San Francisco Bay Conservation and Development Commission
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TO: All Commissioners and Alternates

FROM: Lawrence J. Goldzband, Executive Director (415/352-3653; larry.goldzband@bcdc.ca.gov)
Sharon Louie, Director, Administrative & Technology Services (415/352-3638; sharon.louie@bcdc.ca.gov)

SUBJECT: Draft Minutes of September 15, 2016 Commission Meeting

1. **Call to Order.** The meeting was called to order by Chair Wasserman at the Ferry Building, Port of San Francisco, California at 1:08 p.m.

2. **Roll Call.** Present were: Chair Wasserman, Vice Chair Halsted, Commissioners Addiego, Bates (represented by Alternate Butt), Chan (Represented by Alternate Gilmore – arrived at 1:27 p.m./departed at 3:59 p.m.), Cortese (represented by Alternate Scharff), DeLaRosa, Gibbs, Gioia, Lucchesi (represented by Alternate Pemberton), McGrath, Nelson, Pine, Sartipi (represented by Alternate McElhinney), Sears, Spering (represented by Alternate Vasquez), Techel (represented by Alternate Hillmer), Wagenknecht (arrived at 1:20 p.m.), Ziegler and Zwissler.

Chair Wasserman announced that a quorum was present.

Not present were Commissioners: Department of Finance (Finn), Sonoma County (Gorin), U.S. Army Corps of Engineers (Hicks), City and County of San Francisco (Kim), Governor (Randolph).

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

Bruce Beyaert of Trails for Richmond Action Committee (TRAC) was recognized: I am the Chair of TRAC, Trails for Richmond Action Committee whose mission is to complete the Bay Trail in Richmond. I want to give you a brief update on exciting things going on in Richmond right now in terms of completing the Bay Trail. The City has over 32 miles of Bay Trail built which is more than any city in the nine-county Bay Area. This is about nine percent of the entire Bay Trail in the Bay Area. Thanks to partnerships and cooperation between the city of Richmond, the East Bay Regional Park District and the private sector with encouragement from BCDC to include the Bay Trail in their projects where it is feasible. The last miles are the most difficult and we still have ten miles to go in Richmond. There are six active projects going on right now that by the end of next year will complete six more miles of the Bay Trail. The city of Richmond and the East Bay Regional Park district are partnering at Point Molate to design and get permits to build two and a half miles of Trail.

Commissioner Gioia commented: If every county and every city around the Bay had an advocacy group like TRAC with leaders like Bruce we would have more miles of completed Bay Trail because their whole team effort has been very effective at advocating and getting completed Bay Trail.

Commissioner Nelson added: This is really remarkable and by way of context when BCDC was created Richmond had 65 feet of public access along the shoreline. This is a truly remarkable accomplishment.

John Coleman of Bay Planning Coalition addressed the Commission: I am here to mention that we have a Bay Planning Coalition Workshop on a week from Monday on the 26th of September at our Fifth Energy Nexus Summit. This has been a very successful educational program for the members of the public and agencies. We are going to be talking about several categories. One of them is giving a drought report card on the drought that we are coming out of. We will have a number of professionals looking at it from a broad perspective. We will be talking about the future of raw energy and water infrastructure. We are in the midst of a fire season and this has had an impact on our local water supplies as well as water that is brought into our area from outside the Bay Area. At lunch we will be talking about the California Water Fix which is controversial in some quarters. We will have a discussion to voice all the different points of view on this and not everybody agrees with each other. This Q&A discussion will allow people to make their own educated decision based on the facts that they are presented and then move forward. I would encourage you to sign up soon because we have sold out the last several years. You can go online and register.

Chair Wasserman moved on to Approval of the Minutes.

4. **Approval of Minutes of the August 18, 2016 Meeting.** Chair Halsted asked for a motion and a second to adopt the minutes of August 18, 2016.

MOTION: Commissioner Vasquez moved approval of the Minutes, seconded by Commissioner McGrath.

VOTE: The motion carried with a vote of 16-0-2 with Commissioners Addiego, Butt, Scharff, DeLaRosa, Gibbs, Gioia, Pemberton, McGrath, Nelson, Pine, McElhinney, Sears, Vasquez, Hillmer, Zwissler and Chair Wasserman voting, “YES”, no “NO”, votes and Commissioner Ziegler and Vice Chair Halsted abstaining.

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

a. **New Business.** The first item is for any Commissioner to suggest an item of new business for a future meeting. (Chair Wasserman received no comments)

b. **In Memory of John Glover.** Commissioner McGrath reported the following: I have sad news to announce; the death of John Glover, who was my boss at the Port of Oakland, was Deputy Director and decided he did not want to be the Executive Director. John hired me at a time when he was unique at the Port of Oakland in realizing that they had to deal with opening up the Port’s shoreline to public access where it could be done safely. He was my ally in developing, one of the high points of my career, Middle Harbor Shoreline Park. John said, it is

time to paint it green; and at that point he allowed me to work with the community who developed a body of support for that project which was instrumental in taking it forward. I could not have done it without him. He supported my spending time on the Bay Trail Board where I got to meet other crazy people like Bruce and watch how it is done. He was a fascinating man and he always had a smile and usually a chuckle. He was a pilot, a hang-glider, a sailor, an occasional windsurfer and he once landed his small plane on San Pablo after the engine died over San Pablo Bay, safely, managed to work his way around the cars. He died doing something he loved. He was touring with his motorcycle buddies in South Africa and he went off the road and died. Should we all be blessed to die doing something we love. I will miss him.

Chair Wasserman added: I was privileged to serve on the Port Commission while John was the Deputy Executive Director. He was a man of vision, of courage and of humor. He was one of the good ones and he will be missed.

c. **Bay Fill Policies Working Group.** I would ask Commissioner Nelson to report on the working of the Bay Fill Policies Working Group.

Commissioner Nelson commented: We had a very productive meeting today and we focused on three issues. First we had a briefing a new project funded by Caltrans with a number of partners, MTC, BCDC and BARC. It was to be looking at vulnerability assessment and adaptation options for transportation infrastructure in the Bay Area. It is a really exciting opportunity and Caltrans has been a terrific partner and they have funded this project.

The model that we are going to use for that work is largely based on the Adapting to Rising Tides project that has been working successfully in a number of other places throughout the Bay.

We also had an update on the latest from the Policies for a Rising Bay effort. The final document from that effort will be out very soon.

And then we had a good discussion about the work plan for the Working Group for roughly the next six to eight months as we work jointly with the Chair, which includes the workshops that you are planning for at the Commission level.

We are planning for the stretch run of our work to make sure that we are ready to bring to you the information you need to have a couple of productive workshops early the next year.

d. **Resilient by Design.** Commissioner Zwissler reported: The Board has taken an action to agree to a process by which the 10 sites that the competition will focus on will be selected. An advisory group will be formed to help us determine those sites. We have, nominally, a short list of 27 which will be honed down to twelve-ish plus that we will then present to the teams. Secondly, a number of us will be going to the Netherlands next month, courtesy of the Dutch government, to look at some of the adaptation strategies they have deployed there to inform the process. We continue fundraising, fundraising, fundraising.

e. **Report of the Chair.** Chair Wasserman commented: The national politics have not focused much on climate change. There have been some stories distributed about the expected flooding in the East and South Regions of the United States.

This is a picture of a 3,000 passenger cruise ship that is now sailing on waters that have **never** been accessible as long as cruise ships have been around. On the one hand it is wonderful. On the other hand, it is a very graphic demonstration that the glaciers are receding and they are one of the primary causes of rising sea level.

There was one report that talked about four peer-reviewed studies that said, rising sea level is not caused by actions of people. The bottom line is; they are rising. Our real focus on this Commission is adaptation. We do not need to argue about why it is happening for that purpose. It is happening and it is going to get worse. It is going to get much worse before it gets better.

It is going to get much worse more quickly than any of the predictions forecast. That becomes one of the difficulties that we will have to grapple with as we continue to review permits and what are reasonable timelines and what are reasonable actions to take in that regard.

I do have one good piece of news. This morning Mayor Lee gave an upbeat talk at the San Francisco Business Times/San Francisco Structures breakfast. The talk was about what is going on in San Francisco in terms of development of housing, office and some in jobs. What was particularly encouraging was that he talked about affordable housing, transportation, jobs, open space and rising sea levels. This is actually a very significant marker and a hopeful one that the issues we have been grappling with are starting to become part of the common lexicon.

f. **Next BCDC Meeting.** At our October 6th meeting, here at the Ferry Building, we may consider the following matters:

(1) We may hold a public hearing and vote on an application to expand Park SFO in South San Francisco.

(2) We may hold a Rising Sea Level Workshop to consider the outcomes of the prior workshops and to reconfirm the revised draft on our Action Plan.

(3) We may consider a contract for the Caltrans/MTC grant to apply the Adapting to Rising Tides methodology to the Bay transportation network.

(4) We may hear a briefing on BCDC's budget and consider a contract with the Department of General Services to aid staff until we can hire a Chief Budget Officer.

I want to highlight this last one for a brief moment. As a Commission I do not believe we have ever reviewed our budget unlike most of the bodies that most of you sit on. Nonetheless, Larry and I thought it was important for us to get a sense of that; of what it is overall and how it is being used particularly as we think about the future of the Agency and the kinds of things that it is dealing with.

g. **Ex-Parte Communications.** That leads us to anyone who wishes to put on the record ex-parte communications. You do need to do that in writing and you can do it through the website. If you wish to do it now you certainly may.

Commissioner Butt reported: I want to report an ex-parte communication with Trails to Richmond Action Committee member Bruce Bayaert on the subject of Agenda Item 10.

6. Report of the Executive Director. Executive Director Goldzband reported: I want to start right away by announcing some very good news and, simultaneously, ask for your forgiveness.

This past week, after about seven days of discussions among BCDC, the Department of Finance, and the Department of General Services, I signed a contract for $37,000 – albeit without your consent – with the Combined Fiscal Services unit of the State Department of General Services, which is known as "CFS." CFS provides a variety of small state agencies with budget and accounting-related services.

Let me explain to you now the reason that I signed the contract. BCDC was able to struggle through the last half of last fiscal year without a budget officer because we and the Department of Finance knew that we had the cash on hand to avoid a deficiency and, more important, the Department of Finance was kind enough to implement all the technical budget drills that occurred during the last half of the year. However, because existing BCDC staff does not have the ability to carry out those drills, we are already behind the budget drill eight ball three months into this fiscal year and our ongoing absence of technical expertise would force the Department of Finance to simply straight-line our budget through this fiscal year and next which would actually reduce our budget for the next fiscal year.

Faced with that choice, which was candidly, no choice, I eagerly signed the contract so that we would catch up as soon as possible. As the great baseball pitcher, Bob Lemon, once said, "I've come to the conclusion that the two most important things in life are good friends and a good bullpen." DGS is offering us strong relief and I hope that you will agree. You will have the chance to review the contract during the October 6th meeting.

Speaking of contracts, I want to introduce Andrew Jacobs (stood and was recognized). Andrew is a Northern California Coro Foundation Fellow who will be working with BCDC during the next five weeks. Andrew earned his undergraduate degree in biology from Stanford, though he is not dressed in cardinal today, and he has held leadership positions in various environmental organizations and received the 2016 Silicon Valley Water Conservation Award. Andrew will be working primarily with our Enforcement team, and he'll be shadowing Brad and me as well; all for the princely sum of $1,000. Please let me know if you have any concerns about his appointment. I was a Coro Foundation Fellow in Los Angeles well over 30 years ago.

I also welcome Alex Braud (stood and was recognized). You'll remember from a couple months ago that I announced that this NOAA Sea Grant Fellow from Baton Rouge, LA by way of Charleston, SC would join our team. He started with us last month, has become a valuable member of the team very quickly, is learning to love the Bay Area, and is now in search of a good gumbo.

I now have a third piece of good news. We have selected Andrea Gaffney to fill the position of the Bay Design Analyst, replacing Ellen Miramontes who decamped for eastern Pennsylvania with her family earlier this summer. Ms. Gaffney earned her B.A. in Architecture from Cornell University and an M.A. in Landscape Architecture and Regional Planning from Cal – that mixture of Big Red and Golden Bear puts her somewhere around orange. She has held

various design positions and has prepared master plans for large-scale residential areas in India and Lebanon, a public realm design for a community in the Central Valley and a transportation action plan for San Francisco's India Basin. She plays an active role at UC Berkeley as a lecturer in the Landscape Architecture and Environmental Planning department.

Again, unless I hear any concerns, we look forward to introducing her as soon as she comes onboard.

