

# San Francisco Bay Conservation and Development Commission

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December 6, 2016

**TO:** Bay Fill Policies Working Group Members

**FROM:** Steve Goldbeck, Deputy Director (415/352-3611; [steve.goldbeck@bcdc.ca.gov](mailto:steve.goldbeck@bcdc.ca.gov))

Brenda Goeden, Sediment Program Manager (415/352-3623; [brenda.goeden@bcdc.ca.gov](mailto:brenda.goeden@bcdc.ca.gov))

**SUBJECT: November 17, 2016 Commission Bay Fill Policies Working Group Meeting Summary**

**1. Roll Call, Introductions, and Approval of Agenda.** Bay Fill Policies Working Group (BFPWG or Working Group) Chair Barry Nelson called the meeting to order at the Port of San Francisco Board Room, Second Floor, at approximately 11:03 a.m. and asked everyone to introduce themselves.

Working Group members in attendance included Chair Barry Nelson and Commissioners Jason Brush, Katerina Galacatos, Anne Halsted, and Jim McGrath. Staff in attendance were Erik Buehmann, Brenda Goeden, Steve Goldbeck, and Lindy Lowe. Also in attendance were Matt Brennan, PhD, (Environmental Science Associates), Ric Notini (Cargill), and Jill Singleton (Cargill).

Chair Nelson asked staff to track and report on federal funding, especially as it relates to climate change and sea level rise, as a part of future meeting agendas. Commissioner Jim McGrath stated the need to better advertise the Working Group meetings and outreach to stakeholders in the near future.

**2. Approval of October 20, 2016, Meeting Summary.** The Working Group members approved the meeting summary for October 20, 2016, as presented.

Brenda Goeden, the BCDC Sediment Program Manager, stated she and Steve Goldbeck, the Chief Deputy Director, chose the briefing topic of projects with adjacent low-lying areas for the Work Group, because of its importance and that the Commission is already reviewing projects with this issue. It was not one of the topics requested by the Work Group topics, but important to cover from the staff perspective.

Brenda brought up the issue of the proposed Bay Fill Work Group hosted Commission workshops and the time necessary to prepare for them. She suggested either beginning future meetings earlier or having additional meetings to allow time for workshop planning and discussion. The members stated that starting earlier may be difficult due to additional standing meetings, but were not opposed to an additional meeting in the coming months. Chair Nelson asked staff to bring an updated calendar to the next Work Group Meeting.

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**BAY FILL POLICIES WORKIING GROUP SUMMARY**  
**November 17, 2016**

### **3. Discussion Regarding the Commission's Approval of the Sea Level Rise Workshop Recommendations.**

Ms. Goeden stated that in regards to implement the policies, particularly those pertaining to rising sea levels, the Commission works on a project-by-project basis. There are no policies currently in place that adequately address the issue of projects with adjacent low-lying areas. The policies with some connection to the issue were provided in the meeting packet. Lindy Lowe, Acting Planning Chief, Stated she invited Erik Buemann, the BCDC Principal Permit Analyst, to attend this meeting because he has been the lead on many of these types of projects. Ms. Lowe highlighted sites identified during the Adapting to Rising Tides (ART) program work.

Ms. Lowe provided an overview, accompanied by a slide presentation, of the future flood risk of Oakland International Airport, Bay Farm Island, Oakland Coliseum, Damon Slough, Port of San Francisco, Pier 30-32, and Mission Rock, Caltrans assets identified by ART vulnerability studies, the Bay Bridge area, shoreline overtopping areas, longer-term, broader solutions, flooding in developed areas, coastal flooding, riverine flooding, and tools and options. She stated the importance of paying attention to the watershed and the low spots, particularly if they are adjacent to creeks and channels that can flood from the land side.

