

# San Francisco Bay Conservation and Development Commission

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May 11, 2018

**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: Approved Minutes of April 19, 2018 Commission Meeting**

1. **Call to Order.** The meeting was called to order by Acting Chair Halsted at the Bay Area Metro Center, 375 Beale Street, Board Room, First Floor, San Francisco, California at 1:11 p.m.

2. **Roll Call.** Present were: Acting Chair Halsted, Commissioners Addiego, Butt, Chan (represented by Alternate Gilmore), Cortese (represented by Alternate Scharff), Davis (represented by Alternate McElhinney), Gorin (arrived at 1:14 p.m.), Jahns (represented by Alternate Eckerle), McGrath, Pine, Sears, Showalter, Techel and Wagenknecht.

Acting Chair Halsted announced that a quorum was present.

**Not present were Commissioners:** Senate Rules Committee (Alvarado), U.S. Army Corps of Engineers (Bottoms), Department of Finance (Finn), Speaker of the Assembly (Gibbs), Contra Costa County (Gioia), State Lands Commission (Lucchesi), City and County of San Francisco (Peskin), Governor (Ranchod, Randolph, Wasserman, Zwissler), Solano County (Spering), U.S. Environmental Protection Agency (Ziegler)

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

Betty Kwan of the Bay Planning Coalition addressed the Commission: I am from the Bay Planning Coalition. I wanted to give a quick plug for our annual Spring Summit that is coming up on May 11th at the Oakland Scottish Rite Center from 8 a.m. to 2 p.m. The theme of this year's summit is Shaping the Bay – Protecting our Shoreline Assets. It will include two panels; one on planning for shoreline resiliency and one on acting to meet resiliency challenges. Our distinguished line up of speakers includes individuals from Bay Area Regional Collaborative, Caltrans, Bay Area Council of Economic Institute, U.C. Berkeley and others. If you are interested in getting more information or registering please visit [www.bayplanningcoalition.org](http://www.bayplanningcoalition.org). I will also have some flyers here on the table.

Acting Chair Halsted moved to Approval of the Minutes.

**BCDC MINUTES**  
**April 19, 2018**



4. **Approval of Minutes of the March 15, 2018 Meeting.** Acting Chair Halsted asked for a motion and a second to adopt the minutes of March 15, 2018.

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

**VOTE:** The motion carried with a vote of 12-0-2 with Commissioners Addiego, Butt, Gilmore, Scharff, McElhinney, McGrath, Pine, Sears, Showalter, Techel, Wagenknecht and Acting Chair Halsted voting, "YES", no "NO", votes and Commissioners Gorin and Eckerle abstaining.

Commissioner Eckerle commented: I wanted to let my fellow Commissioners and the public know that on March 14th the Ocean Protection Council adopted the updated state of California Sea Level Guidance. Ocean Protection Council staff worked very closely with BCDC staff along with other staff from the Coastal Commission and the Coastal Conservancy and our other management agencies.

The updated guidance includes a synthesis of the best-available science on sea level rise including our improved understanding of the implications of ice melt from the West Antarctic Ice Sheet and it includes updated sea level rise projections across 12 different areas up and down the coast. It includes preferred coastal adaptation recommendations and strategies.

Our executive director will be coming before this Commission to give a more detailed overview of that guidance. I wanted to let you know that we are working really closely ongoing with BCDC staff and others to think through barriers to implementation and really what this looks like to integrate it into planning and adaptation.

One of the things that we are going to be planning in June is a regional workshop that will bring together all of the critical players and practitioners to think through implementation. I thank everyone for their participation to date.

Mr. Goldbeck added: And staff would also like appreciate the Ocean Protection Council for coming down and giving a presentation to the staff along with the staff of the Coastal Commission, Coastal Conservancy and a couple of other folks. It was very helpful to our staff and hopefully it was helpful to the other people as well. Thank you.

Acting Chair Halsted chimed in: This is very exciting news and this Commission looks forward to getting a lot more detail on that. Is it available online?

Commissioner Eckerle replied: Yes it is on the Ocean Protection Council website.

Acting Chair Halsted inquired: And have you presented to the Resilient by Design people?

Commissioner Eckerle answered: No, not yet. We have been in communication with them about how to coordinate our efforts with what they are doing.

5. **Report of the Chair.** Acting Chair Halsted reported on the following:

a. You will find in your packets a draft resolution of appreciation for Bijan Sartipi who has retired from the Department of Transportation thanking him for 12 years of serving as a Commissioner.

And in this regard, I would like to congratulate James E. Davis, the new Commissioner appointed by the Department of Transportation.

I would also like to congratulate Teresa Alvarado who is the new Commissioner appointed by the Senate Rules Committee.

I would request Commissioner Scharff to briefly report on the Enforcement Committee meeting held this morning

Commissioner Scharff reported the following: We had an Enforcement Committee meeting this morning. It was a fairly satisfactory resolution. The respondent seemed to agree that the enforcement decision drafted by staff was correct in all aspects except for the penalty. We talked a little bit about the penalty and we seemed to come to a solution that everyone seemed fairly happy with.

This issue is coming to the Commission May 17th.

Next, I would to ask Commissioner McGrath to briefly discuss the Bay Fill Working Group meeting held this morning.

Commissioner McGrath addressed the Commission: We had a very successful meeting. We made some adjustments to the mission of the group and we discussed the need to gather the lessons that we have learned from previous restoration efforts. There are some staffing issues so it is likely that the first public hearing on this will be in November. Staff work will go on between now and then and hopefully there will be a workshop where staff and interested parties can provide for the Commission their ideas of what we have learned so far from the 20 or 30 years of wetland restoration projects that we have been doing. That's it.

Acting Chair Halsted continued: Terrific. And thanks to all who have worked in those two committee meetings.

Commissioner Pine had a question for Commissioner McGrath: So Jim, remind me, do we have a date certain for when we are hoping to have this process completed?

Commissioner McGrath replied: I am going to defer that to Steve because I am older than he is. (Laughter)

Chief Deputy Director Goldbeck explained: I was actually going to address that as a part of the ED's Report but I will address it right now.

You are all aware that we have been operating without a head of the Planning Section for about six months now. Our new planning supervisors, Carrie Batha and Shannon Fiala, who joined BCDC after the old planning director left, have been doing a fabulous job and I want to give a shout out to the work that they are doing.

Because of these staffing shortages we have had to reschedule the public hearing for the Habitat Bay Plan Amendment and the Environmental Justice Bay Plan Amendment. The date that we now have scheduled for those is November 15th and I apologize but we just need the staff resources to do the staff work.

In that regard, we still don't have a planning director but we hope to have one soon.

Commissioner Pine continued: We certainly appreciate how hard it is to hire in this environment. We have to hire the right people. Getting this Bay Fill Amendment done is really important to the work that we are doing. I am hopeful that we can find a way to set a schedule and stick to it. If there is a staff shortage maybe we will find a way to hire a consultant or otherwise try to keep this apace.

We have clearly made here at the Commission one of our missions is to address sea level rise and this is a very tangible product of that effort. It is one of the very top priorities of our work. I would urge staff to keep those thoughts in mind.

Commissioner McGrath responded: I agree but I think the most fundamental concern that I have is making sure that this reaches a consensus where it flows very quickly through the full Commission and gets the two-thirds vote and is not sniped at by either the development side or the environmental side.

We want to keep a good, steady stream of good projects coming to your authority and that can move swiftly through the permitting process.

I think getting the consensus building right is the thing that I am committed to work on.

Commissioner Pine agreed: Yes, absolutely. But we were delayed in the past because of a financial problem with the state and now we are hearing that hiring is difficult. Given how important this is, the Commission and the team should find a way to get this done and not let a problem of this kind slow us down again.

Acting Chair Halsted continued: Thanks for the emphasis on that. I appreciate it. Next I would like Commissioner McElhinney to brief us on the work that Caltrans has been doing with regard to the Bay Area Bike Program.

