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MINUTES

TO: All Commissioners and Alternates

FROM: Lawrence J. Goldzband, Executive Director (415-352-3653; larry.goldzband@bcdc.ca.gov)
Sierra Peterson, Executive & Commission Liaison (415-352-3608; sierra.peterson@bcdc.ca.gov)

SUBJECT: Approved Minutes of September 4, 2025 Hybrid Commission Meeting

[Note: Agenda Item 7 was taken out of order. These minutes reflect this agenda item as listed on the agenda and not as taken in chronological order.]

1. Call to Order. The hybrid meeting was called to order by Chair Wasserman at 1:05 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 convened the meeting: Good afternoon, all, and welcome to our hybrid BCDC Commission meeting. My name is Zack Wasserman, and I am the Chair of the Commission. I want to thank the Commissioners who are here at Metro Center, it is good to see faces in person, as well as those who are participating virtually and helping to save the environment. I hope that all of you had a safe and happy long weekend over Labor Day.

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

2. Roll Call. Present were: Chair Wasserman, Vice Chair Eisen, Commissioners Ahn, Dorsey, Eckerle (represented by Alternate Kimball), Gioia, Gonzalez, Hasz, Hermosillo, Kato (represented by Alternate Pemberton), Mashburn (represented by Alternate Vasquez), Moulton-Peters, Ramos, Randolph, Showalter (joined after Roll Call), Tam (represented by Alternate Gilmore), Taylor and VACANT (Nelson). Catherine Stefani, appointee of the Speaker of the Assembly (represented by Alternate Falzon) was also present.

Chair Wasserman announced that a quorum was present.

Not present were Commissioners: Association of Bay Area Governments (Addiego, Eklund), USACE (Beach), Department of Finance (Benson), U.S. Environmental Protection Agency (Blake), Business, Transportation & Housing (El-Tawansy), San Mateo County (Gauthier), Regional Water Quality Control Board (Gunther), Santa Clara County (Lee).

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

No members of the public addressed the Commission.

Chair Wasserman continued to the Report of the Chair.

4. Report of the Chair. Chair Wasserman reported on the following: That brings us to Item 4, my report.

A. Commission Meeting Schedule: I want to remind the Commissioners that we will have a Commission meeting in two weeks here at Metro Center on Thursday, September 18. However, we will not meet on October 2, which is Yom Kippur. We will resume our regularly scheduled meetings on October 16.

B. Introduction of Susie Ledesma: I want to take a moment and ask Susie Ledesma, our newest senior staff member, to stand up and introduce herself to the Commission with a few words. Susie is our new Director of Operations and Technology, previously known as our Administrative Department. Susie, the floor is yours.

Director of Operations and Technology Services, Ledesma, addressed attendees: Hi. Good afternoon, everyone. My name is Susie Ledesma, and I am the new Director of Operations and Technology Services. I am born and raised in Sacramento, and I live in Sacramento with my husband and one of my three kids. One of my twin daughters is here at the University of San Francisco. Go Dons. I have to wear a Dons lanyard. And then her twin sister just transferred over to UCLA, so go Bruins. So, I have, yes, two college-age students and a 10-year-old son in Sacramento. And I live, if you are familiar with the Sacramento area, I live in Antelope, so it is kind of in between, right next to Roseville, around that area.

And I guess I will share a fun fact about me. I grew up in Mexican restaurants. My father owns, has owned several Mexican restaurants. Right now, we only have one left in Lincoln, California. So, if you say you know a good Mexican restaurant I will be the judge of that. Nice to meet you all. Thank you.

Chair Wasserman acknowledged: Thank you and welcome.

C. Commissioner Zepeda to Enforcement Committee: I want to let the Commissioners, and the public know that I have asked Commissioner Zepeda, who is the Alternate for Ex Officio Member Senator Arreguin, to join our Enforcement Committee, and I am pleased to report he has agreed to do so.

D. Recognize Commissioner Moulton-Peters: I would now like to recognize Commissioner Moulton-Peters who held a very interesting and productive meeting with our staff and MTC staff concerning the ramification of rising sea levels on transportation infrastructure in Marin County.

Commissioner Moulton-Peters reported the following: Thank you, Chair Wasserman. I did hold an interesting briefing. I had requested this of BCDC and MTC staff to get a better handle on the areas in our highway system that are either currently flooding or are subject to future sea level rise; and I also asked for information about other segments of highway in all of your jurisdictions of the counties ringing the Bay. I received a great briefing from Jessica Fain and Dana Brechwald and members of the MTC planning staff who have been working together for a number of years already in the Resilience Financing Plan.

What I saw was that there are many locations around the Bay where our highways are vulnerable to sea level rise, and we are going to lose connectivity if we do not begin planning for maintaining them and maintaining their functionality.

There were seven different projects that the team showed me in all parts of the Bay. They are currently being managed and led by different agencies with counties as partners and we are in what I would call the early stages of figuring out how to cope

with interim solutions as well as long-term solutions.

But I think the message that I would share is this was very illuminating for me. I think other Commissioners might find a similar presentation illuminating and helpful for them, and it perhaps will provide some additional incentive and encouragement to start or accelerate the planning that has begun so that we maintain connectivity around the Bay. And that is what I wanted to share. Thank you.

Chair Wasserman acknowledged and commented: Thank you, Stephanie. I would echo the suggestion and encourage Commissioners who are interested, and frankly even if you are not interested, to talk to our staff on working and setting up a similar meeting with Caltrans. I think it is important information for us to have. I think it is an important forum to give information to Caltrans. I also think that the effect of rising sea level on our transportation system is one of the most visceral effects and easiest to communicate to constituents of the effects and the need for us to move and move ever more quickly to figure out how we are going to adapt and protect ourselves and our transportation systems and our livelihoods, as well as the Bay itself.

E. BARC Leadership Group Meeting: Yesterday, there was a meeting of what has become the BARC Executive Committee, consisting of the chairs of the four member agencies, ABAG, MTC, the Air District and BCDC, along with the Executive Directors and some senior staff of those agencies. We are continuing the effort to determine how BARC can most effectively help its member agencies, both effectively and efficiently, given in particular these difficult budgetary times. BARC will not hold an actual full board meeting until the spring, but we will be informing BARC board members of the progress that BARC is making.

F. Next Meeting: As I noted, our next meeting will take place in two weeks. We expect to hold a public hearing and possible vote and discuss the ramifications of changes to CEQA on BCDC'S laws and policies. That agenda will include public hearing and possible vote on:

- A public hearing and possible vote to initiate a Bay Plan Amendment to improve the Plan's maps and mapping system.
- A briefing on changes to CEQA that have been approved by the Legislature and signed into law by the Governor, and how they may affect BCDC and its operations.
- And a briefing on our Annual Report.

G. Ex Parte Disclosures: That brings us to the ex parte disclosure time, where if you have had conversations outside of public meetings concerning matters of judicial impact now is the time to report them if you wish. You do need to report them in writing through the portal. Does anybody wish to make an ex-parte disclosure? I see no hands.

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

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

We all know that not all historical records are exact. For example, many historians place September 4 in the year 476, 1,549 years ago today, as the day that the Roman Empire fell to the German warrior Odoacer.

The Roman emperor at that point was named Augustulus, but he was as much a usurper as anything else.

Other historians place the date that Odoacer captured and executed Augustulus as August 28, which was right after Augustulus's army mutinied.

