

San Francisco Bay Conservation and Development Commission

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DRAFT MINUTES

TO: All Commissioners and Alternates

FROM: Lawrence J. Goldzband, Executive Director (415/352-3653;
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Sierra Peterson, Executive & Commissioner Liaison (415/352-3608;
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SUBJECT: Draft Minutes of November 21, 2024 Hybrid Commission Meeting

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

Chair Wasserman stated: Good afternoon, all, and welcome to our hybrid BCDC commission meeting. My name is Zack Wasserman, and I am the Chair of the Commission. I want to thank the Commissioners who are here at Metro Center for attending the meeting in person and acknowledge those who are participating virtually.

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

2. Roll Call. Present were Chair Wasserman, Vice Chair Eisen, Commissioners Ahn, Beach, Burt (represented by Alternate Klein), Eckerle (represented by Alternate Kimball), Eklund, El-Tawansy (represented by Alternate Ambuehl), Gunther, Lee (represented by Alternate Kishimoto), Lucchesi (represented by Alternate Pemberton), Peskin, Ranchod, Randolph, Showalter, Tam (represented by Alternate Gilmore) and Zepeda.

Chair Wasserman announced that a quorum was present.

Not present were Commissioners: Association of Bay Area Governments (Addiego), Department of Finance (Benson), U.S. Environmental Protection Agency (Blake), Contra Costa County (Gioia), Sonoma County (Gorin), Governor (Hasz), Solano County (Mashburn), Marin County (Moulton-Peters), San Mateo County (Pine), Napa County (Ramos)

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

(No members of the public addressed the Commission.)

Chair Wasserman continued to the Report of the Chair.

4. Report of the Chair. Chair Wasserman reported on the following: That brings us to Item 4, which is my report.

The weather, despite what we see outside, continues to warm. The problems continue. The need for the work we are doing continues and becomes ever more urgent.

A. Update on Commission mailing and distribution of the Regional Shoreline Adaptation Plan: In that light, you all know that at our next meeting on December 5, we will consider the Regional Shoreline Adaptation Plan. I want to ask Planning Director Jessica Fain and Assistant Planning Director Dana Brechwald to give the Commission an update on the drafting of the staff recommendations and a summary of what Commissioners and the public will see tomorrow when it is mailed.

Planning Director Fain addressed attendees: Thank you, Chair Wasserman. Good afternoon, Commissioners. As you know, the Commission is scheduled to vote on the Regional Shoreline Adaptation Plan at our meeting on December 5. During the public comment period, the Commission received 277 written public comments and 27 oral comments, for a total of 304 public comments. I should note that 170 of those were similar letters from members of the Sierra Club.

Our team has been busy responding, revising, and preparing a final draft for Commission consideration. Tomorrow on November 22 you will be receiving a package of materials that includes the final draft RSAP along with the staff recommendation, a summary of the comments, and proposed changes and responses to each of those individual comments.

Given the condensed timeline mandated by SB 272 and the large amount of information that will be included in tomorrow's mailing, Dana and I will just spend a few minutes orienting you to the major topics and staff responses.

By and large, the comments expressed gratitude and support that BCDC was taking on this important regional issue. Commenters were not saying this is wrong, but rather, here is how to make it better. Therefore, the final draft RSAP is not fundamentally different than the draft that went out for public comment, nor were its goals changed; but we did hear many important points that have allowed us to hone and sharpen it. As staff reviewed each comment, we evaluated them based on scope, policy alignment, and feasibility.

We believe that the final draft will continue to lead to the same important policy outcomes as the previous draft, while adding in greater clarity, usability, and flexibility, both for the cities and for the Commission to develop plans that meet the needs of San Francisco Bay's diverse shoreline communities. So, I will turn it over to Dana to talk through a few of them.

Assistant Planning Director Brechwald presented the following: Comment letters were really focused on three distinct areas of the RSAP. The first focused on the guidelines and planning process, and primarily cities gave comments acknowledging the importance of sea level rise planning but were concerned about the prescriptiveness and quantity of Plan requirements. Staff did make changes in response to these comments, with an eye towards how to streamline requirements when possible, without watering down the requirements or undermining the overall desired policy outcomes and legislative intent.

We also elevated language to clarify how existing plans, studies, and projects can be incorporated, including a new section titled Flexibility in Meeting Plan Requirements that describes an engagement and consultation process with BCDC staff at plan initiation to help evaluate what existing work can be used.

We also built in more flexibility to meet Plan requirements through differing paths of compliance by focusing on the intended outcomes of each element and less on the exact process to get there. Many of these concepts were already in the last draft but were not as clear or as strong as they could be.

The next bucket of comments centered on specific policy areas covered in the RSAP and many but not all of the suggestions have been addressed in this new draft in some fashion.

These include subjects that are within BCDC's authority including some additions in strengthening regarding nature-based solutions in habitats, like linking to regional targets for habitat restoration, being clear about addressing contamination, adding requirements for government-to-government tribal consultations, and working to ensure clarity surrounding approaches to housing and development along the shoreline.

We were limited in some instances because the various standards are primarily regulated by other governmental agencies such as the Water Board and DTSC for contamination.

And just as important, many commenters asked for us to clarify how to handle tradeoffs in adaptation decisions given that communities cannot achieve every outcome in every place. So, in response, we have clarified the language in the Adaptation Strategy Standards section to better account for such variability among the more than 50 cities and counties and their communities that line the Bay shoreline.