Commissioner McElhinney addressed the Commission: Thank you Vice Chair; Dan McElhinney. At a recent meeting I highlighted, that we have the online Caltrans Climate Change Vulnerability Assessment Summary Report of 2018. And today I am highlighting that we have our Bay Area Caltrans Bike Plan Final Report online as the Caltrans District 4 Bike Plan.

It is an excellent report in support of our Bicycle Advisory Committee and many coalitions here in the Bay Area. It evaluates bicycle needs across the state transportation network in the Bay Area and prioritizes improvements to develop and support an integrated bicycle network.

Online we also have the map of priority areas. It is an excellent look at the future of what we support on the network and many of our current projects and proposed projects, some unfunded, but it does look out many years in the future.

The last thing I wanted to mention is that tomorrow, with the support of our BCDC staff, working with MTC, the City of Richmond and the City of San Rafael for the Richmond/San Rafael Bridge, Commissioner Butt and I will be at the ribbon cutting on 580 east bound for the evening commute congestion relief using the shoulder on the Richmond/San Rafael Bridge.

Every evening from 2 p.m. to 7 p.m. there will be the smart technology, green arrows to open the shoulder for evening commuters. We look forward to that tomorrow at that ribbon cutting. Thank you.

Acting Chair Halsted continued: Thank you and that is all good.

**b. Next BCDC Meeting.** At our next meeting on May 3rd, we may:

Hold a public hearing and vote on the Enforcement Committee's recommendation regarding the NCRA enforcement matter.

Hold a public hearing and vote on the Scott's appeal of their enforcement fine.

Hold a public hearing and vote on minor amendments to the White Slough Specific Plan.

Hear a briefing by the Ocean Protection Council on the new guidance regarding rising sea level.

Hear a briefing by the Bay Planning Coalition on boating and marinas.

**c. Ex-Parte Communications.** In case you have inadvertently forgotten to provide our staff with a report on any written or oral ex-parte communications, I invite Commissioners who have engaged in any such communications to report on them at this point. That completes my report.

Are there any reports from Commissioners?

Commissioner McGrath reported: I did contact Bill Robberson of the San Francisco Board Sailing Association to let him know that there was a project on this agenda that may affect a site. I didn't discuss the subject matter. I just told him to look on the website.

Commissioner Addiego added: Madame Chair I filed an ex-parte form with Marc Zeppetello pertaining to our next agenda item.

Acting Chair Halsted stated.

**d. Executive Director's Report.** Larry Goldzband is in Sacramento testifying on rising sea level to the Joint Legislative Committee on Climate Change Policies so Steve Goldbeck will now present the Executive Director's report.

**6. Report of the Executive Director.** Chief Deputy Director Goldbeck reported:

Thank you Acting Chair Halsted. I will keep it brief.

Elena Perez of our permit staff, who stayed on with us while her Fulbright scholarship snafu was resolved, is now down to the Galapagos and we wish her the best on her new adventure.

And for some good news, we now know that our federal budget for 2018 from the NOAA Office for Coastal Management will not be zeroed out as proposed in the President's budget but actually will be about 20% larger this year.

Bay Design Analyst Andrea Gaffney will now give us a little talk about a sea saw.

Bay design analyst Andrea Gaffney addressed the Commission: I am the Bay Design Analyst on staff and we sent around emails internally with innovative and interesting news that we get about shoreline development. Larry asked me to share this with you.

This slide shows a viewing platform bridge in the Netherlands. Many communities around the world look to the Dutch for ideas on how to live well with water.

This is a recent proposal that integrates public access along a long series of levees and has this tall vista point which I will show you a video of.

As we move forward with our shoreline adaptation for sea level rise we should ask ourselves, if and when we have levees like Foster City that need to be raised – we probably need to reconsider our appearance, design and scenic views policies.

I will now show you the video. (Ms. Gaffney showed a short video demonstrating the floating capability of computer-animated bridge on the shoreline) This is an overlook bridge that actually moves with the tides. It sits on top of a levee next to the community. This is an animation and it is proposed to be built next year.

Mr. Goldbeck added: I just wanted to also point out that there in your packets are several articles for your edification and one of those is about the lawsuit regarding climate change and the oil companies that quotes our own Commissioner Sears.

That completes my report.

**7. Consideration of Administrative Matters.** Acting Chair Halsted stated there were no listings on administrative matters.

**8. Public Hearing and Possible Vote on an Application by Oyster Point Development, LLC and the City of South San Francisco for the Oyster Point Development Phases IC and ID, in the City of South San Francisco, San Mateo County; BCDC Permit Application No. 2017.007.00.**

Acting Chair Halsted announced: Item 8 is a public hearing and possible vote on an application by the Oyster Point Development LLC and the City of South San Francisco for Phases IC and ID of the Oyster Point Development. Hanna Miller will introduce the project.

Permit Analyst Miller addressed the Commission: On April 6th you were mailed a summary of an application by Oyster Point Development, LLC and the City of South San Francisco for a portion of the Oyster Point redevelopment project that would eventually redevelop the entire Oyster Point peninsula. The project is separated into several phases. The proposed project before you now is for Phases IC, ID and a small portion of IIC. These phases would involve regrading of the landfill, demolition, and construction of an office/R&D complex, enhancement and creation of two shoreline parks and the realignment of roads.

Phase IC would involve the enhancement of an approximately 6.48 acre shoreline park along the northern shoreline of the peninsula. An approximately 4,000 square foot area of tidal marsh would be covered with two feet of sand and soil to repair deficiencies in the landfill clay cap. This area would be restored back to tidal marsh and would be monitored for a three year period. This phase would also include the replenishment of the existing beach, widening of the Bay Trail, installation of restrooms and the creation of the Marina Waterfront Park area with seating, picnic tables, barbecues and a space for special events such as farmers markets or food trucks. Phase IC would also include the grading for the Parcel 5 Park Area which would be a public park and for the Parcel 6 hotel site which would be for a future hotel located outside of the Commission's jurisdiction. A north-south connector path connecting the pedestrian bridge at the southern shoreline to the new alignment of Marina Boulevard would be constructed through the future hotel site.

Phase ID would involve the construction of a three-building office/R&D complex. A service lane and a 210-square-foot portion of the office/R&D complex would be located within the Commission's jurisdiction. This complex would support 950 employees. A BCDC-required overlook would be rebuilt closer to the slough. The slough and the shoreline along the complex would be partially landscaped and provided as dedicated open space.

The portion of Phase IIC included with this application would involve the placement of clay and soil to repair the landfill cap at the eastern end of the peninsula. This would temporarily impact a BCDC required windsurfer launch, however, the launch would be reopened once the construction in this area has been completed.

There are future phases of the project that are not considered in this application. As currently planned, Phases IID through IVD would involve the construction of more office/R&D buildings and would support approximately 3,180 employees.

The proposed public access areas would be resilient through 2050. The Marina Waterfront Park area would be flooded by a 100-year storm event with 3.9 feet of sea level rise. The State of California Seal Level Rise Guidance 2018 Update provides that this would occur sometime between the years 2070 and 2080. The replenished beach area would be flooded by mid-century during a 100-year storm event with 24 inches of sea level rise.

The Staff Summary lists the three main issues raised by the project. First, whether the proposed fill is consistent with the McAteer-Petris Act regarding fill and relevant Bay Plan policies on fish, other aquatic organisms and wildlife, tidal marshes and tidal flats, safety of fills and Mitigation; second, whether the proposed project is consistent with the Bay Plan policies

regarding the priority use designation for the project site which is waterfront beach priority use along the shoreline; and third, whether the proposed public access would be the maximum feasible consistent with the project and is consistent with the Bay Plan policies on public access, recreation and appearance, design and scenic views.

Now I will turn it over to Joseph McCarthy from SKS to present the project.

Mr. Joe McCarthy of SKS Partners addressed the Commission: I am with the Oyster Point Development team and I am very excited to be here today to talk about Oyster Point in South San Francisco. The history of this site and the approvals date back to 2011 when a specific and precise plan was approved for 2.2 million square feet of commercial R&D space. It would include extensive reprogramming and expanding the open space and also replacing the infrastructure.

