

# San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600  
State of California | Gavin Newsom – Governor | [info@bcdc.ca.gov](mailto:info@bcdc.ca.gov) | [www.bcdc.ca.gov](http://www.bcdc.ca.gov)

## DRAFT MINUTES

**TO:** All Commissioners and Alternates

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

**SUBJECT: Draft Minutes of May 7, 2026 Hybrid Commission Meeting**

**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 commenced: Good afternoon, all, and welcome to our BCDC Commission meeting. My name is Zack Wasserman, and I am Chair of the Commission. I want to thank the Commissioners who are here at the Metro Center as well as those who are joining us virtually at our continuing hybrid meeting.

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, Dumlao (represented by Alternate Pemberton), Eckerle (represented by Alternate Kimball), Eklund, Gauthier, Gonzalez, Gunther, Hermosillo, Janoff, Moulton-Peters (joined after Roll Call), Ramos, Showalter, Tam (represented by Alternate Gilmore), Taylor, and VACANT (represented by Alternate Nelson). Legislative Appointee 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), Department of Finance (Benson), U.S. Environmental Protection Agency (Blake), City and County of San Francisco (Dorsey), Contra Costa County (Gioia), Governor (Hasz, Randolph), Santa Clara County (Lee), Solano County (Mashburn), Business, Transportation & Housing (VACANT),

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

Dan Clarke addressed the Commission: Commissioners, Chair Wasserman, and Executive Director. Thank you for giving me this time; I hope to get the visual up.

This is something you have seen before. It is in Gashouse Cove, and it is a project that will renovate the harbor and there is a necessity to balance storing chemicals that we won't be able to get rid of with other priorities such as beneficial use.

So just some updates for today is that you have a report in your materials under Agenda Item 3, Public Comment 1. And this visual shows in there and it talks about what some of the issues are.

The other maybe more important thing is that this is not a routine amendment to an existing permit. It will be a full hearing and vote of the Commission meeting under 2025.006.00. And that is good news because this does require some attention and some decisions on your part.

The last thing to tell you is when is this going to happen? The project is moving under

San Francisco Rec and Parks Department and PG&E, and they are planning to bid the project and award the contract by the end of this year, and then start physical construction mid-2027.

Your staff has not scheduled the hearing here, but their best guess is fall of this year, so that timing should work for what decisions need to be made.

I am working with staff and trying to get what the arguments are back and forth in a cogent way to you, and I just wanted to give you that update for today. Thank you very much for your time.

Chair Wasserman continued to the Report of the Chair.

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

**a. June 4 Public Workshop Attendance:** I want to make a strong pitch for all the Commissioners to be present here at our June 4th meeting. And by “here” I mean physically present.

At that meeting we will hold a public workshop to discuss a possible Bay Plan Amendment to increase beneficial reuse of sediment and soil for wetland restoration.

BCDC staff have been working to develop potential changes to the Bay Plan to facilitate beneficial reuse in the Bay Area. The workshop will be an opportunity for Commissioners, stakeholders, and the public to help shape those policies. It will also be an opportunity to build on our previous stakeholder work that resulted in the Sediment and Soil Beneficial Reuse Action Plan which BCDC published last year.

This workshop will be held in-person in the Yerba Buena Room across the hall. We will not be using Zoom to create virtual access because of the workshop format; therefore, I encourage in-person attendance. If you cannot attend as a Commissioner, please ensure that your alternate is there.

**b. New Commissioner:** I am pleased to introduce Dr. Arye Janoff as the new Commissioner representing the U.S. Army Corps of Engineers. Dr. Tessa Beach will transition to the role of Alternate.

Dr. Janoff serves as a Senior Project Planner and Project Manager in the Corps’ Navigation Program and is the District’s Program Manager for the Beneficial Use of Dredged Material and the Long-Term Management Strategy Program. Dr. Arye, would you like to say anything to us, to the public?

Commissioner Janoff addressed the Commission: I will just say it is an honor to be here, an honor to have been appointed to be the Corps’ liaison. I am excited to learn about BCDC’s goings-on and jurisdiction and all the various projects within BCDC’s jurisdiction, so thank you.

Chair Wasserman continued.

**c. Next Meeting:** At our next meeting in two weeks on May 21, we expect to consider a major permit and hear updates from staff:

- The public hearing and vote on the permit application to maintain the Transbay Cable;
- We expect to get an update on our Rising Sea Level Funding and Investment Strategy; and,
- We will receive a major update on the Commission’s existing Strategic Plan and a plan for moving forward on a new plan this summer and fall.
- And again, please mark your calendars to be here for the June 4 public workshop.

**d. Ex Parte Disclosures:** Now is the time for ex parte disclosures if you have had discussions outside of Commission meetings about adjudicative matters.

Commissioner Eklund chimed in: I guess I would like to disclose that I attended the Highway 37 meeting conducted for the jurisdictions as part of the Highway 37 program.

Executive Director Goldzband asked: That was the meeting this morning, which was the Policy Committee meeting?

Commissioner Eklund replied: Yes.

Commissioner Moulton-Peters added: Correct I did too.

Executive Director Goldzband noted: Yes, a total public meeting, no big deal.

Commissioner Eklund agreed: It is a public meeting, yes.

Commissioner Hermosillo stated: I am on the Highway 37 Policy Committee and have worked on Highway 37 for many years. The information that is being presented is nothing that I have not heard of or is different today.

Chair Wasserman acknowledged: Thank you. Anyone else?

(No further ex parte communications were reported.)

Chair Wasserman stated: That brings us to the Report of the Executive Director.

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

As I wrote this report on Tuesday, I listened to Ludwig van Beethoven's 9th Symphony for maybe the 500th time, the masterpiece many considered to be the greatest piece of western music ever composed. Because I agree with that assessment, and I am absolutely no expert on anything, I will share with you that this incredible piece of music premiered 202 years ago today in Vienna.

Its classic fourth movement, commonly known as "Ode to Joy," uses that libretto by poet Friedrich von Schiller, which describes the overwhelming happiness and contentment arising from bonds among family members, partners, and the universe.

This overwhelming work of a genius who started to experience deafness before the age of 30 will be performed by the San Francisco Symphony in June in memory of its late conductor, Michael Tilson Thomas, who passed away last month after leading the orchestra for 25 years, Alav ha-sholem.

I am very happy to let you know that Dalila Adofo has been promoted to Senior Manager for Equity and Community Engagement here at BCDC. You may remember that Dalila joined BCDC in summer of 2024 as the EJ Manager and has been serving as Acting Senior EJ Manager since Phoenix Armenta moved on in February.

During her tenure Dalila has led two Shoreline Leadership Academies, supported and managed the EJ Advisor program, led and supported projects including the Guidance on Meaningful Engagement and EJ Policies in Permitting, the Equity Action Plan, and the RSAP equity assessment, and still she comes back for more. She also serves as BCDC's Tribal Liaison and helped craft BCDC's Tribal Consultation policy.

Also noteworthy is that Dalila was trained as a chemist at San Francisco State University and her great and friendly spirit certainly contributes to the great chemistry that we have here at BCDC.

Of course, this means that our search for successful BCDC staff will continue as we need to backfill Dalila's position.

I am also pleased to announce that we will be hiring Vanesa Presa as a Human Resources analyst. BCDC needs to expand its H.R. capacity, and Vanesa will concentrate on issues such as formalizing onboarding, training, and other institutionally required processes

that we have never had the capacity to concentrate on for an extended period of time, among other tasks.

Vanesa is a Hornet from Sacramento State University who majored in Psychology, so we know that her H.R. background will be helpful. We also recognize that a degree in psychology may prove useful. She is scheduled to start on Friday, May 22.

By now you should have received a copy of BCDC's 2025 Annual Report. Staff from throughout the organization contributed to its development, and our External Affairs team, Rylan and Alyssa, spearheaded its progress, final content and design, and distribution. I urge you to take at least a quick look to remind you of all that you accomplished this year.

In addition to the Annual Report, our crack External Affairs unit, all two of them, have put together a new email that you will receive monthly that lists and includes links to all of the news reports that mention BCDC. Known as the Monthly Media Roundup, and we are happier to consider a flashier name than that if you insist, you should have received the first one already. Please look for it in your spam folder if you cannot find it because it comes from our Constant Contact account.

Also in the good news section, the regulatory package you approved a few months ago that will reduce our applicants' regulatory burdens was just approved by the State's Office of Administrative Law.

Next on tap will be our recommendation that you approve the results of those regulatory changes, for those amendments require you to approve changing various documents and processes that we use with our applicants. That way you will have a second bite at the regulatory streamlining apple.

And later this year staff will come back to you with what we hope will be a more successful proposal to increase the acreage limit for habitat restoration projects under our administrative permits process.

You may have participated in San Francisco Climate Week late last month. Our staff certainly did. BCDC hosted two very successful engagements here at Metro Center on financing adaptation projects and local government progress in developing shoreline adaptation plans. Chair Wasserman was kind enough to introduce the former, and it was a terrific discussion that included Commissioner Showalter. I opened the latter and the overflow audience heard from four distinct local government representatives on their RSAP implementation progress.

I also had the pleasure of sitting on a panel with Laura Tam of the Bay Planning Coalition and Len Materman of One Shoreline on the rockin' Klamath, and it was rockin' that day, discussing permitting reform, and the audience included Commissioner Moulton-Peters. That's when I found out that Harriet Ross, our stellar Regulatory Director, tends to get seasick.

Both to increase BCDC's capacity to accomplish our short- and long-term tasks, and to make Harriet feel vindicated for surviving the Bay's swells, soon you will see a plethora of large-scale consulting contracts that we plan to manage for services such as strategic planning, communications and outreach, permitting improvements, and Bay Adapt implementation. We will describe them to you as part of upcoming Consent Calendars, and we are very anxious to implement them.

Before ending, two notes about our planning work. First, since our last meeting, Contra Costa County has initiated its Resilient Shoreline Plan and that notice is posted on BCDC's website. You will hear more about that later today.

And now I would like to ask Planning Director Jessica Fain to brief you quickly on the

work being performed by the San Francisco Estuary Partnership's Implementation Committee, on which Jessica now serves as Vice Chair.

Planning Director Fain provided the following briefing: Thank you, Larry. Good afternoon, Commissioners.

For those unfamiliar, the San Francisco Estuary Partnership's Implementation Committee is a multi-partner group that meets quarterly to help implement the Estuary Blueprint.

At yesterday's meeting we heard several great presentations including one on the North Bay resilience and ecological restoration projects through the Novato Creek Bayland Strategy and other efforts.

MTC's Georgia Dohrmann shared information about the Adapt Assets Act, a new piece of federal legislation introduced by Congressman Garamendi for a national transportation program to fund complex, multi-benefit adaptation projects. Rylan Gervase will brief the Commission on this legislation at his next briefing.

We also approved SFEP's Annual Work Plan and Budget, and said a heartfelt goodbye to Caitlin Sweeney, longtime SFEP Executive Director and prior to that a longtime BCDer and Deputy Executive Director. Committee members thanked her for her many years of public service and her commitment to the health of the Estuary and Bay. That concludes.

Executive Director Goldzband continued: We certainly want to wish Caitlin the best and greatest of retirements. We sort of get the feeling that we will see her every now and then around this place.

Finally, although I promised to hold up the list of Commissioners and Alternates who have not completed and filed their Fair Political Practices Commission Form 700 financial disclosure form which was due April 1, only one Commissioner has not yet filed the form. Seems a little lonely to have a list with just one name on it so I will leave it at that.

With that, Chair Wasserman, I am happy to answer any questions.

(No questions were posed to the Executive Director.)

## 6. Consent Calendar

### a) Approval of Minutes for the April 16, 2026 Meeting

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

(No members of the public addressed the Commission.)

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

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

**VOTE:** The motion carried with a vote of 16-0-1 with Commissioners Ahn, Eklund, Gauthier, Gilmore, Gonzalez, Gunther, Hermosillo, Kimball, Moulton-Peters, Nelson, Pemberton, Ramos, Showalter, Taylor, Vice Chair Eisen and Chair Wasserman voting, "YES", no "NO" votes, and Commissioner Janoff voting "ABSTAIN".

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

(No members of the public addressed the Commission.)

(No questions were posed to Ms. Ross.)

## 8. Public Hearing and Vote on Sears Point to Mare Island Improvement Project Phase 1.

Chair Wasserman announced: That brings us to Item 8, a public hearing and vote on the Caltrans proposal to improve Highway 37, widening an approximately one-mile section of

State Route 37 in the North Bay and replace the Tolay Creek Bridge with a wider and longer bridge. The project would last until no later than 2050, by which time it would be removed and replaced by a long-term causeway.

I want to note a couple of things before we begin the presentation.

First, after a series of discussions and reviews with our legal team we have slightly changed the order of our public hearing process. We will open the public hearing immediately and close it a bit later than we have in the past.

Second, while you may think that the presentation on the Caltrans Highway 37 projects are a bit lengthy, I want to assure you that they are much shorter than the drive going west on that highway.

With that said, we are opening the public hearing and Rowan Yelton of our Bay Resources Permitting Team will start the discussion.

Coastal Program Analyst Yelton spoke: Good afternoon, Commissioners. I am Rowan Yelton, a Coastal Program Analyst on the Bay Resources Team, and I am here today to present the Staff Recommendation for the State Route 37 Sears Point to Mare Island Improvement Project Phase 1: State Route 37 Widening and Tolay Creek Bridge Replacement. This project proposed by the California Department of Transportation is the first phase of an Interim Project designed to increase highway capacity and improve habitat at Tolay Creek.

The entire Interim Project will occur along State Route 37 approximately between Sears Point and Mare Island in Sonoma, Solano and Napa counties. The first phase of the project, which we are considering today, is for the western portion of the road at Tolay Creek and Highway 37 and the Highway 121 intersection.

Only a portion of the Phase 1 Project is within BCDC jurisdiction. This portion is in the Tolay Creek Certain Waterway, which is defined in the McAteer-Petris Act as ending at the northerly line of Sears Point Road, also known as State Route 37. The area of Certain Waterway jurisdiction extends east of the Creek along tidal marshes of Tubbs Island approximately 0.6 miles. Certain Waterways jurisdiction is very similar to Bay jurisdiction, the only difference being that there is no shoreline band around the Certain Waterway.

Currently, State Route 37 is bottlenecked along the stretch between Sears Point and Mare Island with only one lane in each direction. The entire Interim Project would result in widening of the State Route 37 Highway to increase the number of lanes to four total lanes, thereby improving travel times and road capacity.

Phase 1 would also include the lengthening of the Tolay Creek Bridge from 60 feet to 375 feet, and removal of artificial fill from the Tolay Creek at the bridge.

Phases 2 and 3 of the Interim Project would complete the widening of the Highway to Mare Island and enhance a tidal marsh south of the highway and would be authorized in a future material amendment to this permit.

All phases of the Interim Project are planned for completion by 2032.

The Interim Project is planned for use until 2050, when this section of road and bridge will be replaced with a long-term causeway that would elevate the highway along the same alignment.

The Phase 1 Project construction will involve widening the road 12 feet south into BCDC jurisdiction, replacing the bridge and removal of fill from Tolay Creek.

The Project will result in 0.79 acres of solid fill in BCDC jurisdiction, primarily from the road widening, and 0.07 acres of cantilevered fill from the new bridge.

The Project will also result in the removal of 0.51 acres of fill in Tolay Creek south of

the road, which will expand the BCDC Certain Waterway, and the additional removal of 0.63 acres of fill north of the road outside of BCDC jurisdiction.

The Project impacts include the placement of solid fill in the marshes to widen the road, and temporary construction impacts such as dewatering of Tolay Creek and piledriving.