We have also made a number of technical changes, corrected grammar, formatting, and fixed inaccuracies. There were no changes and proposed modifications to the Bay Plan climate change findings and policy changes.

And then finally, there were a number of comments that were outside the scope of the RSAP document but could be addressed through future Commission actions. This includes our Technical Assistance Program that we are developing for local governments; future updates to the RSAP, which we intend to do regularly to keep it up to date; regional leadership around sea level rise funding and education; and questions regarding RSAP enforceability and BCDC's authority and jurisdiction.

We also received some comments that were infeasible or inappropriate to address in the RSAP, were outside the scope of the RSAP as well as future Commission actions. And you can see all of these in an appendix to the staff report, which provides a response to each comment received.

Ms. Fain added: Hopefully this is a helpful overview as you review the materials tomorrow. I encourage you to print them out and read them as you are relaxing after your Thanksgiving meal. While we cannot have a discussion about this today because this is part of the Chair Report as it is not an agenda item, if you do have questions during your review and before December 5, feel free to reach out to me or Dana with any questions. Thank you.

Chair Wasserman continued: Please do read it. It is not short, and it is not light reading, but it is one of the most important things we are engaged in, and it is a very important piece of moving forward in ensuring that we are truly adapting to rising sea level.

I guarantee you it will not please everybody. But as Jessica and Dana have said, staff has reviewed carefully public comments, the formal ones as well as a whole wide range of discussions with interested parties, and made, as Jessica and Dana said, not changes to the fundamental thrust of the document, but important simplifications and clarifications.

Commissioner Eklund had questions: A clarifying question, please. Are you going to be sending us a hard copy as well as the electronic copy?

Ms. Fain stated: We do not intend to do that.

Commissioner Eklund acknowledged: You do not, okay.

Ms. Fain offered: If you need a printed copy, let us know.

Commissioner Eklund acknowledged: Thank you.

Chair Wasserman continued with his report.

B. Update on Bay Area Regional Collaborative: I want to give a brief report on BARC, Bay Area Regional Collaborative, which is the state agency that has no bite that we are part of, as is the Air District, ABAG, and MTC.

Formally/informally Caltrans, the Conservancy, and the Water Board are also participating in our meetings now and we have been undergoing a review of the basic purpose and organization. It is a little bit odd, although not by any means unique, because the staff, all two and a half of them, are actually employees of MTC, but report to the Board, so you have got a sort of dotted line issue that we are working on.

There is a Memorandum of Understanding, actually two, one in 2015 and one in 2019, between the participating partners, that needs some updating. There is an ad hoc committee that has been formed that I am chairing that is reviewing these and hopes to come up with a report by April of next year.

I am now at this moment Acting Chair, since the Chair Jesse Arreguin was elected to the State Senate, and expect that I will be elected Chair in the new year. The chairmanship rotates from agency to agency, and it is BCDC's turn for a two-year term.

It is, despite being called BARC, in certain respects a quiet agency, but it does perform a very important part in helping to coordinate amongst the agencies, as well as, and this is more developing, develop a regional voice across a range of issues affecting us.

One of the problems with BARC is that over the last two years, it has been primarily focused on rising sea level, which we think is a very good thing. But there are these other agencies, and we need to more fully address some of their issues and concerns and we are working to do that.

C. Next Meeting: As noted, our next meeting will occur in two weeks on December 5 and the primary items on that are:

A contract with the Exploratorium to support BCDC's forthcoming shoreline Leadership Academy Program; and as noted,

A vote on the staff recommendation on the Regional Shoreline Adaptation Plan, whose guidelines are required by SB 272 to be approved by the end of this year.

And in that regard, I urge you to hold the December 19 regularly scheduled meeting. We hope to complete the vote on the Regional Plan on December 5. But if for reasons there are things that need further discussion, we do not think there will be but could happen. We will finish that on the 19th, because it does need to be adopted before the end of the year.

D. Ex Parte Disclosures: That brings us to ex parte disclosures. As you know, in case you have not provided staff with a report on any written or oral ex parte communications, that is communications outside our formal meetings on any adjudicatory matters, you need to do so. Please make it in writing. But now is a time when you can also report that verbally. If you have made any, please do limit your remarks to about two minutes. Are there any ex parte reports to be made? I see no hands.

That brings us to the Report of the Executive Director.

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

You will note that you are scheduled to vote today on a permit application by PG&E and the Port of San Francisco whose public hearing was held two weeks ago. It used to be standard operating procedure for the Commission to bifurcate its permit application, public hearings and votes, but we have moved away from that practice. Please let me know if you would like it to return.

However, speaking of gaps between interesting actions, today is the 51st anniversary of the discovery that there was an 18½ minute gap in a White House recording related to the Watergate break-in. Nobody knows still without a doubt who created that gap, although President Nixon's secretary Rose Mary Woods attempted to take the blame. At least on this date seven years later in 1980 it only took us eight months to find out who shot J.R. Ewing on the "Dallas" cliffhanger.

I am very happy to report that 175 high school students have applied to become part of the first cohort of BCDC's new Bay Shoreline Leadership Academy, which will train 20 of these committed students to become resilience leaders. BCDC and the Port of San Francisco are working with the Exploratorium to run the Academy. As Chair Wasserman just noted, you will be asked to approve the contract with the Exploratorium in two weeks. And our partners at NOAA are primary funders of the Academy.

