

San Francisco Bay Conservation and Development Commission

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February 9, 2024

TO: All Commissioners and Alternates

FROM: Lawrence J. Goldzband, Executive Director (415/352-3653; larry.goldzband@bcdc.ca.gov)
Reylina Ruiz, Director, Administrative & Technology Services (415/352-3638;
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SUBJECT: Draft Minutes of February 1, 2024 Hybrid Commission Meeting

1. **Call to Order.** The hybrid meeting was called to order by Chair Wasserman at 1:05 p.m. The meeting was held with a principal physical location of 375 Beale Street, San Francisco, California, and online via Zoom and teleconference.

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

Chair Wasserman asked Ms. Ragunathan to proceed with Agenda Item 2, Roll Call.

2. **Roll Call.** Present were: Chair Wasserman, Vice Chair Eisen, Commissioners Addiego, Ahn, Beach, Burt, Eckerle (represented by Alternate Kimball), Eklund, El-Tawansy (represented by Alternate Ambuehl), Gorin, Gunther, Hasz, Lee (represented by Alternate Kishimoto), Mashburn (represented by Alternate Vasquez), Moulton-Peters, Peskin, Pine, Ramos (represented by Alternate Gallagher), Ranchod, Randolph, Showalter, Tam (represented by Alternate Gilmore) and Zepeda.

Chair Wasserman announced that a quorum was present.

Not present were Commissioners: Department of Finance (Benson), U.S. Environmental Protection Agency (Blake), Contra Costa County (Gioia), State Lands Commission (Lucchesi).

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

John Coleman, Bay Planning Coalition commented: Thank you, Chair Wasserman, Commissioners and BCDC staff.

Some of you may have read or heard, a week ago, Tuesday, last week, I made an announcement at East Bay MUD that I am resigning from East Bay MUD's Board of Directors and I am leaving the Bay Planning Coalition effective I think March 6 or so, and it is for a new opportunity. It is a new, really new opportunity. I am going to become the Manager of Natural Resources at the Calaveras County Water District, the other CCWD up in the mountains.

And what is unique is for 33-plus years I have created policy. Now I have to implement policy. And it is going to be a big change but one I am really looking forward to. It is going to afforded me the opportunities my first two years of college at Oregon State in the forestry program, then after I transferred to UC Berkeley in the Natural Resources Department working on water policy. So I get to actually finally put all those together and work in an area that I have not had that chance in a different realm.

And I need to really thank Larry and Zack and actually the Commission and the entire BCDC staff. When I came here 13 years ago, I guess it might be okay to say, our relationship was not always real good; and we still disagree with some things. However, having said that, we were able to work through the issues in a polite, cordial manner and worked to get solutions to problems and be able to support many of the programs that you are working on.

And you have done a great job and I think BPC has done a really good job in terms of working with this regulatory agency and others like the Corps of Engineers and the San Francisco Regional Water Quality Control Board. I have loved it. I have many friends from who I have done the work with BPC and East Bay MUD and I hope that those friendships will continue going into the future.

I am going to be living in Calaveras County, moving up there in March. And yes, it is a little bit different and it will take 45 minutes from my place to the office, but it won't be like it what it took to go from my home to here this morning. It will be a little different. It may take more than 45 minutes depending on the elements if it is a heavy snowstorm or whatever. But I have the vehicle to make sure I can get through all that and don't have to put chains on and that will put me closer to next year's skiing when I can resume skiing at Bear Valley. Yes, Aaron, we have talked about that.

One of your board members is not here today, that is John Gioia. John and I go back 33 years when we served together on the East Bay MUD board, I believe he is in San Diego now. Senator Laird is up there and I worked with Senator Laird who was at the California Conservation Corps and he was great to work with. And so many of you were.

It is an opportunity I could not pass up for a lot of reasons. I leave with some reluctance, I guess, because I have really enjoyed what I have done and working with the people I have worked with.

I am leaving BPC in good stead. I would like Cameron Carr to stand and hopefully he will be taking a greater role at the Bay Planning Coalition. And Robert Rogers if he could stand behind me. He is doing our legislation and taking over more responsibilities. So, BPC is not going away in any measure.

In fact, we are becoming more active, and we are getting new members and taking on new challenges. As I am going to take on a new challenge they are taking on more challenges, but it is one that I am really looking forward to. And I would like to thank all of you and the staff for working with me at BPC in a very proactive role.

If you are ever in Calaveras County, look me up. Because I have a house in Arnold and I will work in San Andreas. It is a little different. You may notice I am wearing sort of gray blue jeans. Up there you don't wear a tie, you don't wear a sports coat, and blue jeans are the norm.

So I am really going to fit in because I won't have to wear a suit anymore unless it is something really special, but it probably won't be up there that I having to wear the suit. Because then people look at you with suspicion going, what are you doing, you are in a suit and a tie? That doesn't look right, what are you up to? So I am going to go from suit and tie, giving you a look at what it is going to be like in terms of more casual.

And with that I would like to again say thank you to everybody for the great opportunity I have had over the last 13 years in this role.

Chair Wasserman: You most certainly will be missed. From my perspective, in addition to our individual constituencies as Commissioners we have a number of specific constituencies, but sort of the two leading ones if you like, are Bay Planning Coalition and Save the Bay. You have done, I think, an excellent job, not only representing your constituents in your group, but also working with us and helping us steer our ship and ships as we go through the various issues that bring us together, so I thank you for that.

John Coleman asked: Thank you. I can sit down now?

Chair Wasserman replied: You may sit down now.

John Coleman added: I would just like to say thank you very much. I have been honored and loved doing what I have been doing so thank you.

Chair Wasserman continued: I have no other cards. Are there any virtual public speakers?

David Lewis, Save the Bay commented: This is David Lewis, Executive Director of Save the Bay. I also want to add my congratulations and thanks to John Coleman. I am particularly disappointed that he is stepping out because now I can't avoid confronting the fact that I am probably the longest continuously serving BCDC stakeholder at 26 years with Save the Bay.

I wanted to briefly add to my probably two-year history of flagging concerns with Cargill storage of bittern in open ponds next to the Bay south of the Dumbarton Bridge. As many of you know, BCDC staff has been working for several years to try to finalize a new permit for operation and maintenance of Cargill's salt-making operations, especially focusing on their maintenance of the levees and berms that separate their material from the Bay.

One of the optimistic signs that we had was that Cargill was developing a plan for a pipeline to move their toxic bittern from open ponds. There is 60 million tons of bittern stored there just south of the Dumbarton Bridge right next to the Bay. The plan was a pipeline to connect with East Bay Dischargers Authority facility and dilute that material, get it back into the Bay in a safe manner.

However, as soon as the Environmental Impact Report last year was completed to authorize a preferred alternative route for that pipeline, Cargill decided not to pursue that, and they are basically going back to the drawing board to come up with a new route and a new EIR and new permits and new construction. The bottom line is, as soon as that pipeline could be reducing the bittern in those ponds is 8 to 10 years from now.

So, this makes it even more urgent for BCDC and the Regional Water Board to strengthen the protections for the Bay by insisting on stronger integrity of the berms that separate this highly toxic material from the Bay and from the marshes right next to those ponds that contain endangered species, the salt marsh harvest mouse.

So, as this permit slowly moves along, the delay of this pipeline makes it even more important for BCDC to ensure that those berms have integrity, not only in the event of an earthquake, but in the expected and anticipatable higher tides during king tides and with sea level rise. Thanks very much.

Chair Wasserman moved to Approval of the Minutes.

4. **Approval of Minutes of the December 21, 2023 Meeting.** Chair Wasserman asked for a motion and a second to adopt the minutes of December 21, 2023.

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

The motion carried by affirmation with no abstentions or opposition.

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

Resolution for Senator Laird. I am going to start on what is certainly a high note. We have prepared a resolution of appreciation for the tremendous work that State Senator John Laird has done to preserve and enhance the California coast, including the San Francisco Bay shoreline.

In particular, we are gratefully acknowledging his steadfast work to move SB 272 through the state legislature last year. This measure will ensure that coastal local governments will prepare plans to address and prepare for rising sea level. As we state in the resolution, the legislation signed by the governor is entirely consistent with and will significantly move forward our Bay Adapt Initiative and our upcoming Regional Shoreline Adaptation Plan.

I think one of the keynotes in the resolution and that in fact is a hallmark of Senator Laird's career is persistence. I am sure he learned it in many places, but one of them was the University of California, Santa Cruz, which we share. Banana slugs may move slowly but we are persistent.

We all have the resolution, and I am not going to read it in full. But again, the most important part is the vision that this measure contains in it, the practical application, and the persistence in getting it passed and approved by the governor.

I would appreciate a motion and second to approve the resolution.

MOTION: Commissioner Peskin moved approval of the Resolution for Senator Laird, seconded by Commissioner Eklund.

The motion carried by affirmation with no abstentions or opposition.

Chair Wasserman continued: We thank you very much, Senator Laird, the virtual floor is yours.

Senator John Laird addressed the Commission: Thank you very much. I really appreciate it. I appreciate the recognition of the persistence because it took two years and until I sort of threw down the gauntlet. In the last week before amendments, I had to throw down the gauntlet to people that wanted to move it on.

I think the thing that really helped make a difference was the fact that we had the storms last year. Because that's while this was going on and the Central Coast really took an incredible hit. Wharves trashed, seawalls wiped out, roads wiped out, and I think it really made the case. In one hearing, I said, this bill is important because to have those conversations before these things happen and not after. And I just worry that we still won't be having some of these discussions in time.

It also puts an onus on you and the Coastal Commission to work really hard to make this happen. The collaboration with the cities and counties is going to be really important. I just stand ready to work together on that because this is just too important.

And we got the money in for local assistance in the budget and we are going to have to fight to hold that. Just thanks for this honor and I just look forward to working together because some of the hardest work is still to come.

Chair Wasserman replied: Amen to that one. Thank you very much.

Resolution for Grace Gomez. With that, I am going to move to another resolution which we have prepared for our now-retired executive secretary Grace Gomez, who needs no introduction to the Commissioners.

As you know or may remember, Grace retired at the end of last year after a long and illustrious career at BCDC. She was, when she retired, the longest currently serving staffer at BCDC, a little over 40 years, and we have all enjoyed her friendly demeanor and "get it done" attitude. I am going to read a couple of things from her resolution.

Whereas Gracie's positive outlook, quick smile and her ability to get work done well were always on display at BCDC, allowing her to become BCDC's executive secretary 11 years after she started just after high school as a seasonal clerk, since there was a hiring freeze.

She has always been ready for any and all tasks with a team approach from the Friday evening mailings back in the day to supporting the Commission remotely during the COVID emergency.

And whereas it is widely known that BCDC's current Commissioners and Alternates will always open an email from Gracie prior to one sent by the Executive Director, vividly demonstrating who is really more important in the big scheme of things.

She is our format queen.

Her smile and her winning ways have inspired all of us and she is missed.

You may approach the podium and make a few remarks if you would like.

I would entertain a motion and a second to approve the resolution.

MOTION: Commissioner Randolph moved approval of the Resolution for Grace Gomez, seconded by Vice Chair Eisen.

The motion carried by affirmation with no abstentions or opposition.

Grace Gomez spoke: Chair Wasserman, Commissioners and BCDC staff; and of course I can't forget our court reporters Ramona and her husband.

I can't believe it has been 40 years that I have worked at BCDC. It feels like a lifetime. It is a bittersweet moment embarking on a new chapter of my life but I am ready to experience the new adventures that retirement will bring me. Throughout my career, I have learned so much and worked alongside with many amazing, intelligent people. I have also developed longtime friendships.

I will forever look back at my time at BCDC and treasure the wonderful memories, especially on mailing days in the mailroom. We had so much fun back in the day when we had mailings. We had to mail over 100, sometimes 300. Thanks to Larry we cut those mailing lists down in half and he said, one day we are going to do emails instead of snail mail. Thanks to him, that's all we have done now and it has cut down all that time. But I do remember all our fun times in the mailroom when it would be late but we would all have a ball of a time. We would all get together and make it happen. Make sure that the mail was driven to the Rincon Center or trying to find out which post offices were open at that time. So, I will remember those days.

When I take my walks at the San Leandro Marina I see the public shore signs. I will always be reminded of the wonderful work BCDC has done. So even though I have retired, I do see the public shore signs and it reminds me of all the wonderful work that BCDC has done and that I was part of.

Some Commissioners I have seen and known for a while in the background. I remember you, Gilmore, Peskin, Randolph, and I am sure there are some others. Gioia. I will miss all of that. Sending you the quorum email blast. I will still be behind the scenes seeing what goes on and checking in with Reyna who is covering until we fill the position.