I am no historian, but I am actually partial to the date of September 2 as the date that the Roman Empire truly fell. September 2 is pretty much between the two dates noted above. And on that day in 1963, Stephen Sondheim's *A Funny Thing Happened on the Way to the Forum* opened in London's West End after earning six Tony Awards in New York. The show's success probably had 18th Century historian Edward Gibbon, author of the multi-volume *Rise and Fall of the Roman Empire*, rolling over in his grave for it featured such notable Roman characters as Erronius, Gloriosis, Hysterium, and Pseudolus. One note of caution for budding history majors, don't watch the movie in place of reading Gibbon.

I want to preview that next month we will be presenting our annual budget report. I know that 99.9% of the public does not think that budgeting is interesting, but it is the lifeblood of any organization, and we will do our best to keep you entertained during the discussion.

With regard to policy, some good news first.

The Urban Ocean Lab, a nonprofit organization that promotes creative policy solutions at the intersection of climate change and equity, recently released a paper titled *State-Led Coastal Resilience: Lessons from California*. I will enclose a link to the short report in my meeting summary later today, but I want to read its summary now:

> "California's leadership on coastal resilience stems not just from its economic and political power, but from decades of institutional commitment to managing climate risk. By embedding coastal resilience across multiple agencies, investing in inclusive planning processes, and maintaining a strong science-policy interface, the state has built a durable framework that enables adaptation, even in the face of federal retreat."

It is always nice to get plaudits for successful work accomplished by our state's coastal zone management system.

Now, back to the ranch. You will remember that you have received public inquiries about abandoned and derelict vessels in the Oakland Estuary, as well as encampment and safety concerns at Union Point Park, and vessels near the Jack London Aquatic Center.

Our newly integrated Enforcement and Compliance Team has been meeting monthly with the city of Oakland to discuss these issues. BCDC staff has conducted a comprehensive walk-through of the Park, and we are in the midst of a detailed review of the Cease-and-Desist Order under which the city of Oakland is operating. Our team understands the Order's list of deliverables and will assess Oakland's compliance.

The first step, of course, is to agree with Oakland on a shared understanding of what is going on. Then we shall identify the best long-term path forward to resolve these challenges. We certainly hope that Oakland's new leadership and its renewed citywide focus on addressing encampments and homelessness will enable BCDC and the City to align our efforts in both the near and long-terms. We will keep you updated.

With regard to federal spending, last week NOAA's Office of Coastal Management reported that the Fiscal Year '25 NOAA spending plan was finally approved by OMB, which was due to Congress in April. However, OMB "pulled back" $239 million of appropriated but unobligated NOAA funding.

I am no constitutional lawyer, but I know that I am not alone in questioning whether these cuts raise constitutional questions in light of the 1974 Budget and Impoundment Act. I assume this issue ultimately will be decided by the Supreme Court.

Fortunately, California's existing NOAA funding for our Coastal Zone Management Program is not affected by this Trump Administration action.

In addition, we are working with the Coastal Commission and the Coastal Conservancy on our reply to NOAA's new special grant condition that I described two weeks ago requiring that BCDC certify that it does not operate any programs promoting diversity, equity, and inclusion that violate any applicable Federal anti-discrimination laws. We have learned that many State of California agencies and departments have been made subject to the grant condition and we shall reply in alignment with them.

Finally, I want to mention one more time, that a week from Monday, September 15 in the afternoon at the Exploratorium, BCDC will hold our second annual Rising Together Summit.

There is still some space on our field trips in the morning and panel discussions will be super, and we have as our keynote speaker Alexis Madrigal of KQED. We will have a lovely and fun reception afterward at which we will recognize three award winners.

While the Summit is sold out and was sold out within four days of its announcement, we can register Commissioners and Alternates as the VIPs that you are. Simply email me or Dana or Jessica on our Planning Team and we can get you in.

Also, and we will send this to all of you, we shall debut our *Bay Adapt Impact Report* at the Summit, which briefly highlights the many, many successes in the Bay Area around climate change adaptation since the Bay Adapt Joint Platform was adopted in 2021.

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

Chair Wasserman asked: Are there any questions for the Executive Director? I see none.

I would make one comment. It is really a teaser because we will have more information at one or more of our future meetings. There is some effort in the philanthropic community to help fill the gap on science measures that the Trump Administration has ended, including the attacks on NOAA and its budget. It will, in all likelihood, certainly not totally fill the gap, but there are some strides being made to preserve our scientific knowledge in the face of the onslaught from Washington.

6. Consent Calendar

a) Approval of Minutes for the August 21, 2025 Meeting

b) Commission Consideration of Regional Shoreline Adaptation Plan Technical Services Contract Amendment

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 Gonzalez moved approval of the Consent Calendar, seconded by Commissioner Taylor.

VOTE: The motion carried with a vote of 17-0-0 with Commissioners Ahn, Dorsey, Gilmore, Gioia, Gonzalez, Hasz, Hermosillo, Kimball, Nelson, Moulton-Peters, Pemberton, Ramos, Randolph, Taylor, Vasquez, Vice Chair Eisen and Chair Wasserman voting, "YES", no "NO" votes, and no "ABSTAIN" votes.

[Note: Agenda Item 7 was taken out of order and was heard after Agenda Item 8.]

7. Commission Consideration of Administrative Matters. Chair Wasserman stated: Item 7 is consideration of administrative matters. We have received the administrative listing previously. Director Ross is here to answer any questions, and apparently there are some.

Commissioner Showalter commented: I noted that we are talking about sediment that is being essentially removed from around the San Francisco piers in this area. And there was talk of it being beneficially reused, which is wonderful. The Sediment Working Group has been working on policies to improve that for quite a few years. But it did not say anything about the percentages or expected to be beneficially reused, and I just wanted to understand a little bit better what the process is for deciding that these sediments should be beneficially reused.

I did get some information back from the staff. Thank you very much, Brenda. But I thought it would be good for everybody to hear about that because we do want to have nature-based solutions and we need to have materials, construction materials to do that. And essentially, dredged material functions as construction material for our projects. So, Brenda, take it away.

Ms. Goeden spoke: Thank you, Chair Showalter. Thank you for that really great question.

In this case the Port of San Francisco is proposing to dredge 2.54 million cubic yards over 10 years, and it is at a variety of sites along the waterfront. Like many dredging projects, when you are adjacent to the shoreline it is shallow and so you need to dredge sediment out to maintain safe navigation for vessels coming into your berths.

Through the Long-Term Management Strategy for the placement of dredge material in the Bay Area, affectionately known as the LTMS in some circles, we look at how best we can beneficially reuse this material.

Some of you may recall a report called *Sediment for Survival* put out by SFI in 2021 that stated that we need between 450 million metric tons and 650 million metric tons to restore wetlands in the region and help existing and restored wetlands keep up with sea level rise between now and 2100.

And so, while the LTMS Program has always had the goal since the early 1990s to maximize beneficial reuse, it currently is a voluntary program that allows project proponents to look at and consider how much material they can beneficially reuse.

The LTMS Program went through an Environmental Impact Report and statement in the late 1990s and the alternative that was the preferred alternative came up with about 40% of the material Bay-wide being feasible for beneficial reuse, 20% as a cap for what we can put in San Francisco Bay as disposal, not beneficial reuse but disposal in the Bay, and the other 40% could potentially go to the ocean as a measure to deal with the rest of the dredging while there are not wetland restoration projects available.

