

# San Francisco Bay Conservation and Development Commission

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

August 25, 2023

**TO:** All Commissioners and Alternates

**FROM:** Lawrence J. Goldzband, Executive Director (415/352-3653; [larry.goldzband@bcdc.ca.gov](mailto:larry.goldzband@bcdc.ca.gov))  
Reylina Ruiz, Director, Administrative & Technology Services (415/352-3638; [reylina.Ruiz@bcdc.ca.gov](mailto:reylina.Ruiz@bcdc.ca.gov))

**SUBJECT: Draft Minutes of July 20, 2023 Hybrid Commission Meeting**

**[Note: Agenda Item 9 was taken out of order. These minutes reflect the agenda item as listed on the agenda and not as taken in chronological order.]**

**1. Call to Order.** The hybrid meeting was called to order by Chair Wasserman at 1:07 p.m. The meeting was held with a principal physical location of 375 Beale Street, San Francisco, California, and online via Zoom and teleconference. Instructions for public participation were played.

Chair Wasserman stated: Good afternoon, all, and welcome to our hybrid BCDC Commission meeting. My name is Zack Wasserman, and I am the Chair of BCDC.

Chair Wasserman gave instructions to Commissioners on procedures for participating in the meeting. He asked Ms. Ruiz to proceed with Agenda Item 2, Roll Call.

**2. Roll Call.** Present were: Chair Wasserman, Vice Chair Eisen, Commissioners Addiego, Ahn, Arreguin, Beach, Eklund, Gioia, Gunther, Hasz, Lee (represented by Alternate Kishimoto), Lucchesi (represented by Alternate Pemberton), Mashburn (represented by Alternate Vasquez), Peskin, Pine, Ramos (did not respond to Roll Call), Ranchod, Randolph, Showalter (represented by Alternate Lefkovits) and Tam (represented by Alternate Gilmore).

Chair Wasserman announced that a quorum was present.

Not present were Commissioners: Department of Finance (Almy), U.S. Environmental Protection Agency (Blake), Association of Bay Area Governments (Burt), Department of Natural Resources (Eckerle), Department of Business Transportation & Housing (El-Tawansy), Sonoma County (Gorin), Marin County (Moulton-Peters)



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

Chair Wasserman gave instructions for participating in the hybrid meeting. He emphasized the following: Commissioners must have their cameras on, instruction for public attendees was given, those in attendance at 375 Beale Street were socially distanced, comments must be focused and respectful and emails received were noted.

No members of the public addressed the Commission.

Chair Wasserman moved to Approval of the Minutes.

**4. Approval of Minutes for the June 15, 2023 Meeting.** Chair Wasserman asked for a motion and a second to adopt the minutes of June 15, 2023.

**MOTION:** Commissioner Gilmore moved approval of the Minutes, seconded by Commissioner Eklund.

The motion carried by a voice vote with no abstentions or opposition.

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

a. **New Alternate Commissioners:** I would like to start by welcoming two Alternate Commissioners. The Speaker of the Assembly has appointed David Duong of Oakland as the Alternate to Commissioner Eddie Ahn.

David, would you like to say a few words to us? Come up to the podium, please.

Commissioner Duong introduced himself: Hi, everyone. My name is David Duong. Our family owns a recycling and waste-reduction company in Oakland. I am so happy because we are in environmental services. This is something that I am very interested to be on and to be part of the work related to BCDC. So therefore, I committed my time to help whatever we can contribute to listen to our community. Thank you very much.

Chair Wasserman acknowledged: Thank you, sir. David demonstrated his commitment. He was here this morning for our Rising Sea Level Working Group, which I will talk about in a moment. And he has gotten some material from the Executive Director, which he is going to take to Vietnam on a visit that he is going to do later this month. So, we thank you for that.

The Speaker has also appointed a BCDC collaborator, Alicia John-Baptiste, the CEO of SPUR, as an Alternate to ex officio Assemblymember Phil Ting. So, we welcome you as well and give you an opportunity to address us.

Commissioner John-Baptiste addressed the Commission: Good afternoon, everyone. Thank you so much, Chair Wasserman. I am Alicia John-Baptiste. I am President and CEO of SPUR. As the Chair mentioned, we are a policy organization with a deep commitment to sustainability and resilience. Have worked closely with BCDC in the past and I am excited to bring that commitment to this new role as an Alternate Commissioner. So, thank you very much.

Chair Wasserman acknowledged: Thank you.

b. **Rising Sea Level Working Group.** Chair Wasserman stated: As I mentioned, we did have a Rising Sea Level Working Group meeting this morning and heard a presentation from staff, which Larry appropriately described as an introductory lecture.

The subject was how we need to reform our regulatory processes to deal effectively and efficiently with the projects that are going to help us adapt to rising sea level. He described it as a basic introduction as you would get in World Civilization, from Plato to NATO. Those are his words, not mine.

It, in fact, was a very important presentation. They have started doing some very important work.

It is funded by a grant from the Conservancy and OPC from the state. Has already started looking at past studies of our regulatory process; will additionally look at a set of national and international comparisons and best practices. Has evaluated 31 existing recommendations, some of which may be right, some of which may not.

And we will make a report as things go forward to that group as well as to this Commission on how we are going to make the sea change that needs to be done that we have done on our basic mission regarding filling the Bay to save it. This is on the processes that will actually let us implement that.

We also had a presentation on the projected rollout of Bay Adapt and the Resilient Shoreline Plan to take it out to the community, which will take place over the next 12 to 18 months. We will make some of those presentations to this Commission as that goes forward.