Also, we have finalized and are distributing the hiring announcement for a new Chief Planning Officer that is based upon our staff's work to re-organize and re-frame the Planning Division to reflect our future needs. To top it off, we are about to finalize our request to CalHR that the Chief Planning Officer position be upgraded to a Career Executive Assignment, or CEA position, which would make BCDC's head of planning equivalent in rank to our Regulatory Director.

I do have one piece of sad news. Javier Del Castillo, BCDC's GIS guru who led improvements to BayRAT and helped the Adapting to Rising Tides Program will be leaving us shortly. Javi recently got married and he and his bride are planning a journey that will take them to many global destinations. We hope that they, like Dorothy Gale of Kansas, find that there is no place like home and will always remember that the Bay Area needs and wants them to return. We wish them all the best as they explore new territories, and we shall start a search for a successor who will provide a great addition to our growing lineup of GIS talent.

I want to give you a bit of a preview of the next meeting October 6th. In addition to the DGS contract, which I certainly hope you will approve, on the agenda for the meeting is a discussion about and a possible vote on the rising sea level policy recommendations that resulted from your public workshops earlier this year. You will remember that the initial five recommendations were the subject of your May 19th meeting. Staff reviewed all of your comments and suggestions to ensure that they included no internal contradictions or other difficulties and we had planned that you would discuss the final draft last month. Unfortunately, scheduling difficulties prevented that. We are posting the staff report with the recommendations this week and I shall send each of you a soft copy. We look forward to a hearty, albeit brisk, discussion on October 6th so that we can move forward pursuant to your decisions. That meeting will be chock full of interesting issues as will the meetings throughout the fall. I urge you to double-check your calendars that you don't miss any of them and to stay for a while.

Speaking of dates not to miss, this Saturday, two days from now, is California Coastal Cleanup Day. For a listing of sites and more information you can go to the California Coastal Commission's website.

Finally, I have the privilege of letting you know that BCDC's highly skilled and poorly paid bocce team has finished a tremendous season. You may remember that the team's original name was "Bobby B. and the Shoreline Band" in honor of now-retired Bob Batha. This past summer the team was renamed and reconstituted as the "Mean High Tides." Clearly, the team's ferocity and

our overall reputation are so evident that the team came from behind and won its Tuesday night league championship. The team then finished second among all league winners in the Ferry Building's version of the bocce world series on Friday. There is in your packet a priceless team photo and the winners are proudly displaying their gold medals in the office.

I also have distributed to you, albeit in black and white, a graphic example of why public access to the Bay is so incredibly important. This snapshot was taken by Ethan Lavine of our staff two weeks ago when he happened to stumble upon a proposal, which I hope was successful. (Mr. Lavine stated that he did not wait around to hear her answer.) Well, we hope she said yes. So always think of that when you think of public access.

That completes my report and I am happy to answer any questions you all may have.

Chair Wasserman asked: Are there any questions for our Executive Director? (No questions were voiced) Seeing none; that will bring us to Item 7, Consideration of Administrative Matters.

7. Consideration of Administrative Matters. Chair Wasserman stated there were no administrative matters to consider.

8. Closed Session on the Refusal of the U.S. Army Corps of Engineers (USACE) to Accept Certain Conditions to the Commission's Concurrence with the BCDC Consistency Determination No. C2015.002.00 for the USACE's Operation and Maintenance Dredging Program for San Francisco Bay. Chair Wasserman announced: We are now going into closed session regarding the U.S. Army Corps of Engineers' refusal to accept certain conditions of the consistency determination for maintenance dredging. We expect and hope that it will be less than 12 minutes. (The room was cleared of unauthorized personnel)

CLOSED SESSION OCCURED

Chair Wasserman announced: We have completed our closed session. There is no action to be reported from the closed session.

9. Commission Consideration of a Contract with a Database Consultant. That brings us to Item 9, Consideration of a Contract with a Database Consultant. These are to assess how best to improve our electronic tools for processing and tracking permits. Christine Nutile will provide the staff recommendation.

Records Manager Nutile addressed the Commission: You have before you a staff report and recommendation on a contract to hire a consultant to assess modernizing the Commission's databases.

The staff recommends that the Commission authorize the Executive Director to enter into a contract for an amount of up to $30,000.00. The contract would include services to evaluate the Commission's current electronic systems, assess alternate software tools and propose an optimal suite of software that more efficiently serves the Commission's needs; particularly in regard to the permit and tracking process.

The Commission currently maintains several electronic systems for our website, digital documents, permit tracking, and GIS. Since many of these systems are outdated and function independently from each other, they require excessive staff resources as data must be entered and updated manually into each system.

Through this contract, we aim to gain expert information from an experienced consultant or options for the Commission to upgrade our various databases with a goal to select tools that have the capacity to be integrated with each other, and thus be more efficient and effective.

The Commission has the grant under the Coastal Impact Assistance Program, the CIAP, to establish a robust permit tracking system to assist in our information retrieval process and improve our decision-making capabilities regarding climate change adaptation.

The grant funds must be spent by December 31, 2016. Staff proposes that BCDC expend up to $25,000.00 from the CIAP grant funds plus an additional $5,000.00 from general funds to hire a consultant to assist the Commission in preparing a strategy to modernize and integrate the Commission's multiple outdated databases.

Thank you for your consideration and we would be happy to answer any questions.

MOTION: Commissioner Zwissler moved approval of the staff recommendation, seconded by Commissioner Sears.

VOTE: The motion carried with a roll call vote of 18-0-0 with Commissioners Butt, Gilmore, Scharff, DeLaRosa, Gibbs, Gioia, Pemberton, McGrath, Nelson, McElhinney, Sears, Vasquez, Hillmer, Wagenknecht, Ziegler, Zwissler, Vice Chair Halsted and Chair Wasserman voting, "YES", no "NO", votes and no abstentions.

10. Public Hearing and Possible Vote on California Department of Transportation's Material Amendment to BCDC Permit No. 1997.001.04 for the Richmond-San Rafael Bridge Access Improvement Project. Chair Wasserman continued: That brings us to Item 10 which is a hearing and vote on Caltrans application for a material amendment for the Richmond-San Rafael Bridge Access Project. Jhon Arbelaez-Novak will make the presentation.

Permit Analyst Arbelaez-Novak was recognized: On September 2nd you were mailed a staff summary on Material Amendment Request No. 4 to BCDC Permit No. 1997.001.04 for a project at the Richmond-San Rafael Bridge.

The California Department of Transportation proposes to convert the lower eastbound bridge deck shoulder into a vehicle lane during peak traffic hours, and the upper westbound bridge deck shoulder into a Class I bi-directional public pathway.

The public pathway on the Bridge would measure approximately four miles and be separated from vehicle traffic by a movable concrete barrier. Along the outer edge of the Bridge adjacent to the pathway a safety railing would be installed. The project would result in no net increase in Bay fill, and result in approximately 202,500 square feet of public access improvements in the Commission's jurisdiction.

The proposed project would remain in place for up to a four year period. At the end of this period, the public pathway and vehicle lane change at the lower deck would be returned to their pre-project use unless these changes become permanent, in which case additional Commission review and approval would occur.

Although not proposed in your jurisdiction, Caltrans would also implement various public access improvements in Marin and Contra Costa Counties, which are associated with the proposed pathway on the Bridge.

The Bay Plan Climate Change policies do not apply to the proposed pilot project involving only a minor amount of fill. However, according to a Caltrans report, the public pathway approaches at the Marin County side will likely be subject to flooding, but due to the project's temporary nature, adaptive measures have not been proposed at this time.

I would like to bring your attention to the errata sheet concerning the staff summary. In summary, the errata sheet notes mainly minor corrections to the report, including the Bridge path length and outer cable railing height.

In your evaluation you should consider if the proposed project is: One, is designed in a manner that is consistent with the Commission's laws and policies on Bay fill; Two, maximizes public access including public views of the Bay; and Three, includes a public pathway connection at the approach in Marin County that is designed and would be managed to avoid impacts from flooding.

I would now like to introduce Mo Pazooki and Chris Lillie who will present additional information about the project.

Mo Pazooki, Caltrans Project Manager addressed the Commission: I am the Project Manager on the Caltrans portion of the Richmond-San Rafael Bridge Project. We have been working closely with MTC, BATA, and the counties of Contra Costa and Marin County to deliver projects to be able to increase the mobility and the public access across the Bridge.

We want to thank MTC staff and BCDC for working with us to deliver these projects. We are going to convert the lower deck of the Richmond-San Rafael Bridge to a third lane in the peak hour traffic, and the upper deck shoulder to a bicycle path with a removable barrier.

We will have three contracts. One is already being advertised for the lower deck. That is the longest project. The second contract will be to convert the upper deck to add the bike path. And the third contract would be the barrier that the Toll Authority would purchase, a removable barrier, so we could be installing it on the project.

For the project details I am going to turn it over to Chris Lillie from the Bay Area Toll Authority.

Chris Lillie, Bay Area Toll Authority (BATA) Project Manager addressed the Commission: I am the Senior Project Delivery Manager for the Bay Area Toll Authority for this project. I will go through some of the project specifics associated with each of those three elements that Mo referred to.

We will start with the peak-period use lane on the lower deck. The rendering shows the traffic operations system that is going to be installed on the lower deck as part of this, which is the changeable signs above each lane. You can see that each sign has a green arrow indicating that those lanes are open at that time. During the non-peak periods on the lower deck the third lane would be changed from a green arrow to a red X, indicating that the lane is closed.

This is part of the four year pilot period of this project, the peak-period use lane on the Bridge. The improvements on the land side to support this third lane would be permanent and not subject to the pilot period. The third lane, once you get off the Bridge on the Richmond side, is a permanent improvement that would be open 24 hours a day, seven days a week, as well as the extension of the auxiliary lane between Sir Francis Drake and Main Street onto the Bridge. That would also be a lane that would be open 24/7. The peak-period use lane on the Bridge itself would be the only part of this element of the project that is part of the up-to-four-year pilot period. In order to achieve the peak-period use lane, one of the things that is required of the project is to make sure that bicycle access is maintained to Point Molate. Currently, bicycles use the shoulders on Interstate 580 in both the eastbound and westbound directions to access Point Molate.

Although the access is there for bicycles, this project will improve the access to Point Molate by moving all of the bicycles that would have used the eastbound shoulder, onto a new ten-foot, concrete barrier separated path that will be bi-directional and it will be open to pedestrians as well. This is also a significant safety improvement for this section of Interstate 580 versus having the bicyclist share the shoulders with motorists. Currently, the new path that exists from Marine Street to Castro Street, as well as the connection from westbound 580 to Stenmark Drive; so all of the path in blue would be a permanent improvement that is not part of the up-to-four-year pilot period.

The improvements that are being made to ensure the safety of pedestrians and bicyclists include the removable barrier system. It is a 32 inch removable barrier system with a ten inch topper to provide a 42 inch total height, which is the minimum required in the Caltrans Highway Design Manual for bicycle improvements. What was designed in coordination with BCDC staff is a cable railing on the outer edge of the Bridge, the north edge of the Bridge that is minimally obtrusive to maximize views of the Bay, while still providing the minimum height required for bicyclists and pedestrians. The height of that cable railing will be anywhere from 42 to 62 inches, depending on which segment of the Bridge you are on. The Marin trestle section of the Bridge has a concrete barrier on the outside with the cable railing attached to the outside of that barrier. The path is a minimum of ten feet wide across the entire length of the Bridge.

The removable barrier is a standard type of barrier that is manufactured here in the Bay Area. It is very similar to the system that is used on the Golden Gate Bridge today as far as the reversible lanes. The advantage to this system, because it is a standard, off-the-shelf type barrier, it is about a third of the cost per linear foot of the barrier that was used on the Golden Gate Bridge.

One of the things that we worked with BCDC staff and the Design Review Board was improving the connections to the Bridge. One of the measures of success for this project will be the number of Trail users we can achieve on the Bridge. The connections to the Bridge are vitally

important for doing that. The improvements include a ten foot, two-way bicycle/pedestrian path on the north side of Francisco Boulevard. We are also providing the connectivity to the Bay Trail. Bicycles will continue to utilize the Sir Francis Drake flyover. There is a bike lane on that flyover to get to Larkspur.

We are also making some improvements in the eastbound direction as well. The connection to the Sir Francis Drake flyover from Francisco Boulevard will be re-aligned to line up with Grange Avenue to eliminate the need for a mid-block crossing. In-pavement flashing beacons will be installed to provide a safer crossing for bicyclists that are getting ready to access the Sir Francis Drake flyover. That segment will still be limited to just bicyclists and prohibited to pedestrians.