Now that project sat idle for several years and picked up steam here over the last two and a half years. This first phase that I will talk to you about is the most critical phase. It is replacement of the existing outdated infrastructure and programming and expanding the open space at the site. It also includes the first commercial R&D building.

This has been truly a public/private partnership in the truest spirit of the concept. Both parties have committed funding. The city's funding committed since 2011 but also a considerable amount of time and effort has been spent over the last several years to get this done to this point.

Staff can attest that not only do we have the most people that show up to our meetings and we are also very passionate about getting it right and doing the right thing out here at Oyster Point.

I will turn it over quickly to Richard Kennedy of James Corner Field Operations and he will take us through a formal presentation. And then I will be here and Marian Lee, Bill Gross from the city of South San Francisco and Jeff Lullo from Langlely and our civil and environmental engineer will be here for questions and answers. With that I will turn it over to Richard Kennedy.

Mr. Richard Kennedy addressed the Commission: I am a landscape architect with James Corner Field Operations representing the project team, the development team and the city of South San Francisco team in developing the first phase of Oyster Point.

Oyster Point is an 80-acre peninsula that sticks out into the Bay just east of the San Bruno Hill. Most of Oyster Point is not visible from Highway 101. It is a remarkable, special and very calm and very casual waterfront. It is a very unique place.

It has great horizon views to the San Bruno Hill that looms large there to the west. There are skyline views up to San Francisco so you really get a sense of where you are in the Bay. It has a really great, active marina and boating uses that wrap its perimeter.

The uses are fairly singular. It is largely a commercial, office space with some R&D buildings and marina and boat users.



There are a few waterside amenities. There is a continuous Bay Trail that wraps the peninsula and then boat launches that are active as part of the marina uses.

Oyster Point is a historic landfill for a majority of this peninsula. Our work is both repair of that work and the rebuilding of a new park, a new community.

Throughout the past two years we have been working with stakeholders including every day casual users stopping by to ask questions about how things are used and what others might like to see here.

We do talk with the marina users and the Harbor District, local biotech companies and their concerns and needs as well as city staff and county staff that are involved working on the issues.

We have over the past several months to a year I have been working closely with BCDC staff to fully document the party use area to make sure that we are consistent with the programs and requirements therein.

We are also doing all of our work consistent with the approved entitled 2011 Specific Plan that set out the program for two million square feet of R&D work as well as the setting up of the roadway infrastructure that would link this new R&D community to the peninsula overall.

But our work has been enriching that plan and making it more and having it achieve more for the waterfront and for the city of South San Francisco.

The first phase presented to you today is part of a multi-phase effort to redevelop the peninsula and increase the park lands. Phase I starts at the core it starts at the center of the peninsula.

When you see the two notations here; 1C and 1D – C stands for city and parcel and D for developer-owned parcel. It is those two components that make up this first phase.

And then the product grows from there with 2C being the outer point of the peninsula and Phases 2D, 3D and 4D being the future R&D and residential community.

So our work today is to be focused on this core. The core is two components. The city-owned parcel is a park and open space. The 1D parcel is an R&D parcel and that will be the first phase of this new community.

The 1C park land is a continuous park running north to south along the new constructed roadway, Oyster Point and Marina Boulevard.

Phase 1D is over just over half a million square foot R&D building.

There are two parcels I also want to call your attention to. These are partially improved within this work. They are part of the landfill capping and improvement work. And our work within this phase is to cap them and do the finish work on the landfill, seed and set up the grading of the sites for future planning and future work.

Parcel 5 is the future open space and park area that the city of South San Francisco will program and develop in the coming months.

Parcel 6 is a future hotel site for the city of South San Francisco is now developing a program for a design that will come at a later date.

We are basically doing the prep work for those two conditions to occur.

You are also seeing on this plan two additional areas of the landfill cap improvements that have been on the edge of the site; one along the inner cove of the marina and one out beyond the Phase I boundary out in the Phase 2C boundary near the peninsula point.

All of work and planning and building up of roadways is consistent with the 2011 Specific Plan but it also has made sure to be fully connective to the existing resources that will remain out at the marina point and then future connections within the future R&D and residential community to the north.

All of the blue on this slide is the new public access; a continuous Bay Trail running from one end to the other as well as a number of secondary trails that allow for meandering through the open spaces and making sure that there is a cross-connection around the peninsula.

All of our roadways are designed with tree plantings to have them be green corridors through the peninsula. Also bio-swells and retention for the stormwater management program and all roadways are designed with continuous, bi-directional Class II bike lanes on both sides of the street.

The site plan of the project here, the park is largely following the Bay's edge between Oyster Point Boulevard and Marina Boulevard and the Bay front. The park is broken down into two primary character and program areas.

The northern part is what we call the beach. The part to the east is what we call the marina waterfront. You can see how this connects to Phase 1D office/R & D parcel as well as the open Parcel 5 park area and Parcel 6 hotel area.

The beach front landscape is designed to maintain and expand the existing beach that is there now. It is to replenish the sand and work with grading to make this beach an accessible feature.

Oyster Point Boulevard is a new roadway that frames the western edge of the site. You see tree plantings that are continuous here. This is a very windy site and wind pours off of the San Bruno Hill so we are making sure that all tree placements are designed on the western side of spaces to make sure there is as much wind protection as possible.

The Bay Trail is running continuously and is now designed as an 18-foot wide continuous pathway all uniform in grade and flush with sidewalks. From there the landscape then slopes down to the Bay.

There's the beach on the northern portion here also wrapped with trees on the western side for wind protection. There is also a boardwalk adjacent to the Bay Trail that is furnished and has a restroom, washroom and changing facilities to support the beach functions.

And there is an ADA boardwalk ramp that meanders down the slope creating accessible access to the same beach.

Just south of the beach is a coastal meadow area effectively a naturalized and vegetative slope that slopes down to the Bay's edge connecting with the existing and retained salt marsh habitat.

We see here elevated views over the whole Bay. That landscape and sloping down to the beach front has open views to the water. You see the trees arranged for that wind protection so there is a sheltered and quite intimate beach front location here with great views out to the Bay.

The coastal meadow area similarly; a continuous Bay Trail with the green and vegetative landscape naturalized to blend in to the existing salt marsh habitat there and all flanked by trees to create protection from wind but to also screen out the roadways and the campus buildings so it really does feel like an immersive green park land.

The marina waterfront to the east is the more active waterfront. This space is arranged to have a series of programmatic spaces all framed by trees on the western side.

This creates these micro-climatic conditions that allow for comfort and real use here.

Going from west to east the first space is a public restroom facility that is for all park users as well as the marina users and boat users.

The next space is an open and flat, flush lawn space. So all edges are flush to the surrounding grade and meant to be flexible green space for recreation, informal uses, lounging and picnicking.

The next space is a flexible plaza area. This is largely a flex space but it is primarily for the city's weekend functions, markets, vendors and other festivals throughout the year and central to the overall district and close access to parking.

The next space is the picnic and barbecue area. You see here large picnic tables all surrounded by grills so families can come out here to picnic and stay at the park for multiple hours.

And then lastly, the restroom facility that supports the marina and boating users will be constructed.

All of those spaces are then made accessible by the parking area so you have easy access all around.

This is a typical cross-section here showing that the surfaces are all designed to be uniform and continuous. So parking on the south side is accompanied by tree plantings to screen out the parking as well as create that wind protection. We have flush surfaces with flexible, programmatic areas and the Bay Trail elevated now above 2050 sea level rise projections and the view out to the Bay.

This is an image of the concept shown here with the Bay Trail wrapping continuously through the site. The slope vegetated down to the Bay's edge is also seen here. And then you see all of the spaces that flank it that are for a variety of different uses and functions.

The open lawn has views out to the Bay and the marina. You see the picnic and barbecue areas with trees for shade and wind protection. We also see here more intimate spaces; so small framed areas for seating and shade lounges all oriented to the view.

You have the spaces all along the water but there are those two provisionally-developed areas; Parcel 5 park area and Parcel 6 hotel site. Parcel 5 park area is designated as an open space within the plan with future programming and future design to happen in later stages.

