

San Francisco Bay Conservation and Development Commission

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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 & Commissioner Liaison (415-352-3608; sierra.peterson@bcdc.ca.gov)

SUBJECT: Approved Minutes of August 6, 2026 Hybrid Commission Meeting

1. Call to Order: The hybrid meeting was called to order by Chair Wasserman at 1:04 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, everyone, and welcome to our BCDC commission meeting. My name is Zack Wasserman, and I am the Chair of the Commission. As always, I want to thank the Commissioners who have come here in person to Metro Center as well as those who are participating virtually.

I want to remind the public both here and virtually that we have delayed the briefing and discussion regarding BCDC's jurisdictional determinations, listed as Item 8, until a later date.

And as you may have noticed, our Commission's Planning Director Jessica Fain is filling in for Executive Director Goldzband today, who is meeting virtually with our counterpart coastal management agencies across the country.

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

2. Roll Call. Present were: Chair Wasserman, Vice Chair Eisen, and Commissioners Addiego, Ahn, Dorsey (represented by Alternate Tam), Dumlao (represented by Alternate Pemberton), Eckerle (represented by Alternate Kimball), Eklund, Gioia, Gonzalez, Gunther, Hasz, Hermosillo, Janoff, Lee (represented by Alternate Kishimoto), Randolph, Showalter, Tam (represented by Alternate Gilmore), Taylor (joined after Roll Call), and VACANT (Nelson). Legislative Appointee Catherine Stefani, appointee of the Speaker of the Assembly (represented by Alternate Falzon) was also present.

Ms. Peterson announced that a quorum was present.

Not present were Commissioners: Department of Finance (Benson), U.S. Environmental Protection Agency (Blake), San Mateo County (Gauthier), Contra Solano County (Mashburn), Marin County (Moulton-Peters), Napa County (Ramos), Business, Transportation & Housing (VACANT),

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

Dan Clark commented: Thank you, Chair, Executive Director, Commissioners, and staff. This is about the Marina Improvement and Remediation Project, a routine permit for redevelopment of a boat harbor in Gashouse Cove that is anything but routine. It involves chemicals that are in the ground there, there are boats and kayaks that are involved, and there is a fuel dock that you may have heard about.

I have spoken before here to this particular slide, and it is an important part because it is about beneficial use. And the controversial part, at least from my perspective, is what is labeled there as the Contested Block, where there is the plan according to the proponents to allow 8 feet of beneficial use in one part of the Cove and only 4 feet in another part.

The aforementioned fuel dock that you have heard so much about, in my mind, is somewhat collateral damage to this. The key issue really is the 4 feet versus 8 feet. But the boat fuel dock has to go if it is only 4 feet.

The news that I am bringing today is that we have done a study of water quality, and we know that that is important to BCDC. The 4 feet versus 8 feet plays very much into that issue.

The report that you have in your materials for this meeting is a report, it speaks to all of it. The finding in it is that the project, the Marina Improvement and Remediation Project is bad for water quality, it is a bad design. I certainly won't go into the reasons for that now. It is in the handout and maybe there will be an opportunity to talk about it more in the future.

I want to point out to the Commission that you have policies regarding water quality, and as I read them, this would be a very important finding that you would have to pay attention to for it.

I understand that there will be a hearing before the full Commission. Right now, it is before the staff and I am in communication with the staff regarding this. But there will be a full meeting in October or November and I am just asking you to pay attention to it. Don't be misled by various things. Just pay attention, give it some time, and make up your own mind. Thank you very much for your time.

Maggie Hallahan addressed the Commission: Hi, good afternoon, Commissioners. Thank you for your time. My name is Captain Maggie Hallahan. I am a California Boating and Waterways Commissioner, and I am a member of the Harbor Safety Committee of San Francisco Bay, which I'll refer to as HSCSF. I am also a Sea Scout leader, so I have been teaching boating and water for over 30 years to youth. In fact, our youth has just gone up to the Delta to Stockton for a two-week cruise, six boats, and over 50 kids. Just saw them last night in Pittsburgh and they have had a great time.

I am here to talk to you today about the SF Marina at Gashouse Cove, which is where I grew up.

SF Marina came here and spoke last year. Monica Scott said that the reason that they could not keep the fuel dock there is that it would be \$20-25 million, too much of a financial expense.

So, I just want you to know that this is research from the Harbor Safety Committee recently. All the red Xs are recently closed fuel docks, and the green are currently operating gas and diesel fuels. The North San Francisco Bay Sausalito is only three feet draft at low tide so inaccessible to bar pilots and to safety, maritime safety boats.

Gashouse Cove is in a perfect position. I know a lot of you heard of the recent disaster, and they use Gashouse Cove and the Lower Fort Mason as an emergency response area, which has been used many times over.

As a state commissioner I am looking into oversight on fuel docks, so it looks like there could be a gap in restricting the reduction of fuel docks. So, we need to look at that because it is really important to people's lives and emergency is very important.

I am asking BCDC before this gets to a staff recommendation to ask for an EIR, which hasn't been done in 19 years on this project, and to have that charged to San Francisco Rec and Park because they are using a permit from 19 years ago that had a CEQA. And that is how they are going forward and not having the emergency responders like HSC actually being able to weigh in on this project. So, it is under your authority to ask for an EIR and to charge SFRP for that.

I also want you to know that this 40-page ad hoc research by the Harbor Safety Committee is up online on the Harbor Safety Committee website. You can download it and review it. I don't think that has any type of restriction of you doing your own research on this subject by well-informed industry experts that have researched it deeply.

So, thank you for your time. Please take a moment and do some research and look at it. And I think this EIR needs to be done before a staff recommendation. Thank you very much.

Chair Wasserman continued to the Report of the Chair.

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

a. Reminder: I want to start by reminding our Commissioners and Alternates as well as members of the public that our October 1 meeting will be a full-day meeting, at least as we see it now. Staff will confirm that in early September, but please, as of this moment, keep your morning free. As you may recall we have in terms of efficiency adopted two full-day meetings throughout our year, one in April and one in October.

b. New Alternate Commissioner: Second, I want to welcome a new Commissioner, Alternate Madison Tam, who is Supervisor Matt Dorsey's Alternate. She is Supervisor Dorsey's senior policy aide and has worked very productively with BCDC staff in that role. Ms. Tam, would you like to introduce yourself to us in any other way?

Commissioner Tam spoke: Thank you, Chair. My name is Madison Tam, Legislative Director for Supervisor Dorsey, and excited to be filling this role of Alternate Commissioner to ensure that San Francisco has representation through the Board of Supervisors seat when the Supervisor is not able to be here. He serves on several outside boards and there are sometimes scheduling conflicts, so I am glad to be able to jump into this role to make sure San Francisco has that representation, and I look forward to working with everyone.

c. Sediment and Beneficial Reuse Commissioner Working Group: Chair Wasserman continued: After the very successful Commissioner workshop on dredging and beneficial reuse of sediment, Our Sediment and Beneficial Reuse Commissioner Working Group held a well-attended session. I would like Commissioner Gunther to provide us with a summary of that meeting.

Commissioner Gunther reported the following: Thank you, Mr. Chairman. I wanted first to kick off this summary by just showing a single slide.

These are temperatures three weeks ago now, pardon me. If you look on that map it is clear that we exist in a very unique spot. In fact, it is one of the unique spots on the globe, one of the great upwelling zones.

Not only does this keep us cool and protect us from tropical cyclones, and something even Mark Twain remarked about, but yet is an incredible regional resource. And all of us in the region are going to share this. It does not mean we are not going to struggle with heat, but our struggles will be less, so we really have a regional leg up on climate resilience.

But as we know, sea level rise is a big challenge and that is why I am excited about what we have been doing at the Sediment and Beneficial Reuse Commissioner Working Group.

We met on July 7, where the staff presented the summary outcomes of the June 4 development workshop we had. A recording of that meeting is on BCDC's website for anybody who would like to hear more about the workshop outcomes.

As far as next steps, we are going to, I think, receive tomorrow a notice that we will be having a public hearing on a Bay Plan Amendment that is going to be at the October 15 meeting. After you have recovered from the all-day meeting on the 1st you get to enjoy this public hearing.

The staff is going to be mailing the Preliminary Recommendation in early September. That will start the public comment period. And then after the meeting on the 15th, the staff will respond to public comments in their Final Staff Recommendation, which will be mailed to the Commission prior to the Commission vote on the Amendment, which will be in either late November or early December.

I just remain incredibly personally excited about the possibility that we have to begin to rethink our use of dredge material and other excavated sediment in this region in a way that is going to build resilience on our shoreline and allow us to address sea level rise while we are also still benefiting from our natural air conditioner. Thank you.