The Project will also benefit the environment by removing solid fill from Tolay Creek and widening the bridge, which will improve hydrodynamics of the Creek and increase the area of open water.

And I am going to ask Michael to present this bit.

Senior Staff Attorney Ng spoke: Good afternoon, Commissioners. My name is Michael Ng, Senior Staff Attorney for BCDC and filling in for General Counsel Greg Scharff at today's meeting. I am going to present the next three slides since they discuss the legal basis and justification for the Staff Recommendation that the Commission approve the Project as proposed to be conditioned by staff.

As specified in Government Code Section 66632(f) of the McAteer-Petris Act, in order to approve a permit application for a project the Commission must make one of two sets of possible findings. That the project is necessary to the health, safety and welfare of the public in the entire Bay Area, or that the project is consistent with the McAteer-Petris Act and the Bay Plan then in effect.

Typically, the Commission approves permit applications on the basis that the project proposal as conditioned can be found consistent with the McAteer-Petris Act and the Bay Plan. Therefore, the Commission typically does not have to consider the underlying legal justification upon which it approves permits. However, as will be explained over the next two slides, in this case BCDC staff recommends that the Commission approve this Project as conditioned on the basis that the Project is necessary to the health, safety and welfare of the public in the entire Bay Area.

Government Code Section 66605 of the McAteer-Petris Act sets forth a series of criteria for which the Commission must make findings in order to authorize additional Bay fill.

As relevant here, subdivision (a) specifies that further fill of the Bay should only be allowed for, among other things, water-oriented uses.

As the Commission is aware, the Bay Plan sets forth policies which further implement the basic statutory goals and policies of the McAteer-Petris Act. As relevant here, notably Transportation Finding e of the Bay Plan explicitly states that bridges are water-oriented uses, but roads are not water-oriented uses because roads do not need to be located in the water to function properly and do not take advantage of some unique feature of water.

Therefore, the bridge replacement aspect of this Project can be authorized as Bay fill for a water-oriented use as required by section 66605(a), although the road widening aspect of this Project cannot.

Therefore, to approve the Project in its totality, the Commission cannot find that the Project is fully consistent with the McAteer-Petris Act and the Bay Plan, necessitating consideration of approval on the basis that the Project is necessary for the health, safety and welfare of the public in the entire Bay Area.

As a reminder, the relevant statutory language is repeated on this slide. This legal justification for permanent approval should be used by the Commission sparingly and for projects of true regional importance in which the Commission can confidently find that the project is necessary to the health, safety and welfare of the Bay Area, since this basis for

permit approval essentially provides an exception to the typical requirement that projects be fully consistent with BCDC's laws and policies.

In other words, the instances in which the Commission is willing to approve a permit application for a project on the basis of health, safety and welfare should be a very high bar.

Another example in which the Commission approved a permit for Bay fill on the basis that the project was necessary for the health, safety and welfare of the Bay Area was when the Commission approved the BART Transbay Tube in 1965.

As Rowan will explain on the next slide, the current Project before you is of similar regional significance such that staff is reassured in recommending that the Commission approved the Project before you on the health, safety and welfare basis.

Mr. Yelton continued: First, State Route 37 is unquestionably of regional significance to the Bay Area. It accommodates 40,000 vehicles daily and serves as a vital commute corridor connecting residents of more affordable Solano County to jobs in Sonoma and Marin Counties. It is the northernmost east-west freight link in the region and is the designated evacuation route for the Black Point Community in Novato. It is also the designated evacuation route in any emergencies that render the Richmond-San Rafael Bridge inoperable. The only other parallel east-west connection in the San Pablo Bay Area would be SR 116, SR 12, which are both rural highways with limited capacity.

Approximately 1,250 vehicles per hour are impacted by the 4.7-mile bottleneck at the Highway. The road widening from Sears Point to Mare Island to match the capacity of the adjacent sections of road will alleviate the bottleneck, helping regular commuters save up to two hours each day.

Widening the road to two lanes in each direction will also increase the capacity and speed for evacuation and enhance emergency vehicles' accessibility.

Although these travel and economic benefits will not be fully realized until all phases of the overall Project are permitted and completed, the Interim Project Phase 1 is a critical first step to completing the full Project.

In recommending that the Commission approve this Project on the basis that it is necessary to the health, safety and welfare of the entire Bay Area, BCDC staff stress that this justification is necessary only to reconcile allowance of Bay fill for expansion of SR 37 as a non-water-oriented use.

As will be further explained in this presentation and as elaborated in the Staff Recommendation, BCDC staff has imposed conditions and required Project changes to otherwise ensure that the Project can be found consistent with BCDC's laws and policies, including critically with respect to issues such as sea level rise adaptation.

As the Project involves the construction of a public highway bridge, it is subject to the Bay Plan's Safety of Fills policies. Therefore, Caltrans presented the Project to BCDC's Engineering Criteria Review Board twice in 2025 to address soil sampling and soil characteristics, liquefaction potential, seismic loadings from fault rupture and ground motion, criteria for pile and superstructure design, hydraulic loading, and flood potentials. The ECRB ultimately found that the Project was designed according to the proper safety criteria.

As many of you will know, this stretch of road is relatively low lying and is subject to regular flooding, which will increase in the future as sea levels rise.

Bay Plan climate change policies require projects to be planned for sea level rise resiliency to midcentury at least and for the life of the project.

As this Project is intended as an interim measure to improve habitat conditions in traffic until a long-term project to replace the road is implemented, the road is not being raised except in certain low-lying sections.

Caltrans investigated the possibility of raising the entire bridge to an elevation that would be resilient to end-of-century sea level rise projects, but that was found to be geometrically impossible without also raising nearby train tracks that cross the road directly adjacent to Tolay Creek.

BCDC staff find the Project is consistent with Bay Plan policies as long as the Project is replaced by 2050 as planned, with a new causeway resilient to longer term sea level rise.

To ensure the Long-Term Causeway Project is completed by 2050, permit conditions are included to require Caltrans to present updates on road flooding, sea level rise projections and the planning of the Long-Term Project, every five years starting in 2030. These updates would include both a written report and a Commission meeting briefing.

Additionally, the permit would require Caltrans to complete a permit application for the Long-Term Project by 2045.

During planning of the Project, the permittee engaged in discussions with elected officials, the Solano Transportation Authority's Equity Working Group, the Federated Indians of Graton Rancheria, the Yocha Dehe Wintun Nation, and public hearing community participants.

Before the Interim Project was developed, Caltrans held four open houses in 2017 and hired a consultant to conduct five focus groups in 2018.

After the Interim Project was planned, Caltrans held an online public meeting on the CEQA review process in 2022, public comment periods on the original CEQA EIR in 2022 and a supplemental EIR in 2024, and two Environmental Working Group meetings in 2024 and 2025.

Caltrans also participates in the Resilient State Route 37 Policy Committee quarterly meetings which started in 2019 and continue at least through this year.

Key feedback received from the public includes support for the road widening, public transit options along SR 37, and environmental enhancements at Tolay Creek.

The public also expressed concern about tolling, which is not part of this current Project and Caltrans plan to implement in Phases 2 and 3 of the Interim Project.

Finally, questions arose over why Caltrans could not skip the Interim Project and instead construct the long-term causeway.

The Bay Plan requires that all fill projects increase public access to the maximum extent feasible, and for transportation projects to include pedestrian and bicycle paths. On-site public access such as a bike lane would not be required for this Interim Project because such a feature would require more Bay fill in tidal marshes and would only be in place until 2050 when the road will be replaced.

Instead, the permit would require Caltrans to contribute \$693,000 to the city of Vallejo to improve a section of Bay Trail at River Park near the Mare Island Causeway Bridge. Additionally, the road would be built with continuous 8-foot shoulders for bike use.

That concludes the staff presentation.

Mr. Fremier continued: Good afternoon, Chair Wasserman and Members of the Commission. Andrew Fremier, I am the Executive Director at the Metropolitan Transportation Commission. I wanted to open up with just a few comments.

Today I believe you have the opportunity to support an innovative approach to project delivery. It is a true collaboration between transportation and resource agencies

really designed to shape multi-benefit projects to adapt to climate change and support habitat restoration while keeping people, and specifically disadvantaged communities, central. This is the Resilient 37 Program Mission.

In 2023 Caltrans, the California State Transportation Agency, the California Natural Resources Agency, the California Department of Fish and Wildlife, BCDC and MTC completed the Resilient 37 Partnership Agreement, which formalized the regional and state commitment to near- and long-term improvements, and built on almost a decade of work by the North Bay Transportation authorities and the Baylands Group. This partnership is driven by equity, the need to improve quality of life, particularly for the most vulnerable communities, to keep the Bay Area economy running, and to improve safety and the health of the Bay.

By working together, we can design and deliver better projects, make the most of limited funding, and meet the moment, understanding climate change will not wait.

The permit that is before the Commission today for the Tolay Creek Bridge replacement and the SR 121 improvements is the first project of the expanded partnership. It is an interim project that provides time sensitive transportation and ecological benefits.

This Project will help alleviate severe travel delays commuters experience along the corridor going to work back and forth from relatively affordable homes in Solano County to jobs in the west.

It will improve traffic operations and safety at the State Route 121 and 37 intersection and across the Tolay Creek Bridge east towards Tubbs Island.

The Project also helps advance the next set of transportation improvement projects along the corridor.

Some good news for the next projects came this week as was mentioned earlier when North Bay Congressmen John Garamendi and Mike Thompson introduced the Adapt Access Act, which would help fund 10 large-scale critical infrastructure projects around the country that are designed to reduce the risk of catastrophic damage, prolonged closures, and repeated emergency repairs to critical surface transportation assets.

But back to the permit that is in front of the Commission today. This Project will replace the existing Tolay Creek Bridge with a longer bridge and will remove roadway fill from the Tolay Creek Channel. In doing so, the Project reduces flood risk and also increases tidal flow that is critical to the Tolay Creek Bayland restoration to the north and facilitates future Sonoma Creek Baylands strategy restorations of up to 9,000 acres.

So, in closing, with a decade of planning and outreach informing our work it is time to take action. We will continue to partner on this work and on the next stages of this interim and long-term sea level rise adaptation projects.

So, I am going to now pass it off to Larry Bonner of Caltrans and Jeremy Lowe of the San Francisco Estuary Institute, who will provide more details.

Mr. Bonner presented the following: Thank you very much, Andy. Good afternoon, Chair Wasserman, BCDC Commissioners, Executive Director, BCDC staff, and members of the public. My name is Larry Bonner. I serve as the Office Chief of the Office of Environmental Analysis in Caltrans District 4.

We are here today to request a permit from BCDC for the State Route 37, also referred to as Highway 37 Tolay Creek Bridge Replacement Project.

I am going to expand upon a few of the items that Andy brought up in the opening and so in the upcoming slides we will give you an overview of the Project, the Project need, the primary components of the Project, and the expected outcomes and opportunities that

permitting this Project will facilitate.

We are advancing the Highway 37 Tolay Creek Bridge Replacement Project as the first phase of the Sears Point to Mare Island Improvement Project, also referred to as the Interim Project. This phase addresses critical transportation and ecological needs between the Highways 37 and 121 intersection and Tubbs Island.

Our goals are to improve traffic operations, restore hydraulic and wildlife connectivity at Tolay Creek, and strengthen flood resilience at this creek crossing. Because the crossing at Tolay Creek lies within BCDC's Certain Waterway jurisdiction this presentation primarily focuses on that segment.

I would like to first step back and review how we got here today. The Project Team did not arrive at this point in the development of the Project on our own. We were guided by the public who shared their vision for what this region needs from this facility. Caltrans, MTC, and our County Transportation Authority partners have listened to the community, and we understand that this corridor requires major improvements.

The community has told us that traffic congestion is their top concern for this corridor. The graphs displayed here summarize this input and reflect the community's desire for a roadway that enhances the welfare of the Bay Area residents. Across 2017 and 2018 and again in 2025 the community's consistent top priority was congestion relief in this corridor.

This Project aligns with BCDC's priorities for public health, safety and welfare. Highway 37 is a critical commuter, freight and evacuation corridor serving about 40,000 vehicles daily, connecting more affordable housing in Solano County to job markets in Sonoma and Marin, and is the primary east-west evacuation route for communities in the region if the Richmond-San Rafael Bridge were to experience a closure. The only other parallel connection in the North Bay is through Highways 116 and 12, which are both distant and capacity limited.

Under the current roadway configuration for this segment of Highway 37, a single incident can gridlock the corridor, causing extensive delays or closures and impede emergency access. Case in point, just this week there was an accident on State Route 37 on Monday near Skaggs Island that caused the eastbound closure of 37 for nearly six hours.

Our Project improves traffic operations, reduces congestion, shortens incident response times and enhances emergency response. It will also increase the accessibility and speed in the event of an evacuation, which is essential to public safety.

The complete Sears Point to Mare Island Improvement Project is projected to save the people who use this route 9.6 million hours in traffic annually, provide for \$79 million in yearly travel time savings, and yield \$1.5 billion in life cycle benefits to the Bay Area. These benefits are driven primarily by reduced travel time, with added gains in safety and reduced vehicle operating costs. Advancing this first phase is essential to capture and retain funding for subsequent interim phases and realize these outcomes.

The Project will deliver long-term benefits for wildlife that forage in the tidal marsh. Tolay Creek Lagoon consists primarily of tidal waters, mud flats, tidal marsh habitat with scattered patches of pickle weed and upland transition habitat.

New habitat created by the project could provide foraging areas for California black rail, Ridgway's rail, salt marsh common yellowthroat, and the salt marsh harvest mouse. The Tolay Creek Lagoon currently offers forage habitat but does not provide nesting or breeding habitat for these special status bird and mammal species.

Tidally-influenced locations within the project area currently provide potential forage

habitat for fish species that may be present in the Bay throughout the year, including longfin smelt and North American green sturgeon. Today, these species are not known to use Tolay Creek north of Highway 37 because of sub-optimal hydraulic connections and high water temperatures and salinity in Tolay Creek, which are not ideal.

By improving tidal exchange, the Project is expected to improve those conditions and open additional habitat. Construction-related effects on fish are expected to be minimal, given their current low use of the waterway.

With the channel opened and watershed capacity expanded, Tolay Creek can improve access and productivity for fish that occur in San Pablo Bay. Combined with the benefits of planned watershed restoration projects, this Project would help restore functional tidal marsh, reconnect Tolay Creek with the Bay, and create high-quality, resilient habitat for tidal marsh species. Our partners at the San Francisco Estuary Institute will expand on these points later in our presentation.

The Project Team's approach to equity is twofold.

First, we have developed this Project equitably through expansive community engagement.

Second, we have prioritized travel improvements as a core project outcome aligned with community feedback.

During the Project's development we engaged a diverse range of communities and stakeholders, reaching out early and often. Our robust outreach included collaboration with the Solano Transportation Authority's Equity Working Group, local tribes, elected officials and nearby communities. We made our team accessible both in person and through virtual platforms, incorporating feedback from open houses, public meetings, environmental working groups and policy committee meetings.

This input guided us to implement congestion relief through an Interim Project and to integrate environmental benefits via restoration and nature-based solutions such as replacing road fill with a pile-supported bridge and enhancing the roadway edge to improve shoreline habitat.

Additionally, the Project preserves existing cyclist and shoreline access, including Bay Trail connections, and lays the groundwork for prioritizing transit in future phases, which will help commuters spend less time in traffic and enhance their quality of life.

Caltrans and MTC are committed to delivering a Project that addresses core community concerns, prioritizes benefits for underserved communities, reduces peak period congestion and expands access to regional job markets.