In the eastbound direction the improvements that are being made as part of the pilot project will be to install channelizers along the Sir Francis Drake eastbound onramp to Interstate 580. There is a relatively sharp curve at that location, and this is to help ensure that motorists will not cheat into the shoulder as they are going around that curve as they are coming onto Interstate 580. It is a safety improvement for bicyclists that use that shoulder today.

One of the things that we did here at the Design and Review Board meeting in January, was ensure that way finding signage for path users was going to be an important aspect to making the pilot project a success. This was incorporated into our design packages and is part of the construction package as well.

Some of the other amenities that were added as a result of that meeting include additional bench seating at two locations on the Contra Costa side of the Bridge. We also looked at seating on the Marin County side of the Bridge, and because there is the existing vista point there with benches, we felt that was sufficient on that side of the Bridge.

The other advantage that we have to pairing these improvements to the East Bay Regional Park District Trail connection to the Point Molate Beach Park, is that there is a significant amount of underutilized parking at that park today. By having that connection it does allow us to provide additional parking facilities for the users of these particular improvements. And there is also parking on the Marin side of the Bridge through a public access to the Bay Trail that exists today. And so there is some existing parking that is not utilized to the full extent on both sides of the Bridge.

That concludes the presentation and we will take any questions that you might have.

Chair Wasserman announced: We will open the public hearing.

Commissioner Gioia asked about peak hours: For the vehicle lane during peak hours explain what are currently being designated as the peak hours.

Mr. Lillie replied: I am not sure that we have concluded on what the precise hours will be. I think we are thinking somewhere in the 3:00 p.m. to 7:00 p.m. type window. I think part of the plan would that you do not want to close that lane while you have still got congestion in the eastbound lanes.

Commissioner Gioia noted: Traffic slows there mostly in the afternoon. So it would not be in the peak morning hours?

Mr. Lillie agreed: That is correct. It would be the p.m. peak period and that is something that BATA and Caltrans still have to work out.

Commissioner Gioia inquired further: The bi-directional bike lane will be 24 hours?

Mr. Lillie replied: It will be open 24 hours. There will be closures for maintenance activities and operation activities.

Commissioner Gioia asked about lighting: What is the lighting like on that? Could you explain the lighting features on that? And I assume on the biking lane that is only Monday through Friday.

Mr. Lillie answered: At this time we were envisioning Monday through Friday. Once again, that is something that we will need to work out with all the stakeholders. The existing lighting on the Bridge is what we are including as part of this project. There are no plans to add lights to the Bridge on the path. Because it is a pilot project it is deemed that the existing lighting is sufficient for Trail users.

Commissioner McGrath asked about the width: I have been across the Golden Gate Bridge and there are three narrowing places. How wide is the Golden Gate Bridge path at its narrowest?

Mr. Lillie replied: I do not know what that width is.

Commissioner McGrath continued: The question that underlies this is; ten feet seems like it is probably enough but I know that is a hair raising ride on the weekends when there is bicycles going both ways at those two narrowing points. So I want a basis of comparison.

Mr. Lillie answered: You have stumped me.

Commissioner McGrath replied: See, when you talk to the end users they actually know what makes them feel safe.

Mr. Lillie added: And I will say, that is what we have done. We have talked to the end users. We have worked very diligently with the Marin County Bicycle Coalition and Bike East Bay and the Trails for Richmond Action Committee. When we started this endeavor we actually had a six and a half foot path width, which we heard from all of those potential users that they did not think that was going to be sufficient for a two-way path.

Working with the Department of Transportation and all of the Caltrans staff, the BATA staff and the bicycle/pedestrian advocates we did a presentation to the city of San Rafael Bicycle/Pedestrian Advisory Committee, and we also got feedback from the city of Richmond Bicycle/Pedestrian Advocacy Committee, and the Trails for Richmond Action Committee; and the net result of that was expanding the width to provide a ten foot rather than a six and a half foot path. And because further widths of expansion would result in additional non-standard features for motorists on that bride, it was deemed that this was a sufficient width. It does meet Caltrans Highway Design Manual standards for the width required for a two-way path.

Commissioner Scharff commented: It is a 50 million dollar project, is that correct?

Mr. Lillie replied: The line item in the BATA budget is actually 73.6 million dollars.

Commissioner Scharff asked: Why is it a pilot? What are the concerns that we are testing here?

Mr. Lillie explained: Basically, when Caltrans and the Bay Area Toll Authority went to FHWA, because there are a number of non-standard features that are required from a highway design perspective to implement this; by having the removable barrier out there you are having a non-standard feature from a motorist's perspective, and because there are some unknowns on how that will operate on that particular bridge, they thought the best way of handling this was a four-year pilot period.

Commissioner Scharff clarified: So what we are testing for is safety and how it actually operates.

Mr. Lillie added: And also the number of users. There are ramifications from a traffic operations perspective. If we have a lot of users that is what we are all hoping for, and this would be justification for the pilot.

Commissioner Scharff continued: Now when we say number of users I am assuming that the car lane would be fairly used. So you're talking about the number of bicycle users?

Mr. Lillie answered: Bicyclists and pedestrians, yes. So I think on the pilot period of the traffic lane would really be its effectiveness reducing congestion, which we are highly optimistic that the project will be successful in that manner. But then again, not having any shoulder on either side of the Bridge during those peak periods; we want to see how that operates from a safety perspective.

Commissioner Scharff asked: Why is the lane only open during peak times? Why not leave it open all the time? What is it going to be used for the rest of the time?

Mr. Lillie replied: It will be used for maintenance purposes. We would not store maintenance trucks there but use it for the activities that require maintenance. There are periods of the day when you can close a shoulder but not close a lane. By allowing a maintenance crew to go out there from noon to two, there are some things that can get done during the day that provide for a safer working environment for those maintenance workers, and for minimizing the cost of those maintenance activities.

Mr. Pazooki added: We will also be able to use that shoulder in the off-peak hours for stalled vehicles. If they get stalled on the Bridge they could park in the shoulder until they get removed from the Bridge.

Executive Director Goldzband added: I found the Bicycle Safety Study for the Golden Gate Bridge that was developed in 2011 and prepared by Alta Planning and Design, which states that the Golden Gate sidewalk is ten feet wide and there are three places at which it narrows to approximately seven and a half feet.

Commissioner Butt commented: In the last sentence it says that at the Bridge pylons it is five and a half feet and at the towers it is seven and a half feet.

Commissioner Zwissler had a question: On the section that runs from the 101 to the Bridge on the Marin side; is that going be permanently two lanes?

Mr. Lillie replied: It will not be from 101 but it would be from the Sir Francis Drake onramp to the beginning of the Bridge.

Chair Wasserman announced: Now I am going to turn to the public speakers.

Bruce Beyaert, Chair of Trails for Richmond Action Committee, addressed the Commission: I am the Chair of TRAC, the Trails for Richmond Action Committee. TRAC completely supports this excellent project as well as the staff's well-crafted recommendation regarding Amendment Four to the permits. The project is really important on the Richmond end because right now there is no pedestrian access from the community to the city's Point Molate Beach Park or the rest of the points on San Pablo Peninsula – none. Bicycles can get there only by riding on the shoulders of the freeway, where one was killed and another paralyzed. We are immensely pleased by the permanent trail to be built between Castro Street and the Stenmark Drive exit. I want to commend Project Manager Chris Lillie and his team for listening to the bicycle/pedestrian interest groups, ABAG, Bay Trail Project, and TRAC to be sure that the project is as safe, attractive and engaging as possible. They are extending access to the BART Station at Castro Street as well, which is an immense advantage for commuters.

Mr. Lee Huo of the San Francisco Bay Trail spoke: We are in exciting times to be able to have this project, and to have Trail on the Richmond-San Rafael Bridge. It has been a long time coming. I would like to thank BATA, Caltrans, TAM, and CCTA for their partnership with us, and many of the bike and open space partners that we have worked with throughout this process. They went out of their way to regularly meet with us and discuss the issues and try to work through them as best as they possibly could. We fully support this project and hope that this Commission can move forward with it. As part of the Bay Trail Plan we are a 500 mile system. Our plan is to go over all seven of the major bridges in the Bay Area. I used to work for BCDC as a permit analyst a long time ago. In 1999 when I started, we had two bridges; two bridges that had access for trails for bikes and pedestrians. The two bridges were the Dumbarton and the Golden Gate Bridge. Now some 17 years later, we have after this project, and the completion of the east span of the Bay Bridge, we will have five and a half of the seven done. We already have the planning process moving forward for the west span of the Bay Bridge, and we are very hopeful that this pilot project will move forward with this becoming a permanent fixture on the Bridge, as it is important for both access to reduce congestion for health to have active transportation through the Bay Area.

Ms. Maureen Gaffney addressed the Commission: I am also with the San Francisco Bay Trail Project. I want to echo everything that Lee said. We have been working on access to the Richmond-San Rafael Bridge for the Bay Trail since we started with the Bay Trail. I am a Marin County resident and I live in Larkspur and am an avid cyclist and hiker. BATA did the right thing to ensure improvements to the critical connections to the Bridge will be made and connections to this are so important. It will be important for BATA, the County, Caltrans, and TAM to continue to work towards to the ultimate goal for Marin's connection to the Bridge; a fully separated, multi-use path adjacent to Sir Francis Drake Boulevard as identified in the County's 2011 San Quentin Area Bay Trail Gap Setting.

Connecting the new path on the San Rafael-Richmond Bridge seamlessly to the myriad trails, transit, and recreation options associated with the Central Marin Ferry Connection Projects, and the County's North/South Greenway, will ensure that the Bridge pathway proves its worth and that the four year pilot program becomes a permanent feature of the San Francisco Bay Trail.

Ms. Renee Rivera spoke: I am the Executive Director of Bike East Bay, formerly known as the East Bay Bicycle Coalition. My organization has been working on this project since the 80s. We could not be more excited. There is the obvious recreational potential of this path. It is going to be an incredible attraction. This accessibility will one day be called the Three Bridge Ride; over the Golden Gate, Richmond-San Rafael, and the Bay Bridge, which will be about 55 miles. It is going to become not only a favorite locally, but one that people will come to the Bay Area to do.

In addition, I spoke to some of our members and supporters in Richmond who either work in Richmond and live in Marin, or vice versa, and they are looking forward to being able to commute across the Bridge.

MOTION: Commissioner Gioia moved to close the public hearing, seconded by Commissioner Butt.

VOTE: The motion carried with a vote of 19-0-0 with Commissioners Addiego, Butt, Gilmore, Scharff, DeLaRosa, Gibbs, Gioia, Pemberton, McGrath, Nelson, Pine, McElhinney, Sears, Vasquez, Hillmer, Wagenknecht and Zwissler, Vice Chair Halsted and Chair Wasserman voting, "YES", no "NO", votes and no abstentions.

Commissioner Gioia had two questions: Are any other approvals required for this to go forward, and what is the expected construction start and completion date in opening of the lanes?

Mr. Lillie answered: There are some subsequent approvals that BATA needs with the California Department of Transportation. Specifically, we need to get an encroachment permit to construct these particular improvements. BATA is advertising, awarding, and administering the contract. We do need an encroachment permit from Caltrans as well as some utility relocation agreements that need to be executed with the various utilities.

Commissioner Gioia continued: And start of construction and completion and opening of the lanes?

Mr. Lillie responded: The current dates open bids on the first construction package is October 4th ,which would mean that we should be getting construction around the end of October or beginning of November. The plan is to open the third lane within a year, and to complete the project within a year of construction, and to complete the project within 18 months of that time.

Commissioner Gioia clarified: So the vehicle lane in about a year and the bicycle lane, when?

Mr. Lillie replied: In about 18 months.

Commissioner Gioia commented: So that will take about six months longer. And then the four year period will start from when? The pilot project.

Mr. Lillie answered: From when both elements are open; upon completion.

Commissioner Gioia continued: So four years after the second bicycle lane is open.

Mr. Lillie agreed: That is correct.

Vice Chair Halsted commented: I wanted to say that this has come before the Commission three or four times since I have been on it. It is not a perfect bridge. It has its challenges. It is really terrific that Caltrans, MTC, BATA, and all the advocates have come together to find solutions to everyone's needs and I think this is a great step forward. I thank you all for your incredible cooperation. It has never been so obvious to me that this was actually going to happen. I am delighted.

Mr. Lillie added: I forgot to thank BCDC staff because a lot of the solutions that were implemented were actually hatched through BCDC staff. All of them were very instrumental in making this a better project.

Commissioner Nelson had a question for Caltrans: I noticed that it is a movable barrier for the bicycle portion, and I am wondering if you are planning to move that barrier during the pilot period and if so, I wonder under what conditions?