Chair Wasserman acknowledged: Thank you, Andy. I do not have a whole lot more to add.

d. NOAA Public Hearing: On Monday of this coming week Larry and I will be part of a group testifying before NOAA in Santa Monica. This is a hearing caused by the Secretary of Commerce's raising questions about what the three coastal management agencies in California, BCDC, the Coastal Commission, and the California Conservancy, are doing in terms of economics.

I will say part of me relishes going down and speaking truth to power, and part of me thinks it is a huge waste of time, effort, and money.

But the consequences of it could be very significant, a little more heavily for the Coastal Commission than for us, simply because they get a larger share of NOAA funding than we do. The consequence of a negative conclusion from NOAA would be a suspension of funds for the three agencies.

We hope that will not happen. There are many steps between now and it happening including this hearing on Monday. I am told that they have received 9,000 letters. We take that as a good sign. We do not think that these are generated by the Secretary of Commerce. We think he is off doing other things. We will have a full report on that and what happens between that and the close of the time to submit comments, which is August 22, at our next meeting.

e. Next Meeting: In fact, our next Commission meeting will be held on September 3, the Thursday before Labor Day weekend. We hope you will make it. It will be a full agenda and includes some of what we believe to be interesting and discussion-worthy issues. The preliminary issues are:

- A briefing and discussion on BCDC's Public Access policies, including a Natural Resources Agency Deputy Secretary to discuss California's Outdoors for All program.
- A briefing and discussion on the conclusion of the legislative session in Sacramento.
- A briefing and discussion on BCDC's Regulatory Improvements Program, particularly in light of the Sacramento legislative session.
- A possible briefing on, as I mentioned, the NOAA 312 public hearing process.

- And a closed session on potential litigation.

f. Ex Parte Disclosures: That brings us to ex parte disclosures. Commissioners, in the event you have inadvertently forgotten to provide our staff with a report on any written or oral ex parte communications regarding adjudicatory matters, not policy matters, please do provide the written one as soon as possible, and if you choose you may make an oral presentation now. If so, please make it brief and make the full report in writing; and sufficient in the writing so that the public understands both who you met with, what it was about, and the substance of any communications. Do we have any Commissioners who wish to make an ex parte disclosure? I see none.

(No ex parte communications were disclosed.)

5. Report of the Executive Director. Acting Executive Director Fain reported: Thank you, Chair Wasserman. Good afternoon, Commissioners. I will try to keep this short and sweet, just like today's Commission meeting.

First, Staffing and Budget.

You may recall that with the passage of SB 272, that is the legislation regarding regional and local sea level rise adaptation planning, BCDC received 14 permanent positions over three years: 2 positions in Fiscal Year '24, 7 positions in Fiscal Year '25, and with the recent passage of the Governor's budget, 5 positions in Fiscal Year '26, which officially began on July 1.

These positions include staff throughout the agency: Planning, of course, but also in Legal, Admin, GIS, and Regulatory to help ensure that the local plans that the Commission approves are permissible and implementable.

In anticipation of those 5 Fiscal Year '26 positions we actually hired a number of limited term staff last year using grant funds. We are therefore excited to be able to move 4 of those limited-term staff into permanent positions, and we have one more position to fill on our Regional Shoreline Adaptation Planning Team, which is underway right now, and that will complete our SB 272 staffing process.

This staffing boost has provided a tremendous increase in capacity to our small agency and puts us in a strong position to be able to carry out our expanded legislative mandate.

Now on to policy issues.

As Chair Wasserman mentioned, he and Larry will be at the in-person public hearing on Monday in Santa Monica as part of the reopening of the evaluation of California's Coastal Management Program. If you would like to observe the hearing remotely the livestream is available through NOAA's website. In addition, NOAA will hold two virtual public meetings on Tuesday and Wednesday of next week from 2:00 to 5:00 p.m. If you want to attend either of those virtual meetings you must register by next Monday and there are links available on NOAA's website and the Federal Register. Written comments will be accepted as well through August 22. I will share that link to the Federal Register in my post-meeting summary with you.

Our Climate Adaptation Planning Team launched the first and highly successful RSAP Peer Learning Community on July 22. This community of practice is designed to support local governments, and their consultants, who are actively working on subregional sea level rise plans. Think less teaching and preaching from us and more connecting and learning from those in the trenches of shoreline planning to connect with one another.

At the first gathering we had 56 participants representing 44 jurisdictions, or 85% of the required local jurisdictions, join. The first meeting established community norms, connecting with peers, and learning from local governments who are currently working on their plans. We heard insights, talked about successes, and shared common challenges.

Feedback from the post-event survey was overwhelmingly positive. Participants described the gathering as inclusive, a good use of their time, and appreciated the peer learning approach. The next gathering is scheduled for October 14.

Do you know someone who is helping the Bay Area prepare for rising seas? Now is your chance to make sure that they get the recognition that they deserve. We are currently seeking nominations for the 2026 Bay Adapt Awards. Honorees will be celebrated at the third annual Rising Together Bay Adapt Summit at the Exploratorium in San Francisco on November 9. We welcome nominations from long-standing trailblazers and emerging leaders alike, scientists, policy makers, activists, community organizers, and anyone in between who is helping to build a more resilient Bay.

Previous winners included Dr. Kris May from Pathways Climate Institute, Dave Pine, County of San Mateo Supervisor, Luiz Barata from the Port of San Francisco, Violet Saena from Climate Resilient Communities, Jeremy Lowe from SFEI, and Keta Price from Hood Planning Group. And I will share the link if you have nominees as well.

So now a brief mention of ex parte communications, and I will turn it over to Michael Ng, Senior Staff Counsel filling in for Greg Sharff today to discuss the next matter.

Ex Parte and Sand Mining

Senior Staff Counsel Ng addressed attendees: Thank you, Jessica.

I just want to inform the Commission that as of Monday, August 3, BCDC received three separate anticipated sand mining permit applications.

The significance of these submittals is that BCDC's regulations prohibiting ex parte communications has commenced for the projects that are the subjects of these permit applications. As a reminder, an ex parte communication in this context is any oral or written communication, direct or indirect, regarding a pending permit application between a Commissioner and either the permit applicant or a member of the public, that does not occur in a public Commission proceeding.

As you may also recall, earlier this year some Commissioners previously disclosed certain pre-application meetings with sand mining representatives out of an abundance of caution, though these meetings did not technically qualify as prohibited ex parte communications under BCDC's regulations because no permit application had yet been submitted.

I have discussed the agency's ex parte rules with the sand miners' legal counsel so I do not expect that any ex parte communication attempts will be made going forward by him or any representative on his clients' behalf towards any Commissioner prior to the Commission considering these permit applications.

As a general refresher, after this meeting I will recirculate to the Commission the most current legal memo summarizing the agency's ex parte rules, following the conclusion of this meeting.

Ms. Fain continued: Finally, recently you received a form from Sierra requesting updated contact information. Thank you to everyone who has already completed it. We are happy to report that more than half of you have responded. If you have not had a chance to complete the form, please do so as soon as possible so we can complete this project. It is really just basic contact information.

Sierra's follow-up emails will continue for those who have not completed it until your form is submitted, and she has threatened to provide Larry with a non-compliance list. She may or may not be kidding, but why risk it?

Thank you and that concludes my comments, Chair Wasserman.

Chair Wasserman asked: Any questions for Jessica?

Commissioner Gunther chimed in: I just wanted to ask about the sand mining permits. Given where we are now do we know when the permits would come before the Commission? That is, how long this ex parte period might last?

Mr. Ng replied: The ex parte prohibition would apply until the Commission considers the permit applications. My understanding, and Director Harriet Ross can correct me, I believe we are anticipating by early next year.

Chair Wasserman noted: I don't see any others. All right, thank you, Jessica.

6. Consent Calendar

- a) **Approval of Minutes for June 18, 2026 Meeting**
- b) **Commission Consideration of a Contract to Provide Research and Facilitation Support for Regional Sea Level Rise Governance Issues**
- c) **Commission Consideration of a Contract to Provide Technical Assistance Guides and Outreach for Local Governments Developing Economic Analyses in Subregional Resilience Plans**

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

(No members of the public addressed the Commission.)

(Chair Wasserman called for Commissioner questions.)

Commissioner Showalter comment: I just wanted to register my strong support for both of these projects, but particularly the contract to provide research and facilitation support for regional sea level rise governance issues. I think that this is a big gap that has been identified, the education and just all the nuts and bolts about how we are going to go through this, so I am really glad that this contract is going forward.

And then the other thing I would like to mention is the three pillars: effective, efficient, and funded sea level rise. I always want to just have a little soapbox moment when we talk about some of these things to talk about effectiveness. I think that it is something that we really need to not forget, which is the scientific and engineering effectiveness of these projects.