I will treasure everything that I have learned and take with me those beautiful memories that were created at BCDC. It was my family, it is hard to let go, but I am going to let go for now. I do thank you for, for everything. I just can't believe the 40 years is here. I remember back in the day, oh, it is going to take forever to retire. But look, it is here. I was like, wow. But yes. Thank you and take care and I will be in the background.

Chair Wasserman acknowledged: Thank you very much, Gracie.

Rising Sea Level Working Group. We did have a meeting of our Rising Sea Level Working Group on January 18 and normally I would ask for a report on that. However, we are going to have a staff report so I will defer to that.

Other. There was an article this morning in the *New York Times* I commend to you nationally but including the West Coast, on how coastal cities are and how they need to adapt. We get a little bit of benefit from the fact that the East Coast and the Gulf Coast tends to be hit more by storms than we do, but it is keeping the issues at a significant level.

Next Meeting. Our next meeting will be held on February 15 under Bagley-Keene's new attendance rules. At that meeting, we expect to take up the following matters:

A briefing on the draft San Francisco Waterfront Coastal Flood Study;

A briefing on our 2023 enforcement work; and

A briefing on our Strategic Plan progress.

Ex Parte Communications. That brings us to ex parte reports. If any Commissioner wishes to make an ex parte report on communications outside of Commission meetings on an adjudicatory matter they are welcome to do so now. Regardless of whether you do it orally you do need to file a written report. Any ex parte reports?

Commissioner Showalter was recognized: I would just like to report that I had a conversation with Gita Dev of the Sierra Club. I will submit the necessary report in writing as well.

Chair Wasserman continued: Thank you. I see no others.

That brings us to the report of the Executive Director.

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

On February 1, 1843, the Mutual Life Insurance Company of New York opened its doors for business, and it remains the oldest continuous writer of insurance in the United States. Exactly 41 years later, February 1, 1884, the first volume of the Oxford English Dictionary was published. It included words starting from the beginning of the alphabet through those beginning with the letters ANT.

You will note that the word "insurance" was not included in that first volume; it took 44 more years for the final volume to be published 1928. From this music lover's perspective, perhaps nowhere and at no time was the absence of the word "insurance" felt more than February 1, 1896.

On that day, 128 years ago today, Puccini's opera "La Boheme" premiered in Turin, Italy. And since then, poor Mimi has died in the opera's fourth and final act without ever having purchased a life insurance policy.

With regard to staffing, I am very pleased to let you know that we have two new hires coming into BCDC this month. First, Kate Lyons has accepted an offer for the Environmental Scientist position in the Adapting to Rising Tides data and science unit. Kate is from the City of Brotherly Love and earned her Bachelor of Science in Geology at Temple University, so she may be the first Owl to be hired by BCDC.

After graduating she worked in the energy efficiency and renewable energy engineering field, then joined the Civic Spark Fellowship program where she worked for MTC and with BCDC in preparing the technical analysis that was a part of the funding and investment framework. She then became a planner in the Governor's Office of Planning and Research where she helped develop the regional resilience grant program guidelines and supported programs that provide regional resilience throughout the state of California. Kate will work with our Adapting to Rising Tides Science Team as it develops new and exciting products.

You will soon meet Sierra Peters, whom I have selected as BCDC's new Executive Liaison, a new position. When Gracie announced to us that she planned to retire, we decided that we had to reimagine what a new role could bring to BCDC, including acting as a Commission Secretary. So, starting in March, Sierra will be sitting where you now see Anu and now also Reyлина, and, before her, Peggy, Sharon, Howard, Russ- and Grace, I don't know who was before Russ. But in any case, the chair has been sat in, occupied, but not previously by what we would call a Commission Secretary.

For the past two years Sierra worked as a program manager managing the logistics and execution of multi-tiered events across the US. She has led projects, prepared internal and external correspondence, and developed new processes for both her alma mater, Rocky Mountain College in Billings, MT and for Enactus USA, a program for college students to develop leadership and business acumen.

As I noted, Sierra is a "Battlin' Bear," having earned her Bachelor's degree in Business Administration from Rocky Mountain with minors in Economics and Small Business Administration.

I should also note that BCDC continues to search for great candidates to fill our open positions in the regulatory, in the enforcement and in the planning sectors. I will send you a list of those vacancies today and please send them to your networks.

Also on a staffing note, ABAG inaugurated Napa County Supervisor Belia Ramos as its new president and Berkeley Mayor Jesse Arreguín as Vice President in January. As both serve on BCDC we are thrilled that we have even more of a direct link with that important agency.

With regard to the State's budget situation, BCDC is subject to a budget freeze along with all other state bodies. However, this freeze can be categorized as somewhere between late Autumn sweater weather and a major frost.

While our spending will be monitored by the Department of Finance, we are allowed to continue expending funds on necessary training, expenses that actually save the State funds in the long term, emergencies, et cetera.

We have instituted an internal process to ensure that we don't make any mistakes, and I want to commend our financial services staff, led by Sean Williamson, for taking on this task on so well.

This morning, at a meeting of the Highway 37 Policy Committee led by local government representatives, California State Transportation Agency Secretary Toks Omishakin and Natural Resources Secretary Wade Crowfoot jointly announced that CalSTA and CNRA are launching the new partnership and leadership structure about which I spoke late last year.

It is designed to improve transportation, hasten natural resource restoration and public access, strengthen equitable solutions, and resolve climate change challenges in the North Bay along Highway 37.

We all know that Highway 37 is essential to the entire San Francisco Bay region, but its traffic jams are intolerable for workers trying to get to their jobs. It has no transit option. It has already flooded during storms and is at high risk from sea level rise.

This new organizational structure will elevate environmental and equity goals alongside fundamental transportation goals.

I think that it is important to recognize that this new approach is changing how the State of California views the rebuild, that is, from a series of connected projects with different timetables and outcomes to a larger-scale integrated program of improvements whose outcome will be greater than the sum of its parts.

This is a once-in-a-generation opportunity to re-envision transportation infrastructure that will meet the many challenges of the 21st Century, from increasing mobility to strengthening equity, to restoring desperately needed natural habitat.

During the next few months, as BCDC's representative on the new leadership structure I will be working with my colleagues, including David Ambuehl who is here on the screen today, to daylight a lot of information about Highway 37. And I really want to say publicly how much we appreciate David and Dina for all of their great work in helping u try to figure this one out.

We will schedule a briefing for the Commission on the program's progress this spring. And please feel free to contact me with any questions or concerns, meanwhile, that you may have.

Our Sediment for Wetlands Adaptation Project held Day One of its two-day stakeholder workshop last month. This was the first solely in-person public workshop BCDC has held since the pandemic began and we think it was a success. We had over 50 attendees and Commissioner Gunther opened the workshop with a stirring call to action.

The events included six breakout sessions in which participants engaged in conversations about barriers and challenges of beneficial reuse of sediments and soils and proposed actions to address them.

Day 2 of the workshop is on February 13 and will focus on fine-tuning proposed actions. It also will include additional breakout sessions on governance, coalition building, and funding. Information on registering for the event can be found on the home page of the BCDC website.

Ashley Tomerlin, our Bay Design Analyst and Senior Landscape Architect, met a couple weeks ago with a group of students at Redwood City's Design Tech High School to work through the students' planting design and restoration project at the Oracle Campus.

The proposal includes removing invasive species like ice plant, fennel, and black acacia and replanting the slough bank with native species.

Ashley introduced the students to the principles of planting design and priorities, and Ashley will continue to provide support as the design progresses. They are hoping to complete the removal of the species this year and the group's freshmen will continue with the project in upcoming years.

Speaking of freshmen (or sophomores, such as our son), BCDC is now live on Instagram – please follow us and send us to your friends, your colleagues, your relatives, your coworkers, and anybody else you know. We have already received an awful lot of very, very welcome messages due to that and we appreciate your support.

Finally, an announcement for our county supervisors. I shall contact each of you next week with a request. We want you to arrange for you, the two city council members representing your county who sit on BCDC's Local Electeds Task Force, and BCDC staff, to brief the mayor, city council members and planning directors in your county on BCDC's plans to complete the guidelines they will use to begin work on their local Rising Sea Level Adaptation Plans, as required by SB 272.

We know that each county has regular meetings of their mayors and council members and other senior staff, and we think it is vital that you introduce us and join with us as we explain what we expect to occur during the remainder of the year as we develop and you all approve, fingers crossed, those guidelines. We would prefer that these meetings occur sometime in March or April.

I also want to mention that our staff and MTC/ABAG staff will be reaching out to your planning staffs throughout your counties to update project information that is already in our shoreline project inventory map.

So, all this leads me to report, Chair Wasserman, that I am happy to answer any questions.

(No questions were posed.)

7. Consideration of Administrative Matters. Chair Wasserman stated there were no listings on administrative matters.

8. Public Hearing and Vote on a Recommended Enforcement Decision to Resolve Enforcement Case No. ER2000.004.00. Chair Wasserman stated: We will move on to Item 8, which is a public hearing and vote on a recommended Enforcement Decision to resolve and enter into a settlement agreement and resolve Enforcement Case number ER2000.004.00 regarding the owner of the residential property located at 3025 Marina Drive in the city of Alameda.

I would like to ask Mr. Roger Standridge, the owner of that property, to identify himself and make his presence known. Is he on virtually?

Principal Enforcement Analyst Klein answered: We were hopeful but we were not expecting him.

Chair Wasserman acknowledged: All right, that is his privilege.

BCDC enforcement staff will present the case and the proposed settlement agreement for our consideration. If Mr. Standridge does appear he will have the opportunity to comment if he wishes to do so.

After all the presentations have been made, the public comment period will be opened and will be limited to three minutes per person. After that has been closed the floor will be opened to members of the Commission to ask follow-up questions of BCDC staff and deliberate on the matter.

All speakers must limit their presentations and comments to the evidence already made part of the enforcement record, which has been published online with this meeting's agenda, and/or to the policy implications of such evidence. We will not allow the presentation of any oral testimony.

Before Adrienne Klein gives her presentation I want to do two things. First, I want to open the public hearing on the matter. Second, I invite Commissioner Gilmore, the Chair of the Enforcement Committee, to give a brief summary of the Committee's hearing on the matter that took place on January 11. Chair Gilmore, you have the floor.

Commissioner Gilmore presented the following: Thank you, Chair Wasserman. On January 11, 2024, the Enforcement Committee held a hearing and a vote on the staff's recommendation to approve a settlement agreement between BCDC and the respondent, Mr. Standridge, addressing an unauthorized boat dock at his home in Alameda. Mr. Standridge, as of yet, has chosen not to attend this hearing.

After the staff presentation, the Enforcement Committee voted unanimously to adopt the staff recommendation as the Enforcement Committee's recommendation to the full Commission.

At this time, I will invite Ms. Klein to make her presentation.

Ms. Klein addressed the Commission: Thank you. Good afternoon, everyone. As usual, we will just have a quick outline.

As you can see, two location images. One, this is the Bay Bridge to the south Oakland and Alameda and the red arrow shows you 3025 Marina Drive.

The next slide is closer. This is an image of the residential neighborhood and the property in question.

Just a quick timeline of events; it is slightly unusual.

On or before July 2000, a former owner of this property replaced an existing boat dock with a new boat dock in roughly the same location but with smaller dimensions, without a BCDC permit.

That same year that owner, the former owner, submitted an incomplete application to replace a 336-square-foot dock with a 144-square-foot dock. Staff responded indicating that the application was incomplete, to which the former owner did not respond, leaving it unfiled.

Between 2000 and the year 2022, BCDC staff did not pursue resolution of this violation and the former owner did not follow through.

Several years before that in 2018, Mr. Standridge purchased the property and we engaged with him in the year 2022 and 2023 to try and solicit an application or have the dock removed. We were unsuccessful despite having issued a letter commencing a standardized fine penalty clock.

So, we terminated his opportunity to resolve using the standardized fines, commenced a formal enforcement proceeding, issued a violation report and complaint, and that was in October of 2023.

That resulted in productive conversations. Mr. Standridge agreed to submit an after-the-fact application for the as-built dock and expressed interest in resolving the matter with a Settlement Agreement instead of an Order.

In November we agreed to Order terms after conversation. During that time, he submitted draft site plans and evidence that Regional Water Quality Board approval was not required for the 23-year-old structure.

He informed us the flotation material was encased in plastic boxes, which promotes water quality protection. He submitted site plans identifying the location of the Bay and the shoreline band. All of this is required as part of the application.