The Parcel 6 hotel site will be finished in an interim fashion before the hotel design is complete. In that period there will be a pathway that is connecting the southern Bay Trail to the new park lands so a continuous access across the peninsula is provided.

And then lastly, the Phase 1D lab facility and its frontage on the park is seen here. You can see here that nearly half a million square foot building with its frontage on Oyster Point Boulevard and a publicly-accessible plaza that looks out over the park lands.

The BCDC portion is on the south side of this building and frames an existing slough. This portion has an entry to the building and its service lane. Gull Drive is where that entrance comes off of. It is an elevated road above the slough. And so we have an overlook that is right at that entry that is on an access and a line with the slough. So folks using the sidewalks and connecting down Gull Drive have a moment to pause and look down that axial view out to the slough and out to the Bay. The slope there is vegetated with tall plantings to screen back the building.

With that vista the vegetation, landscape planting helps to soften that frontage and visibility of the buildings from the surrounds.

Overall, the idea and the project is to create a more continuous, more connected and more programmable usable space out here that creates a diversity of spaces. This will allow a diversity of people to come out here now and enjoy the pleasures of being out on the peninsula with the great panoramic views and the more quiet charm of this unique waterfront in the city of South San Francisco.

Thank you very much. I will remain for questions and invite Joe and others to join me as the questions permit.

Acting Chair Halsted moved to the public hearing on this agenda item: We will now move to our public hearing. We will open the public hearing and invite speakers. I have one card and if there are any others please fill them out and come forward. The first card is from Dave Cincotta.

Mr. David Cincotta of Jeffer, Mangels, Butler & Mitchell LLP, representing Kashiwa Fudosan America, Inc. addressed the Commission: My name is David Cincotta and I am here from the law firm of Jeffer, Mangels, Butler & Mitchell and I am here on behalf of Kashiwa Fudosan America which is the property owner that is surrounded by this proposed project.

We are here and want to make it clear that we do not oppose this project. We are in favor of the development of this specific plan. But we believe that it is impossible for the Commission to take action today because we don't believe you have all the information that you need because all of the information about this project has not been provided.

We believe there should have been more in the staff report dealing with the environmental impacts of this and we don't believe that you have a complete project description.

The project description you have in front of you describes 1C, 1D and 2C. You've seen in some of the drawings already that there is actually 3D, 2D and a 4D which has enormous developments. All of it is within the jurisdiction of BCDC. All of it has potential impacts on what is being proposed.

And we still don't know what the area is. There is a staff report and on page four it talks about that there is approximately 1200 units of housing that is on hold. We don't know if that is going to happen or if there is going to be two million square feet of biotech office space.

You can't study what the potential impacts are going to be or know whether or not the plan you are reviewing is adequate. We are urging you to continue this matter to get more information and to get a more adequate project description; a complete project description of what is being proposed so that you can study it and know what is there and know what the impacts are because there are cumulative impacts that have been not understood here or are available to you.

And finally, to understand the impacts and whether or not there are other alternatives that need to be studied is important here. On the Kashiwa Fudosan America Property we have Bay Trail. We are a missing link that connects all of that Bay Trail.

They talked in the presentation about a uniform and continuous presentation. Well, it is not clear as to how that on either end of the Bay Trail that is ours as to how that is going to be kept uniform and continuous. I think that is missing from your report.

There is also to the northwest portion of this project there is a huge private marina that has not been addressed at all as to how that is going to impact this development and what the improvements are for that.

So there are a lot of questions. We are not opposed to it and we would like to see something happen there but we would like to see it understood. We would like to see a more adequate project description. We would like to know more about whether or not we are having two million square feet of commercial, biotech development or are we having 1200 units of housing because that makes a difference as to how this park and how everything is going to be used out there.

Acting Chair Halsted continued: I might ask the city of South San Francisco or our staff to respond to those questions.

Ms. Marian Lee addressed the Commission: My name is Marian Lee and I am the Assistant City Manager with the city of South San Francisco. There are several topics hit by the Kashiwa Fudosan representative. Kashiwa is the property owner of sites that are to the northeast.

Back in 2011 when the development was defined and the precise plan was approved we did go through a full CEQA process and we have a certified CEQA document.

All of the required analysis and mitigations were identified and we are compliant with all of those efforts.

In terms of, is there enough project description; in our opinion, we do have enough project description. We are specifically here for Phase 1C, 1D and 2C Cap repair.

When there is additional development it will be done in the other phases and we will be back to BCDC. We have already started early discussions with staff on those future phases.

What we are doing here is being very transparent about all the phases to occur. But what is moving forward right now are Phase 1C, 1D and 2C Cap repair.

In terms of what development is happening what was approved in 2011 is office development for all of the privately-owned development phases 1D through 4D. What I will acknowledge is that for specifically Phase 3 and 4 the developer had submitted an application for residential development. They recently withdrew that application.

So what we have in hand at the city is the application that was submitted back in 2011 which was for all office and that has been entitled and environmentally evaluated.

Acting Chair Halsted asked: Does our staff have anything to add to that?

Regulatory Director Brad McCrea answered: No we don't at this time. The only thing I will add with regard to the four points that were raised by the public speaker with regard to the inadequate time they have had to review the document would be that we have submitted out the application summary a week or so ago and then the recommendation you had before you last week in accordance with the regulations.

Acting Chair Halsted continued: I think I should close the public hearing if there are no other members of the public who would like to comment.

Commissioner McGrath had a question for Mr. Cincotta: May I ask the man from Jeffer, Mangels, Butler & Mitchell to come back up for a minute? I had trouble after reading your letter trying to understand what you want the Commission to do differently other than more time. Questions of the intention of use that happen on areas outside of BCDC's jurisdiction really are not our bailiwick. They are between you and the city of South San Francisco.

The only authority that we have to deny a project or impose conditions is if it fills the Bay or if it entails other than maximum feasible access consistent with the project.

I did not get a sense of your comments having to do with those questions that are in BCDC's jurisdiction. You did mention concerns about perhaps the precedent of the public access ways here being imposed on the adjacent property. I don't really understand that. That project is completed and titled. It is up. I can't imagine us insisting that wider access ways consistent with this project somehow be extended to a project that has already been completed.

I do not really understand what your concern is in terms of our jurisdiction which is, does this project and this footprint have the maximum feasible public access?

Mr. Cincotta explained: I believe I can satisfy your questions. First of all, everything that I am referring to is within BCDC's jurisdiction. It is all within BCDC's jurisdiction.

If you take a look at the drawing you can see parts of the two propeller-like buildings but immediately to the west of that; all of that is in BCDC's jurisdiction. That marina that is further west is within BCDC's jurisdiction. None of that is before you today but is part of the project. And what we are saying is, until you know what that is and how that is going to be developed and until that application is in front of you I don't understand how you can take action on the first phase because that is all connected. It is the end of the Oyster Point Peninsula. It is the entire peninsula.

Therefore, without having a complete picture of what is going to happen there –

Commissioner McGrath interjected: Isn't that an aerial photo? Doesn't that exist?

Mr. Cincotta replied: Well, it does exist. There are buildings there. But that is not what is proposed. What proposed as Ms. Lee said, what is proposed is 2.2 million square feet which is a lot larger than what is there now or 1200 units of housing.

Commissioner McGrath replied: Okay, I understand your point.

Mr. Cincotta continued: And with regard to the public access; as you can see, the Bay Trail circles that entire area and comes onto Kashiwa Fudosan America's property and then continues back onto the Oyster Point Development Project.

So there is a continuous public access that is part of that plan.

Acting Chair Halsted continued: Is there a motion to close the public hearing?

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

Acting Chair Halsted asked: Do we have any questions or comments from Commissioners? I understand Mr. Cincotta why you raised the point but I wonder it seems to me we can only deal with what comes before us and it seems like we would have to re-assess the access and what would be required if a more intense development is proposed.

If all of these parcels that are still to be developed come before us there would be additional open space and access required at that time. I don't know how else to think about that. Staff could you comment on this?