Phoenix Armenta of our staff led the first Academy along the Oakland shoreline before they started at BCDC, and they have used that experience to move this cohort forward. It is exciting and we will keep you informed of the progress.

Recently, Planning Director Jessica Fain and Sediment Manager Brenda Goeden spoke with members of the Propellor Club, a group of Port and related maritime stakeholders with a particular interest in climate adaptation and readiness. Jessica briefed them on rising sea level issues, including the RSAP, and Brenda covered nature-based solutions and gave examples of pilot projects around the Bay.

They were well received, of course, and it is tremendously important to respond positively to such invitations. For example, tomorrow morning I will be speaking to Joint Venture Silicon Valley about the RSAP.

Our Shoreline Development Permitting Team, led by Katharine Pan, organized a tour of the Port of Redwood City and the South Bay Salt Ponds to help newer staff gain an introductory understanding of the Port and the largest restoration project in the region. Christine Zortman, the Port Director, met with staff and described plans for its revitalization and adaptation to rising sea levels, including a potential ferry terminal, a new boat works area, a new commercial opportunity or two, and a living shoreline pilot project.

In the afternoon staff visited the newly breached Ravenswood Ponds, new public access features, and areas of managed ponds to get a first-hand view of restoration in the South Bay.

Finally, Chair Wasserman, I received this morning 19 emails from the Fair Political Practices Commission listing Commissioners and Alternates who have not completed their ethics training this year.

Usually, I will have in my hand that list, but I did not print it out. You know who you are because you each got the same email. Lest you believe we do not keep track, Reggie Abad who is sitting right over there has the list, and like Santa, will be checking it twice, and will be looking for those who are naughty and nice. So please make sure that you complete your ethics training on time.

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

Chair Wasserman asked: Are there any questions for the Executive Director? I will acknowledge that I am one who is halfway through the training. I have not completed it, but we do have until the end of the year. I will do that in the next week or two. In part because I will be away for a month from the middle of December to the middle of January.

I am trying to arrange to participate in the December 19 meeting remotely. I will be very remote. I will be in New Zealand. But it is only three hours and one day difference, so it is not totally crazy.

6. Consent Calendar

a) Approval of Minutes for the November 7, 2024 Meeting

Chair Wasserman reviewed the items on the Consent Calendar and called for public comment.

(No members of the public addressed the Commission.)

Chair Wasserman asked for a motion and a second to adopt the Consent Calendar.

MOTION: Commissioner Eklund moved approval of the Consent Calendar, seconded by Commissioner Randolph.

VOTE: The motion carried with a vote of 17-0-0 with Commissioners Ahn, Ambuehl, Beach, Eklund, Gilmore, Gunther, Kishimoto, Kimball, Klein, Pemberton, Peskin, Ranchod, Randolph, Showalter, Zepeda, Vice Chair Eisen, and Chair Wasserman voting, "YES", no "NO" votes, and no "ABSTAIN" votes.

7. Commission Consideration of Administrative Matters. Chair Wasserman asked if there were any questions for Regulatory Director Harriet Ross regarding the Administrative Listing.

(No members of the public addressed the Commission.)

(No questions were posed to Ms. Ross.)

8. Vote on Pacific Gas & Electric (PG&E) and the Port of San Francisco's Proposed Major Permit for the Piers 43½ - 39 Sediment Remediation Project.

Chair Wasserman stated: Item 8 is a discussion and vote on the application by Pacific Gas and Electric Company and the Port of San Francisco to initiate their proposed Piers 39 to 43½ Sediment Remediation Project.

This project was the subject of a public hearing at our last Commission meeting. It would remove over 100,000 cubic yards of contaminated sediment and debris from five separate areas over 8.7 acres of subtidal habitat, and then stabilize and cap the dredged areas with approximately 81,000 cubic yards of fill, including placing riprap on and along the shoreline revetment area over a total of 10.8 acres of subtidal areas. The project is estimated to last five to seven years, largely because there are only certain periods during which they can carry out their efforts.

Pascale Soumoy will provide the Staff Recommendation.

Sediment Analyst Soumoy presented the following: Thank you, Chair Wasserman. Hello, Commissioners, good afternoon, it is nice to see you again. Thank you for being here so that we can conclude this part of the permitting process for the PG&E and Port of San Francisco Sediment Remediation Project at Piers 39 to 43½.

I am once again joined by Representatives of the co-applicants. Brenda McConathy and Luke Vernagallo of PG&E are here with me, as well as Bridgette DeShields of Integral Consulting; and there's a lot of the project team virtually with us online, including Kathryn Purcell and Patrick Foster of the Port of San Francisco.

I would like to give a quick review of the project. As Chair Wasserman mentioned, the remediation will take place in a well-known and popular location near Pier 39.

It will include the removal of over 100,000 cubic yards of polycyclic aromatic hydrocarbons and contaminated sediments from the areas around Pier 39 to 43½, install a total of 1600 sediment stability piles, and cap the dredged area and the piles with 77,700 cubic yards of fill. This is going to take place over 10.8 acres. PG&E and the Port will also improve and strengthen existing shoreline protection by placing almost 3500 cubic yards of riprap over exposed sediment to protect from erosion.