He did submit the penalty payment that the settlement agreement would require if adopted, although we do await his application fee and additional application materials.

To resolve this single violation of a failure to obtain a permit to authorize a smaller, replacement boat dock, Mr. Standridge has agreed to do the following, as Enforcement Committee Chair Gilmore just mentioned. As of the 11th of January the Enforcement Committee recommends that the Commission authorize the Executive Director to execute the proposed settlement agreement which requires the Respondent to remove the unauthorized dock or submit an application by the middle of this month; and pay an administrative penalty, which has been paid.

That concludes the staff presentation.

Commissioner Gilmore continued: Thank you, Adrienne.

If Mr. Standridge is present, I would invite him to comment if he so chooses.

I am going to say thank you to Ms. Klein for the presentation. Chair Wasserman, would you please open the public comment period.

Chair Wasserman acknowledged: Certainly. Do we have any public speakers?

(No members of the public addressed the Commission.)

Mr. Standridge is not here but I assume he has not objected in any way.

Commissioner Gilmore replied: To put it on the record, we have not heard any objections from Mr. Standridge.

Chair Wasserman asked: Do Commissioners have any questions or comments?

I do not see any.

The public hearing is closed. Now you can make the motion.

MOTION: Commissioner Gilmore moved approval of the Enforcement Committee's recommendation to accept the Settlement Agreement, seconded by Commissioner Eklund.

VOTE: The motion carried with a vote of 22-0-1 with Chair Wasserman, Vice Chair Eisen and Commissioners Addiego, Ahn, Burt, Kimball, Eklund, Ambuehl, Gorin, Gunther, Hasz, Kishimoto, Vasquez, Moulton-Peters, Peskin, Pine, Gallagher, Ranchod, Randolph, Showalter, Gilmore and Zepeda voting "YES", no "NO" votes, and Commissioner Beach voting "ABSTAIN".

Chair Wasserman announced: The action is approved. Thank you all for your efforts.

9. Public Hearing and Vote on a Recommended Enforcement Decision to Resolve Enforcement Case No. ER2021.044.00. Chair Wasserman stated:

That brings us to Item 9, a public hearing and vote on a recommended Enforcement Decision to resolve enforcement Case ER 2021.044.00 regarding a residential property located at 5 Blanding Lane in Belvedere.

I would ask that Mr. Karl Johansmeier or the attorney for Mr. Johansmeier, Mr. John Sharp, make their presence known physically or virtually if they are here physically or virtually.

Mr. John Sharp chimed in: Good afternoon. I am John Sharp. I am Mr. Johansmeier's attorney. I am here virtually.

Chair Wasserman acknowledged: Thank you very much, sir.

BCDC enforcement staff will present the case and the proposed Settlement Agreement for the Commission's consideration, after which time Mr. Sharp will be given an opportunity to comment if he wishes to do so.

After the presentations the public comment period will begin, the hearing will be opened. Public comments will be limited to three minutes.

After that has been closed, the floor will be opened to members of Commission to ask follow-up questions.

All speakers must limit their presentation and comments to the evidence already made part of the enforcement record, which has been published online with this meeting's agenda, and/or the policy implications of such evidence. We will not allow presentation of oral testimony.

I will open the public hearing and now invite Commissioner Gilmore, the Chair of the Enforcement Committee, to make a presentation.

Commissioner Gilmore spoke: Thank you, Chair Wasserman. On January 11, 2024, the Enforcement Committee held a hearing and a vote on the staff's recommendation to approve a settlement agreement between BCDC and the respondent, Mr. Johansmeier, to resolve enforcement Case ER2021.044.00, addressing an unauthorized fence at his home in Belvedere.

The Respondent's attorney, Mr. Sharp, attended the hearing on his behalf and affirmed for the Committee that his client agrees to abide by the terms and conditions of the settlement agreement. After hearing a presentation and comments by staff and Mr. Sharp, the Enforcement Committee held deliberations and voted unanimously to adopt the staff recommendation as the Enforcement Committee's recommendation to the full Commission.

At this time, I will invite Ms. Rachel Cohen to make her presentation.

Coastal Program Analyst Cohen commented: Thank you, Commissioner Gilmore. Good afternoon, Chair Wasserman, Commission Members and all in attendance. Today I will present Enforcement Case Number ER2021.044.00, for which the respondent is Mr. Karl H. Johannsmeier, represented today by attorney John Sharp.

I will begin by familiarizing you with the location of the violation, followed by a timeline of events, and then end by summarizing the violation and finally presenting the staff's recommendation.

There are two images on this slide. The one on the left is a zoomed-out vicinity map and the one on the right focuses in more closely on the location of the violation. There is a red pin on each image at 5 Blanding Lane, Belvedere Island, Marin County. The home is close to the southern tip of Belvedere Island and faces east.

This is a photo of the property from the lower shoreline area taken facing west. There is a yellow oval outlining the specific location of the violation.

This image on the left shows the violation more closely. The Respondent has represented that there has been a fence surrounding this property for the past century. They needed to replace an 11-foot-2-inch-long section of a 6-foot-tall wire fence in approximately 2021. That 11-foot-2-inch-long section is the section that the Respondent needed BCDC authorization prior to placing.

I will now review the timeline of events in this case.

Starting in May of 2021, BCDC enforcement staff received a report from City of Belvedere staff alleging that unpermitted fencing had been installed on the property of 5 Blanding Lane within BCDC's 100-foot shoreline band jurisdiction. BCDC opened this enforcement case and made initial contact with Respondent's authorized representative, attorney John Sharp.

Between May and June of 2021, Respondent and Mr. Sharp informed staff that they were meeting with consultants and a surveyor and had hired an architect, indicating that they were beginning to put together initial application materials to seek and obtain an after-the-fact permit for the fence replacement.

In September of 2021, City of Belvedere staff and a surveyor conducted a site visit and reported their findings to BCDC staff who were unavailable to attend. City staff confirmed that fencing had been placed on Mr. Johannsmeier's property without permits.

With this information, in October of 2021, BCDC staff issued a Notice of Violations to the Respondent initiating a standardized fine process, which gave him 35 days to either remove the unpermitted fill or to seek and obtain a permit for the fence before standardized fines began accruing.

In March of 2022, Mr. Sharp submitted an incomplete regionwide permit application on behalf of Mr. Johannsmeier seeking after-the-fact authorization for the fence.

Between October 2022 and October 2023, enforcement staff made several attempts to urge Mr. Johannsmeier to complete his application.

On October 13, 2023, staff notified the Respondent that the Executive Director was rescinding the opportunity to resolve the violation using the standardized fine process after determining that the Respondent had not made a good faith effort to resolve the violation.

Then on October 30, 2023, staff mailed a Violation Report and Complaint for Administrative Civil Penalties to the Respondent.

Finally, on November 30, 2023, Respondent and staff agreed to resolve this violation via the proposed Settlement Agreement.

To briefly summarize the proposed Settlement Agreement:

It would require Mr. Johannsmeier to:

Pay \$2,500 in administrative civil liability within 30 days of execution of the agreement;
and

By February 28, 2024 either:

Remove the unauthorized fence and submit photographic evidence of the same; or
Submit a filed application seeking after-the-fact authorization for the fence.

When the Enforcement Committee heard this case at their meeting on January 11, 2024, Committee Members were curious about the Commission's options to take action in the case of Respondent non-compliance with the proposed Settlement Agreement, due to the length of time the case has remained unresolved so far.

We will first mention that BCDC can extend the deadlines in the Settlement Agreement if causes beyond the Respondent's control prevent timely compliance.

However, in the event of failure by Mr. Johannsmeier to comply with the Settlement Agreement for causes within his control, BCDC can recommence formal enforcement proceedings by issuing a new Violation Report and Complaint with recalculated administrative civil penalties.

Appendix J of the Commission's regulations require staff to consider certain characteristics of a violation when calculating the appropriate administrative civil penalty amount, such as the cost to the state of pursuing the enforcement action and whether the violator has delayed compliance. Using the original Violation Report and Complaint penalty amount as a baseline, if staff issued a new violation report and complaint, we would have the opportunity to factor in the additional days that the Respondent has been out of compliance as well as the violator's bad faith in reaching compliance.

Lastly, we do not expect Mr. Johannsmeier to fail to comply and we are entering into the Settlement Agreement with utmost confidence in Mr. Johannsmeier's ability to comply.

To summarize, the one violation is for the failure to obtain a BCDC permit prior to placing fencing in BCDC's 100-foot shoreline band jurisdiction in violation of the McAteer-Petris Act Section 66632(a).

To resolve this case, the Enforcement Committee recommends that the Commission vote to authorize the Executive Director to execute the proposed Settlement Agreement, which, again, requires Respondent to:

Pay \$2,500 in administrative civil liability within 30 days of execution of the Agreement;
and

By February 28, 2024, either:

Remove the unauthorized fence and submit photographic evidence of the same; or

Submit a filed application seeking after-the-fact authorization for the fence.

That concludes the staff's presentation. Thank you.

Commissioner Gilmore continued: Thank you, Rachel.

I now invite Mr. Sharp to comment if he so chooses.

Mr. Sharp addressed the Commission: Thank you. Members of the Commission and staff. I do not intend to go into granular detail about the timeline here unless you want me to. I am authorized to enter into this agreement in Mr. Johannsmeier's behalf; and I do want to emphasize that we are committed to complying with the terms of the Agreement.

I will say this is a complicated property. Where that fence is that you saw in, I think it was slides 1 and 2, is the apex of at least three properties, one of which is owned by my client, another of which is owned by the city of Belvedere and is open space, and another which is owned by, I think it is, Sanitation District 5. So the topography, the geology, all of it is complicated.

I won't go into exhaustive detail about what led to the creation of that fence but there were some invitations by members of the public in Belvedere and committee members for the public to enter the open space, which is very steep, unimproved and dangerous. And there were some events of those folks, people entering that property, falling off the rocks onto my client's property and getting into the Bay and wandering out onto the dock and jumping in the water and that is why the fence went in.

So, with that, unless you have questions, I will thank you and again commit to the terms of the agreement.

Commissioner Gilmore acknowledged: Thank you for your comments and your affirmation of the contents of the Agreement, Mr. Sharp, and thanks to staff for the presentation.

Chair Wasserman, would you please open the public comment period.

Chair Wasserman announced: The comment period of the public hearing is opened. Anyone from the public who wishes to comment, now is the time.

(No members of the public addressed the Commission.)

Is there any objection to closing the public hearing? Hearing and seeing no objection the public hearing is closed.

I would recognize Commissioner Eklund.

Commissioner Eklund commented: Thank you very much, Chair Wasserman. I read this report a couple of times because I was really struck with the fact that the Applicant was non-responsive to BCDC staff for over a year and a half. Then what was submitted was something that was not complete. I do thank Mr. Sharp for getting involved and helping to resolve this issue.

My concern is that here almost three years later now we are at a proposed settlement. But from what I read from the Settlement Agreement it does not appear to deal with the fact if he is non-responsive.

When I worked for the US Environmental Protection Agency I was in charge of the NPDES permitting program, which is not only permitting but enforcement. When we dealt with applicants like this we actually, if there was a settlement agreement we actually included a condition that if the Respondent, if the Applicant was not responsive, we actually included in there what would happen, rather than having to issue another new Violation Report with penalties.

I guess my question for staff is that has BCDC tried to incorporate something like this in a settlement agreement in the past? And if not, why not? And then just sort of like if there is not a response, then, and then just actually stating in there what the consequences would be. That we will consider this to be another violation, of which then we will be seeking penalties of such and such.

I am kind of curious about whether or not that is something that is possible. Maybe not necessarily for this particular applicant. But I am struck with the fact that three years this was going on and the city of Belvedere apparently has been dealing with this and probably complaints from the public for such a long time. So, if staff can help me to understand that, I would appreciate that.

Acting General Counsel Ng responded: This is Michael Ng, Acting General Counsel. We have had some internal discussions about that very topic in relation to this case and just going forward and it is certainly something that we can look into. I think if you look at various settlement agreements that we have used in the past, there may be slight deviations. I think there is an opportunity to figure out what may be the best drafting or provisions that proactively get at the concern that you just raised. So, we will definitely take a look at that for future settlement agreements.

Commissioner Eklund continued: I would really super, really encourage folks to do that. Because when you get a recalcitrant person or company or whatever, it takes staff so much more time to do a new violation, and this way it is sort of wrapped into the same, in a way.

I did this not only when I was in charge of the NPDES permitting program at the EPA but also the San Francisco Bay program as well when I was working with the Regional Board. Not working as an employee but working as an EPA employee with the Regional Board and setting up the programs way back. A long time since I worked for EPA for over 35 years.