Ms. Miller replied: So this is an aerial picture of what exists today. When Phase 3D and 4D are going to be developed the applicant would have to come back to BCDC for a permit for that work. At that time we would assess any impacts from that project.

Acting Chair Halsted commented: In summary then, what is before us is not proposed to cope with the effects of this additional development which we have not seen? That would change the dynamics considerably when that comes forward.

Ms. Miller agreed: Yes. We would assess the impacts of that new development on the entire peninsula at that time.

Commissioner Showalter commented: I was curious about the park area. There is one area that is going to be kind of temporarily seeded before the hotel is built. It is my experience that hotels are one of those things that are really subject to changes in the economy. It is hard to know when this hotel will be built.

What happens if the financing falls through on this hotel and 10 years from now we don't have a hotel? Do we still have the initial design of that park? Or is there some timing in there after which we say; you know, if the hotel doesn't get built in five years then somebody has to come forward with a plan for the park?

Ms. Lee responded: We look at the whole area holistically but there is some sense of a dependent utility between the two parcels. So when you look at Parcel 5 in the park area it will be hydro-seeded and the city's goal is to program the area so that we could maximize the utilization of it for our residents. That will be moving forward regardless of whether the hotel happens or not.

Commissioner Showalter asked: So that is going to be moving forward right away?

Ms. Lee replied: Right away in terms of planning. We will need to find additional monies. So what is identified here is we have money for hydro-seeding and preparing the land. We do have planning money approved by our city council to move forward with the planning effort to figure out how to program the area.

So even if the hotel does not happen that effort has independent utility and it will move forward. Ideally we would like it to happen with the hotel because there a nice synergy between the two parcels. And currently we are in an exclusive negotiations phase with a selected hotel.

Our goal is that if all goes well within three years we should be seeing construction activity on the hotel site. So best case, both parcels move forward; worse case, we will still move forward with open space and then we would have to catch the next cycle for the hotel development.



Commissioner Scharff chimed in: Just briefly. I wanted to say that I actually really like the open space and the widening of the Bay Trail and I felt the park was really nice. I really appreciated the visuals. It seems like it will provide a lot of access to the Bay. I thought that was a real positive.

Commissioner Eckerle had questions: Thanks to staff and the other presenters. I have some questions about the sea level rise and adaptation. I acknowledge that it looks like we have some revisions to some of those special conditions. Maybe you could take a moment to walk us through those and then I can follow up with questions.

Ms. Miller spoke: I am going to when we get to the staff recommendation I am going to read in the amended adaptation plan conditions and that is in response to trying to incorporate the updated guidance and further communications about that.

Commissioner Eckerle voiced her questions: One of the questions I had was, I appreciate this requirement for flood reporting. I was just curious what staff would do with that flood reporting once you receive it and whether that would really serve as the trigger for initiating the adaptation plan. It looks like that was the intent but I'm not sure it is explicit in there.

Ms. Miller answered: Yes, the flood reports would help provide information about how the site is functioning. The reports would identify what kind of flooding is happening and if adaptation would be appropriate to address it or if there is something else going on that is resulting in some kind of flooding of the site.

The frequency of receiving those reports would be examined to address the need to start the adaptation planning and implementation.

Commissioner Eckerle continued her inquiry: At what frequency will the flooding be monitored and what point – what is the trigger for saying; okay, now we really need to initiate the implementation of an adaptation plan?

Ms. Miller responded: That is something that staff is grappling with which is one of the reasons that the amended language for the adaptation plan and the recommendation include a timeline of 2050 which the public access areas are designed to be resilient well past 2050 even with the H++ levels.

The idea is planning would start before anything gets wet; but just in case everyone is wrong and it is worse than we think, these flooding reports would start telling us this. And if the areas are not able to be maintained, to be used as public access and we are seeing that through these reports, staff would then act and say, you need to do this now.

Commissioner Eckerle continued: On page 30 of the staff recommendation it states that the area is going to have a design life of approximately 50 years but will be resilient through 2050. I wasn't sure if that was an error or if it was really kind of pointing to, we will be resilient through 2050 with an understanding that we will have an adaptation plan and pathway going forward.

On that same page of the staff report it says pretty clearly that by the end of the century it looks like we are going to lose the beach; that the beach is going to be fully inundated. This is a question for staff and my fellow Commissioners is whether we have grappled with this question about what we do when we've got public access that is part of our package of justifying maximum feasible public access consistent with the project and we know that we are going to lose a component of that public access?

Ms. Miller replied: We have talked a lot about this internally with how difficult it is with beaches because they are designed to be connected to the water and they get wet. And that is just the nature of them.

That was one of the reasons we thought about requiring the Parcel 5 park area as public access so even if that space is lost the project would provide maximum feasible public access.

Acting Chair Halsted asked: I wonder if someone could point out the location of the ferry terminal. Is it not within this area?

Ms. Miller answered: This is the existing WETA Ferry Terminal and so that is just outside of the project area.

Acting Chair Halsted continued: So peoples' access to those ferries will be in cars that are parked there?

Ms. Miller replied: There is a variety of ways people access it. They can drive in and there is some public transit and then there is a big set of lime bikes. Those are used at the site a lot so when we went out to visit we saw a big pile of bikes that people are using and other modes of transportation too.

Acting Chair Halsted added: So there will be a lot of people coming through in various ways.

Ms. Miller agreed: Yes. And just for context there is the Genentech complex just south of this site.

Commissioner Gilmore was recognized: I needed some clarification. The staff report talks about a view corridor. I was wondering if on Exhibit E if the extension of Oyster Point Boulevard/Gateway as it goes out; there are two arrows that go out into the marina – is that supposed to be the view corridor. And if not, where is it?

Ms. Miller replied: Yes, that is the view corridor.

Acting Chair Halsted announced: Let's proceed to the staff recommendation.

Ms. Miller stated: On April 13th you were mailed a copy of the staff report recommending that the Commission authorize the proposed project as conditioned. This recommendation includes special conditions that require the permittee to implement a variety of measures as part of this project, including:

a. Minimizing impacts to tidal marsh and Bay resources. Special Condition II.F requires the applicants to mitigate for the impacts to an area of tidal marsh and to monitor the restored site for a minimum of three years.

b. The recommendation requires the applicants to provide and maintain approximately 9.99 acres of public access, including the marina waterfront/beach area and the Parcel 5 Park Area. Additionally, the recommendation requires the construction of a north-south connector path through the future hotel site, construction of a slough overlook and the permanent dedication of a 68,400 square foot area as open space.

(1) The recommendation includes conditions on when these various public access areas shall be provided.

(2) It also includes a condition about special events in the multi-use gravel area and the Parcel 5 Park area. It requires the applicants to provide special event requests to the Commission staff for review and approval.

c. Following further discussions with the applicants and review of the updated sea level rise guidance from the Ocean Protection Council changes have been made to the recommendation for special condition pertaining to sea level rise and flooding. These changes have been provided to you in the errata sheet. The first change is to clarify the language pertaining to the need to provide flooding reports for the flooding of public access areas. The other changes pertain to Special Condition II.B.6.b Adaptation Plan on page 10, paragraph 3, line 1 of the recommendation. With these changes this condition now reads:

d. **Adaptation Plan.** By December 31, 2050, or when flooding of the public access areas required herein occurs due to sea level rise and associated storm events, whichever occurs first, the permittees shall prepare and submit a risk assessment for the public access areas required herein, to be approved by or on behalf of the Commission, pursuant to Special Condition II.A.

The risk assessment shall incorporate: (1) the most up-to-date sea level rise guidance from state and federal agencies; (2) an analysis of current water levels; (3) an analysis of landfill subsidence and its contribution to flooding; (4) any observed flooding events as reported in Special Condition II.B.6.a; (5) all types of potential flooding; (6) degrees of uncertainty; (7) preferred adaptation strategies to ensure the viability of the public access to flooding from sea level rise and storms; (8) consequences of defense failure; and (9) a timeline for implementation of shoreline adaptation to protect the required public access areas from flooding.