This project will improve water quality for benthic and aquatic species and support habitat recolonization.

A few images to refresh our memory. This shows the outline of Areas A and B that will be first dredged in the orange with the orange outline, and the current and temporary location of the Red and White Fleet and the Pompanito while Area A is being remediated. The Blue and White dash, that is the current location of Red and White fleet. It will move to the blue square, and the Pompanito will shift forward a bit to allow that to happen. Once the remediation of Area A is complete, it will move back.

This shows the five remediation areas. The work will begin in Area A and continue towards Area E, which is Pier 39 East. The colors indicate the level of remediation that the areas will undergo, dredging and capping and in some cases, pile driving, and those are the most intensive. The pale blue that you see in 43½ and 43 and others that are a little bit faded out, those are the most intensive. Four of those will have the piles as well. Area B will not have any piles.

This shows a diagram of how all of the sediment pin piles will be placed. It shows Area A as well and the location in the dredged area where the piles will be driven to offer stability in case of a seismic event.

Here is a cross-section and location of the different caps. Areas A and B will both have the more intensive hard cap, which is shown on the left, the different layers, it shows in the dark gray. Area B will get a slightly less intense cap and it is shown in the pale gray, and it will also be covered with the softscape habitat which we will discuss in a moment that will encourage benthic recolonization.

There are a number of issues raised over the course of the project, and I can go over them quickly.

Mainly, was the project consistent with the McAteer-Petris Act and the San Francisco Bay Plan policies?

Would the dredging of the PAH-impacted sediments be done in such a way to protect the Bay and the species and the various facilities, and of course the public?

Was there sufficient public engagement in relation to the Bay Plan's environmental justice policies?

Is the public access consistent with the project?

Finally, is the mitigation appropriate given the amount of Bay fill?

To address these questions, we looked at the policies in relation to the special conditions.

First off is the Water Quality policies, and for that we looked to see that the dredgers would use specific equipment to minimize the spread of contaminated sediment and adhere to the Water Board's cleanup and abatement project order and the Water Quality Certification.

In regards to Fill and Safety of Fills, we wanted to make sure that the capping material would be placed in the dredge areas that would isolate the remaining PAHs and place sediment pin piles that would stabilize the slopes in the case of a seismic event.

Natural Resources. For this particular policy, the work can only be conducted during the environmental work windows to protect fish and marine mammals as well as monitor their behavior during the work. Various tools and methods shall be used, silt curtains for dredging and capping, and the bubble curtains for the pile driving. The use of vibratory hammers will be the main method of pile driving and impact hammers only on limited locations.

The Subtidal Areas. The design of the caps and the materials chosen and the methods of both dredging and pile driving were all chosen in order to minimize the impacts on the subtidal areas. So, make sure to protect water quality and isolate the PAHs further.

Regarding Public Access, the plans for the public access improvements will be approved before work in the last remediation area, which is Area E, begins, because that is where the public access improvements will take place. The plans will include necessary signage, the area closures and the public communication actions that will be necessary for the landside public access issues when a lot of the public visits Pier 39 and the areas while the work is taking place.

The sediment piles will provide stability to the dredged slopes and the riprap will enhance the existing revetment and provide erosion protection. Those are part of the shoreline protection special conditions.

Finally, in regards to Mitigation, there is going to be debris removal throughout the area and there is going to be the placement of hardscape and softscape habitat on top of the remediated areas. These are conducive to benthic recolonization and they are attractive to fish.

For the impacts to the state and federally protected longfin smelt, there will be 4.9 acres of restored habitat in the Bay Area in regards to them.

That brings us to the time for questions and discussions on this project. Chair Wasserman acknowledged: Thank you.

(No members of the public addressed the Commission.)

Chair Wasserman asked: Any questions from Commissioners?

Commissioner Eklund commented: I appreciated the additional information about the potential reuse of any of the dredge material. I was kind of curious as to whether the intent is and whether staff has asked that that be reported to BCDC so that we would know exactly how much of the material was able to be reused and what the intended reuse is.

I was wondering if you have had a chance to come up with some ideas. One of the things that I was thinking about it, they are always looking for clean fill for landfill cover and it is always good not to use regular soil. So, I don't know, have you had any thoughts about what the beneficial reuse method would be?

Ms. Soumoy replied: I have not but I could perhaps ask Luke from PG&E or anybody from the team that is here or perhaps virtually if they have any thoughts to that. But yes, I believe that if any material was not going to be taken for dewatering and landfill, that we would know about it.

Commissioner Eklund stated: Yes, you would know about it, but --

Ms. Goeden added: Commissioner Eklund, if I could just interject while Bridgette is coming to the mic. This material that is being removed is heavily contaminated with PAHs, so it is above 100 micrograms per kilogram, which is quite high. So, the concept that we would beneficially reuse this material, there is not a beneficial reuse site that takes material of that level and so that is the reason why it is primarily going to landfill. I will let Bridgette take the next part.

Commissioner Eklund noted: Yes, if I read the memo correctly, it did say that if there was any soil that would be remediated to the level that is accepted for reuse, and I was just kind of curious as to whether or not would that be reported to BCDC and that sort of thing.

Ms. Soumoy answered: Absolutely, and I believe that that particular sediment is located in Area E. Correct me if I am wrong.