Mr. Pazooki explained: The barrier needs to be moved at least once every month to a month and a half to be able to get the functionality of it. The bolts have to be moved within so many days or it will not be able to be moved again. It could even be moved for one half of an hour or 15 minutes just to be able to move the barrier, because it does have the locking mechanism. For our regular maintenance we probably would not need to move the barrier on a regular basis. We do not have a scheduled regular basis for that barrier to be moved. There is a barrier on the upper deck in case there is an emergency, like the 1989 Loma Prieta Earthquake. If something of that nature would happen the barrier will be moved all the way down to the edge of the Bridge.

Mr. Lillie added: It is our intent to move the barrier the minimal number of times that are absolutely necessary. It is our goal to have the path open as much as possible.

Mr. Arbelaez-Novak presented the staff recommendation: On September 9th you were mailed a copy of the staff recommendation on the Richmond-San Rafael Access Improvement Project recommending that the Commission authorize the proposed project.

Before making our recommendation, I would like to bring your attention to the errata sheet which was provided to you today. In summary, the sheet notes minor corrections to project details. In addition, the sheet identifies a special condition, which would allow Caltrans to assign maintenance of the proposed public access pathway improvements to another party, such as the Bay Area Toll Authority.

As conditioned, the recommendation contains other special conditions requiring Caltrans to: provide approximately 202,500 square feet of dedicated public access area, including public access related informational signs, and instrumentation for County and public use of the path, report to the Commission towards the end of the third year or the pilot program on path usage, operational and safety issues, and need for changes, not remove or substantially alter the Bridge improvements without prior authorization by the Commission, and close the path during and after major storm events to protect users from flooding hazards, inform the public via the 511 and 511.org systems, and inspect the path for hazards prior to opening for public use.

As conditioned, the staff believes that the project is consistent with your law and Bay Plan policies regarding Bay fill and public access, including public views of the Bay.

We are recommending that you adopt the staff recommendation.

MOTION: Commissioner Butt moved approval of the staff recommendation with the proposed revisions, seconded by Commissioner Gioia.

Commissioner Sears commented: I wanted to note that from the Marin County perspective; on a bad traffic day, we back up all the way down to southern Marin, to Strawberry and not just along 101. Our residents are really delighted to see the lower deck level piece of this, and the third lane for vehicular traffic move forward. This may not be the ultimate solution to all of Marin's traffic problems, but I know that there is a tremendous amount of attention to it. This is really great.

I was also very glad to hear from all the folks who spoke today about the bike path piece of it. I want to give a call out to Maureen Gaffney and the other Bike Coalition members who have been very engaged. The bike-ped improvements that are going to be made on the Marin County side as part of this project are really terrific. This is really an important step forward to improve our bike-ped accessibility.

There have been a lot of challenging voices in Marin County, and skepticism, about whether the bike lane on the Bridge will be used at all. I was particularly glad for the voices that were here today talking about how much you are going to use it.

As a resident of Sausalito, and a member of the Golden Gate Bridge District, if everybody is going to just ride across the Golden Gate Bridge and not go to Sausalito and come across the other three bridges; that also would address a lot of congestion. (Laughter)

I want to give thanks to all the agencies who have worked together to really link the project on each deck together to make sure that the entire project could go more quickly. Thank you everyone.

Commissioner Hillmer commented: I have a clarification on a comment that was made about the two lanes to three lanes. Currently, Sir Francis Drake Boulevard is being used as a freeway connector. That is essentially another freeway lane entering that zone. This will help reduce congestion from Belvedere and 101 northbound, as well as the traffic entering Sir Francis Drake Boulevard northbound from 101. All these things come together at this third lane widening. I wanted to make that clarification.

Chair Wasserman asked: Does the applicant accept the recommendation including the modifications?

Mr. Pazooki replied: Yes we do. We have reviewed it and we do fully accept it.

VOTE: The motion carried with a vote of 19-0-0 with Commissioners Addiego, Butt, Gilmore, Scharff, DeLaRosa, Gibbs, Gioia, Pemberton, McGrath, Nelson, Pine, McElhinney, Sears, Vasquez, Hillmer, Wagenknecht and Zwissler, Vice Chair Halsted and Chair Wasserman voting, "YES", no "NO", votes and no abstentions.

11. Public Hearing and Possible Vote on an Application by Treasure Island Development Authority and Treasure Island Community Development to Construct the Treasure Island/Yerba Buena Island Redevelopment Project on Treasure Island and Yerba Buena Island, in the City and County of San Francisco; BCDC Permit Application No.2016.005.00. This brings us to Item 11, a public hearing and vote on the proposed redevelopment of Treasure Island. Erik Buehmann will make the presentation.

Principal Permit Analyst Buehmann addressed the Commission: On September 2, 2016 you were mailed a summary of an application for BCDC Permit No. 2016.005.00 to construct the Treasure Island/Yerba Buena Island Redevelopment Project located on Treasure Island and a 94 acre portion of Yerba Buena Island in the Central Bay in the City and County of San Francisco. I am going to give a brief overview of the project, overview of some of the policies and some of the proposals related to sea level rise. The Applicant is going to do their own presentation and there will probably be some repetition so hopefully that makes it a little more clear.

The project involves the redevelopment of the former naval base on Treasure Island and the area of Yerba Buena Island north of I-80 and the Bay Bridge tunnel.

The development would create a mixed-use residential, commercial and public recreation development, creating approximately 8,000 residential units, 450,000 square feet of commercial and retail space accommodating approximately 2,920 employees, 500 hotel rooms outside of the Commission's jurisdiction.

Fill in the Bay associated with the development includes a Ferry Terminal comprised of a pile-supported pier, gangway and float, two sheet pile breakwaters and a rock revetment connecting the breakwaters to the riprap shoreline, totaling approximately 15,095 square feet.

The project also includes a new treated stormwater management system consisting of new outfalls around the perimeter of both islands that would replace the existing untreated stormwater outfall system. No fill for shoreline protection is proposed. All the riprap proposed for the project will be placed in the shoreline band.

Within the shoreline band the project would involve the creation of 54.6 acres of new public access along the entirety of Treasure Island's shoreline and along the Clipper Cove side of Yerba Buena Island. I will let the applicant describe in more detail the public access areas which would be developed in four phases beginning this year and ending in 2030.

The specific design for the proposed public access areas has not been finalized. The Design Review Board reviewed the project six times but only reviewed portions of the shoreline. As proposed prior to the commencement of construction, the design of these areas would be

considered through future Commission staff and Design Review Board consideration and review of conceptual and final site plans. Amendments could be required for future phases based on those designs. This kind of process is in keeping with many larger shoreline projects approved by the Commission in the past.

It is our plan review process: Commission staff reviews preliminary plans, determines if the plans are consistent with prior DRB approvals if they have happened for the location and consistent with the authorization and requirements in the permit. Based on that review staff can require future DRB reviews and if there is an inconsistency with the authorization and special conditions that arise from the plans, amendments to the permit could be required.

I am going to do a little review of the Commission's jurisdiction in the shoreline band where the majority of the project is located.

In the shoreline band, that is all areas upland of the mean high tide line in this area, 100 feet inland of the mean high tide line, the Commission may only deny a project if it fails to provide maximum feasible public access.

The Commission may also review whether a project is consistent with the priority use designation in the Bay Plan. The portion of the project proposed for Yerba Buena Island is designated for waterfront park beach priority use.

The Commission does not have the authority to review the developed areas not proposed for public access such as buildings and other private areas for issues related to seismic safety or potential impacts from future sea level rise and flooding. The Commission's authority in the shoreline band related to seismic safety and flooding is limited to providing maximum feasible public access.

I am going to do a little review of the public access policies related to climate change. It is going to be a little bit of review for many of you, especially those who were at the January workshop on sea level rise and the climate change policies.

The public access policies in the Bay Plan require: Any public access required as a condition of a permit either remain viable in the event of flooding from sea level rise or storms or equivalent access must be provided nearby. The key word in this policy is "viable." What makes a public access area viable?

For guidance BCDC looks to the climate change policies in the Bay Plan. The climate change policies require that a larger shoreline project must conduct a risk assessment. If the risk assessment determines that the area could be at risk of flooding from sea level rise and storms, the project must be redesigned to be resilient to a mid-century projection of sea level rise; and if the project will exist beyond mid-century, adaptable to the end of century projections for sea level rise. The climate change policies only apply in the shoreline band through public access.

On September 2nd you were mailed the Sea Level Rise Risk Assessment and Adaptation Strategy for Rising Sea Levels developed by the Applicant and submitted with their application. The assessment and strategy analyzed Treasure Island's vulnerability to sea level rise and flooding in its current developed condition and in proposed development condition and also presented an adaptation strategy for the site.

Based on this analysis and as proposed in its application, as it constructs the public access in phases, the applicant will expand the shoreline protection above the mean high tide line to make the public access along the shoreline resilient to sea level rise and flooding from storms.

Phase 1 which includes the area of the ferry terminal, it is the bottom pink area where the ferry terminal is, near where it connects with Yerba Buena Island, would be constructed to be resilient to a level of 36 inches of sea level rise at a 100 year storm event. A 100 year storm event has a one percent chance of occurring every year.

Phases 2-4 of the project would be resilient to 16 inches of sea level rise, including a 100 year storm event. This meets or exceeds the mean of the range of sea level rise projections for mid-century projections of sea level rise in the state of California's Sea Level Rise Guidance Document issued in 2013.

The assessment and strategy used sea level rise projections based on its synthesis of projections and modeling from different climate change studies. This table is illustrating some of these projections taken from the assessment and strategy.

But we know that projections will change as we learn more, as new studies come out and modeling improves and guidance and policy will change to reflect that.

The Applicant proposes an adaptation strategy that will take into consideration changing conditions at the site, changing science and change in policy and guidance.

Every five years the Applicant will submit a monitoring report. The report will summarize the latest sea level rise projections in modeling, both globally and for the Bay. It will include measurements for sea level rise around the Bay and at the site, measurements of any potential settlement at the site and reports of any actual flooding.

The Commission and Commission staff can review this report and either approve or request changes to the assessment and strategy. The review of the monitoring reports could even result in amendments to the permit if necessary.

This adaptation plan is unique for projects. We have not had a monitoring program like this for public access. It would provide an iterative, science-based process for adaptation of the public access.

Since Phases 2-4 will be constructed to be resilient to a lower level of sea level rise than Phase 1 they will be constructed to be resilient to 16 inches of sea level rise including a 100 year storm event. Those phases will probably need to be adapted earlier than Phase 1.

The applicant proposes that when mean sea level reaches 12 inches based on 2000 levels the applicant will begin an adaptation process to make Phases 2-4 resilient to a minimum 36 inches of sea level rise incorporating a 100 year storm event.

Similarly, once sea levels reach 30 inches the applicant will begin an adaptation planning process for Phase 1 which has been constructed to be resilient to 36 inches of sea level rise including a 100 year storm.

I want to clarify something. When I say, for example if we were to go out to the site when sea level rise reaches 30 inches; the top of bank would not – because the top of bank for Phase 1 is being constructed to 36 inches plus a 100 year storm, the top of bank for Phase 1 would not be six inches above the water level because Phase 1 is being constructed to incorporate 100 year storm events it is actually going to be much higher because a 100 year storm event only happens, the probability that it will happen is one percent chance each year.

If we were to walk out there at a 100 year storm event then we would probably see about six inches of freeboard between the top of the bank and the actual water level.

As for fill, the ferry terminal is being constructed in Phase 1. It will be constructed to be resilient to 36 inches of sea level rise and a 100 year storm event.

The new improved stormwater management system would likely need adaptation at the level of 16 inches of sea level rise and a 100 year storm.

On a final note, the summary mentions an appeal of the fee imposed for this application. That appeal has been withdrawn by the applicant.

Here to present the project is Bob Beck for the Treasure Island Development Authority.

Mr. Robert Beck addressed the Commission: Fei Tsien who is the President of the TIDA Board is here and I would like to invite her to say a few words on behalf of TIDA.

Ms. Tsien was recognized: I am President of the TIDA Board of Directors and I am here to extend the greetings of my Board to the BCDC Commission and to be here to listen to your issues and to your concerns so that I can bring it back to my own Board of Directors.

Let me just say that it really is a milestone to be here today. There have been so many years of effort to think through what the vision should be for this Island. There have been so many meetings. I have to commend my team for having gone through hundreds if not thousands of public meetings. Our Board has had countless public hearings as well.

We share the same perspective as you do at BCDC which is to make sure that there public access to Treasure Island; to make sure that the public realm is filled in a way which is going to be accessible to everybody.

