

San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600 fax 888 348 5190
State of California | Gavin Newsom – Governor | info@bcdc.ca.gov | www.bcdc.ca.gov

DRAFT MINUTES

TO All Commissioners and Alternates

FROM: Lawrence J. Goldzband, Executive Director (415/352-3653;
larry.goldzband@bcdc.ca.gov)

Sierra Peterson, Executive & Commissioner Liaison (415/352-3608;
sierra.peterson@bcdc.ca.gov)

SUBJECT: Draft Minutes of November 7, 2024, Hybrid Commission Meeting

1. Call to Order. The hybrid meeting was called to order by Chair Wasserman at 1:03 p.m. The meeting was held with a principal physical location of 375 Beale Street, San Francisco, California, and online via Zoom and teleconference.

Chair Wasserman stated: Good afternoon, all, and welcome to our hybrid meeting of our BCD Commission. My name is Zack Wasserman, and I am Chair of the Commission. I want to thank the Commissioners who have attended here at Metro Center in person, as well as acknowledge those who are participating virtually.

Chair Wasserman asked Ms. Peterson to proceed with Agenda Item 2, Roll Call.

2. Roll Call. Present were: Chair Wasserman, Vice Chair Eisen, Commissioners Addiego, Ahn, Beach, Benson, Burt, Eklund, El-Tawansy (represented by Alternate Ambuehl), Gioia, Gorin, Gunther, Hasz, Lucchesi (represented by Alternate Pemberton), Mashburn (represented by Alternate Vasquez), Peskin, Ramos, Ranchod, Showalter, Tam (represented by Alternate Gilmore) and Zepeda (joined after Roll Call). Assembly Representative Ting (represented by Alternate John-Baptiste) was also present.

Ms. Peterson announced that a quorum was present.

Not present were Commissioners: U.S. Environmental Protection Agency (Blake), Department of Natural Resources (Eckerle), Governor (Randolph), Santa Clara County (Lee), Marin County (Moulton-Peters), San Mateo County

(Pine),

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

Dani Lanis commented: I wanted to address the Board and invite you to the fifth annual anniversary ride of the Richmond-San Rafael Bridge Trail that is coming up on Saturday, November 16. We are meeting at the Richmond BART Station at 10:00 a.m. There will be an opportunity to borrow an e-bike for free from a community, a local community organization, Rich City Rides. If you would like to find out more on how to borrow a bike feel free to connect with us. You can go to bikeeastbay.org/rsr. Thank you so much. I look forward to seeing you there.

Chair Wasserman continued to the Report of the Chair.

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

A. Thoughts on the Election: We are condemned to live in interesting and challenging times. Many are still reeling from a number of results from this week's election; and like it or not, it is the reality we are going to face.

There is no question that it will have some likely significant and not helpful effect on what we are trying to do at BCDC. Many of the people who supported the winning tide are in one fashion or another, climate deniers. We have dealt with this for a long time. But we have not felt we have had to deal with it a lot more recently. That is going to change. But we have dealt with it before, and we are going to deal with it again.

It also means that it is highly unlikely that we are going to receive over the next four years, help from the federal government in adapting to rising sea level. I want to point out that nothing is impossible, and I have got some thoughts, I will share a couple of them that we will work on. That we have work to do even in that regard.

We do have a strong congressional delegation from California who recognizes the importance of what we are doing and who certainly recognizes the challenge of our changing climate. And one of the things we are going to need to do is to spend more time and effort on education. Perhaps a little bit more nationally and focused on Washington than locally. But we are going to have to do both, and we are going to do both.

It means we are going to have to work even harder. It means we are going to have to work even more strongly, collectively, cooperatively, and it means we are going to have to be more creative. We know we are capable of doing all of those things. Some of them we have done very well. Some of them

we could have done better at, and we are going to have to do better at.

But it does not change what we are about. It does not change the need for what we are doing. And it does not change the fact that we are privileged to live in one of the most wonderful places in the world. So, we will dig in and keep going.

B. Report from Commissioner Showalter: With that, you will remember that at our last meeting, Commissioner Showalter announced that she would hold a meeting for Santa Clara County elected officials and staff to talk about resilience to rising sea level. I understand that meeting was a great success, and I would like her to give us a short report on that and any suggestions that came out of that.

Commissioner Showalter reported the following: Yes, it was quite a success. I was really delighted. We have five official shoreline cities in Santa Clara County and an additional one, Santa Clara, that has impacts.

We were able to convene representatives from all of those five cities, in addition NASA. As you know, NASA is responsible for Moffett Field, which is right on the Bay where the President lands in Air Force One. It has a whopping elevation of from one to three, so they know that sea level rise is a big deal.

Anyway, 34 people took part. We heard the story of what is being done in Santa Clara County right now for sea level rise protection. We heard from Valley Water, John Bourgeois, about what is happening in San Jose and around Sunnyvale and NASA. We heard from BCDC, Dana and Jessica gave a great discussion of the RSAP. We heard from Mountain View, Raymond Wong, he talked about our restoration project that is ongoing. We heard from Julie Weiss from Palo Alto. She talked about their SAFER Bay project that is moving forward.

And we also heard about a county collaborative that is going on related to climate resilience in general, of which sea level rise is only one small part, and that has all been staff focused.

So, this was really the first time, I think, we got Santa Clara County elected officials together to hear the story at one time, in one piece, of what we are doing right now. So, I was really pleased with that.

Then we, of course, had to discuss what is the future; and we talked for a little while. The general consensus that we should send our staff off to talk about what would be the best way to collaborate moving forward on a multi-jurisdictional RSAP or not. And so, we are expecting to hear back from them in approximately six months.

So, that is basically the upshot of it and thank you to BCDC staff in particular for helping get this all together.

Chair Wasserman acknowledged: Thank you, Pat. Any questions for Pat on that question?

Commissioner Eklund asked: Pat, I was wondering, could you send us a copy of the agenda for that meeting?

Commissioner Showalter answered: Sure. Yes, I can send you a copy of the agenda. And we also have, I think we have the PowerPoints that were circulated to everyone who took part in the meeting.

Commissioner Eklund continued: That would be great if we could have that as well. Thank you so much for this and for sharing the information.

Commissioner Showalter acknowledged: All right, take care.

Chair Wasserman recognized Commissioner Gunther: Thank you. Andy, go ahead.

Commissioner Gunther stated: I just wanted to follow up on your comments about potential rise of climate denial. I spend a lot of time doing climate science education. I want all my colleagues on the Board to know that I am a resource. So, if you are dealing with a constituent who is asking questions that you do not know how to deal with, you are welcome to dump them in my lap and see if I can help. I am always available to do climate change education presentations in your community as necessary.

Chair Wasserman continued: Thank you, and we may well call on you to develop our Washington DC Educational Program.

I did leave out one important thing that Larry reminded me, and he will talk further about in detail, but again, a sign of hope was the solid passage, not all the votes have been counted but it is pretty clear, of the Climate Bond in the state of California, which will provide billions of dollars for us, for the state, but a significant amount for the Bay Area, and Larry will talk about that in a little more detail. But that does demonstrate that we here, as much as it may be a bubble, are not ignoring our problems and are working and voting to solve them.

C. Commission Schedule: I will describe the agenda for our next meeting in a minute or so. But first I want to remind all Commissioners and the public that our December 5 Commission meeting will be reserved and focused on considering the Regional Shoreline Adaptation Plan. Staff is working hard on preparing their recommendation that will include a list of changes to the draft

we have previously seen based on discussions at the public hearing on October 17 and other public input.

I want to remind the Commission that because the Regional Shoreline Adaptation Plan will be considered as part of a Bay Plan Amendment, its approval requires 18 affirmative votes. That is a not-so-subtle reminder you really need to be at that Commission meeting, and you really need to be prepared to be at the Commission meeting on December 19 because we may not wrap it up on the fifth.

And I am working to make sure that I can participate in the meeting on the 19th of December even though I will be out of the country. There will also be some regular items on December 19.

I urge you to use our new website's easy to read calendar listing all the Commission public meetings, including our working groups, the Enforcement Committee and DRB and ECRB meetings.

D. Next Meeting: The next meeting will be in two weeks on November 21. At that meeting we expect to consider the following agenda items:

1. A vote on the staff recommendation that follows today's public hearing on the permit application of PG&E and the Port of San Francisco to begin their remediation project in San Francisco on the waterfront.
2. A briefing on Howard Terminal Port Priority Use Area given the Athletics' decision to leave Oakland.
3. And a briefing on progress so far on the Commission's Strategic Plan.

E. Steve Goldbeck's Retirement Party: I also want to thank all of you who participated and attended Steve Goldbeck's retirement party at the end of our last Commission meeting. I know that Steve was very touched by the turnout. He also told several of us how important it was for him to take a real break after leaving BCDC, how many years, 38 years, to get his bearings, and in the words of our Executive Director, to start to unwind. But I know that we will see Steve in the future and that he will continue to be a part of our efforts and assistance to us.

F. Ex Parte Disclosures: That brings us to the ex parte disclosure section of our agenda. Commissioners, in case you have inadvertently forgotten to provide staff with a report on any written or oral ex parte communications about adjudicatory matters, please do so as soon as possible because they need

to be in writing. Remember that your written report should be detailed enough for the public to understand the conversation's main topics and who participated. If you wish to make a verbal presentation, now is the time to do so. I would urge you to limit that to two minutes or so. And again, this is only required on adjudicatory matters, not on policy matters. Any ex parte communication? I see no hands.

That brings us to Item 5, the Report of the Executive Director.

5. Report of the Executive Director. Executive Director Goldzband reported: Thank you, Chair Wasserman.

On this day in 1913, the great actress Vivien Leigh was born to an English family living in India. After returning to England very early in her life, Leigh became a British starlet who broke out of typecasting to win two Academy Awards. She beat out Katharine Hepburn and Bette Davis for the role of Scarlett O'Hara in "Gone with the Wind," and was an amazing Blanche Du Bois opposite Marlon Brando in "A Streetcar Named Desire."

But why do I bring up Vivien Leigh two days after an election? Because I thought of her yesterday morning after the election for a particular reason. Despite the change in Presidential leadership, I want to stress that I do not foresee BCDC's work as changing, in large part because our gubernatorial administration won't be. We will continue to work with permit applicants who want to develop projects appropriately. We shall continue to lead the Bay Area's rising sea level resilience work.

And there is some good news as Chair Wasserman stated. The State's Climate Bond appears to have been approved by a significant margin, and that will provide \$1.2 billion of funding for rising sea level resilience projects along the coast and around the Bay. And I can already see Commissioner Stephen Benson sweating as he thinks about how he is going to figure that one out in time for the Governor's next budget.

So, why did I think of Vivien Leigh yesterday? Because after Rhett Butler told Scarlett that he didn't give a damn what happened to her, she pulled herself up again and ended the movie by exclaiming that "tomorrow is another day." We at BCDC shall do our utmost to ensure that we accomplish BCDC's mission today, tomorrow, and in the future. That the Bay Area prospers environmentally, economically, socially, and sustainably. BCDC work is an important part of that Bay Area future and we on staff look forward to working with you through the rest of the year and beyond to accomplish that goal.

I am very happy to let you know that for the first time in what seems like months I don't have any new staff members to introduce to you. However, I do want you to know that Reyлина and our budget guru Sean Williamson and I continue to review and monitor BCDC's budget in light of the budget reduction drills promulgated by the Department of Finance. I think it is likely we will know more around the time of the Governor's budget proposal in early January, so we will keep you informed.

In a first so far as we know, we received a request for a Consistency Determination from the U.S. Army Corps of Engineers without knowing it. It turns out that the request, sent via email and aimed to revise a very standard policy, was sent to Steve Goldbeck's former email address. The Corps' submittal sat in Steve's former inbox for three months until it finally found its way to Bay Resources Permit Manager Julie Garren.

The good news, however, is that while BCDC staff were unable to bring the Corps' proposed renewal of the policy to the Commission's attention before the Corps renewed it, the quick staff review found no substantive concerns regarding its consistency with BCDC's laws and policies. And, we have changed our internal processes because of the incident.

Some good news to end with. Two major public access projects reached completion in San Francisco. On October 19, the San Francisco Recreation and Parks Department and the Port of San Francisco hosted the grand opening of the Waterfront Park at 900 Innes in the Bayview-Hunters Point neighborhood. You may recall the Commission approved a major permit for this 2.5-acre park 30 months ago, which has transformed an historic maritime industrial site into a park designed with an environmentally justice-challenged community to provide cultural, educational, recreational, and economic opportunities.

And just days later, Bayfront Park in front of the Chase Center opened. The almost 6-acre park was approved by the Commission 24 years ago. The Park is the final piece of a 17-acre public access area that opens another formerly industrial waterfront site for public use. It provides additional bicycle and pedestrian connectivity along the southern shoreline.