And I do feel that it is outside of the scope of any kind of municipal agency to do the modeling that is needed to check that every restoration project that goes forward is going to have a net positive effect on the rest of the surface level elevations that would occur during flooding around the Bay. I think that this is just one of the things that we will need to make sure in the future is taken care of, and I wanted to mention that.

And if there are not any more comments I am glad to move the approval of the Consent Calendar.

Commissioner Gunther chimed in: I would just like to ask a question about the economic analyses. Obviously, it is an incredibly important issue for us to understand. I am currently of the opinion that there is so much uncertainty that any economic analyses will be pretty uncertain themselves. But we will be continuing to refine our understanding over time.

I just wanted to make sure that whatever Arcadis is going to do for us, that it is not just kind of a standalone thing using some kind of proprietary approach that cannot be revisited 5 years, 10 years down the road. But in fact, that they will build for us a kind of an opensource method for all the communities to use going forward. I do not know anything about economic modeling and so I might be asking for something that is way beyond the scope of what has already been put together, but I am hoping that we can have that approach so that we will learn over time.

And then I also wanted to ask if this economic analysis is going to include the impact of groundwater rise in local communities?

Ms. Fain commented: I can respond quickly to Commissioner Gunther's questions. Good questions.

The purpose of this contract with Arcadis is really to help provide local governments with guidance on how they should be considering the economics of sea level rise projects and guide them as they develop their subregional plans. Right now, the RSAP requires local governments to think about what is the cost of no action and what are the costs of their projects. While it falls short of really asking them to develop a full-cost benefit analysis, what we are trying to have them do with this contract is to provide guidance to local governments in an easy way so that they can start to wrestle with these types of questions so that they can think about trade-offs.

In addition, there is a task in there to develop a scope of work for an updated regional economic analysis. It is not having Arcadis do that work. That is a big project. But it is asking them to develop the contours of what that would look like. I think your point there on proprietary models and things like that is very relevant to that portion of the contract and something we would certainly want to keep in mind as we start to think about putting some more effort behind that.

Commissioner Gunther continued: So then, if I understand that you are suggesting the guidance that will be provided to our local governments will be something that is durable and can that will form a basis going forward for them to deal with their own individual segment of the shoreline and thinking about it.

Ms. Fain agreed: Exactly.

Commissioner Eklund asked: What about the regional one too?

Ms. Fain answered: The regional one is really to scope out, just to have someone help us think about how you would even scope that project out. We are not asking Arcadis to do that study, we are asking them to help us think through what a scope would be of that. And then if we decide and we get funding to do that, we would bring that back to you and that would be a subject of another Commission action.

Commissioner Eklund continued: And so the products that are going to be delivered, we will be able to have copies of those?

Ms. Fain replied: Absolutely.

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

MOTION: Commissioner Showalter moved approval of the Consent Calendar, seconded by Commissioner Eklund.

VOTE: The motion carried with a vote of 18-0-1 with Commissioners Addiego, Eklund, Gilmore, Gioia, Gonzalez, Gunther, Hasz, Hermosillo, Kimball, Kishimoto, Nelson, Pemberton, Randolph, Showalter, Tam, Taylor, Vice Chair Eisen and Chair Wasserman voting, “YES”, no “NO” votes, and Commissioner Ahn voting “ABSTAIN”.

7. Commission Considerations of Administrative Matters. Chair Wasserman stated Regulatory Director Harriet Ross was available to answer questions regarding the Administrative Listing.

Chair Wasserman continued: Before I ask Sierra to introduce public comments regarding this administrative listing, I want to let Commissioners know that we absolutely expect some, I do not think this is a surprise to you. Commission staff has received over 50 pieces of communication from the public regarding a parking issue on the Berkeley Marina. I will ask Commissioners to hold your questions until after the public speakers, and with the help of counsel we will outline the process that the Commission will follow.

But I do want to make clear for the public speakers as well as the Commission that we are not deciding in any manner on the merits of this permit. The question is whether it should proceed as a minor administrative permit, or not. And if not, it would then have to come to us as a major permit under a separate procedure that we are generally familiar with, including a full public hearing.

Commissioner Eklund chimed in: Chair, I was wondering, is staff going to be able to outline what are the requirements for minor and major, so we can have a better understanding of where to draw that line?

Chair Wasserman stated: I guarantee you Michael will provide that for us.

Commissioner Eklund acknowledged : Okay, great, thank you.

Chair Wasserman continued: We will start off with three minutes for each public speaker. Again, while I appreciate particularly for public speakers this line may be a thin line, we are not deciding the merits of the matter at this time. We are deciding whether it should proceed as an administrative matter or a major permit matter, so your remarks from the public should be directed to the standards for what is an administrative permit versus a major permit.

Paul Kamen commented: Thank you. This clearly goes beyond an administrative matter. The problem is we have a parking area that serves many users and many different kinds of activities, and right across the street there is another parking area. I do not think you need to be a transportation engineer to realize that if you have paid parking on one side of the street and free parking on the other side, everyone is going to fill up the free parking on the other side of the street first. So, it is going to have a whole cascade of unanticipated consequences that have not been looked at yet.

For starters, there are berthers at M Dock. There is a very large-scale Dragon Boat Club with a lot of paddlers that will be forced to relocate to the Skates slot or the Seawall Drive lot. In turn, it is going to affect parking at the N Dock and O Dock lots also. Again, wide variety of users, wide variety of recreational uses. As soon as you charge for one parking area in close proximity with other free parking areas there is something that needs to be analyzed in a lot more detail, and we are looking at a whole array of unintended consequences.

Aside from the equity issues, you know. The South Sailing Basin has a demographic of use that is probably the lowest in the Marina and it flies in the face of our sense of equity to charge those users while not charging the more well-off users. And long term we have, we have ferry issues to deal with also.

Okay, I will wrap up. But again, clearly, this goes beyond administrative and needs to be considered as a major permit application. Thank you.

Jim McGrath was recognized: Good afternoon, Chair Wasserman and Commissioners. Happy to be here. Wish it wish it was something I could support. Boy, 159 pages of comments posted last night. I hope you saw my letter, which is fairly long, which was the last. In my 14 years as a Commissioner, I never saw 159 pages of comments on an administrative matter.

Substantively, I provide some in in the letter. The additional comment about why is while the Staff Report suggests that there are conditions that would require the City to monitor the impacts of this, we have not seen those conditions. I have asked for them. And it is important. There are about 800,000 annual visitors to this side of the Marina.

I also want to make a point about one of the comments that came in and is in your packet and it kind of took on the issue of free parking has externalities and people should pay their own way. Well, we do. My parks tax bill for this year is over \$1,000. I gladly pay it, and it is more than the average per household in Berkeley. It funds our parks efficiently. Berkeley lost millions last year in their parking program. Collecting the money for paid parking may satisfy some ideological urge to punish drivers, but it does not always generate revenue. In fact, in Berkeley, it is generating losses.

Visitors from outside Berkeley who may not pay the parks tax help fund our parks by their support for the various grants that the City has used to build these facilities. And trust me, these facilities have probably doubled the use within the Marina.

I believe in taxing people for benefits. I ran a campaign in 2014 called Measure F, it was successful, and it increased the parks tax. So far, it has raised an additional \$20 million for parks maintenance with virtually no costs for collection.

Claudia, who may speak later, the former Chair of the Parks Commission, ran a campaign for an additional parks tax increase in 2024 that raises an additional \$3 million a year with half promised to the waterfront parks.

And then I am going to give you just an anecdote about why it matters. One of the earlier speakers mentioned the terrible accident out in the Bay. I want to point out that the first person on the site was a windsurfer who had come from Berkeley Marina and was the first person on site and rescued five people, held them above the water until somebody could put them on boats. He is one of the people that will not be able to afford. We help him by providing him sails and boards. The equity issues are really important, and some might say they are even life issues. Thank you.

Moira Kenney commented: My name is Moira Kenney. I am a Berkeley resident, an urban planner, and a regular sailor at the Marina. Some days I bike there, some days I drive.

I want to raise a concern about piecemealing of this process that is underway today. The paid parking that you are considering today was not developed as a standalone recreational measure but as just one option the City was considering to manage parking demand for the not-yet-approved ferry project.

The City's own May 8 draft parking management plan confirms this. It builds directly on these same three lots for the ferry's Year 1 strategy, and it says that the plan is supposed to go through public review before coming before you, the BCDC. So, the City seems to be implementing lot by lot, fee by fee, the very parking regime that the ferry review is supposed to evaluate as a whole. Once that infrastructure and revenue are locked in, there is little chance that the full review will meaningfully reconsider this.