This slide highlights the existing bridge and roadway within the Tolay Creek Channel shown here at the top, and compares it with the replacement bridge shown here at the bottom. We will soon present visual simulations that illustrate the extent of these changes and their benefits to the overall watershed.

We will remove the earth fill in Tolay Creek and replace it with a longer, higher, pile-supported bridge designed to address future flood risks and sea level rise through the 2050 design horizon, while also ensuring Safety of Fill compliance.

This change will fully open the Tolay Creek Channel at the mouth of Tolay Lagoon, enhancing watershed drainage capacity and tidal connectivity to the Bay.

Caltrans has and continues to collaborate with future watershed restoration proponents to maximize restoration efforts north of Highway 37.

Additionally, we will raise the roadway east of the new bridge to match its higher elevation, improving flood resilience at this known low point on Tubbs Island.

Though it is outside of BCDC's jurisdiction I want to briefly discuss the existing conditions at the Highways 37 and 121 intersection, and what the Project is doing to address congestion at this location. A key point to highlight is the cause of the traffic congestion for drivers headed east.

At the location I have circled here, drivers must merge from two lanes into a single lane. This single lane merge creates substantial congestion and delays, particularly during peak commute hours. The proposed Project aims to address this primary bottleneck by extending the short merge east of the intersection, which will improve traffic flow and traffic operations, reduce delays, and enhance travel reliability.

This exhibit shows the proposed lane configuration designed to reduce congestion and improve travel reliability at this intersection. Caltrans will be working to build a better roadway in response to the public's priorities. Looking ahead, the next phase of the Interim Project will tie directly into this project by widening Highway 37 from Tubbs Island to Mare Island. Caltrans will return to the Commission to present and seek approval for that package at a future date.

This team designed the Interim Project to minimize impacts on the Bay and its resources while still delivering benefits to the public. However, widening the road will require placing approximately 0.86 acre of materials and structures within the BCDC Certain Waterway jurisdiction to provide congestion relief for Bay Area drivers. Most of this fill would be located south of Tubbs Island and within the Tolay Creek Lagoon, with a relatively small area of new pile-supported fill over open waters for construction of the new bridge.

Our designers, planners, scientists and engineers collaborated closely with the project stakeholders and regulatory partners to avoid and minimize the Project's footprint in the Bay and to reduce potential risks to adjacent habitat.

Key design choices that were made to avoid, remove and minimize fill include replacing the existing roadway fill in the Tolay Creek Channel with a pile-supported bridge, minimizing new roadway widening and its associated fill, and using vegetation and woody debris cover in combination with engineered solutions on roadway embankment surfaces. This blend of nature-based and engineered solutions will support plant establishment and provide immediate habitat value as opposed to conventional hardscaping approaches to prevent erosion.

This slide and the next show how replacing the Tolay Creek Bridge will create new open water and improve hydraulics. Caltrans and its transportation agency partners, stakeholders and regulatory agency partners have identified a need to address hydraulic constraints in Tolay Creek at the Highway 37 crossing. This location was identified as a priority under a partnership agreement among the California Transportation Agency, California Natural Resources Agency, Caltrans, MTC, CDFW and BCDC. This Project reflects our collective commitment to deliver high-value ecological improvements at Tolay Creek.

By replacing the existing bridge, we will increase the tidal prism, which is the volume of water moving through the system, and advance Baylands restoration goals. As shown here, the mouth of Tolay Lake Creek is constricted by the current 60-foot bridge, which limits tidal flow. In addition, the channel is misaligned because it was rerouted and filled to build the original crossing before BCDC was established.

This slide illustrates the amount of fill being removed from Tolay Creek and the Bay, highlighting the overall gain in open waters and the establishment of new BCDC jurisdiction upon Project completion.

We will convert 1.14 acres of uplands to new waters, establish 0.51 acre of new BCDC

Certain Waterway jurisdiction, and deliver a net gain of 0.28 acre of new waters. In summary, the Project will create more open water than the fill being placed. Ultimately, the Interim Project will open the mouth of Tolay Creek where it connects with Tolay Lagoon, maximizing tidal exchange and enabling the best long-term approach for upper watershed restoration.

I will now welcome Jeremy Lowe to the podium to speak about some of the Project's ecological restoration benefits.

Mr. Lowe addressed attendees: Thank you, Larry, and good afternoon, Commissioners. My name is Jeremy Lowe. I am a Senior Scientist at SFEI and from the last decade I have been working on both North Bay wetland restoration and the planning for State Route 37.

Larry has described the Caltrans project to lengthen the bridge and excavate the existing road fill, and I am going to briefly describe the adjacent restoration projects being coordinated with Caltrans that will benefit from the increased connectivity.

In 2020 the Sonoma Creek Baylands Strategy identified the existing Tolay Creek Bridge as a major hydraulic bottleneck. This slide summarizes those core considerations.

The undersized channel restricts tidal exchange, sediment transport and wildlife movement.

As a result, hundreds of acres of marsh and the adjacent uplands north of the bridge, which I have colored in red here, are disconnected from the Bay. This disconnection extends upstream into the undeveloped Tolay watershed outlined by the red dashed line. Stormwater runoff is impeded and ponds in low-lying areas, rather than draining to the Bay. The problem is fundamentally one of restricted hydraulic connectivity, there is a cork in the bottle, as you can see in the lower photo.

The remedy is to lengthen the Tolay Creek Bridge and excavate the roadway fill blocking the historical channel, or in other words, uncorking the system.

This aerial image shows the bridge looking north. The existing 60-foot bridge constrains flow through a narrow channel and high ground upstream further limits the tidal action.

Expanding the bridge to 375 feet and removing the roadway fill enables construction of a wider, deeper channel, approximately 150 feet wide and about 10 feet deep at low water.

This will restore the full tidal exchange, reestablish connectivity with the watershed, and create conditions for natural marsh development along the corridor. High tide benches at the abutments will maintain continuous wildlife passage under all tidal conditions, as indicated by the green arrows.

To realize the benefits of the Caltrans project, the Sonoma Land Trust, with a grant from the State Coastal Conservancy, is undertaking the Tolay Creek Restoration Project, which will leverage the increased tidal connectivity to restore more than 250 acres of Baylands.

So, this oblique photo shows the low-lying diked Baylands planned for restoration by the Sonoma Land Trust Project. Here we are above the Tolay Creek watershed looking south towards the Bay. Vallejo is on the left, Sears Point is on the right, and I have circled the bridge. Also, in this photo and running through the Sonoma Land Trust Project area are State Route 121 and the SMART railroad.

Runoff from the watersheds follows the blue dotted lines as it crosses the edges of the marsh. Runoff currently ponds behind undersized culverts at the road and rail crossings,

as illustrated in this photo during a wet year.

The Sonoma Land Trust Project is planning to excavate the large tidal channels shown in blue from the bridge. This will include restoring a tidal channel network that connects to enlarged culverts under the railroad. This will restore functioning tidal and watershed drainage.

This slide shows what the Tolay Creek balance restoration could look like when completed. The project Footprint is shown by the red dotted line, together with habitats in adjacent parcels.

Restoring tidal exchange reestablishes the key physical drivers of estuarine function, tidal flows, sediment transport and salinity gradients. Reconnecting the Tolay Creek watershed reconnects fluvial and tidal processes. These physical changes support the development of rare habitat assemblages and expand habitat for special status species.

The true value of the bridge lengthening project becomes clear when viewed at the regional scale, and particularly its contribution to the ecological value and resilience of the Sonoma Creek Baylands. This aerial photo shows the present diked Baylands, a large proportion of which are in public ownership.

The State Coastal Conservancy funded the Sonoma Creek Bayland Strategy to coordinate the restoration of habitats in this area and increase the resilience of both natural and transportation infrastructure.

The overlay shows the possible habitats that could be in place by the latter half of the century.

Opportunities to restore tidal marsh over the next 40 years are shown colored in pink here and range from gleams in the eye to completed projects.

The bridge-lengthening project will be fundamental to the success of many of these. It is a necessary precondition for the Tolay Creek Baylands Restoration Project, which I just described.

It enhances the existing Sears Point Project by increasing flows.

It helps manage the tidal flows from the huge 9,000-acre Sonoma Creek Baylands Restoration Project.

And along with the Strip Marsh East Enhancement Project, it helps increase the resiliency of State Route 37 to future flooding.

We have also looked for opportunities for beneficially reusing excavated fill, both to add ecological value and help provide flood protection, as well as to reduce costs. The gold stars indicate locations in the restoration projects where fill from the road is needed and placement is feasible.

Lengthening the Tolay Creek Bridge is part of a larger plan to create a connected landscape for water, sediment and wildlife that increases the ecological value and resilience of the area. The Bridge lengthening project is key to uncorking the bottle and realizing the benefits of this future North Bay landscape.

And now I am going to pass it back to Larry.

Mr. Bonner continued: Thank you very much, Jeremy.

Since 2021 the project team has coordinated with various partners including the San Francisco Bay Trail, Sonoma Regional Park, Solano County, and the city of Vallejo, to identify high priority and feasible public access improvement opportunities aligned with the Project.

After considering community input and collaborating with our partners and BCDC, Caltrans will meet the public access requirement by funding improvements to the River Park

trail along the Vallejo Waterfront. River Park's existing dirt path is part of the Bay Trail and Caltrans will provide funding for enhancements that will benefit both cyclists and pedestrians.

The scope of improvements that this funding will facilitate include repaving the existing River Park dirt path with a durable surface to improve accessibility and safety for all trail users and enhancing ride quality for cyclists.

The funding will also provide for management of existing vegetation along the path that currently obstructs views of the Bay and installing benches and interpretive signage along the trail. Funding these improvements at River Park will provide maximum feasible public access consistent with the proposed Project and will positively contribute to the community's health, welfare, enjoyment of the Bay shoreline and active transportation opportunities.

Caltrans recognizes the importance of this Project in fulfilling BCDC's mandate to benefit the Bay Area. Today we have highlighted key points demonstrating how this Project will provide congestion relief, enhance flood resilience, and deliver community, economic and regional ecological benefits.

To review what we have covered today, the Project will do the following:

Improve public health and safety by addressing traffic issues, reducing collision risks, minimizing flood risks, avoiding roadway closures, and enabling faster response times and evacuations during emergencies.

The Project will enhance regional welfare by facilitating greater commerce flow, increasing access to job markets and reducing commute times to deliver meaningful economic benefits.

And the Project will restore the Tolay Creek Channel. This restoration will improve tidal exchange, sediment transport and wildlife connectivity, while supporting the long-term regional restoration efforts in the Tolay Creek and Sonoma Creek Baylands. These ecosystem improvements will enrich the overall experience of the Bay for everyone.

For all these reasons the project team seeks your support today to advance this high priority, time sensitive and multi-benefit project.

Thank you very much for your time, consideration of the Project we have proposed before you, and for your care of the Bay and surrounding environment. With that we are open for questions at this time and welcome any dialog that you may have. We have a team here to answer any questions that you may have. Thank you.

Chair Wasserman acknowledged: Thank you very much for the thorough presentation. clarifying questions from Commissioners?

Commissioner Eklund chimed in: Thank you. Great presentation. I guess I have a couple of questions. I just want to get clarification on the bridge that you are going to be building near the Tolay Bridge. It is my understanding that you are going to build it, but then in a certain amount of time you are going to replace that bridge again with a higher bridge. Can you help me to understand that?

Mr. Mendivil responded: Yes, that is correct. So, this Project will replace it with the bridge that was described in the presentation.

Chair Wasserman interjected: State your name for the record, please.

Mr. Mendivil identified himself: I am so sorry. Javier Mendivil with Caltrans project management. This bridge is part of a near-term project and in the future, we are planning on constructing an elevated causeway that will accommodate the roadway in accordance with 2130 sea level rise and recurring flooding from those projected levels.

Commissioner Eklund continued: So, then you are going to be replacing it with something higher.

Mr. Mendivil replied: Correct.

Commissioner Eklund continued: So, the other question I had, and I just need to understand this for the whole Highway 37. Are you going to be proposing to elevate the entire Highway 37 in order to accommodate sea level rise eventually?

Mr. Mendivil answered: Most of the corridor, yes. There are some segments that are already in high lying areas that will not require it, but most of the low-lying areas the plan is to elevate that on a causeway.

Commissioner Eklund stated: So, then there would not be any part of Highway 37 that would be at the level where it is now; is that correct?

Mr. Mendivil clarified: Not quite. Just west of the 121/37 intersection, for instance, that is one of the higher lying segments that probably would not need to be elevated on a causeway.

Of course, we will continue to reassess as we get closer to the construction timeframe for those projects, but there are some identified areas that would likely remain at the same grade, although we would probably see improvements. For instance, the bike and ped path so that we have a continuous access for multiuse.

Commissioner Eklund acknowledged: Right. So then on the Marin side it would not be elevated?

Mr. Mendivil replied: No. There's a lot of low-lying areas in the Marin side, so we do have an active project right now, Novato Creek Bridge Replacement, that is going to be elevated on causeway. And then that whole segment between 101 and Atherton Avenue in Marin County is already cleared environmentally so all of that will be raised.

Commissioner Eklund acknowledged: Okay, okay, great. Thank you.

Mr. Mendivil replied: No problem.

Commissioner Gunther had questions: Two quick questions. We will have time later to wax poetic about this, right? Okay.

You expand the roadway, it attracts more drivers, right? The congestion will follow us a little bit, right, as we go forward. Do you have a way of projecting that, that goes from, is it not like Service Level A through F or something, right? So, we add a lane and it is great, and then because it is great more people start driving and the service level declines. I understand that as sort of an accepted postulate in traffic science. So, what do we do to try and prevent us from being in the same place with regards to Highway 37, ten years from now, that we are now?

Mr. Chen fielded this question: Good afternoon, Commissioner. Kevin Chen with the Metropolitan Transportation Commission, also part of the project team. Thank you for your question. If I understand your question is, with the Project adding lanes, you are thinking that it might attract more traffic and how are we actually addressing the traffic congestion?

So actually, with this Project, as we mentioned, as Larry and others had mentioned before, part of the big project component is that we will be implementing a carpool lane/HOV lane to really incentivize people to really change driving alone into carpooling.

And not as part of this first Project but as part of Phase 2 and Phase 3, tolling will be implemented as well. That is also a way for us to help manage traffic in this corridor.

And the third, which is very important, Larry, brought this up in his presentation, is that the Project will implement public transit. This corridor does not have public transit today because of the level of congestion that is out there on this corridor. It is really not

practical for transit operators to operate busses on this corridor. But with the HOV lane, with the Project that we are going to be able to ease congestion, busses will be implemented as part of the Project. That will be able to get more people out of driving alone into transit, which does not exist today.

So, a combination of all those efforts is really going to help us actually reduce vehicle demand actually on this corridor. We have gone through the EIR process. We have done a very robust travel demand forecasting and operations analysis. And what we found is that we are actually going to reduce vehicle miles of travel on this corridor with the Project.

Commissioner Gunther asked: Is the HOV lane part of the long-term project or is it more of an interim goal?

Mr. Chen replied: It is part of this Interim Project.

Commissioner Gunther continued: Okay, great. Then I also have question for Mr. Lowe. Jeremy, just congratulations. I know you have been working on this for years.

The question I have is whether our knowledge of restoration has reached the point where you can predict how you expect these areas to evolve as the Bay water is reintroduced, as we get the tidal influence. And whether we then are going to be able to monitor as we go, and see how refined our knowledge of restoration science is becoming? I think this is a great test of doing this and seeing if the system behaves like we think it will.

Obviously, I know we have a general idea of what is going to happen, but I wonder how much specific knowledge you have as we look at these individual species and the variety of wetland habitats that could be created.

Mr. Lowe stated: I think we are in a great position compared to where we were 25 years ago.