One fun thing to look for at the Park are the many benches and other fixtures fashioned out of old segments of the Bay Bridge's original eastern span. It is great to see the impact the Commission's policies make when it comes to expanding opportunities for the public to experience and enjoy the Bay.

And finally speaking of public access. Caltrans recently released its Fiscal

Year 25/26 Sustainable Transportation Planning Grant Application Guide. There is a total of \$37.7 million available statewide, which can fund your local active transportation plans including bicycle, pedestrian, and trail master plans and studies, or plans that include temporary quick-build projects, including those for the Bay Trail. I will put the active links into my meeting summary if you are interested.

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

Chair Wasserman asked: Thank you. Any questions for Larry?

Commissioner Peskin spoke: We approved this the park 24 years ago?

Executive Director Goldzband replied: The Park was part of the entire Mission Bay Master Plan. So, when the Commission approved the Master Plan it approved that area park. Now, you should know that that does not mean that they go out and simply build the Park. They certainly worked with the Commission staff, et cetera.

And one of the great things about that Park is they designed it with adaptation in mind. And so, when you go down there you will see a number of different aspects of that Park that totally relate to the fact that the Bay is going to rise. So, if they had built that in the year 2000 when it was approved, it would have been a fundamentally different thing. And so, the whole Mission Bay Project is part of a big master project development.

Commissioner Peskin added: A few things happened along the way, including the dissolution of redevelopment in the state of California.

Executive Director Goldzband continued: And I should also add, and the move by the Warriors down to the Chase Center, which is directly across Terry Francois Boulevard. And so, the Warriors were also part of the design team that made sure that the whole thing works well.

Chair Wasserman asked: Any other questions?

Seeing none, that brings us to Item 6, our Consent Calendar.

6. Consent Calendar

a) Approval of Minutes for the October 17, 2024, Meeting

Chair Wasserman reviewed the items on the Consent Calendar and called for public comment.

(No members of the public addressed the Commission.)

Chair Wasserman asked for a motion and a second to adopt the Consent Calendar.

MOTION: Commissioner Eklund moved approval of the Consent Calendar,

seconded by Commissioner Peskin.

VOTE: The motion carried with a vote of 17-0-4 with Commissioners Addiego, Ahn, Ambuehl, Benson, Burt, Eklund, Gilmore, Gioia, Gorin, Pemberton, Peskin, Ramos, Ranchod, Showalter, Vasquez, Vice Chair Eisen and Chair Wasserman voting, “YES”, no “NO” votes, and Commissioners Gunther, Hasz, Zepeda, Beach voting “ABSTAIN”.

7. Consideration of Administrative Matters. Chair Wasserman asked if there were any questions for Regulatory Director Harriet Ross regarding the Administrative Listing.

(No questions were posed to Ms. Ross.)

(No members of the public addressed the Commission.)

8. Public Hearing on Pacific Gas & Electric (PG&E) and the Port of San Francisco is Proposed Major Permit for the Piers 43½ - 39 Sediment Remediation Project. Chair Wasserman stated: That brings us to Item 8, which is a public hearing on the application of Pacific Gas and Electric Company and the Port of San Francisco to initiate their Proposed Piers 43½-39 Sediment Remediation Project. This project would remove over 100,000 cubic yards of contaminated sediment and debris from five separate areas over 8.7 acres of subtidal habitat and then stabilize, cap, and place riprap on and along the shoreline revetment areas. The project is estimated to last five to seven years.

I want to remind Commissioners and the public that we will not be voting on the application today. We plan to schedule that vote, as I mentioned earlier, for our November 21 meeting.

Pascale Soumoy will provide the briefing and then we will open the public hearing. Commissioners may ask clarifying questions prior to public comment, after those questions we will take comment from the public, and then Commissioners may share their thoughts or ask further questions. Pascale, please go ahead.

Ms. Soumoy presented the following: Good afternoon, Chair Wasserman, and Commissioners. My name is Pascale, and I am here to present to you today a project that has been long in the making and has several years of detailed preparations behind it.

It is a cleanup and remediation project focused on the removal of polycyclic aromatic hydrocarbons, also known as PAHs, that have impacted the sediment along the shoreline of San Francisco’s Piers 39 and 43½.

Co-applicants are PG&E and the Port of San Francisco.

PG&E is responding to a Water Board clean up and abatement order

issued in 2022, and the Port is the property owner.

PG&E has teamed up with Haley and Aldrich and Integral Consulting to develop a cleanup plan that addresses not only the requirements of the cleanup order, but also many facets of the area requiring particular care and attention.

The Piers 39-43½ Sediment Remediation Project is proposed to begin in the spring of 2025 and take five to seven years to complete.

Over the course of the application period, it became apparent that to complete the project other Port tenants would need to temporarily relocate facilities. This would trigger separate permit amendments, the first of which is underway, and that is the moving of the Red and White Fleet facilities.

Each of the five remediation areas will require dredging, pile driving, filling of the dredged area with capping materials, as well as the deployment of turbidity curtains and additional erosion protection. All of this would happen in a highly visited area along the Embarcadero. In anticipation of this complexity, the applicants worked with resources agencies, California Fish and Wildlife, U.S. Fish and Wildlife and National Marine Fisheries to develop a work plan and minimization measures that were protective of fish and wildlife.

A project of this size also has its impacts, mainly to water quality and habitat due to the dredging, capping and pile driving. To address this, the applicants will minimize impacts by deploying turbidity curtains, the use of vibratory hammers to pile drive, only using impact hammers as needed, as well as employing marine mammal observers to ensure that no animals or marine mammals are harmed by the project. Recognizing that the surface of the cap is unlike the muddy Bay bottom, the applicants also propose either a layer of sand to accelerate the accretion of silt or a layer of multi-sized stones and shaped stones attractive to fish.

These activities are reflected in several Bay Plan policies. Water Quality, Fish and Wildlife, Dredging, Safety of Fills, Public Access, are all being addressed in the recommendations.

This project also raised several issues. Is it consistent with the Bay Plan policies?

Is the removal of the contaminated sediment being done in a manner that is protective of the Bay, fish species, infrastructure and the public?

Is the public engagement sufficient to address our EJ policies?

Is the proposed public access improvement consistent with Bay Plan policies?

And finally, is the proposed mitigation appropriate for the amount of fill necessary?

This is all being considered in our recommendations. So, Chair Wasserman, Commissioners, this concludes my presentation, although brief, and I would like now to introduce you to those who will be presenting more details and project background specific to this project. Ms. Jessica Watkins, who is the Chief of Groundwater Protection and Waste Containment Division for the Regional Water Quality Control Board, Mr. Luke Vernagallo, who is the PG&E Project Manager, and Ms. Paula Gill of Integral Consulting, who has been my main contact on this project. And I thank you very much for your attention, Chair and Commissioners, and I will turn this over to Ms. Watkins.

Regional Water Quality Control Board Chief of Groundwater Protection and Waste Containment Division Watkins addressed attendees: Hi, everyone. Thank you for the introduction, for introducing my colleagues who will be speaking after me., like she said, I represent the San Francisco Bay Regional Water Quality Control Board in Oakland. So, today we will provide a project summary on the Piers 39-43½ Sediment Remediation Project.

In this presentation, we will cover the remediation regulatory history, project purpose, project overview, environmental protections, public outreach and engagement, and there will be time for questions and discussion at the end.

The Water Board has been directing investigation and cleanup at this site since 2014 and the Water Board is the CEQA Lead Agency for the remediation project.

PG&E conducted sediment sampling between the piers from 2017 through 2020.

In September 2021 a feasibility study and an action plan was submitted to the Water Board. We call this a remediation plan. And the Water Board held a public comment period to solicit public input on that document.

In early 2022 the Water Board adopted the CEQA Initial Study and Negative Declaration for the project.

And then adopted the cleanup order approving the proposed remediation.

The Water Board order requires PG&E and the Port to remediate the sediment contamination between Pier 39 and Pier 43½ that poses potential current risk or future risk at the site. The approved remedial approach is a combination of dredging, capping and institutional controls.

An addendum to the Remediation Plan was approved and a CEQA Addendum was completed in September, so a couple months ago.

The objective of the project is to remove and/or cap PAH-contaminated sediments where receptors are currently exposed or potentially can be exposed in the future. Under the oversight of the Regional Water Board, PG&E and the Port of San Francisco are working together to address sediment impacts from the former operations of a former manufactured gas plant. This includes the engineering, construction, permitting and environmental compliance plans for the project. PG&E and the Port are working together with tenants, the community and regulatory agencies to minimize temporary impacts from the project and find ways to protect public health.

So, I will hand it over now to Luke Vernagallo with PG&E to provide a more in-depth view of the project. Thank you.

PG&E Environmental Remediation Project Manager Vernagallo presented the following: Thank you, Jessica. Good afternoon, Commissioners. My name is Luke Vernagallo, I am with Pacific Gas & Electric. I am an Environmental Remediation Project Manager.

I want to walk you through the project overview and provide you some more details building on what Jessica just outlined and also what Pascale outlined in her presentation deck.

So, remediation is anticipated to start in 2025. Looking at the graphic here. We will be starting on the west side, which is the left side of the screen, at Pier 43½, and progressing to the east, so Pier 43, and then down to Pier 41½, and then ultimately concluding construction in 2029 in the Pier 39 East Basin, which is Area E.

It is important to note that there is a seasonal window to this construction. The seasonal window each year is June through November annually, and that is constrained by a species constraint. The overall project is currently anticipated to take five years, so the work will be done consecutively each year. And the total overall area of impact is right now just under 11 acres.

I would also like to draw your attention to the different colors on the screen. This is a multi-tiered approach to this response. So, what we have on the screen here is the blue color or the teal color depending on how your screen displays it, is a dredge and cap approach. The yellow, which is predominantly shown in Area B as the dredging only and that is due to the current elevation of the sediment out there. Area C, which is in the 2026 year, has a capping only portion. And then there are large areas that are institutional

controls only. Those are predominantly found at the tail end of Area C and on the right side or the eastern side of Area E.

Would also like to reiterate what Pascale mentioned about us working with the various tenants out there. There has been a concerted effort with the Port of San Francisco to make sure that we are in coordination with the impacted tenants such as the Red and White, Blue and Gold and the Pier 39 operators in this work area.

In a typical year, construction activities will include site preparations, which includes relocating infrastructure as needed; dredging and off-site sediment handling; sediment pin pile installation; capping and armoring; and demobilization. All activities will comply with required local, state and federal permitting. And to follow on what Jessica introduced the project with, all work is being done under the oversight of the Water Board and they will be retaining an independent third-party inspector to ensure compliance and ensure that we are meeting all the objectives of their order.

In the following slides I am going to continue to talk about our operations, but I wanted to zoom in on our first work area which is the 2025 work. So, I will be using that as the basis of the discussion for the next couple slides.

To support the remediation in the first area, which is remediation of Pier 43½, there is a considerable amount of site preparation work that needs to happen. That work needs to happen in advance of the June in-water work group. As shown on this map, the remediation area is bound by the orange outline in the center of the screen. And the area that needs to be remediated is directly under where the Red and White Fleet is currently located.

As such, the team has been coordinating temporary relocations with both the USS Pampanito Submarine and the Red and White Ferry ahead of the remediation and in coordination with the Port of San Francisco. What that looks like is the USS Pampanito will be located, which is the yellow box, north on Pier 45 under a port maintenance permit; and the Red and White Ferry will be relocated to the position currently retained by the Pampanito, which is the blue box, ahead of the remediation.

Following that, prior to the remediation dredging activities, turbidity curtains will be installed to support the environmental remediation dredging.

The project team will coordinate with the US Coast Guard navigational aids and make the appropriate public notifications.

As mentioned, the total volume of contaminated sediment to be removed

is just under 103,000 cubic yards across all five work areas. The process by which this will happen is contaminated sediments will be dredged and loaded onto barges. Barges will transport the material to a material handling facility for processing, and then ultimately loaded into trucks for transportation to the final disposal facility at the landfills.

To ensure that the site is seismically stable once the cap is placed, it was determined that slope stabilization is required. This is being achieved through the installation of roughly 1600 sediment pin piles across the five-site locations. A sediment pin pile is a 16-inch diameter wood pile that is 25 foot long. The piles will be installed below the sediment surface and remain under the cap, so they do not pose a navigational interference once they are installed. They do interface with the cap with about a six-inch overlap and provide the stabilization in that method.

Just as a reminder, this aspect of the project was presented and approved by the ECRB back in our application process in 2022 with ultimate approval in April of 2023.

A little bit more information on the caps. The caps consist of several layers to meet the remedial goals and are designed for each specific area to withstand the anticipated forces such as tidal and/or vessel forces. What I have here is a zoomed-in example for Areas A and B. If we look at the left here, which is the darker outline, this is an example from Area A. This cap design has been designed specifically to offset the vessel forces from the Red and White operations. And what we can see on the section cut view is the heavy armor stone, which is overlapping the filter stone, the mended sand layer, and then the underlying sediment.