So, I would ask the Commission to treat any addition of paid parking fees as part of the broader intended ferry review. Not to approve it administratively but to require full Commission review.

Nancy Okada spoke: Thank you, Commissioners, for letting me comment on this. Nancy Okada, and I am very concerned about this is a situation of putting the parking lot before the actual ferry.

The EIR, the DEIR that was done was very inadequate in terms of just analyzing the parking as well as the entire project in terms of the health of the Bay. And I am kind of surprised that Berkeley was so disingenuous in asking for and getting a grant for monies to build this parking lot for free parking and then actually planning on charging.

So, I think it is definitely an equity issue. The environmental justice, that spot, the Berkeley Marina is a very special place in the Bay, and it is important to all people who actually can drive down and get a beautiful view and experience the Bay firsthand. So, I would hope that you would do a major permit if you are going to do any kind of decision, thank you.

Allison Granzella addressed the Commission: Hi, my name is Allison Granzella. I am a Berkeley resident and a volunteer at Cal Sailing Club, and I also frequently walk my dog around the waterfront.

I also, similar to all the other voices, oppose this parking plan as it will unnecessarily restrict public access to the shoreline, which is a state-granted public trust land, as we all know.

There are several issues at play that warrant this being moved to a major administrative item or simply just being denied.

First, the application really understates what is actually happening. It poses as a modest pilot that is just 3 of 11 lots or 20% of the waterfront parking and promises significant free nearby parking will remain. But actually, as other commenters have mentioned, the City's own draft parking plans have slotted these exact parking lots for full day parking. So, the free parking this application relies on to look for fairness and equity is actually already scheduled to disappear, so it is not really possible to fairly evaluate the impacts to public access without seeing the whole plan in its entirety.

I think it is also important that the Commissioners know that this is the only location, these lots are the only location in the entire Berkeley waterfront with recreational docks for use of windsurfers, open water swimmers, wingers, foilers, dinghy sailors, and kayakers. These are long-duration activities with a lot of gear so it is pretty unrealistic to expect these users of the waterfront to be walking from further.

Also, I think there is a lot of context left out about the finances as it cites operation and maintenance costs as the reason for the parking fees. But the financial deficit behind this was self-inflicted and it is already really being fixed. The budget issues are real. However, the parks and recs and waterfront budget and the marina deficit have already been addressed through Measure Y, which passed in 2024 with 75% voter approval, and this was stated by City officials to specifically be to relieve the Marina Fund. And the City's own numbers show that the deficit is shrinking every year because of it, so why do we need to charge shoreline visitors parking fees to solve a problem that voters have already funded a fix for?

Also, the enforcement plan has a lot of holes in it. So, if there is no enforcement plan for paid parking, how are they going to generate the supposed revenue to address the operating and maintenance costs? And like some other speaker said, this is also a bit of an equity problem.

But essentially, I am asking for this to either be denied until the full Pier-Ferry Plan is submitted for consolidated review, or that it be moved to be a major administrative item.

Erin Diehm was recognized: Good afternoon, Commission. Thank you for taking my comment. My name is Erin Diehm. I am a Berkeley resident, former Chair and Commissioner on Berkeley Parks, Rec, and Waterfront Commission where I served nine years until last fall. And I just want to make a comment.

I am in support of previous speakers that this really is a major change and that it deserves an open and transparent discussion and so I ask that it be moved to become a major permit.

And, you know, don't even just take my word for it. I think it is interesting the number of comment letters that you all have received about it, and I know there's like 150. But I was looking across, it is actually 170 pages across the three different supplementals you received.

So, one of my main concerns, having sat on the Commission, is equity. But don't just take my word for it. The Kittleson's Parking Study Report actually found that 35% of the visitors to the Berkeley waterfront make less than the median income of \$75,000. And what's really striking is that it is in the Southside lots, J and K and South Cove East and West, the very ones where fees are being proposed. That is where we have the lowest income visitors most often parking, and these are the folks who make less than \$25,000 a year. So, it is it is kind of a head scratcher why we are promoting parking fees there.

At Council, when this came before the City Council earlier, we got over 600 letters expressing concern for the parking fees. And I can just tell you from personal experience at the commissions that the recreational users would come. They even brought their equipment. The wingers and everything. They talked about how challenging it would be if they couldn't park close and they didn't want to have to drop some of their equipment, which is an investment.

I am also concerned about the claims about generating revenue. So, they are saying that it could generate \$185,000 and that would help address the deficit. But what's missing is a cost-benefit study. So, we don't actually know the costs for implementation and operation. I think we need to have that information.

And then, similar to other speakers, I have been very concerned about the process. This whole planning process for the waterfront is being piecemealed, bifurcated from the very beginning. We actually now have four separate planning processes. We have the Pier-Ferry, we have these fees which are not a formal planning process, we have the waterfront specific plan, and then we have Cesar Chavez Park.

You know, I was actually really excited when I thought the City was going to look at ways that we could kind of reinvigorate the waterfront. And as someone who cares deeply about the environment, honestly, I was just so upset that all of a sudden we moved towards the Pier-Ferry path. And the parking doesn't fit into this larger piece. I really want to see it brought back and ask you. I know I have two seconds, so please wait for the Pier-Ferry EIR with the parking plan, or bring this as a major administrative permit. Thank you for your time.

Claudia Kawczynska commented: Thank you. I am asking that you consider moving this item until the time when we review the much more comprehensive parking plan for the proposed Pier-Ferry Project. As it stands now, there are differences between the two plans that will only add more confusion to the public and complicate compliance.

I am the former Chair of Berkeley's PRW Commission. Have attended just about every meeting during the past nine years dealing with Marina matters, including the waterfront specific plan, the Pier-Ferry Study, and the plan that is before you today.

And it needs to be underscored that this has been very confusing to the public and to advisors such as myself, just what the intent of the City is? Are they perhaps hoping that everyone including my 80-year-old self with her dogs hop on a bike and pedal over to the Marina, or are they trying to make room for future developments like a boutique hotel and beer gardens, or more likely trying to provide parking accommodations for the 400-plus commuters who will be flocking to the ferry?

Perhaps they are hoping that paid parking can help alleviate the growing deficit faced by the Marina Fund, but they offer no detailed analysis to bolster that claim. No paid parking plan can bring in \$185,000 in year one. How many years might it take, and how much will it cost to administer such a program? And don't forget, the program, as it is described now, will soon be changing to sync up with the ferry parking program.

Whatever the underlying motives may be, the item before you is not the best and final plan, so I am asking that you wait until the EIR for the Pier-Ferry Plan to come before you. Hopefully, that will give you and the City more time to consider all the hundreds of comments their plans have generated, and to create a dynamic parking management program that will not adversely affect waterfront users now and into the future. Thank you very much for your time.

Camille Antinori spoke: My name is Camille Antinori, and I am one of the co-founders of the Berkeley Waterfront Community Coalition. We, in a short time, have built up over 130 members and growing for general recreation of waterfront users at the Berkeley waterfront.

The BCDC goals as stated in the Bay Plan say that it is to assure public access reflects the needs and desires of shoreline and adjacent communities and diverse users.

In January of 2026 I started a public request act process with the State Coastal Conservancy on the granting of funds to repave the South Cove lots. This grant was given on the basis that that lot was a free public resource that was important for access to the shoreline. However, in the process of implementing that grant, which they did receive the funds, it switched to be a paid parking lot. There was no written communication that the Public Request Act brought out in terms of discussions about how it could be switched over to a paid parking plan and still be within this scope of meeting the goal of access for diverse users.

I'd like to also reiterate the numbers that a previous speaker cited as far as, for example, that the largest category of people visiting there earns 75,000 or less. That information draws on a report that we have submitted with the public comments so you should have that information to double-check us using the City's own survey data that I also got by Public Request Act.

What some of the comments that the others have said I'll just reiterate because they are absolutely very sound.

The piecemealing of the Ferry Plan. This has been an ongoing pattern with the City, and we outline other instances of it within our comments to the draft Environmental Impact Report, which you can also look up.

There is only weak evidence that it raises money, if any, for the Marina Fund, which is the purported rationale for this.

The claim that the plan was duly noticed has been refuted over and over and over again. And we hope that you listen to us, and you can double-check us on that as well.

It is anathema to the low cost, open, and equitable access to the shoreline that BCDC purports to claim. This would be the first time that paid parking for the general public will be introduced at this waterfront, much of which falls under BCDC jurisdiction. It is only logical to move this matter off of this minor categorization to a major categorization for review. Thank you.

Emilie Strauss addressed Commissioners: Hi, greetings. Emilie Strauss here. I am so proud of the citizens and friends of Berkeley at this moment. I am an almost lifelong Berkeley resident and remember back in the day when the Bay was being filled. And I am so proud and inspired by BCDC's service and involvement in safeguarding San Francisco Bay. I am a birder and wildlife biologist, and I like to go enjoy nature down at the waterfront.