Larry and I went down last week to address the Coastal Commission on the findings that had been presented to this Commission and the Financing the Future Group on the projected cost of adapting to rising sea level, the potential resources and the large gap between that.

We were welcomed and I think the remarks were much appreciated. And I think they start a level of cooperation and hopefully collaboration with our sister agency the Coastal Commission, which really has not occurred very much in the past for a whole host of reasons we do not need to go into. But we look forward to a much more collegial and cooperative future.

c. **Second September Meeting.** We are also planning at our second meeting in the month of September, the 21st of September, to have something of a social mixer after the Commission meeting. We reserved a room down here. This comes out of staff and me in some discussions that as we are emerging from the pandemic, as we are getting back in person, it would just be valuable to have that time together. So, please reserve some extra time for that.

Commissioner Gioia chimed in: I did not hear the date. What date?

Chair Wasserman replied: September 21.

d. **Meeting Notice Requirements.** Next, I want to remind Commissioners who are participating virtually that you are responsible for posting BCDC's meeting notice, the agenda with what we are discussing, at an appropriate place at your meeting location, be it your office, home or a joint area, 10 days prior to the BCDC meeting.

This is law. I did not come up with this to encourage you to be here in person, which as you know I do encourage. But it is the law; we are just reminding. And it needs to be accessible to the public.

e. **Next BCDC Meeting.** It is likely that we will not hold a meeting next month in August, in part, because the ground floor of this building is undergoing some extensive work as well as just the workflow of the Commission itself. So, we expect our next meeting will be held on September 7. It will be a regular hybrid meeting. And as you know, I encourage you to attend in person. But if you are going to attend in person either that one or the one later in September, the second meeting is more important because we are going to have the social mixer.

During those meetings we expect to address the following matters:

- (1) Consideration of legislative positions and possible votes on those.
- (2) Consideration of a contract with the Port of San Francisco.
- (3) A public hearing on the Seaport Plan Update.
- (4) A briefing on the recent US Supreme Court wetlands ruling.
- (5) A briefing on the permitting mission-based review by the Department of Finance, which is underway right now and which we have asked for and welcomed.
- (6) A briefing by our summer interns. It is always exciting to have a fresh view and voice and hear their perspectives.
- (7) And a briefing on our Strategic Plan.

f. **Ex Parte Communications.** That brings us to ex parte communications reports. In case Commissioners have had ex parte communications about adjudicatory matters, it does not apply to policy matters although you may report those if you wish, the reports need to be written. There is an entry portal on our site. But if you have not and you wish to report them verbally at this meeting, now is the time to do it. If you report it verbally, you still need to do it in writing. And we ask that your verbal report, if you are doing it, not be longer than two minutes. Is there anyone who wishes to make an ex parte report?

Seeing none, thank you.

That brings us to Item 6, the Report of the Executive Director.

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

I cannot let July 20th go by without reminding everyone that Neil Armstrong and Buzz Aldrin became the first humans to walk on the moon 54 years ago today. For those of us who are a certain age, do we remember where we were when that happened? Do we remember looking at the moon through binoculars while men were walking around? And do we remember that magnificent photograph of earthrise taken by the astronauts?

Building upon that picture, Norman Cousins, Editor-in-Chief of the *Saturday Review* and an acquaintance of our family, wrote that “what was most significant about the lunar voyage was not that men set foot on the moon but that they set eye on the Earth.”

We should all learn from that lesson, and that is why BCDC staff always look at projects and plans from all angles so that we gain the full appreciation of the best ways to conserve and develop the Bay's resources.

Some good news to start off with.

First, you will remember that the State's fiscal year ended on June 30. I am pleased to let you know that BCDC had a very successful budget year in a number of respects. Due to the tremendous collaboration within our Financial Services unit headed by Sean Williamson, BCDC had remaining balances of only \$350 in the Greenhouse Gas Reduction Fund and \$900 in our General Fund.

Second, due to a successful year in Enforcement we have a healthy balance in the Bay Fill fund, which we use to fund our Compliance staff.

And third, our Budget team has prepared a tremendous budget forecast for this fiscal year. And we used a great deal of our budget savings from last year, created through a number of staff vacancies for the most part, to pre-pay a good portion of our largest contracts, which will help us this year and next.

In addition to thanking BCDC's internal accountant, Meichelle Liang, we need to thank our partners at Department of General Services and the Coastal Commission for their help in resolving difficult year-end technical issues.

Unless we hear otherwise, we will offer an Environmental Scientist position on the Adapting to Rising Tides team to Annie Sneed. Annie spent a decade as an environmental reporter for *Scientific American* and other major media outlets, reporting on living shorelines, hurricanes, droughts and climate resilience, before earning her master's degree in environmental management from Duke University. Annie is an alum of Bowdoin College, home of the great Joshua Lawrence Chamberlain, from which she earned her BS in Biology and Environmental Studies. That makes Annie a very terrifying Blue Devil Bear.

Immediately after Independence Day, Chair Wasserman approved an emergency permit for the city of Santa Rosa, enabling its staff to repair highly eroded levees along the Petaluma River, upstream from Highway 37. The immediate fix will be done by using riprap. But Santa Rosa will subsequently apply for a permit to strengthen the levees and will remove the riprap at that time once the permanent fix is completed.

Building on the Chair's Report about our report to the Coastal Commission. I will be attaching the report's Executive Summary to my Commission Meeting Summary this afternoon.

Chair Wasserman provided the Commission with great context for their understanding of how BCDC operates. Indeed, at least one Commissioner was very surprised to learn the size of the Bay, as its perimeter being half the length of the California outer coast and its size being one and a half times the size of the city of Los Angeles. We answered really good questions; I am sure there will be follow-up.