Commissioner Gunther noted: When I knew about it, right, 25 years ago.

Mr. Lowe added: I started here. So, we have learned a lot in those 25 years from the big restorations done such as Hamilton and so on, so we understand how those basic mechanics work. We understand more about the Bay because we do a lot more monitoring in the Bay. In particular the Wetlands Regional Monitoring Program which is starting up gives us a much better picture about how the Bay is performing.

And we have learned a lot about or thought a lot about how these marshes are going to respond to sea level rise. So, the designs you are going to see today and the ones I showed you, those cartoony concepts, show a lot more changes in elevation with more subtidal, more mud flat, and connected to upland areas adjacent; we are trying to make use of the landscape more. Not just replacing marsh plain, which we had in the past, but putting together a more complex landscape which is more resilient to sea level rise.

And I think you will see the difference in the next generation of designs is going to be much more adaptable to sea level rise and we also have much better models now to predict how those change. So, we are in a much better position to make those.

Commissioner Gunther opined: But this to me seems like it will be a flagship example of our resilience restoration. So, to the extent that that we have the capacity to hypothesize what we think is going to happen and then test that, I am assuming that will be built into this Project so we will be able to see through the WRMP or other programs, in 10 or 12 years we will be able to see how things are developing, compared to how we thought they would in 2026.

Mr. Lowe agreed: Yes. When we talk about this Project, the individual restoration projects will have their own monitoring in place, and that will allow us to see how they are modifying. We are also getting more ideas on how to adapt. So, not just monitoring but also

understanding how to adapt based upon that monitoring, based upon thresholds and triggers that will be generated.

Commissioner Nelson had questions: Jeremy, do not go anywhere, I have a follow-up question for you very much on the same lines. Thanks for being here.

You talked in your presentation about constructing the channel in the marshes upstream from Tolay Creek. Can you give us a sense of to what extent you expect the bridge widening to produce benefits on its own through scouring and the expansion of the channel that is there. To what extent is it dependent on the construction of or the restoration of a larger channel upstream? And if the latter, what is the timeline for that project? Do you have any sense of that?

Mr. Lowe stated: The bridge is really important. It is not just lengthening the bridge, it is removing the artificial fill that was placed there in the 1950s, which really forms a dam across that area and so the channel got very small. But the channel got small because of all the diking that went around in that area, so the tidal prism got very much reduced, so there is not much flow there at the moment.

What we can do is we can excavate a narrow channel up to the restoration site. So, we cut down to the base level of it and then the sides start to collapse in and it erodes naturally like that.

So, we are expecting to see hopefully a more natural evolution of that site. Some excavation will be required in that area, but it is marsh already. But looking on the longer term, seeing how that evolves, will gradually change as that tidal prism is excavated. Also, we are expecting that tidal prism to increase because of sea level rise as well. These are 20-year projects and so on.

So, we are expecting to see good changes following the lengthening of the bridge that will allow the restoration project to occur. That restoration project is I think now just entering the end of its first year. It has been funded by State Coastal Conservancy, and it is being managed by the Sonoma Land Trust. That is at the concept level and developing engineering costs for different alternatives. And then, I cannot speak for Sonoma Land Trust, but we are hoping to move straight on from the design into the permitting and construction.

Commissioner Nelson posed questions to BCDC staff: Thank you, that is really helpful.

Two questions for staff. Michael, you talked about the alternative routes through which the Commission can approve this Project, and the obstacle here is approving fill for a roadway rather than the fill for the bridge. I want to talk about the connection between the McAteer-Petris Act and fill removal here. The concern is to make sure that we do not see a land rush as communities around the Bay Area plan for their futures and look at those alternative pathways and say, I do not have to comply with the McAteer-Petris Act, I will just go the public benefits route.

And I just want to point out and make sure I am interpreting this correctly. That the fill that was shown on the maps, that the net increase in fill is through the expansion of the roadway, part of which is in our jurisdiction. And that there is a more than net removal of fill. So yes, we do not normally authorize fill for roadways, but if this were simply a bridge and we were mitigating for the bridge or another water-oriented use we would be looking for mitigation, requiring mitigation for that.

Although this Project if approved through the route you discussed would not require full compliance with the McAteer-Petris Act, one of the principles I hope we can try to be clear about is that we are looking for maximum compliance with the McAteer-Petris Act,

even if the use is approved through an exemption.

I just want to make sure that I am reading this right. That from a fill perspective, for example, this Project is being treated much as a project would be treated if the use were consistent with the McAteer-Petris Act. Long question, I hope that makes sense.

Mr. Ng replied: I think so, yes, I think I understand. And I think that's accurate. I think in Rowan's presentation in one of his slides he mentioned the point that we are really only relying on the health, safety, welfare standard for the Staff Recommendation to get past the inherent inconsistency with allowing fill for a road in the Bay or Certain Waterways jurisdiction here. But that otherwise as described in Rowan's presentation, we have included a lot of conditions and evaluated the Project on every other Bay Plan Policy that we have relevant policies for, to your point, to ensure maximum consistency with our laws and policies other than that important technicality, but the water-oriented use aspect.

Commissioner Nelson acknowledged and continued: Thank you. A follow-up question for Rowan as well. One of the things we have heard a lot from in the past is our comments about whether Caltrans should jump straight to a causeway, the long-term solution, rather than this interim solution, and I have a question for Caltrans about.

But from our perspective, one of the things we want to make sure does not happen is that that long-term project loses steam because of this big Interim Project. Can you help us understand how we the Commission make sure we Keep that long-term project on track and moving forward.

Mr. Yelton explained: Yes, we were, staff, also concerned about making sure the long-term causeway goes in in 2050. We put in a special condition into the Staff Recommendation for a couple of different ongoing requirements.

First, there would be regular updates to the Commission every five years, 2030, 2035, 2040, 2045, where Caltrans would report on how the road is flooding, what sea level rise predictions look like in the area, and an update on how their planning of the Project is progressing.

And then secondly, we are requiring that Caltrans submit a complete permit application for the 2050 Causeway Project within, I cannot remember the exact date, 2045, to make sure that the permit can be issued in time for that project to be built by 2050.

And then finally, this permit for the Interim Project will expire in 2050. So, if there are issues and delays with the Permanent Causeway Project, Caltrans would have to apply to the Commission for time extensions to continue using the road. Hopefully that will all be planned for and not unexpected based on the five-year updates.

Commissioner Nelson continued: And finally, a question for Caltrans. In response to a question from Commissioner Eklund you said that over the long term you would replace the bridge as part of the long-term solution. The same is true, right, for the four-lane stretch of bridge that would be east of Tolay Creek, correct? That is part of this first phase.

Mr. Mendivil answered: East of Tolay Creek. Our project widening starts essentially at Tolay Creek.

Commissioner Nelson noted: I thought on one of the maps you show.

Mr. Mendivil interjected: At the intersection, I am sorry, yes.

Commissioner Nelson stated: One of the maps that we saw showed that fill, and that fill is to the east of Tolay Creek. Did I have that wrong? The fill removal is east of Tolay Creek, but that very narrow strip of fill for the widening of the roadway is also east of Tolay Creek.

Mr. Mendivil agreed: Correct, correct, yes.

Commissioner Nelson asked: So, how long is that stretch of roadway? I am just trying to understand, in addition to the bridge replacement that would be required over the long-term, how much of the road widening would be required to be replaced over the long-term in this phase?

Mr. Mendivil stated: It goes for about a mile. But essentially whatever we put in as part of the permit would come out as required by the additional requirement that Rowan just mentioned.

Commissioner Nelson noted: You folks did not talk a lot about flooding. The slide summarizing benefits talks about flood reduction being one of the benefits of the Project. Help us understand the flood reduction benefits on the stretch of 37 east of Tolay Creek.

Mr. Mendivil explained: Yes, there is a small segment just east of the bridge that flooded last year and there is actually a low spot on the profile. So, what the project will do is correct that low spot and raise it so there is not a low spot there anymore and that will help preventing flooding situations like that in the future.

Commissioner Nelson clarified: What I am trying to figure out is how much time we have before we see ongoing flooding simply because of sea level rise, not just the low spot in the road. How much time does this Project buy us?

Mr. Mendivil stated: Around 2050, which is when the permit is set to expire.

Commissioner Gonzalez chimed in: Two quick questions. First, the causeway, north of 37? Will it be north of 37?

Mr. Mendivil sought clarification: The proposed placement of the?

Commissioner Gonzalez answered: Yes.

Mr. Mendivil stated: The exact alignment has not been determined.

Commissioner Gonzalez acknowledged: No worries No worries. Next question, this is for legal counsel. I am just trying to understand the law. I understand that we had to move to the to the welfare assessment for the Bay Area.

We have fill of 0.86 acres. We have removal of 0.51. If those values had been equal, would we even be having this discussion about welfare? Or is it any positive amount? Not a net amount but any addition is problematic?

Mr. Ng replied: I believe it is any positive amount. I would have to go a look back, but I am positive that I have seen a past Attorney General opinion or advice letter that was sent to BCDC years ago essentially saying that there is no net benefit in terms of allowing fill for a non-water-oriented use if you are, say, removing it elsewhere, or in this case they are having a net removal or net expansion of Bay. But it is really about putting in the fill in the first place, is that justifiable under the law?

Commissioner Gonzalez opined: Because for me it is a philosophical question that could yield advocacy at some point in the future. Because if we are specifically increasing water flow into the Bay, if the net result of this is environmentally beneficial, yes, there is a negative impact to some degree but there is also significant benefit. It seems like that should come into play if there were to be legislation changed in the future, but that is more of a comment for the future.

Commissioner Gilmore was recognized: I have a question about the height of the bridge. My understanding is that this bridge is going to be removed and replaced at some future point in time, and it will be raised to combat sea level rise. And my understanding was that it is not going to be raised now because there are railroad tracks in the way that make it infeasible.

So, my question is, what happens to those railroad tracks in the future when we go to

raise the height of the bridge? Is there some sort of assumption that those tracks will no longer be used? How do you square those two between doing it now and raising the bridge now versus raising it later?

Mr. Mendivil explained: Yes, thank you, Commissioner, that is a good question. Sonoma-Marin Area Rail Transit is one of our program partners and we work really closely with them. Right now, it is just a freight track. They plan on introducing passenger rail at some point; and as part of that study, they have looked into elevating their facilities in that area. We are working closely to make sure our plans coincide with each other. But yes, the idea is that they will likely raise their tracks similar to what is being done with the roadway.

Commissioner Showalter chimed in: What a great presentation. I wanted to go back to add on to the comments that were made by my colleagues on the Beneficial Reuse Working Group.

In particular, what is the adaptive management program for this Project? You mentioned that there will be monitoring, and that is great, but I am wondering who is in charge of overseeing this and are there going to be annual reports or how is it going to be carried out and how is it going to be funded?

Bay Resources Program Manager Garrin asked for clarification: Julie Garrin, Bay Resources Program Manager. I need some clarity on your question just a bit. Are you talking about monitoring of the bridge and the road widening or are you talking about monitoring?

Commissioner Showalter directed her inquiry to Mr. Lowe: I'm sorry, this is probably for Jeremy Lowe. I am talking about the monitoring of the restoration and how well it progresses. What is the adaptive management program for that?

Mr. Lowe commented: These restoration projects are in early stages, so as part of the implementation there will be monitoring of the marshes and of the Project on a project-by-project basis. That is my assumption, they have not made a plan at the moment.

Also, as I mentioned earlier, the Wetlands Regional Monitoring Program will be monitoring this area as well to look at the overall regional changes that we are having here. My assumption is, and I cannot speak for the individual projects, that each of them will have the usual type of adaptation monitoring that we have in most of our projects already.

Commissioner Showalter voiced an expectation: My hope would be that this monitoring is coordinated between the various projects so that you learn from each other and work together. I think that is very important for making the restoration science move forward and so I just want to put in a big plug for that.

Mr. Lowe replied: Absolutely. The Sonoma Land Trust is the common glue between all those projects and the project engineers who are working on them, they also appear on the Technical Advisory Committees for the other projects, so we are sharing information right now between those different projects and that will continue into the future.

Commissioner Showalter added: Good. So, it sounds like the Sonoma Land Trust then is probably the agency that we could look to for reports and that sort of thing?

Mr. Lowe stated: They are leading the projects, the Sonoma Creek Bayland Restoration Project and the Tolay Creek Bayland Restoration Project.

Commissioner Janoff was recognized: I think the first question that I have is probably for Jeremy, sorry you are getting up and down.

Obviously, the hydraulic connectivity will be enhanced and also sediment transport will be restored between north and south of the bridge as it currently is. I am wondering what direction you anticipate most of the sediment in that to go? Is it more directed up-creek?

Mr. Lowe stated: Well, it is interesting because as we could see this high area from the watershed into the marshlands, which is across an alluvial fan. And that is one of the few active alluvial fans that we have and so this is a great opportunity to improve that type of habitat.

In an alluvial fan we will get sediment coming down from the watershed. We see a lot of that being trapped in the channels already. By opening up that area it allows the water to spray around on top of the alluvial fan and raise the elevation of that fan and into the marshes.

So, we are expecting to see sediment transport from the watershed. We are also expecting to see sediment coming up from the Bay through the Sears Point Restoration Project where the channel will go. We see high rates of accretion in those areas already and we are expected to see those high areas as well.

But one of the big benefits of the area that we are looking at that the Sonoma Land Trust chose, that 250 acres that I pointed out, is that it is high elevation. And that is a big change in the way of our thinking in the Bay is that previously we have been, well, let's choose the deepest part and fill it up with sediment and raise that. That is a great plan, we have done that at Hamilton.

But this is also we are trying to take advantage of the natural landscape, those high elevations of alluvial fans and high marsh, and really enhancing those and making sure the processes are in place so they last longer and more resilient. And that was the change I was talking about with Andy Gunther on that is that we are choosing, we are getting better at designing these projects to become resilient.

Commissioner Janoff continued: Thank you. I have just two questions, two further questions, and I think this one is building off of the discussion about SMART and the fact that there is a potential to raise as a program partner. And I am wondering for State Route 121, so that is Caltrans' jurisdiction, is there also a plan to address the undersized culverts that Jeremy was discussing? I know that there is tidal creek potential excavation, but to address the long-term problem of that bottleneck.

Mr. Mendivil sought clarification: About the culverts in particular? I am not sure about that, but we could certainly look into it.

Commissioner Janoff replied: Yes, it is out of scope of this particular project but cumulative impacts and the assumption of benefits probably relies on that connectivity, would be my assumption.

Mr. Mendivil replied: Right, that makes sense.

Commissioner Janoff continued: Yes. And then just one quick clarifying question is, the fill that was discussed that would be placed to widen the road in Phase 1 and then this long-term change to the causeway of that whole stretch, would the fill then be removed?

Mr. Mendivil agreed: Correct.

Commissioner Moulton-Peters offered hypotheticals for discussion: I have a question; I think this one also might go to Jeremy Lowe. We have been talking about the Interim Project being good through 2050 as though these dates and years were fixed in time.

I am wondering, Jeremy, my understanding is the OPC Guidance says that in the Intermediate and High scenario for sea level rise by 2050 could be 1.5 feet by 2060, 1 foot by 2050, or as low as 10 inches or 13 inches in 2060.

So, if you use the Intermediate-High scenario there would be small low points on Route 37 by 2050 that would flood but not all of it. Even by 2065 at 24 inches, the roadway would flood in low spots which could be repaired. I am just wondering, in your look at sea

level rise and flooding do you see that 2050 is necessarily a fixed date in time or might we get more use out of this project? More time?

Mr. Lowe replied: Yes.

Commissioner Moulton-Peters reiterated: More time.