Commissioner Eklund agreed: Right.

Ms. Soumoy continued: But I will let Ms. Shields speak a bit more to that.

Ms. McConathy commented: I will answer your questions in order. As far as reporting, after each phase of remediation there is a post-construction report that is required under the Water Board Order that has to be submitted to the Water Board. BCDC will be copied on post-construction reporting as well, so yes, you will get a report of how much was dredged, where it was taken, a summary of that for each of the remedial areas.

As far as beneficial reuse, most of the material, even the material that cannot be used for wetland reuse, when it goes to the landfill, will be used for daily cover. That will be determined, again, for each area. But we anticipate quite a bit of it, if not all of it, being able to be used for daily cover.

Finally, the material in Area E, as Pascale mentioned, there is some material that was discussed at the last meeting that is basically on the top that is cleaner that is going to be able to be used for beneficial reuse. That will most likely go to Montezuma Wetlands because that is where the rehandling facility is, and they can also take it for wetland beneficial reuse.

Commissioner Eklund acknowledged: Great. And that will be reported also back?

Ms. McConathy replied: Yes, all of that will be reported, yes.

Commissioner Eklund stated: Great, thank you. Thank you very much for taking the time to look at that and to distinguish it, because I think it is important to do both. Thank you.

Commissioner Beach was recognized: One last question. For the longfin smelt habitat restoration, can you remind me where that is happening?

Ms. Soumoy deferred to Ms. Gill: Once again I will turn to PG&E.

Ms. Gill fielded this question: Hi, I am Paula Gill with Integral Consulting, virtually attending the meeting. The longfin smelt mitigation will be approved by CDFW. There are some initial ideas on where it will be but that has not been finalized yet. There will be a security posted prior to starting Area A, but CDFW will be the lead on approving the site that will be accepted for the longfin smelt mitigation. Once the conservation easement is recorded, that will be provided to BCDC to fulfill the requirements that are written into the recommendations.

Commissioner Beach asked: Is that going to be completed within the time frame of the activities of this project?

Ms. Gill replied: Yes. Yes, that is correct, yes.

Commissioner Beach acknowledged: Thanks.

Ms. Goeden had a suggestion: And Paula, maybe you could just mention the advanced mitigation work that PG&E will do and you mentioned to us in meetings.

Ms. Gill accommodated her suggestion: Sure. It is a little bit of an aside. Luke, I think, is in the room there and Brenda also, but maybe as a short introduction to some of the good work PG&E does.

They have an Advance Mitigation Program where they have been identifying appropriate sites to do mitigation for across their entire portfolio of projects. And this project will likely come out of that portfolio of project work that they have already been doing in advance of mitigation. So, they have got a team of folks who are doing really good work in that arena.

Commissioner Eklund asked: The piles, I guess you are going to remove the piles. Are any of those going to be able to be reused, do you think?

Ms. Soumoy sought clarification: What piles specifically?

Commissioner Eklund stated: If I read it correctly, I thought that the removal of the piles.

Ms. Goeden commented: For the Red and White Fleet they have some piles that are anchoring the current landing area and boarding area for Red and White Fleet, and also Pier 39 the docks and gangways have piles.

I am going to look to the PG&E team and Paula again, but our understanding is in removing the piles they are going to try to vibrate them out. If they are in good enough shape to be reused, I believe they will. And in cases where they are not they will have to replace them with new, similarly sized piles.

Commissioner Eklund asked: What are they going to do with the ones that they cannot reuse? Just kind of curious.

Mr. Vernagallo responded to this inquiry: Sure, I can respond to that. Brenda, thank you for teeing it up, what you said is correct. If they are in good enough condition, there are options for reuse.

But the reality is that these piles have been in service and have been in a marine environment for many years, so they are subject to pretty severe corrosion, so they do come out. Once they are removed, they are recycled and disposed of appropriately, oftentimes processed depending on what material they are.

So, if they are metal, scrapped, if they are composite, sent to the appropriate recycling facility, so forth and so on, and then replaced with new like material.

Chair Wasserman asked: Any further questions?

Can we have the Staff Recommendation, please?

Ms. Soumoy responded: Before we get to the recommendations, I wanted to point out a couple of minor changes that we would like to make before we issue the permit, and that is to:

Change "wood" to "steel" piles, change the material. That was an oversight there.

Also to slightly change the wording on page 10 regarding the hydroacoustic monitoring. The monitoring will be done before Area E begins, and it will take place in either Area A, B, C or D. Those are the minor changes that I would like to present to you.

Here are the staff recommendations.

We recommend that the Commission conditionally approve Pacific Gas & Electric Company and the Port of San Francisco's proposed Pier 39-43½ Sediment Remediation Project. These are the recommendations:

To temporarily relocate Red and White Fleet.

To dredge up to almost 103,000 cubic yards of PAH-impacted sediments across 8.7 acres over 5-7 years.

Install 1600 wooden pin piles.

Fill the dredged area with almost 78,000 cubic yards of sand, gravel and stone, and cap with sand or stone to improve benthic and fish habitat over 10.8 acres.

Install riprap along the shoreline revetement.

Transport the sediment to the rehandling facility in Collinsville, Montezuma Wetlands, and truck the dried sediment to a landfill.

Incorporate the avoidance, minimization and monitoring measures in the Special Conditions.