Now it is time to make another request of our county supervisors. BCDC staff would love to brief each of your jurisdictions on the study and its ramifications combined with Bay Adapt.

So far only Alameda County has taken us up on the offer. I hope that requests from the rest of the counties are not far behind, and I will be following up with each of you.

BCDC's good friend, Dr. Kathy Boyer of San Francisco State University's Estuary & Ocean Science Center, has submitted a grant to the Coastal Conservancy supported by our staff to form a Bay-centric science consortium. The consortium would conduct a two-year case study on innovative green-grey infrastructure techniques.

You will remember that one of Bay Adapt's tasks is to promote the formation of such a consortium, whose role would be to help translate existing climate change and adaptation science into decision-ready guidance for our stakeholders. Such a consortium also would enable scientists to understand and help fill information gaps that make current decision-making difficult. We will keep you informed.

Speaking of Bay Adapt, the Design Review Board and the Engineering Criteria Review Board will hold its first-ever joint meeting on Wednesday of next week. Its purpose is to receive a briefing on Bay Adapt and start discussing with the Advisory Board members how we can best use their individual and collective expertise as we move forward in both the planning and regulatory spheres. And we will have a social hour afterward. Let us know if you are interested in attending as well.

We have three meetings this week and next, of which you should be aware.

First, the Sediment and Beneficial Reuse Commissioner Working Group will meet virtually at 10:00 this Friday morning, and I know that Chair Gunther and Vice Chair Showalter are always looking for interested participants.

Next Tuesday afternoon the Seaport Planning Advisory Committee will meet here at Metro Center, and online to review staff's initial draft of the new Seaport Plan, under the capable direction of Chair Eisen and Vice Chair Hasz.

And the first meeting of the Regional Shoreline Adaptation Plan Advisory Group will occur next Monday, which is a very exciting development as Bay Adapt gains traction.

Two final notes specifically for Commissioners.

First, we would like to ask you to use your regular outreach channels to invite the public to Commission meetings. We know that each of you has a different virtual method to communicate with your constituents and we would like to work directly with you or your staff members to create a simple process to relay Commission meeting content and agendas from BCDC to your points of contacts. Lita Brydie, our EJ and Social Media team member, will be reaching out to our Commissioners to start this process.

Finally, I wanted to buttress what Chair Wasserman said by reminding all Commissioners who participate virtually in our full Commission meetings to post all notices and agendas where you will be located for the meetings 10 days before the meetings occurs.

That completes my Report, Chair Wasserman, happy to answer any questions.

Chair Wasserman asked: Any questions for the Executive Director? Commissioner Gioia.

Commissioner Gioia was recognized: Yes, just to be clear, that means you are sending us the agendas 10 days in advance. I do not recall that that had happened before.

Executive Director Goldzband responded: It happens the Friday before the week before the Commission meeting. If we were to have a Commission meeting two weeks from today, you would receive an email from BCDC tomorrow with the meeting notice and a lot of other things. But you are not going to because we are not going to have meetings in August.

Commissioner Gioia acknowledged: Okay, got it. We may just add another staff person in our office in addition to me to get it so they can be responsible for posting it that same day if I am not here. Okay, we will do that.

Executive Director Goldzband replied: Got it.

Chair Wasserman added: Actually, just to follow up on that, if you are meeting remotely, as Commissioner Gioia frequently does from his office, and sometimes gets other Commissioners there as well, you should have your staff coordinate with Reylina to do it so that it can be done as efficiently as possible and you do not get caught up in the process.

Executive Director Goldzband chimed in: If I can add to that. When we had to do this before this past year, we did have at least one instance in which a Commissioner who planned to participate remotely, or planned to participate here in this building, found that he could not do that that day and then asked, can I simply go from my home? And we said no, because that location had not been listed on the agenda.

So as a result, you are stuck, basically, with what you submit to us. And you always have the option of going to one of the other places on that list so long as the place you have listed if you are not going to use it, is accessible to the public during the meeting.

Chair Wasserman introduced some levity: Got that? You are sure about who is on first?

Executive Director Goldzband obliged: No, no, what's on second, why on third. (On-screen laughter)

Chair Wasserman continued: I am going to recognize Commissioner Gunther for a brief announcement.

Commissioner Gunther spoke: Well, I was just going to let my colleagues know that on August 17, after the meeting that I thought we were having, I am giving a lecture on climate change at the Osher Lifelong Learning Institute around the corner at 6:00 o'clock. But since you guys are not going to be here at this meeting it will not be as convenient for you, but I am still going to give the talk.

I also give these talks all around the Bay Area and if you know anybody in your community that wants to hear about climate science and the solutions to the climate crisis in a very nonpartisan and exciting way, you are welcome to reach out to me. Thank you.

Chair Wasserman announced: We are switching Item 9 and it will be heard before Item 8.

**7. Consideration of Administrative Matters.** Chair Wasserman stated: Item 7 is Consideration of Administrative Matters. We have been provided a copy of them and Deputy Executive Director Steve Goldbeck is here if you have any questions about administrative matters.(No questions or comments were voiced.)

**8. Public Hearing and Possible Vote for 777 Airport Boulevard Office Development in the City of Burlingame, San Mateo County; BCDC Permit Application No. 2022.004.00.** Chair Wasserman stated: That brings us to Item 8, which is consideration of a permit application for a project at 777 Airport Boulevard in the city of Burlingame. Shruti Sinha, our Shoreline Development Analyst, will introduce the item.