Upon review and approval of the risk assessment by or on behalf of the Commission, the permittees shall implement, including through any necessary Commission permits or amendments to Commission permits, all approved adaptation strategies within the approved timelines.

No permanent restrictions or closures of required public access areas may take place without additional approval by or on behalf of the Commission. If avoiding permanent closures is infeasible, the permittees shall provide equivalent public access to ensure public access to and along the shoreline in the event of permanent restrictions or closures contingent in part on the Commission's review and approval of such project modifications.

The final change is to the findings on page 30, paragraph 2, line 9 that pertain to the adaptation plan to have the findings match the updated special condition.

With these changes, as conditioned, the staff believes that the project is consistent with your law and Bay Plan policies regarding fill and relevant Bay Plan policies on Bay resources, the priority use designation for the project site, Public Access, Recreation, and Appearance, Design and Scenic Views. And with that, we recommend that you adopt the recommendation.

Acting Chair Halsted continued: I need to ask for a motion and a second on the staff recommendation.

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

Acting Chair Halsted announced: I would like to ask the applicant's representative whether they have reviewed the staff recommendation and agree with it.

Mr. McCarthy replied: We have reviewed it and we accept it on behalf of the city of South San Francisco and Oyster Point Development LLC.

Acting Chair Halsted continued: With an excess of caution I would like to point out that 13 votes are required to approve this permit. Given that there is not a lot of debate I think that it might be smart for us to have a straw vote because if a permit comes before us and fails to get the votes it cannot come back to us for quite a long time.

So I would like to ask for a straw vote from the Commission on this matter.

Commissioner Pine was recognized: I just wanted to add a comment overall about the project. As a resident of San Mateo County I have been out at Oyster Point many times and there are some nice amenities there today but nothing like what we will have when this project is completed. And it is a real under-utilized portion of the Bay shore which just has tremendous potential for public access and bringing people to the Bay. I am very excited about the proposal in front of us today.

Acting Chair Halsted continued: I share your enthusiasm and I just want to make sure it gets approved.

Commissioner Addiego chimed in: As a lifelong resident of South San Francisco, as a young man or actually a boy the beach area was a magnet during those glorious three days of summer that South San Francisco enjoys (laughter) and not so much of late. So this is really an opportunity. We are very proud of our five miles of Bay Trail to South San Francisco. This is really an opportunity for people to enjoy the Bay and it is quite exciting.

Acting Chair Halsted continued: And this is enhanced by the ferry coming in there.

Commissioner McGrath interjected: And before the straw vote. As a member of the Regional Water Quality Control Board I would be remiss if I didn't say that we need to keep a cap on the landfill. But more important, it is also important to start reusing these landfills for some combination of revenue generating, tax generating and recreational uses and that it be done right and it be done in a fiscally responsible way.

I would like to add since I did notify the San Francisco Board Sailing Association with the assumption that they would let all know if they had concerns. The fact that they didn't and the fact that there are conditions here means that this aspect of public access is protected.

I have gotten myself into situations where I have recused myself from this board but this is not one. I echo the comments on how much of an improvement and how broad and well-designed many of these public spaces are.

Acting Chair Halsted continued: Well let's just take a straw vote and raise your hand if you intend to support this project. (Commissioners raised their hands and Acting Chair Halsted noted the numbers) I think we are safe in moving ahead then.

The motion is on the floor and has been seconded and I will call for a vote. We need a roll call vote for this permit to be approved.

**VOTE:** The motion carried with a vote of 14-0-0 with Commissioners Addiego, Butt, Gilmore, Scharff, McElhinney, Gorin, Eckerle, McGrath, Pine, Sears, Showalter, Techel, Wagenknecht and Acting Chair Halsted voting, "YES", no "NO", votes and no abstentions.

Acting Chair Halsted announced: Thank you very much. We appreciate the proposal and the approval and look forward to hearing what is going to happen next. Next on our agenda is a briefing on the Caltrans controlled implosions of the piers of the former Bay Bridge.

**9. Briefing on Caltrans' Fall 2017 Controlled Implosions of Piers E6 through E18 of the Former East Span of the San Francisco-Oakland Bay Bridge.** Acting Chair Halsted stated: Rebecca Coates-Maldoon will introduce the presentation.

Permit Analyst Coates-Maldoon addressed the Commission: Good afternoon Chair Halsted and Commissioners. In 2001 the Commission issued BCDC Permit No. 2001.008 authorizing the construction of a new east span of the Bay Bridge and demolition of the original east span.

As you know, the new east span has been open for the past few years and the work of demolishing the old span is nearly complete.

Several years ago the Commission considered a proposal by Caltrans to remove the massive concrete foundations of the original bridge by means of controlled implosions instead of mechanical demolition as was originally envisioned.

The Commission initially authorized the controlled blasting of Pier E3, the largest of the bridge piers, as a demonstration project to test the viability of this alternative demolition method.

Caltrans found that the use of controlled blasting reduced adverse effects to the Bay compared to conventional mechanical demolition and allowed work to proceed on an accelerated scale.

After the success of the demonstration project the Commission issued a permit amendment for blasts to remove another 15 of the 21 total concrete foundations. Piers E4 through E18 were approved.

However, given the novel form of demolition proposed extensive monitoring was required related to potential biological, hydro-acoustic, water quality, hydrographic and sedimentation impacts of the blast. Caltrans came back to you last June to brief you on the results of the controlled implosions to remove the first two of those foundations in 2016.

Since that time Caltrans has removed the other 13 foundations that you authorized using the same method. They are here today to report on how that work went.

Today five foundations remain in the Bay with one additional on land. As you were briefed about it in your October 2017 meeting Caltrans is proposing to retain several of the original east span foundations directly adjacent to the Yerba Buena Island and Oakland shorelines which they would repurpose as foundations for new public access piers.

BCDC staff is currently reviewing an application submitted last week to amend the permit and allow for this work.

We anticipate that we will bring this proposal for your consideration within the next few months. Simultaneously we are working with Caltrans staff on a non-material administrative permit amendment that would authorize some initial prep and mechanical demolition work to allow them to meet an accelerated project timeline and which would not affect the outcome of the pier retention project proposal.

So with that I will hand it over to Dr. Brian Maroney of Caltrans to brief you on the implosions of Piers E6 through E18. Thank you.

Dr. Maroney addressed the Commission: Good afternoon Commissioners. It is quite a pleasure to be here. Rebecca did a fantastic job of introducing the projects.

There are three of us who will make presentations today. My name is Brian Maroney and I am the Chief Bridge Engineer for the Toll Bridge Seismic Retrofit Program. I am also the Program Manager and I work for Mr. Dan McElhinney and I am pleased to tell you that the Seismic Retrofit Program for the Toll Bridge Program is over.

All the bridges are safe and all the state-owned bridges were done but now we are in the mitigation phase and we are following up on the promises of the mitigation that was committed to in some of these projects.

We are kind of in the very tail end and I have to tell you I can hardly wait to be done. I am really excited about that.

I am going to ask two of my environmental team members to help me make the presentation and go into great detail. The big picture that I want to share with you is that we did what we promised to do and that is really important.

In government when you make a commitment you need to follow through on it. There is something moral about it and that could be being a good steward of the water, be a good steward of the soil, be a good steward of the wildlife, eelgrass or even budget. So all of those things are really important. It is important to document very clearly that we did that.

We do put all of this information on our website. And we even have a fantastic document report that we put up on our website that documents what the progress was this year and quite frankly it was an incredible success.

When we got the permit from the entire community, many, many resource agencies, the entire community said, yes – replace this bridge and we want you to take out the old bridge. We want you to remove the old bridge. That was a commitment that came in about 2001.

We started taking down this bridge and the Toll Bridge Program is who me and Commissioner McElhinney work for. That is the Director of Caltrans, the Director of California Transportation Commission and the Director of the Metropolitan Transportation Commission. I like to call them the Holy Trinity because I have to follow absolutely what they say.