#### **Questions and Discussion:**

Commissioner McGrath stated BCDC material needs to distinguish between sea level rise flooding and fluvial upland sources because the mechanics are different. In the case of the airport, when flooding is addressed on the shoreline that retards flooding in any way, it will actually exacerbate flooding, which will make a huge environmental justice issue. He asked Matt Brennan, Senior Coastal Engineer, Environmental Science Associates, if he agreed that putting levees where there is no fluvial component will exacerbate flooding, such as many of the solutions to Damon Slough to protect coastal property. Dr. Brennan agreed that on the coastal side, on a project-by-project level, this would likely have an impact unless building a set-back levee cuts off internal drainage pathways. Ms. Lowe stated that this is one of the problems with the airport levee solution. She stated asking project- by-project proponent to solve this problem is not the way to go. Mr. Goldbeck stated implications of local actions on region should be addressed on a regional planning level. Commissioner McGrath stated that this is where the Regional Water Board becomes important because they have authority on the changes to fluvial systems. The question is how to get that analysis done.

Ms. Lowe stated staff has a model of how to do that analysis. She agreed it would be great to have that analysis done for all fluvial systems. She stated, with the Port of San Francisco example, there needs to be a system-wide approach. It is highly inefficient and burdensome to individual homeowners to raise their homes. Commissioner McGrath stated the need to include the duration of the flood when thinking about islands. Mr. Buemann discussed the challenges associated with sites that the Commission has seen in other proposals, such as Phoenix Commons and Blue Harbor developments.

Chair Nelson stated ART is a regional strategy that addresses issues in a thoughtful, regional

way, but that conversation must be pushed farther to determine how to advance the ART process. He stated he had not been thinking so much about the island effect and asked if the Commission should address that in some way, or if it is an ART project challenge for other entities to address. Ms. Goeden stated some of it is leveraging partners, such as the Regional Water Board, to address components that are out of the Commission's authority. She directed Work Group members' attention to Policy Number 3, the last policy provided in the meeting packet: Other Uses of Bay and Shoreline, and stated this policy may need to be updated as the sea level rises as it currently directs the Commission to concentrate housing at the Bay shoreline.

Dr. Brennan stated another potential loophole for shoreline projects is the idea that, if the environment affects the project, then the California Environmental Quality Act (CEQA) does not need to be considered. Ms. Lowe stated the need for a set of phased approaches to apply, but there currently is no entity tasked to do that and the tools are not yet in place. Chair Nelson suggested conducting the ART program analysis around the Bay so that, when the mature ART projects are added together, they resemble a regional adaptation plan. That process will inform the funding and institutions needed in order to implement.

Mr. Goldbeck stated part of what the Work Group looks at is not the long-term solution for the whole sea level rise, but policies, asking what needs to be changed, added, or removed during the process of reaching that long-term solution. The way the policies are now, while the regional strategy is being prepared.

**4. Commission Workshop Planning.** Ms. Goeden stated three workshops on Bay fill policies and rising sea levels will begin in March, but the Work Group has not yet discussed structure, documents, or information to be provided as part of the workshops, such as reports, options, and slide presentations, and also background information to be disseminated prior to the workshops for Commissioners and the public. While there was not time left in the meeting agenda at this meeting, it was acknowledged that it is necessary for this work to get underway.

#### **Questions and Discussion:**

Mr. Goldbeck agreed with Chair Nelson's previous suggestion of having separate workshops on habitat work, the built environment, and another that is integrative or more informative to get participants up to speed on the issues to be discussed in the habitat and built environment workshops. Commissioner McGrath stated the purpose of a workshop is to generate ideas, establish political organization, and identify potential conflicts to work through. He suggested including maps so participants will have some basis for understanding the physical constraints in a looser form than charts but more focused to solicit opinions. Commissioner McGrath suggested the Harbor Park workshop model with the multiple-room format to learn what resonated most among the participants.

Commissioner Anne Halsted stated using physical examples, such as Highway 37, stimulates more thinking when participants understand the environment, setting, and constraints. Ms. Goeden stated the focus of the Work Group is the policy issues associated with different projects. After using the example maps and diagrams of past projects, it needs to translate into

the policy challenges associated with them. The Chair Wasserman would like the Work Group to come up with recommendations for how to address limitations of the Bay Plan regarding Bay fill adapting to sea level rise, and the workshops are intended to gather public input on how to move forward. Commissioner McGrath suggested a workshop on transportation solutions.

5. **Adjournment.** There being no further business, Chair Nelson adjourned the meeting at 12:36 p.m.