Shoreline Development Analyst Sinha spoke: Thank you, Chair Wasserman; and good afternoon, Commissioners. My name is Shruti Sinha, I am a Shoreline Development Analyst at BCDC.

On July 7, you were mailed an Application Summary for BCDC Permit No. 2022.004 by Lincoln Property West for the 777 Airport Boulevard Life Sciences Redevelopment Project, which involves developing a 13-story office and R&D building and improving and adding to an existing 3.08-acre public access area in the city of Burlingame, San Mateo County.

An Application Summary for this application was originally mailed on May 5, 2023, for a public hearing scheduled for the Commission on May 18.

Following that mailing, the applicant submitted a request for a material amendment to their application for project changes, that then required additional analysis by staff.

An Amended Application Summary for the current project was mailed on July 7, 2023.

The material amendment to the application was for the modification of the shoreline protection proposed for the project. The original application proposed to remove the existing shoreline armoring at the site and replace it with 16,780 square feet of new riprap that would have required approximately 750 cubic yards of Bay fill over a 2,300 square foot area below the mean high water line.

The amended application proposes to leave most of the existing shoreline armoring in place and replace only the top part with a short retaining wall and place 3,000 square feet of new riprap on top of the existing armoring. This revetment would be placed at a minimum elevation of 2 vertical feet above mean high water.

As amended, the project would involve no Bay fill or construction activities below mean high water and would result in no net change to the total public access area proposed for improvement. The amended application does not require a Section 401 certification from the Regional Water Quality Control Board or additional design planning or environmental review by the city of Burlingame.

The project is located in the South Bay city of Burlingame, as shown on the map on the left. The proposed development would occur primarily on a 3.08 acre private property of 777 Airport Boulevard, but will also improve an adjacent .9 acre city right-of-way.



The map on the right shows the project site along the southern edge of Burlingame's Anza Peninsula, at the intersection of Anza Boulevard and Airport Boulevard. The shoreline here fronts the Burlingame Lagoon.

Currently, the site is occupied by a recently-closed Red Roof Inn, a 214-room hotel with surface parking constructed in the mid-1980s. This is a satellite image showing what the site looks like currently. The city-owned right-of-way is along the west side of 777 Airport Boulevard between that parcel and the Anza Boulevard overpass.

This project would significantly improve an existing half-acre shoreline public access area required by BCDC Permit Number 1980.26.02, and the adjacent city right-of-way will be seamlessly integrated into the project's public access programming and overall landscape design.

The redeveloped public access area would feature an improved Bay Trail widened from the existing 9-11 feet to 14 feet, a widened pedestrian path connecting Anza Boulevard to the Bay Trail, pedestrian and vehicular access from Airport Boulevard to the shoreline, and Shoreline Plaza with visitor amenities, a sloped lawn with terraced seating, a shorefront overlook with ample seating and a furnished picnic area.

The existing permit already requires 11 public shore-parking spaces. This project would retain those spaces and add at least One ADA public-shore parking space.

Other improvements to the public access area would include an enhanced public access signage program, bike racks, several picnic tables, a binocular view scope, a drinking fountain with pet bowl, a dog bag receptacle, new benches, a drinking fountain, new benches along the Bay Trail and native and adaptive landscaping for screening and shade.

This diagram shows the existing and proposed public access at the site. The .9-acre city-owned right-of-way is already land designated for public use and would remain so with this project.

At 777 Airport Boulevard the project would add approximately 2,380 square feet of newly dedicated public access area beyond the half-acre area already dedicated pursuant to the existing permit.

The project would also add .4 acre of other required public access areas, shown here in yellow.

The project would address rising sea levels by raising the project site and armoring its shoreline with a retaining wall and riprap.

The proposed shoreline protection would be constructed to a minimum height of 14 feet throughout. The project would also raise the majority of the site, including the Bay Trail, to elevations between 13 and 14 feet.

Applying projections from the 2018 State of California Sea Level Rise Guidance Documents for high emissions and medium high risk aversion scenarios, the project's proposed elevations would protect the majority of the public access from flooding caused by sea level rise and extreme storm events through 2050.

The project has contemplated options to adapt the site to end-of-century sea levels. The sea level rise risk assessment prepared for the project notes that the city of Burlingame and county of San Mateo are planning to construct a continuous coastal levee system with a crest elevation of at least 16 feet NAVD 88, and that the site has capacity to be integrated into such a levee system. If such a system is implemented, it would protect the majority of the public access from flooding through 2100.

The applicant is committing to monitor the site and to engage in an adaptation planning process that will begin by 2050 or at any early signs of flooding. This would include revising their current Sea Level Rise Risk Assessment, using the best available science at that time, and developing and implementing appropriate adaptation measures to avoid impacts on the public access area.

BCDC's Community Vulnerability Mapping Tool shows the project area as having low social vulnerability based upon census data, thus is not considered to be within an identified vulnerable or disadvantaged community. Within a one-to-two-mile radius of the project site and on the other side of Highway 101, the Community Vulnerability Mapping Tool shows communities southeast of the project site that have high or highest social vulnerability.

Social vulnerability in the area is associated with indicators for children under 5, people over 65 living alone, people with no high school degree, people with limited English proficiency, people who are not US citizens and people with very low income.

In terms of community outreach, the proposed project included public outreach and engagement typical of the city of Burlingame's local entitlement process.

In advance of the public hearing before the Commission's Design Review Board, Commission staff recommended that the applicant engage a number of community-based organizations that work within underrepresented or identified vulnerable and disadvantaged communities in the area.