Anyway, I just really want to encourage that, and I would love an opportunity to talk with staff in the future, if that is something. And I would encourage the Commission to really support that idea because I found that it really helped facilitate compliance and it also helped

facilitate and reduce the amount of staff time that is devoted to it. Especially if you wait for three years, there is staff turnover a lot. So this way it is sort of like an automatic thing that happens.

And I want to thank Mr. Sharp for getting involved and I am hoping that you are going to make sure that your client does comply, because it is something that has adversely impacted, from what I could tell, the public's access to public waters.

And the city of Belvedere has had to, I do not know this for sure because I haven't talked with them, but has had to spend staff time on this. And cities just do not have the staff time to do this kind of stuff, given all the state mandates that we have to comply with. So, comments in the peanut gallery up in Novato.

Vice Chair Eisen commented: I echo everything that Commissioner Eklund said. The Enforcement Committee was also concerned that so much staff time can be taken up with relatively small matters, given the scope of what the BCDC is charged with doing. That is why we asked specifically to have the question addressed, what happens if the settlement agreement is not abided by?

I think Commissioner Eklund's idea of placing something in settlement agreements that would have a kind of automatic-ness about it if there is a failure to respond, I understand that there can be complications, would be a good idea and would hopefully move some of these matters along a lot faster than they have been moved along. So, thank you, Pat, for that comment, and believe me, the Enforcement Committee is thinking along the exact same lines.

Commissioner Moulton-Peters spoke: I want to add to the two previous speakers and agree. In addition to the staff time, I want to comment that I am aware that there has been a desire to create access to the water for the public on the publicly-owned property, and that has been held up for three years until this matter could get settled. So, there are some additional issues that arise when we cannot get them to a settlement more quickly. Thank you.

Chair Wasserman continued: I see no other hands or comments from Commissioners. With that, Chair Gilmore, would you like to make a motion to accept the Enforcement Committee's recommendation?

MOTION: Commissioner Gilmore moved approval of the Enforcement Committee's recommendation to accept the Settlement Agreement, seconded by Commissioner Eklund.

VOTE: The motion carried with a vote of 21-0-1 with Commissioners Addiego, Ahn, Burt, Kimball, Eklund, Gorin, Gunther, Hasz, Kishimoto, Vasquez, Moulton-Peters, Peskin, Pine, Gallagher, Ranchod, Randolph, Showalter, Gilmore, Zepeda and Vice Chair Eisen and Chair Wasserman voting "YES", no "NO" votes, and Commissioner Beach voting "ABSTAIN".

Chair Wasserman acknowledged: Thank you. The Enforcement Committee's recommendation is approved and hopefully will result in the follow-up actions described.

10. Briefing on Updates to the California Sea Level Rise Guidance. Chair Wasserman stated: That brings us to Item 10, a briefing on the Ocean Protection Council's draft update to the State of California's guidance regarding rising sea level. BCDC's Planning Director, Jessica Fain, will introduce the briefing.

Planning Director Fain presented the following: Thank you, Chair Wasserman. Good afternoon, Commissioners. Shifting gears, a little bit from enforcement to sea level rise adaptation. The next three briefings you will be hearing this afternoon all have to do with sea level rise. It is a particularly apt week to be thinking about this. We didn't plan the weather, but what we are seeing this week is a glimpse into what we are going to be expecting to see a lot more of in the coming years and decades.

Our first briefing that we will be hearing now is on the draft California Sea Level Rise Guidance updates, which present updated science on sea level rise across the state through the year 2150, as well as policy guidance on how to incorporate those sea level rise scenarios into planning and projects.

We are grateful to the Ocean Protection Council for their leadership in bringing the best available science to California; and this is the guidance that BCDC uses and that we rely on as we plan for and permit projects around the Bay shoreline.

With that I would love to turn it over to Commissioner and Dr. Justine Kimball, Senior Scientist and lead for OPC's Climate Change Program who will present this item.

Commissioner Kimball presented the following: Good afternoon, everyone. Thanks for letting me present here today on the draft *State of California Sea Level Rise Guidance: 2024 Science and Policy Update*. It was released on January 19 for public comment and so I am here today to provide an overview, flag opportunities for outreach and engagement and answer any questions. This is actually the first public presentation on the Guidance, so it is exciting to be here.

This is the fourth update since OPC released its first Guidance back in 2010. The original and continuing purpose of this Guidance is to support state and local action to assess vulnerability to rising seas and climate-driven flooded flooding, and the creation of adaptation plans and projects that build resilience into the future.

It was last updated in 2017 and 2018 and OPC has committed to updating approximately every five years in order to stay current with the most recent science.

In the last iteration the science and policy reports were separate. *Rising Seas*, the science update, was released in 2017, followed by the Policy Guidance the following year in 2018.

The science was presented in tables for 12 NOAA tide gauge locations that included 3 probabilistic projections provided alongside an extreme sea level rise scenario that had an unknown probability that was referred to as H++.

It also included a stepwise process on how to select sea level rise projections based on risk tolerance and recommendations for adaptation and planning.

Since then, there have been significant advances in scientific understanding and the ability to project future sea level rise, which is captured in the 2024 Update. This update includes both the science and the policy reports packaged together.

To lead this update, we convened an Independent Science Task Force in partnership with the California Ocean Science Trust. This is our all-star task force team here that was assembled for the effort. This is the format of the report, with the task force authorship clearly identified as focused on the science portions, Chapter 2 and 4, where OPC was the author for the policy portions.

We also closely coordinated with the State and Regional Sea Level Rise Collaborative, which includes BCDC staff, and provided them with multiple points of review and feedback during the process.

Chapter 2 is the technical methodology portion of how the new projections were developed. It is a different methodology than the last Guidance. Instead of the probabilistic projection approach we now use the scenario approach. This was based on the strong recommendation and decision from that science Task Force, to align with the 2022 National Sea Level Rise Technical Report shown here in the front, the *Global and Regional Sea Level Rise Scenarios for the United States*.

The scenario approach relies on the Intergovernmental Panel on Climate Change Sixth Assessment Report or AR6 projections. The IPCC is the premier scientific body based through the United Nations for assessing the science related to climate, and the AR6 represents the current consensus understanding on sea level rise modeling.

The IPCC AR6 represents a step forward in scientific understanding of the ice sheets contributions of sea level rise and in how this understanding should be incorporated into projections.

This is the main factor in altering the projections of sea level rise in this updated report compared to the previous report.

In addition to being an important source of future sea level rise, projections of future ice sheet change represent the largest source of uncertainty in estimating sea level rise towards the end of century and beyond. Even with this new understanding in AR6, ice sheet change still represents the largest source of uncertainty.

Using the AR6 framework, a set of reduced sea level rise scenarios were developed. This methodology was used in that that 2022 National Report, which underwent extensive peer review. For our guidance these scenarios were localized to California and underwent additional peer review at that time as well.

To help with interpretation, storylines were created for each of the scenarios, which I will cover in more detail next. The scenarios are available as a statewide table, including local vertical land motion, at 13 tide gauges, including an additional tide gauge in Alameda that was not included in the previous report.

To provide a bit more conceptual understanding of the scenarios these are the storylines. But there is much more information in the document on the storylines so please see the full descriptions there.

Then just to note, when I refer to low confidence processes, that is a term that is used to denote a low level of agreement on how the models represent key processes such as rapid and partial ice sheet disintegration. And then in addition, there is limited evidence supporting those model outputs. So that is what I mean when I talk about low confidence processes.

The Low scenario relies on the assumption that the current rate of sea level rise will continue on into the future. This assumption is very inconsistent with the understanding of acceleration of sea level rise and current observations showing that; but could still be considered plausible if there was very aggressive emission reduction in the future, global emission reductions.

The Intermediate-Low scenario includes a range of warming and emission pathways; and can be considered a reasonable lower bound of the most likely sea level rise in 2100.

The Intermediate scenario includes a range of warming and emission pathways as well, but also includes contributions from some of those low confidence processes that I mentioned. This could be considered a reasonable estimate of the upper bound of what is most likely to be seen in 2100.

The Intermediate-High scenario includes intermediate-to-high future emissions and high warming assumptions. This scenario is heavily reflective of a world where rapid ice sheet loss processes are contributing to sea level rise.

The High scenario includes high future emissions and high warming with large potential contributions from rapid ice sheet loss.

With that orientation it is hopefully helpful to understand what those five scenarios are. Here are the new numbers. You can see the Low to High scenarios at time steps of decadal time steps from 2020 to 2150. This is the statewide table, again with also in addition those 13 tide gauge tables that include the localized vertical land motion component.

Then this probability next to it is Table 2.2 in the Report. This is to help create some understanding of probabilities for the different scenarios. This table only looks at, it is a snapshot of 2100.

With global surface temperatures currently on track to reach 3° Celsius above preindustrial levels by 2100, that is why the 3° Celsius box I put there.

The way to read this is to look at the 2100 numbers in the statewide table of scenarios there, and then say for the Low scenario you can see 2100 at the Low scenario is one foot. Then if you look at the red box, you see that there is a 99% chance that sea level rise will exceed one foot in 2100, again, assuming 3° Celsius of warming.

Then for Intermediate-Low there is an 82% chance that that, and the Intermediate-Low is 1.6 feet that that would be exceeded.

Then Intermediate is 3.1 feet and there is only a 5% chance that that will be exceeded.

So that is how that likely range is defined for 2100 with roughly a 77% chance that sea level rise would be between 1.6 and 3.1 at 2100. It is a little bit hard. It is a little bit complicated, but hopefully that helps provide a little bit more understanding of how to think about the numbers.

In terms of key takeaways, the new science shows much greater certainty in the amount of sea level rise in the next 30 years. Statewide, sea levels are most likely to rise 0.8 feet by 2050.

By 2100, sea levels are most likely to rise between 1.6 and 3.1 feet and that is what I just covered in that probability table.

Beyond 2100, the range of sea level rise becomes increasingly large due to uncertainties associated with physical processes such as the low confidence processes that I mentioned, the earlier-than-expected ice sheet loss. By 2150, there is really a large range between 2.6 and 11.9 feet that is bracketed there.

That extreme sea level rise scenario, the H++ from Rising Seas, is now considered much higher than best available science suggests, based on the advances in scientific understanding around modeling of ice sheets.

Again, that vertical land motion component is where you get the local numbers from.

A few additional things to flag here is that similar to the last iteration, those numbers do not include episodic events such as storms, king tides, El Niño.

Unfortunately, a direct comparison between the 2018 Guidance and this new guidance, that should say 2024, we are hoping to release in December, 2024 Guidance is not possible. It is really apples to oranges because the methodologies changed. From a scientific point of view and looking at probabilities you really cannot do a comparison to say this changed from this to this.

But from a policy application point of view, you can take that perspective and do a comparison. You can see here from the tables that there is a lot of consistency with the exception of that H++ scenario at the end. That shows tables comparing the different probabilistic projections and the scenarios at 2050, 2100 and 2150. You can see that there is a lot of consistency there to work with.

If you were using the H++ numbers, like thinking about a 2100 application for instance, you could shift that to 2150 when there is roughly a 4-10% chance of reaching the 2100 H++ values at 2150 for the High scenario. Basically, you can do a crosswalk from a policy application and that is the takeaway with that.

That is the summary of the new science. There isn't expected to be any adjustments to those scenario values, those projections in the public comment period. They are also very consistent, of course, with the 2022 National Report where they tiered off of, so the numbers really were not a surprise.

Chapter 3 is where the policy recommendations come in. How do you apply these numbers in planning and projects. So similar to 2018 Guidance, we have taken a stepwise process to go through and so those are the steps you can see there. But instead of going one-by-one through the steps I am just going to flag a few takeaways.

That for most planning and projects we are recommending evaluation of the Intermediate, the Intermediate-High and the High scenarios at the lifespan of the project that you are considering. And then consideration of storm conditions in combination with those scenario numbers is also recommended to look at extreme water levels as appropriate.

And then we are really encouraging that existing vulnerability assessments should be used and leveraged whenever possible. We are not trying to keep people in a never-ending planning process.

For those that already have vulnerability assessments, you should be able to use those with a crosswalk and would likely result in sort of shifting of time horizons back on the expected impacts, rather than having to analyze with new numbers, and that is where I was trying to go with that table comparison.

Step 5 is new in the stepwise process. We really tried to mirror these steps with the real world as much as possible and we heard that there is a really important step focused on exploring adaptation options and feasibility that occurs before the decisions are actually made and so we added that step there to reflect that.