And finally, allow staff to make minor, non-substantive changes as needed.

Chair Wasserman asked: Is there a motion to approve the staff recommendations?

MOTION: Commissioner Eklund moved to approve the recommended and revised resolutions as the staff indicated, seconded by Commissioner Kishimoto.

VOTE: The motion carried with a vote of 16-0-0 with Commissioners Ambuehl, Ahn, Eklund, Gilmore, Gunther, Kishimoto, Kimball, Klein, Pemberton, Peskin, Ranchod, Randolph, Showalter, Zepeda, Vice Chair Eisen and Chair Wasserman voting, "YES", no "NO" votes, and no "ABSTAIN" votes.

Chair Wasserman continued: The motion passed, the permit is approved, thank you very much.

9. Howard Terminal Port Priority Use Briefing.

Chair Wasserman stated: That brings us to Item 9, which is a briefing on the automatic reinstatement of the Bay Plan Port Authority Priority Use Area Designation for the Howard Terminal property at the Port of Oakland, which was previously removed by Bay Plan Amendment Number 2-19 on June 30, 2022, in anticipation of a baseball stadium that will never be built. That reinstatement, which will occur on January 1, 2025, will occur because of the language of Assembly Bill 1191 approved in 2019 which allowed that development to go forward, had it gone forward. Erik Buehmann, BCDC's Long-Range Planning Manager, will make the presentation.

Long-Range Planning Manager Buehmann presented the following: Thank you, Chair Wasserman and Commissioners. Today I will be giving you a very short presentation about the Bay Plan Port Priority Use Area Designation at Howard Terminal at the Port of Oakland, which will be, as Chair Wasserman just mentioned, automatically reinstated on January 1, 2025, per statute. There is no action required for this item.

Howard Terminal, which you can see on the lower righthand side of the map in this slide, is an approximately 50-acre site located in Oakland's Inner Harbor on the Oakland Alameda Estuary. The terminal is situated on the southeastern edge of the Port of Oakland. It is located east of Schnitzer Steel and west of the Oakland Ferry Terminal and Jack London Square.

The McAteer-Petris Act provides that the Bay Plan and the Seaport Plan can designate upland areas for Priority Use Areas, specifically Port Priority Use Areas in this case. Priority Use Areas are identified in the Bay Plan to reserve waterfront areas for water-oriented uses such as ports, waterfront parks, water-related industry. By reserving upland areas for these uses, BCDC reduces the future pressure to fill to accommodate those uses.

Priority use areas are an important permitting development, because any proposed project within a priority use in BCDC's jurisdiction must be consistent with that designation.

For example, Port Priority Use Areas are determined to be necessary for existing or future port development as they are located, for example, in deep-water areas, by navigable waterways, by transportation infrastructure. They are reserved for port-related uses or uses that would not impede the port use. So a ballpark, for example, would not be consistent with the Port Priority Use Area Designation because it is not a port use and would not be able to be approved if proposed within a Port Priority Use Area.

In January 2019, the Commission voted to initiate BPA 2-19, that's what we call Bay Plan Amendment 2-19, at the request of the Oakland Athletics to amend the Seaport Plan and the Bay Plan to remove the Port Priority Use Area Designation from Howard Terminal at the Port of Oakland.

The removal of the Port Priority Use Area from Howard Terminal would have been the first step for the Commission to consider a future permit application for construction of a ballpark and mixed-use development on the Howard Terminal site.

Some of you may recall the focus of the Commission's decision for whether to remove the Port Priority Use Area was not whether the Howard Terminal site was an appropriate place for a ballpark. Rather, based on the decision-making framework outlined by the Seaport Plan then in effect, the Commission was required to determine whether the deletion of the Port Priority Use Area would detract from the regional capability to meet the growth in cargo.

After several years of process, including a development of a new cargo forecast to project future cargo growth for the region, the Commission voted on June 30, 2022, to remove the Port Priority Use Area Designation from Howard Terminal, on the basis that removing the designation from Howard Terminal would not detract from the region's ability to meet the growth in cargo.

Assembly Bill 1191, which was enacted in October 2019, provided the process for the Commission to consider the amendment to the Bay Plan and the Seaport Plan related to the Port Priority Use Area at Howard Terminal, along with other processes and environmental review related to the proposed ballpark development.

AB 1191 required BCDC to determine whether Howard Terminal was needed for Port Priority Use and it set a deadline for the Commission to make that determination.

Importantly for us today, the bill also specifies that if the Port and the Oakland Athletics have not entered into a binding agreement by January 1, 2025, to construct the Ballpark Project, the Port Priority Use Designation will automatically be reinstated on the Howard Terminal property as if it had not been deleted.

After the Commission approved BPA 2-19 to remove the Port Priority Use Area from Howard Terminal a number of developments occurred and I briefly summarized them here.

BCDC was sued by a consortium of interested parties regarding the approval of the Bay Plan Amendment.

In the time since the Commission approved BPA 2-19, BCDC staff never received a permit application for the Ballpark Project, and the Project did not move forward in preapplication discussions.

Then, in April 2023, the A's announced that they would move to Las Vegas.

In April 2024, BCDC settled the litigation with the plaintiffs. One of the terms of the settlement was that BCDC would not submit the Port Priority Use Area Amendment, the removal, to the Office of Administrative Law for review and approval. This is a routine step BCDC has to take after an amendment to complete the process and make the amendment effective. In a sense, the Port Priority Use Area removal has never taken effect or been operative because it was never submitted to the Office of Administrative Law for approval.