The applicant did reach out to and requested feedback from some of these organizations. The applicant reports that comments were focused mostly on areas of bird-safe design and technology-driven sustainability such as electric vehicle charging stations.

The Application Summary outlines the Bay Plan policy areas relevant to the project and discusses the proposed public access improvements.

This concludes the staff introduction of the 777 Airport Boulevard Life Sciences Redevelopment Project. At this point I would like to introduce Brandon Wang of Lincoln Property West who will provide the applicant's presentation of the project.

Mr. Wang presented the following: Good afternoon, Board. Thank you for having us today. And thank you to the BCDC staff for all their hard work in getting us to this point. I am Brandon Wang, Executive Vice President for Lincoln Property Company. I am joined by my colleague, Marc Huffman, who is the Vice President of Entitlements for Lincoln Property Company, and we are excited to be here today to present 777 Airport. We also have our consultants here on site and also on Zoom to answer any questions at a later time.

So here is the subject site. These are the existing improvements. As noted before, it was a prior Red Roof Inn. The hotel really did not do anything to accentuate or to highlight the Bay Trail, so it is highly underutilized in our view. Highlighted in the shaded blue is a current BCDC easement.

So here is our proposed site plan. The intent really was to pull the building away from the Lagoon and towards the Anza and Airport Boulevard intersection to maximize the shoreline. The landscaping here has a gradient of experiences. Along Airport Boulevard is more of an urban plaza character to it, and then towards the Lagoon is more of a park-like character to it.

We feel that the site plan is greatly improved from a public access perspective. It will also greatly be improved from an onsite experience and then also for the adjacent city-owned parcel.

Here is the access to the site. Highlighted in green is the Bay Trail. Really the focus for us on the ground plane was this linear Plaza that is highlighted in red. And that is really to connect the pedestrians on Airport Boulevard to the Bayshore.

And we also amenitized this linear plaza with public art, with a public café, with interpretive signage and a number of seating options to really activate that space and draw pedestrians to the Bay Trail.

Here is just the vehicular overview. Cars will enter through Airport Boulevard. Loading will be off Anza Boulevard. And then emergency vehicle access will also be off Anza Boulevard.

Here is a rendering of the plaza on Airport Boulevard. A nice dramatic arrival experience. Also a great destination for community gathering.

And then this is an image from Airport Boulevard looking down, which this is the linear plaza that I referred to earlier. As you can see, it is a nice wide plaza that connects you directly to the Bayshore. You have signage there that directs you not only to the parking but to the Bay Trail and to the cafe.

And then as you move in closer towards the Bay shore you get to see the public art to the left, you have a cafe to the right, and you are starting to see some of the nice seating elements as well.

And then this is an angle looking back towards Airport from the cafe. We designed the cafe to have a glass sliding door. This creates a nice seamless indoor-outdoor experience. Again, showing what the seating options will be like for the public.

And then one more shot of the café. This was important to the Design Review Board that we have a public-facing amenity that pedestrians and users of the Bay Trail could go to enjoy coffee or a refreshment and so we are really pleased with how this turned out.

And then this is a view from the park from the Bay Trail facing back to Airport Boulevard. Again, you see the signage leading you to the cafe so you know that it is there, along with the interpretive signage on the corner. Again, highlighting some of the landscaping and soft seating areas.

I will turn it over to Marc to go through the remainder of the slides.

Mr. Huffman spoke: Thanks, Brandon. Before I get started, I just wanted to echo Brandon's comments in thanking BCDC staff. I know it was a lot of heavy lifting, a lot of late nights getting us here, so thank you.

This is just a view that Shruti showed earlier of the shoreline, the improved shoreline experience with our project. You see the widened Bay Trail, 14 feet with the native and adaptive plantings and the seated overlook area at the Lagoon with the sloped lawn and plaza to the rear of that.

This is another view looking back towards the building from Anza. Again, you see the widened Bay Trail with the picnic area with picnic benches. To the left of the screen you can see, I think it is a 12-foot path that takes you back up to Anza Boulevard and the sloped lawn in the back there.

This is just an overview of our plan. You can see the sloped lawn and plaza. In the existing improvements with the hotel, much of the shoreline is actually where the shoreline parking is. So, we have removed that and placed that outside of the shoreline band, which allows us to maximize that space into the shoreline band. I think that is the main thing to talk about here.

So as Shruti mentioned, we have designed this in two stages. So, at 13 feet the minimum requirement was for us to get to that 13 feet above sea level to meet the midcentury sea level rise projections. We have designed this at 14 feet. This shows what the adaptation would be necessary to take us up to the end of century, 16 feet elevations. As you can see, the design intent in the majority of the elements, the public access elements in the shoreline are retained under those scenarios.

These sections show, you can see this a little bit better here. These sections show the design at where we are proposing to develop now, which take you through midcentury with a 14-foot elevation. You can see the plaza and the sloped lawn and the revetment and low wall.

And then the changes to take you to 16 feet are shown in the next slide where the site is raised as a whole. The revetment and the Trail are pushed back slightly so you lose a little bit of area but the overall integrity of the experience is retained.

In this slide you can see where we have got the different types of furnishings. It's very important with the city of Burlingame Planning Commission that we define a family of both fixed and movable furniture. You see the cast-in-place seating in the sloped lawn. You see the benches with the wood elements and the picnic benches and tables and the wood elements there that would be at the plaza. The blue circles are where the cast-in-place elements would be. The pink elements are where the benches and picnic tables would be. And then it is a little more difficult to see but there's three locations in sort of a dark purple where the bike racks furniture would be.

And just some more images of the inspiration for the experience that we are looking for here.