So yes, this is an administrative permit that should be upgraded to major. It should not proceed as a minor permit. Others have already discussed pertinent major or significant impacts, including the piecemealing and the change in public access and making the shoreline inaccessible.

And Erin's detailing of four different processes moving at the same time is, well, I'm a little embarrassed by the City of Berkeley's procedure on the Berkeley Ferry. I know we can do better. So, thank you so much, Commissioners.

I took a quick look at the BCDC Strategic Plan in 2023-2025 on page 9. I will reiterate what you already know that BCDC is committed to both protection of habitat and protection of public access. So, thank you so much.

Chair Wasserman continued: Thank you all very much for your public comments.

Commissioner Gioia had jurisdictional questions: Chair, I had a process question. Because I think I heard a lot of comments that address issues that are outside of our jurisdiction. I want to be clear we understand what our authority and jurisdiction is and what our standard of review here is, so let me just get this clarified. It looks like only 53 of the 273 spaces are within our jurisdiction. So, in a sense does that mean our issue is, our jurisdiction is over 53 of the 273 parking spaces, correct? Or not? Can that get clarified?

And the second question related to jurisdiction is since this is a limited term authorization where it looks like there is going to be a study of whether recreational uses have been significantly impacted because of the parking program so our standard of review is whether this impacts public access and recreational use. Is that? Can you clarify those issues, just so it is clear?

Mr. Ng responded: Sure, I can address the first. Senior Staff Counsel Michael Ng. I can address the first question and maybe kick it to staff if they have anything else to add. I may need a repeat of the second question.

But on the first question, I think BCDC's view is with respect to consideration of projects. We consider the totality of a project. There may be portions that are inside our jurisdiction and also portions that are outside of our jurisdiction. But for purposes of evaluating projects for consistency with our laws and policies it is necessary to understand the fullness of the project. But to my understanding only 53 of the spaces approximately are within our shoreline band jurisdiction.

Commissioner Gioia continued: So the larger question is what is our standard of review? Because it is not our call as to whether this raises revenue for Berkeley. Berkeley is the agency that gets to decide whether to do parking fees or not. But within our jurisdiction is our review whether or not this limited term parking program impacts public access and recreational? Is that sort of our standard? We are not here to be judges of a parking fee program, that is Berkeley's jurisdiction. The question is more, right, about how does this impact our statutory review of public access and recreational use?

Chair Wasserman interjected: John, I am going to exercise Chair's privilege for a moment. I think your question is an important one, but I think it would be helpful to set the full context here. I am going to ask Michael to set out, as has been previously referenced, the standards for what is an administrative permit, and therefore minor versus a major permit, as it applies to this situation, so that we do not piecemeal our own questions.

Commissioner Gioia replied: Right.

Chair Wasserman stated: Let's try starting there.

Mr. Ng continued: Sure. Yes, I think that is a good point. For context, we are dealing with this administrative listing on which the Executive Director has agendized permit applications, which he has deemed to be appropriately the subject of and can be approved as administrative permits. And the distinction between administrative and major permits is that the administrative listing process is expedited, assuming that there are no objections to the matters on the administrative listing. Subsequent to this meeting the Executive Director can proceed with processing the permit application.

In terms of, I suppose, what you might refer to as the substantive difference between administrative and major permits, we have regulations in BCDC's regulations that specify what sort of projects qualify for an administrative permit. The relevant concept here is if it satisfies the definition of a minor repair or improvement.

Under the regulation for minor repair and improvement, there are two prongs to that. First is that the Executive Director has determined that the project is consistent with BCDC's laws and policies; and second, that the activity falls within one of the enumerated categories specified in the regulation. So, in that regulation within the 100-foot shoreline band, activities that qualify as a minor repair or improvement, the relevant language is a substantial change of use of any area so long as the change in use does not have a significant adverse effect on existing public access.

So, the point of the administrative listing is that in this meeting's administrative listing there is information about this project and staff's essentially evaluation and justification that this project meets those two prongs. And I think there is also an opportunity at this meeting as part of this process for Commissioners to ask clarifying questions of staff if they are not sure how staff arrived at those conclusions.

But I would stress that this is not intended to be a public hearing. Those are associated with major permit applications. So, this is not really a back-and-forth type of discussion.

Commissioner Gioia continued: Right. And my question too is even if something was a major permit, our review is limited to Bay fill issues, public access issues. I saw in this is a study is going to be done to determine whether this pilot or limited term parking program impacts recreational use; is that correct? Does someone want to add something to that? And then depending what happens there, then it comes back as to whether we want to extend the administrative permit, depending on the results of that study.

Principal Shoreline Development Analyst Martien chimed in: I can respond to that question; it is a good question. Lindsay Martien, BCDC Principal Shoreline Development Analyst.

I just want to clarify that the application as we have received it, is for a parking fee that was approved by the Berkeley City Council of \$1 per hour, \$6 per day, or \$500 per year. It would be BCDC's conditioning of that parking fee program in our authorization to make that a limited term three-year pilot. And so, as part of the permitting process and written into the permit there would be conditions requiring evaluation during that three-year period. And then at the end of that three-year period to return to BCDC if an extension is requested. Then there would be that revaluation done.

Commissioner Gioia clarified: Right. And the evaluation is whether or not this \$6 a day and so forth permit impacts people's ability to have public access to the shoreline, right?

Ms. Martien replied: That is correct. We would be looking at changes to uses or any unforeseen significant adverse impacts to public access.

Commissioner Gioia acknowledged: Got it. Because that is what our jurisdiction is over here. Not about whether Berkeley is making money or all the other stuff and other things that people raised, right?

Commissioner Eklund chimed in: Then I have a question, a basic question. How are we going to evaluate that? How are we going to evaluate whether \$6, \$10, whatever it is, is going to limit public access? And so, what do we base it on? Complaints? I am not quite sure.

Ms. Martien responded: Thank you for your question. Written into the permit conditions would be included metrics and standards by which the potential impacts to public access and recreation would be evaluated. So those would include things like data coming from the pay stations themselves monitoring usage, as well as user complaints as you mentioned. Enforcement activities would be recorded, and then also qualitative survey information that the City would be required through the permit to perform surveys with users of the recreational waterfront, also businesses on the waterfront as well to get a sense of how usership may have changed during that three-year period compared to before.

Commissioner Eklund added: I am not sure that that would -Chair Wasserman interjected: Pat, questions. We are not adjudicating this. We need to be very careful that we are not debating the fundamental merits. Your question is absolutely appropriate, do not misunderstand me. We are not getting into the underlying merits of it.

Commissioner Eklund continued: Right. But is controversy also an issue? Because I know that working for EPA for as long as I did, controversy was a big issue determining whether or not what kind of a permit we would issue. So, is controversy also applicable to this particular situation?

Mr. Ng replied: I would say that under the regulation pertaining to administrative listings, the way that it is written is that if one or more Commissioners objects that this should be approved as an administrative permit, that they should object and ask for a vote of the Commission to have the matter come back to the Commission as a major permit application.

With that said, I would also say that I believe that it is within the Commission's sort of inherent authority to have something come before them for whatever reason that they believe is appropriate. If they believe that more public opportunity for discussion and Commission deliberation is necessary, I think that is within the Commission's intrinsic authority.

Commissioner Nelson commented: I am going to keep this theme going.

The question is, is controversy an important criterion? And I would say not if it is solely pertaining to issues that are outside of our jurisdiction. There might be a tremendous amount of public interest in an issue that we simply have no jurisdiction over. And I could easily imagine us deciding to leave an important project as an administrative item because of our limited jurisdiction.

But I think there are some interesting important questions here. First, with regard to the public access. I have used these parking lots for decades, and the Commission has a regular practice of requiring free parking as part of a public access requirement. I have no idea what the merits are in this case. That is not the question. The question is, do we have jurisdiction that suggests that this should be treated as a major permit? And I think that certainly raises a question.

The second question is not only is it public parking for public access, but I just went and looked at our maps to confirm that the whole Berkeley shoreline here is a Park Priority Use Designated Area and it certainly is that.

And the third question that that is interesting that has been raised here is equity, both with regard to park use and public access.

Those three to me suggest that there is enough of a nexus that I think I will object and suggest that we should vote on this and decide if it should be a full permit.

Commissioner Eklund added: And I would like to say too that I totally agree that this should not be considered, whatever it is.

Chair Wasserman interjected: I will accept Commissioners Nelson's comments as the motion to remove this.

Commissioner Eklund added: Okay, and I will second.

Chair Wasserman acknowledged: And it is seconded.