They allowed me before the bridge was opened to sign a contract with the contractor to take down a cantilever. That cantilever is one of the biggest cantilevers in the world. There is clearly nothing close to it in the United States. It is really a fantastic structure. It was harder technically to take down the cantilever than it was to build a new bridge.

When you take down a structure you don't want to add more material and spend money to just take it down. You cut things a little closer as you take a structure down so it is sharper engineering.

The POC allowed me to take the cantilever schedule and take 12 million dollars away from taking down the rest of the steel super-structure and accelerate the contractor on the cantilever. And what happened is we spent 12 million dollars to accelerate the contractor on the cantilever but we got the cantilever done a year early.

That allowed me to advertise removal of the 504s and the 288s a year early. I got my 12 million dollars back to POC through time value of money. So we started it early and so now we saved two years; a year on the cantilever and now we save an additional year on the 504s and so now we are even on our money. We've not spent any extra dollars on our budget.

Then because we started the foundation removal an extra two years early we save that escalation of money and then because BCDC staff, National Marine Fisheries Services and all the other resource agencies agreed to allow us to use this controversial method.

Last year we did two years of work. We found ourselves right now we are even on budget; exactly what we thought we would spend and we are three years ahead of schedule and demo. A year ahead on the cantilever. A year ahead on the 504 and 288s and another year ahead on the foundation.

About three years ago the Toll Bridge Program asked us, hey stop, slow down Brian. We want to think about maximizing public access. Maybe we should leave some of these historic piers. That is what is going to be talked about a little bit today but that is probably going to be for a future project.

We are well ahead. We are right on our budget. And this year we are going to be taking out two more piers on the east end; Piers 19 and 20 and we have already done this before on those exact same kind of piers. We are going to follow the same kind of appropriate environmental stewardship. We will monitor the water quality. We will monitor the shock wave.

You will see that last year one of the tricks that we used that nobody had ever used before where we are going to be using multiple-pier blasts, not at the same time, but spaced out 500 milliseconds apart.

Now the trick about that is National Marine Fisheries was very, very concerned that when one pier implodes and you have another pier implode at the same time; there could be a combined, super shock wave that combines and adds and then harms fish. We know that when we follow the rules that everybody agreed to we are not harming fish.

We are going to be following those same rules but you are going to see on Slide 19 that when we promised the National Marine Fisheries Services; we are going to hold off five hundred milliseconds between the last blast on one pier and the first blast on another pier.

That provides a factor safety of 2.0 from a shockwave going from the last blast on one pier until that wave gets to the next pier, before the first blast goes off on the next pier. That means the first shockwave passes by the second pier so it can never catch up because it is the same kind of wave passing through the same material.

We have continued to follow three basic rules. The first one is that we tied into all the wildlife biologist researchers that study all the kind of fish in the Bay and the migration of those fish, their spawning habits, where they are, when they go and what we did is that we were told by those specialists that there is a window; November, October and September.

Those listed species are not expected to be present at that time. So for three years during all of these blasts the rock fish, that is those that like to hang around a pier, when we implode the piers we do take those fish.

But if we were to build coffer dams those fish would perish too. It is a zero-sum game. We have never collected one listed fish. We avoid the risk by following the rules.



We have lots and lots of little blasts as opposed to one big blast. Those smaller shockwaves are much less damaging to the fish in and around the blast area. When you follow the rules the barotrauma that some people were worried about we don't cause that kind of harm.

And finally, we implement the blast attenuation system which has been called a "bubble curtain." A bubble curtain you buy at Toys R Us. A blast attenuation system you buy with a contractor and you implement it with sonar. We rent about eight different air compressors and they are California certified air compressors so they are not polluting the air; we bring them down from the ski slopes and we put them on barges and we are pumping air and we can monitor the air pressure, we monitor the flow so we are getting the right amount of air.

When a shockwave goes through water it compresses the air bubbles. When a shockwave goes through pier water there is no air bubble to cushion that. When we use this blast attenuation system as designed, implemented and verified each blast we find out we knock down that pressure wave about 80 percent.

We do this work only when the wildlife biologists tell those listed species are not present. On top of that we do not use a big blast; we use lots and lots of little small blasts and then we implement the blast attenuation system.

We feel really good about we have delivered on the promises. We have also had an unbelievable extensive amount of water quality monitoring. We put floating buoys with water-quality sensors to monitor things like pH, oxygen, clarity and temperature et cetera. There is a small plume that is created and we monitor that.

These blasts are very similar to a storm. The Bay returns back to its regular conditions very, very quickly. This is usually within a matter of hours.

We also put buoys right next to the eelgrass beds. There was absolutely no change in temperature, no change in pH and no impact to the water quality around those eelgrass beds. The environmental team did a fantastic job.

We made a commitment to BCDC staff that after we had the blast the first three piers were caissons and those are buildings that go down more than 250 feet down below the Bay mud floor. We designed the implosions so it would just fall down into the hole. This was very successful.

The other piers from E6 to the east; they are timber-pile foundations. They go down to about 85 to 100 feet. We have used sonar to survey the pier prior to implosion.

The contractor picks up the material then we send in a sonar boat again to resurvey the bottom of the Bay and the contractor picks up again then we send the boat back in until we remove it to down three feet below where we believe is going to be the future bottom of the Bay.

We are monitoring E3 that was done about three years ago and now we are starting to see that the Bay is curing itself and Mother Nature is doing a good job.

I want to thank BCDC staff for being so supportive of our efforts in implementing and proving this new technology. Your leadership allowed this project team and this community to provide science that is not available in the world. We have led the world in new information.

There were a lot of people against this. But they could not resist the research data. We have shown them that this is a better way to do this.

I hope we do two more this year. And I promise you we will take the same care. We will follow the same procedures. Any of you are welcome to come out and review, inspect or challenge us any way you want.

Mr. Dillon Lennebacker addressed the Commission: I work for AECOM. I am part of the Bay Bridge Environmental Compliance and Monitoring Team. I work with the BCDC staff here and they have done an excellent job on this.

We, along with our regional partners, received the Federal Highway Administration Environmental Excellence Awards for our work in this area.

We have marine mammal and avian environmental groups monitoring our efforts during these implosions. We thank all of these agencies and stakeholders for their support.

We had to get authorizations from seven different agencies. We had to get these permits in order to do the marine foundation work to remove these piers.

We have completed our work a little bit faster than anticipated. This work has been completed with a significantly reduced impact on the environment.

We had about 30 biologists in the field monitoring for impacts on wildlife and water quality. This was a big dance that we were choreographing out there and it is commendable to the team that we got through this without any injuries, without any incidences and it was very well organized and put together.

You can see on the screen our work implosion schedule for 2017. It shows the different piers, their implosion date and the time of day that this occurred. We successfully completed all of this work with minimal impacts to the Bay.

The above-water portions were removed mechanically. We then drilled and loaded the remaining walls with explosives. We then completed the blast to implode the structures.

I am going to show you a very brief video of the blast event Piers E11, E12 and E13. (A short video was shown to the attendees)

You can see on this slide the aftermath of the pier areas after the implosion. The cooler colors are showing you a greater depth while the warmer colors are the more shallow waters. You can see that the Bay is levelling out quite nicely and the sediment is behaving the way it should to signal a healing of the Bay by Mother Nature.

After the blasts we had four boats out there collecting fish. The contractors did an excellent job of this. In total we had 973 for all six implosion events. On Pier E6 we had a school of anchovies go through the blast time. There were no listed species collected. Our avoidance measures were effective.

We had six events where we did hydro-acoustic monitoring in the near field and four events where we did hydro-acoustic monitoring in the far field.

Ms. Melinda Schulze addressed the Commission: I am with AECOM working on the Caltrans environmental team. I was leading the coordination effort for all the environmental monitors during each of these events.

With the bird monitoring, as required by our permits, we monitored 30 minutes before the implosion and then immediately after our bird monitors would start doing bird predation strikes.

What we are really monitoring for are our protected species. For the most part with our seasonal avoidance we did not expect any listed species to be around. We did not have any listed species that were of concern during the blast implosions.