As a result of that voluntary program all medium and large dredgers analyze how much material they can take to beneficial reuse and the target, if there is a target, has been around 40%. But we do ask them to really look hard and increase their beneficial reuse wherever possible, and many projects do depending on their funding and their timing and what is available.

So as a permit is issued, we issue the permit for 10 years, but as an episode comes up for dredging, that means the time they are actually going to dredge a certain area, the LTMS agencies examine the alternatives that are available and what the projects are proposing to dredge, as well as the chemical and biological suitability of the sediment to be placed in appropriate areas such as wetland restoration. And we make a determination together as a group; that is the Army Corps, the Water Board, BCDC and the EPA, as to what is appropriate.

We have been asking and often received increases in beneficial reuse over the years, but we are working consistently now with entities like the Port of San Francisco to increase their beneficial reuse wherever they can, understanding the need is far greater than previously considered.

And so, the other thing I will just say, which is not a permitting effort, but the Beneficial Reuse Group that Commissioner Showalter and Commissioner Gunther have been on, among others, has been looking towards how can we improve the Bay Plan policy so we can actually increase beneficial reuse more, given the urgent need.

So, I think I am going to stop there. That is probably more than you wanted, Commissioner Showalter, but I tried to give a complete answer.

Commissioner Showalter acknowledged: Well, thank you. So basically what you are saying is that each particular project will be evaluated for its suitability for beneficial reuse and whenever possible that is what will happen.

Ms. Goeden explained: Yes, as much as we can get to go to beneficial reuse. And I will say, the Port of San Francisco has been working very diligently to ensure as much of their material can go to beneficial reuse as possible.

Commissioner Showalter acknowledged: Well, that is great. Thank you.

Chair Wasserman: Any other questions from any other Commissioners?

Do we have any questions from the public or comments from the public?

(No members of the public addressed the Commission.)

Chair Wasserman asked: I have one. What is a sediment knockdown event?

Ms. Goeden explained: That is a great question. A project has a footprint in which they need to dredge; and in many cases the area that is above the project depth, the part that is causing the impact to navigation from the shoaling of the sediment, is usually flat. But every so often due to different movement of water and ships we get a high spot, and the rest of the footprint is at project depth, so it is just a high spot that is causing the navigation issue.

Several years ago, we worked together to identify another method that is potentially cheaper to address a simple high spot. If there is a high spot, a dredging contractor can bring basically a gigantic metal bar chained to the back of their tug and drag it over the high spot and make the high spot flat. We do that, we allow that when there are lower places. So, it is just a high spot, you can knock it into a low place in the dredge footprint, and it just eliminates a problem in a less expensive and timely manner than having to mobilize a full dredging episode.

Chair Wasserman acknowledged: Thank you. If there are no other questions we will move on to Item 9.

8. Public Hearing and Vote San Francisco Bay Pipeline Cover Restoration Project.

Chair Wasserman announced: That brings us to Item 8, a public hearing and possible vote on an application by Kinder Morgan Energy Partners, SFPP, LP, to repair five exposed sections of a pipeline corridor that runs between the Oakland Airport in Alameda County and Brisbane in San Mateo County. The pipeline transports jet fuel that is ultimately delivered to SFO. The repairs consist of placing an 18-inch layer of pea gravel, rock riprap and concrete revetment mats over a total of 0.53 acres of subtidal Bay. Rowan Yelton of our staff will make the presentation.

Coastal Program Analyst Yelton presented the following: Good afternoon, Commissioners. I am Rowan Yelton, Coastal Program Analyst on the Bay Resources Team. I am here today to present the Staff Recommendation for the SF Pipeline Restoration Project.

This project, proposed by Kinder Morgan, would repair sections of a jet fuel and oil pipeline that is buried under the Bay. The pipeline crosses the Bay between the Oakland Airport in Brisbane in San Mateo County. The original pipeline was permitted by BCDC in 1968. And if approved this project would be permitted as a material amendment to that original permit.

The repairs would span 585 feet of the pipeline and would rebury the pipeline in an 18-to-30-inch layer of pea gravel, rock riprap and concrete revetment mats. The repairs would total 1,255 cubic yards over 0.53 acres of the Bay. The areas to be repaired are all subtidal and the fill would not reach the surface of the water.

Project impacts include the placement of solid fill in the Bay and the loss of subtidal habitat in those areas.

The permit would include special conditions to minimize and avoid environmental impacts by requiring the Applicant to abide by work windows to protect native fish and marine mammals, use rock and gravel placement methods that minimize disturbance to the Bay floor, and submit a post-construction report to BCDC.

Additionally, to compensate for the unavoidable Bay fill, the Applicants will be required to contribute $750,000 to fund the enhancement of a 1.2-acre intertidal area in Richmond, near the old Terminal 4 site, resulting in a 2:1 mitigation ratio.

The enhancement would involve removal of 300 tons of concrete, creosote-treated wood and other debris, regrading the shoreline and installation of native plants and shellfish reef balls to enhance the intertidal habitat for native species and protect the shoreline from sea level rise.

The primary issues to consider are whether the project is consistent with the McAteer-Petris Act and the Bay Plan, specifically the sections on Bay Fill, Fish, Other Aquatic Organisms and Wildlife, Subtidal Areas, and Compensatory Mitigation.

That concludes my staff introduction. I will hand it over to the Kinder Morgan Team for their presentation.

Mr. Fore addressed the Commission: Thank you, Rowan. Good afternoon, Chair, and Members of the Commission. I am Allen Fore, Vice President with Kinder Morgan. I think Rowan did a really good job of giving you an overview of our project. I will provide a little bit more context and detail and timeline for the project repairs, and then we will be available for any questions that you may have.

If you are not familiar with our company, we are a major energy infrastructure, transportation and storage company. Assets in 43 states. Significant assets in the state of California, as you can see by our system map here. Our pipelines provide petroleum products basically from one end of the state to the other and provide significant supplies of jet fuel to major international airports as well as military bases.

In Northern California in the Bay Area our pipeline systems are a major source of petroleum products. What does that mean? If you are driving a car with gasoline or diesel it is likely that those products somehow came through our pipeline systems or terminals. If you fly in and out of SFO, you are 100% confident that the fuel supply from SFO came from our pipe.

As Rowan mentioned, we have two pipes that were installed in 1968 under the Bay. They have been operational since that time and over time have now developed into the sole source of jet fuel for the Airport.

Through our normal course of inspections that we do regularly of the pipeline we discovered exposed pipe in five areas. So, if you look at the overall, we have about 43,000 feet of pipe under the Bay, this is about 500 feet. So, a relatively small portion, about .01% of our overall pipe. But nevertheless, we want to get those repaired and reburied.

So best practices are what we are following here, and that is the pea gravel, geo tech padding, and then riprap and then the revetment mats. So, we are confident that with all of that we will secure a minimum 18 inches depth of cover, which is the agreement we have with California State Lands. On top of that will be the layers of protection.

From a schedule standpoint, we do want to finish that this season. There are restrictions of working in the Bay through the end of November.

If we receive the Commission's approval today that will be the final approval necessary. We received our 404 from the Corps of Engineers, our 401 from the Regional Water Quality Control Board, and our lease amendment from California State Lands.

So, everything is in place. With approval today we will begin to mobilize our contractor. Our contractor is CS Marine out of Vallejo, a union contractor. They will begin to mobilize, get the equipment in place, for a start date of October 13 and then a completion date of November 19.