Michael, do you want to make a comment?

Mr. Ng commented: I was just going to say that under the plain language of the regulations the motion should just be that the Commission hears this as a major permit application.

Chair Wasserman acknowledged: The motion is so stated and the second accepts.

Commissioner Eklund replied: Exactly.

Mr. Ng continued: That passes by a majority of the Commissioners present and voting. But I would advise that for the federal Commissioners, because they cannot vote on permit applications in the first place, that they should refrain from voting on this question.

Chair Wasserman continued: I think that Commissioner Nelson stated it very well. My own view is that in a fairly technical sense this probably should be an administrative matter, but I think that there are some underlying issues within our jurisdiction. I want to be very clear about that because I think there is some danger here in setting a precedent that simply because there is great public comment on matters outside our jurisdiction, that something that otherwise would be an administrative matter we hear as major permit. I do not think that is the standard, I do not think that is being proposed in this motion, and I think that distinction is a very important one.

And not to tilt the results but just to be clear, I will be voting yes. We have two hands up.

Commissioner Kishimoto: Do I understand? Is there a policy that the parking lots provided for public access have to be free?

Chair Wasserman stated: I would defer to Director Ross or somebody else who has a history here. I think the answer is no to your specific question, although I think the vast majority of the parking that we have required for public access is free. Does anybody have an answer?

Ms. Martien stated: My understanding of the public access guidance document is that public access should be free, but it is not specific to parking for public access.

Shoreline Development Manager Pan added: I would say our public access policies include a requirement that barriers to access should be minimized to the extent possible. So, oftentimes we do take that to being low or no cost for public access spaces. So, for example, like a plaza or a park, those should be free. That is generally how we have interpreted that for parking. It does vary, I think throughout the Bay Area. But I think when we issue major permits and certain parking spaces are dedicated out of private parking lots for public shore parking, oftentimes we do start with a no cost for public shore parking in those slots.

Commissioner Gonzalez chimed in: When it comes to an administrative permit, it seems that step one is to have established policy or guidance; and that if it meets then it is administrative. So, this notion of determining whether \$1 an hour, \$6 a day, is that what ultimately will be in the purview in determining whether this is administrative? Let me just put it right there. Is it this body right now at this time that is essentially deciding whether that is a sufficiently low fee that is consistent with our policy? Is that what this vote essentially entails? That is a question.

Mr. Ng answered: I would say that the basis for the objection is that one or more Commissioners either does not agree or is not certain such that they would go along with the administrative listing that the matter qualifies as a minor repair and improvement, which as I said, has two prongs consistent with our laws and policies. And in the case of an activity in the shoreline band, would be a substantial change in use that does not have a significant adverse effect on existing public access.

So, I think in the context of this permit application it is whether one or more Commissioners objects with staff's determination that this project, as presented, and all of the details that have been presented to the Commission, whether or not that has a significant adverse effect on existing public access.

Commissioner Gonzalez continued: Okay. The second question: Is it within our purview today to make a suggested amendment? Because as I understand it there would be a fee for all the parking spots within our purview. If hypothetically I were to say I would like half of the parking spots to be free, hypothetically speaking, is that within the purview of something that we can say today to propose as an amendment or adjustment to the Staff Recommendation and then move forward accordingly, or is that out of bounds?

Mr. Ng responded: I would say no. The question before the Commission is whether they object to the Executive Director's determination that this project qualifies as an administrative permit. That is the only question that should be considered as part of the administrative listing. If there are additional substantive questions, proposals, conditions beyond that, that is what the major permit application process is for. And there is a staff report associated with that with findings and conditions and a public hearing where there is public comment and opportunity for additional Commissioner deliberations.

Commissioner Gonzalez acknowledged: Okay. So, then I will just end with a comment that for me personally I like regulatory certainty. I accept staff's recommendation. It is a pilot. It is three years, it is not forever, and so I will be voting. I think no means that I do accept staff's recommendation, if I am correct.

Chair Wasserman stated: You are correct in that?

Commissioner Gonzalez acknowledged: Thank you.

Commissioner Gilmore was recognized: I want to talk about the significant adverse impact on public access. Accordingly, that is one of the elements by which we could say this needs to be a formal permit application.

And I feel like staff is kind of bootstrapping this because you are saying that it does not have a significant adverse impact on public access, or that you do not know whether or not it will, and therefore you have conditioned this permit to find out whether or not it will. And we have heard testimony today that seems to indicate that it would have a significant effect on access.

Now, I want to remind the Commission that when we have a major permit before us and we have conflicting testimony we often condition our vote on whether or not we are going to move forward with various conditions, also including pilot projects.

I personally feel that this is acting more like the end result of a major permit than an administrative permit because we are asking them to do a pilot program. We did that for the Richmond Bridge, and how many hearings did we have on the Richmond Bridge? I personally am going to not accept this as an administrative permit. Thank you.

Mr. Ng stated: Chair Wasserman, I just point out. I think we are getting close to the line of deliberating this. I think everything has been fine so far in terms of it sounds like Commissioners are stating their rationale for how they intend to vote, but I think we could just have a vote.

Chair Wasserman noted: I think we are very close to a vote.

Commissioner Gioia commented: I was just going to say, if this was carried out for full permit consideration it is likely that we do pilot with the study. I am not sure where I go here but I have mixed feelings that there's a lot of other things here. There's a lot of free parking that still exists. This is 20% of the parking that is down there. And so, whether it is now or later, we are never going to know whether it has impacts on public access until we collect the data, so I am just saying that.

And that is generally what comes out of a full permit review because it is not our decision to replace Berkeley's decision-making. It is whether or not this affects public access recreational use and the only way to know that is to collect data. So, the question is whether it meets the standard of administrative review or we have this multi-month-long process and ultimately probably come up with a similar outcome, which is we need to do a study and it is temporary.

Is there anything more that staff wants to add about this just a last chance before we vote?

Ms. Martien chimed in: Yes, I can add some clarification just to re-summarize what the project is and provide the basis for staff's recommendation for proceeding administratively. So, to summarize, the application that we received was for a limited-term paid parking program for a fee of \$1 per hour, \$6 per day, or \$500 per year at the Berkeley waterfront to be charged between the hours of 9:00 a.m. and 5:00 p.m. Those are the peak usage hours. The parking lot itself is accessible to the public and free outside of those hours from 3:00 a.m. to 9:00 a.m. in the morning and 5:00 p.m. to 11:00 p.m. in the evening. And this is consistent with what was approved by the Berkeley City Council in June of 2025.

It has now come to BCDC for authorization through our permitting process and through staff review. We feel that because the new fee is limited in scope, it is comparable to or less than other paid parking within the city of Berkeley or at other marinas and waterfronts within the Bay Area. And because free parking would continue to be available at the waterfront in the remaining eight waterfront lots outside of these three, that we feel that it is limited in scope. But to provide that additional backstop against any unforeseen impacts to recreational uses we would condition this. We provide conditions on administrative permits like we do for major permits, and one of those conditions would be to treat this as a pilot for that.

Commissioner Gioia asked: So, the 80% of other parking spots all remain free?

Ms. Martien stated: Maybe I will turn that over to the city of Berkeley to answer that question, but a large number of parking spaces that are within walking distance, within a third of a mile, are free and open to the public during those peak hours as well.

Commissioner Gioia asked: Can Berkeley clarify that? I know these spots represent 20% of the parking down there. I am familiar with it. I can bike there from my house, I know that area well. So, the other 80% of parking spaces that are available right in the vicinity, what percent are free?

Ms. Erickson commented: Good afternoon, Chair and Commissioners and BCDC staff. I am Christina Erickson, Deputy Director of the city of Berkeley Parks, Recreation, and Waterfront Department, and we are the project applicant in this case.

To try to answer your question, we have about 2,200 parking spaces at the Berkeley waterfront. Of those, about 1,000 would remain free. Other lots, for example, of those parking spaces, some of them are at the DoubleTree Hotel, gated for their use, some of them are in our launch ramp area, some of them are what we call slip-holder-only lots adjacent to the Marina. But of the remaining slips, 2,200 total, 1,000 free, 270 proposed for paid parking.

Commissioner Gioia acknowledged: Thank you. Clarify the motion?

Mr. Ng clarified: The motion is whether the Commission wants to hear this as a major permit application. It requires a majority of those present and voting.

Chair Wasserman stated: A yes vote would require it as a major permit; a no vote would have it proceed as a minor administrative permit.

Mr. Ng added: I would point out that a failure of the motion would result in the permit application staying on the administrative listing and then the Executive Director would be able to process it accordingly after this meeting.

MOTION: Commissioner Nelson moved that the Commission hears BCDC Permit Application No. M2026.018.00 as a major permit application, seconded by Commissioner Eklund.