Conversely to that, Area B, which is the lighter shaded section on the right side. It is not anticipated to have vessel traffic there so that is a lighter section cut. So, there is lighter armor stone there, which is on top of the lighter armor filter stone, the mended sand layer and ultimately the existing underlying sediment.

I will now hand this presentation over to Paula Gill. Paula is going to walk us through permitting and environmental controls of the project. Thank you.

Ms. Paula Gill of Integral Consulting spoke: Thank you very much for taking the time to hear about this project today. Now that Luke presented the construction methods, I will discuss some of the permitting and environmental controls that will be in place during the project.

Importantly, fill is required in order to place the cap clearly. In total, fill

will be removed associated with 100,000 cubic yards of contaminated sediment, and within that there is expected to be about 24,000 cubic yards of debris. Total cap placed will be about 81,000 cubic yards. So, the total net fill will be about 56,000 cubic yards. Although we have that net fill number, the total volume of Bay will actually increase and the extent of Bay will not be decreased, and that is because we have not included naturally accreted sediment in this fill calculation.

To mitigate for the impacts associated with the fill we have proposed two measures that I will talk about here.

First, the design of the cap has incorporated diverse rock size in order to improve fish habitat where there is scour or high hydrodynamic forces.

In the areas where we expect accretion and less scour, sand will be placed in order to promote sediment accretion, which will promote benthic habitat recovery more quickly.

BCDC also requested mitigation for pin pile fill. To mitigate for that, we have proposed removing additional surface debris adjacent to the remedial response areas, but within the turbidity curtains.

In the four years working through this process with the regulatory agencies, many environmental protections have been worked into the permits themselves. Most importantly, obviously, the work window is an important protective measure. Dredging capping and impact pile driving is limited between June 1 and November 30.

All in-water work is shut down between December 1 and March 15 to protect Pacific herring.

There are some activities that will happen outside of the June 1 work window and that is site preparation and activities that the agencies agreed would have low potential to impact species such as steelhead and salmon.

Water quality will be an important measure. We will maintain the turbidity curtains whenever there is dredging and capping occurring, and active monitoring will be happening during that time.

We have worked closely with the NOAA Office of Protected Resources for marine mammal protections. As we all know, the K-Dock is right there. We will be working in and amongst our marine mammals at Pier 39.

We have got an approved monitoring plan which will have up to three monitors out whenever pile driving is happening and where they have set up exclusion zones based on the expected effects of each pile type, which will be followed carefully.

This is just some examples of the most important measures, but all of the usual best management practices will continue to be implemented.

Public access will not change in the overall area, there is no infrastructure change outside of the temporary relocations.

Once completed, the Pier 39 East Marina life, the projected life of the East Marina will be prolonged, so there will be some public access improvements associated with the project.

Initial thoughts include water trail signage. Those will be implemented prior to Area E, which is when we get to the Pier 39 East Marina upon BCDC approval.

Over the four or five years of earnest permitting of the project we have had quite a lot of public outreach, much of that has been driven by the Water Board. We have had regular interactions and meetings with the permitting agencies, Port advisory committees, Port Commission, outreach to the public through the Feasibility Study, CEQA. There says 30 working groups, but I believe by the last count it was somewhere north of 50 working group meetings over the project lifespan. All of the regulatory public notices have gone out. And as Luke mentioned earlier, we did go through the ECRB review, particularly focused on the sediment pin pile aspect of the project.

Public engagement will not end once we are in construction. There will be continued public outreach over the five-to-seven-year lifespan of the project. There will be an informational kiosk at the site. Project signage will be in place. We will continue to coordinate with the Marine Mammal Center as well as the NOAA Marine Mammal Protective Resources. We will maintain email updates to Port tenants and provide a rapid response to any public inquiries that are provided to PG&E through a dedicated phone line or via email.

We have got all of the permits in place. We are working our way through. This is a big milestone to be here today. This is an example of a marine mammal monitor on the right, for your awareness.

We have got our US Fish and Wildlife Service Biological Opinion, also one from National Marine Fisheries Service. Incidental Harassment Authorizations are issued each year. They are only good for a year; so, we have secured one of those for Area A and B. CDFW has issued an ITP and we have a 401 Certification from the Water Board. So, we are very happy to be working our way down the list and to be at BCDC today. And then, of course, our last permit will be the Corps of Engineers' permit, which is still pending.

As a summary, some of our highlights.

It is a long-term beneficial project.

We have no loss of Bay waters. We will have more material removed than placed.

We will have no marina infrastructure changes, only temporary relocations.

We are trying to remember that we went through ECRB. That is here again.

We do not expect that our engagement with BCDC will end at the issuance of the permit. We understand that there will be many plan reviews and potentially permit amendments required as we go through the C, D and E design advancements.

I think this gets me to the end of our slide presentation. I would like to take a moment to really thank Pascale, who has been with this project since the beginning. She has shepherded us through many, many twists and turns for this project. So, we would really like to say a big thank you to Pascale for her hard work so far on this project. At this point I think I can hand it over to any questions.

Chair Wasserman continued: Thank you very much for the presentation. I will now open the public hearing. Do Commissioners have any clarifying questions?

Commissioner Peskin spoke: I was wondering about any mitigations for terrestrial mammals that temporarily become marine mammals, of which there are a few thousand, slightly to the west at Aquatic Park? Like notification of dredging during ebb tides.

Ms. Gill sought clarification: For swimming?

Commissioner Peskin replied: I don't know.

Ms. Gill continued: Are we talking about the swimmers?

Commissioner Peskin replied: Yes.

Ms. Gill replied: Is this a trick question? I am trying to think which animal it is.

Chair Wasserman stated: You are looking at one.

Ms. Gill replied: You are making me nervous. Yes, I do believe that will be a part of the Public Outreach Plan that is going to be a requirement of the recommendation. So, yes, I assume there is some sort of an email list for notification.

Commissioner Peskin noted: Yes, I did not see it in the list of mitigation measures in the staff report.

Ms. Gill stated: That is noted and that can certainly be incorporated into that plan.

Commissioner Peskin acknowledged: Thank you.

Commissioner Gunther was recognized: Thank you for all the work that obviously went into planning this. Just one question. This project is having an impact on charismatic megafauna, and that always tends to draw a lot of attention. I was wondering if you can give me some sense of what are the indicators you are using to decide if the impact on the sea lions is too severe for the project to continue at a given time.

Ms. Gill explained: We will rely heavily on continued coordination with the Office of Protective Resources from NOAA and also the Marine Mammal Center. But the Incidental Harassment Authorization Permit outlines all of the measures that we need to put into place to protect the sea lions.

Their impacts are expected to be almost entirely associated with hydroacoustic impacts that happen while pile driving is happening. So, during that time the marine mammal monitors, who are seasoned experts in marine mammal observation, will be present on the site. They will have authority to shut down any pile driving should a marine mammal come too close to a pile. Those zones are dictated by the type of pile and the method of installation that is happening. And that is all prescribed within that marine mammal monitoring plan.

Commissioner Gunther stated: So, it sounds like you are implementing standard procedures around marine mammal harassment, okay.

Ms. Gill agreed: Absolutely, yes.

Commissioner Gunther continued: I consider them to be quite resilient creatures, and I think they will do just fine.

Ms. Gill agreed again: Correct.

Commissioner Gunther stated: But I know that sometimes this can draw a lot of unnecessary attention.

Ms. Gill replied: Yes. We also have taken a very belt- and-suspenders approach. For example, one of the prohibitions is no impact hammer installation on a steel pile greater than 36-inch diameter. That is there because we cannot guarantee that we could shut down that type of thing for a large enough zone for a sea lion. So, those are the kinds of measures that are in place to be extra careful. All of the take, quote/unquote, for marine mammals is associated with behavioral annoyance. We did not request any type of activity that could potentially harm a marine mammal physically.

Chair Wasserman inquired: I actually have a clarifying question. In Area E you described the activities as institutional, if I heard correctly. What are those?

Mr. Vernagallo fielded this question: Institutional controls is a blanket term, but it is things such as land use covenants. It is things that restrict building activities in the future, deed restrictions. It is more commonly applied to on-land activities.

A very common on-land application would be that you cannot dig more than 30 feet for a basement, those types of things. So, we have been working hand-in-hand with the Port of San Francisco to identify those areas that would have institutional controls. So, those areas that were outlined in green would be things that they would not anticipate building a new building or a new deep pier structure out on, those type of things.

Commissioner Eklund was recognized: First of all, great presentation. It really is clear that you have done your homework. I have been living with this for several years, so you are very technically knowledgeable about everything.

I am really interested in the sediment that you are going to be removing, and you are talking about the level of contamination. Have you looked at the possibility of trying to, instead of dumping it back into the ocean or the Bay, whichever location has been approved for this project, have you looked at trying to consider removal or treatment of that sediment so that the sediment could be used in other projects that is so sorely needed around San Francisco Bay?

Mr. Vernagallo replied: Sure, absolutely, if I could elaborate on that and just clarify any confusion for it. This project is a little bit unique where traditionally in-Bay disposal near Alcatraz or DoD would be --

Commissioner Eklund interjected: So, it is going to be by Alcatraz?

Mr. Vernagallo answered: No, I just wanted to clarify, I apologize. This one is unique in which the sediment will be removed to an upland facility process and then disposed of at an upland landfill facility. And the reason for that is it does not meet the profile for any of the in-Bay disposal, and most of it does not meet any of the profile for the Montezuma Wetland fill or cover disposal.

Commissioner Eklund continued: So, does it not meet the criteria for reuse because of the level of contamination?

Mr. Vernagallo answered: Correct.

Commissioner Eklund asked: Have you looked at the possibility of trying

to do some treatment of that sediment in order for it to be reused?

Mr. Vernagallo explained: There are certain portions in Area E that could potentially meet the criterion for the Montezuma as cover material, so we are continuing to explore that option. But for the bulk majority of it in Areas A, B, C and D, it is not feasible. So, the disposal is to remove and then process and ultimate upland disposal at the landfill.

Commissioner Eklund asked: Is it not feasible because of the cost or why is it not feasible?

Mr. Vernagallo answered: The concentration of PAHs. We worked with the Water Board over an extended period of time. I am starting to venture a little bit out of my comfort zone with the concentrations. But we did determine the threshold of 100,000 micrograms per kilogram and they did exceed that, that is the cleanup level, and I can provide more information on that determination back to you. But right now, I would not be able to speak intelligently about that.

Commissioner Eklund stated: That would be very helpful for me. I appreciate that.

Mr. Vernagallo acknowledged: Sure. Okay.

Commissioner Eklund continued: Where is the upland location? This would be like a dump. It would go to a dump.

Mr. Vernagallo agreed: Correct. There are approved facilities that can take this level of contamination, American Canyon, Hay Road, things like that, Recology centers. This is very typical for them.

So, the process is that the sediment is pulled out, put on a barge and transported. It is a little too saturated to put into a truck right away, so it is brought upland. The water is separated out through gravity draining. So, the water is processed through decant. It is processed through carbon filtration. That is captured and then disposed of correctly. Then the sediment is solid enough that it can go onto the truck without leaking on the road, and that is disposed of at the landfill facility as daily cover for their needs.

Commissioner Eklund acknowledged: Daily cover. That is great. I am glad to hear that.

Mr. Vernagallo replied: Sure.

Commissioner Eklund continued: Yes, I would like a little bit more information about that, and then also what the difference is between A, B, C, D and E.

Mr. Vernagallo replied: Sure.

Commissioner Eklund clarified: Just the levels of contamination. That would be helpful.

Mr. Vernagallo acknowledged: No problem, we can provide a package.

Chair Wasserman stated: Thank you. Any other clarifying questions? Any comments?

Commissioner Addiego spoke: I don't know if it is a clarifying question, but I was just curious because I don't have any historical knowledge or background on this part of the Bay. But I am curious what occurred in the past PG&E activities that resulted in this level of contamination in the water?

Mr. Vernagallo answered: I will give you the abridged version, if that is okay, and I can follow up similar to the previous question with a lot more detail.

The way that this works is about 150 years ago to as recently about 1931, the cutting-edge technology to have natural gas in homes, streetlights and to power the Industrial Revolution was to manufacture natural gas. So, it was not piped in across the state, as it currently is now, but there was a process by which coal was imported on ships mostly. It went through a carburetor process in which they put the coal in, they injected a couple of different things. I believe ammonia was one of them. And the byproduct that came out was natural gas. That got piped through the city, helped out with all these industrial processes. One of the products that came out was this PAH.

The handling back then was not as great as it was now, so it was disposed of at the time. That was just how it was handled. We have discovered it now and now we are doing our best to clean it up.

Commissioner Addiego asked: Do you have an idea of what this is going to cost PG&E to take care of the sins from 100 years ago?