We worked with staff on this at all of the agencies to make sure that these were in line with all the rules and regulations applicable to each agency and we are confident that this will address the exposed pipe. We will continue to monitor the pipe as we have since the 1968 initiation through regular monitoring, surveys and inspections. I would be happy to answer any questions.

Chair Wasserman continued: We will now open the public hearing. Do Commissioners have any clarifying questions?

Commissioner Gonzalez was recognized: A couple of quick questions. The pipe that is exposed is because the surface sediment, the surface cover, has been moved?

Mr. Fore explained: Like a sea scour. Yes, over time, yes.

Commissioner Gonzalez continued: And is that because of water movements as you guys study them? Do we anticipate that happening in other locations?

Mr. Fore answered: Well, we monitor this pipe regularly. And since the 1968 initiation to have only these exposures after an extended period of time, I think that is pretty good indication that the initial installation of the pipe was good and successful. There may be more in the future, and we will continue to monitor for that and probably have a similar system in place. But if the history is indicative of where we are, this minor amount, .01% of the pipe having exposures is unlikely, but we will continue to monitor and make sure that is the case.

Commissioner Gonzalez asked: Then the other clarifying question around regular monitoring. What is the frequency?

Mr. Fore replied: The system is regulated by USDOT, the Pipeline and Hazardous Material Safety Administration, so there is a minimum five-year period for this type of monitoring Considering the importance and significance of this pipeline from an infrastructure perspective and also from a safety and environmental perspective, likely that is going to be more frequent in the future. But that is the mandatory minimum is five years.

Chair Wasserman had a question: I have a question which may be irrelevant; and I think there was a time when I knew the answer but I do not today. What is the source of jet fuel for the Oakland Airport?

Mr. Fore replied: This pipe is also a significant source of fuel for Oakland.

Chair Wasserman acknowledged and continued: All right, we will now open it for public speakers. Do we have any public speakers?

(No members of the public addressed the Commission.)

Chair Wasserman asked: Do Commissioners have any other questions?

Can we have a motion to close the public hearing?

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

Chair Wasserman asked for the Staff Recommendation: Now, Rowan, the Staff Recommendation please.

Mr. Yelton read the following into the record: Thank you. The Staff Recommendation. We recommend approval of the application with conditions for:

Environmental protection during construction. Specifically, to require construction during an approved work window, use of appropriate rock and gravel placement methods to minimize temporary impacts.

And a condition to require the compensatory mitigation of contributing $750,000 to the Coastal Conservancy to fund the enhancement of a 1.2-acre subtidal area in the city of Richmond.

Chair Wasserman asked: Does the Applicant accept the recommendation?

Mr. Fore answered: Yes, we accept.

Chair Wasserman continued: Thank you very much. I would entertain a motion to approve.

MOTION: Commissioner Randolph moved approval of the Staff Recommendation, seconded by Commissioner Gonzalez.

VOTE: The motion carried with a vote of 18-0-0 with Commissioners Ahn, Dorsey, Gilmore, Gioia, Gonzalez, Hasz, Hermosillo, Kimball, Nelson, Moulton-Peters, Pemberton, Ramos, Randolph, Showalter, Taylor, Vasquez, Vice Chair Eisen and Chair Wasserman voting, “YES”, no “NO” votes, and no “ABSTAIN” votes.

Chair Wasserman continued: Thank you.

We are going to go back to Item 7, the record should show that Commissioner Showalter has joined us.

9. Briefing on Proposed Amendments to the Commission’s Permitting Regulations.

Chair Wasserman stated: If there are no other questions, we will move on to Item 9, which is a discussion of proposed amendments to the Commission’s regulations designed to streamline and improve the Regionwide Permit Program, reduce permitting burdens for straightforward and routine activities, and make other updates to clarify and improve permitting rules.

This issue has been discussed by the Rising Sea Level Work Group and staff now wants to begin a public process to gain comments on the ideas being proposed. Ethan Lavine, Assistant Regulatory Director for Climate Change, will provide the briefing.

Assistant Regulatory Director for Climate Change Lavine presented the following: Good afternoon. My name is Ethan Lavine. On the phone we also have Marc Zeppetello, BCDC’s retired general counsel, who has come back to help us on this proposal.

This staff briefing, just as a reminder, as Chair Wasserman mentioned, is our second time coming to you on the topic. In May we brought forward several concepts for updates to the Commission’s permitting regulations. We have refined our initial proposal based on feedback we heard at that meeting and subsequent to the meeting. Now we are back to brief you again on a revised proposal. We are hoping to move forward to begin soliciting public comment on the proposal, which is the first official

step in the rulemaking process.

Just to make sure we are on the same page as we get started in this conversation I want to just go through some basic definitions.

A regulation is a rule or standard that helps implement, interpret or clarify a law. When BCDC creates or updates regulations we are putting into place specific rules that allow us to carry out our mandate under the McAteer-Petris Act and the Suisun Marsh Preservation Act with more detail and specificity than you find in those actual laws.

The Commission's regulations are codified in the California Code of Regulations, and they really cover all aspects of how we administer our permitting program.

Regulations are changed through a process called rulemaking. That process is designed to give the public an opportunity to participate, to create a clear record that explains the reason for each rule and to ensure that the regulations meet certain legal standards.

Here is more on that process and how it looks. Unless we hear major objections today, we would like to begin the rulemaking process this month by publishing the proposed regulations on BCDC's website.

The rulemaking process gets started with giving the public a chance to review and comment on our proposed changes to the regulations.

We will have a minimum 45-day comment period, during which we will include a stop back here at the Commission to provide a chance for the public who wish to provide comments in-person to you.

After the public comment period ends staff will collate and review the comments and we may propose changes based on what we hear during that time.

The next step is going to be to bring the package in front of the Commission for you to discuss and ultimately vote on whether to adopt the package. Depending on the level of public feedback we get, we estimate that this could be as early as January of next year that we are back in front of you for a hearing and vote.

The process does not stop there. After the Commission votes, the package is submitted to the State's Office of Administrative Law, or OAL, to ensure that the regulations meet the requirements of state law.

After OAL review, which would take a minimum of 30 days, and if the action is approved, OAL will send the regulations to the Secretary of State, and the revised regulations are published and become effective shortly thereafter.

This is going to be brief since we covered much of this in depth in May, but I do want to go through what is included in the proposal that we are hoping to move forward with here today.

The changes fall into three main categories:

Streamlining and improving the Regionwide Permit Program.

Reducing burdens for straightforward and routine activities.

And making other targeted updates to clarify and improve the permit rules.

How this differs from the package we brought you in May is mainly that it leaves out one of the categories we had proposed as a concept back then. Included in that package were proposed regulations aimed at expanding the use of administrative permits, including to cover certain habitat restoration enhancement and creation projects up to 1,000 acres in total size, provided that they could demonstrate they led to net benefits.

We heard a number of comments raised at that meeting and at a subsequent meeting of the Commissioners' Rising Sea Level Working Group that led us to decide that this proposal requires some additional development. In the interest of moving ahead with the other important ideas in this package we are pulling this piece out for now and we will continue to work with stakeholders and come back to the Commission at another time with a proposal to help advance these regionally significant habitat projects.

And just to emphasize, we have a number of major changes to our permitting rules that we are exploring right now, which we will be looking to come to you with different concepts on through another rulemaking package like this in the future.

In addition to looking at expanded use of administrative permits we are also looking at the rules that guide our process around major and administrative permits more broadly, and we are looking at how to make our permit applications work better for our major and administrative permits.

Let's drill down to what is included in the package.