Mr. Lowe stated: It is possible you get more time. These are just projections, they are not predictions. So, these are different projections based upon how we emit gasses over the next few decades and how the Earth responds. There is lots of uncertainty.

The choice of 2050 is usually taken because most of the models and all the projections tend to be about the same up to about 2050. It is really the heat that is already baked into the Earth and so the sea level rise is already accounted for and we are expecting to see that number by 2050. After 2050 then the models tend to diverge and that is where you get this Intermediate, High-Intermediate, Low, all these different choices that we could make.

But I think when you are when you are talking about large capital investment projects and you have got to do this long-term planning, it is taking a long time to get to this point and it is going to take even longer to get the long-term sea level rise project in place, that we need to set some dates.

And I think it is important that those dates are set because it also helps with the work that I do in the terms of marsh restoration because we know it takes 20 or 30 years to get things in place already so working back from a date helps. It is not ideal because sea level rise is really going to be the trigger, but that trigger is sort of variable, and I am hoping things go slower than they do. I am worried that they might go faster. But by having a 2050 we are lessening the risk and making sure we have both a functioning road and a functioning landscape.

Vice Chair Eisen chimed in: I want to get back to the legal standard that we are going to be applying to this permit because it sounds like it is pretty different than what we typically look at. And if I am understanding from your remarks in the beginning, we really need to be careful to be sure that we are meeting the new standard that is going to be applied to this permit.

And I am reading the language of it. The permit has to be necessary to the health, safety or welfare of the public in the entire Bay Area, not just beneficial, but necessary to the health.

So, I am wondering if there is any more guidance from the AG or any case law or anything that would help us to understand what kind of necessariliness we need to find. Because it sounds like the primary benefit is going to be to commuters and to the length of time and to accidents, maybe a little bit of flooding prevention.

But the Baylands, which I think are obviously beneficial to the public, that seems like it is a long-term process to even get to the point where we have new Baylands up there because of the uncorking.

So, is there any anything else you can help us with to have confidence that we have met that standard of necessary to the health, safety or welfare of the public?

Mr. Ng replied: Sure. As far as case law, I can say I think pretty confidently that there is no published case law that has evaluated the Commission's approval of a permit on this basis that would have necessitated someone suing the Commission on a permit that was approved on that basis, and there is nothing out there.

I will point out that staff and Legal worked quite a bit in reaching the point of feeling reassured on relying on this basis for the Staff Recommendation and we did a historical

review of past instances and permits where the health, safety, welfare standard has been raised. As I mentioned, the BART Transbay Tube certainly one of them. That was before the Commission prepared and adopted the Bay Plan.

There was a permit in 2002 relating to Peyton Slough Remediation Project that relied on that standard, although in hindsight I am not sure that it needed to. It relied on it on the basis that they did not have the property interest secured by the time that the Commission considered the permit application. But the permit was conditioned anyway to limit authorization until they had the property interest in place.

The two other most relevant examples worth mentioning are for the Exploratorium and the Ferry Building. The Exploratorium permit itself does not rely on the health, safety, welfare standard, but as the Commission may be aware, may remember, the San Francisco Waterfront Special Area Plan was amended in 2010 I believe, and there is in the northeastern waterfront a public benefits package that is incorporated into that Special Area Plan that was justified on the basis of health, safety and welfare. It is not a great example because it is sort of adapting the permitting standard in the planning context, but that is another example.

The last one is the Ferry Building, which also was not directly approved under health, safety and welfare under 66632(f), but there is a regulation in our regulations, 10704 in Title 14, the CCR, fill necessary to the welfare of the public to protect historic structures. Which I believe that that regulation was justified in reliance on the health safety welfare standard in the McAteer-Petris Act.

So those are the types of projects where this has been applied, and you can contextualize what you have heard about this Project in relation to those.

Vice Chair Eisen continued: But you are saying that the Legal Department looked at the standard, looked at the whatever was available to assess, and looked at the benefits provided by this, and were satisfied that it meets the standard that we are talking about?

Mr. Ng agreed: Correct, for the reasons that Rowan explained in the Staff Recommendation and as Caltrans further explained in their presentation.

Vice Chair Eisen acknowledged: Okay, great, that is good.

One quick follow up to Commissioner Nelson's questions about the McAteer-Petris Act. Are we needing to find that there is a public access enhancement to this Project, or is that not necessary given the alternate standard we are using?

Mr. Ng opined: Technically, I think all that you would need to make a finding to approve the permit would be that it is necessary for the health, safety and welfare of the public in the entire Bay Area under 66632(f) of the Government Code.

But with that said, as I think Commissioner Nelson was getting at, staff certainly scrutinized this Project, and I think, held Caltrans accountable to ensuring project changes and mitigation and conditions to ensure that the Project is otherwise consistent with our laws and policies, other than the fact that they are filling Tolay Creek for a road.

Vice Chair Eisen stated: But the public access benefit to this Project is over there in Vallejo at the River Park area; is that what I am understanding?

Mr. Yelton replied: Yes, that is correct.

Vice Chair Eisen continued: We were talking about all these rich Baylands that are going to be created, or hopefully going to be created, by undamming or uncorking the bottle. Is there any plan to figure out a way to provide some public access to these special status species and other things that are going to be available now to enrich the Bay? I did not hear anything about any pathways or trails or anything that were going to allow people

into that area.

Mr. Yelton stated: BCDC jurisdiction ends at the road, so all of the restoration north of the bridge is outside of our jurisdiction.

Chair Wasserman chimed in: I have a clarifying question. In terms of this serving as a potential model, as Jeremy talked about and Commissioner Gunther talked about, is the monitoring requirement here broad enough to get us the information that tells us whether this model is really working in the ways or how it is working. As I read the conditions it talks about monitoring the restoring of the marshland, and that may cover what you were talking about, but it is not totally clear to me that it does. So, I do not know who this question is addressed to.

Ms. Garrin fielded Chair Wasserman's question: The restoration monitoring that is mentioned in the Staff Rec, is that what you are? Okay. That is specifically for temporary impacts caused by construction. There is a monitoring plan for those restoration areas that we are working on with Caltrans. So, it is just for that.

Chair Wasserman noted: So, the answer to my question is, no.

Ms. Garrin agreed: Yes.

Chair Wasserman continued: You are correct. That is fine. Should there be a broader monitoring requirement in here? This is a very important project, I want to move it along, do not misunderstand me. But when I hear all of the importance of this, and I appreciate this is a temporary project and I understand that there will be the big project and more monitoring, but I am not sure anybody in this room will be around then. I hope you will be around, but not necessarily monitoring. Should there be a broader monitoring provision?

Ms. Garrin stated: I think that there will be monitoring associated with whatever restoration is happening north of the Project, but that is not what we are authorizing today so we do not have control over that.

We are requiring monitoring of flooding on State Route 37 and sea level rise assessments every five years, and all the other things that we are asking for including reassurance that the causeway is on the way; and if that is not on the way then they have to have a different adaptation plan that is being worked out.

Chair Wasserman called on Mr. Lowe to respond: Jeremy, I am going to put you on the spot here. I think you can guess my concern. Monitoring requires funding. That funding does not happen unless it is required, typically. I want to make sure we are not missing an opportunity here. That is all I am trying to double check.

Mr. Lowe replied: Now you put me in a difficult spot. We wrote a strategy in 2018 which was funded by the Coastal Conservancy to look at this whole area and come up with a complete plan about how to restore the marshes and to increase the resilience of the landscape. Stemming from that, it seems obvious to have some form of large-scale monitoring of that. How is that performing over time and how the individual projects are working together. But that is all I know in terms of the restoration projects will be doing the monitoring. I am not sure how that fits in with the roads, there.

Ms. Garrin added: All the other regulatory agencies that will be permitting the upland restoration will require monitoring, guaranteed.

Chair Wasserman asked: Who else still needs to approve this temporary project?

Ms. Garrin answered: The CDFW.

Mr. Webber chimed in: Hi, I am David Webber, I am Caltrans' Senior Biologist for State Route 37.

We have received the Water Board waste discharge requirement and Clean Water Act

401 certification. We received the U.S. Fish and Wildlife Service Biological Opinion and the National Marine Fisheries Service Letter of Concurrence.

So, we are still waiting on two CDFW permits, the 1600 and the ITP, the Incidental Take Permit, and the Army Corps 404 Permit. So those will set additional monitoring requirements, but we already have a draft restoration and monitoring plan which requires annual monitoring and reporting of the restoration efforts on site. But those are just for restoration efforts within the right-of-way of this Project. So additional, like, Sonoma Land Trust restoration projects will have their own separate monitoring requirements.

Chair Wasserman stated: Okay. I may make some comments. I will certainly vote to approve this, but I may make some comments.

Public comment. Do we have any public comment?

Alejandro Espinoza spoke: Alejandro Espinoza, Deputy Secretary for Legislation at the California State Transportation Agency. I would like to express strong support for the State Route 37 Tolay Creek Bridge Replacement and SR 121 Intersection Improvement Project.

This Project represents a true multi-benefit effort made possible through close collaboration among the California Natural Resources Agency, the California State Transportation Agency, Caltrans, the California Department of Fish and Wildlife, the San Francisco Bay Conservation and Development Commission and the Metropolitan Transportation Commission. This close collaboration has included many stakeholders, including the public, and the Project reflects their input.

The Project integrates critical transportation improvements with meaningful ecological restoration, both with the Project directly and indirectly by creating future opportunities for the larger watershed.

Key benefits include reducing congestion and improving mobility, protecting the roadway from flooding, and advancing nature-based adaptation by restoring tidal connectivity at Tolay Creek. The Project also delivers important community and equity benefits by improving access for equity-priority individuals who rely on this corridor to reach jobs and essential services.

And for all those reasons, again, just want to express our support in this Project. Thank you.

Sara Aminzadeh spoke: Good afternoon, Commissioners. My name is Sara Aminzadeh. I serve as the Deputy Secretary for Federal Affairs for the California Natural Resources Agency. I have also been working closely on State Route 37 for the past two and a half years.

I am here today to express CNRA's support for the State Route 37 Improvement Program, and in particular the Tolay Creek Bridge Channel excavation, which I have had the opportunity to tour with my colleagues at Agency.

This effort represents exactly the kind of integrated multi-benefit approach to climate adaptation and ecological benefits as we confront the mounting challenges of sea level rise and aging transportation infrastructure.

As I mentioned, CNRA has been working closely with our Resource Agency partners at the regional level as well as at the state, regional and local transportation partners, through a formal MOU and partnership structure.

I believe that communication and coordination through the project development phases has led to a better Project with more benefits for the public and for the environment.

The State Route 37 corridor is one of the region's most vulnerable transportation

assets and is an irreplaceable gateway to thousands of acres of tidal Baylands with significant restoration potential. Our agency sees the Resilient 37 Program as a potential model for nature-based climate adaptation at scale. Thank you.

Arthur Feinstein commented: Hi, Chair Wasserman and Commissioners. Arthur Feinstein. I am Chair of the Sierra Club's Bay Alive Committee, which is the sea level rise committee for San Francisco Bay.

I took part in the PEL program. That is the CEQA-type program that Caltrans went through, thankfully, that resulted in the Causeway Project for Highway 37. Sadly, that causeway is being put off quite a while, but this Interim Project is going to be very crucial for restoring lots of wetlands and habitats.

But I was particularly appreciative of the staff requiring Caltrans to report every five years on their progress towards the Causeway Project; and concluding that if they do not get there by 2045 I think it was, or 2050, then it is going to be an unapproved fill and Caltrans will have a problem figuring out what to do with it. Or you will have a problem figuring out what to do with it.

So, while there may be some problems with this permit, that inclusion certainly helps push the Causeway Project ahead because there will be pressure on both you and Caltrans to actually convince people to pay for it.

So, thanks very much and good work on this.

Chair Wasserman continued: Rowan, would you please make the Staff Recommendation.

Mr. Yelton read the following into the record: Staff recommends approval of the Project with conditions requiring:

- Environmental protection during construction
- Public access improvements.
- Regular updates on sea level rise resiliency and long-term causeway project planning
- And submission of the complete permit applications for the remaining phases of the Interim Projects and permit application for the long-term project

Chair Wasserman asked: Any comments?

Commissioner Nelson commented: I am going to support this Project, but I wanted to highlight a really important issue that this Project raises. In the interim, Caltrans is trying to figure out how to address flooding and congestion issues. In the long-term, Caltrans is trying to figure out how to address sea level rise issues. There is a tradeoff there.

If they build this Interim Project and then the Long-Term Project there is duplication of projects, and investments to be made now would be presumably torn out and replaced sooner than they might otherwise be. However, if they went straight to the Long-Term Project, certainly at this point there would very clearly be a significant delay, extending the really problematic situation on Highway 37. There is a balance there. I do not know if Caltrans has struck the right balance here.

More importantly, it is not a question that affects the Commission's permitting decision here, that is not a question before us. But I do want to just flag the importance of our staff and everyone around the Bay wrestling with that tradeoff while we are doing adaptation planning. It is a really difficult, really important tradeoff for us to be thinking about.

The second is just that it is an issue. Do not have even an idea for a proposal. But it is an idea for the legislature to wrestle with. We do not want to find ourselves in a situation

where really important short-term investments like this are made in a way that unintentionally delay longer-term investments that are essential to deal with sea level rise.

Two really important issues. I do not think either one of them affects our permitting decision today. Thank you.

Chair Wasserman stated: I have a request. I am not going to make it a condition or ask to amend the Staff Recommendation. But I would request that our Executive Director work with our staff and with Caltrans and reach out to the other permitting agencies involved here to review what monitoring is being done of the full beneficial effect of this Project and report back to us sometime within the next six months.

Commissioner Hermosillo was recognized: I just want to thank the presenters and staff for their work on this. It has been probably well over 10 years working on 37 and the corridor. Understanding that it is necessary. It is in my district. It is necessary for the health and safety for thousands of Bay Area residents. We used it to flee during the fires. It is necessary to serve the underserved and under-resourced communities that also access it every single day.

I too am going to support the Project. But it is so vital for the life and safety and uplifting our community that I just wanted to mention that. Thank you.

Commissioner Gonzalez commented: I do want to thank staff as well. I think it has been a very thorough presentation. Big picture, my primary just philosophical comment goes back to what I mentioned before. We are literally talking about a net decrease of fill to the Bay and to the related creek, all adjacent to the bridge.

I feel like organizationally we are spending as a state, as the government's local regional governments, a lot of time on a very small impact. And I would just encourage the state legislature to be thinking about how for something that is so small, about the size of probably a Cupertino household lot, is what we are talking about here. It is about 11,000, 12,000 square feet. And so, anything that we can do to move these types of projects forward more quickly, it helps control the cost of how they get built. And I would argue that we are actually delivering significantly more environmental benefit, not just transportation benefit. So, with that I will just say that I will be supporting this.

Commissioner Gunther chimed in: I am old enough to remember when presentations from Caltrans did not include terms like pickle weed and tidal prism and special species. I just think that this Project is incredibly important. This has been a bottom-up effort for years. I know Jeremy and other partners have been working to get to the point where it was possible for Caltrans and MTC to engage with an organized community across disciplines beyond just transportation engineering.

And I really want to take my hat off to you guys because it gives me incredible hope that, in fact, we can learn how to do things differently. Because we know that the world we are in right now is changing and likely going to change very fast, and our ability to think about those changes build towards the future. To use the Wayne Gretzky analogy, we are skating to where the puck is going to be, not to where the puck is. And I think that is going to serve us incredibly well.

I hope that this Project, which I will also be supporting, will serve as a real lesson learned for Caltrans, MTC, and our staff, as we move on to the next project.