Mr. Vernagallo stated: Yes, it is not cheap. We are spending hundreds of millions of dollars to take care of this.

Commissioner Addiego asked: On that one project?

Mr. Vernagallo answered: Yes.

Chair Wasserman continued: Any comments or questions from the public?

(No members of the public addressed the Commission.)

Chair Wasserman had a question: Any substantive questions or comments from the Commission? I actually have one. If I heard you correctly, you talked about doing the signage before Area E is completed. I may have misunderstood this. But this is a phased project, so why isn't the signage to the extent it is

needed, but it is in the plan, so I assume it is needed to some extent, being done on the phased basis? And I may have misunderstood all of this.

Ms. Gill explained: We understood the trigger for the signage was associated with prolonging the life of the Area E infrastructure, so that is why the public improvement will happen when we get to Area E.

Chair Wasserman noted: Because it is really not affected in or by the other projects.

Ms. Gill agreed: Exactly.

Chair Wasserman acknowledged: Thank you.

Ms. Gill continued: So, prior to that we have temporary relocations, but we don't have replacement of existing.

Chair Wasserman stated: Good, simple answer, thank you very much.

Ms. Gill added: So, that happens then. We will do the improvement when we get close to the end product.

Chair Wasserman acknowledge: Got it, thank you.

Ms. Gill explained: It also lets us have enough time to make a really great plan.

Commissioner Zepeda commented: Chair, I am not sure who my question might be for here, but that area there is a sea level rise vulnerability zone. And I know that we do not have our Sea Level Rise Plan just yet. We are a couple of weeks shy of it. But I am wondering if, as they are moving this project forward, if we are also giving them some guidance of what the plan might be to see if there is anything that they can do as they are digging or moving things around that might be able to help that area with that sea level rise that we are projecting?

Ms. Soumoy replied: Actually, all of the work is going to be taking place underwater, and everything will be underwater or even below sediment surface. So, when we spoke to the ECRB it was pretty much deemed that sea level rise will not be an impact to this project, and this project should not impact sea level rise. It is not expected to cause any flooding or any other damage. I hope that answers the question.

Commissioner Zepeda clarified: My question is more, because there is going to be sea level rise in that area. We have projections that tell us that the whole area is a vulnerability zone. So, I am just wondering if there is anything as part of the project that could be done for future to try to help mitigate the future.

I understand you are not going to cause any flooding with this project,

but we do expect flooding later on. So, I am wondering if maybe you put another pile in or dig in a little bit deeper and that helps out with the projections. I do not have the answer. I am just trying to figure out if there is anything that this project could do to help the future mitigation of the sea level rise in that area?

Sediment Program Manager Goeden replied: Good afternoon, Commissioner. This is Brenda Goeden, Sediment Program Manager. Like the Oakland Turning Basin Project, this project does not trigger sea level rise adaptation under our policies, so it would be asking for the project to do something out of the scope of the project for an impact that it is not causing. So, we do not have a policy basis for requiring or asking them to address sea level rise with this project.

Executive Director Goldzband asked: Can I expand on that just a bit, Brenda?

Ms. Goeden replied: Please do.

Executive Director Goldzband added: Through the Regional Shoreline Adaptation Plan process the city and county of San Francisco is going to be looking at its shoreline, combined with, and I am looking for Port people now, combined with the Port's own Rising Sea Level Plan. And I am sure that as they look at this area, as well as other areas on the northern waterfront - and Supervisor Peskin can certainly chime in if you want - there will be all sorts of ways that this area is going to have to be dealt with, with regard to rising sea level.

This is not one of them at this point because of where it is and how it is constructed. But my bet is that over the next year you will hear at least once, maybe twice, from the Port of San Francisco with regard to how they are looking at the area as a whole. Indeed, the next agenda item actually looks at the northern waterfront as well.

Ms. Goeden agreed: And that is correct, Larry. The San Francisco Waterfront Plan does include this area. And I think to that point, which is a really good one, of course as always, the sediment pin piles will help stabilize the shoreline, which will enable further sea level rise adaptation with an un-collapsed shoreline. So, I think that part could be a benefit to future sea level rise adaptation.

Chair Wasserman acknowledged: Thank you. If there are no other questions I would ask for a motion and a second to close the public hearing.

MOTION: Vice Chair Eisen moved to close the public hearing, seconded

by Commissioner Ranchod. The motion carried by a voice vote with no abstentions or objections.

Chair Wasserman continued: Thank you. As we noted, there are no votes scheduled today. We look forward to discussing a staff recommendation at our next Commission meeting. Thank you all for the presentation, and as noted, for the very hard work.

Ms. Soumoy spoke: Thank you very much for your attention. And thank you also to PG&E and to Paula for being here and helping me out, and Brenda too. Thank you.

Chair Wasserman acknowledged: Thank you.

9. Public Hearing and Possible Vote to Re-Initiate Bay Plan Amendment No. 3-17, an Update to the San Francisco Waterfront Special Area Plan. Chair Wasserman stated: That brings us to Item 9. This is reinitiation of Proposed Bay Plan Amendment 3-17. We will now conduct a public hearing and possible vote to authorize BCDC staff to reinitiate, I am going to emphasize the initiate, proposed Bay Plan Amendment to update the San Francisco Waterfront Special Area Plan. Before I turn it over to Cory Mann to give the presentation, I want to make a few brief introductory remarks.

The San Francisco Waterfront Special Area Plan has long served as a tool to help revitalize the waterfront and achieve regional public benefits that could not otherwise be gained through the Commission's permitting authority for individual projects.

It is, in many respects, a grand plan, and as with any grand plan, needs to be amended from time to time. But we actually anticipate that this will be the last update to this plan as it currently exists.

The context in which this plan was written, and the challenges facing the Port of San Francisco and the broader region, have fundamentally changed during the past quarter century. It was approved a little over 25 years ago.

The Commission and the Port both understand that this is a time to collaborate in new ways to address rising sea levels. These planning efforts will be the driving force for continued investment in the resiliency and revitalization of the San Francisco Waterfront in years to come.

That is why last December, the Commission approved a Memorandum of Understanding with the Port of San Francisco that outlines a narrowly focused update to this Plan that addresses near-term priorities for the Port. Today's vote whether to reinitiate the Bay Plan Amendment fully reflects that MOU.

Today we will not be voting on the merits of the Amendment itself, and

the discussion today should focus simply on whether to initiate the process. If we vote to begin the process, we will have at least one opportunity, and I suspect more, to provide feedback on the specific revisions to the Plan and on an educational program that will be proposed by the Port and the Exploratorium early next year.

When we talked about this last time I noted, but I want to repeat it, this particular amendment, in terms of the education, the Amendment does address one other issue that Cory will talk about. This is a pivot in a number of ways because what this amendment is going to propose, and I want to make this clear, but I also want to make clear we are not voting on this today. We are initiating the process to trade a requirement that was put in to mitigate some of the developments approved by removing fill in other areas, for funding, developing and implementing an educational program about rising sea level.

In the last 25 years the importance, and I would go beyond that and say the absolute necessity, of expanding and increasing and making better our educational efforts about rising sea level, its consequences and the ways that we must adapt to it has become increasingly important. This is really equivalent, in my view, to the pivot that we made when we recognized that we were going to have to fill the Bay in some areas in order to adapt to rising sea level. Certainly not abandoning the fundamental principles of this agency and the McAteer-Petris Act, but recognizing that, oh my goodness, things do change.

So, I want to put it in that context, recognizing we are not going into the details of that educational program today, it is to initiate the process. And with that I will turn it over to Cory.

Principal Waterfront Planner Mann presented the following: Thank you, Chair Wasserman. Good afternoon, Commissioners, and everyone in attendance. Today I am going to provide you with an overview of Bay Plan Amendment Number 3-17, which as Chair Wasserman mentioned, is an update to the San Francisco Waterfront Special Area Plan.

The applicant, the Port of San Francisco, and BCDC staff have been collaborating on an approach to this update. Because the scope of the Bay Plan Amendment has been narrowed from what the Commission originally approved in 2019, staff are recommending to reinstate the Bay Plan Amendment.

I am joined today by staff from the Port, Diane and Ming are here, and staff from the Exploratorium, Emma, Rob, Susan and I think Shani joining remotely. I also want to take a moment to introduce a new staff member, Ben

Dorfman in the back there. Ben is our newest hire on the Long-Range Planning Team, and he has joined us from the Ocean Protection Council, where he was a Sea Grant fellow. Ben is going to be specifically working on collaborations between the Commission and the Port, so we are really excited to have him.

The purpose of this presentation is to provide you with the background information necessary to determine whether or not to reinstate BPA 3-17.

First, I will briefly summarize the scope of the Bay Plan Amendment.

Then I will provide some background on the Special Area Plan and the two main items that were outlined in an MOU between the Commission and the Port to provide context for what changes the Port is requesting.

And then finally, I will provide a very brief staff recommendation.

As Chair Wasserman said, today's vote is only whether to reinstate the BPA. If the Commission votes in favor of doing so, we anticipate holding a public hearing during the Commission's second meeting in February to hear more from the public and the Commission on the merits of the proposed update.

As you might recall from some other recent Commission presentations, the McAteer-Petris Act allows for the Bay Plan to contain or incorporate by reference special area plans with more specific findings and policies for portions of the Bay and its shoreline.

The San Francisco Waterfront Plan is one such plan. It was first developed in 1975 which I think makes it the oldest Special Area Plan. And the last major update to the Plan was in the year 2000, with a few minor updates since then to address more specific projects.

The Commission responding to an application by the Port initiated BPA 3-17 in September of 2019. At the time the intention was to do a comprehensive update to the Plan. And Commission and Port staff worked on the update for several years, but unfortunately experienced several delays.

In 2023, Commission and Port staff work to identify strategies to improve coordination and mutual support between the agencies, and as a result of those discussions developed this MOU to coordinate project work, including this Bay Plan Amendment.

And the Commission voted to authorize that MOU at its second meeting in December of 2023.

The MOU specifies that the Port and the Commission will take a phased approach to updating the Special Area Plan. First addressing a few near-term, narrowly focused amendments, and then setting a pathway to undertake a

more comprehensive update to the Plan.

As outlined in the MOU, the main components of the current update and scope of the Bay Plan Amendment includes updating provisions to satisfy a public benefit requirement at Piers 15 and 17, in the form of exchanging a fill removal requirement for a public education program on sea level rise.

Two, Discontinuing the application of the Replacement Pier/Replacement Fill Policy, we often refer to it as the 50% Rule at Fisherman's Wharf.

And then third, making some other small changes to terminology and findings to remove outdated information and to align with the Port's own Waterfront Plan.

Basically, I am going to spend the rest of the presentation just explaining the context for those items, so you know what they are.

I am going to take a few steps back in time. While it might seem silly to talk about what was happening in 1968, this is the context in which the Special Area Plan was first written and so it really helps to explain the policy changes that are now being requested by the Port.

The Port of San Francisco was constructed on public trust land and the Port itself was owned and operated by the state of California. But in 1968 after years of lobbying by the city of San Francisco, the state legislature passed the Burton Act. The Burton Act conveyed public trust lands to the city and county, and the Port became a public agency.

But when this transfer of ownership was made, the Port took on a significant amount of debt it inherited from the state. So, combined with the need to invest in a deteriorating waterfront, the Port found itself in immediate financial difficulty. So, they turned to investing in commercial developments to revitalize piers along the waterfront. However, some of the projects proposed at that time were for things that were not necessarily water-oriented uses or had an alternative upland location, and so those proposals were ultimately rejected by the Commission.

But then in 1971, recognizing the challenging position that the Port was in, the Commission amended the Bay Plan to create some new policies that were meant to help facilitate development on the Port's property. And so, the policies here allow for the repair, reconstruction and reuse of piers for uses that have an alternative upland location, a category known as Bay-oriented commercial recreation like restaurants.

And a policy in this section of the Bay Plan we colloquially refer to as the 50% Rule. This rule has two basic requirements for projects that are being built

on redeveloped piers. First, piers have to be smaller in overall size; and second, 50% of the reconstructed pier has to be dedicated to open space or public access. And these policies remain in the Bay Plan today.

So, again, the important thing to understand here is that the Commission gave the Port more flexibility for the kinds of uses that could exist on piers, but in turn, reconstructed piers had to be smaller and 50% had to be dedicated to open space or public access.

To effectuate these policies, the Commission and the Port created a Waterfront Advisory Committee that worked for two years to adopt the first San Francisco Waterfront Special Area Plan in 1975. And so, the Special Area Plan established policies for projects within the Commission's jurisdiction, from Hyde Pier in Fisherman's Wharf all the way down to India Basin in Bayview Hunters Point.

The Plan has geographic specific policies that specify permitted uses within the Commission's jurisdiction. Of note, as you can see on this image, the Plan divides the waterfront into three major stretches, Fisherman's Wharf, the Northeastern Waterfront and the Southern Waterfront.