VOTE: The motion carried with a vote of 12-7-0 with Commissioners Addiego, Ahn, Eklund, Gilmore, Gunther, Kimball, Nelson, Pemberton, Showalter, Taylor, Vice Chair Eisen and Chair Wasserman voting, "YES", Commissioners Gioia, Gonzalez, Hasz, Hermosillo, Kishimoto, Randolph, Tam, voting, "NO", and no "ABSTAIN" votes.

Chair Wasserman acknowledged: Thank you all. This was obviously a difficult discussion and a difficult vote. I want to reemphasize Commissioner Nelson's comments that one of the major issues for a number of Commissioners was the degree of controversy about issues within our jurisdiction, which is the question here of significant adverse impact on public access. Thank You all.

8. Briefing on BCDC Staff Jurisdictional Determination Process, Including San Rafael Creek.

Item 8 was postponed.

9. Briefing on BCDC's Summer Internship Program. Chair Wasserman stated: That brings us to Item 9, which is a briefing by our summer interns, who I had the pleasure of speaking with at lunch.

Ms. Fain made an introduction: I will kick this off while they are walking up. I am glad Larry just walked in the room because I know he was very upset to have to miss this item and he is here now in the room. I will still introduce it, but I am glad he was able to make it.

Larry personally spends a lot of time with our interns, working with them on résumé building, elevator speeches. I think they are working on those for next week. Arranging interviews and activities with them. So far this summer they have had a chance to meet with several Commissioners, Commissioner Ahn, Chair Wasserman, Nicole Mendez, Deputy Director for Legislation at CNRA, Noaki Schwartz also CNRA's former Deputy Director for EJ and now at the Coastal Commission, and others. And there have been numerous other site visits and other opportunities as well.

We started BCDC's Internship Program in 2021 and we really love the diversity that we are getting, both in terms of the students who participate, who come from all sorts of different backgrounds and schools, as well as the wide variety of issues that they are supporting, from our Admin and IT and GIS, Planning, Enforcement, they are really helping us across our agency.

So, without further ado I would like to introduce this summer's interns: Cindy Quan, Nicole Shkurovich and Sophia Garcia, and our one CSU COAST Fellow, Ryan Roberson. Ryan participates in the same activities as the other interns but comes to us through a great partnership with the Cal State University system focused on coastal management issues.

They will tell you a little bit about themselves, what they have been up to this summer. And importantly, we always ask our interns to tell us about how we can improve the program so we can have it continue to evolve, so you will be hearing some of their thoughts on that as well.

Ms. Garcia addressed the Commission: Good afternoon, Commissioners, staff, and attendees. Thank you so much for your time. We are BCDC's summer 2026 cohort and we are here to share with you our Summer Intern Program in review. I am Sophia Garcia.

Ms. Shkurovich self-identified: I am Nicole Shkurovich.

Ms. Quan self-identified: I am Sydney Quan.

Mr. Roberson self-identified: And I am Ryan Roberson.

Ms. Shkurovich continued: I am Nicole Shkurovich. I am currently a rising junior, doing a double major in landscape architecture and environmental planning as well as geography. Both at school and at BCDC I explore my interest in climate adaptation, planning and design, anti-displacement policy, political economy, and cartography. Outside of school and work I enjoy painting, sculpture, ceramics, gardening, photography, all of the outdoorsy stuff and art as well.

This summer I have worked on the GIS Team with Viktoria Kuehn and in External Affairs with Alyssa Plese.

What I have been doing with GIS, I have been building a tide gate inventory, which basically brings together a variety of resources. I used qualitative analysis tools and expanded my visual research skills using satellite images, engineering drawings, historical documents, and other items, permits, city plans, and hydraulic studies.

And it basically answers questions like, what are these tide gates? Where are they? When were they built and by whom?

And I hope that the project provides staff members and Commissioners with context. It will illuminate the ways that policy and science are entangled and nuanced.

The inventory peels back the multi-layered landscape and history of these sites.

Although alignment interpretation is challenging at times, my work essentially gets at the question: How do we best unravel these items and how do we communicate complex site information internally and externally using geographic information systems?

With Alyssa's guidance and support I used graphic design, writing, and storytelling to inspire more connection to the Bay and its communities. I achieved this through leading and designing a photography contest, which ultimately brings together photographers at different levels to capture the San Francisco Bay and Suisun Marsh and its flora and fauna, public access and landscapes.

Through this I was able to learn about local businesses while fundraising, successfully getting \$500 in prizes for contest winners. Stay tuned for the final exhibition in the lobby here.

Finally, on Instagram, I produce content that features BCDC's work, restoration projects, maps, geographic information systems, and it translates it into an accessible and engaging media.

And finally, I also expanded our internal catalog of Bay and marsh photos. Thanks, passing it on.

Ms. Quan presented the following: Hi everyone, my name is Sydney Quan. I am currently a rising senior at UCLA, studying environmental science and conservation biology. This summer at BCDC I am a Dredging and Sediment Management intern as well as an Information Technology intern. And although my presentation will focus more on my work with the Sediment Team, I do want to thank Xai Vang for being my manager with IT and broadening my knowledge in things such as asset management, cybersecurity, and other topics that I did not know about before.

So, with the Dredging and Sediment Management Team under Brenda Goeden I have been focusing on sand mining, specifically a species study. Sand mining is used for producing essential construction materials such as glass and concrete, et cetera. However, the Bay really needs sediment, it really needs sand in particular, and the removal of sand will impact habitats, wildlife, water quality, among other things, and especially species such as demersal or benthic fish rely on specific geomorphic habitats and even particular grain sizes of sand to survive.

So, my main project this summer has been to focus on compiling data from various data sets and assess the impact of sand mining on species in the ecology of the San Francisco Bay.

And for context, currently we have four sand mining leases in the Central Bay and two in Suisun Bay. The data sets I have been looking at include from the Farallon Institute, seabird and harbor seals foraging and diet and location data; the CDFW has been doing a Bay study for about 40 years with information on fish species, invertebrate species, catch sizes, and a lot of different stations throughout the Bay; the Marine Mammal Center sent us humpback and gray whale data sightings and locations of where they have been over the past eight years; and there is also other data that we are continuing to collect for my project; and I have been using contextual studies for more information on the benthic habitats and foraging behavior and habitat use of certain species in the Bay.

And primarily I have been using ArcGIS to create comprehensive maps as well as other reports for my project. The point is to track how sand mining, sand habitats, and sand obligate species may be connected. Sand obligate species refers to species that rely on sand to survive.

This is a screenshot of one of my ArcGIS maps. It is in progress because I still have four to five weeks left in my internship to work on this. But the primary purpose is to improve the Commission's and our ecological understanding of the sand habitats in the San Francisco Bay.

So far, this map shows five different fish species that rely on the sand including English sole, Pacific staghorn sculpin, and more. It shows the locations of where they are, and the size of the circle corresponds to how many of that fish species were found in that location, and it is overlaid with the sand mining lease areas so we can compare how the fish populations are different or are changing within and outside of lease areas. And it is also overlaid with a layer that shows benthic habitats such as sand, rock, or mud.

My main goal is to investigate the impacts of sand mining on these sand species and answer questions such as who needs the Bay sand, as in what species? That could be fish, mammals, seabirds, and more, and crabs. And also answer the question of how much sand should be mined and how, and if there are any other regulations or things that we should take into consideration.

So, my job is to compile this data and find evidence for any correlations between different populations, their species, the locations, the sand mining activities, to further inform our decisions in the future regarding sand mining.

I am also planning to incorporate crab data and whale data and do a general meta-analysis of the existing sand sediments and put them all in one place. But I am really excited to see where this project goes, since I still have over a month to work on it. Thank you.

Ms. Garcia spoke: Good afternoon. My name is Sophia Garcia. I am currently a rising senior at the University of California, Berkeley. I am studying environmental economics and policy, as well as society and the environment. This summer I was involved on the Compliance Team as well as Human Resources at BCDC.

To begin my internship, I started learning about the Compliance Program and learning how to read a physical permit and track the deliverables within them.

Ultimately, the Compliance Team's goal is to prevent permittees from reaching legal notice or fines, which are actually issued by the Enforcement side.

After learning how this data is tracked internally and inputting various permits into our system, I began sending follow-up emails directly to these permittees, requesting official documentation such as a certification of contractor review or a notice of completion after a permit is finished and closed.

From there, the final step was updating our work log and status of each project to maintain current records.

Another project that I got the opportunity to work on was a first-of-its-kind code compliance workshop. The purpose of this workshop is to keep permittees updated on the maintenance of public amenities within their permits that they may not be aware of due to the transfer of land between owners over time. These public amenities include things such as lamp posts, green spaces, public litter, keeping up with clean water, and things that permittees may not realize that they are responsible to take care of on their land parcel.