And there is a tremendous amount of our transportation infrastructure that on any given segment of the Bay shore is really going to be the crystal around which our resilience is going to be built. I really think that this is an enormously constructive model for how we do this.

I hope that we will be able to tout its benefits in the future because I think that the total benefit-to-cost ratio for what we are doing here is really important. We have been talking around the region about multi-benefit projects for a long time and I think that with this Project we are really walking the walk, we are not just talking the talk, And I am really, really impressed. Thank you.

Chair Wasserman asked: Does the Applicant agree with the recommendation of staff? I need that on the record, please.

Mr. Bonner replied: Yes, we agree with the Recommendation, thank you.

Chair Wasserman acknowledged: Thank you.

Now a motion and a second to close the public hearing.

**MOTION:** Commissioner Ramos moved to close the public hearing, seconded by Commissioner Hermosillo. The motion carried by a voice vote with no abstentions or opposition.

Chair Wasserman continued: Now, may I have a motion to approve the Recommendation?

Commissioner Moulton-Peters stated: I would like to move that we approve the Staff Recommendation, and I am grateful for the collaboration among all the agencies that signed the MOU. It truly is a groundbreaking model that I think we can use going forward.

Commissioner Ramos added: I ditto all those remarks from Commissioner Moulton-Peters.

Chair Wasserman stated: Thank you. I will recognize Commissioner Eklund to second the motion.

Chair Wasserman noted: Approval of the motion requires 13 affirmative votes. Federal representatives are not permitted to vote on this motion.

**VOTE:** The motion carried with a vote of 16-0-0 with Commissioners Ahn, Eklund, Gauthier, Gilmore, Gonzalez, Hermosillo, Kimball, Moulton-Peters, Nelson, Pemberton, Ramos, Showalter, Taylor, Gunther, Vice Chair Eisen and Chair Wasserman voting, "YES", no "NO" votes, and Commissioner Janoff voting "ABSTAIN".

Chair Wasserman commented: I want to join in the comments. I think the discussion today was valuable. Obviously, it was thoroughly in support of the Project. And the extent and the work and the depth of collaboration really is a terrific model as we move forward. I doubt that many of us who have not been involved in the process, certainly people in the audience and some of the people up here have, but those who have not, truly understand how difficult this kind of broad collaboration is, particularly given the environmental, transportation and funding complications of this project. So, congratulations. Go forth and do it.

**9. Discussion and Vote on Initiating a Bay Plan Amendment on Sediment and Beneficial Reuse.** Chair Wasserman announced: That will bring us to Item 9, a discussion and vote on initiating a Bay Plan Amendment on sediment and beneficial reuse for wetland restoration and adaptation to rising sea levels. Rachel Cohen of our Long Range Planning Team will start the discussion.

Coastal Planner Cohen presented the following: Thanks again, Chair Wasserman and Commissioners. My name is Rachel Cohen, and I am a Coastal Planner on the Long Range Planning Team and the Project Manager for the Sediment for Wetland Adaptation Project.

Today, the Commission will consider voting to initiate Bay Plan Amendment 1-26, which is a Bay Plan Amendment on sediment and beneficial reuse.

Commissioners and interested parties received a short background report and Staff

Recommendation as well as a Draft Notice in advance of today's meeting.

I have 18 slides today, but thought that I would start with the bottom line on top, which is that the Bay Area needs to change its sediment management practices to adapt to rising sea level, and staff recommends that the Commission vote to initiate Bay Plan Amendment 1-26 to help achieve this.

But of course, I will walk you all through the details. I am going to review the Bay's need for sediment and beneficial reuse, the Sediment for Wetland Adaptation Project, and the Bay Plan Amendment goals, process and timeline.

On the map on the left all of that lime green shows about 500,000 acres of tidal wetlands that existed in the Bay Area about 225 years ago.

Since then, as you can see on the right, human activities have caused the loss of around 90% of those wetlands. In the 1850s hydraulic gold mining washed away deforested hillsides in the Sierra Nevada, sending massive amounts of sediment downstream through the watersheds and into the Bay.

After hydraulic mining was outlawed in the 1880s the situation flipped. Instead of too much sediment the Bay started to be starved a bit. Dams and aqueducts trapped sediment upstream, wetlands were drained for agricultural uses, and large parts of the Bay were filled in.

Nearly 90% of the Bay's historical creeks were also routed underground, filled in completely, or engineered into manmade channels that now require regular dredging to maintain their functionality.

In a short span of history we took a very well balanced and functioning ecosystem and threw it into overload and then into scarcity. But I promise that this hopefully will be my most upsetting slide in this presentation because we are here today to talk about solutions.

First a moment to give wetlands their due credit.

Wetlands provide essential services for people and nature. They help clean the air and water and they provide food and homes to plants and animals, supporting the area's diverse wildlife.

Wetlands also offer unmatched public recreational opportunities, walking or rolling along the Bay Trail, boating or bird watching. These are beautiful natural spaces.

During storms wetlands also absorb wave energy and give flood water a safe place to spread out. This helps protect nearby communities and infrastructure, which is especially important as we face increased flooding from sea level rise.

Sediment forms the basis of these wetlands. It moves nutrients through the system and supports the food chain. And without enough sediment, wetlands cannot survive.

With sea level levels expected to rise 1.5 to 3 feet by the end of this century, the region's wetlands and mud flats need much more sediment and soil than can be supplied by nature and current management practices. In the San Francisco Estuary Institute's 2021 *Sediment for Survival* report, scientists predict that our tidal wetlands and mud flats will need between 450 to 650 million metric tons of sediment to survive sea level rise through 2100. That is kind of difficult to visualize, so it might help to imagine that this is about the volume of almost 700 Salesforce Towers.

All of those human activities that we reviewed earlier have impacted the amount of sediment that is coming to the Bay, and research from USGS helps us visualize that impact.

Researchers have continuously sampled suspended sediment in the Bay waters and have found that suspended sediment supplied from the Delta to the Bay has been reducing

over time. This graph specifically shows the status in the South Bay, but these trends existed throughout the Bay.

Luckily, in the Bay Area we produce a significant amount of dredged sediment. Most of this material is currently treated as a waste product and it is usually dumped in deep water. But if it is managed properly, it can be used to raise marsh elevations.

Beneficial reuse is taking sediment and soil that would be disposed of as a waste product and using it for a beneficial purpose instead, such as for wetland restoration, which we are focused on in this project. Sediment that could be used for wetland restoration becomes available through the practice of dredging, which is the removal of sediment from the bottom of water bodies.

Most dredging in the Bay Area is navigation dredging, which keeps shipping channels deep enough for large ships to navigate safely through the Bay. A smaller amount of sediment is also made available from dredging flood control channels and streams.

The Bay Area also produces significant quantities of excavated soil that is left over from upland construction projects. Excess soil is generally brought to landfill, but it can also be beneficially reused for wetland restoration. Excavated soil is typically generated outside of BCDC's jurisdiction, but when it is proposed for use as fill in BCDC's jurisdiction our policies require it to be clean enough to protect Bay health. In the Bay Area, upland excavation is estimated to produce roughly half the annual volume of dredged sediment. Significant volumes of upland soil have been used to create ecotones and flood protection levees for the South Bay Salt Pond Restoration Project and the South San Francisco Bay Shoreline Project, as an example.

Beneficial reuse is not new to the Bay Area. In 1992 the Army Corps of Engineers, the EPA, the Regional Water Board, the California State Lands Commission and BCDC came together to form the Long Term Management Strategy for the placement of dredged material in the Bay region, or the LTMS, and they set goals to reduce in-Bay disposal and maximize beneficial reuse of sediment. Under the LTMS, over 31 million cubic yards of dredged sediment have been beneficially reused in restoration projects.

These pie charts onscreen show that in an average year between 2013 and 2024, 41% of dredged sediment was beneficially reused, 37% was disposed of at four in-Bay disposal sites, and about 22% was sent to the deep-ocean disposal site about 50 miles west of San Francisco.

And the chart on the right shows that in years when funding is available to cover the increased cost of reusing dredged sediment, we have seen beneficial reuse rise well above the annual average; 2023 is our best example of this, when beneficial reuse reached 73%.

One of my favorite examples of beneficial reuse was at the Sonoma Baylands in southwestern Sonoma County. On your screen there is a yellow arrow pointing to a red outline of the project area. Historically, this site was part of an extensive tidal wetland system ringing the North margin of San Pablo Bay.

In the late 1800s the site was diked off and drained to turn it into farmland. To restore this site, dredged sediment was used to raise marsh plain elevation and create conditions that would allow a marsh to evolve naturally. Once the elevation was high enough, the site was opened to the tidal action of the Bay in 1996, allowing the marsh to revegetate.

Now the Sonoma Baylands make up nearly 350 acres of healthy tidal marsh. The site reused almost 2 million cubic yards of clean sediment that was dredged from the Petaluma River Navigation Channel and the deepening of the Oakland Harbor.

Knowing all of this BCDC created the Sediment for Wetland Adaptation Project, and our project goal is to increase beneficial reuse of sediment and soil for wetland habitat restoration, resilience, and sea level rise adaptation in the Bay Area.

With grant funding from the EPA and the Ocean Protection Council Our efforts include increasing collaboration, creating an action plan for the region, which was released last spring, possibly amending BCDC's Bay Plan to facilitate increased beneficial reuse, which we are here to discuss today, and finally, developing a strategy to meet the higher upfront cost of beneficial reuse.

We have convened the Sediment and Beneficial Reuse Commissioner Working Group 12 times throughout the life of the project and these meetings are well attended by various stakeholders. At meetings in 2023 and 2024 subject-matter experts presented on topics such as the Bay sediment transport system, wetland restoration, beneficial reuse and more.

And staff presented our draft concepts for the potential Bay Plan Amendment to the working group last November, and most recently presented on our policy development progress just last month in April.

We have also held 19 meetings over the course of the project with a core team of representatives from the Regional Water Board, SFEI, the San Francisco Bay Joint Venture, the State Coastal Conservancy and the EPA.

There are many stakeholders who make up the world of beneficial reuse. We have restoration practitioners, dredgers, construction folks, dirt brokers, regulatory agencies, local governments, tribes, members of the public, and more. And we have made a conscious effort throughout the entire project to bring people in from all over this web.

We held a two-day workshop in early 2024 to bring the sediment management community together to discuss the challenges of increasing beneficial reuse.

We then condensed their insights into 70 regional actions. The actions are organized into focus areas ranging from interagency collaboration and pilot projects to stockpiling sediment and soil quality testing and more.

The action plan identifies organizations that are leading ongoing actions, and it also proposes an order in which actions could be implemented.

One of the actions that stakeholders identified during this process is the need to assess the Bay Plan findings and policies regarding sediment supply and beneficial reuse to identify necessary improvements and propose amendments.

In 2016 Commissioner-led workshops identified that strengthening the beneficial reuse requirements was a priority future Bay Plan Amendment to address climate change. This Bay Plan Amendment also aligns with the Commission's Strategic Plan, in which strategy 1.4 focuses on the need to improve regional sediment management and increase beneficial reuse. We have identified four goals for this Bay Plan Amendment.

The first is to acknowledge sediment as a critical Bay resource and as a public trust resource.

The second is to make beneficial reuse, BCDC's priority for sediment and soil. And specifically, this would include requiring beneficial reuse as the preferred alternative, with considerations for cost and site availability.

Third, the Bay Plan's existing dredging policies focus only on navigation dredging. So, our third goal is to include considerations for the beneficial reuse of sediment from the maintenance dredging of flood control channels, stream beds and creeks, as well as excess soil from upland construction.

And lastly, we want this Bay Plan Amendment to help connect smaller dredging

projects to local restoration projects. And we want the policies to be specific enough while still leaving room for innovation.

We wanted to overview the Bay Plan Amendment process so that everyone has an idea of what the next few months will look like.

For this Bay Plan Amendment, we really started research and outreach back when we hosted that in-person workshop over two years ago, and we have been working on scoping the Bay Plan Amendment and developing policies since the Action Plan was released about a year ago.

When you vote to initiate today you also set the public hearing date. I will cover this on the next slide a bit more, but we are planning to have the public hearing by the end of this summer.

The real main takeaway from this slide is that research, outreach and policy development have been ongoing already for some time and we will continue research and outreach after the amendment is formally initiated, ensuring that stakeholder and community and Commissioner engagement helps shape the final findings and policies.

A little bit more on outreach. We sent letters in March to 53 Bay Area tribes to introduce the project and welcome early collaboration. Representatives from five Bay Area tribes expressed interest in response to the letters and we had our first consultation with a tribe just yesterday. After today's vote we will follow up with formal consultation invitations to all 53 tribes.

We have also gotten advice from our Environmental Justice Team and EJ Advisor and members of our core team on community-based organizations that we are going to reach out to in the coming weeks.

We have also held recent meetings with the Army Corps, the Regional Water Board and the State Coastal Conservancy to get their feedback and more meetings will be scheduled with these groups as well as other stakeholders going forward.

As Chair Wasserman said in his opening remarks for the meeting, we are going to hold a public in-person policy development workshop in our office building in San Francisco on June 4, from 1:00 to 5:00 p.m. This is a key opportunity for Commissioners, stakeholders and the public to help shape the findings and policies so please add it to your calendars, we would love to have you all there. You will have an invitation in your inboxes soon to ask you to RSVP.

We have also scheduled another Commissioner Working Group meeting for July 7 from 1:00 to 3:00 p.m. to share the results of that workshop.

We plan to mail a Preliminary Staff Recommendation on July 21 beginning a 30-day public comment period; and at the Commission meeting on August 20 we will take oral public comments.

And then we will respond to public comments and prepare a Final Recommendation for a Commission vote shortly after.

As a reminder, this is our tentative timeline, meaning that it is flexible, and the public hearing and vote dates could shift, especially based on feedback from Commissioners, stakeholders and the public and their input on the draft policies.

If the Commission votes to adopt the Bay Plan Amendment, we will then submit documentation of our process to the Office of Administrative Law. And if we did everything right, crossing our fingers that we do, then their stamp of approval seals the Amendment.

And we will also submit documentation to NOAA who will determine whether the Amendment applies to BCDC's review of federal projects.

I can present the Staff Recommendation when we are ready, but otherwise that concludes the presentation. I am happy to answer any questions. And Erik Buehmann and Brenda Goeden from my team are also present in-person to answer any questions.

Chair Wasserman acknowledged: Thank you, Rachel.

Do we have any clarifying questions from Commissioners?

Commissioner Nelson chimed in: Just one. The schedule showed a Commissioner Working Group meeting on July 7. I just wonder if you could tell us the time for that meeting.

Ms. Cohen replied: Yes, I neglected to put that on the slide, apologies. That will be from 1:00 to 3:00 p.m. and it will likely be a virtual meeting.

Chair Wasserman asked: Do we have any public comment?

Jim Haussener commented: Jim Haussener. Thank you very much, Chairman, Members of the Commission. I am speaking as a recreational boater who learned how to sail in Palo Alto Harbor 50-some years ago, and which has a launch ramp that kayaks can use these days and needs drastic dredging because there is a sign saying, hey, you can only use this facility two hours before and after high tide.

And one of the things that concerns me as the cost of dredging goes up, will we have access to get into the water for kayaks, wind surfers and others? If you take a look at Santa Clara County, the largest one in the Bay Area, there is no real good access 24/7 or even daylight hours for those folks, so in my mind they are disadvantaged to a certain extent and certainly would like you to have your staff take a look at that and how we can reduce that as we move forward.

Also, like your staff to take a look and explain how this ties in with the LTMS regulations that you have concerning the 2040-40. Is that going to then require an amendment to those regulations?