And then same as the 2018 Guidance, we are recommending that selection of sea level rise be guided by a risk assessment. But we also added that selection, particularly at the project level, is often a multi-factor process.

I have a quick example of that if you advance one slide, I have some photos here. These are photos from the Cardiff State Beach Living Shoreline Project. Sorry, I did not have an example in the Bay; this is in Encinitas. In the pictures, A here are the before and B are the after.

This was a first-of-its-kind project or prototype to use a living dune with engineered components for protection of hard infrastructure, specifically, Highway 101.

This project was many years in the making. When it came time to do final design and construction, sea level rise was obviously a very critical consideration as part of that process. But it was also one of many other factors including the visual impacts of the dune construction, the adjacent freeway engineering feasibility, that all factored into the final design decision.

In the end, selection of the final design specification was really a compromise and negotiation of tradeoffs. So, that last step in the process, we really tried to reflect those real-world situations.

Chapter 4, all also authored by the Task Force, includes a synthesis of much more information on the combined impacts of sea level rise and other coastal hazards including projected flood frequency, which is expected to increase significantly in the 2030s, groundwater erosion and extreme coastal storms.

That is the summary of the Guidance. I wanted to end here with highlighting that the State has prioritized and continues to prioritize funding for coastal resilience.

This includes the Senate Bill 1 Sea Level Rise Adaptation Program released by OPC to support the development of sea level rise adaptation plans. It has \$71.4 million available for funding right now, in addition to \$660 million maintained in the FY 24/25 Budget for critical coastal resilience programs and projects.

We also have worked closely with the BCDC staff to align that SB 1 Grant Program with BCDC's Regional Shoreline Adaptation Plan efforts. It also directly implements SB 272 that you heard about at the beginning of this meeting from Senator Laird.

OPC continues to convene the State and Regional Sea Level Rise Collaborative through both an executive team and a working group.

Just to flag the public comment and outreach opportunities. We have a website that includes all this information as well as registration links and instructions for how to submit public comment. We are really excited to see what we get during the public comment period.

We have a webinar coming up this coming Monday, February 5, at 1:00 to 2:00. The science portion of that webinar will be presented by Dr. Ben Hamlington at JPL, who was really the lead in the scenario development, so any really nitty gritty technical questions on the methodology, I would probably pass to him. If you are interested in that I would suggest joining for that webinar. It will go into really more detail of the modeling approach.

Then we have regional workshops that are really meant to focus more on the application piece and really understanding how this Guidance can be adjusted to be more useful, more reflective of the work on the ground. The San Francisco workshop, just to flag, is February 16.

Any questions you can send to me and then public comment to our Sea Grant Fellow. But again, there's instructions on our website.

That is it. Thank you.

Ms. Fain announced: That concludes that presentation. Back to you, Chair Wasserman, for public comment.

Chair Wasserman noted: I have no cards. Are there any virtual public speakers?

Sara Greenwald commented: Hello, I am Sara Greenwald with 350 Bay Area, which represents several Bay Area shoreline communities around the Bay. I have a brief comment.

Our concern is that this document, of course, has to set the foundation for measures to protect shoreline communities from sea level rise. And, you know, the Adaptation Plan is to be submitted to the state in 2034. I want to emphasize that you will have wanted to do all you can to protect the communities starting long before then, because as Senator Laird mentioned, the recent floods show that sea level is rising now and not later.

Dr. Kimball explained that estimates are changing as research continues, of course. In general, the expected rise is probably increasing. Therefore, you will need to be prepared to implement measures sooner than expected. This has been your experience, I am sure, and build in a lot of flexibility. That's all, thank you.

Chair Wasserman acknowledged and continued: Thank you.

Comments or questions from Commissioners?

Commissioner Eklund was recognized: Justine, a fantastic presentation. I just thought an aside, I happen to be in Terra Linda this morning, which is a suburb of San Rafael. It is part of San Rafael, but it is a suburb that was developed in the 1960s; and during that time the developments had like an open ditch for drainage. When I saw that open ditch this morning it was almost full of water, which just really just reinforces in my mind that cities and counties really need to speed up their discussions about how to deal with sea level rise.

Which brings me to the fact that to what degree are you working with like the League of California Cities, which I am past president of that organization, to really help to work with cities about their plans, especially those cities that have some coastal waters.

Of how to incorporate some of these techniques that you are talking about into their local plans that they have to develop. I am kind of curious, what kind of outreach are you doing with cities? If you are not doing too much outreach, I would sure love to talk with you offline to help you, because I have a lot of contacts in cities throughout the state because of my leadership role that I played there for many years. I know cities are just grappling for data and information and guidance on how to approach this issue.

Commissioner Kimball responded: I will say we do not have any specific contact at League of Cities, I would love to get one if you have one.

Commissioner Eklund stated: I have.

Commissioner Kimball continued: Okay, great. The SB 1 Grant Program that I mentioned is focused on specifically supporting local and regional government entities on incorporating sea level rise into their land use planning efforts, so that has been the focus of that program. It was recently launched a couple of weeks ago. That is, I would say, our main connection.

Right now, as part of that program we are also standing up a technical assistance program. That should be launched in March, I believe, which is going to provide, there will be an eligibility portion of the technical assistance, but we will be providing underserved communities with specific technical assistance on how to apply to the SB 1 Grant Program, which supports and funds like all stages of planning and then will eventually fund projects as well.

One thing to note, though, is we do not really want to, BCDC and on the coast the Coastal Commission are really the experts in the local coastal program and the sub-regional resiliency plans.

As a staff we do not really have the expertise to guide in updating those specific plans and we do not want to fund something that would then not be aligned with that later on down the road.

So, in a lot of discussions with BCDC and Coastal Commission staff we have a path forward now where we are really supporting a lot of the work around that. But we are leaving the actual updating of the plans to being routed through BCDC and the Coastal Commission so that can be a really clean process.

We have developed letters of alignment as well for the other parts of the project to make sure we are not getting out of step there.

And then, the regional workshops that are coming up, we are trying to get the word out on those to get as many representatives of local government to come to that. We would be very open to hearing about other ways that we can be connected and be engaged and be providing information. We definitely see that as part of the role of the Ocean Protection Council and our convening of the state collaborative, as well.

Commissioner Eklund added: I do not know what your local experience is, but based on the fact that I have been on the city council since 1995, city staff has so much responsibility and there is not enough because we are a poor property tax city in Novato so we do not have that much staff, so they are they are really taxed to the max in terms of the amount of work.

This kind of preplanning is very difficult for them to attend a workshop like this because they do not have the necessary staff.

I do have contacts at the League. There is an Environmental Policy Committee which I served on for decades. I know a briefing to elected officials at the League of California Cities conferences would just really help to make elected officials aware. They know it, but having your presentation just reinforces the fact that you need elected leadership, locally elected leaders, not only cities, but counties because there is CSAC as well, which Stephanie I am sure can talk about.

The more elected officials that hear this, the more you are going to get local governments wanting to get involved. And I think the leadership, there is funding available so elected officials can help lobby for more if they hear from their staff saying, Hey, look, we are not getting enough money to help do this right.

Offline I will get your contact information, I guess, from Larry. I will be definitely in touch with you and give you the contact information so that you can play a more leadership role in cities across the state.

It will attract a lot of people that live around the coastal waters, I think, to learn more about sea level rise. Thank you very much for your presentation. I am actually going to be telling the cities, at least in Marin County, about this report, because I think it is something that everybody needs to know about. Thank you very much.

Commissioner Kimball replied: Thank you. Appreciate that.

Commissioner Gunther was granted the floor: Dr. Kimball, thank you for the presentation. I found your revision of the projections for H++ to be rather good news. I do not want to get into the scientific weeds, but I was wondering if you might be able to provide just a little more explanation. I hear frequently that ice sheet dynamics are the things we know least about and present the highest risk for extraordinarily accelerated sea level rise. So how is it that we are able to push that scenario further into the future?

Commissioner Kimball stated: This might be a question for one of the modelers because my understanding is sort of limited to what I presented on. The H++ scenario was always an unknown probability, a speculative scenario, it was sort of like a worst-case. Like if all the things that the modelers did not understand very well, all the worst-case happened at the same time, that was what H++ was.

In those intervening years, that AR6 framework, basically there was better understanding. They gained confidence in some of the understanding around the ice sheet dynamics and so some of those worst-case scenarios with that better understanding were no longer considered plausible.

Without those really extreme things happening, you cannot get to H++. If you understand them better to know that they are not going to happen, then you are not going to get there. That is my layman's understanding of why the H++ scenario is just not plausible based on the advances and understanding of the ice sheets.

Commissioner Gunther acknowledged: Thank you.

Commissioner Showalter chimed in: I just wanted to suggest another outreach opportunity, which hopefully you are already doing. I am giving a presentation at the State of the Estuary Conference that is coming up in March. That gets together many practitioners of flood protection in the Bay Area, so it would be great opportunity to share information about this report.

And then I have a question. One of the things you mentioned was that storm intensity is going to increase in the 2030s. That, of course, is a major source of flooding as well as sea level rise. Can you talk about that a little more?

Commissioner Kimball explained: Actually, the new guidance does not include projections for storm frequency, what I said was flood frequency. The projections of flood frequency are expected to increase in the coming decades.

That is essentially a function of sea level rise and an acceleration of sea level rise. NOAA/NASA has a flood projection viewer that you can look at for each of the tide gauges based on the number of flooding events. And there is a definition for how a flooding event is captured.

Then if they model sea level rise on top of that they can predict how many flooding events are expected in the coming decades, and so that is what that is speaking to.

Obviously, it is very hard to, those projections are only for the tide gauge locations. It is very hard to localize that because flooding is so specific to a very specific location and shoreline. So that is what that is referring to.

But the sort of takeaway that the conditions that you see now during storm events can be used as an analogue for what sea level rise will be expected in the future is sort of a takeaway as well. But in terms of just projecting numbers and intensities of storms, this group did not do that.

Commissioner Showalter acknowledged: Okay, thank you.

Chair Wasserman continued: I do not see any other hands or microphones. That concludes the matter but I am sure we will be discussing it at future meetings. Thank you very, very much, Dr. Kimball.

11. Briefing on the Regional Shoreline Adaptation Plan Progress. Chair Wasserman stated: That brings us to Item 11, a briefing on the Regional Shoreline Adaptation Plan progress. The briefing will be presented by Senior Climate Adaptation Planner Jackie Mandoske.

Senior Climate Adaptation Planner Mandoske presented the following: Hello and good afternoon, Chair Wasserman, Commissioners and Senator Laird, who may no longer be here, but it was a pleasure to have him join today. I also want to thank him for his important work, which this project is advancing. As Commissioner Wasserman said, my name is Jackie Mandoske, I am a Senior Climate Adaptation Planner at BCDC and the Project Manager of the Regional Shoreline Adaptation Plan (RSAP).

Last time I spoke to this group was back in October of last year when we were in the middle of conducting outreach to create a regional vision for the Bay shoreline.

I am excited to share the results of that effort with all of you, which we are now calling the One Bay Vision for a Resilient Future Shoreline. This vision will serve as the foundation to shape our work on the RSAP throughout this year, and our broader regional work over the coming years.

The Commissioners who attended the Rising Sea Level Working Group meeting two weeks ago, I want to thank you for your time and comments on the draft One Bay Vision. As you will see, we made a few small adjustments to these statements to incorporate your comments and feedback.

The RSAP, Regional Shoreline Adaptation Plan abbreviated, is intended to serve the region to reduce shared flood risk for the Bay Area and ensure that adaptation plans, projects and land use decisions are coordinated and consistent to protect the values we care about. Protecting people, particularly our most vulnerable populations, ensuring healthy environments over the long term, and being strategic in how we prioritize and fund projects to help us achieve our goals.

Through the RSAP I want to reiterate that BCDC is meeting the requirements of SB 272 and providing the necessary support to local jurisdictions to advance local adaptation plans and projects that work together to achieve our shared goals.

So, what are these shared goals and what do we mean by achieving successful adaptation for the region? This is where the One Bay Vision comes into play.

The RSAP is implementing four actions in the Bay Adapt Joint Platform, and the need for a regional vision was identified as the very first action, which states: Collaborate on a One Bay Vision to adapt to rising sea levels. And the tasks below this state to create a long-term regional vision rooted in communities, Bay habitats and the economy.

There are also additional actions that the RSAP is advancing, which you might recognize in our approach, but I won't elaborate on today.