But unfortunately, the original Special Area Plan did not result in the intended revitalization of the San Francisco Waterfront. Repair, reconstruction and seismic strengthening of piers was and remains costly. And the only project that could ultimately satisfy the 50% Rule while providing sufficient capital to repair and reconstruct a pier was the Pier 39 redevelopment in 1978.

So, in 2000 the Commission and the Port completed a major update to the Plan, intended to attract investment to existing piers, and specifically focusing on the Northeastern Waterfront from Pier 35 to China Basin. And note again, the Northeastern Waterfront does not include Fisherman's Wharf.

We sometimes refer to this 2000 amendment as like a grand bargain or exchange between the Commission and the Port. The Commission removed the 50% Rule and the water-oriented use and alternative upland location restrictions for the repair and reconstruction of existing piers on the Northeastern Waterfront. That allowed for a broader array of uses on piers so long as they were still consistent with the public trust.

In exchange, the Port agreed to provide an integrated package of public benefits all along the waterfront.

You might be wondering how did the Commission do this? We cannot just remove McAteer-Petris Act requirements like water-oriented use, right? The Commission approved this amendment based on findings pursuant to the

McAteer-Petris Act that the revised policies were necessary for the health, safety and welfare of the public for the entire Bay Area.

This is a provision that the Commission has not used very often, but it illustrates how important the Commission felt it was to provide that flexibility the Port needed to invest in deteriorating piers and revitalize the Northeastern Waterfront.

What public benefits did the Port provide as part of that exchange or that grand bargain?

Past benefits included things like removing derelict piers, removing fill to create more open water basins and views from the Bay, from the Embarcadero, and also developing new public access areas. These public benefits are all spelled out in the Special Area Plan and the Port has completed the majority of those agreed to in the 2000 update. You will see a couple of examples on this slide like the Brandon Street Wharf Public Access Park and the public park at the Pier 27 Cruise Terminal Plaza.

The really critical thing to understand about this grand bargain is that these public benefits being provided by the Port are not mitigation for project impacts. Instead, they are a package of benefits that the Port is providing in exchange for that increased flexibility of uses on piers.

As you will see in a moment, the Commission can determine what public benefits are appropriate as part of this exchange.

One of the public benefits that was outlined in that grand bargain related to Piers 15 and 17. The public benefit outlined in the Plan was that the Port was to create an open water area by removing some Bay fill, specifically the deck and pilings that formed the valley between Pier 15 and 17. You can see that in the image on the slide. And some non-historic additions to the Pier 15 and 17 sheds.

When the Exploratorium was developed, after this policy was written, they removed some but not all of this preexisting fill because it provided that pedestrian connection between Piers 15 and 17, which again you can see on the photo. And the Commission and the Port agreed to an amendment to the Special Area Plan in 2009 that allowed the Exploratorium to retain most of those areas.

Instead, the Commission determined that as a different public benefit the Port could remove fill at a different location along the waterfront. The Commission issued a permit outlining that requirement, which has subsequently been amended a few times to extend that deadline for removing

fill.

Again, this fill removal requirement was not mitigation for a project impact. This was preexisting Bay fill that was slated to be removed as part of this overall package of public benefits being provided by the Port.

The Exploratorium also had to receive a permit for the development itself. It had to be consistent with all other Bay Plan policies, including providing maximum feasible public access. So, the public benefit is this separate obligation.

That finally brings us to the present. One of the items listed in the MOU between the Commission and the Port that would be part of this Bay Plan Amendment concerns Pier 15 and 17. In the time since that public benefit was required in 2000, there has been an increasing focus on issues related to climate change and vulnerability of the San Francisco Waterfront. The Port in collaboration with the Exploratorium is proposing to implement a regional Sea Level Rise Education Initiative as a regional public benefit, instead of removing preexisting fill at a different location on the waterfront, as would be currently required by the Special Area Plan and the associated permit.

The Exploratorium has shared a draft proposal for the program, which is now being reviewed by BCDC staff. The draft program goals are to increase public understanding of sea level rise in the Bay Area from impacts to solutions, elevate public awareness of regional cooperation initiatives and shared vulnerabilities, and to expand student engagement with sea level rise content through teacher professional development and field trip opportunities.

The idea is to identify some core concepts for this program in partnership with the Commission, the Port and other local partners. But as a starting point, some of the topics the Exploratorium has suggested pursuing include climate resilience and adaptation pathways, groundwater rise and toxic sites, indigenous relationships to land and sea level, and natural and nature-based solutions to sea level rise.

These core concepts would be equity-focused and regional in nature. We anticipate that the program would complement the other recent and ongoing collaborations amongst the Commission, the Port and the Exploratorium.

They have also proposed some more specific program objectives and project phasing, which would likely take place over about a five-year span. The draft proposal includes both physical installations as well as programmatic elements.

If the Commission votes to reinitiate BPA 3-17 today, then staff would

share the entire draft proposal when we circulate the staff report for this item 30 days in advance of a public hearing. And of course, that is to provide the Commission and the public with an opportunity to weigh in, make suggestions and comments on the specifics of the program.

Now I am going to talk about the second and other significant item that was described in the Port and Commission MOU that would also be part of this Bay Plan Amendment, and this concerns Fisherman's Wharf.

You will recall when I talked about this grand bargain between the Commission and the Port in the year 2000 it only concerned the Northeastern Waterfront. So, what happened with Fisherman's Wharf? When this grand bargain was being made there was mutual interest by the Commission and the Port to also remove the 50% Rule from Fisherman's Wharf. But at the time the Port and the Commission did not reach agreement about exactly what public benefits the Port would provide in exchange for that increased flexibility.

Instead, they basically agreed that following a study the Port would develop a major public plaza extending to the Bay and an open water basin within the Fisherman's Wharf area; and after those benefits were completed the Port could initiate a request to remove the 50% Rule at Fisherman's Wharf.

That agreement was actually memorialized into a policy in the Special Area Plan. The Commission and Port undertook studies in 2004 and 2014 and then the Port constructed the Pier 43 Bayside Promenade and a plaza at Pier 45, creating about 36,000 square feet of public access space. The Port also created that open water basin by removing Pier 43½, which I think was about 77,000 square feet of fill.

The Port is now requesting to remove the 50% Rule. If it were removed, BCDC would rely on the same policies for Fisherman's Wharf that have guided the Northeastern Waterfront for the past 24 years, which has those more flexible rules that allow for non-water-oriented uses, as long as they are consistent with public trust uses. That would provide the Port with more flexibility, and it would align the Special Area Plan with some of the Port's own strategic planning efforts. But critically, other Bay Plan policies of course on relevant topics, whether it is commercial fishing or public access, would all still apply.

Critically, removing the 50% Rule would also improve the ability of the Port to undertake seismic or major structural repairs for commercial recreation on piers. Existing pile-supported piers that predate the Commission have been evaluated as Bay fill, and so they are subject to the 50% Rule. But this has

created a significant impediment for preexisting businesses to repair and maintain the piers on which they operate.

We anticipate this will only become more important as the Port undertakes projects to be more resilient to sea level rise. So, again, this is the second discrete request that the Port is making as part of this update.

Getting near the end here. I am going to briefly mention two other items that are outlined in the MOU.

First, the MOU specifies that the Commission will postpone dates for certain outstanding public benefit requirements in the Plan.

Second, it specifies that the update can include other minor revisions to remove outdated and obsolete information.

But we expect those changes to be pretty small. That is because both Port staff and Commission staff agree that there is a need to comprehensively update the Special Area Plan in the near future.

As you have heard in this presentation, the Plan was published in 1975, and the last major update was in the year 2000. The planning context on the San Francisco Waterfront has, of course, changed dramatically since then.

Port and Commission staff are working together on a variety of new issues, especially related to sea level rise and resiliency, and this is where our work is likely to focus in the years to come. So, while we agree on the need to undertake this limited update to the Special Area Plan now so that we can address these near-term issues we also know that our collaboration on resiliency planning should be the thing that informs a major future update to the Special Area Plan.

Finally, a quick timeline. If the Commission votes to reinstate the BPA today, Commission staff will continue to work with the Exploratorium and the Port on the exact revisions to the Plan, as well as the educational program proposal.

Per our regulations, we then circulate a staff report with a revised plan and the entire draft education proposal to the Commission at least 30 days before a public hearing tentatively scheduled for February 20.

Then after the public hearing, possibly more discussions due to the complexity of this issue. The Commission staff and Applicant would make any needed revisions before sending out final materials ahead of a Commission vote, likely in March. I think that is the end of my presentation. Thanks.

Chair Wasserman acknowledged: Thank you, Cory.

I will open the public hearing and invite anyone from the public who

would like to make a public comment to do so.

(No members of the public addressed the Commission.)

Chair Wasserman asked: Comments/questions from Commissioners?

Commissioner Showalter commented: I was just wondering about whether or not this included any coordination with other museums? Obviously, sea level rise information and education is crucial and it would be good to spread it around the whole nine Bay Area region, not just the Exploratorium. I wondered if there was any coordination going on, say for instance, with the Tech Museum of Innovation in San Jose, which I know has some climate change exhibits, and/or the Oakland Museum, and I am sure there are others.

Mr. Mann replied: Thank you, Commissioner, that is a great point. As part of the draft proposal, one of the points of collaboration that BCDC staff and the Port have had is just trying to identify stakeholders that would have interest in developing the public education program. Of course, this is an effort that would be driven by the Port and the Exploratorium, but there has been absolute openness to collaborating with other groups on that.

The intent, of course, or the explicit goal, is that this program would be of a regional focus, and the benefits of the program should be regionally focused, consistent with the intent of the Special Area Plan.

If you have any specific suggestions for partners or ideas or anything like that, definitely feel free to be in touch. When you see the draft proposal for the program too, there will be more information on that.

Commissioner Showalter continued: Well, that is great. I will send you a specific contact for the Tech Museum. But I would just urge other Commissioners who are aware of museums in their areas that that might also want to send in a contact.

Chair Wasserman added: I would note that it is not limited to museums. There are other participants who are focusing on these issues who I am sure either are or will be included.

Commissioner Gunther spoke: I would like to just follow up on that by asking that this regional education effort be much more expansive than just something happening at a museum. I would like to see curriculum elements for different grades, for schools, collaborating with different school districts. I think that as the Chairman referenced in his opening remarks, I think that there is going to need to be an ongoing decadal-scale effort to educate the residents of the Bay Area about this issue, and it is much more than just an exhibit that people see if they go to the Exploratorium.

I note that the University of California at San Diego has just placed as a graduation requirement that students have a course in climate change, there are a couple of different offerings in different departments. I just would like to see this be a real standard part of education for people in the Bay Area.

Commissioner Peskin stated: As someone who has been around, before my BCDC days, back to the early days in the mid-1990s when relations between BCDC and the Port were not as good. Today I am amazed that there is not a single person here for public comment. It speaks to the incredible work of BCDC staff and Port staff and the, pun intended, sea change in relations and good community work over the last couple and a half decades. I salute both agencies for your work. These small changes to the Special Area Plan are warranted and I support them.

Commissioner Eklund was recognized: Great presentation. It is really exciting to see the progress made around this area. I have two minor questions, and I have got a larger question that I wanted to ask. On the Piers 15 through 17, what is the effect of not removing the fill? What are the negative parts of that part of it, as part of this exchange? Just kind of curious.

Mr. Mann replied: It is a good question. To be honest, I do not think it is something that we fully analyzed in the Staff Report to initiate the Bay Plan Amendment. But we could have a discussion about that in the Staff Report and Preliminary Recommendation.

Commissioner Eklund continued: The reason I asked the question is because the cost associated with that really has not necessarily been articulated or evaluated. If the environmental impacts are greater by not removing it, then I think we need to have some discussion about that, in personal opinion and professional opinion based on my background.

Doing this education area is a great idea and it is exciting, but is the cost comparable? Or is this just an easy thing to do and it would be fun, and everybody is attracted to it, without it really being equitable in terms of environmental impact and cost. If I could have more information on that part of it.

Long Range Planning Manager Buehmann stated: I can address that a little bit, but then we will also come back to you with more information when we bring it to the Commission. I just wanted to clarify a little bit about the fill removal. It is not mitigation, as we said multiple times, but it gets really confusing with the Special Area Plan.

Normally in the course of when we have a project the project might be

filling the Bay, it might be impacting subtidal habitat, or water surface area, or something, you are putting pilings in or something like that. That is not the case here with what was happening with the fill removal requirement.

Instead, the Special Area Plan identified certain areas to have fill removal so that there would be more open water area, people could enjoy the Bay, they would have more open views. It expanded water surface area, so fill removal in and of itself was a benefit.

And that was sort of the goal of the fill removal public benefits. They were not necessarily like this pier should be removed because it is bad fill or it is causing some kind of environmental harm, it was more to create those kinds of opportunities. I just wanted to clarify that was sort of the goal of the Special Area Plan. But in terms of costs, we can definitely come back with more information.