We paid particular attention to the parks and to the open space, to the bicycle pathways, the pedestrian pathways, to the transportation plan of how to bring people to Treasure Island to the ferry terminal which is part of the application today.

I wanted say that we appreciate your favorable review of our application. It is truly a privilege to be part of this process, to be part of the public officials and the team that is creating a new neighborhood in the City. A real gem in the middle of our Bay. It is going to be a model both locally, nationally and internationally. It has already garnered many awards. Thank you today for your consideration.

Mr. Beck continued: The Treasure Island Development Authority is a co-applicant with Treasure Island Community Development who is our partner in planning for this project since 2003.

The scope of the permit that we have before you today deals with the shoreline public access improvements, the ferry terminal development and dock improvements, fill removal of the existing pier that is on the west side of the Island and the replacement and reconfiguration of stormwater outfalls.

There are other areas of improvement that TIDA expects to come back as co-applicant with other parties, other than Treasure Island Community Development in the future for the development of the marina in Clipper Cove and for the development of facilities for the Treasure Island Sailing Center.

We received our CEQA certification in 2011. That is when we adopted all of our development and transaction documents with TICD and entered into our development agreement. In 2014 we finalized the Economic Development Abeyance Agreement with the Navy. That is the formal agreement with the Navy that sets forth the parameters and conditions of the land transfer from the Navy to TIDA.

We took our first land transfer from the Navy in May of last year. That comprised the northern half of Yerba Buena Island and about 60 percent of the area of Treasure Island that will ultimately be transferred. The Coast Guard campus on the southern side of Yerba Buena Island and the Department of Labor campus interior to the Treasure Island will not be transferred.

We received our 401 certification last February and we began demolition work on Yerba Buena Island. In February that demolition work was completed in August and we have commenced demolition of the existing structures in this first sub-phase area on Treasure Island.

We have also been working with the Army Corps of Engineers on permit review and finalization of that permit is pending issuance of a BCDC permit.

Working with BCDC there was quite a bit of work; three sessions with the Design and Review Board prior to the CEQA entitlements in 2011. Over the last year we went back to DRB three additional times. In February of 2015 DRB supported the design of the project moving forward. Early in 2015 we also went twice to the Engineering Criteria Review Board ultimately garnering their support in May of 2015.

Our project, Treasure Island, lies centrally within the Bay and is a key asset to the Bay and to the community. I am going to invite Chris Meany with Treasure Island Community Development to give you some more detail.

Mr. Meany addressed the Commission: We are here today to ask this Commission's approval of our BCDC permit application. I do want to tell you how pleased we are that we have been able to have a very long and fruitful process working with staff and we found that through their intersessions this project became much stronger.

Today we would like to review the Treasure Island Plan for resiliency. We would like to walk you through the program for adaptation over time. And we would like to walk you through the incredible waterfront access program which will improve an additional 55 acres of publicly accessible land within the 100 foot shoreline band.

And very importantly, while it is outside of your 100 foot shoreline band; immediately adjacent to those improvements and 100 percent open and accessible and connected to them is 245 acres of public parks which will be perceived as part of our region's waterfront.

I want to touch briefly on what so many stakeholders in the broader community have been looking for in this project over the 15 years of its development.

We have always returned to four key principles. This project looks to set an international standard in sustainability. It looks to be a regional destination for all of the Bay Area to share in while at the same time being a unique San Francisco neighborhood.

The project has from the beginning had the ambitions, which have been realized to give an extraordinary amount of community benefits to our region.

Our sustainability program was driven by collaboration with thought leaders here in the Bay Area. It was also driven by our collaboration internationally with others leading these movements. We are very proud that we are one of the 16 founding projects of the Clinton Climate Initiative.

With the city of San Francisco we set a goal that this project would seek to be LEED Platinum certified for the ND program. While the project is not built yet we are very pleased that this project has been given a preliminary point total that is the greatest ever given to a LEED ND project.

With respect to the policies that we hope we have successfully addressed for BCDC, the expansion of public access, an important extension of the Bay Trail and many other of your policies.

With respect to the shoreline public access; as already mentioned, what is illustrated in blue on the map is the 100 foot shoreline band around all of Treasure Island and the half of Yerba Buena Island that is part of this project. The other half of Yerba Buena Island remains with the Coast Guard.

That area will be fully improved over the lifetime of the project and constitutes almost 55 acres of new fully publicly accessible space.

We asterisk that to say that on the shore of Yerba Buena Island there are some areas when you get to the Coast Guard area where the slopes are so steep that I would not want to claim those as accessible.

The Bay Trail; the Bay Trail will circumnavigate the Treasure Island. Importantly, though it outside of the 100 foot shoreline band I know that you care about and BCDC staff was certainly thoughtful to make sure that this project linked the new Bay Bridge route for bikes with the Treasure Island Bay Trail through Macalla Road which will be re-graded and rebuilt as part of this project with important new lanes on its side and one of the special conditions of approval has any changes to that brought before you.

This illustration shows the public open space, the 245 acres of public open space that adjoins to and there is no barrier. You will simply pass through to get to the 100 foot shoreline band. The vast majority of this land is within the State Lands Trust area.

In terms of waterfront access on the north side of the Treasure Island; we have two places where we will be able to bring watercraft into the water with facilities and recreational oriented support.

(What is marked in "C" on Yerba Buena Island is actually the Clipper Cove Beach which will be accessible and a lovely spot for directly connecting with the water.)

I note that there are circles "E" and "D" we think are really important. Waterfront amenities are both the Treasure Island Sailing Center and the marina. But those projects are by others and will be coming before you in the future.

With those as our overarching goals I would like to give you a little tour of what the design is for the Island. You will notice that in the upper right hand corner there is a shaded map of Treasure Island and Yerba Buena Island and you will note that there is a little block of blue. That little block of blue is a key map that shows you which part of the shoreline is being illustrated in the larger illustration.

We start with the waterfront plaza and ferry shelter which has as its center point a new shelter. This is our ferry shelter as you wait to go on and off the ferry. The two breakwaters are shown as eight. Surrounding this public access point to the ferries are new public restrooms, seating areas, gardens and bike parking; a pretty rich amenity package for bringing people on and off the Island.

A rendering shows that the ferry and the ferry pier and its shelter in front of Building One. Building One has in front of it a new plaza that is designed by Andy Cochrane which will be a lovely public gathering place that will bring you down or up from the ferry into the Island. It will be the ceremonial entry point to the Island.

From the Island side looking back at the City this ferry shelter is intended to have a very light footprint. It has a glass edge so it does offer shelter from the weather. It is really intended to allow people to see through it and really get great views of the waterfront.

If you look at the key again in the upper right corner of the screen that blue line has moved to the north. This is what we call our City Side Waterfront Park. This is the 100 foot front edge of what is a 300 foot deep park that stretches all along that built western side of Treasure Island and includes pedestrian and bike promenades and a number of different amenities as shown in this rendering. As you see it is going to be one of the world's best places to see a view of a really wonderful waterfront that we here in the San Francisco Bay get to enjoy and allows for a wide range of recreational activities.

As we move further to the north and around to the east around the northern shoreline the character of our band changes a little bit because we are moving away from the built environment of the residential neighborhoods of Treasure Island into the large part of the Park and its character is intended to be a little more connecting one to nature, connecting one directly to the Bay. This is where you have the various water access points but also can participate more in a sense of what the natural area would be along the Bay from an ecological standpoint.

As we turn back towards the built environment the character returns to a slightly more improved waterfront with, again, beautiful promenades and the re-use of Pier One as a publicly accessible walking pier that will get you right out and get you connected to the water.

On the edge of Clipper Cove where we are running adjacent to the Treasure Island Sailing Center and the marina we note that while those are not included in our plans we think one of the really signature pieces of this project will be this lovely promenade that has been designed along that active waterfront edge and it has a wonderfully wide walking path and bike trails and lovely seating areas so that people really can have this be a social part of the Island.

With respect to the causeway that connects Treasure Island to Yerba Buena Island it is an area that must be improved to strengthen it. A big part of what we will be doing is this will be a big part of our geotechnical improvements to strengthen and make that condition better. But as doing so it will include public access pathways to Clipper Cove Beach.

That was my little tour of the design but we have fortunate enough to work through with the DRB and I do think it will be something that everyone in the region will come to enjoy over time.

I would like to turn to a couple of other issues that I know are very important to you. First, fill removal. We are proposing a new ferry terminal which will include a ferry pier and two breakwaters. And that does constitute Bay fill. As mitigation for that we proposed to remove an existing dilapidated pier and the submerged elements.

Stormwater outfalls; to give you a recap of the existing stormwater outfall situation you see to the left that the majority of the existing stormwater outfalls on Treasure Island are ones that will be removed. On the bottom of the picture there is a blue diamond which is an outfall which will actually be improved as part of the plan.

On Yerba Buena Island a significant number of the existing outfalls will be retained.

In replacement of those on Treasure Island that we have removed you see the new stormwater outfalls that will be constructed in addition to the blue which are part of the plan. There are two optional locations that will be used if ultimate final engineering proves that unnecessary.

I would like to turn to a very big topic which is sea level rise considerations. It is not lost on us that we are proposing to build on an island in the middle of San Francisco Bay at a time when all of us are engaged in discussions about how we plan for sea levels that are rising.

We are incredibly proud of the work that we have done over many years, the better part of a decade. This has been provoked to a great degree by BCDC to actually be able to harvest this very important regional asset but do it in a way that is appropriate in the context of our times.

I would like to walk you through the plan and there is something that I would ask you to bear in mind; it is the totality of the plan for Treasure Island. Both what it mandates in terms of its immediate resiliency and what it allows itself to learn as it adapts over time to a future that we do not know.

It is the totality of that plan, its resiliency and its adaptation that actually makes it appropriate for our time. I note that working with incredible engineers and through many of the agencies that have been reviewing this that this project looks at what is really necessary to make a plan adaptable and it contemplates time and changes over time. It allows areas for that adaptation to be constructed and it provides funding for them and a clear management plan that dictates who is responsible and how it is monitored.

The Treasure Island Adaptive Management Plan clarifies who is responsible for what, outlines who will maintain public access, establishes a monitoring program – initially and every five years there is a science-based accounting which will come to you that will monitor where this project sits and allows us to revisit what is planned for it. It outlines implementation strategies and provides the funding mechanism.

At the very beginning of the project we do this science-based reporting and every five years after that.

This is a project that in its very scope requires a certain amount of time to build out. Staff made reference to the fact that the eastern side of the project has a 16 inch protection level. When I talk about a protection level what we mean is we are taking what is the current 100 year high tide line and I mean when measured in 2000 because that is the relative benchmark for what we do here. When we take that current level and we provide 36 inches of resiliency relative to that 100 year high tide line; we start building from the southwest corner of the Island out and as we build those improvements we are building to a 36 inch level at the edge of the property in its open space so that we are providing safety for the accessible zones.

I will note that in the interior of the Island outside of the 100 foot band because there is no habitable buildings built within that 100 foot band; that in the interior of the Island where we are building habitable buildings, every single habitable building will have as its bottom floor will be built a minimum of 42 inches above that 100 year high tide line today. These are the issues on the edge.

We will only get to the northeast corner of the project later but our monitoring will be of that area from the get go.

When we measure 12 inches of sea level rise from 2000 that immediately triggers the requirement for us to design, permit and build improvements to take the entire Island to the 36 inch protection level. And then when sea level is measured at 30 inches of rise over our current conditions it triggers the requirement for us to design, permit and build to 66 inches of protection Island-wide.

The funding for these improvements occurs to the fact that there is an additional tax for residents of Treasure Island which is captured and put into a reserve and allowed to build up. So this Island unlike any other part of the Bay will have self-funded any future improvements that it will need for its adaptive strategy.

What we have not done is try to with precision mandate exactly what technique will be used in the future. We instead have a plan that looks like the many strategies that might be implied and has us work together to have the science that works best.

Our options might include raising the shoreline and constructing embankments, laying back that shoreline – a retreat strategy or constructing seawalls in areas where that might be appropriate.

There is a very important point that I would like to make. This drawing shows you what we would do if we had a retreat strategy which I am not convinced is the right thing for the Island. In a retreat strategy there is a legitimate question you would ask about what happens to public access. I am trying to use this example to make one point and one point only; no matter what, there is going to be a 100 foot public band maintained around the Island even if it has to change in face of a retreat strategy.

We have a 350 foot setback from the building footprint edge to the water edge on the west side of the building and this shows you that within that setback we actually have ample room to increase the shoreline protection as that is warranted over time. We note that we have a maximum that if the shoreline protection should be increased that it can never be more than three and a half feet higher than the adjacent walking paths because if it was over three and a half feet we would be obstructing views.