The foundations for the One Bay Vision were also laid in Bay Adapt's guiding principles, which remain the North Star for all projects being implemented through Bay Adapt, including the RSAP. What you will see today through the One Bay Vision is how these principles are applied across eight key issue areas in ways that add targeted and concrete long-term adaptation outcomes in the Bay Area.

The One Bay Vision describes what successful adaptation should look like along our shorelines; and reflects both our values today, while also acknowledging that future shorelines will look different and that adaptation itself will be an iterative process.

The One Bay Vision brings the guiding principles to life as it adds detail to where and how these principles apply for topic areas across society and guides the development of our remaining work.

How does the vision flow throughout the aspects of the RSAP to inform real on-the-ground adaptation?

The One Bay Vision sets the outcomes for the region and paints the picture of the future that we are all working to achieve.

The Vision will guide the region's strategic priorities, which will identify key adaptation areas, the big regional moves, that lay out where certain types of adaptation are most appropriate and beneficial for the region.

This also informs the development of local plan guidelines, which will lay out consistent regional standards for how local jurisdictions create sub-regional plans and develop adaptation strategies that meet minimum criteria and advance the region's priorities.

Within these plans will be specific projects and land use changes, with an implementation strategy to get adaptation projects in the ground.

Together, these individual projects across the region add up to our shared One Bay Vision.

Now, how does this actually work in practice? I would like to provide an example.

One of our vision statements includes the topic of ecosystem health and resilience. This statement includes language about protecting, restoring and enhancing Baylands ecosystems.

An example strategic priority might include geographic identification of priority habitats around the region.

An example guideline might require local jurisdictions to evaluate those habitats and plan for the long-term health of those ecosystems.

An example project within a plan might be the identification of a strategy such as an ecotone levee and its associated land use and implementation next steps. This example of an ecotone levee is a piece of the puzzle that helps us advance our regional vision for ecosystem health and resilience.

This One Bay Vision that you are about to see was developed through a variety of inputs. In addition to building upon the guiding principles, we reviewed existing regional visions such as Plan Bay Area to ensure our efforts are aligned and linked.

We also conducted a series of outreach in the fall, which you heard from me back in October, where we spoke with over 500 people at local community events, a public workshop, online survey, and expert practitioners, who shared their values and visions for the future of the shoreline.

The One Bay Vision represents the distillation of that feedback and reflects what we heard and learned from these stakeholders about what they want the future of the Bay to look like for themselves and for future generations as sea levels rise.

Now we are here at the main part of the events, where I will be sharing the draft One Bay Vision for a Resilient Future Shoreline.

First, I want to acknowledge that the One Bay Vision is made up of multiple parts. There is a statement for the region as a whole and statements for each of the eight topic areas. These topic areas reflect the categories of key issues in society that are impacted by rising sea levels and will require adaptation planning and actions to support both local and regional long-term resilience.

I will go through all of the vision statements and then open the floor to discussion. I ask that as I go through each of these slides, please keep the following questions in mind. What do you like most about the One Bay Vision? Is there anything missing or unclear? And are you in favor of using this draft One Bay Vision as a basis for our next steps in a project?

As you are listening to these please keep in mind that we are hoping to get your support on the main concepts within this vision. We are looking forward to getting your feedback today, and if you have specific comments on the wording, please let me know in a following email.

I will go ahead and read out the regional vision statement, which encapsulates all of the topic areas.

Our “One Bay Vision for a Resilient Future Shoreline”

“As sea levels rise, the Bay Area's diverse communities come together to transform how we live, work, plan, and adapt along our changing shorelines.”

“In this future, communities are healthy, safe, and have greater access to the shoreline where they can feel connected to the Bay’s edge and experience the beauty and wonder of thriving habitats that sustain our quality of life. Our region remains connected so that networks of people and goods can move with ease and get to the places they need to go. The services we rely upon keep our communities and economies running and are designed for the long-term. Achieving this future will require governments, the private sector, and communities to make a commitment to equity, address past harms, and take on complex, interrelated challenges together. A resilient future for the San Francisco Bay Area starts now and continues for generations to come.”

For each of the eight statements, I will skim through them. You have the full text in your meeting package and these slides are also available on our website.

As part of our One Bay Vision for community health and well-being, as sea levels rise, communities are healthy and vibrant. To achieve this, we will need to adapt our communities to safeguard them from the public health consequences of flooding, and support healthy environments, safety and quality of life.

Meaningfully engage and empower communities in adaptation decision-making.

Address risks to essential community assets.

And prioritize economic development opportunities, such as workforce development, in disadvantaged communities.

For critical infrastructure and services, as sea levels rise critical services are reliable.

To achieve this, we need to adapt local and regional critical infrastructure to maintain service and minimize future vulnerabilities to flooding.

Integrate flooding hazards into emergency management.

And prioritize adaptation that addresses service deficiencies in underserved communities.

For ecosystem health and resilience, as sea levels rise healthy Baylands ecosystems thrive.

To achieve this we need to protect, restore and enhance Baylands ecosystems to improve their function, scale, biodiversity and services.

Prioritize nature-based adaptation where possible and incorporate habitat connectivity, sediment management, and whole watershed approaches.

And identify and facilitate opportunities for ecosystem migration to support natural adaptation processes.

For governance, collaboration and finance, as sea levels rise, regional collaboration drives efficient and effective adaptation.

To achieve this, we need to ensure local and regional governments collaborate to address shared flood risks and identify multi-benefit adaptation opportunities, while avoiding harm to their neighbors.

Identify and engage with indigenous partners to plan, implement and manage adaptation projects.

Support the range of multi-stakeholder collaborations that are equipped to plan, fund and adaptively manage adaptation over time.

And improve funding and regulatory processes to expedite innovative and transformative projects that provide regional benefits.

For housing development and land use, as sea levels rise, places are designed for a changing shoreline.

To achieve this, we need to adapt existing development equitably and plan new and redevelopment for community safety, equity and Bay ecological health.

Align land use planning with risk mitigation that considers long-term economic vitality for all.

And support affordable housing and state housing goals while preserving public trust uses of the Bay and reducing populations at risk of flooding.

For public access and recreation, as sea levels rise, the Bay shoreline is accessible to all.

To achieve this, we need to expand and improve shoreline public access, including recreation opportunities and other water-dependent uses.

Prioritize connecting disadvantaged neighborhoods to a healthy Bay.

And balance the needs for human enjoyment, sustenance and cultural connection to the Bay with healthy ecosystems.

For shoreline contamination, as sea levels rise, people and ecosystems are safe from contamination risks.

To achieve this, we need to collaborate with communities, scientists, industries, and government to identify and remediate shoreline contamination.

Prioritize remediation in environmental justice communities, while minimizing transferring contamination burden.

And integrate emerging science on shallow groundwater rise with planning and adaptation decisions.

And the last topic area, for transportation and transit, as sea levels rise, safe and reliable transportation connects the region.

To achieve this, we need to adapt local and regional transportation systems to ensure safe and reliable connectivity.

Ensure continuity and equitable service in transit-dependent communities.

Identify and integrate multi-benefit opportunities into transportation projects such as ecological health, green infrastructure, and public access.

And promote active, low emissions mobility options for environmental and economic benefit.

In closing, I want to remind you all about how the One Bay Vision relates to our broader work on regional adaptation. Before the end of this year, we will be coming back to this Commission and asking you to adopt the final One Bay Vision, Strategic Priorities, and Plan Guidelines, which includes everything to the left of this dotted line. This timeline is in compliance with SB 272. Throughout the spring and summer, we will continue to come back to you with updates on our progress.

Once this phase is complete there are other components that we will need to integrate to create a truly regional adaptation strategy as called for in your Bay Plan Climate Change Policies. We are still figuring this part out, but we know the big pieces.

We will need an investment strategy to figure out how to pay for adaptation to help close the \$105 billion funding gap, which we will hear about more in the next presentation.

We will need to make changes to our Bay Plan policies and regulatory processes to facilitate the types of projects we need.

We will need to support local jurisdictions to develop and submit these plans to meet the guidelines.

And we are working closely with OPC, as you have just heard, on their SB 1 grants, as well as working with other regional agencies.

All of this will help us develop land use changes and adaptation projects that help us strategically meet the challenges of our region in ways that provide the most benefit and make the One Bay Vision a reality.

This work is organic and iterative. And we will continue coming to the Commission with updates as we continue on this journey.

In terms of our next steps, today, we are not asking for a formal vote on the One Bay Vision. Instead, we are asking for your support that these should form the basis for our work ahead.

We will then be transitioning into developing guidelines for local plans and strategic priorities that flow from this vision.

Although we did not talk about it today, we have been hard at work to define sub-regional adaptation plans through meetings with stakeholders and practitioners.

We will be holding a series of focus groups in the coming weeks to get additional feedback on what these plans should look like and how they can best meet the needs of our region for adaptation. Please reach out if you are interested in having you or your staff attend one of these.

We will also be hosting a second public workshop in the spring to launch into the guidelines work with more stakeholders.

We are underway in planning for a series of up to five local workshops centered in vulnerable shoreline communities and hosted in partnership with community-based organizations. We will provide more information on that in the coming months.

Lastly, as our Executive Director mentioned in his Executive Director Report, we will be reaching out to Commissioners who are currently county supervisors to set up briefings in each of your counties about all of this work.

With that I want to thank you for your time, and I will pass it back over to Chair Wasserman to facilitate the conversation about the vision statements and the questions we posed earlier, and I am happy to answer any questions you may have.

Chair Wasserman continued: Thank you, Jackie.

Before turning to the Commission, do we have any virtual public speakers?

Arthur Feinstein commented: Hi, Chair Wasserman and Commissioners, I am Arthur Feinstein. I am chair of the Sierra Club's Sea Level Rise Committee, we call it Bay Alive; and I am also on the Advisory Committee for the RSAP working with Jaclyn and Dana and your staff people.

Somewhat unusual for me but quite happily I am here to say thank you to staff. I am often looking for more. And I am looking for a little more today, but staff has really come along from where we began this process more than a year ago. We are pretty pleased with what has come out from this process. Not totally. Myself and Gita Dev who is going to follow who is going to also comment on this, we have a few editorial amendments that we would like to put into. I am going to do the vision statement.

While the vision statement originally started out with just saying people should experience the beauty and wonder of thriving habitats, wetlands, and others. We have been pushing for them to recognize that wetlands are not just pretty, and people do not go to the shoreline, well they do go the shoreline to get recreation and a peaceful feeling from being in wetland habitats, but wetlands actually provide services that benefit us aside from that and our communities.

They clean our water, they clean our air, they help influence the temperatures that we are experiencing, keeping the air cooler than it would be. In the global warming that is going to be real important. They help reduce storm surges. They perform a lot of services to our community, and we have been urging staff to recognize that in all of the vision statements.

So, we were quite pleased to see them say, experience the beauty and wonder of thriving habitats to sustain our quality of life.

We have sent a letter, I guess you didn't get a chance to see it, we sent it Monday. We are hoping that you would take one phrase and emphasize the services they provide by changing that one sentence to say, experience the beauty and wonder of thriving habitats that we depend on to sustain our quality of life. So that the average person reading this who is not invested in this whole process will realize that we actually do depend on our wetlands, not just for beauty and wonder, but for the services that they provide us.

That is my statement. I want to again thank staff for really making this a vision statement that is getting us towards where we need to go if we are going to have a healthy Bay as well as healthy communities; and our communities won't be healthy if we do not have a healthy Bay. So, thank you very much.

Janet S. Johnson addressed the Commission: Good afternoon. I have lived in Richmond for 42 years and I am representing today the Richmond Shoreline Alliance and Sunflower Alliance. Both are environmental justice organizations based in the East Bay.

We first want to support the comments submitted by the Sierra Club and then we want to take them a little bit further.

Richmond has 32 miles of shoreline, the most of any Bay Area city. Like many Bay communities, much of our shoreline bears a heavy burden of toxic waste, the legacy of more than a century of industrial contamination. We are home to two Superfund sites on the shoreline plus an 86-acre Superfund Qualified site that already is seeing the effects of sea level rise.

That site, the so-called AstraZeneca or Campus Bay site is under the jurisdiction of the DTSC. For over a century the site was a chemical manufacturing complex that dumped its hazardous and radioactive waste out the back door, filling in the Bay with more than 100 lethal chemicals and heavy metals, the most abundant of which is arsenic.

Because of redlining and other discriminatory housing policies, low-income, vulnerable communities near sites like Campus Bay will be the first to suffer health effects from the spread of contamination resulting from sea level rise and groundwater intrusion.