Commissioner Eklund stated: Yes, because those are important aspects of the Plan, so, that is why I think we need to have some discussion about the tradeoffs.

The other question, a small question about this special area that they are going to do that is devoted to climate change. Is that going to be in the Exploratorium?

Mr. Mann asked for clarification: For the educational program?

Commissioner Eklund answered: Yes.

Mr. Mann continued: I think a lot of that is still to be determined, but I think one of the points of feedback is that the Special Area Plan is of a regional nature and the public education program should be too. There are probably going to be programmatic elements and potentially physical installations, but where those are, to be determined.

Commissioner Eklund stated: I think it is very important for us to make sure that if there is a physical location, that that be free, and that the public should not necessarily be charged if this is an acceptable mitigation for not removing the fill.

Mr. Mann acknowledged: That is good feedback, and I can confirm that is already baked into the first draft of the proposal.

Commissioner Eklund continued: Okay, great, I just wanted to make sure of that.

Mr. Mann acknowledged: Yes.

Commissioner Eklund continued: The larger question I had is, this is the second time we have been asked to remove the 50% Rule. I was not around

when that rule was devised. Should we have an overall discussion about that for the whole area so that we do not have the piecemeal approach? Maybe there is some guiding principles that we could have in future requests that may be coming down the line. Because if it is going to keep going in this direction, we might want to increase the cost of what the applicant would have to do in order to remove that rule. I am still not sure that we are getting equitable tradeoffs here. Just curious about your reaction to that idea.

Mr. Buehmann stated: It is a really good point. I think the main thing here is that there is already policy in the Special Area Plan that basically says if the Port does certain things in terms of study and creating a public plaza, then they can ask for, there is a pathway for them to ask to remove the 50% Rule from Fisherman's Wharf. But there is not the same sort of pathway for the Southern Waterfront.

And we also had talked with the Port for several years about a comprehensive update to the Special Area Plan, which I think your question is related to. Like a new holistic view of this.

Our determination was to not do that right now because of the RSAP, because they are going through their flood study with the Army Corps of Engineers and there are a lot of others that the planning landscape is changing so much. But that in the future the next step would be to really look at the Special Area Plan again and how we can look at it again in that way. What are the different tradeoffs, what are the different values that we have for it in the future?

Commissioner Eklund stated: I think it would be important for us to have some of that discussion too. Anyway, I look forward to learning a little bit more about this. Thank you.

Chair Wasserman asked: Any other questions or comments? I have a couple. One, and I admit I am sorry I had not thought about this before. I think we need to have some discussion, not here, not now, and not make it a prior condition in any sense, but there is a dollar figure associated with this, which was a dollar figure that I suspect was slightly arbitrarily determined for the cost of removing whatever fill was going to be removed as a public benefit, not a mitigation. And I am not suggesting we increase that dollar cost from the Port or the Exploratorium, but it may be worth the discussion as part of the Plan of expanding the financial base for that, because it is obviously a beginning. It is not going to be an end. But it may well be an opportunity to develop additional funding and more funding sources that could be integrated into the effort.

Two, I think Commissioner Eklund does raise some interesting questions. I think when you get to balancing public benefits, we need to recognize it becomes very difficult. It is not a simple equation.

Commissioner Eklund agreed: Absolutely.

Chair Wasserman continued: When you are talking in the mitigation context it is a little simpler, I am not saying it is simple, but in the public benefits the nature and breadth of public benefits just becomes, because you are often not simply comparing apples to oranges, but apples to building blocks or very different things. So, we certainly should pay some attention to that. But I am just noting that it is going to be difficult. And at some level you are going to make some decisions, we are going to make some decisions about what the importance of the public benefits are.

Third, on the point of looking at the 50% Rule on a broader basis. I think that makes sense, but I think that makes sense in the context of the next revision, not this amendment.

Commissioner Eklund continued: Yes, whenever it is. I am still new at this effort with BCDC, but not with the issues because of my background.

But I think this issue of public benefit discussion is not new. A lot of other agencies, including cities and counties and local governments and state and everything, and even the federal government, we have had that discussion. And I am sure BCDC has had that too in the past and will probably have in the future. But I think it is an important discussion to have, especially when you are dealing with a large entity like the Port of San Francisco and will actually be setting some precedent.

We are setting some precedent with these actions. I think that discussion needs to happen, and I hope that we are able to do that in a way that will grow the decision as future requests come in, because this is not going to stop here at all. I look forward to having that discussion.

Chair Wasserman continued: Thank you. I do too.

Any other questions or comments from Commissioners?

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

MOTION: Commissioner Eklund moved approval of the Staff Recommendation, with the proviso that there be a discussion about public benefits, seconded by Commissioner Ranchod.

VOTE: The motion carried with a vote of 19-0-1 with Commissioners

Addiego, Ahn, Ambuehl, Benson, Burt, Eklund, Gilmore, Gioia, Gorin, Gunther, Hasz, Pemberton, Peskin, Ranchod, Showalter, Vasquez, Zepeda, Vice Chair Eisen and Chair Wasserman voting, “YES”, no “NO” votes, and Commissioner Beach voting “ABSTAIN”.

Chair Wasserman acknowledged: The motion passes. Thank you.
Reinitiate well.

10. Briefing on Bridge Allision Safety. Chair Wasserman announced: That brings us to Item 10, a briefing on Bay bridges allision safety. I am sure we all remember the terrible accident that occurred in Baltimore last March at the F. Scott Key Bridge. Staff thought it would be beneficial for us, and I certainly agree, to learn about the safety of bridges in our own Bay. BCDC staff member Cody Aichele-Rothman will begin the briefing.

Coastal Planner Aichele-Rothman presented the following: Good afternoon, Chair Wasserman and the Commissioners. My name is Cody Aichele-Rothman, and here at BCDC I am a Coastal Planner on the Long-Range Planning Team. I also am the BCDC Oil Spill Response contact. I would like to introduce you to our next agenda item, number 10, the briefing on the bridge allision safety.

We have some colleagues from the Metropolitan Transportation Commission, Caltrans, the San Francisco Marine Exchange, and we are here to brief the Commission and answer questions on the safety of bridges in the Bay and possible allision scenarios. I say allision because it is a term that is used for a collision between a moving object and a stationary object, such as between a moving ship and a bridge.

Here in the room, we have Peter Lee, the head of Field Operations and Asset Management for the Bay Area Toll Authority at MTC. He will be providing the briefing. And we also have Muthanna Omran, Supervising Transportation Engineer at the Department of Transportation Caltrans.

And online, I think we might be timing out, Scott Humphrey was going to join us. He is the Executive Director of the Marine Exchange and the Chairman of the Harbor Safety Committee of the San Francisco Bay Region. But I think he just timed out at 3:00 o'clock; he had another thing that he had to get to. But we also have Matthew O'Leary, the Chief of Caltrans Structural Maintenance and Investigations, the Office of Toll Bridge Investigations, and Christopher Long, the Infrastructure Team Leader at the Federal Highway Administration, and also Lisa Klein, the Deputy Executive Director at MTC. Those folks are online. Going to be able to answer some questions.

Here the room we have got Peter Lee and Muthanna Omran.

Mr. Lee spoke: Good afternoon, Commissioners. Peter Lee with the Bay Area Toll Authority. My thunder was stolen because it is an allision, not a collision.

We are here today in response to the morning of March 26, 2024. That morning an approximately 100,000 deadweight ton container ship, the MV Dali, struck the Francis Scott Key Bridge, resulting in its collapse. That was unfortunate, but luckily it was in the really early morning, and it was minimal loss. Some loss of life for the workers on the Bridge but we were lucky in that regard. But the Bridge did collapse, and they are in the process now of replacing that Bridge.

We are here today to just discuss what we are doing out here on the Bay. Our Bay Bridge is the most traversed of all our BATA bridges, the Bay Area Toll Authority bridges, that we share responsibilities with the California Department of Transportation, Caltrans. And in 2019, these are some of the numbers we have, we had over 140,000 vessels pass underneath our bridges. About 1,000 of those were greater than 100,000 tons, which is approximately the size of the Dali. The largest that we recorded was about a 300,000-ton ship.

So, what are we doing on toll bridge allision? We have a three-pronged response here. We have prevention. What are our operations out on the Bay. Mitigation in terms of what we have out in the field on our infrastructure. And then I will touch a little bit on our response, unfortunately, if a toll bridge allision did happen.

On the prevention front, all ships are piloted into the bay by the San Francisco Bar Pilots. This is a mandated state function.

The Bar Pilots are on call 24/7, 365 days a year, and they navigate all the ships in and out and around the San Francisco Bay and its tributaries.

These Bar Pilots are licensed and regulated both by the US Coast Guard as well as the California Board of Pilot Commissioners.

So, every ship coming in is piloted with people that have detailed knowledge of the Bay and its tributaries so they can avoid all hazards that we have on the Bay.

We also have the US Coast Guard to provide vessel traffic service, basically like air traffic control for all the ships coming in and moving around the Bay. They make sure all the ships transiting the Bay in a safe, secure and efficient manner. They coordinate quite a bit of their work with the Bar Pilots as well as the Marine Exchange.

So, what we do on the bridges for prevention and our protection system. So, all the bridges have navigational aids, navigational lights in all the main shipping channels. We have Racon radar beacons at all those channels to provide notifications to mariners during heavy fog conditions, so they know where the proper channel is. We have fog horns. We also have air gap sensors, which provide a vertical clearance notification to the mariners coming through.

Also, we have fender systems, which are the big rings that circle all our foundations of the bridges.

Our fender design. All our toll bridges have fenders. They are, at a minimum, around all the main shipping channels as well as the secondary channels. This is the Richmond-San Rafael Bridge. What you see is the main shipping channel has the large fender systems that surround the piers, and then the next one over also has a fender system. As you move further into the non-channel area, the water gets shallower so we are not anticipating getting large ships in that area because the ships realistically could not go into that area.

But on other bridges, say a Benicia, most of the piers actually, because it is right next against a working port, all the piers have fender systems around them. The fender protection system is kind of like seismic design. It is based on risk as well as probability based.

At the time of the design, based on the ships that are working their way and in use at that time of day. So, some of the factors being used for consideration are the ship traffic, ship size, the channel, the depth, the angle at which ships would be going through, and then overall, the fender geometry, whether it is more boxy or more diamond shape.

And these fenders are intended to be sacrificial, to absorb damage and then redirect the ship back into the main shipping channel and to avoid damage to the bridge.

Unfortunately, though, we have had past allisions to our bridges. Just specifically on the Bay Bridge, people are probably familiar with the 2007 Cosco Busan. It was a 68,000-deadweight ton ship that struck the Bridge. Did more damage probably to the ship, a little bit of damage to our fenders, but the bridge was fine. And then in 2013 probably less familiar is the Overseas Reymar which also struck the Bay Bridge, and that was a 70,000-ton ship. So, it does happen.

Just to focus a little bit more on the Bay Bridge West Spans. The design is basically from the 1930s. It has a capacity of about 100,000 tons based on the

time when it was designed. It basically is a concrete skirt around each one of the piers. So, there is a sacrificial skirt. There is the main portion of the Bridge, but a concrete skirt that goes around it. It is the ring in the upper right-hand corner that goes around it that provides about a 20 to 25 foot offset from the tower. And then it goes all the way down to the mudline. About 100 feet down into the mudline. And you can see that it is quite challenging. There is not a whole lot more space we can build larger fenders, because we basically go straight down to the mudline once you move off the pier.

It is part of our obligation for BATA, the Bay Area Toll Authority and Caltrans, to maintain our bridges in a state of good repair so we actually have ongoing work to maintain our fender system.

On the Bay Bridge itself we have a project schedule for 2025 to rehab the fender system at the Bay Bridge. It will replace the system basically in kind but update it with more bells and whistles with a rubberized fender system design. Caltrans is currently in the process of designing that, but we will have that in construction in the 2025 timeframe.

As far as incident response, there are drills that we host with the US Coast Guard, the Ports, Caltrans and CHP to look at what would happen during a bridge allision event. I think back a few months ago we had our first tabletop exercise where we looked at that and where we looked at an allision at the Benicia-Martinez Bridge. But in any case, we will continue to have these exercises. But the incident response would be a multitier incident response from Bar Pilots all the way down to CHP and Caltrans depending on the situation.

What else are we doing today? We are going to be conducting a maritime risk analysis study with the Marine Exchange, BATA is going to fund that with them, to provide a comprehensive maritime risk assessment of the Bay. It is going to focus on evaluating all the maritime traffic goals in and around the bridges all the way up to Sacramento, down to San Jose, and identify potential risk and challenges that could happen with ship traffic.

The Marine Exchange will be leading the effort, and they will be employing risk analysis tools from the IALA, which is the International Association of Marine Aids to Navigation and Lighthouse Authorities. So, they will be following that practice there and we hope to get that done over the next several months. And then that would feed into a further evaluation of the bridges as we go forward.