If over time the strategy is to increase that edge of the Island the public walkways will be increased as well and there is plenty of room to do that.

This is an illustration that on the northern edge of the building of the Island where we really do not have habitable structures and we really have a more naturalistic, ecological zone with walkways, that we still have a wide zone that would allow us to build up walls or to retreat but if we were retreating we would always have to adjust and have on the land side of the water a 100 foot BCDC shoreline band.

In conclusion, it is our belief that Treasure Island is a safe, resilient, sustainable place with some of the world's best views and that regionally we are going to be creating a wonderful set of amenities which include 55 acres of wonderfully improved shoreline band, but again, immediately connected to 245 acres of adjacent public space. The Bay Trail will be expanded by over five miles and we think we really have a model plan to deal with initial resilience and eventual adaptation to sea level rise.

As you consider this plan we hope you will grant us the permit to go forward. We come to you asking your approval of our shoreline public access improvements, the ferry terminal pier, dock and breakwaters, our fill removal and stormwater outfalls.

Chair Wasserman announced: We will open the hearing and I am going to hear from the public speakers first and then we will go to Commissioner's questions. The first speaker is Will Travis.

Mr. Will Travis addressed the Commission: So far as I can recall this is the first time in my life I have ever testified before BCDC on a project. That is largely because there was no need to do so. For over 30 years I sat with the staff so I got to say what I think there.

I want to make it very clear that I am speaking for myself only. I am not associated with the developers; I am not associated with any of the consultants. After you hear what I have to say you might think it would be nice if I were. But if I were it would be illegal for me to say what I want to say.

What I want to tell you is as a new community at Treasure Island there are only three things wrong with it. The only way you can get there is on the Bay Bridge, which is always congested, because the Island is made of dredge material in an earthquake it is about as seismically stable as soup and rising sea level will likely flood it.

Now the folks at Treasure Island have come up with a beautifully elegant plan that solves all three of those problems. Through various geotechnical techniques they are going to make the ground elevations stable. It won't shake in an earthquake. They are going to raise the ground elevations so it will actually be higher on Treasure Island than it is outside the door of this building.

And they will confine the development to within a small enough area so that everybody in the community can walk to the ferry dock and zip over to San Francisco so you don't have to use the Bay Bridge.

They have also reserved 300 feet for public access. When they first proposed this I thought they were so terrified of BCDC they wanted to do this just to avoid our jurisdiction entirely. But as you have heard, what this means is that in this park they can accommodate a levee as is needed; and as the levee gets wider and higher the park simply moves to the top of the levee. They have created a Geological Hazard Abatement District so that the people who live and own Treasure Island are going to have to pay for this, not the general public.

It is important to remember that this creative scheme was developed before BCDC adopted its climate change policies in 2011. In fact, it was developed before we even started drafting those policies in 2008.

When we started the process I had no idea what those policies would look like but I knew that Treasure Island had a great plan. So as I reviewed the staff drafts of the policies, in my mind I was reverse engineering Treasure Island's plan to make sure that everyone else would have to meet the same high standards that Treasure Island had adopted and embraced.

So if there is now any inconsistency between Treasure Island's plan and BCDC policies it is because it is my fault, I didn't get the policies right. But it appears I am off the hook because the staff is recommending that you approve the application.

I have long believed that BCDC's role as a regulator is to be professionally skeptical when reviewing a permit application, but once the application is approved, BCDC should be a partner that helps the project succeed.

I urge you to unanimously and enthusiastically approve Treasure Island's application because this is a project whose success you will want to share. Thank you.

Mr. Theriault was recognized: Michael Theriault, San Francisco Building and Construction Trades Council. We are looking forward to producing a set of public spaces here that we will be proud of and that you will be proud of. This is an island that while it was initially created as a public space, has not really had that function for a very long time. Technically you could go out there and drive around on the Island now but there really is no purpose to do it. You have a manmade environment that nonetheless will provide a degree of access to the nature of the Bay that would not otherwise exist and this plan is a wonderful opportunity for you to provide that access. I will be briefer than Will and just ask you to approve the permit, thank you.

Ms. Bonawitt commented: My name is Natalie Bonawitt and I have been a member of the Treasure Island Homeless Development Initiative (TIHDI) Board of Directors since 2004. Today could be a fabulously huge milestone. We as TIHDI are incredibly excited to be here today to urge BCDC to approve TICD's major permit, TICD and TIDA's major permit for its new development.

As you may know, TIHDI has been a long-time member of the Treasure Island community and we have been providing homes and services for formerly homeless families since 1999. With your approval we hope to get closer to the potential of achieving over 2000 new affordable housing units. TICD has been a great supporter and collaborator with TIHDI over the years and we are pleased to support this project. Thank you for your consideration of TIHDI, TIDA, TICD and all the work by so many people from BCDC and others and thank you for the hopeful approval of the major permit application before you today. Thanks.

Mr. Hurley spoke: My name is Jamie Hurley and I am a Project Manager with the Port of San Francisco in the Planning and Development Division and also a San Francisco resident.

I am here to speak in support of the Treasure Island project and in doing so I want to highlight the connection between the Treasure Island project and a project that the Port of San Francisco is working on in partnership with the Water Emergency Transportation Authority, WETA, the agency that operates San Francisco Bay Ferry, and that is the expansion of the Downtown Ferry Terminal right here in the Ferry Building area just to the south and southwest of this building.

The expansion of the Downtown Ferry Terminal is a necessary companion project to the Treasure Island ferry terminal that you have heard about today for reasons that I think are obvious. Ferry transportation in general is a growing, critical resource to San Francisco and other Bay Area counties, helping to alleviate road congestion and relieving pressure on bridges and BART.

The Port and WETA have been working for some time along with BCDC staff to bring the expansion of the Downtown Ferry Terminal to fruition and we are inching ever closer to construction, which we expect to commence next year and to be completed by 2019.

Both the Treasure Island project and the Downtown Ferry Terminal project address many critical needs in the Bay Area including housing, of course, on Treasure Island is a critical need, so too is the expansion of water transportation on the Bay; public access, both here and downtown San Francisco, and in the middle of the Bay on Treasure Island. Finally, enhanced emergency response capability in the event of a major earthquake, which is an important element of the downtown ferry terminal expansion project.

In closing, Commissioners, I want to again express my support for the project before you this afternoon and I look forward to bringing forward to you the downtown ferry terminal expansion project for your consideration of a major permit in the very near future. I believe it is scheduled for your October 20th hearing. Thank you.

Ms. Gaffney addressed the Commission: Maureen Gaffney with the Bay Trail Project, hello, again.

We have been working with the planners and developers for many years so I am really excited to see the robust inclusion of the San Francisco Bay Trail ringing the entire Island. The designers clearly recognized the rare and unique opportunity here that public access and the Bay Trail are not permit requirements to be grudgingly dealt with but key, integral parts of the overall plan that will make Treasure Island shine once again.

Glowing praise notwithstanding, a short segment on the causeway is composed of bike lanes and sidewalks, which while generally not considered optimal by Bay Trail standards is likely the best scenario for this short segment. However, it will be of the utmost importance to ensure that truly seamless and safe connections to the Bay Trail segment on Macalla Road are made and that designers and planners remain engaged with BATA and Caltrans' efforts to create a bicycle and pedestrian pathway on the west span of the Bay Bridge. And I know they are working closely with them to get that done.

Speaking of Macalla Road, I did notice that the staff recommendation states that any changes to bike-ped access must be brought back to the Commission. The Bay Trail in conjunction with staffs from BCDC and the San Francisco Bicycle Coalition worked very hard in collaboration with the City and TIDA to change the originally proposed facilities on Macalla, which were extremely sub-optimal. So we too are keenly interested in any proposed changes to the Bay Trail alignment on Macalla.

Now speaking on behalf of the San Francisco Bay Area Water Trail, changing hats. We were also pleased to see two access points for non-motorized boating on Treasure Island and hope to see those two sites come forward for official designation into the Bay Area Water Trail system as soon as those facilities come on-line.

We are confident that the planners and landscape architects will include ADA access, parking, drop-off, boat rinsing, restrooms and ideally boat storage at one or both of these sites and the Water Trail Program would be honored to provide assistance during the planning phase so that these sites can be a gem for Bay Area residents and visitors alike. Thank you.

Chair Wasserman continued: I would entertain a motion to close the hearing.

MOTION: Commissioner Scharff moved to close the public hearing, seconded by Commissioner Pine.

VOTE: The motion carried with a vote of 17-0-0 with Commissioners Addiego, Butt, Scharff, DeLaRosa, Gibbs, Gioia, Pemberton, McGrath, Nelson, Pine, McElhinney, Sears, Vasquez, Hillmer, Zwissler, Vice Chair Halsted and Chair Wasserman voting, "YES", no "NO", votes and no abstentions.

Chair Wasserman continued: Now we will entertain Commissioners' questions.

Commissioner DeLaRosa commented: I have a few just general questions along the lines of public access and sea level rise and the latest science that is coming in around that.

The project alludes to and takes into account the current Ocean Protection Council sea level rise guidelines and the news I come to bear is that we will be updating those very soon. The goal is to have it updated early next year.

One of the keys here is that this update is going to start to look at and take into account ice melt, which has been that kind of relatively unknown variable and one that the scientific community has wrestled with. But more science is coming forward on that front and the process will begin to incorporate what that looks like. What does it look like with Antarctica ice melt, what does it look like with what we are seeing with Greenland?

A white paper was submitted through the Energy Commission's IEPR process, Integrated Energy Policy Report, by Professor Dan Cayan who is doing work for the Energy Commission on sea level rise scenarios. It took into account some of the better, more updated science around ice melt and it shows a high emissions scenario and a high ice melt scenario. By 2100 we are looking at 3 meters. So 3 meters essentially equates to roughly over 108 inches and 9 feet, roughly.

With that said I think some of my questions are along the lines of ensuring public access, ensuring that the process is able to incorporate greater than anticipated sea level rise or just faster than anticipated sea level rise. It sounds like the Adaptive Management Plan has room for that and alludes to the Ocean Protection Council guidelines and California's Adaptation Strategy.

My first question is, my understanding is the 350 foot setback can accommodate and is built into the plan to accommodate 66 inches, which was the extreme scenario under the current Ocean Protection Council guidelines. I am just wondering, is it physically - based on the project, where it is located and sited – is it physically able to adapt to more than 66 inches?

Mr. Meany replied: Thank you for the question. I would just like to note that I am a simple planning development guy and we have really good engineers here so I am going to try to give you an answer. And you can look right past me to anybody else if you want to get more. But there is a very simple answer to your question and the answer is, yes, we can accommodate much more than 66 inches.

That, in effect, is the very essence of this plan. What this plan says is we don't know. For example, we all know that the sea level is rising. There are none of us in this room that actually question that. What we don't know is how much and how fast.

By the way, we live in a very screwy world. Like I said, we are all benchmarking off of the 2000 numbers. The truth is that right now we have had less sea level rise since 2000 versus what was predicted, that we were planning for in our numbers and was actually planned for, so we are falling behind. We think it is unknowable when that catches up or what acceleration there is.

The simple point I am making is that none of us know where it will go. What we know is we have to raise the levels of the Island so that we give ourselves a very long runway without having levee protections but that we have plenty of rooms to build levee protections, however high those may be. And that we fund that and all of that is built in the plan.

Mr. McCrea commented: Commissioner DeLaRosa, the one area on the plan that is at question with regard to adaptability is the Clipper Cove side. If you look at the plan you can see on the west side, which is the bottom of the drawing, the north side which is the left hand side of the drawing, the east side which is the top of the drawing, there is room to adapt.

On the Clipper Cove side you have a roadway, a walkway and a seawall. The adaptation strategy here would be to go out into the Bay or to create a vertical wall. That is the most constrained site. The causeway might be considered another area that would need to be looked at but you can see that is very tall so you probably have enough freeboard there.

Commissioner DeLaRosa had more questions: One other question was in terms of the Adaptive Management Plan. When does the clock start on that? Does it start as soon as the project is completed that we start examining whether this, I believe it is a five year plan that is updated or is it once we get to a certain amount of sea level rise?

Mr. Buehmann replied: In the recommendation it is five years from the date this permit is issued. It would be five years from now if it is issued today.

Commissioner DeLaRosa continued: In those conditions it alludes to connecting it to various state processes around sea level rise guidance like the Ocean Protection Council guidelines.