Since our May presentation was quite lengthy, and we are about to embark on a months-long conversation about this I am going to keep it brief.

But the first category of changes involve streamlining and improving the Regionwide Permit Program. For those unfamiliar with the BCDC Regionwide Permit Program, it is a special type of permit designed to streamline permitting for routine projects, things like maintenance, reconstruction or small-scale construction that will not harm the Bay or impact public access, provided these projects follow basic construction techniques and measures included in these permits.

For regionwide permits, the Commission authorizes certain types of work by adopting the actual permit in advance. Then when a project fits into one of those categories the Applicant can request coverage under the permit via the Executive Director. Because the Commission has already approved the general activity type, we do not need to issue a custom permit with tailored findings and conditions each time. As a result, this review process is much faster, both for Applicants and for the staff.

The next two slides are just to give you a flavor of the type of activities that you see permitted under regionwide or abbreviated regionwide permits.

Here we can see a tide gate replacement in Shoreline Park in the city of Mountain View, a residential boat dock in need of repair in the city of Vallejo, a floating residential boat dock in the city of Alameda, and a pipeline repair in Walnut Creek by the Contra Costa County Water District.

There's actually two types of regionwide permits today, the regionwide permit and the abbreviated regionwide permit. Some of what we are setting out to do stems from the fact that these programs are very similar but have slight differences in terms of how they work.

Both types cover similar categories of low-impact work.

There's 8 active regionwide permits and 3 abbreviated regionwide permits.

Each has a $200 application fee.

The regionwide permit uses the same application as BCDC's major and administrative permit, while the abbreviated regionwide has its own shorter form.

Regionwide permits are issued in 14 days, whereas abbreviated regionwides are issued within 7 working days. That is, you subtract weekends and state holidays, basically the days that BCDC staff are in the office.

As you can imagine, these nuanced differences right down to the almost identical names between the two programs, cause confusion sometimes among applicants who are trying to figure out the right permit to apply for.

Let's get into what we propose to change.

Our proposed regulations entirely delete the chapters that govern the existing regionwide and abbreviated Regionwide Permit Program and replace them with an entirely new chapter. Our biggest change here is to combine the two similar programs into one program, a new regionwide permit which has which has all the same rules for all the different activities covered under these categories.

Regionwide permits would now be issued within 10 days. That is about 4 days shorter than the regionwides previously and a day or two longer than the abbreviated regionwide permits, depending on whether or not there is a state holiday.

We will replace two separate application forms because it is not uncommon for applicants to fill out the wrong one, and replace them with a single set of questions. Critically, we are not putting the questions back into an application form that is going to be codified in the regulations. Instead, we are going to outline the questions that will be included in an application, and that means we will be ready to switch to an online application form that can be used online and help applicants skip to only the questions that are relevant to them. We are trying to move to something more like TurboTax versus the current 1040 that we currently have for our application form, to use that analogy.

The existing regs do not allow the Commission to create regionwide permits within the Suisun Marsh; and so, the new program would allow the Commission to adopt regionwides that cover the Marsh, should it choose to in the future.

And finally, the regulations have been written with an intention to plain language. Many of our existing rules in our regulations are sort of in legalese. Our goal is to strip away that long section of numbers. If you strip away the numbers in front of the regulation and pasted them verbatim on BCDC's new plain language website, that they would fit in, that would make sense, and anyone could follow along.

The second category includes proposed changes to reduce permitting burdens for straightforward and routine activities.

One issue with the existing regulations is that whether or not a permit is required for certain very minor activities is not clearly defined, sometimes leading to confusion about whether permits are required, especially for projects that pose little or no potential for adverse impacts.

To address this, the proposed regulations include a new section that spells out a specific list of activities in the shoreline band that do not require a permit. The list focuses on truly minimal activities that do not run risks to the environment or public access.

The list would include activities at existing single-family homes and duplexes. Things like routine repairs, maintenance, renovations that do not increase the building footprint, construction of accessory structures like accessory dwelling units, ADUs, garages or storage sheds, and construction or replacing ancillary facilities like stairs, decks, patios, driveways, retaining walls, landscaping and low fences in backyards.

For larger commercial, industrial, multi-family, residential and all other areas the list of activities would include renovations that do not cost more than half a million dollars or increase the building footprint, construction or replacing ancillary facilities, removing structures or improvements, environmental remediation activities under the auspices of the Department of Toxic Substances, the Regional Water Board or the EPA, and other de minimis activities.

The caveat included in these rules is that any activity that would have adverse impacts to existing public access or that would block views of the Bay from the nearest public road or other publicly accessible location would require a permit. So, even rather small activities that could have these impacts would still need to apply for a permit so that we could craft conditions to avoid them.

Another change we are proposing is to allow for the backfilling of small diameter borings conducted for geotechnical studies and groundwater monitoring wells. The regulations actually already exempt the drilling of these wells, but they lack clarity about whether the actual site restoration part and parcel of these projects need a permit. So, we are seeking to end that ambiguity.

These changes are intended to increase clarity on Commission rules and reduce burden for the folks who undertake projects that fit within defined categories. It will also help the staff reprioritize its time and resources towards projects that do raise policy concerns rather than spending time processing permits for less significant projects.

The last category is really a grab bag of targeted fixes to address various items in the regulations where the existing rules are unclear or in need of a small fix.

Among the main changes proposed here will be to address the fact that because of the incremental way in which the regulations were added over time, there is really no one place to turn in the regulations to get clear definitions that distinguish between the Commission's various categories of permits.

We propose to include just that, a handy resource that can help clear up a major point of confusion for many folks trying to apply for a permit. So, we would include a section to do that.

Secondly, there is an existing state law on how to calculate legal deadlines. But because there is no articulation of how that works in our own rules it is not evident to folks when the clock starts and stops on certain actions and so we want to add an explanation in our own rules to make that clearer.

There are certain terms and concepts about the Commission's Permitting Program and our jurisdiction which lack adequate clarity and specificity so we are adding a few handful of sections to address these issues.

Finally, we propose to increase transparency on a range of activities that the Executive Director takes on the Commission's behalf by including a requirement to notice in our administrative listing provided to the Commission and the public at each Commission meeting, you just heard one, what approvals have occurred for administrative permits, non-material amendments to permits and regionwide permits. This is actually already a practice currently in place, but the practice should be a requirement, so we are adding it into our proposed package of rules.

That is going to end this briefing, and I will be here for questions. But I just want to end by saying that where we would like to go from here is to start the rulemaking process, next by inviting input from the public. We will begin that process by publishing this package on BCDC's website. We hope to do that within the month of September.

That will run 45 days.

We will be collecting comments from the public in writing and also be holding another hearing back here with you so that you can hear from the public directly.

That is the presentation and Marc and I are here to answer any questions.

Chair Wasserman asked: Are there any clarifying questions or questions of any kind?

Vice Chair Eisen chimed in: Just a couple of things. With respect to the regionwide permits, I think I heard you say something to the effect that we are going to change the regs so that we generally describe what questions we are going to ask in our applications so that we can use our discretion when we put it online. Do we currently define exactly what our application is supposed to say? Is that what we are changing?

Mr. Lavine responded: That is pretty much right. Let me be a little more specific in the way I am describing it. Currently, our regulations actually have the same form that you would fill out as an appendix to those regulations and so it makes it difficult if we want to change the design of the form to make it easier for folks to use.