That is the end. A real quick presentation. But, staff, Caltrans, myself and others are here to answer any questions.

Acting Chair Eisen acknowledged: Thank you very much. Chair Wasserman stepped out, so I have the gavel for the moment. Thank you so much for that presentation. Is there anybody from the public who wishes to comment on the presentation, Sierra?

(No members of the public addressed the Commission.)

Acting Chair Eisen asked: What about Commissioners? Any questions?

Commissioner Gunther commented: The incidents that we have had here, it sounds like the ships were only a fifth of the size of the ship that struck the Francis Scott Key Bridge. I do not know the actual physics there, but certainly the size and the speed of the vessel. What actually are our fenders designed to fend off?

Mr. Lee stated: My understanding is, when we looked at the Bay Bridge based on the Dali moving at 5 to 6 knots at about 100,000 tons, the analysis that we did after the fact with Caltrans was that the Bridge would survive that particular impact. But obviously there are specifics to each of the ships in design. But it is 100,000 on the Bay Bridge. And each bridge is different depending on all the factors that I listed earlier.

Commissioner Gunther continued: I guess where I am going here is these three, I am glad to see all of the work that is being done here, but clearly prevention is something that we really want.

Mr. Lee agreed: Yes.

Commissioner Gunther noted: As someone who just rode over here on the Bay Bridge myself and that picture of the ship going underneath. We could physically limit the forces that are possible by the speed and the size of the vessels moving under the Bridge. I know it is hard to turn an oil tanker, right. Is there a speed limit, for example? And if you do not know the answers I am happy to have someone just tell me later. But it is clearly, and the other thing that stuck in my mind, of course, is the video that we all saw of Baltimore and that ship did not seem to be moving that fast, but that bridge disappeared basically in an instant. We need to do everything to make sure that does not happen. And if it means ships have to go just a little bit slower until they get past the Bay Bridge, that would be what I would recommend. So, I would be interested in that.

Also, the other thing I would like to ask you about in terms of prevention is human error. I spent many, many years working on the restoration of the Exxon Valdez oil spill in Alaska. In that instance, the tanker was given permission to switch lanes because of ice coming off the Columbia Glacier. It just did not stop, and it crossed the inbound lane and ran right into the reef. I do not know whether this is the provenance of the pilots themselves or what? But I assume that once a vessel is leaving port the first thing they do is test to make sure that all the controls are operating correctly? I assume there is a whole set of tests that are done prior to one of these vessels approaching the bridge.

Mr. Lee replied: Unfortunately, Scott, who is with the Marine Exchange, had to leave. He would probably be more knowledgeable about that.

Commissioner Gunther made a request: That would be great. If I could just have somebody shoot me an email. It is kind of like we have the opportunity, really, to failsafe this system in a lot of ways, and I would just like to make sure that we do it. I will be thinking about this when I get back on the bus and head back over the Bridge.

Ms. Fain stated: Can I make a quick comment? Unfortunately, Scott did have to jump off. But the presentation alluded to this study that is going to be undertaken, led by the Marine Exchange in consultation with MTC and Caltrans. The purpose, as I understand it, of that study is really to evaluate the risk of our bridges, looking at both the structural aspects as well as the operational aspects, like you are alluding to, and really comprehensively understand risk in a fuller extent. I think everyone is really excited for that study to happen, and I think it will hopefully make us all who cross the Bay Bridge all the time breathe a little better.

Commissioner Gunther added some levity: Can you finish it before I get back on the bus?

And I guess I would just like to as part of that, to understand, there is a pretty simple math equation here about the maximum force that could be delivered to one of the bridge pilings. Clearly the Busan did not have the power, luckily, to really damage, but we do send ships under that bridge that are much larger, right?

Mr. Lee agreed: Yes.

Commissioner Gunther acknowledged: Yes, okay.

Chair Wasserman added: There are some limits. I am not going to tell you what they are because I am getting my information off of Google, which is helpful but not expert enough. But there are some and so we will get the answers back.

Commissioner Gunther continued: I am also aware that the economics of international shipping is such that our vessels are getting larger, which is why we are dredging deeper channels. I am glad we are upgrading the fenders. Maybe it is possible that we can get a fender that is big enough that we do not have to worry about it. That does not seem to me to be the physics of the situation. So, what is the schedule for doing this work?

Mr. Lee stated: We are just getting at our contract, so we are just starting. But when I talked to Scott it was months, not years.

Commissioner Gunther asked: Will we hear back?

(Affirmative responses were voiced.)

Commissioner Gunther acknowledged: Great.

Commissioner Eklund was recognized: It would be very helpful for all of us to get the answers to the questions that were asked, I think that is important.

So, you are with Caltrans. Just help me to understand, what bridges do you not have jurisdiction over?

Mr. Lee clarified: Well, I am actually with the Bay Area Toll Authority. We have the seven state-owned toll bridges, Antioch, Benicia, Carquinez, Richmond, Bay Bridge, San Mateo, Dumbarton. Golden Gate is its own separate entity, that has its own. And then the State Department of Transportation has all the rest of the bridges that may cover the bridge. The Napa River Bridge, per se.

Commissioner Eklund asked: Right, okay. And that is going all the way up to the Ports of Stockton and Sacramento as well?

Mr. Lee answered: Yes, yes.

Commissioner Eklund: Okay. Your jurisdiction, though, does not go beyond the Bay Area though?

Mr. Lee replied: BATA's jurisdiction does not. Caltrans' state highway system is all of theirs. The study that we are proposing to do when we talked to Scott was comprehensive all the way to the Ports of Sacramento and Stockton.

Commissioner Eklund stated: Perfect. Okay, great. So, the study would involve the other bridges, including the Golden Gate.

Mr. Lee replied: Yes.

Commissioner Eklund continued: Okay, good. As part of this study is there going to be a discussion about the role of the Bar Pilots? Okay, good, I am glad to see that. Because I do not know how many Bar Pilots are used when you are looking at a tanker, a big tanker coming in, for an example. Do the Bar Pilots take that vessel all the way up to the port of where it is going to go? Is it yes?

Mr. Lee answered: I think so.

Commissioner Eklund continued: And most people on Zoom cannot see that. But I think getting an explanation of what the Bar Pilots actually do would be helpful because there may be some changes that the Bar Pilots may need to do in order to help improve the safety part of it, having experienced that when I worked with the Army Corps a long time ago.

And then I was kind of curious. How many Bar Pilots are required for different sizes of vessels? There is no requirement.

Mr. Lee answered: I do not know. That is a question for Scott, he would have a better explanation on detailed operations. We are more focused on the bridge end of it for our group.

Commissioner Eklund continued her inquiry: The bridge end of it, okay, okay. And then what about the speed restrictions? Is that something that you actually control, or who controls that?

Mr. Lee stated: It probably fall under the Bar Pilots and Coast Guard and how they wish to operate on the Bay. Not BATA and Caltrans.

Commissioner Eklund acknowledged: Right. Is that going to be a factor of this analysis too, the different speed levels? Okay, great. And what is the time frame for this?

Mr. Lee replied: Months. We are just working out the funding agreements with them.

Commissioner Eklund acknowledged: Okay, great. You are going to come back and give us more information after you have done the study? I see yesses. That is awesome.

I am really excited about this because having been out on some of the ships when I worked for the Army Corps and EPA, it is really amazing the amount of traffic that we actually get. It is also amazing too that we have not had more problems than what we have had existing, so actually glad to see this study being done. Anxious to take a look at it. Thank you.

Chair Wasserman continued: Yes, Larry.

Executive Director Goldzband added: I just want to mention two things.

First of all, thanks to Cody and the folks for putting this together. We will get a second briefing to everybody when the study is through and all that.

I do want to ask one question. I want to make sure that I was right. Which is that the tragedy in Baltimore, the bridge itself did not have fenders. Is that correct? Somebody say yes or no, please. It is correct. There were no fenders on the bridge in Baltimore.

Mr. Omran: We have got a little more detail.

Executive Director Goldzband: But go ahead. Yes, thank you.

Mr. Omran: Hello. I am with Caltrans, Muthanna Omran. I am a regional project manager; I work on the toll bridges for Caltrans.

The Bridge in Baltimore had a fender system called Dolphins. They are supposed to be the Cadillac of fenders, the fancy. But the accident itself, what we understood from it, that the ship after losing power navigated a path between, the Dolphins are two large piles. So, the ship navigated between those piles to hit the Bridge itself. So, it was unfortunate luck.

Our bridges, we have a different fender system, they are islands. We just put islands around the columns in compliance with the code at the time of design. That governs the ship, the geometry of the ship, it should hit the fender before it reaches the bridge itself.

Chair Wasserman asked: Any other questions or comments?

Commissioner Eklund inquired: Are you also going to in the report talk about the fenders themselves, and are there improvements that can be made to the existing system that we have in the Bay Area?

Mr. Lee stated: We could bring that back. We want to do the risk assessment first, which has a lot more to do with the types of ships coming in, then we can make a further assessment.

Commissioner Eklund acknowledged: I was just kind of curious because based on the comment about what happened back east, we might want to look at doing a fender system that is little bit stronger than what we have now. So, just kind of curious.

Mr. Lee added: It will be more fill, so.

Commissioner Eklund asked for clarification: More fill?

Mr. Lee clarified: More fill.

Mr. Omran added: There is an evaluation. Mr. Chris Long, I think he is online from FHWA. The state transportation departments all over the nation are coordinating the efforts. There is an evaluation to see what can be done to improve whatever systems, whatever code governs the design of the current systems. No results yet but we have a path, we are working on it, and it is in coordination with other states too.

Chair Wasserman asked: Any other questions or comments? Seeing none, thank you all for the presentation and the work. We look forward to hearing from you again. There is no action on this item. Go forth and protect us.

11. Briefing on Sediment Management Workshops and Action Plan.

Chair Wasserman announced: Item 13, sediment for wetland adaptation projects. Staff will provide a briefing on this project, which includes a policy development and coordination effort along with a potential Bay Plan Amendment to increase the beneficial reuse of dredge sediments and soils. BCDC staff member Rachel Cohen will begin the briefing.

Environmental Scientist Cohen addressed attendees: Good afternoon, Commissioners and all in attendance. My name is Rachel Cohen. You might recognize me from BCDC's Enforcement team about six months ago; but I am happy to now be an Environmental Scientist on our Long-Range Planning Team, managing the Sediment for Wetlands Adaptation Project or SWAP for short. Today we will go over some updates since the Commission was last briefed on this project in June of this year.

The goal of the Sediment for Wetlands Adaptation Project is to increase beneficial reuse of sediment and soil for wetland habitat restoration, resilience, and sea level rise adaptation in the San Francisco Bay Area.

We plan to achieve this goal through the project objectives, which are increasing coordination and collaboration, developing an action plan, improving policies, and developing a financing and funding strategy.

This project would not be possible without the generous grant funding we received from the EPA and the Ocean Protection Council; and our sincere thanks goes out to those partners.

Let's first talk a little bit about the significance of wetlands in our region and the issues that they are facing. Two hundred or so years ago wetlands lined the shoreline of the San Francisco Bay, as you can see mainly in green on the map on the left side of your screens. Eighty percent of historic wetlands were destroyed due to diking and draining of the Bay, and today large areas of subsided Baylands line the Bay where marshes used to exist.

There are many restoration projects underway and being planned to bring back wetlands and their benefits, such as habitat, improved water quality, and flood protection. The figure on the right shows how, slowly, we are moving towards more restored tidal marsh and wetlands. However, in order to support functional wetlands over time, they will need more sediment.

Very quickly, I will just state that as we all know, sea levels are rising, and they pose a threat to the survival of the limited wetlands that we have left in the Bay Area.

Scientists have determined that the sediment supplied by the Gold Rush has largely moved through the system. And in addition, rerouting waterways, dams, and water control structures has caused far less suspended sediment to enter the Bay from the Delta.

In 1998 USGS researchers noted a step decline in the suspended sediment load from the Delta, which you can see at the red arrow on your screens. This was noted both in the North and the South Bay, and studies show that this decline continues today.

As sea levels rise and sediment supply declines, we likely will not have enough sediment naturally supplying restoration projects and over time marshes will struggle to keep up with sea level rise.

One of the ways that our region is addressing the issue of sediment is through a regional sediment management program. Regional sediment management is the management of coastal, estuarine, and riverine sediment within a system through balanced and sustainable solutions to sediment related needs. This means sediment is managed in an environmentally beneficial and economical manner.

This includes all sediment related activities like navigation dredging, which is also covered under the long-term management strategy, and the Dredge Materials Management Office, if any of you are familiar with those. Other sediment related activities include reservoir and dam management, climate adaptation projects, and flood protection and management.

Many of you are probably familiar with SFEI's *Sediment for Survival* Report and other reports produced by collaborative efforts to address regional sediment management needs.