We had sound cannons out there to help keep the birds away from the event site. We implemented these on the support barges and we had them facing the pier to be imploded and right before the button was going to be pressed we would fire those cannons to flush the birds out of the area. They were quite effective.

When the cannons were not sufficient to flush the birds away we had a licensed drone operator use the drone to flush out the birds. The drone is very effective at flushing out the birds when the cannons do not.

We had no take of any birds and we were able to flush everybody out right before the blast.

When we saw the birds striking after the implosion they were for the most part just picking up blast debris. There were some incidences of birds picking up fish but it was pretty much a mixture of everything. Overall we saw low activity.

For most of the events I had 13 marine mammal monitors because our zones for marine mammals are weighted on their hearing groups for the different species that we might see in the Bay. We had zones that went out really far.

We did stranding surveys for three days after every event. After 18 days of monitoring we did not have stranded or injured animals that we observed.

Level A take for mammals is permanent injury or mortality and then Level B is temporary hearing loss or behavioral impacts. Our permit only authorized us for Level B take. We had exclusion zones where the Level A take could occur. We had a delay protocol in place if we did have an animal come into those exclusion zones; the whole team was ready to delay the implosion if necessary.

That was a really big highlight of the coordination that we had and how strong this team was. We had a couple of incidences where we did have to implement this delay protocol.

We came in well below the level of take that we were authorized for marine mammals. We did an excellent job of avoiding impacts and minimizing damage to wildlife.

Water quality and sediment monitoring was highly robust monitoring program. We had six different types of monitoring that we did. All of these measures were collaborated with the Water Board on the best way to monitor the impacts of these implosions.

We had really good results on this that we have seen for the past two years. No news is good news with regards to water quality. All levels went back down to background very quickly; within two to four hours. The levels that were produced were exactly what we had anticipated.

We did not have any changes to the eelgrass background at the ESA beds which confirmed that the plume did not actually reach the eelgrass beds which are environmentally sensitive areas.

The sediment levels that came back to us were actually consistent with the Regional Monitoring Program which is the basis for ESA Basin Plan.

We are really happy with the water quality and sediment monitoring results.

Mr. Lennebacker continued: There are five piers still left to address. We are going to be addressing Piers E2 and Piers E19 to E23. We will be retaining Pier E23 and the two that are further out to support new structures in the Bay for public access and recreation.

The DRB and the Commission have had a chance to comment on our public access concept for Pier E2. We are planning to make it an observation area with as much flexible use as possible. TIDA will be running this pier and it will be adjacent to the Torpedo Building which will be owned and operated by TIDA as well.

With that I would like to thank this Commission. I would like to thank BCDC staff for working on this. If you have any questions we are here for you.

Acting Chair Halsted continued: Thank you. Any questions from the Commission?

Commissioner McElhinney was recognized: The Toll Bridge Program Oversight Committee approved these concepts for construction and approved the contractor to proceed on March 26th for 140 feet of public access over water from YBI and 600 feet from the Oakland shoreline. The contractor should start once all permits are received. We will be out on these walkways next summer if everything goes well.

Acting Chair Halsted commented: I think back to when we first did Pier E7 in San Francisco which is another walking pier and goes way out into the Bay; it made a huge difference to the access.

Commissioner McElhinney added: The funds that were intended to demolish those remaining piers are being invested in public access which is an excellent teamwork by everybody and the Oversight Committee.

Acting Chair Halsted continued: Thank you all for a great job well done and more to come.

**10. Briefing on the Resilient by Design Challenge.** Acting Chair Halsted announced: Item 10 is a briefing on the Resilient by Design Challenge, by Amanda Brown-Stevens, Managing Director of the Resilient by Design Challenge.

Ms. Brown-Stevens addressed the Commission: Mayor Tom Butt in one of our executive board members and I appreciate having him here. As you know this is a year-long design challenge bringing together teams of landscape architects, engineers, ecologists, designers along with community leaders, elected officials, community-based organizations and others to come up with innovative design ideas to address issues around severe storm flooding and sea level rise.

We are now pretty far down along the timeline of this year-long challenge. We are getting close to the final presentations next month. We wanted to give you a preview of what the teams are working on right now.

We went through a set of tours in the fall around the Bay where our selected design teams visited vulnerable places around the Bay and talked to local leaders and experts and learned about where the vulnerabilities were and where there were opportunities. The teams were matched with a specific location and are now digging in to come up with design ideas and also start to bring in the stakeholders needed to move these forward.

In this short timeframe that we have we are not coming up with fully-designed projects that will be ready to come here for permits. We are really looking for big ideas for a way to catalyze projects and a way to bring people together in a way that we haven't done in the past around sea level rise and flooding issues and how to use design to create multi-benefit projects.

Part of what we tried to do is to bring the creativity of these designers to envision what a future could look like and then what we are doing now is bringing in stakeholders and regulators to start to have those conversations.

One the things that is exciting about a project like this is we are not a public agency that is contracted to a design firm to do a specific project. We are asking these teams to engage with the public in a different sort of way; asking them to come up with creative ideas to educate people about floods and sea level rise issues.

You will see up here on the screen several examples of different activities that the various teams are doing. As you can see they are engaging the public in unique and novel ways.

I will touch briefly on each of the teams and some of the activities they are involved in. As you can see the teams are being innovative in their outreach efforts.

These activities are really built around, how do we think about all of these pieces together as opposed to here is a project and here is the solution.

Another common theme is that the Bay is cut off because we have these highways circling around and how do we orient our communities toward the Bay and improving the connectivity of the people living here.

Another theme addressed by the teams is how can one reduce flood risks and also think about disaster preparedness and how to use schools to be flood basins and also centers for people to go to during a disaster. Making those connections and bridging that conversation between planning for reducing flood risks and planning for disasters is important.

One of the interesting things about our efforts is how these design teams use their designs to engage people and start getting them to think about what the trade-offs are.

One of the things that was identified as we went around the region this fall was that there is not a lot of awareness among local communities about the flood risks and about what to do about it. A pilot project was designed for a permaculture curriculum that brings in coastal adaptation strategies and trains local community members in the technical detail of what the flood solution strategies are and also how to advocate in their communities.

Another team working in the Richmond area is looking at an area that has a lot of flood risks right now and how do you create a system that brings out the wetlands, reduced flood risks and creates a system that will benefit local community residents by creating job centers and other innovative measures.

This was a quick overview of what some of the teams are thinking about and we are in the final stretch of this challenge. The teams will be developing their final design ideas and mapping out the political support that does exist.

They will be developing what we are calling the implementation road map including next steps, a finance plan and they will be presenting these at two days of activities. On May 17th each team will present their final design ideas. That will take place at S.F. Jazz Center and it will also be streamed online.

On the second day we are going to have a set of conversations pulling out what we have learned, thinking about next steps and then a celebration of the teams that evening. We have a jury that will be reviewing these designs and highlighting some of the great things that come out of these. We will have some conversations about what the specific next steps will be because we know that is when the real work will begin.

I hope all of you can join us and share and spread the word about these activities. It is going to be an exciting moment for the region to come together, celebrate these designs and think about how we can come together.

It is unusual for a region to come together and think about disasters before they happen. The more we can do to reduce disaster risks will put us in better shape to meet future challenges. Thank you for your support on this and I look forward to continuing to work with you.

Acting Chair Halsted continued: Thank you so much for your presentation. This is exciting and amazing. Do we have questions from Commissioners? (No questions were voiced) We don't have a public hearing on this but are there questions from the public? (No questions were voiced)

11. **Briefing on the Strategic Plan Workplan.** Item 11 was tabled for a future meeting.

12. **Adjournment.** Upon motion by Commissioner McGrath, seconded by Acting Chair Halsted, the Commission meeting was adjourned at 3:38 p.m.

Respectfully submitted,

LAWRENCE J. GOLDZBAND  
Executive Director

Approved, with no corrections, at the  
San Francisco Bay Conservation and  
Development Commission Meeting  
of May 17, 2018

R. ZACHARY WASSERMAN, Chair