So, we see an urgent need to focus on in your deliberations to prioritize and fully address shoreline contamination. We need you to oppose the present trajectory of partial cleanups and capping of unlined sites, followed by so-called mixed-use housing developments on the shoreline, which is DTSC's solution for Campus Bay.

We also hope that you will advocate on a state level for bonds to be posted by contaminating industry. So, when and if they leave, taxpayers and city governments are not left to cope with the messes they have left behind. Thank you so much.

Gita Dev was recognized: Thank you, Commissioner Wasserman and the entire Commission. I am following on Arthur Feinstein's comments. I want to tell the staff that we are so appreciative and astounded at how well you have been able to integrate the comments from public comments and we really appreciate that.

In talking about some of the things that we still hope to achieve. In conversation with others, I have noticed that we all over here today are all very aware of using nature-based adaptation, putting nature first. However, as an architect, I can tell you that pragmatics overtake us when we are in the throes of projects as time goes by. And in 2030 when someone's looking at this vision statement, if those ideas are not front and center, I am afraid they will get put second. Nature is put second so often.

When you look at flooding you say, let's put up a wall seven feet tall. And then the second thought is, and how can we put some muscle into it?

I ask you to ask staff to humor us. I ask you as a Commission to humor me as I go through a few very minor modifications that would bring the ecosystem services that the Bay provides into focus in all of the eight items. I recognize that staff has put it into four of them already. So please humor me and I will go through them.

In the community health and well-being in the fourth bullet it says, address risks to essential community assets, services, and cultural resources. And I suggest we include after the word services, including Bay ecosystem services. Because it is so easy to forget that community health is based on ecosystem services as well.

In the critical infrastructure where people think of roads, culverts, sewer systems. In the second one where we adapt existing local and regional critical infrastructure systems. Including natural infrastructure. I would ask that you insert those words.

In the governance one where we never think about nature. In the first bullet, multi-benefit adaptation opportunities. Putting nature first whenever possible. That's wording from Bay Adapt, putting nature first wherever possible.

And in the last one, the shoreline contamination. In the last bullet, integrate emerging science on shallow groundwater rise. And I would insert, prioritizing nature-based solutions. Because a lot of the science is on chemistry. Prioritizing nature-based solutions brings that back into focus that there's a lot that nature has to offer.

I'm sorry I have run over time. I just want to add that the iterative processes that we have talked about involve phased projects. Nature takes time to keep up with our changes and therefore putting nature first is a different way of thinking than most public works people are used to. That's the reason why we are taking your time to bring up these four items in these four issues. Thank you so much.

Carin High spoke: Hi, good afternoon, Carin High, Citizens Committee to Complete the Refuge. Thank you for the opportunity to provide comments, hope you are all staying dry.

I wanted to begin by, as others have already, expressing my deep appreciation to BCDC staff and to the Commission Members on the Sea Level Rise Working Group for providing the opportunity to the public to comment on the draft vision goals and objectives during the January 18 Working Group meeting, and for incorporating some of the comments and suggestions into meaningful changes into the language we see today. We have just a few others, as Gita had mentioned, and we all hope that you take those into consideration.

I wanted to echo the sentiment of others regarding the need to put nature first. But what does that mean? So, I thought I'd share some select comments from an April 2023 Scientific American staff editorial that reinforced why it is so important that this is reflected in all of the vision goals and objectives. Some of us, those of us who are here, already know.

Wetlands, coastal plains, sand dunes, forests, and many other permeable surfaces do cheaply, or even for free, what engineered levees, seawalls and pumps do at a cost of billions of dollars. They protect the land around them from storm surge, flooding, flooding rains, erosion and pollution. They are vital infrastructure that makes us more resilient against climate change, and the cost of destroying them, or weakening their ability to function, must be factored into the decisions we make to build and grow.

Another excerpt: Failing to measure the benefits of ecosystem services in policy and management decisions is a major reason many of those ecosystems disappeared.

And lastly: Climate change makes the undervaluation of ecosystem services more dangerous. The example they provide is wetlands that mitigate flooding in a community during rare deluges will have far more economic value in 2050 when damaging storms arrive more frequently. The same could be said for our tidal wetlands.

The RSAP document that will be viewed and used by many, those who view it may not have been exposed to the concept of ecosystem services and the important role natural infrastructure plays in providing climate change resilience for the natural, unbuilt environments.

It is therefore important that this crucial function of the Bay's habitats is clearly applied, beginning with the vision goals and objectives of the RSAP. Once again, thank you very much. We look forward to continued participation in this very important complex regional process. Thank you.

Paul Seger commented: My name is Paul Seger from the Sierra Club and I am a member of the Bay Alive Committee. But I am going to be speaking from a position of basically the Contra Costa shoreline from the Carquinez Strait to Pittsburg, and then possibly even for the Bay into the Delta Estuary area.

Regarding the regional, overarching goal. As sea levels rise and the Bay Area's diverse communities unite to transform how we live, work, plan and adapt along our changing shorelines, in this envisioned future communities prioritize interconnectedness and recognize our dependence on the health and vitality of thriving habitats along the Bay Delta's edge. In this future, communities are not only healthy, safe and equitable, but also actively acknowledge the interconnectedness that binds us to the intricate web of thriving habitats along the Bay Delta.

All residents have access to our shorelines, where they can immerse themselves in the beauty and wonder of these vital ecosystems.

The pulse of indigenous communities within their deep understanding of interconnectedness guides us in preserving and benefiting from the critical ecosystem services provided by the Delta's natural habitats.

When we speak of networks of people and goods, services and economies, we are essentially addressing the backbone of our infrastructure. This includes transportation systems, economic services, and essential goods that form the foundation of our communities.

Let's call it what it is, the vital infrastructure that sustains our way of life. Recognizing this, our vision commits to addressing infrastructure-related items transparently. We will appropriately identify and tackle issues while honoring co-equal goals of environmental sustainability and economic prosperity.

This comprehensive approach ensures that our infrastructure not only facilitates the movement of people and goods but does so in harmony with the environment. By embracing co-equal goals, we safeguard the resilience of the San Francisco Bay Area and Delta for current generations. And thank you very much.

Chair Wasserman continued: That concludes our public speaking.

Comments and questions from Commissioners.

Commissioner Eklund commented: I do not have any questions but a fantastic presentation. I am very much interested in being intimately involved in this. I was not only in charge of the 404 Permitting Program at the EPA, but also the Oceans and Estuaries Program,

not only in California but Hawaii and the outer islands, American Samoa, Guam and CNMI (Commonwealth of the Northern Mariana Islands) on developing guidelines and obviously regulatory programs, as well. So, I am very much interested in being engaged in this.

Being a new Commissioner I am not exactly sure how to put my name on the list but just wanted to make sure that staff knows that I am very interested and would like to be more intimately engaged. So, thank you.

Chair Wasserman acknowledged: Thank you.

Commissioner Zepeda spoke: Thank you for the great report. I am not sure if this is the right time to ask this particular question, but is there any guidance that is coming out on how to work with the individuals, especially companies, that have property alongside the shoreline.

There is one in particular, you might have heard about it, it is a pretty large oil company in Richmond. They may or may not believe in global warming, and they may or may not want to participate in trying to do something with our shoreline. So, anything that we can do to help them out? If you have an answer, I would love an answer. I want them to participate.

Ms. Mandoske responded: What I can say is that the intent of this vision is to inform the guidelines that we create. One of the vision statements on collaboration is really encouraging that kind of informal to formal shoreline coalition work that needs to happen to both plan, build, and maintain these types of projects over time.

The intent is that we will have guidelines that flow from that vision statement; and plans that are reviewed and approved by BCDC are eligible for funding.

So, I think that there is an incentive in that sense of following these guidelines and having approved plans can hopefully encourage that type of work. Having the statement here allows us to then have guidelines that encourage or require that type of collaborative work.

Commissioner Zepeda continued: So if we could do more on the require versus encouragement. I do not think they are going to be encouraged enough because if they go along with it, from what I hear is, if they go along with Richmond to work on the shoreline, then they might be admitting to global warming that they potentially caused. I think we need more than just a little nudge. We need to actually force them to participate. Thank you.

Executive Director Goldzband chimed in: Chair, can I venture an answer as well. All I can think of as you described the company is he who will not be named.

One of the things that happened at the first part of this meeting was that John Coleman announced his resignation and his retirement, which is, I think, and I think a lot of us think is a really, as good as his staff is going to be, it is a sad day because John has really brought the Bay Planning Coalition really forward with regard to climate change and with regard to working with all of us.

What I am going to do is I want to make sure that John before he leaves hears what you said. Because the Bay Planning Coalition has been very active with us with the Regional Shoreline Adaptation Plan and Bay Adapt in addition to the Building Industry Association and a number of other private sector concerns, I want to make sure that we talk with John so that he then ensures that whoever follows him understands the importance and connects those dots.

I cannot promise you that they are going to play ball, but I can promise you that will make sure BPC knows of what you said, and they are playing ball with us. Is that okay?

Commissioner Zepeda answered: Yes, thank you.

Commissioner Kishimoto commented: I am Yoriko Kishimoto, Alternate to Supervisor Otto Lee, but I also serve on the Board of Midpeninsula Regional Open Space. I just wanted to say I express my support for the excellent One Bay Vision for the Resilient Future Shoreline. And also, to the comments made by the Sierra Club.

Obviously, I believe very strongly that nature is the ultimate infrastructure. It is going to be here when we are not, and it is always good to keep reminding ourselves of that priority. When push comes to shove to put nature first. Thank you.

Commissioner Gunther chimed in: Jackie, you and the staff, I want to congratulate you. The kinds of comments we are hearing today shows that you guys have done a really great job of outreach. I know that you are going to keep it up, which is good, because the questions are going to get dicier and more difficult to deal with, including a couple I am going to ask you now.

I also really liked that you did not just list goals, but you then said, to achieve this we have to do the following things. Because that is a real way of forwarding the conversation.

First, my question, I have two questions. The first one is about the sub-regional plans. I have been very persuaded by presentations that I have seen here and in other places and in listening to people talk about how valuable the regional land that splits our region into what are called currently operational landscape units. But the idea of removing the political boundaries from the landscape, putting down the physical, ecological boundaries, and then that is what we see, and then putting the political boundaries back down so that we can then see who needs to collaborate because you are within this same sort of geophysical environment.

I wanted to first ask you, is the idea of operational landscape units being included, or maybe even prioritized or championed, as we think about how to develop our subregional plans?

Ms. Mandoske responded: I can go ahead and start the answer and then I might pass it off to Dana Brechwald who is leading the work that we are doing on developing sub-regional plans. I will say we are absolutely talking about operational landscape units and the value that they bring, along with some of those other jurisdictional lines. So, it is absolutely part of the conversation in many of the conversations that we have had.

Ms. Brechwald added: The only thing I will add, as you correctly stated, operational landscape unit boundaries are not the same as jurisdictional boundaries. Plans occur within jurisdictional boundaries, so we are trying to reconcile the fact that we have these scales of

planning that we do not need to or want to create all new planning scales. But we are also aware of the fact that operational landscape units bring a lot of value in analyzing sea level rise risk as well as identifying the appropriate adaptation strategies.

So, we are trying to reconcile that at the moment. We do plan to come back to you all with a proposal for what those sub-regional adaptation plans are in the next few months. Then we will get your feedback there to make sure that we have incorporated those concepts successfully.

Commissioner Gunther acknowledged: Great. Yes, I do not mean to say that we need to get rid of counties in the Bay Area. But that I have been very impressed with how when you think about an operational landscape unit, who is then convened around that table. Those people all need to talk to each other and share their experiences and their ideas.

The second thing I just wanted to ask is about the investment strategy. I remain convinced that our excellently developed estimate for the cost of adaptation is unfortunately a painful underestimate and it is going to get more expensive.

I think that the sooner we begin to engage in the discussion about what gets funded first, the better off we will be. And I do not have an answer to that question.

Obviously, I think we are going to be trying to catch a lot of different balls as they appear, maybe a little federal money here, a little transportation money here, a little this, a little that. But I think that there is going to be a need to understand that if we are going to be opportunistic about obtaining funding, that some people are going to get it and some people are not. And how that would then reverberate through our implementation of the plan.

These are the kinds of things that I think we do much better on if we think about them in advance when the winners and losers are not yet fully formed. I hope that as we move forward with the investment strategy, you will be able to think about some of these tough questions and just help tee up all the stakeholders to be aware that these are coming down the pipe and we are going to have to deal with them as best we can.