As there has been no agreement between the Oakland Athletics and the Port of Oakland, as required by the terms of AB 1191, BCDC will automatically reinstate the Port Priority Use Area to the Howard Terminal site on January 1, 2025.

The maps in the Seaport Plan and the Bay Plan will retain the Port Priority Use Area. Like I said, it was never actually removed because it never took effect for Howard Terminal. BCDC staff will remove a footnote in the Seaport Plan that was added to clarify that Howard Terminal was subject to this automatic reinstatement, but there is no action necessary by the Commission.

What does this mean for the future? Any future development at Howard Terminal will have to be consistent with the Port Priority Use Area. It will need to be a port use or use ancillary to a port use.

In some cases, BCDC can approve non-port uses in a Port Priority Use Area as an interim use, we call it, under certain circumstances. Mostly that the use is of a limited duration and that the interim use does not alter the property so it cannot be used for port purposes in the future.

Someone could apply to remove the Port Priority Use Area in the future through a Bay Plan Amendment. On November 16, 2023, you approved a comprehensive update to the Seaport Plan and the Bay Plan policies related to ports. This amendment includes some changes to the process for the Commission to consider an application to remove Port Priority Use Areas, mostly to clarify the process and the information required. In the future if anyone wanted to apply to the Commission to remove the Port Priority Use Area designation for Howard Terminal it would be done through the standards outlined in that new Seaport Plan along with the Bay Plan amendment process in our regulations.

Thanks for your time. That concludes my presentation. I am happy to take any questions.

Chair Wasserman asked: Are there comments from the public?

William F. Dow spoke: My name is Bill Dow, William Dow, with ILWU Local 6, retired, and a member of our District Council.

Anyway, we are here to, we want to make sure that you put Port Priority Use back on Howard Terminal. The shipping industry is too important for the area. When you remove port designation you put a bad, bad sign out there that says, hey, we don't care about shipping. So, if you put it back on you are making a good sign that says to the maritime industry, we are open for business. Thank you very much.

Aaron Wright commented: Good afternoon. My name is Aaron Wright. I'm an ILWU Local 10 Vice President. I rise in favor of returning the Howard Terminal to Port Priority Use.

The A's came to us promising a huge project to energize Oakland's economy compatible with the City and the Port operations. They promised thousands of jobs, community benefit and affordable housing. They wanted all 150 acres and 50 at the Coliseum and 50 at Howard Terminal. They demanded much for us to have the benefit of their presence. They wanted 1.3 billion from Oakland. They demanded county help. And ended up with half of their share of the 150 acres at the Coliseum, and of course, the removal of Howard Terminal's Port Priority Use.

The A's did not deliver on any of their promises. The turning circle at Howard Terminal was never drawn into their plans to ensure ships could turn. There was never plans for grade separations so that the trains could run through that area. And truck parking and truck routes were not secured in their plan. Affordable housing and community benefits, which they refused to pay for, also didn't end up in the plan. Insatiable and greedy, the City could not hammer out a mutually beneficial deal with the A's.

So today, in light of all the broken promises, we come here to advocate for the return of Howard Terminal to Port Priority Use. A healthy economy must carve out areas for industrial use. Ports are even more important to be protected because you cannot move them. You cannot move the port use elsewhere.

Today Howard Terminal is filled with containers. There's trucks that park there. There's training grounds for the longshoremen. The truckers are able to stage containers, keeping them off the freeways during rush hour, which is an environmental benefit. So, please keep it as port use and I thank you for your time. Have a good day.

Mike Jacob commented: Good afternoon, Commissioners. Mike Jacob with Pacific Merchant Shipping Association, we represent ocean carriers, marine terminal operators.

And just wanted to say thank you to BCDC staff and leadership for working with us through this entire process. Appreciate the presentation and the update today. And certainly appreciate the comments and agree with the comments that were given to you by Aaron and Bill from ILWU regarding just the importance of making sure that this Port Priority Use stays in place.

And again, just wanted to say thank you and appreciate the work on putting together both the presentation today, but also the acknowledgement and the last amendment to the Seaport Plan that really just put in focus the reinstatement of this designation through the operation of the provisions of AB 1191. Appreciate the time, thank you.

Chair Wasserman asked: Any comments or questions from Commissioners? I actually have one. Erik, did we receive any comments from the city of Oakland?

Mr. Buehmann replied: Executive Director Goldzband emailed the Port of Oakland and the City of Oakland in September and we did not, I believe, receive a response. We also notified the SPAC that the briefing was happening, and the reinstatement was occurring. We notified the SPAC of the same thing, which is the Seaport Planning Advisory Committee, which advises us, and the Port of Oakland is included in that, in September also. We did not receive a response.

Chair Wasserman acknowledged: Thank you. This is not an action item; this happens automatically by virtue of the law. It was simply to keep us informed on what is happening or likely to happen at Howard Terminal. Thank you all.

10. Strategic Plan Update. Chair Wasserman stated: That brings us to Item 10, which is an update to receive our relatively regularly scheduled progress report on BCDC's Strategic Plan. The presentation will start with Executive Director Goldzband.