In hosting this workshop in a concentrated area we are able to have a physical presence and stay connected to these permittees while also informing them of their responsibilities moving forward.

What I did was research 22 landowners in the area of Oyster Point Marina in South San Francisco and create a survey to collect data on their current maintenance practices.

The next step for this project is to build a module for these stakeholders and business owners in South San Francisco and be able to use this workshop as a pilot for future use and future areas of interest that may need a little extra assistance in remaining compliant with their permits.

And lastly, to touch on my role with Human Resources, my responsibilities mainly included organizational work such as improving our Hiring Manager Reporting System, drafting new ideas for BCDC's website, updating employee data as everyone begins coming back to work four days a week, and filing for official record keeping.

My biggest takeaway from the summer has been being able to watch and learn how a state agency like BCDC works, specifically regarding coastal management, and seeing how many people are involved in the decisions that are being taken around the Bay.

After this summer I definitely have a newfound interest and passion for the public sector and I am very grateful to all of my supervisors, Isabel, Susie, Tony, Candice, everyone on these teams that has supported me throughout the summer. Thank you.

Mr. Roberson addressed the Commission: Hello, everyone. My name is Ryan Roberson. I am a rising senior at Cal Poly Humboldt, and I am currently majoring in environmental science with a concentration in policy and planning. As mentioned earlier, I am the COAST Intern. This is a CSU program that places students along the coast of California. There's about 14 of us, but me primarily in this specific role at BCDC, I got to work on the GIS Team and Environmental Justice departments.

And now I am going to talk a little bit about some of the work I got to work on this summer. I am primarily going to focus on two main deliverables, and this first one being the Community-Based Organization Directory. Now, this is a map that aims to better understand how socioeconomic indicators and contamination burdens contribute to vulnerable communities. This map also helps inform how and when community engagement should occur. My experience working with this data mainly consisted of online research and also direct contact one-on-one with these organizations. I primarily organized the data through Excel to make sure everything was kept in order.

As far as my second deliverable goes for this summer, I focused on creating community profiles. Now, this is a new concept that has not really had standalone documents before, so approaching this took a little while. I primarily focused on the Bayview Hunters Point area but I am hoping that this can be used as a template going forward for further community profiles that include qualitative data to better inform permit staff and Commission Members on what these areas look like historically and what they look like today.

Now, these also included a bunch of synthesized data including permit records, historical documents, demographics, and pollution indicators, and all of those came together to build this community profile.

I also want to thank my mentors Dalila and Todd as well. Thank you guys.

Ms. Quan presented the following: And for some program highlights that we have come up with, we have had so far a really great time at BCDC and we really thank everyone who has been investing in our learning and our experience here.

First of all, we love the site visits. There is something really unique about being able to do place-based work, especially in a place that we live. Being able to visit sites allows us to connect with the work that we are doing and feel the tangible effect and impact that we can have.

And then we also are really grateful for our relationships with us as interns, with our managers, and with everyone that we have worked with here. We feel very supported in our work and feel that it has been a really friendly learning environment for us.

And then for our specific projects, we feel that they were well chosen and specific, catering to our individual interests. Since we come from different backgrounds and are looking to work in slightly different fields, we have been able to really work on things that we want to do in our future.

Lastly, we want to thank everyone who has helped us in professional development, connecting us with different people who work in related fields but maybe slightly different. We have gotten to be exposed to so many different types of work here and feel that we have established connections that we will have for a long time.

With that, we have some more comments.

Ms. Shkurovich continued: For our new program ideas there are two that we really want to emphasize. The first is the intern alumni database, which we essentially think that it would be beneficial to build intern cohort and mentorship relationships between past, future, and present interns. It basically means that we can build off each other's experiences and maintain a sense of continuity. It will add a sense of support for incoming interns while also creating a more dynamic experience.

We also recommend some sort of conference or event participation, just to further our exposure and our networking skills.

We would also recommend expanding university outreach. We all come from different places, and we believe more presence at these schools can help build a recruiting pipeline, or also just learning through guest lectures, career fairs, event participations. There is just so much to learn from BCDC.

Finally, we recommend a year-round promotion of the internship on the website or through social media. But all in all we are really thankful. We have one last group photo. But thank you all. We really enjoyed our time here.

Chair Wasserman acknowledged: Thank you very, very much for those presentations. I think that the interns bring a fresh perspective, fresh inspiration, and a sense of energy that pervades through all of the people that they work with. Thank you.

Commissioner Gunther chimed in: As my career started 45 years ago as an intern, I really am excited by your presence. I really appreciate that we ask our interns what they think about us. I think that is really a nice feature. And I wonder if we ever think to ping interns from 5 or 10 years ago and get their perspective on their BCDC internship?

Chair Wasserman stated: Very interesting idea.

Ms. Fain added: Great question. I am not actually sure what the answer is to that, but we love to keep in touch with our interns. It is a great way to think about career pipelines for future positions at BCDC so we should.

Commissioner Eklund commented: I would say not only a great opportunity for opportunities to working with BCDC, but I would say any form of government, state or federal. I had the opportunity to work with the U.S. Environmental Protection Agency for 35 years, and then before that I worked for the Army Corps of Engineers for 8. I started the day after high school graduation, started working full time, and I went to school full time, and worked almost full time. And that is the only way I could go to school because my mom and dad did not have a lot of money.

But it was an incredible career working for the federal government for as long as I did. And so, I would encourage you to not always just focus on state, but just remember if you are interested in the environment, there are federal agencies.

Maybe not right now, but it depends on your political. Anyway, I worked through Republican and Democrat presidents. You can definitely feel the difference. And having that experience actually is good because it will make everybody a little bit more effective and actually maybe vote.

So highly encourage you to keep your eyes wide open. There is a whole world in front of you. But the environment really needs your help, definitely.

Commissioner Addiego was recognized: I would be remiss as mayor of South San Francisco if I did not offer a personal thank you to Ms. Garcia. That part of South San Francisco has grown a lot over the last 30 years, and I think there are some 28,000 workers that enjoy the Bay Trail and the marina. That is a stressor on the environment, the maintenance that is necessary to keep it in good order for the weekend visits of the South San Francisco residents that go out as families. They fish at the Bayshore. They barbecue out there. And it has really become, more so than the city parks on the interior, it is the favored spot because of the water and the beauty that is out there. So, thank you for your efforts and I look forward to sharing some of that with my staff.

Commissioner Ahn spoke: Thank you again for all your work. And I do not think she will mind me shouting her out. I am reminded of Amelia Stonkus, a prior BCDC intern, who then went on to go work for Rise South City. So, on Commissioner Eklund's comments, I think it is also not just about the state government space, but the CBO space that you can potentially network with. If BCDC can host that for past and current, future BCDC interns I think that would be super helpful. Mindful it is all about their career development at the end of the day. Thanks again for your work.

Commissioner Eklund chimed in: And do not forget local government too. Because you can serve, as I do, as a council member or mayor, and also work for the federal government or the state. Opportunities are just limitless.

Commissioner Tam was recognized: I just want to say congratulations on what seems to have been a very educational and productive summer. And I think coming from a municipal government perspective the work of ensuring that property owners do not fall into Enforcement and that you are really strengthening that in-between Compliance is so important. I think that is often a blind spot of municipal government. So, congratulations on that really important work.

Commissioner Janoff commented: I just want to jump in here and echo all of the thoughts and appreciation from everyone on your hard work; some really great stuff that you presented and interesting stuff.

From the federal government perspective, while I know hiring is on pause at the moment, I think that there are other opportunities with the Army Corps of Engineers. We do have summer intern programs as well, so consider that for the future if you are interested. Happy to put you in touch with anybody in our district who might be hiring interns in the future.

And then I also would point to fellowship opportunities. I do not know all of them off top of my head that would be open to undergraduates. I know a lot are open to graduate school students or JD programs, but in the environmental policy and management space. I am thinking of the NOAA Sea Grant fellowships, the Canals Fellowship, Digital Coast I think is one of them. Since we are a NOAA agency I think we can promote those. I think that echoing the comments that there are many opportunities to continue serving in government at all levels and just great work this summer.

Chair Wasserman acknowledged: Thank you very, very much.

10. Adjournment. There being no further business, the Commission meeting was adjourned at 3:09 p.m.

Respectfully submitted,

HARRIET ROSS
Regulatory Director
on behalf of
LAWRENCE J. GOLDZBAND
Executive Director

Approved, with no corrections, at the
San Francisco Bay Conservation and
Development Commission Meeting
of September 3, 2026.

R. ZACHARY WASSERMAN, Chair