This site will be well-lit with a variety of different lighting fixtures. All these will meet the dark-sky requirements and the bird-safe design requirements. These are mostly for night safety and just making sure that it is a pleasant environment for the public to visit at all times.

In closing, we just want to thank you again for the opportunity to present the project. Thank the staff for all their efforts to get us here to this point.

We believe we have arrived at a design that will truly result in an exciting landmark building for the city and the Anza Peninsula and will bring massive community and economic benefits.

The community benefits will significantly improve the pedestrian experience along Airport Boulevard and the pedestrian and bicyclist experience along the Bay Trail. It will provide substantial new amenities along the Bay Trail and promote accessibility to the Bay Trail. And it will enhance shoreline resilience and protection from sea level rise.

We are hopeful that the Commission agrees and excited to move forward with the project. Thank you for your consideration and we are here to answer any questions.

Chair Wasserman continued: Thank you. With the presentation complete we will open the public hearing.

Are there any members of the public in this room who would like to address us about this project?

Seeing none, do we have any remotely who would like to address us on this project?

Ms. Ruiz stated: No public comment online.

Chair Wasserman asked: Any Commissioners who wish to speak? Questions?  
Commissioner Kishimoto.

Commissioner Kishimoto commented: Yes, yes, thank you. Thank you for all the work that has obviously gone into this, and I really appreciate the work by the Design Commission as well.

I think I have maybe two questions and I do not know if they may or may not be directly relevant.

That first slide talked about what is there right now, which is evidently a hotel and so I imagine the first task is demolition and that is a fairly massive amount of material that is going to go to C&D (construction and demolition). So, is it part of the scope to look at reuse of that C&D on site rather than hauling it away and bringing back new material? That's my first question.

Mr. Huffman replied: Yes, there is a C&D recycling plan that the City had required to reduce the waste that is coming off the site. Hopefully some of it, particularly the parking lots, can be ground up and used as base again. A lot of it, unfortunately, will need to leave the site but hopefully can be recycled.

Commissioner Kishimoto continued: Okay. Maybe this is a question more for staff because in reviewing some of the wording here it does say that they do not want, I forget where it is exactly, but it has something about they do not want crushed concrete and such. But there is so much material that goes into building it up. Is there a process or is anybody looking at allowing development to reuse the C&D onsite rather than hauling it off, crushing it and bringing it back?

Chair Wasserman chimed in: I do not know if anybody on staff wants to address that. It is a very important issue. It is also outside our jurisdiction.

Commissioner Kishimoto acknowledged: Okay, yes. Good point. So maybe that is a question more for the City.

Chair Wasserman added: At least according to the applicant's statements, the City has considered that and put some requirements on it. Whether they put enough on, whether they could do better, is also, for better or worse, a little outside our jurisdiction.

Commissioner Kishimoto replied: Okay. Well, I apologize for that.

Chair Wasserman reiterated: I said, I started saying it is a good question.

Commissioner Kishimoto continued: Yes, okay. I think it is important too.

I guess my second question may also be outside the scope. A lot of the pictures showed fairly large trees on site, and maybe this is more up to the City. Is there the root space for those trees? Is any of that on BCDC land or jurisdiction?

Chair Wasserman chimed in: Well, let's get an answer just factually to what is happening to the trees that are shown.

Mr. Huffman asked for clarification: I am sorry, what was the question about the trees?

Commissioner Kishimoto restated her question: Yes. Well, it is basically that your pictures show very large, beautiful, large trees, and they usually would require almost equivalent space underground for the roots. My question was, have you planned for that root space and how has that been planned?

Mr. Huffman stated: I am going to invite our landscape architect Jacob Petersen up here to answer this question.

Mr. Petersen fielded this question: Yes. We have accommodated the soil volumes that will support large tree growth.

We have integrated the idea that groundwaters will be elevating in parallel with sea level rise so we do think that we can support the trees that we have shown. Obviously, those are mature trees shown on our drawings, not the size trees that we will be planting. We will be planting an average of three-inch caliper trees across the site. Does that answer your question? Thank you.

Commissioner Kishimoto acknowledged: Yes, I think it does some. Okay. Well, thank you very much.

Chair Wasserman continued: Thank you.

Any other Commissioners remote or present? Commissioner Ranchod?

Commissioner Ranchod commented: Thanks. I was just going to say I support the changes in the Revised Staff Recommendation, especially those that address public access in further detail.

Chair Wasserman acknowledged and asked: Thank you. Anybody else? Commissioner Addiego.

Commissioner Addiego commented: Thank you, Chair. I think maybe this is best directed to our Executive Director. It is only 84 square feet that encroaches on the 100-foot band. So that is probably less than 1/10,000th of the building. But is that something that we will often consider or seldom consider? I am just wondering how you would operate.

Executive Director Goldzband explained: It is a great question, and we actually ask that in staff an awful lot in different ways.

The way that we think about it is that you look at the project as a whole. Remember that the law says maximum feasible public access consistent with the project. The project is everything. So as a result, what we have to do and what we have been upheld to do, is to look at the ramifications of the large-scale project on the areas in our jurisdiction.

Basically, no matter what the portion of the project that is in our jurisdiction is, because everything, and I will take this project as an example, which, the Staff Recommendation is going to ask you to approve it, the project is at an angle, for example, along the shoreline. That does not mean that you do not consider the whole project. You know, you do not consider the ramifications of the whole project on the shoreline itself and on the use of the Bay Trail, et cetera. So as a result, what we do is we take a look at the project as a whole.

Commissioner Addiego acknowledged: Okay, okay.

