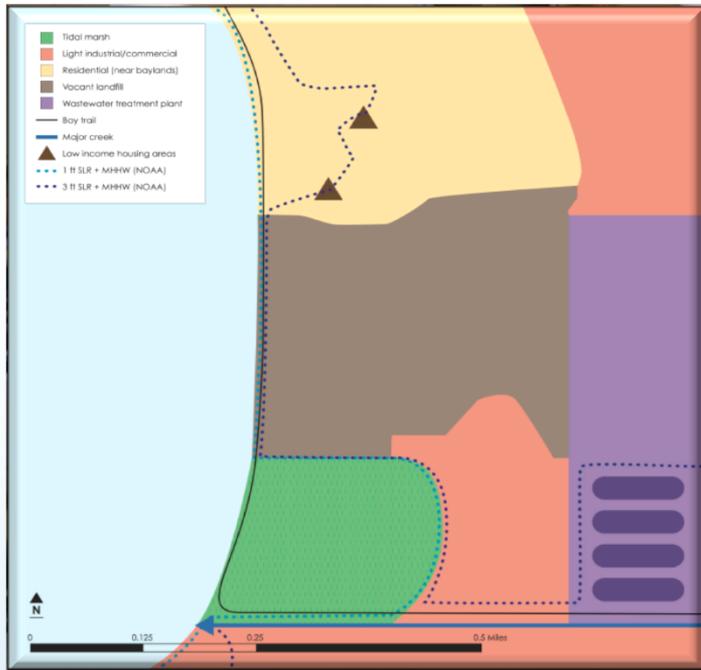
1. How to encourage innovative sea level rise approaches and minimize the potential of failure?
2. How to weigh long-term potential public benefits over short-term impacts?
3. How should mitigation be evaluated for sea level rise adaptation projects?

Case Study – Airport



1. Should there be an adaptive management plan for every project?
2. Should BCDC or another agency have authority to compel applicants to protect adjoining properties?
3. How to consider Environmental Justice in context of shoreline adaptation?

Case Study – Contaminated Lands



1. How ensure applicants explore non-structural methods of shoreline protection?
2. When a project is proposed on a contaminated site, what should an adaptive management plan consist of?
3. What can BCDC do to consider possible mobilization of contaminants?

Policy Themes



1. Fill for Resilience and Adaptation – Wetland Habitat Protection
2. Fill for Resilience and Adaptation – Innovative and Green Shoreline Protection
3. Environmental Justice and Social Equity Policies
4. Adaptive Management Policies

Policy Findings



1. Fill for Resilience and Adaptation – Wetland Habitat Protection

- BCDC’s law, policies and practices regarding fill were not designed for rising sea levels
- Wetland habitat protection may, in certain cases, require larger amounts of fill
- Restoring, conserving and protecting certain wetlands may require fill that results in short-term impacts and/or habitat conversion
- There is significant uncertainty about the amount of fill needed to protect wetland habitat

Possible Actions:

Fill for Resilience and Adaptation – Wetland Habitat Protection



1. Organize and work with partners to develop guidance/ best practices for minimizing fill for wetland habitat protection
2. Ask applicants to identify tradeoffs between long-term benefits of fill for wetland resilience versus short-term impact of fill placement; use for mitigation, public access permit conditions
3. Develop region-wide permit for SLR habitat resilience and adaptation projects
4. Evaluate Bay Plan, legislative amendment process

Policy Findings



- ## 2. Fill for Resilience and Adaptation – Innovative and Green Shoreline Protection
- BCDC permits fill for innovative, green shoreline protection projects on a case-by-case basis, however a more regional approach is warranted
 - Public access and mitigation requirements can make innovative or green shoreline projects expensive and difficult to implement
 - It is unclear if BCDC's current law and policies would permit fill on the scale necessary for region-wide adaptation and resilience

Possible Actions:

Fill for Resilience and Adaptation – Innovative and Green Shoreline Protection



1. Organize and work with partners to develop guidance/ best practices for innovative, green shoreline protection solutions for SLR
2. Provide green shoreline project applicants technical support via a “help desk”
3. Develop region-wide permit for SLR green shoreline protection projects
4. Use special area plan and priority use area jurisdiction to encourage innovative green shoreline projects
5. Evaluate Bay Plan amendment process

Policy Findings



3. Environmental Justice and Social Equity Policies

- BCDC’s project-by-project approach and limited jurisdiction make it difficult to address environmental justice
- Projects within priority use areas may allow for more consideration of environmental justice and social equity principles
- BCDC’s ART Program is supporting local governments assess and take action to improve the climate resilience of vulnerable and disadvantaged communities

Possible Actions: Environmental Justice and Social Equity Policies



1. Continue highlighting disadvantaged community vulnerabilities, as well as resilience and adaptation opportunities, via Adapting to Rising Tides program
2. Actively engage environmental justice communities in BCDC planning and permitting processes
3. Explore amending Bay Plan to include policies on social equity and environmental justice

Policy Findings



4. Adaptive Management Policies

- BCDC’s limited shoreline band jurisdiction means many potentially high-risk projects are not required to have an adaptive management plan
- Contaminated lands at risk from sea level rise do not have adaptive management plans
- Clear guidance is needed for what should be included in an adaptive management plan, e.g., what are the thresholds and triggers for action? What are the potential cumulative impacts on adjacent properties?

Possible Actions: Adaptive Management Policies



1. Work with partners to develop criteria and guidance for adaptive management plans and risk assessments
2. Require projects to include key thresholds and triggers for adaptive management action, e.g. number of days public access may be closed
3. Increase coordination and collaboration with RWQCB to ensure contaminated lands are adaptively managed to protect environmental and human health

Open House



1. Is there anything from this project that is not represented in the findings?
2. Were there any actions that stood out to you?
3. Did you think the 4 policy themes adequately captured all the issues we discussed in this project?

Next Steps



- Continue working with BCDC staff on findings and recommendations
- May 31st – Share draft report with Steering Committee
- June 16th – Commission briefing
- June 30th – Finalize report and submit to NOAA OCM
- Summer/Fall – Identify implementation approaches and timeline for action

Policy Findings



1. Wetland Protection

- McAteer-Petris not designed for SLR
- Wetland resilience may require fill placement
- Significant uncertainty in amount, success

2. Innovative Green Shorelines

- A project-by-project approach is limited
- BCDC fill and public policies may hinder innovative approaches
- Significant uncertainty in amount, success

3. Environmental Justice

- Significant issues exist, SLR may exacerbate them
- BCDC authority is severely limited in addressing environmental justice
- ART is a start but not enough

4. Adaptive Management

- BCDC has no guidance/requirements
- Policy doesn't apply to shoreline band
- Impact to adjacent communities should be included in adaptation plans

Project Process – Interviews



- BCDC staff and steering committee member perspectives on:
 - Beneficial fill
 - Public Access and Recreation Policies
 - Environmental Justice and Social Equity
 - Challenges for both Regulators and Permittees in developing adaptation projects

Project Process – Policy Analysis



- Which laws and policies are applicable to resilience and adaptation projects, and what are their limitations?
- Are there gaps, conflict and uncertainty within or between certain policies?

Steering Committee Members