As part of the LTMS also interested in the small dredger exemption and what the impacts will be to that? I do know that some of your staff have expressed issues of seeing as how the small dredgers have an exemption. Perhaps they ought to be doing more beneficial reuse.

I also want to comment, and I will let the Corps deal with their own costs. However, the national cost for Corps dredging in 2023 I understand to be less than \$10 per yard. The Corps recently did a project where they were saying the tipping fee to go to Montezuma is 13.50 a yard plus the dredging cost. We have seen projects now where the dredging cost is \$65 per yard is what the bid amount is, and I just wonder as to how we are going to move forward.

I certainly understand staff has talked about Item Number 3 in their presentation. However, it seems a little strange to go to a Bay Plan Amendment and say, hey, we shall, or you shall, determine why you cannot, and not solve the funding issue.

The Corps, and fortunately due to your efforts as well as Amy Hutzler over at the Conservancy, has been getting some additional money in order to pay for the beneficial use cost. My understanding is beneficial use at those large projects is, say, 10 bucks a yard to go in-Bay, 20 bucks a yard to be disposed of offshore, and \$30 a yard to go to Montezuma. Plus or minus, but those tend to be some numbers that were true in 2014 and stay true today. Thank you very much for your time. I really appreciate it.

Laura Tam spoke: Hi, thanks so much. It is Laura Tam with Bay Planning Coalition. I want to echo a little bit of what Jim said, which is just that the cost, like. We are really eager to work with you on this because we recognize and appreciate the importance of

beneficial reuse for so many reasons. But the challenges that we face today are the cost, the higher cost of beneficial reuse, as well as the number of places that can take sediment and put it to beneficial reuse. It is hard to get it from a boat to the land. And trucking, as people in the South Bay Salt Ponds will tell you, has its own consequences and challenges with bringing lots of dirt through communities by truck.

So, I hope that we can invite you, Rachel, to come present or talk to our Dredging and Beneficial Reuse Committee. Like to work with you on this and hope that the amendment both answers the question that Jim raises about reopening the LTMS as well as addresses these challenges of cost and sites, which are critical to beneficial reuse happening and going to the places and the sediment going where it needs to go. That's it. Thanks so much.

Chair Wasserman continued: Rachel, would you please present the Staff Recommendation.

Staff recommends that the Commission:

- Adopt the attached "Descriptive Notice" to initiate the process to consider Bay Plan Amendment 1-26, an amendment to the San Francisco Bay Plan to address beneficial reuse of dredged sediment and upland soil for wetland restoration and sea level rise adaptation; and
- Schedule a public hearing to consider the proposed amendment for August 20, 2026.

Chair Wasserman asked: Are there any comments from Commissioners?

Commissioner Gonzalez commented: It is not as much a question as a comment. I just want to make sure I understood the presentation. Are you saying that today, so we have moved past the Gold Rush. Today that the amount of sediment flowing into the Bay, the suspended sediment, is much, much less?

Ms. Cohen answered: Yes. I am not an expert on the topic, I am more on the policy side, but the facts I do know are that during the Gold Rush sediment coming to the Bay from the Delta increased ninefold over pre-mining numbers. And that we have seen a step decline in the amount of suspended sediment coming to the Bay from the Delta and that now we see more sediment coming to the Bay from the local tributaries than from the Delta. But if you want more specifics I would pass to Brenda.

Commissioner Gonzalez acknowledged: That is useful. I will follow-up separately because it does not get in the way of what you are recommending here but I am actually interested for a different reason. I will be supporting the Recommendation.

Commissioner Eklund was recognized: I also will be supporting the motion as well, the proposal. I just wanted to share with everybody that I graduated from high school in 1969. I was 17 years old and I started working for the Army Corps of Engineers in San Francisco. And my boss at the time said, Pat, you need to learn about dredging. You need to learn about the technology, hopper dredges, clamshell.

So, he had me go out on the Army Corps of Engineers' hopper dredge. I spent a day on it. I was very young and naive, and I asked one of the guys on the boat, I said, so we are digging the Bay and we are taking it out into the ocean and dumping it out there? Can't we use it in the Bay? And he says, oh no, no, no, we don't need it or whatever. And so anyway, we have come a long ways. Having gone through the Army Corps of Engineers and then the EPA, we have learned a lot.

I just really want to really thank the staff for putting this together because beneficial reuse of the Bay material is essential, I think, for the restoration of San Francisco Bay and the Delta throughout. I know that my colleague sitting to the right here also has some more

comments to make, now who works for the Army Corps of Engineers. So, from the past goes the future.

Commissioner Janoff commented: I just wanted to start by saying really hard work goes into this. It is time, effort, so I appreciate all of the staff that have worked on this so far and in the months and years to come, it is all going to be a big push. But it is important that as agencies we continue to evolve with the times. It does not mean it is easy, coming from a federal agency I certainly know that changing policy or changing practice is always difficult, but it is important and it is good work.

I would also say the prioritization of beneficial use, we share that goal, and discouraging disposal in the deep ocean, keeping sediment in our system where it is needed, clean sediment, using it for good purposes, those are both great things and we fully agree with those. While I cannot vote I can express support.

One consideration that I think is important that I hope the Bay Plan Amendment can address is supporting novel and innovative beneficial use opportunities, given the fact, as it was mentioned, that there are limited opportunities for wetland restoration beneficial use. It takes a lot of effort to get a new site online. So, beneficial use applications or projects such as strategic placement that the Corps did in 2023 or other novel approaches, the hope is that this amendment can support that and also help to clarify the difference between sites in the Bay that are not meant for beneficial purposes like the deep-water aquatic sites like SF-9, 10, 11, 16, and those shallower strategic placement sites as beneficial uses and opportunities for not only federal dredgers but non-federal dredgers as well.

The hope would be that having more of those would help bring the cost down, but that is beyond my purview. But anyway, supportive of the process and the staff and also hopeful that the Amendment can support and address those innovative, beneficial uses. Thank you.

Commissioner Gunther chimed in: As the Chair of the Working Group I just want to assure my fellow Commissioners that we have had wonderful participation, not only by our talented staff members who have shepherded us along, but by everybody in the community as far as I can tell. I am very confident that we are going to be able to address people's questions.

We will have to think a little bit outside the box, I think, but I think there are ways that we can do this. And this, again, is going to be another example I think of us learning to walk the walk and figure out how we can make sure that we are dealing with the most important problems in a way that supports the community that has adapted to the existing system, while also allowing that system to evolve in a way that maximizes the benefits for the region, given the fact that we know we need this sediment.

As Pat said, it just does not make sense to be carting it out to the ocean when we have alternatives. And even though they are more expensive at this point, there are ways I think we can bring those costs down and there are ways that we can coordinate better so that we are able to utilize this material in an efficient manner and use it to, as I've said before, build the foundations of the wetland cathedrals that we are establishing in our region.

Chair Wasserman added: I just want to recognize that in, I am not sure of the time period but certainly the last couple of years, the Army Corps has made huge strides forward in this area; and that I think our region has led that effort nationally and we very much appreciate that.

With that, this motion requires a majority of those voting. Federal representatives

are permitted to vote.

**MOTION:** Commissioner Gunther moved to adopt the Staff Recommendation, seconded by Commissioner Nelson.

**VOTE:** The motion carried with a vote of 16-0-1 with Commissioners Ahn, Eklund, Gauthier, Gilmore, Gonzalez, Gunther, Hermosillo, Kimball, Moulton-Peters, Nelson, Pemberton, Ramos, Showalter, Taylor, Vice Chair Eisen and Chair Wasserman voting, "YES", no "NO" votes, and Commissioner Janoff voting "ABSTAIN".

**10. Briefing on the Regional Shoreline Adaptation Plan Progress.** Chair Wasserman stated: That brings us to Item 10. Our staff will now inform us of progress to implement the Regional Shoreline Adaptation Plan. We will hear about the status of individual planning developments in the region and on efforts to support those local initiatives.

Juliette Chausson, a relatively new member of our Planning Team, will provide the briefing.

Senior Climate Adaptation Planner Chausson addressed the Commission: Good afternoon, Commissioners. I am Juliette Chausson, a Senior Climate Adaptation Planner in BCDC's Planning Division. I am on the team that is helping cities and counties with their local adaptation plans. We have been working on many fronts to support local governments with their planning process, and I am excited to share some updates with you today.

Just a quick note that we shared a similar presentation in January, so we are going to be sharing some of the latest progress since that last presentation.

I will go through this really quickly. I know you all are really familiar with the Regional Adaptation Plan. But for some of our newer Commissioners or some members of the public I will go over a few key points just to set the context for the updates today.

SB 272 was enacted in 2023 and requires all local governments along the outer California coast and the San Francisco Bay shoreline to develop local adaptation plans. So, for BCDC's jurisdiction that means 51 local governments.

SB 272 also required BCDC to develop guidelines for the Bay Area jurisdictions to follow in developing their plans.

And that set the foundation for the Regional Shoreline Adaptation Plan, which the Commission adopted in 2024.

There are large financial incentives to start planning and to identify adaptation projects through the Ocean Protection Council's SB 1 Grant Program and I will be sharing some updates on that program's success in the next few slides.

Just as a quick reminder, to formally kick off the process local governments are required to send a Notice of Intent to Initiate to BCDC staff.

We then meet with the local governments Once we have received a complete notice and hold a consultation.

Following that, we post the public notices to our website to publicly announce the initiation process.

To date we have formally initiated 7 plans covering 11 jurisdictions, so that means that we are almost at 20% of required jurisdictions. Since the last update Mill Valley and Contra Costa County are the latest to have initiated.

The screenshot on the right here shows the plan status of required jurisdictions and that is available on our online dashboard called Bay Adapt Currents.

In addition to formal initiations, we are also seeing progress on a number of fronts. We have been working really closely with the Ocean Protection Council on their SB 1 Grant Program to encourage jurisdictions to apply for funding and to ensure that approved grant

work plans are in line with the RSAP framework.

To date, the Bay Area has been awarded close to \$21 million in SB 1 Grants, including two new grants since the last update.

Notably, more than half of these grants include multiple jurisdictions, or specifically call out funds to collaborate with neighboring jurisdictions, which is in the collaborative spirit that we have been encouraging.

We are seeing that over 70% of required jurisdictions have not formally initiated but have demonstrated progress towards developing a plan. So that could mean applying for SB 1 Grant funds, speaking to us about their current projects to integrate them into the RSAP framework, or working with us to start their initiation process.

Since the last update we have engaged with additional jurisdictions, and we are now at 90% of jurisdictions that have either formally or informally begun their planning process.

In addition to the RSAP-specific Technical Assistance Program we have a number of resources available online for jurisdictions to use that have been developed through our Adapting to Rising Tides Program throughout the last decade. Some examples include summaries of vulnerabilities and adaptation responses by sector, as well as collaborative planning with Alameda and Contra Costa.

We have our Adaptation Roadmap, which includes processes and best practices for community-centered adaptation planning.

Our Bay Shoreline Flood Explorer is an online mapping tool that shows areas of overtopping and indicators of consequence.

And the RSAP Atlas is an online mapping tool that aggregates more than 65% of the data required for local plans including Baylands habitats, sea level rise scenarios, vulnerable communities, and more.

During our last update we shared information on our summer tour and the additional resources that we launched on our website. Since then, we have been really busy continuing to build out our Technical Assistance Program.

We launched a Planning Essentials webinar series where we did a deep dive into elements of the RSAP including elements A through C and our equity standard. We had over 200 attendees including 19 jurisdictions as well as consultants, nonprofits and members of the public.

We also launched several new tools on our website including a Data Verification Process for use of alternative or supplemental data and plans, a Community Engagement Planning Tool, and a Project Alignment Questionnaire.

Through the RSAP, BCDC is actively working to shape how the Bay Area approaches adaptation and connects with the local, state and even national scales. We are continuing to get the word out, build capacity and help local governments integrate their current efforts into the RSAP framework.

Stay tuned for the announcement of our Learning Communities launch this summer where we will be providing a platform for communities to engage with each other as they are developing their plan.

We are also coordinating with regional entities, special districts and state agencies like PG&E, OneShoreline and the water boards. And we are continuing to engage with entities to make sure that we have the right partners at the table and a regional approach to planning.

Both SB 272 and the RSAP require an economic analysis related to sea level rise, so we just released a Request for Proposal for consultant support to help develop tools that

will aid the jurisdictions in addressing this requirement.

As you can see from some of the numbers that we shared, many jurisdictions have taken steps towards informal planning, so we are also expecting a number of initiations in the next couple of months.

We have also been actively engaging with resilience practitioners to promote knowledge exchange. For example, we held panels at SF Climate Week. We will be talking at the California Shore and Beach Preservation Association and the National Adaptation Forum next week.

And we also submitted proposals for the Restore America's Estuaries Conference, the Resilience California Summit, and we are also planning BCDC's annual Rising Together Summit this November.

And lastly, we are continuing to provide ongoing communication about the RSAP and our local plans via newsletters, social media posts and emails to keep everybody up to date.

Before I close out, I also wanted to share that we are excited to have our manager back, Jackie Perrin-Martinez who just came back from leave. I want to thank you for your time, and I am happy to answer any questions.

Chair Wasserman continued: Thank you. We will now open this matter for public comment. Are there any public comments?

(No members of the public addressed the Commission.)

Commissioner Eklund chimed in: Kind of curious. When we get all the plans in, how are we as an organization going to be using that data and all of the action items, I guess, that each of the cities and counties are going to be developing? How are we going to try to integrate them? I was just kind of curious about that.

Assistant Planning Director for Climate Adaptation Brechwald fielded this question: Great question. Dana Brechwald, Assistant Planning Director for Climate Adaptation. We are already taking in information that people are giving us, particularly if they have a request for use of alternative data or additional local data, so we are already collecting that sort of data.

We request that jurisdictions submit their project concepts as one of the plan elements when they submit that, and that will go into our database of adaptation projects and the SAPMap. So, we were learning from them as we go. And then we will be utilizing all the information we have about the projects, their location, estimated cost, what type of projects they are going to be, and that way we will be able to track those projects as they go through design and then ultimately come back to BCDC for permitting.

Commissioner Eklund continued: And just thinking about this, is this also an opportunity to help use the dredged material as a form of adaptation as we prepare for sea level rise?

Ms. Brechwald answered: Yes, that is definitely an opportunity. We have been talking to Brenda and Erik about how we can better incorporate the work that they are doing with what we are learning about the Regional Shoreline Adaptation Plan.

We are pretty far off from getting projects that have that level of detail, just because we have just initiated all of these plans and it is going to be another couple of years. But I think there are a lot more opportunities to gather information, to use the information that we are learning about the adaptation plans, to decide how we drive many other initiatives that we care about at BCDC.

Commissioner Eklund shared the following: I just have to recount, I remember when we worked on Hamilton and I was actually out there when we were constructing the levee.

It is a fascinating project, and I think that it would be great if we could engage some of the schools too, and maybe that is where we also work with the cities and the counties to help make that more of an educational thing too for the kids. Anyway, that is something I am going to be pursuing in Novato. Thank you.

Commissioner Janoff chimed in: Thank you for the presentation and the update and the hard work. I am wondering, so counties develop adaptation plans separate from municipalities, correct? Is it only for unincorporated areas or is there some element of coordination across jurisdictions that is built into the county level adaptation plans?

Ms. Chausson replied: Yes, we are seeing kind of a mix. For example, Solano County is doing it in partnership with all the cities within Solano County; but then Contra Costa County is focusing on unincorporated parts of Contra Costa County, but within those is built in collaboration and coordination with all the entities that would be affected through neighboring jurisdictions. That is also kind of the role that we are playing is making sure that they have the right partners at the table and that everybody is working together and we can draw those connections.