The region is working towards shifting the mindset from treating sediment and soil as a waste product to be disposed of to seeing it as a valuable natural resource that is necessary for sea level rise adaptation and can be beneficially reused to support green infrastructure, nature-based solutions like marsh restoration and habitat rehabilitation and enhancement along the edges of the Bay.

Here is a timeline overview. There are three main phases of this project. We are currently nearing the end of Phase 1 by releasing our draft *Sediment and Soil Beneficial Reuse Action Plan* for public comment, which was sent out on Tuesday of this week. The Action Plan is a regional strategy for increasing beneficial reuse of sediment and soils for wetland restoration. This Action Plan was developed with the help of our stakeholder coalition, which met in a series of workshops earlier this year. We will finalize and publish the Action Plan after we receive public comment.

Now that we have released the draft Action Plan, we will begin developing a work plan for Phase 2, which is a potential Bay Plan Amendment. During that process we will be reviewing the Bay Plan policies related to sediment to see how they might be updated.

Finally, in Phase 3 we will develop a financing strategy to support beneficial reuse.

Throughout this project, we are guided by the Sediment and Beneficial Reuse Commissioner Working Group and also a core team of agency and stakeholder partners, including the Regional Water Board, State Coastal Conservancy, San Francisco Estuary Institute, San Francisco Bay Joint Venture and EPA Region 9.

The Beneficial Reuse Commissioner Working Group has met over the past year and some to prepare for the Bay Plan Amendment process through a series of informational briefings to describe sediment processes and challenges and bring everyone up to speed on the issues.

As part of Phase 1 to develop the Action Plan, this January we held a two-day sediment management stakeholder workshop. This was a chance for stakeholders to come together as a community, and over 50 agencies and organizations attended to support changes in how sediment is managed in the Bay Area. The workshop had breakout sessions to discuss issues and perceived barriers, and we presented potential solutions.

The issue of how to increase beneficial reuse has previously been discussed in several forums by many of the stakeholders who attended the workshop, but we have never collected everyone together to reach consensus and formalize that information until now.

Out of this workshop we confirmed key opportunities and barriers for sediment and soil reuse and gained a clear understanding of recommendations regarding actions and potential partners to help get this proposed work done. The actions make up the substance of the Beneficial Reuse Action Plan that was released for public comment this week.

The specific actions in the Action Plan were developed through many conversations with interview participants who are well versed in the issues at hand. We did a lot of brainstorming internally and with the core team. We collated all the issues and actions into a matrix, which at one point had 140 potential actions listed in it.

The two-day workshop was really helpful in exploring these actions further. We took the comments gathered during those breakout sessions and consolidated the 140 actions down into 71 actions that you will find in the draft Action Plan.

To be an action it had to be focused on increasing beneficial reuse of sediment and soil, be potentially achievable in one to five years, and have regional support. And most of the winnowing down, again, involved consolidating the ideas.

The goals here on this slide are at the heart of the actions and objectives within the Plan. By achieving these goals, we move toward achieving the broader project goal of increasing beneficial reuse of sediment and soil to support wetlands in our region.

The principles define how the region will work together to implement the Action Plan with a focus on coordination, communication, and collaboration that will help organize the many entities working in this space.

A focus on equity will prioritize community input during action implementation.

Environmental stewardship will support wetlands as sea levels rise.

And of course, this cannot be done without transparency to ensure that everyone can track progress and give input.

Speed and agility are also crucial due to the limited time that we have to take the necessary actions ahead of the worst of sea level rise.

And lastly, we acknowledge that there are many groups doing great work in this space, and the coalition really needs to capitalize on and build off of this existing work.

The structure of the Action Plan is up on this slide. The sections to pay most attention to are the Sources of Sediment and Soil, which includes the challenges of getting materials from each of these sources to beneficial reuse sites.

The other quite important part is the Focus Areas, which contain the 71 actions which pertain to all stakeholders in the region and not just BCDC.

The 71 actions in the Action Plan are organized into 8 focus areas which are listed on the screen. The actions in each focus area advance the overarching goals of the Action Plan.

Each focus area includes an issue summary, objectives, and specific actions.

This is an example of how the focus areas are organized. Each focus area has objectives and numbered actions, and we attempted to identify whether each action is in progress or not.

As an example, Action 2.4.2 is to identify and propose amendments to the Bay Plan findings and policies regarding sediment supply and beneficial reuse, which is Phase 2 of the SWAP. This one says in progress because we have already been doing quite a bit of research and outreach, which is the first phase of any Bay Plan Amendment process.

We are currently seeking feedback and public comment on the draft Action Plan. Public comments can be sent in via email or regular mail or spoken at this or the next Commission meeting on November 21.

We are accepting all general comments, but we are particularly interested in feedback that answers the following questions:

What are the most important actions to prioritize over the next five years?

Are you or your organization or agency interested in leading or being involved with certain actions?

What is needed for successful implementation?

The deadline for submitting public comments is Thursday, December 5 or four weeks from today.

Here is a slightly more detailed timeline. This is our anticipated timeline for the next six months, although our next step is to revise our Work Plan and at that time, we will map out the actual dates for these goals. We are currently at the first yellow arrow right now at our Commission briefing, and we hope to finalize and publish the Action Plan around the end of the year. The next time you will hear from us will be when you initiate the Bay Plan Amendment process, hopefully, although we will be working with the Commissioner Working Group and core team throughout this whole process.

To sum everything up quickly, we released the draft Action Plan, and it is out for review.

Once it is finalized, we will switch gears and work on the Bay Plan Amendment process.

And then finally in 2025 we will work with the Financing the Future Commissioner Working Group to develop a financing strategy to support beneficial reuse.

That concludes my presentation. Thank you.

Chair Wasserman acknowledged: Thank you. Do we have any public comments on this?

(No members of the public addressed the Commission.)

Chair Wasserman continued: Thank you. Commission questions or comments?

Commissioner Eklund spoke: This topic is near and dear to my heart. Hamilton restoration was delayed in part because there was not enough sediment, and it was an important issue for us.

But I am kind of curious, did you reach out to water districts who have to dredge their reservoirs periodically to keep their storage capacity similar? Did you reach out to federal agencies that have jurisdiction over dams? I am just kind of curious. How far did you go out to get input from other federal, state and local agencies?

Ms. Cohen replied: It is a great question. I was not involved in that specific stage of the process, so I am going to let Brenda answer.

Commissioner Eklund added: And Rachel, congratulations on being able to work on this project; it is a great one.

Ms. Cohen acknowledged: I feel the same way.

Commissioner Eklund stated: It is going to be fun, yes.

Ms. Goeden spoke: And we are super pleased to have her. Brenda Goeden, Sediment Program Manager again.

We did not reach out to the dam community because it is so far outside of BCDC's jurisdiction, and the dams and the reservoirs are probably the largest reach or the hardest piece of beneficial use.

So, where we really focused is flood protection, stream bed maintenance, improving navigation dredging, beneficial reuse and upland soils, meaning primarily excess construction soils, and that seemed like enough.

The *Sediment for Survival* report definitely targets the reservoir and dam community, but that just seemed like a little bit too far for us to reach in a one-to-five-year Action Plan. But we did very much reach out to cities, counties, federal government, particularly for the flood protection agencies and watershed managers.

Commissioner Eklund asked: And what about water districts? We have water districts in Marin, for an example, that they dredge the reservoirs periodically and I know that there's other local areas around too. And they sometimes take their sediment from the reservoirs to the landfills, and they use that for daily cover, but that might not be the highest and best use for that material, because it is clean.

Ms. Goeden answered: Yes, absolutely.

Commissioner Eklund stated: If it is for drinking water reservoirs, it is going to be really clean.

Ms. Goeden agreed and added: Agreed. I do not think we really went to the level of the water districts, but that is a really great point. I do know that there is another effort which is tiered under our effort, also EPA funding, that SFEI and I think San Francisco Estuary Partnership is working on called Sediment Solutions.

Commissioner Eklund acknowledged: Right.

Ms. Goeden continued: It is taking this effort and hyper-localizing it to the Petaluma River watershed and also the San Tomas Aquinas Creek watershed, where they are literally talking to the local water districts and the local flood protections and the cities within those watersheds, and that is a pilot project that can be modeled further out. So, they have gone hyper-local; we were still at the regional level.

As Rachel mentioned, there's multiple groups working on different aspects of this problem. We are very much linked arms with that group and that group is participating in our work as well. We did not get quite to that localized level, but there are people at that level.

Commissioner Eklund had suggestions: Okay. I would highly suggest that you at least do reach out to the local water districts in the Bay Area.

Ms. Goeden replied: I think we will do that next week.

Commissioner Eklund stated: Yes. It is a real issue sometimes, especially because of the cost of the dredging of the reservoirs. And part of the cost is, what do you do with the sediment? That is pretty much it, but I am really excited about hearing more. Thanks, Rachel, great job.

Ms. Cohen acknowledged: Thank you.

Commissioner Showalter commented: I was just going to say that at the workshops we did have Santa Clara Valley Water District and Marin Flood, who are very involved in dredging their streams. I know Santa Clara Valley Water District has 12 reservoirs and they do dredge them from time to time, but very irregularly because the permitting requirements are so onerous that it seldom happens. But we did include the flood control agencies that are actively removing sediment from streams in our workshop. And they had a lot of comments so that was really good.

I just want to also say I was the vice chair on this subgroup, and I kept being so incredibly impressed with the quality of the programs that was put together and also the breadth of participation. We normally had in the neighborhood of 50 participants at these meetings. I think that is what it was, maybe it was 35, but it was a lot. We were all given a Sediment 101 education, so it was a great experience to go through. If anybody really would like to learn a great deal about this, they can go back and look at the presentations and the annotated bibliography that was put together for it. Thank you.

Commissioner Eklund had a request: Can we get the date of that or at least a link so that we can take a look at that. That would be helpful.

Ms. Cohen stated: Yes, I can put that together.

Commissioner Eklund acknowledged: Thank you.

Commissioner Gunther added: I think it is all on the website, isn't it?

Ms. Cohen reiterated: It is all on the website. I just do not know the dates for all those presentations.

Commissioner Gunther stated: Yes, the Sediment Beneficial Reuse Working Group has a section on the website and there you will see all the five or six meetings with the background information and the technical presentations we received.

Commissioner Eklund requested again: But if they could send us the link of where the presentations were I think that would be helpful.

Ms. Cohen acknowledged: Sure, I'd be happy to. I believe most of them happened in 2023 so, we'll go back.

Commissioner Beach commented: Yes, really excited about the Adaptation Project and the Action Plan. The Army Corps of Engineers was not one of the core partner agencies involved but we did participate in the workshops and the Commissioner Working Group as well.

Did want to highlight that the timing is nice here. We have also simultaneously released our Regional Dredge Material Management Plan. That came out and the associated NEPA/CEQA document. And comments are due on that I think a little bit after your comment period closes up, so around mid-December.

But some of the actions that are described in the Action Plan overlap with the Corps' program pretty significantly and we are really, I think, nicely aligned on trying to maximize beneficial use of dredge material, so that has been good. And we do actually operate some dams as well, so hearing this conversation I will try to engage some of our staff on that end to maybe weigh in on the Adaptation Project.

One question I had, and I cannot recall from the workshops, do you define in the objective what you mean by sea level rise adaptation? Is it focused only on wetlands or other adaptation actions as well? Use of sediment for other adaptations, levees, for example.

Ms. Goeden answered: Thank you, Commissioner Beach. In this project we are focused 100% on wetland adaptation. This conversation did come up, particularly with the flood control group at one of the breakout sessions. This project is not excluding beneficial reuse of sediments or soils at any kind of sea level adaptation, it is simply focusing on wetlands because like my answer about the dams is, the whole sea level rise adaptation world and trying to manage all of that around sediment and soil is a very, very large effort. And we do know that over time and even currently, upland soils particularly are starting to be in competition between wetlands and development projects that want to raise their land. So, we made a strategic choice initially at the start of the project, to really focus on wetlands. It is also funded through a wetlands program development grant and so it needs to focus on wetlands as part of the EPA's criteria. Yes, we are focused 100 percent on wetlands; I will just stop there.

Commissioner Beach acknowledged: Thank you.

Chair Wasserman continued: I do not see any other hands.

I thank you all. The beneficial reuse issue writ large; and I recognize you have got to take everything in chunks. We need to be aware of the whole at all times, but to make progress you have got to look at specifics. I thank you for the effort.

The beneficial reuse is one of the most important issues, from my view, that we are addressing in terms of not only adaptation, but the environment and the need for soil throughout the area for a variety of uses. So, I thank you all. We have no action pending on this issue, it was for information, thank you.

12. Adjournment. There being no further business, upon motion by Commissioner Eklund, seconded by Commissioner Gunther, the Commission meeting was adjourned at 3:50 p.m.