What we are doing here today instead is proposing to actually put the questions, the actual questions that we will ask to applicants, we do need to be rather specific about that, in the regulations. But they are just the questions, and it gives us the flexibility to change the form over time, to push it online, or to do anything to just really make it easier for people to use that form ultimately.

Vice Chair Eisen acknowledged: So, we are not locked into a particular form.

Mr. Lavine agreed: Exactly.

Vice Chair Eisen continued: All right. In the second category, which has to do with making sure people are not unclear as to whether they even need a permit. How often does it happen, if you generally can answer, that people are coming to the BCDC for a permit that they do not need?

Mr. Lavine replied: That is hard to answer. The thing about the current rules, which we are trying to address here, is that they do not really set a bottom of when you need a permit. Most activities do. There are some activities, I will just use my favorite example.

I am painting the outside of my house do I need a permit from BCDC? The staff applies its commonsense discretion, no you don't. But we do not really see that that kind of level of specificity articulated anywhere in our program. What we are trying to do here is create just at least a starting list of those activities that we think really pose very little potential to adversely affect any of the policy issues that are covered by our program, and make sure that those are codified so there is not ambiguity around it.

Vice Chair Eisen continued: So, I am just trying to get a sense of how big the problem is that we are trying to solve by changing our regulations.

Mr. Lavine answered: I would say it is pretty minor in terms of the amount of time that we spend fielding these questions. But I do think that one thing we are trying to do is provide more certainty to public about how to engage with us, so that is a big piece of it.

The other thing is there are categories of projects in here that currently we do require permits for that we would be moving away from, and those are almost all regionwide permits.

Things like I am doing landscaping in my backyard, or building a new staircase or an extension to the deck of my backyard of my house. Things like that would be explicitly eliminated from the need for permits unless they caused an issue for existing public access or views of the Bay, and so we would be streamlining a little bit.

We did look at that and we felt that that would probably be somewhere around the order of 15 to 20 permits the Commission issues each year, out of the total of 175 to 200 permits we issue. So just a small number, but for activities that were really causing more of an administrative burden than an actual impact in terms of the work that we are doing.

Vice Chair Eisen noted: It would seem like maybe a bigger problem is somebody who acts thinking that they do not need a permit when in fact they do.

Mr. Lavine agreed: Yes.

Vice Chair Eisen asked: Are our regs going to help in that situation as well, new regs?

Mr. Lavine explained: I think this gives us clear instructions that we can have on our website that tells you, these are the activities you do not need to come to us for, which we cannot currently articulate very well. And I think you are right. I think that there is always the risk that these activities are happening without permits today and we want to make sure that we are at least clear on what we are looking for.

Executive Director Goldzband interjected: Can I add to that for just a second, Vice Chair Eisen?

Vice Chair Eisen assented: Sure.

Executive Director Goldzband noted: That takes up a significant percentage of our Compliance and Enforcement Team's time, going after folks who have not been issued a permit, but instead are working within the Bay or within the shoreline band. And then you have to deal with, perhaps, after-the-fact permits and all that. So, the more we can clarify up front, maybe the less we can do on the rear end.

Vice Chair Eisen stated: Well, that is sort of what I am getting at is are our new regs trying to address that problem with people not understanding that they actually need a permit?

Mr. Lavine replied: Yes, exactly. I think Larry makes a very excellent point. That will help on this count where there is some very minor activity. We are telling you which ones clearly you do need permits for and which ones you do not.

Vice Chair Eisen asked: My last question has to do with the third category, the grab bag category. It sounds like you are trying to just make sure that we have a lot more clarity and less ambiguity in our current regs. But are we learning of this lack of clarity or these ambiguities because of the staff basically saying, can you fix this because people keep asking me this question and our regs are not clear? Is that how we are coming to decide that we need to change our regs?

Mr. Lavine answered: I think essentially, yes, that is correct. I do not know, Marc, if you want to add to that. Marc worked a lot on this section.

Mr. Zeppetello commented: Two things. One, just to go back to your earlier point. I would also say that the adding and clarifying the definitions of the different types of permits also go to the issue of clarifying when a permit is required and how a member of the public should determine that based on the nature of the work they are proposing.

And as to the clarifying issues, some of them have come up because questions come up with staff in preparing staff recommendations or analyzing a project. Others have come up. For example, there is a regulation change clarifying jurisdiction should be determined based on existing conditions if things change, and that really goes to implementing or addressing the Court of Appeal decision in the Point Buckler litigation and recognizing that in the regulations. So, these needs for clarification have come up in a number of ways. Some of them have just been the Legal Team looking at the regs and saying, since we are doing this rulemaking package, we should make this change to this regulation to make it clearer.

Vice Chair Eisen continued: I get it, yes. The thrust of all of my questions are, obviously it is taking staff time and Commission time and all of these things, and the process you outlined in the beginning means we are going to go through six months of different folks looking at this. I just want to be sure that the effort that we are making is actually going to be beneficial in the long run, that we will really be solving some problems. It sounds like you are on that.

Mr. Lavine stated: Yes, yes, that is definitely the staff view, yes. I think it is sort of saving us from a death by thousand cuts kind of situation.

Vice Chair Eisen acknowledged: Okay, thank you.

Chair Wasserman chimed in: I want to do a follow-up and then I will come to Commissioner Nelson. How are we going to communicate these changes to city planning departments?

Mr. Lavine replied: That is a great question. I think we will need to form a little bit of a strategy on that as we undertake this rulemaking process.

The first step, of course, is trying to broadly notify folks that the regulation changes are being proposed. We want to make sure that as much as possible local governments are learning about this before they become rules and they have a chance to comment on them. But I certainly think if we are able to adopt them that we will have to think about a strategy of communicating them.

But one thing is, just sort of anecdotally, my experience receiving questions from local planners. A lot of these issues come up because many local governments when you are pulling a building permit have a requirement that you have to check in with BCDC to make sure that you have acquired the necessary permits. So, we do a lot of engagement with local building officials. They oftentimes come to our website and that is how we learn about issues like this, the ambiguity around whether or not or not I need a permit for this activity.

So, we think that having these rules clearly stated on our website and in our regulations, which they do look at, is going to be a big help in that respect. But, yes, I think that is a great comment and we should look into how to spread the news when these are adopted.

Chair Wasserman made a request of staff: And at some point, whether it is when these regulations come back to us the next time which is probably the most logical, but there may be reasons why it should be at another time, I would appreciate a report back on what the strategy is.

Mr. Lavine replied: Sounds good. Thank you.

Commissioner Nelson had questions: Ethan, a couple of questions. First, thank you. I want to thank staff for doing this review. Our Regulatory Program just naturally evolves over time. It is important that we step back and make sure that our program, our Regulatory Program does not simply become more complicated. That we are reviewing it thoughtfully to make sure we identify places and times when it is appropriate to simplify, as we are here, and clarify, so thank you for this.

A couple of questions. This change would extend the regionwide permit process to Suisun Marsh that it does not currently apply to. Are there activities in Suisun Marsh where applicants have been seeking regular permits but would like to go through the administrative permit process? Is there a particular kind of activity where this would be likely to apply that the Commission and the public might want to know about?

Mr. Lavine answered: Yes, that is a great question. I think for the most part, our current regionwide permits address things like maintenance and minor expansions of existing facilities, repairs, and things along those lines. Yes, those are not currently available in Suisun Marsh.

We are not proposing any new activities through this package that would or should occur in the Marsh. But what this is doing is giving the Commission the flexibility in the future to either extend existing regionwide permits to cover the Marsh or to create new ones that it sees as sort of especially valuable for the types of activities that are covered there.