Mr. Buehmann agreed: Exactly. The intent of the monitoring condition was to acknowledge that guidance can change, science is changing and I think it is the first time that we have really incorporated that acknowledgment into a permit condition where we have said, the plan might need to be changed and the permit might need to be changed based on updated guidance from the State, based on policy changes that you might make as a Commission. You might amend the Bay Plan and change the climate change policies. If that happened it would be incorporated into this monitoring process.

Commissioner DeLaRosa inquired further: I guess one other question is in terms of there is a financial mechanism and it is a special district. Are there any cost estimates in terms of what adaptation beyond 36 inches looks like at different rates? If it is 2050, 2070, 2100.

Mr. Meany replied: There are and I am going to get help on it.

Mr. Beck added: We have current estimates of what we believe the 36 and 66 inch level of sea level rise adaptations will need to be, in 2016 dollars. Pardon me, I do not know the split, I believe it is $35 million for the 36 inch and $55 million for the 66 inch. So a total of $90 million that we are looking at in current dollars for the cost of those two levels of adaptation.

That has a certain amount of contingency built into it because we are looking at potentially multiple different strategies with levees or retreat, which would have different costs associated with them.

Commissioner McGrath inquired: Could we go back to number 19? Let me preface my question with an understanding the public access components of this are spectacular where they are well worked out and where design is fairly clear. It takes the model that we have at Marina Green, which is the most heavily used site that I have seen along the Bay and I spend a long time along the Bay, and it mimics it in a place like this which is even cooler.

But I have a question about the next stage of design for something which is a little bit difficult and arcane, which is the windsurfing and other non-motorized boat access points here. It has to do with the process. As I recall this, there is an existing access point which will be protected and made available and that is great and that is currently used and this will eventually be improved; but there is not right now a design. I don't think there needs to be a design but I think there needs to be an understandable process that engages the end users and I will just give you one example.

Put right here at number 3 you would be launching right into waves and you do not want to do that with a kayak or a windsurfer or a kite board or a stand-up paddleboard. It may not be at all appropriate to have that done at the Design Review Board. I appreciated Maureen's comments because it may be best to do that at the design review process through the Water Trail. I want to find out how that happens and under what circumstances. What I want to make sure is the end users are engaged into that process.

Mr. Buehmann asked for clarification: Are you asking how the Water Trail will be incorporated into our plan review process and the Design Review Board process?

Commissioner McGrath explained: How eventually this conceptual thing might be, I have seen different places on the different maps, might eventually be an approved design that would get built?

Mr. Buehmann replied: Under the recommendation and as proposed by the Applicant the Applicant would have to submit preliminary plans for that area. The Water Trail access point is required in the recommendation. The proposal and the recommendation require it as public access. It should be part of any preliminary plan that came in.

The Applicant would submit a preliminary plan to BCDC staff and BCDC staff would review it and comment on it. Then likely it would end up, since the Design Review Board has already reviewed this several times, we would want to make sure that it is consistent with that Design Review Board review. It could likely end up going back to the Design Review Board, which is in a public hearing that is noticed to interested parties and we often get advocates from the windsurfing community, the kayaking community attending those meetings. The Water Trail and the Bay Trail often provide comments to those meetings.

If the plan deviated considerably from the permit, deviated considerably from the Design Review Board and required actual changes to the permit it could require a non-material amendment which is an amendment to the permit that we would do administratively. Or it could require a material amendment which is an amendment that requires a hearing before you. That is sort of the process that it goes through.

Commissioner McGrath asked the applicant a question: Could I ask a somewhat related question to the applicant? I think you understand that my concern is trying to make sure that the end users are engaged in this so you don't waste your money so that there is no conflict and it is done as smoothly as possible. Would you object to a friendly amendment to the preliminary plan review that made it clear that there would be review through a process that engaged the windsurfing community?

Mr. Meany replied: I don't think we are going to have any objection to that but I want to put it in context so that you can think about the wording of your amendment.

By the way, I first want to say our goal is to be drawing users to the park system here. These 300 acres of new public parks is the largest addition to San Francisco's public park system since Golden Gate Park was created. Very important in that plan is that we don't have one giant type of park but a series of different programs that engage different communities so that they really activate it in the most way. I say that because what is relevant to us is that we actually have created a park through a very long, involved public process. With San Francisco we created a master plan for the park system which has these goals in it. The idea is that at each successive stage we have to be more specific.

For example, what we have is a requirement for public restrooms, parking, off-loading for, et cetera. If you look at this drawing you will recall that there's two points. This is not a problem on the other one where we have an unnatural break that actually provides that protection.

Consistent with those plans that have been through so many agency reviews we would like to get the details of this right including where you put in and put out. If there is a way to, consistent with all those plans and all those reviews, welcome people into fine-tuning this to make sure it is right, we would love that.

Commissioner Zwissler asked for clarification: I am confused about the nexus between the five year review and the Adaptation Plan that says at 16 inches or at 30 inches something happens. What is the practical effect of if in five years; in fact, the studies come back and say, nine feet? Does that change anything in terms of the adaptation strategy of, nothing happens until we get to 30 inches?

Mr. Buehmann explained: The monitoring program is there. If science and guidance show that adaptation plan as it is proposed to be required in the recommendation is not adequate, that it be changed. So you would have to do maybe a new or amendment to the existing assessment and strategy. I suppose the monitoring report in and of itself is sort of part of that. Saying the idea is to look at the assessment and strategy and say, this assessment strategy is not really effective anymore and as a result the adaptation requirements are not acceptable anymore and they would be changed through an amendment to the permit.

Mr. Meany added: May I tease that out a little bit? What Commissioner DeLaRosa was talking about was ultimate, I believe, I don't mean to put words in your mouth.

We have two things that are happening at the same time. We have long-range projections about what might be in 100 or 200 years and then we have the pace at which those changes come, which is also unknowable. I do not think any of us believe when we balance all of the needs that we have, including enjoyment and visual access to the waterfront, that we want to build barriers.

For example, we do not want to today say that there is some projection that in 150 years there is a 3 meter rise and build a 10 foot tall visual barrier around the island.

I break that apart because I say, what the Plan says is that every five years we create this benchmark that says, here is the overall plan; and not what the ultimate solution is but here are triggers so that we go incrementally adding to at a pace that is undecided, unknown now but that we keep going so that we match sea level rise. But the program also says, when we do these five year updates we are looking at the overall science, so if we see we are veering in different directions that plan can be amended if this in some way is veering wildly off of what we know today.

Commissioner Zwissler inquired further: Then I have another question around the ferry terminal and the docks. I think if I read the report correctly, maybe I don't understand it. It said something about anticipating a 40 year life of the facility and therefore the 36 inch plus 100 years is sufficient and we do not have to think about anything else. Am I misunderstanding that?

Mr. Buehmann explained: The ferry terminal is in Phase 1. Phase 1 is going to be constructed to be resilient to 36 inches of sea level rise and a 100 year storm event. Its life is 40 years. It is going to be resilient to a level beyond mid-century based on current California State guidance.

Commissioner Zwissler interjected: Changing in six months.

Mr. Buehmann continued: The mean sea level estimate is 16 inches and I think the high level is 24 inches. So it is resilient to beyond mid-century.

In the event that the triggering mechanism in the Adaptation Plan takes place they would have to reconstruct the ferry terminal or build a new ferry terminal because they would be raising the grade above where the ferry terminal is.

Mr. Meany explained: I think that the comment about the 40 year life is just to make our investors not think we are delusional because from your standpoint it does not matter. We are building to 36 inch resiliency now. If we adapt and make the change to 66 inches it is likely that we will have to rebuild some of the ferry resources, which will inevitably involve your engagement around about that.

But the truth is that this happens whether the ferry facilities have reached the end of their useful life or not. But for what it is worth, we think that that is unlikely to happen before we would be rebuilding ferry facilities anyway.

Commissioner Gioia had questions: I want to focus just a couple of questions on the idea of risk and who pays for things.

The Sea Level Rise Working Group for BCDC has had a lot of conversation about this issue of who will pay ultimately for improvements when, as a few of my colleagues here have said, things may get worse than we expect and you are going to have to build more than you originally planned. So I just want to make sure I understand that.

I think this is an amazing project, it is going to clearly be a showcase, I think just not here in California but internationally. Right here we have a great island that was built for a World's Fair that is now going to be a showcase, hopefully, for how we address adaptation to sea level rise in the most beautiful harbor in the world.

In the development project document where it talks about the financing plan on page 20, I want to just understand how this works. The financing plan directs that special taxes collected via the establishment of Community Facilities Districts can be used to pay for future sea level rise improvements. More specifically, if the appropriate regulating authorities require the construction or installation of improvements, TIDA, the City, TICD agree to finance the improvements with such project-generated CFD bonds.

I understand a little bit about Community Facilities Districts. Ultimately though, aren't you going to need, and I may be wrong, the approval of the voters and residents of Treasure Island or the whole city in the future? Explain a bit how that works because I am trying to understand risk. Who is at risk to pay for what could be substantial, expensive improvements if more improvements are needed?

Mr. Meany explained: A Community Facilities District is an authorization that is given to add a special parcel tax for those people who accept that parcel tax. In the case of Treasure Island that parcel tax has been voted on and accepted by the Island in advance of there being any residents.

Commissioner Gioia interjected: For a set amount.

Mr. Meany agreed: For a set amount. That set amount is forever. Oftentimes you see a CFD has a sunset provision. For the first 35 years of the CFD's life a portion goes to refund initial infrastructure and a portion goes to fund sea level rise. After the initial period of time, all money gets set aside into this bucket and the bucket is projected to be much, much, much bigger than the estimates that were talked about here.

Commissioner Gioia asked: By what factor?

The other question I have on this is, assuming that things are worse, we have heard a little bit about that from others and there is a need for substantially more improvements, would you need to go back to which class of voters to increase the District taxes?

Mr. Beck explained: The ability of the District to generate revenues is greater by probably a factor of 10 than the $90 million figure that I described earlier.

Commissioner Gioia continued: But over the life of this in the future I think the expectation is it is going to be a lot more than that.

Mr. Beck replied: The CFD is limited as a capital CFD to 2 percent escalation per year. So at some point, we anticipate 100 years from now, we will need to go back to the Island for a new authorization for a new amount.

Commissioner Gioia opined: So it is only the voters in that district that would approve it. So here is my question:

If assuming you need more improvement that is going to cost more than you have been able to pay for under the existing approved tax and if the voters don't approve an increase in the tax, who will pay for the improvements under the agreement? The City? The investors will be long gone. I am just trying to understand the risk.

Mr. Beck responded: I think it will probably be the City will be looked to. But I think we would also anticipate putting back in place a subsequent CFD.

Commissioner Gioia continued: No, I understand. I think this is the heart of issues we are going to face in the Bay Area about how we fund this and who is responsible for it. In this case if the residents themselves don't approve a subsequent tax to pay for it then it presumably falls on the other residents in the City outside of Treasure Island in San Francisco to pay for it.

Mr. Beck commented: I think maybe the more key issue here is that we have a funding mechanism associated with this project that will deal with probably hypothetically, 4 meters, maybe more, of sea level rise in this location. No other project is coming with that type of a solution. So it is a regional issue but there is a global issue.

Commissioner Gioia added: We're gambling. You're trying to lay the best odds by doing. I get it and I think you are being prudent. I am just raising the issue that risk is inherent in all of these and who is going to pay for it, sort of which necessitates this discussion of a region-wide approach to how we address sea level rise; because you are prepared to do it here, other projects may not have this ability. And you may fall short and the region's taxpayers outside of this area may have to pay for it. I just think we have to understand that that's a risk.

Mr. Meany replied: I am a homeowner in the north waterfront of San Francisco. The bottom elevation of my habitable building is significantly lower than the habitable buildings on Treasure Island will be and there is every evidence that there will be funding. This region does need to deal with these things.

Treasure Island should be an example. By setting aside funds and providing a funding mechanism for the future we have given ourselves a life of, we think, a very, very long time to regionally solve this.

Commissioner Gioia asked: One hundred years you have given yourself you think, right?

Mr. Meany continued: And as a resident of the north waterfront I am telling you, I hope it doesn't take you that long to come up with a regional solution. (Laughter)

Commissioner Gioia concluded: Actually of all the discussion, to me this is the most fascinating part of all of this. Technically with the Adaptation Plan you are going to monitor, we are going to technically figure out how to protect against sea level rise at this location. The question will be one of cost and who pays for it.

