

San Francisco Bay Conservation and Development Commission

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December 29, 2014

TO: Bay Fill Policy Working Group Members

FROM: Lawrence J. Goldzband, Executive Director (415/352-3653; larry.goldzband@bcdc.ca.gov)
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SUBJECT: Summary of the November 20, 2014 Commission Fill Policy Working Group Meeting

1. **Call to Order and Attendance.** The Fill Policy Working Group Chair, Barry Nelson, called the meeting to order at approximately 11:00 am. Other Commission Fill Policy Work Group members in attendance included Jason Brush, Jane Hicks, Jim McGrath, and Sean Randolph. BCDC staff in attendance included Larry Goldzband, Joe LaClair, and Brenda Goeden, Steve Goldbeck and Brad McCrae. Members of the public included John Coleman from the Bay Planning Coalition.
2. **Fill Policy Working Group Purpose.** As provided by Chair Wasserman, the purpose of the Fill Policy Working Group is: "...to determine whether and how to amend BCDC Bay fill laws and policies in light of the need to adapt to [rising sea level] RSL...recommend changes to the Commission's current laws and policies to make the Bay more resilient and productive environmentally and economically while ensuring Bay protection and maximum feasible public access to the Bay...the working group would request assistance from a wide variety of stakeholders, including representatives from the scientific, environmental, economic, and equity communities. Discussions and decisions surrounding the Bay fill policies should reflect the same spirit of collaboration and cooperation that supported SB1184, the Commission's legislation introduced in 2013 to expand the ART [Adapting to Rising Tides] program and prepare a regional RSL [rising sea level] strategy in concert with the JPC, local governments and other interested parties."
 - a. **Working Group Discussion.** The Commissioners discussed the purpose of the Bay Fill Policy Working Group, including:
 - (1) A possible LTMS update to increase in-Bay beneficial reuse of dredged sediment, including potentially new in-Bay dispersal sites that support wetlands (Dredging Policy 11-b).
 - (2) Consult with technical experts and scientists to better inform the Commission on this issue and its implications.



- (3) Facilitate project review among state and federal regulatory agencies
 - (4) Examine potential conflicts between BCDC fill for public access policies and federal policies
- b. **Public Comment.** There were no public comments.
3. **Briefing on Policies for a Rising Bay.** The Fill Working Group members received a briefing regarding the NOAA-funded project, Policies for a Rising Bay.
- a. **Staff Summary.** Policies for a Rising Bay (PRB) is a NOAA funded, project of special merit in which staff will examine BCDC's core laws and policies on Bay fill to develop guidance on the type of adaptation strategies that are currently allowable and will identify potential policy gaps. The work of the PRB project will inform this Working Group but address a smaller subset of issues and information. The grant period is through December 2016.
 - b. **Working Group Discussion.** As part of the PRB project, an advisory committee will be convened. There was considerable discussion of potential advisory committee membership and how this advisory committee will interact with the Bay Fill Policy Working Group.
 - c. **Public Comment.** There were no public comments.
4. **Working Group Summary and Conclusions:** Working Group members directed staff to prepare an agenda for the next meeting addressing the following:
- a. A list of potential advisory committee members.
 - b. A proposal for how the working group will interact with the Advisory Committee.
 - c. A new name for the working group.
 - d. A summary of BCDC's current policies governing Bay Fill.
5. **Adjournment.** The meeting was adjourned at approximately 12:30 p.m.