Commissioner Janoff continued: I am wondering, have you received feedback from jurisdictions on what the main challenges or barriers are to developing these adaptation plans, and getting from plan to implementation beyond just awareness? Does it build in fast-tracking of permitting or just increased support for project implementation?

Ms. Brechwald replied: I guess I will answer the second part first. We think all the time, every day, about how we support cities and counties after they have submitted their plans and how to support them through implementation. At this point the only incentive that is tied to having a completed plan is prioritization for additional funding for implementation. And since there is a bit of a gap between planning and permitting that we do not necessarily address here at BCDC, we are talking to a lot of our partners who we think can help support in that middle phase.

There are a lot of people who are very interested in seeing how the projects are developing from the project concepts to implementation. I think because we have a little bit of time before any of the plans are going to be completed, we have a little bit more time to think through exactly what the right strategic approach is for that, but it is definitely something that we are thinking about.

And as many Commissioners are familiar with, there is no link, there is no regulatory link between the plans and our permitting authorities, so we are exploring that topic as well through our governance studies that we are doing.

And we have a Rising Sea Level Working Group meeting on June 4 where we will be talking about some of those issues that we have been examining to see if perhaps there is a reason to better link the plans to the permits, but right now they are not, they are not linked.

And then do you want to answer about the challenges we have been seeing?

Ms. Chausson added: Yes, I can fill in a couple and then if I am missing some. But I think it really depends on the jurisdictions. Some are more low capacity, some are more high capacity, and so the challenges vary between those. I think for some of the more low capacity it is a little bit of a newer sector of work that maybe they have not fully explored yet, but the SB 1 Grant funding has been really instrumental in getting them that consultant support and driving that forward.

And then for some of the high capacity, I think they already have done a lot of work for sea level rise planning and so it is trying to figure out how does that fit into the RSAP

framework, where they have data gaps that might need to be filled in. And so, our role has really been trying to find flexibilities to help them move forward through that process and clarify requirements without hindering the progress that they have already made.

Commissioner Nelson commented: There are a lot of moving parts to adaptation planning barriers so these high-level presentations are really helpful.

One specific question. In your presentation you said that 20% of the 51 jurisdictions around the Bay Area have formally initiated adaptation planning, 90% of them have formally or informally initiated. So, can you help us understand the extent to which we should be discouraged by the 20% number or encouraged by the 90% number. And if you have any wisdom you could share with us about how long it is going to take to move the 90% into the 20% formally initiated category, that would be really helpful to us.

Ms. Chausson replied: Yes, definitely. I think maybe an important number to think about is how many have been funded through SB 1 Grant programs. So, 72% have been funded for SB 1 Planning Grants, and so I think a little bit of the lag is finalizing those work plans, getting the RFPs out for consultant support, and then kicking off that initiation process. So, I think we are going to be seeing a ramping up really quickly but a lot are already really well on their way. And some of the others that are a little bit more delayed are trying to figure out how to integrate some of their projects and plans into the RSAP framework and planning to apply for SB 1 grants.

Commissioner Nelson asked: And there are going to be future rounds of funding grants?

Ms. Chausson answered: Yes, yes. And we are helping OPC with those grant reviews and making sure they are aligned with the framework.

Chair Wasserman asked: Do you have a rough idea of how many consultant firms are working in this area?

Ms. Chausson stated: That is a great question. I know we are seeing a lot of overlap, which I think will be really helpful. For example, ESA is working in several jurisdictions across the Bay, Arup, there's a number of other consultants as well. I think we are seeing a lot of collaboration that is going to be helping on that front as well but I do not have a full number. We have technical consultants, community engagement consultants, so there's a wide variety of folks involved.

Chair Wasserman continued: If nobody else is doing it, if somebody else is doing it, it would be delightful, but if no one else is doing it we might think about convening a meeting of the consultants to share best practices. I appreciate they compete against each other, but the issues here are important enough that I think that would be valuable.

Ms. Chausson agreed: Yes, I agree. Something I did not mention is the Learning Communities that we are launching this summer is not only for jurisdictions, it is also for their consultants as well. So, we are hoping we can really convene that information exchange and work together to solving a regional approach.

Chair Wasserman added: In the same vein I hope that by the next time you make this report, which has been very good and very helpful, thank you, we might start packaging ways that we can and ways that we can encourage others who are involved, the state as one example, to improve the conversion rate. Any other comments or questions?

Commissioner Eklund chimed in: Yes. About Learning Communities. Can you help me understand that a little bit more?

Ms. Chausson explained: Yes. We are still in the process of figuring out the final structure, what that is going to look like. But the idea is for us to set up a platform for

jurisdictions to share some of their best practices, their challenges, their lessons learned and learn from each other.

One of the things that we were hearing in the consultations was that everybody wanted to know what everybody else was doing. It is a new process for everyone and so I think there is a lot of interest in learning from each other and that is the space that we are hoping to create. And we are partnering with BayCAN as well for that effort, so it is great to have that external support as well.

Commissioner Eklund made a request: And can you keep us informed of that also, too? Because, obviously, we have connections to cities and counties, obviously. So, I think that if we know about it then we can share the information with our staff.

Ms. Chausson replied: Yes, we would be happy to.

Chair Wasserman noted: I do not see any other questions.

I want to thank Juliette and the full team for the work. Keep at it. We are making progress, but we have a long way to go.

**11. Briefing on Save the Bay's Local Flood Resilience Snapshots.** Chair Wasserman stated: That brings us Item 11, a briefing on Save the Bay's Local Flood Resilience Snapshots. These Snapshots provide a glimpse at each Bay-adjacent cities flood vulnerability, its progress so far on flood resilience, policy planning, and Save the Bay's recommendations for next steps. It seems appropriate given the last discussion.

Dana Brechwald of our staff will start the discussion.

Ms. Brechwald presented the following: Good afternoon, Commissioners. I am happy to introduce you today to Erin Pang from Save the Bay. Erin will be giving a presentation on one of their newest initiatives, the Local Flood Resilience Snapshots. These are Snapshots of communities around the Bay that provide a comprehensive overview of what different cities are doing to prepare for climate-driven funding and local policy recommendations to help advance their resilience.

We love this because cities need support as they prepare for sea level rise and develop local adaptation plans, and creating these readymade summaries and policy options can help cities more quickly decide how and what to respond to especially as they prepare to create their subregional adaptation plans.

The resilience policies identified in the Snapshots are aligned with our RSAP guidance, and this ensures that the approaches that they are considering are helping them advance their compliance with SB 272, although the Snapshots do go above and beyond what is included in the RSAP.

We are pleased that the Snapshots help us to advance the work that BCDC cares about, and we welcome Erin and Save the Bay as a partner in advancing adaptation. So, with that, I will turn it over to Erin.

Ms. Pang spoke: Thanks, Dana. And thank you to the Commission for the opportunity to present. My name is Erin Pang, I am with Save the Bay. As I am sure a lot of you know, we are a regional nonprofit that works to protect and restore the Bay, and that includes working on sea level rise and flood resilience. So today I will be presenting on one of our latest projects related to that effort, our Sea Level Rise and Flood Resilience Snapshot Project.

So, to just set the stage I wanted to start off with an overview of Save the Bay's approach to sea level rise and flood resilience, which we believe aligns closely with BCDC's approach and with the Bay Adapt Strategy. So, these principles are we want shoreline and flood protections to utilize nature-based solutions wherever possible.

The second is that we want flood resilience solutions to reflect the needs and voices of frontline communities.

And finally, we want to ensure that when new development occurs it is located outside of areas at the greatest risk for flooding. Or where that is not possible, make sure those developments are built with a flood resilient design. So basically, making sure that any structures built today will be resilient decades later when sea level is potentially much higher.

So, with those principles in mind, I will introduce our Local Sea Level Rise and Flood Resilience Snapshot Project, or Snapshots for short.

The project began when we began engaging with cities that were updating their long-range planning documents, such as safety elements. We would usually weigh in city by city to recommend different flood resilience language and policies to include. But we realized it would be helpful to have a set of standard policies that would be applicable across the Bay Area, so that is what led us to ask, what standard policies should Bay Area cities adopt for resilience to sea level rise, groundwater rise and storm water? And also, where are cities right now in terms of which ones they have already implemented and which policies they have yet to do.

To identify these standard policies, we drew on regional guidance documents. We did a lot of research and reading. We drew on the Bay Adapt Strategy. We also looked at other local guidelines such as San Mateo County's OneShoreline Policy Planning Guidance. We also looked at existing policies that cities have already been implementing and had conversations with experts and community organizations about what they think is needed for local flood resilience.

Out of this research we created a list of 25 policies that align with our key flood resilience principles. Our goal was to identify these best practice policies and share them across the region.

Then we evaluated 45 cities that are adjacent to or near the Bay shoreline to identify how many of these 25 policies each city has already implemented and which policies are opportunities for them to implement moving forward.

So, with that, the result was a Snapshot for each city, which I will walk through now. No need to read the screenshot that is on the slide. I just wanted to give an example of what the layout looks like, using Burlingame as an example. But yes, basically this is the first page of our Snapshot. Each Snapshot follows this four-page format.

On the first page we have a graphic summarizing the sources of climate-driven flooding. These Snapshots are meant to be educational and accessible to the general public, so we wanted to start off with just describing why flooding is a risk.

Next, we include a couple paragraphs summarizing the city's unique flood vulnerabilities and highlighting a couple of actions that the city is already taking to work towards flood resilience.

Then this is the second page of our Snapshots. On the second page we include a spotlight of a nature-based project that benefits the city, either one that has been planned already or completed already. Or if the city does not have any nature-based project examples yet we feature a nearby project as an example.

And then finally, we have two priority recommendations for each city. These are tailored recommendations for what we think can be impactful for that city's flood resilience based on its greatest flood vulnerabilities and where there may be gaps in their existing policy and planning.

So, for example if a city has many contaminated sites near the shoreline we might recommend that the city do a groundwater study to identify which sites may be at risk of emergent groundwater.

And then finally, these are what the last two pages of our Snapshot looks like. They list each of our recommended policies and identify whether the city has implemented that policy or not. And we also mark if they have partially implemented the policy, so if they are working towards it but have not completed it yet. Yes, that is what our Snapshots look like.

I wanted to make sure to address how our Snapshots are meant to work alongside the RSAP Guidelines. From the beginning we wanted this to be a complementary project to the RSAP process, and we did meet with Dana a few times for feedback to make sure they are aligned with the RSAP Guidelines. And we are aware that many cities are beginning to work on their RSAPs now so we hope this will be relevant and a helpful planning tool for them.

And I think a good way to think about it is that our Snapshots recommend specific policies that cities can adopt to fulfill parts of what the RSAP requires, acknowledging that the RSAP Guidelines are not prescriptive about what policy cities have to enact. So, our Snapshots give recommendations and basically is a tool for identifying specific policies to achieve those RSAP goals.

And then another layer is that our Snapshot recommendations encourage a holistic approach to flood resilience by taking into account sea level rise, groundwater rise and stormwater runoff and how they can all compound each other. So, our Snapshots encourage cities to think about how they can integrate their RSAPs with other plans such as storm drain master plans or green infrastructure plans that address inland flooding, which we know is connected to shoreline flooding.

These are just some examples to illustrate how our policy recommendations align with the RSAP Guidelines, with the adaptation strategies in the RSAP Guidelines. Just one example is one of our recommendations is to establish a Sea Level Rise Overlay District that enacts robust flood resilience policies for developments in the sea level rise zone. That aligns with Adaptation Strategy 15, which is to incorporate climate-responsive standards, codes, and zoning for adaptive design. And there are some other examples up there that you can take a look at.

In terms of RSAP structure I think a lot of our recommendations would fit within Element E of the RSAP, which prompts cities to describe the proposed land use policy and programmatic changes that they will use for sea level rise resilience, so our recommendations largely fall into that category.

This is my final slide, but I just finally wanted to end with a quick overview of how we hope these Snapshots will be used.

One, we want them to be a resource and educational to the general public. If an individual is curious about how climate change will cause flooding in their cities and what some of the solutions are they can go to our website and click on their city on this map tool that we have and download their Snapshot and have that information.

And then we also hope for the Snapshots to be a resource for all of you and the jurisdictions that you represent or that you work with. As cities and counties embark on RSAP planning we hope for this to be a tool that is useful when thinking about what policies can help achieve the goals laid out in the RSAP Guidelines.

I will end by saying we are very interested in opportunities to collaborate with you all and work on you to implement these policy recommendations and welcome you reaching out to Save the Bay. I realize I should have put a slide with our website and my email, but

our website is [savesfbay.org](https://www.savesfbay.org) and these Snapshots will be up on our website as well. Thank you.

Chair Wasserman acknowledged: Thank you very much.

Any public comment?

(No members of the public addressed the Commission.)

Commissioner Eklund commented: I wanted to thank you very much for your presentation. You have actually raised another interest or concern that I have is that if cities and counties are going to be developing their own RSAPs there are other organizations.

Well, first of all, it seems to me that it would be beneficial for neighboring cities or neighboring city and county to collaborate because if we are going to be developing some sort of an overlay it may overlap with county jurisdiction versus the city jurisdiction. But then you also have flood control districts, which are special districts that have a similar interest overlapping the same areas. Have we thought about maybe requiring cities and counties to include special districts in the development of their RSAPs?

Ms. Brechwald stated: Yes, we do call out, we require in the Guidelines that they collaborate with their neighbors and special districts as well as private landowners, other agencies, all of the potential stakeholders.

Commissioner Eklund acknowledged: Okay, great. Thank you very much.

Commissioner Nelson was recognized: Thank you, Erin, that was really helpful. We need NGOs in the Bay Area to push jurisdictions, collaborate with jurisdictions, and to do the same collaborate and push BCDC as well. As Save the Bay's first Executive Director way back in the day, I am delighted to see this coming from Save the Bay.

A couple of questions. First is whether you have, and this could be now or later, whether through this process, I realize that this report is targeted at local governments, but I wonder if you have recommendations for us that have come out of this process? That is the first question.

And the second is, I do not know how far into outreach you are with local governments, but I am wondering if you have a sense yet of how receptive they are and how you are able to work with local governments to share these recommendations with them and to see what reception you are getting?

Ms. Pang replied: Yes, thank you for the questions. In terms of recommendations for BCDC, we did engage a lot in the RSAP Guideline process. And yes, we feel like our principles are aligned with what are in the RSAP Guidelines.

And then in terms of how cities are receiving it. Well, actually in evaluating the cities we were able to reach out to a lot of the city staff members who work on adaptation planning and just ground truth what we found in our evaluation to make sure that our city evaluations were accurate and that we had all the latest planning and policy information from those cities.

We also hope to start using these Snapshots to reach out to elected officials representing the local jurisdictions. We have not done as much of that yet, but we have in some places started doing that and I think generally people are receptive and care about, obviously, being resilient to sea level rise and flooding.

I think the main thing that comes up is just the resources or staff time to be able to do these things. But that is why we try to focus our recommendations on the top two recommendations, so it is something tangible or doable and not just throwing 25 recommendations out there. And yes, we hope to continue to reach out and work with local

jurisdictions on these recommendations.

Executive Director Goldzband asked: I apologize because I think I missed something. Is this on your website yet?

Ms. Pang stated: Yes. So far we have about half of the cities that we evaluated up on our website. If you go to our Advocate page on the website.

Executive Director Goldzband added: That is what I was going to ask. Because what I will do in my Commission Summary today is I will put a link to it, and I just want to make sure it was on the website. It is on the Advocacy side?

Ms. Pang answered: Yes.

Chair Wasserman: Thank you very much for the presentation and for the work.

**12. Adjournment.** There being no further business, the Commission meeting was adjourned at 4:29 p.m.