Commissioner Nelson commented: Just a couple of thoughts to follow up on Commissioner Gioia's comments. First is that this site has the luxury, to a certain extent, of being not quite a blank slate but something approaching that in an urban setting. The fact that this project has the room to adapt, the adaptive mechanisms, monitoring and triggers built in from the start and the financing mechanism to adapt, I think is really remarkable and really important. Because Commissioner Gioia is absolutely right, we are at risk of having our adaptation discussion lag ahead of our financing discussion and that is going to be a really tough issue. So having models out there that are pushing the financing issue as well as monitoring programs with triggers and room to adapt I think is really exciting. That's the first comment.

The second comment is just noting Commissioner DeLaRosa's comment that we are all looking forward to the State's next updated guidance. But the white paper sends a pretty sobering message about the challenge we are facing and the importance as the Chair said at the start of the meeting of our pushing ourselves hard to make sure that we are looking at effective regional adaptation measures. That goes beyond the scope of this application but this application certainly has a lot to draw from as we have that regional discussion.

Commissioner Scharff commented: I just wanted to say I am actually with Will Travis on this. I think this is the most exciting project that would come before BCDC and I really hope we approve it. Yes, there are a lot of challenges with sea level rise in the future and hopefully we can address them, but this project actually is one of the few projects that actually seems to start to address them. I don't recall other projects coming before us that say, we have financing for hopefully 100 years but at least 50 years. I am starting to add "when I am dead," frankly, on this. I actually think this is really forward thinking and I am really happy that you guys thought this through so well, thank you.

Commissioner Pine inquired: I too share the sentiment that this is an incredible example of adaptive management, both its design and its financing.

I just had two somewhat technical questions. I think I heard the staff say, of course our policy says that we have to provide viable public access to it in light of sea level rise and make that resilient to mid-century. I take it our definition now is 16 inches, right, because we are saying that the Phase 2 construction will be resilient to 16 inches.

Mr. Buehmann agreed and explained: Yes. Generally BCDC staff has been using the mean of the ranges in the State guidance so that would be 16 inches mid-century and 36 inches at the end of century. Obviously there have been projects that have come before you that have used higher ends of the ranges. Blu Harbor, which you approved a permit for a couple of years ago used 55 inches so they would be resilient to the end of century. But generally that is what we have been doing. So we are looking forward to revised guidance that maybe changes that.

Commissioner Pine continued: To Mr. DeLaRosa's point, this may be the last time we see 16 inches as a standard but we do have the ability here with these five year check-ins to make changes.

Mr. McCrea clarified a point: Commissioner Pine, I want to make one clarification about the five year check-ins that Commissioner Zwissler brought up. That is, not to get ahead of ourselves. The staff recommendation that was mailed to you calls for recommended changes in case the monitoring reports come back. One of the things you could do, if you chose to, would be to change the word "recommends" to "requires" and I can go into that more if you would like.

Chair Wasserman added: I would like. Go.

Mr. McCrea continued: On page 14 of the staff recommendation that was mailed to you, 13 and 14, there is the analysis the Commission staff would do with regards to the five year monitoring reports.

On page 14 under "e" it says:

"Within 30 days of receipt of the monitoring report, the permittees shall be notified by or on behalf of the Commission as to whether: …" a number of things.

One of those things is whether the Commission recommends revisions to the assessment and strategy and possibly the original permit based on findings and information contained in the monitoring report. We could change that to say whether the Commission **requires** revisions to the assessment and strategy report and/or the original permit.

Chair Wasserman commented: We can discuss it. I thank you for that clarification because one of my questions was going to be very much what happens if the five year monitoring comes back and clearly indicates something needs to be done and I think that addresses it.

Commissioner Pine had another question: A quick question. Phase 2 which comes subsequent in time, it's building to the 16 inches while Phase 1 is building at 36. Could you remind me why that one is built to the lower standard?

Let me repeat my question if I may, I think maybe I understand it better now. In Phase 1 of the project, of the construction, the standard is 36 inches plus 100 year storm, right?

And I assume Phases 2-4 come after Phase 1 in time.

Mr. Buehmann agreed: Yes.

Commissioner Pine continued: In that instance the standard is 16 inches plus 100 year storm, it is a lower standard. I imagine that must be because of the real estate involved in those latter phases?

Mr. Beck explained: One of the reasons that the 36 inches was adopted along the southern shoreline and along the southwestern waterfront was because of the proximity of the critical infrastructure to the shoreline and the ease with which adaptations could be implemented. So the southern shoreline is adjacent to Clipper Cove that Brad highlighted earlier and then the southwestern shoreline is adjacent to the ferry terminal. So that infrastructure, the commitment was made to build to 36 inches there and all of that work happens to be in the first phase of development. As we move through development if sea level rise is moving at such a pace that we are approaching 12 inches already then Phases 2, 3 and 4, the initial improvement would be built to 36 rather than 16. But the issue that drove the 36 in those areas was the critical nature of the infrastructure and the relative difficulty for implementing additional adaptations.

Commissioner McGrath added a word of caution: I want to make sure we don't make perfect be the enemy of good. I'm with Commissioner Scharff on this one. I've spent the last six years working on park facilities in Berkeley and we are kind of surviving on the last fumes of the WPA in terms of those improvements. I would love to be in a situation where there was a Community Facilities District but it just didn't pay quite as much as we needed. The idea that you are going to use your best judgment and create a Community Facilities District is a precedent that we indeed want to set.

The second thing is that I have been out to Treasure Island a lot. I have done races there; I have sailed up there on almost a daily basis. There is a public benefit in this project in opening up the shoreline of Treasure Island to the public. As I look at a worst case and we have to build a levee under part of that park and we only have 200 feet of park rather than 300 feet of park, you know, I am pretty happy with that. You know, I think we need to make sure that the details are done right but I'm with Commissioner Scharff on that.

Vice Chair Halsted commented: I must say, I have been associated with a project here on Treasure Island since the Congress first put it on the list for base closures. In the original committee we never imagined that we could, the problems of creating a community there were so great that people were really overwhelmed. The work that has been done over the last 25 years has been incredible and the refinements and the understanding of the problems that this can solve can help to solve, are just remarkable.

I think the questions that have been raised about sea level rise are entirely appropriate, about risk are appropriate, but I think that this is a wonderful example of what we can do with a new development in San Francisco for the public which will enhance our understanding of how to deal with sea level rise and enhance our community. So I am all for it and encourage us to keep thinking and do as well as we can with it.

Commissioner Gioia explained his commentary: I wanted to add that my comments on financing here are not to say that this is not a well thought out, very good project. I just think that we need to get into our culture of discussion that every time we are approving a project we are also assigning risk somewhere in the Bay Area. I'm glad. I think this has been the most thoughtful financing that I have seen; I want to say that.

We have taken on the role at BCDC of addressing adaptation to sea level rise and how do we address the financing of these projects. So I just think to the extent that you approve one project, we all approve one project that assigns risk in a certain place it affects what happens and who can pay for other projects.

Again, great job. I just think it is helpful to understand this as we develop our own recommendations on how to address how to finance.

Mr. McCrea clarified a point: Just to clarify because it appears we are moving towards a recommendation here. There is no requirement in the BCDC permit with regard to financing or funding. I just wanted to be clear.

Commissioner Gioia added: We were reading from that document. That begs the question whether in the future; it is not within our regulatory authority, clearly. It has been part of our planning discussions, not our regulatory discussions.

Mr. Buehmann commented: I will say that the recommendation proposes a requirement that the project be constructed in accordance with the assessment and strategy, which is what you were reading from with the funding requirement. So it is sort of incorporated by reference. If that changes it is not really being constructed consistent with that assessment strategy.

Chair Wasserman had a technical question: I have a technical question and then a couple of comments. We have talked about the Community Facilities Development District, but Erik, you also talked about the Geological Hazards Abatement District. Are both being put in place?

Mr. Buehmann answered: No.

Chair Wasserman continued: Somebody talked about GHADs earlier. Regardless of who said it, the question is, you clearly said you are going to put the Community Facilities District in, are you putting a GHAD in as well?

Mr. Beck replied: At this time our financing plan calls for just a CFD. As part of the financing of the initial improvements the City is creating an Infrastructure Revitalization and Financing District and pledging tax increment from the project area to the initial improvements. But in terms of the sea level rise and the long-term it is a Community Facilities District.

Chair Wasserman continued commenting: We will get back into those distinctions as we get into the discussion of finances going forward. One of the elements that will be in our report on our action plan is the financing issue, which I hope we will agree to create as the third of these working groups coming in waves. That actually is the bridge to a couple of my comments.

I think Will Travis did indeed set the context here very appropriately when he talked about the initial plans for this project - not going quite as far back as Anne does on the project – really being the model under which he guided and we ultimately adopted our amendments to the Bay Plan to address these issues.

I think the discussion and the presentation we have heard, from my perspective in particular, fits very wonderfully what we have talked about of our long-term campaign to figure out what we can do, what we should do, taking into account unforeseen consequences as much as possible, and how we are going to pay for adapting to rising sea level. And I think the project very, very well addresses that and serves really as, I would hope, one of our major model case studies. We are developing a number of others.

I also think it is terrific that you have developed the support of a very broad community, including the homeless representatives who spoke here. We have got a project before us that is indeed a model for us, for this area and as I think Commissioner Gioia mentioned, for the nation and perhaps the world so I think it is much to be applauded.

Present the staff recommendation, please.

Mr. Buehmann presented the following: The staff recommends the Commission approve BCDC Permit No. 2016.005.00 to authorize the proposed project.

On September 9, 2016 you were mailed a staff recommendation for the project. The staff recommendation contained special conditions that require the permittee to take a variety of measures. These include but are not limited to:

The permittee shall provide a 54.6 acre area along the shoreline of Treasure Island and Yerba Buena Island for public access, including public pathways, water access sites, bicycle parking, signage and other public access amenities.

The permittee shall remove an approximately 11,684 square foot, dilapidated, pile-supported pier in the Bay and its associated gangways and pilings.

The permittee shall also deposit $40,000 to the Coastal Trust Fund held by the Coastal Conservancy for the Conservancy's Creosote Piling Removal Project.

The permittee shall submit a five year monitoring report to evaluate the sea level rise assessment and strategy submitted with the application in light of updated science, policy and conditions at the site.

The permittee is also required to engage in an adaptation plan consistent with the assessment and strategy for the different phases of the project.

I have some corrections and so we will try this out. In one correction to the recommendation, in Special Condition C.3.Remdiated Lands, page 15:

"If flooding occurs in any area for future or completed public access area required herein where remediation of contaminated lands has occurred and for which a "no further action letter" or similar regulatory closure has …"

Adding the words "not yet been obtained."

"… not yet been obtained, the permittees shall notify the Commission in the event that any additional cleanup and permitting is necessary."

The condition would require notice to the Commission for flooding within a public access area subject to remediation.

Additionally, on page 8, Special Condition A.2 - want to change the last sentence starting with "to the Commission's Design Review Board".

"… to the Commission's Design Review Board for further advice on preliminary public access plans for individual development phases …"

Comma and adding the words:

", such plans will include active solicitation of public comments, including from San Francisco Bay Water Trail staff regarding the design of water access points."

Another correction on page 14, Special Condition C.1.e(3). At the bottom of page 14, e(3) will read:

"The Commission requires" rather than "recommends." The original language says "recommends; we will strike that for "requires."

"The Commission requires revisions to the 2016 Assessment and Strategy report …"

Strike out "and possibly" and replace with "and/or".

"… and/or the original permit based on findings and information contained in the monitoring report that reveal circumstances substantially different from those described in the 2016 Assessment and Strategy report, where such revisions are necessary to protect public access of the size and usability required by this permit."

This allows the Commission to require changes to the permit and to require those changes based on the monitoring reports.

As conditioned, the staff believes the project is consistent with your law and Bay Plan policies regarding fill and public access and the Bay Plan Waterfront Park, Beach Priority Use Area designated in the Bay Plan.

With that we recommend that you adopt the recommendation.

Chair Wasserman asked: Does the applicant accept the recommendations as they have been modified?

Mr. Beck: Yes, we do.

Mr. Meany: Yes, we do.

Chair Wasserman continued: Do I have a motion?

MOTION: Commissioner Scharff moved approval of the staff recommendation, seconded by Commissioner McGrath.

VOTE: The motion carried with a roll call vote of 16-0-1 with Commissioners Addiego, Butt, Scharff, Gibbs, Gioia, Pemberton, McGrath, Nelson, Pine, McElhinney, Sears, Vasquez, Hillmer, Zwissler, Vice Chair Halsted and Chair Wasserman voting, “YES”, no “NO”, votes and Commissioner DeLaRosa abstaining.

12. Adjournment. Commissioner McGrath moved adjournment in both memory and recognition of the accomplishments of John Glover, seconded by Chair Wasserman. The Commission meeting was adjourned at 4:35 p.m.