Ms. Mandoske stated: I will just say that we are thinking about that right now. It is definitely on our minds as we are preparing for all of those other buckets of work ahead and how we can do the work now to make sure that we are setting ourselves up to be able to have those conversations and make those decisions. I'll also note that the next presentation will talk a bit more about the investment strategy and the work happening there.

Commissioner Showalter commented: I just wanted to again compliment the staff on this work and this presentation. It is just vital to get this going and moving and make sure that we include the right people. I would really like to be included in the sub-regional plan development for the South Bay, so I am putting my hand up for that.

But also, I wanted to just ditto the comments that in particular Gita Dev made about the importance of nature-based solutions. I really think it is important to have that concept explicitly stated in the vision statement and sort of underlying language here. So, I just wanted to support that as well. Thank you.

Ms. Fain chimed in: Apologies, we just got an email from the public commenter who was unable to speak before. Maybe we could try again for her, Carolyn.

Carolyn commented: I just wanted to point out that in the last week with the NASA findings about the hottest year on record being last year, there have been a number of scientists revisiting Jim Hansen's work on climate change.

A number of scientists had previously discounted his work because his models were showing a much higher rate of climate change and now that is being revisited. I just wanted to call out that the sea level rise used by OPC and which BCDC also factors into their work, probably need to greatly relook at their work as well because of these new findings.

I also wanted to call out about the contaminated sites that are in the guidelines. I live in Richmond along the shoreline. We have an 86-acre site that qualified very high as a Superfund site. It is right on the shoreline, so sea level rise is a big concern. There are already plumes affecting offsite locations. The site is under DTSC administration. It is basically a test case for what could go wrong with sea level rise. So, I will leave it at that. I greatly appreciate you giving me the opportunity to speak. Thank you.

Chair Wasserman continued: Thank you.

My request is for the Commissioners. I want to thank staff for the work and for this presentation. But my request is that you actually take a bit of time over this next week, I do not want to interfere on your weekend too much. But please look at these slides and if you have questions or comments, submit them to staff.

Because this has been worked on a lot and I think it is good, but that does not mean it cannot be improved. And as we move to what this is going to become, some of these pieces of language may be very important. So, if you can, please do that. Send in comments. Could just be, wonderful, I do not think there are any changes needed. But if you do see some things that you have got questions about or suggestions, please do make those.

Thank you very much for the presentation. There is no action on this.

12. Briefing on Plan Bay Area 2050+. Chair Wasserman stated: That brings us to Item 12, a briefing on Plan Bay Area 2050+. Jessica Fain, our Planning Director, will introduce the briefing.

Ms. Fain presented the following: Our last agenda item is on Plan Bay Area and you are probably wondering, why are we talking about Plan Bay Area at a BCDC meeting?

With many regional planning efforts going on we think it is pretty important for you to be aware about what is going on with other agencies. And to the extent we can, we really try to align our efforts to help move the region forward in a sustainable and cohesive manner. While Plan Bay Area covers a broad set of topic areas, or a few key areas where those policy areas intersect with what we do at BCDC, and sea level rise adaptation and how to fund it is a major one of those.

You might not know that our staff collaborate regularly with MTC and ABAG staff on sea level rise adaptation work through biweekly meetings, joint projects, developing data and methodology and outreach.

We are grateful to have a long-term funding agreement between our agencies that provides support for this work. Our planning staff are now supporting MTC and ABAG in integrating the work we have done together on the sea level rise funding and investment framework into Plan Bay Area 2050+.

We anticipate continuing to work closely after 2050+ and after the Regional Shoreline Adaptation Plan work that Jackie was describing, to really think about how to develop a regional funding strategy that grapples with key questions about how we are going to fund the sizable adaptation needs.

With that I will turn it over to Matt Maloney, Director of Regional Plans at MTC/ABAG.

Mr. Maloney addressed the Commission: Good afternoon, Commissioners. Jessica said a lot of what I was going to say, which is fine. I will just say that we are also at MTC and ABAG very appreciative of all the collaboration with BCDC staff. As the months go on, we just find ourselves working more and more closely at a staff level with BCDC.

Plan Bay Area, which I will talk about, and I will be brief in my comments, is not a plan that is statutorily required to do a lot of consideration with sea level rise. But part of what I wanted to get across today is that although it focuses a lot on transportation and housing and has statutory requirements with GHG mitigation, sea level rise is definitely interwoven into how we think about the Plan. Obviously, we must have it as a high priority and consideration as we do all of this work on housing and transportation.

We call this the galaxy slide or kind of an ocean with waves. I think what we want to get across here is that we are interweaving all of these efforts together. The Bay Adapt Joint Platforms, of course a product of BCDC. You all just heard a bit about the Regional Shoreline Adaptation Plan. The Estuary Blueprint, which is focused on the health and resilience of the San Francisco Estuary is governed by ABAG. And then there in the middle is Plan Bay Area 2050+, which is led by ABAG and MTC together and is quite comprehensive in scope dealing with housing, transportation, the environment, and the economy. And more and more as these plans roll along, we are doing more and more work on the climate adaptation space.

We at MTC and ABAG have been doing regional plans for a very long time, but SB 375 on the state level really kind of changed a lot of this dynamic back in the 2008, 2009 period. Essentially, what SB 375 did is, it set a statutory requirement for these plans to reduce per capita GHG from cars and light-duty vehicles.

The way that the Plan accomplishes that is via a land use pattern focused around high-quality transit areas, places where people cannot rely necessarily on single occupant vehicles. And we also develop a fiscally constrained set of transportation investments as part of the Plan. That is essentially what we are doing via SB 375.

The Plan is required to be adopted every four years.

The Plan that we are living under today is Plan Bay Area 2050. That was adopted in 2021.

And we are now in the middle of Plan Bay Area 2050+ adopted in 2025. Why is it plus? I think what we are trying to signal there is that it is a limited and focused update. Plan Bay Area 2050 has a lot in it, it was four straight years of pretty intense work and robust outreach. And 2050+ is meant to do a few things on the margins but not it is not a dramatic redo of the Plan.

As I mentioned, we do cover a lot of ground in the Plan. This is sort of a snapshot of the 11 themes. It covers transportation and the transit network. There in yellow, those are some of the themes. We deal a lot with the affordable housing conundrum that is facing the Bay Area, that is sort of the red themes. Improving economic mobility and jobs in blue. Then the environmental strategies, the themes are shown there in green. We have 11 themes and 35 strategies.

What I wanted to focus on just briefly today are some of the strategies in the so-called environment element. We have 9 strategies in all in that part of the Plan. You will see Adapt to Sea Level Rise is number one on that list. I will also mention briefly, strategies 5 and 6 that have to do with conservation lands and urban greening.

After Plan Bay Area 2050, BCDC, MTC and ABAG collaborated on the Sea Level Rise Funding and Investment Framework and I know the Commission has seen this work recently. Where this work ended up is an estimated cost of sea level rise adaptation through 2050, the estimate we came up with was \$110 billion.

There are some things known out there about the projects to adapt to sea level rise so where we knew and sort of had good cost estimates, we used those. But for some of these other areas, which are shown in green, these are really more placeholder costs. These are places that really have not quite gone through all of the planning yet. So, the staff worked to create cost estimates for those. The cost is high, but I think it always makes sense to couch it against the fact that we also estimate \$230 billion in assets are at risk if the region does not adapt to sea level rise.

After that work, I want to talk just briefly about what we are doing in the current Plan to update the sea level rise investment work that we have been doing and where we are going. I think one of your Commissioners did allude to this ultimate regional funding strategy, which is shown on the right hand of the slide.

I mentioned the Sea Level Rise Adaptation Funding and Investment Framework. I will note that it was based on an estimate of 4.9 feet of inundation by 2050. That was using the best available work by the Ocean Protection Council. You heard from those folks earlier today.

They are still updating those as the years go on. We will continue and the BCDC staff I am sure will continue to use the best estimates. This includes an estimate of the rise but also 100-year storms. That is all built into the 4.9 number.

In this current plan cycle, Plan Bay Area 2050+, I think the objective that we have at this point is to work on updating what we did in that Funding and Investment Framework. Working with local jurisdictions across the region, making sure we get the best available information, updating project costs where we can, and hopefully beginning the process of what of what on the slide we mention, sorting projects, as we call them, bins.

We are trying to work towards an organizational structure for some of these projects. Right now, we have a fairly long list, but they are not necessarily prioritized in any kind of way.

We are going to begin looking at some things like project readiness, obviously the cost of the projects and what other kinds of funding might be committed to these types of projects. Just to get us toward a bit of an organizational scheme. The idea being that when we get to a regional funding strategy we can engage in a further categorization of those projects, potentially updating the project inventory, looking at updating the future revenue sources, and getting a little bit towards more of organizing these by year so that when funding opportunities do come our way, we are ready with a near-term list that we can draw from to start funding these projects and do that necessary work to get this done. So that is where we are headed.

Really quickly on the Priority Conservation Areas. These are geographic areas in the Bay Area. They came about around the same time as the Priority Development Areas or PDAs. If you work in local government, you are probably somewhat familiar with those. Established back in 2007. These are lands around the region that are important to protect, conservation lands, natural lands, ag lands, working lands. We are engaged in an update or refresh of the PCA framework.

The reason why I wanted to talk to the Commission about this today is that we are adding/integrating climate adaptation into the mix with the PCAs. It is a new type of PCA intended to be paired with the existing types that we have got already underway.

We are not really reinventing the wheel with this. We are looking at that same map that you saw before with \$110 billion. Looking at those areas but sort of looking at these areas that are more tidal habitats and places like that. Those will also be part of the PCA geographies. It is more than a map.

We also do have a funding program associated with PCAs that MTC funds. Historically, over the last 15 or 20 years, we do a call for projects for these, and we do fund improvements and enhancements to these lands, either to provide better access or to work on conserving these areas.

Final slide, just next steps on the Plan. In terms of this strategy EN1 in adapting to sea level rise, staff is working to update this data. We are working with local staff. We are putting on webinars, and doing robust engage there in order to identify new projects and just update the inventory that we currently have. If you want more information on that you can contact Rachel Hartofelis, she is here in the audience, you can contact her directly.

Also, just in terms of where we are going on the Final Blueprint, looking into this summer we will be doing more engagements with the public and with local jurisdictions to talk about all the strategies that are in the Plan. Chirag Rabari is the guy that is the project manager of the Plan.

Ultimately, we will approve a Final Blueprint later this year. In the fall we do have to do CEQA on this Plan, it takes about a year. So, ultimately we would adopt this Plan in the fall of 2025.

That concludes my presentation for today and happy to take any questions from the Commissioners.

Chair Wasserman acknowledged: Thank you.

Any public comment on this matter?

(No members of the public addressed the Commission.)

Chair Wasserman asked: Questions or comments from Commissioners?

Commissioner Gunther was recognized: Thank you for the presentation. I was critical about whether the number is correct, but I want to make sure you know that is offered just in the frame that we just need to keep going as we iterate this to get it get it more accurate. I really, really appreciate that you and your colleagues are doing this, and I encourage you to keep doing it. If someone like me says, you need to improve the number, then you can just ask me, how should we do it?

And one of the ways that I think we need to do it is to try and integrate, as I understand it, the cost of dealing with the rising groundwater that will be part of sea level rise is not included in the \$109 billion; do I have that right?

Ms. Fain answered: Yes.

Mr. Maloney agreed: You have that right.

Commissioner Gunther asked: Okay. Will 2050+ make a stab at that? Is that part of the Plan?

Mr. Maloney replied: I do not believe that we are going to get there in this planning round. I do not believe that we are going to be able to bring in the groundwater estimates into this.

There's also a lot of information out there with riverine flooding around the region that we do not quite have the best data for. We are working on that to do more comprehensive assessment. But I think in this period what we are mostly focused on is that existing project inventory we have and seeing what kinds of updates are out there to the costs or to the scopes of those projects to make sure we have the best information. That is kind of where we are.

Commissioner Gunther acknowledged: Thanks. Yes, I recognize this is a very difficult question I am asking. But I think that it is important because it could have a pretty significant influence on this number. I hope that as soon as you guys are ready to throw a number out there just even as a placeholder, that you make an effort to do it, because it is going to be a really important addition to our future need.

Chair Wasserman asked: Any other comments or questions from Commissioners?

Again, thank you for the presentation and the work, we will continue the dialogue. There is no further action on this item.

13. Adjournment. The meeting was adjourned in recognition of Graciela Gomez, recognizing that we have done two very lovely things at this meeting. We passed two resolutions for people who are still with us, we do not always do that.

Upon motion by Commissioner Gilmore, seconded by Commissioner Ahn, the Commission meeting was adjourned at 3:59 p.m.