Executive Director Goldzband added: Hold on. Because a person who knows far more than I, Katharine Pan, who is the manager of the Shoreline Development Team will now correct me.

Shoreline Development Program Manager Pan commented: No corrections. But I did just want to add that we do permit private development within the shoreline band, that is among the things that we are able to permit.

But in the design process typically what we do is we ask for project proponents to do their best to reduce the impact, improve the experience that somebody walking along that area might have in terms of what the ground floor experience is, et cetera. So those are things that we do our best at the pre-application stage for large projects like this to ameliorate a little bit that experience of a private space coming into a public area.

Commissioner Addiego acknowledged: Thank you. Now I understand the process.

Executive Director Goldzband added: Point well taken.

Commissioner Addiego continued: But I think on the last couple of projects we have looked at the enhanced public access and more square footage by far than the existing and so we maybe are giving that some consideration also.

And at the same time let's remember that developers are doing really what is best for, for the amenities that they bring to their development to be able to attract the type of tenants that they want. So, the fact that they are now committed to larger public access zones and larger Bay Trail paths ultimately is a benefit to their development.

Mr. Huffman chimed in: I just wanted to add, that was an issue that came up at the Design Review Board as well and I think the encroachment into the shoreline band at that point was about 250 square feet. So, we worked to reduce that. We pulled the building back to try to minimize that as much as we could.

Chair Wasserman asked: Any other comments or questions? (No further comments or questions were voiced)

I will take a motion and a second to close the hearing.

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

Chair Wasserman continued: Now, the Staff Recommendation.

Ms. Sinha read the following into the record: Thank you, Chair Wasserman. On July 14, you were mailed a copy of the Staff Report recommending the Commission authorize the proposed project as conditioned.

In addition, this morning, staff provided you with a set of revisions and corrections in an Errata sheet, including a redlined version for the Staff Recommendation. The revisions included corrections for the acreages associated with the public access area, as well as some minor substantive changes to the conditions as follows:

- a. Updating the plan sets to be used for plan review in Special Condition II.A.
- b. Correcting the acreage of the total public access area in Special Condition II.B to include existing city-owned public access area to be improved.
- c. Revising Special Condition II.B.5 for the Linear Plaza to allow for planting areas and permanent seating elements as long as a minimum 10-foot-wide pathway from Airport Boulevard to the shoreline is available and unobstructed for pedestrian use, and to remove the requirement that the plaza be made available for bicycling.
- d. Adding a statement to Special Condition II.B.12, Maintenance, that public access areas owned by the city of Burlingame shall be maintained in accordance with city-related requirements, agreements and approvals.

I see the Staff Recommendation slide is up now.

In addition, staff made some more minor changes to typographical errors to improve clarity.

With these corrections, staff recommends that the Commission approve the permit application with conditions including the following:

- a. Require significant improvements to the existing 1.39-acre public access area, including a widened trail, new plazas and overlooks with seating, enhanced signage, accessibility features, and amenities.
- b. Require unrestricted public access to a 17,420-square-foot area connecting Airport Boulevard to the shoreline, and dedication of an additional 2,380 square feet of public access area within the Shoreline Public Access Area.



- c. Require maintenance of all public access areas by the permittee or its assigns.
- d. Require flood monitoring and reporting and development of a Sea Level Rise Adaptation Plan to ensure ongoing viability of public access areas in the future.
- e. Ensure pedestrian connections from Anza and Airport Boulevards to the Shoreline Public Access Area, as well as a vehicular connection from Airport Boulevard to the Shoreline Public Access Area.
- f. To provide for future trail connections to neighboring sites.

As conditioned, the staff believes that the project is consistent with your laws and Bay Plan policies regarding public access. Thank you.

Chair Wasserman acknowledged and asked: Thank you.

Has the applicant reviewed the Staff Recommendation and do you agree with it?

Mr. Huffman replied: Yes, we have and we do.

Chair Wasserman acknowledged: Thank you.

Any further Commission questions?

I would entertain a motion to approve the Staff Recommendation, including the additions and corrections that were described.

**MOTION:** Commissioner Eklund moved approval of the Staff Recommendation, seconded by Commissioner Pine.

Chair Wasserman noted: Thirteen votes are needed to approve, and the federal representatives cannot vote on this motion.

**VOTE:** The motion carried with a vote of 19-0-1 with Commissioners Addiego, Ahn, Arreguin, Eklund, Gilmore, Gioia, Gunther, Hasz, Kishimoto, Lefkovits, Pemberton, Peskin, Pine, Ramos, Ranchod, Randolph, Vasquez, Vice Chair Eisen and Chair Wasserman voting, "YES", no "NO" votes, and Commissioner Beach voting "ABSTAIN".

Chair Wasserman announced: The Recommendation is approved, congratulations to staff and to the applicant. As I have said before, go forth and do good work.

Commissioner Kishimoto has her hand up. Yes, go ahead.

Commissioner Kishimoto stated: Yes, thank you. I am supporting the project moving forward but I did find some language in our Conditions and I just wanted to point it out for future projects. It is on page 14, in Section D, Shoreline Protection. It says: Riprap material shall be, blah, blah, blah. Use of dirt, small concrete rubble, odd-shaped pieces of concrete, et cetera, is prohibited.

I just do not want the applicants to be told one thing by the City and then we as the permitting agency for this, to preclude the possibility of onsite recycling of C&D material. And so, yes, it is just my request for staff just to take a look at that.

Chair Wasserman acknowledged: Thank you.

Commissioner Kishimoto acknowledged: Thank you.

Chair Wasserman: Does any other Commissioner wish to make a comment?