Commissioner Nelson continued: Which leads nicely to the second question. We obviously have a lot of sensitive habitats, wetlands, salt ponds and so forth around the Bay, separate from the Suisun Marsh. Would this mean that the Suisun Marsh is treated the same way that other sensitive wetland types are treated around the Bay?

Mr. Lavine explained: Through the Suisun Marsh Preservation Act and our Suisun Marsh Plan we have additional policies that have to take place there given the extraordinary environmental value of the Suisun Marsh.

That would mean that if we were to readopt or create a new regionwide permit that would cover that area we would have to do an analysis to ensure that the conditions imposed as part of the project and the activities would be appropriate in that area. So that would be an analysis we would have to do before we ever adopted such a regionwide permit.

Commissioner Nelson additionally asked: But there are not other sensitive habitat types or areas that are walled off from, that are excluded from regional permits the way Suisun Marsh is; is that right?

Mr. Lavine replied: No, the existing Regionwide Permit Program covers all the other areas under the McAteer-Petris Act jurisdiction. But it does mean that if we are proposing to allow the activity to include any area, that we would have to consider what it would mean in any particular sensitive environmental area. So, a lot of them do include carveouts that they cannot occur within certain sensitive types of environments.

Commissioner Nelson shared a concern: And that carveout would apply, could apply to the Suisun Marsh or to endangered species habitat elsewhere in the Bay, this does not distinguish between those two. I just want to make sure that we are taking a level playing field approach to sensitive habitats around the Bay, whether they are in Suisun Marsh or elsewhere.

Mr. Lavine acknowledged: Yes, thank you, yes.

Commissioner Nelson recommended the following: And just a last as a recommendation as we begin the public part of this rulemaking process. Just urging the staff to be as clear as you can about the types of activities that could be included in these regionwide permits, just so the public is fully informed as they debate on it. I suspect we will get comments about some of these issues.

Commissioner Gonzalez asked for clarification: Just a little bit of clarification following up on Vice Chair Eisen's question. The regulation, this is the portion where you are talking about moving online with the question form, with a permit form application. The regulation will capture the spirit of what is to be asked and explored or is it the exact question?

Mr. Lavine stated: It will include the exact questions. We have been exploring this issue about how much flexibility we have in terms of the level of detail that we need to get in those questions.

We got advice from the Office of Administrative Law which is ultimately going to be reviewing these for conformance with the state law, which is called the Administrative Procedures Act. They advised us to be very specific in terms of putting down the questions because we want to make sure that there is equal application of these rules to all projects. So, we tried to be fairly explicit.

Commissioner Gonzalez surmised: So, the significance is not so much the fact that we are changing that part inasmuch as we are going online, which lets you then decision-tree which questions you face.

Mr. Lavine agreed: Exactly.

Commissioner Gonzalez continued: Now that decision treeing, does that have to be included in the regulation, the if/then?

Mr. Lavine stated: We do include that. There's several categories we do include that in, yes.

Commissioner Gonzalez emphasized: As long as it is in the reg.

Mr. Lavine replied: Yes.

Chair Wasserman asked: Do we have any public comment?

Laura Tam commented: Hi, everyone. I am Laura Tam; I am Director of the Bay Planning Coalition. I was here last time when we talked about this item, and I am happy to be here once again to support efforts by BCDC to streamline and to clarify its permitting regulations. And to provide limited relief and to make the Commission aware of our interest, ongoing interest in being engaged in this topic, and continuing and future opportunities to clarify and improve efficiency of the shoreline and the Bay permitting regulations.

We reviewed the staff proposal, the red line, discussed it with a number of our members who are members of the regulated community and their consultants, and discussed this with staff. We are interested to see this move forward today into the rulemaking process and undoubtedly will provide written comment during the comment period.

But overall, we are pleased to see that the proposed streamlining regulations will do a couple things of value and importance to our members including clarifying permit types and availability, lifting some projects out of permitting at all.

Ethan said 20 out of 200 or so applications, that is not insignificant when it comes to staff workload and amount of work that people are doing to try to clarify whether they need permits for minor additions, repairs and the maintenance of utility infrastructure.

Finally, they will clarify some access requirements so that we will focus impact assessment around existing not potential future access.

But I have to say, we are a bit disappointed to see and have discussed this with other partners in the field, so we are not the only ones that feel this way, to see the habitat related projects administrative permit being taken out.

As you know, we need to get significant habitat restoration in the ground by 2030 in order to help the Bay marshes and sensitive habitats keep up with sea level rise. And BCDC, as you also know, is the last stop for most environmental permitting. So, habitat projects will have gone through and reviewed and funded likely by the Coastal Conservancy and permitted by the Water Board, the Army Corps, Fish and Wildlife, State Lands and other agencies. So, to the extent that the law permits, BCDC should strive to make it easier at this point to move projects, these critical projects, forward.

That recommendation in the last packet, in the last discussion, had an extensive scientific technical memo to talk about the linear and the acreage areas that would be put into an administrative permit framework. While we are disappointed, like I said, to see that that piece has been punted for now, we hope it comes back soon.

And again, BPC would recommend continued expansion of a permitting pathway, or the creation of a new one, not just for habitat projects, but for climate resilience and infrastructure sustainability projects that could show net benefits for the environment and for people. Thank you for consideration and see you at the Bay Adapt Summit later this month.

Chair Wasserman inquired: Do we have a rough estimate of when the habitat portion is coming back?

Ms. Ross answered: We are continuing working on it, but hopefully sometime next year. Summerish, if I had to guess.

Chair Wasserman continued: Okay. I assume there are no other public comments and no other comments from Commissioners.

Commissioner Gonzalez chimed in: I do have a comment.

Chair Wasserman recognized Commissioner Gonzalez: Sure.

Commissioner Gonzalez spoke: I am particularly excited to see any efforts that work to streamline, automate, employ online decision tree making, that just makes things easier. I think that while I am definitely sensitive to the fact that sometimes people do not apply for permits at all, to the extent that they are very careful, such as city governments and the like, that when agencies are doing routine work that is maintenance work it should be as easy as possible because there is nothing new being constructed, no additional fill, et cetera. So, thank you for the effort.

Commissioner Showalter commented: I was just basically going to say what the speaker before me said. I am really glad we are doing this. That the speed that this improves not only translates to getting more projects on the ground but it also saves a lot of money, and both things are really valuable.

Chair Wasserman stated: I think we are ready to begin the process of soliciting public input. Thank you.

10. Briefing by BCDC Summer Interns. Chair Wasserman announced: That brings us to Item 10. BCDC's three summer interns will give a short briefing on the work they performed during their tenure to support ongoing BCDC projects. Executive Director Goldzband will introduce them and their presentation.

Executive Director Goldzband spoke: I would love to introduce the interns. Unfortunately, they are actually now in school in New York, in Lehigh, Pennsylvania, and in Turlock, California.

I just want to remind the Commission that in 2020 or 2021 BCDC created its first Undergraduate Intern Program; and we did so in order to try to spur as much interest as possible in coastal zone management among undergraduates because those of us who work in this field know that it is a very particular field that is not well known. And so, you major in biology, you major in chemistry, you major in environmental studies; and you may hear about coastal zone management, but it is not necessarily part of the curriculum.