(No other comments or questions were voiced.)

**[Note: Agenda Item 9 was taken out of order and was heard after Agenda Item 7.]**

**9. Commission Consideration of a Sediment Grant Facilitator Contract.** Chair Wasserman stated: Now I will go to Item 9, consideration of a contract that would facilitate our sediment grant from the US Environmental Protection Agency and the Ocean Protection Council. Maya McInerney, Environmental Scientist, will present the item.

Environmental Scientist McInerney presented the following: Good afternoon, Chair Wasserman and Commissioners, thank you for having us. My name is Maya McInerney and I am an Environmental Scientist serving as the project manager for our Sediment For Wetland Adaptation Project. Brenda Goeden, Sediment Program Manager, and Erik Buehmann, Long Range Planning Manager, are also working closely with me on this project and they are going to help answer questions during the discussion session just after I finish introducing this.

Today we would like to present for your consideration a facilitator contract to assist us with the first phase of this project.

So first let me just share a little information about this Sediment for Wetland Adaptation Project or SWAP for short.

It is funded by grants from the US EPA and Ocean Protection Council.

The goal of the project is to increase beneficial reuse of sediment and soil for wetland habitat restoration, resilience and sea level rise adaptation in the San Francisco Bay Area.

This is a three-year project and it will take place from January of this year through December of 2025, so we are well underway.

We have already been working with and meeting once a month with our core partners, which include the US EPA, the San Francisco Estuary Institute, the Regional Water Board, the San Francisco Bay Joint Venture and the California State Coastal Conservancy.

We also meet with our Sediment and Beneficial Reuse Commissioner Working Group every other month. There is a meeting tomorrow; you are welcome to attend.

I just wanted to go over our three main phases of the project.

We are in Phase 1 right now, the light blue box, which is just getting things started. This phase is our stakeholder engagement phase and during this one we are going to be hosting a stakeholder workshop and developing a strategic roadmap to address the challenges of increasing beneficial reuse of sediment and soil.

And then we will get into Phase 2 and 3, which will include a potential Bay Plan Amendment and a financing strategy to assess costs, feasibility and funding.

We are very excited to work with a facilitator group to help us with the first phase of this project. This first phase is going to be a stakeholder engagement program that includes a stakeholder workshop.

Together with the facilitator we will decide on the details for the workshop, which is tentatively scheduled to take place this winter and will be held over two days.

We are developing pre-workshop reading materials or issue papers that will address challenges of beneficial reuse for different sectors. At the same time, we will be developing and implementing a plan for stakeholder outreach ahead of the workshop.

The goals of the workshop include building and mobilizing a coalition of stakeholders. And identifying roles, responsibilities and actions for stakeholders as we move towards more beneficial reuse of sediment and soils.

With a facilitator as part of this project and process we are freed up to be more engaged and create a Sediment to Wetlands Roadmap that will truly help the entire region get to a more sustainable future where our tidal wetlands are able to thrive despite rising sea levels in the Bay.

The facilitator group that we have selected to help us through this process is the Catalyst Group. They have extensive experience with facilitation, collaboration, strategic planning, and stakeholder engagement.

They have also helped develop policies across a broad array of applicable fields, as you can see here.

And their previous projects include the Delta Public Lands Strategy, the Sites Reservoir Project Authority, the Knightsen Wetlands Restoration Project and the Delta Levees Investment Strategy, which some of you are probably familiar with some of those and their work.

They have also been involved in numerous collaborative negotiations and other strategic planning processes.

We are keeping it brief here today. I want to give you a chance before I give any staff recommendation, I am going to pause and can take any questions or open the floor for discussion from the Commission.

Chair Wasserman asked: Do we have any questions or comments from the public, either here or remote?

Ms. Ruiz noted: No public comment.

Chair Wasserman observed: And nobody is stepping up here.

Questions or comments from Commissioners?

I will just make one very quickly. This may seem routine. It may seem mundane. That is the good word, thank you very much. It is not. The issue of beneficial reuse, which this takes head-on, is absolutely critical to a whole range of issues for us, but particularly being able to adapt in a reasonable manner. It is past time to make progress on this, but I welcome this moving forward.

Recommendations, please.

Ms. McInerney read the following into the record: Staff recommends that the Commission authorize the Executive Director to enter into an up to \$40,000 contract with the Catalyst Group to work with staff and the core team to co-design a collaborative stakeholder process, develop and facilitate a stakeholder workshop, and assist in developing the Roadmap over six to eight months, from August 1, 2023 through April 15, 2024.

And we also recommend that the Commission authorize the Executive Director to amend the contract as necessary, so long as the amendment does not involve substantial changes to the services provided.

Ms. Ruiz stated: A majority of those present and voting are needed to approve the resolution. The federal representatives can vote on this motion.

**MOTION:** Commissioner Eklund moved approval of the Staff Recommendation, seconded by Commissioner Ranchod.

**VOTE:** The motion carried by a vote of 19-0-1 with Commissioners Addiego, Ahn, Arreguin, Eklund, Gilmore, Gioia, Gunther, Hasz, Kishimoto, Lefkovits, Pemberton, Peskin, Pine, Ramos, Ranchod, Randolph, Vasquez, Vice Chair Eisen and Chair Wasserman voting, "YES", no "NO" votes, and Commissioner Beach voting "ABSTAIN".

Chair Wasserman announced: It passes. Go forth and do good work. Thank you.

**10. Adjournment.** Upon motion by Vice Chair Eisen, seconded by Commissioner Gilmore, the Commission meeting was adjourned at 2:22 p.m.