The former Director of the Ocean Protection Council, Dr. Mark Gold, who is a dear friend, and I discussed one day, well, we need to do something about that. So, both we and OPC each created an undergraduate program, and we did three things that I think are really important.

Number one, we wanted to make sure that it was broadcast very, very widely, which it has.

Number two, we wanted to especially encourage individuals who are first-generation college students and who may well be community college students to learn about the program. Because we really want to make sure that we broadcast this not just to, quite candidly, my alma mater, Pomona College, or other places where interns may have more access to more opportunities, but also, certainly, through the CSU system and the community college system.

And third, we wanted to pay them. That has been the hardest part about this whole thing because in order to pay them they have to become state employees. Anybody who has tried to become a state employee, even if we are encouraging you to do so and helping you, knows that it is not an easy process to fill out those forms. But they become student assistants, and they are paid a pretty good sum to do work for us, and we basically assign them to different managers who have specific projects for them to work on.

It has been, I think, a very successful program. Indeed, one of our first interns actually became earlier this year a member of the staff of the Coastal Commission, and I think that demonstrates that they have learned a great deal about CZM and are interested in it and that will not be the only person. And they have all gone to different aspects of the conservation movement.

So, in any case, I contacted the interns. Unfortunately, because I was gone for three weeks it became a little difficult for them to put stuff together. But what we did was asked them to record their short presentation and they did so. They did so on Labor Day and sent it to us and Sierra has worked with Matthew and whomever else in order to actually get it online. And so, I would like now for that to happen with one little pause.

We unfortunately only had two interns whom we paid this summer because a third one dropped out. We also had a fourth intern who had to leave the program because of a family emergency, which was too bad.

And one of the interns you will hear, Jasmine, actually, and I am looking now at Vice Chair Eisen, was a COAST intern, which is a specialized program within the CSU system for coastal zone management and coastal issues. So, we only had three this year, as opposed to our normal four or five. We will move back to try to get those four or five next summer.

A video presentation by the three interns, Amelia Chandless, Jasmine Magaña and Cecilia Rodriguez regarding their internship findings, was played. They introduced themselves, discussed their projects, shared some highlights and recommendations for the program.

Amelia Chandless introduced fellow interns, Jasmine Magaña and Cecilia Rodriguez prior to sharing highlights of her intern experience at BCDC.

Intern Chandless functioned as the Beneficial Reuse Intern working on the SWAP Project on the Sediment Management and Long Range Planning Teams.

The SWAP Project, also known as the Sediment and Soil for Wetland Adaptation Project, is an EPA-funded project that focuses on increasing beneficial reuse of sediment and soil from dredging, stream bed maintenance and construction to rebuild the Bay Area's wetlands. Amelia worked on Phases 2 and 3, the potential Bay Plan Amendment and the financing strategy.

She had two main responsibilities during her internship. The first was to draft a part of the Bay Plan Amendment Staff Report, specifically the Science section. The second was to research wetland restoration costs as part of the SWAP financing strategy.

Among that there were three specific tasks involved. The first was to complete a literature review, the second was to conduct stakeholder interviews, and the third was to start the process of a benefit cost analysis.

Intern Chandless gave a brief explanation of tasks and objectives involved in her work.

She stated that a benefit cost analysis is an important quantitative tool that is used to justify the cost of a project.

She had an amazing experience working at the BCDC and was grateful for everyone that helped her during her internship, especially Rachel Cohen, Brenda Goeden and Erik Buehmann.

Intern Jasmine Magaña stated that she was a CSU COAST Intern at BCDC and worked under the guidance of GIS Specialist Lead Todd Hallenbeck.

Jasmine served as a geographical information system intern on the Adapting to Rising Tides Team. Her primary role involved using GIS tools to explore how the agency can improve its shoreline adaptation plans.

During her internship she focused on applying GIS skills to support BCDC's technical work, leading to three accomplishments.

Her work supported the development of the Regional Shoreline Adaptation Plan Atlas which included creating a four-page companion guide for the RSAP Atlas.

She also worked on and helped develop the jurisdiction screening map by creating the iPhone and tablet version, ensuring it is functional and truly user friendly for our staff in the field.

Amelia's work also included providing quality assurance by testing BCDC's other GIS web application, including a resource called BayRAT, which allows staff to directly enter and update permits, project descriptions and other key data into the Bay Resource database, streamlining their operations.

Intern Cecilia Rodriguez reported that she worked with the Adapting to Rising Tides Program in the Data and Science Unit led by Cory Copeland. In this position she focused on researching and analyzing how regional planning incorporates climate adaptation and applied this knowledge via work on two projects.

This work included updating BCDC's Regional Inventory, publishing findings into a public facing StoryMap titled Sea Change.

Working on these projects allowed Cecilia to translate more technical planning data into a tool that is more accessible and engaging for both decision makers and the public.

The group thanked all personnel involved with their training and found their experiences beneficial and educational.

Executive Director Goldzband added: Three things that really stick out with me with regard to this.

Number one, each of the interns that you saw are very much STEM-oriented. And one of the things that BCDC prides itself on with regard to our staff is that we have people who have studied STEM, who actually know how to talk to people who have not studied STEM. And you will note that each of their projects dealt with not only working on those types of projects but also being able to explain them to the public. And I think that is really important for our interns to really get experience with.

Second they worked with me on updating and refining their résumés, creating elevator speeches for when, as I joked with them, not quite joking more seriously, that when they are moving into their dorm and they are a target and they run into their professor from whatever and the professor looks and says, what did you do last summer? They have a 45 second explanation of how great the summer was and how it applied to what they had learned in that class.

Then they figured out how to also adapt that to their first interview. And what I used to tell them, what I have told every intern, is anybody who looks at you and says, walk me through your résumé, you do not want to work for them because they are not interested in you. But what you can do in response is to say, well, and use that same framework for telling them why they are there and how they can help their company or their organization.

And then the third thing is that, and I want to thank Chair Wasserman and I want to thank Commissioner Ahn, we set up four or five or six interviews for the interns with members of the Commission and staff at the Natural Resources Agency and others to learn about what other folks do and how they got to where they are. As a matter of fact, I think, Eddie, did you bring your interns over to meet our interns? Which is absolutely marvelous. I think that really enhances the experience.

I will end by saying that like many of you I started as an intern. I started as an intern in the office of the Mayor in San Diego in the summer of 1979 before my senior year in college. And I was fortunate enough to hook my very, very little wagon up to a huge horse who ultimately became a senator and a governor.

I do not know where they are going to hitch their wagons, but I think that the experience that they get with us and other internships that they have will really help them figure out where to go and how to move forward. And we will plan to do the same thing next summer and the summers beyond. So, I just want to thank you for listening and for your support for an internship program, because I think it is really tremendously important. Thank you.

Chair Wasserman asked: Any comments or questions from Commissioners?

Vice Chair Eisen offered kudos: I just wanted to thank the staff for this internship program. Because one of the things I learned at the Cal State Board and since then is that having interns at an organization is, on paper, a really good thing and it is a win-win on both sides.

But the truth is that it takes a lot of work on the staff's part to supervise those interns and to make sure they have a meaningful experience, and it takes away sometimes from what they would otherwise be doing. It is a commitment that staff makes to a program like this. So, I wanted to just commend them because this has turned out to be a really great program. But my guess is that it is largely due to the really, really intense, good work of the staff. Thank you.

(Commissioner Moulton-Peters could not be heard so she applauded the presentation.)

11. Adjournment. There being no further business, the Commission meeting was adjourned at 2:50 p.m.