Executive Director Goldzband presented the following: Thank you, Chair Wasserman. I want to remind the Commissioners that you approved this Strategic Plan in 2023. It works through next year. We were unable to provide you a September or October update, so we are going to do it in November.

You will remember our goals. We had five of them. The first is essentially a planning goal, to lead regional planning efforts to result in successful and equitable adaptation, restoration, development and public access, especially in light of RSL.

The second is to make sure that we review the regulatory and planning functions to create a more unified and consistent way to approach issues.

We wanted to make sure that we had a goal with regard to environmental justice and so the third talks about implementing equity initiatives and practices throughout BCDC.

The fourth is designed to both make more formal and certainly to expand our outreach efforts and communicate more successfully.

And fifth, a very internally focused goal is to maintain and indeed build adequately resourced and more responsive and diverse internal processes and staff at BCDC.

The anticipated outcomes that you see are, to be honest, pretty self-explanatory given the goals and we appreciate the fact that you had some very intense discussions about them, and we are doing our best, certainly, to fulfill them.

The vision remains the same, to be a proactive, responsive, equitable and collaborative organization that successfully addresses the regulatory and planning challenges that face the Bay, the shoreline and the community that it serves.

We also, you will remember, adopted five core values. That we be equitable and inclusive in all of our actions; that our actions be science-based, data driven; that the Commission and the staff be agile, and just as important, proactive; that we are collaborative and service-oriented; and that ultimately, we can be trusted and we will be held accountable. I think that is incredibly, incredibly important to keep in mind.

We have had some really good progress over the past few months. You will note that the completed, the blue part of the histogram has grown indeed by about 300%, which is very good news. In addition, we are on track. More important, we have not been delayed in anything.

Now, in the discussion that senior staff has had about this, we also recognize that the way that our objectives were phrased, it is likely that we are not going to accomplish all of them by the end of 2025 because they will be ongoing. So next year we will have probably a new way of describing to you that which we are progressing on, but we are not going to finish and we sort of knew we were not going to finish, candidly, by the end of 2025 because it is going to take longer anyway. But we will get to that next year.

But I am really happy to let you know that we have completed a number of them, and we will start now, I think, with Jessica.

Ms. Fain spoke: Thank you, Larry. I am going to give some updates on our planning goal.

We talked a lot recently about the RSAP, but we have a strategic objective in the Strategic Plan which is broader than that, which is to successfully lead the Bay Adapt Program to result in more aware, collaborative and stronger frontline communities with access to resources to adapting to rising sea levels.

On August 8 of this year, BCDC and the Exploratorium gathered together climate change practitioners, scientists, activists and other members of the public for Rising Together, the Bay Adapt Summit to celebrate sea level rise adaptation and the latest climate change actions across the region.

The Summit was a dynamic and immersive sea level rise event that engaged the public in inspiring panels, keynotes, tours, activities and workshops. The morning included optional shoreline tours, each one led by one of four incredible community-based partners that took participants on a journey of sea level rise risks and solutions. In the afternoon we convened participants into sessions where leaders and experts from around the region shared exciting adaptation updates, celebrated achievements and provided a snapshot of the current state of adaptation in the Bay Area.

A key part of the event included Bay Adapt Awards, which honored the work of visionaries building a more resilient shoreline. The 2024 awardees are pictured here in the top right, which include Dr, Kris May, Violet Diana and our very own Commissioner, Commissioner Dave Pine.

In addition, we are working closely with our regional partners on the topic of funding for sea level rise adaptation. In July of this year, the BARC Governing Board adopted an Interagency Sea Level Rise Memorandum of Understanding outlining core roles and responsibilities for the BARC member agencies to advance adaptation.

In addition, we posted two meetings of the Bay Adapt Implementation Coordinating Group. This is a leadership group associated with Bay Adapt, focused on the gnarly task of figure out how to fund adaptation.

One way that we are building more collaborative and stronger frontline communities is through an exciting, upcoming program led by Phoenix Armenta, which Larry mentioned earlier, Shoreline Leadership Academy. As Larry stated, the Academy is slated to begin in January in San Francisco. We put out a call for youth applicants. Received 175 applicants for 20 spots, so clearly there is a lot of interest out there.

Finally, we are committed to communicating to the public how the region is doing on adaptation. The Bay Adapt Currents are a set of metrics that we are developing with a really cool online interface that our Adapting to Rising Tides Team has drafted and we look forward to launching those in 2025.

So, our next challenge is to really keep all this great momentum going and to figure out long-term funding, particularly as these are primarily grant-funded activities right now.

Next, I will give an update on two objectives, 1.4 on sediment management and 1.5 on proactively updating the Bay Plan.

Our accomplishments over this time period include the release of the draft Sediment for Wetland Adaptation Roadmap a few weeks ago. Rachel Cohen briefed you on this at our last Commission meeting. It is out there for public comment. We look forward to getting feedback and making this a roadmap for how to do a better job at beneficially reusing sediment across the Bay Area.

Also, at the last Commission meeting you voted to reinitiate Bay Plan Amendment 3-17 on the San Francisco Waterfront Special Area Plan.

And of course, we have been very busy with the Regional Shoreline Adaptation Plan Bay Plan Amendment.

So, our challenge ahead is to complete all of these important projects. And with that I will turn it over to Harriet.

Regulatory Director Ross addressed attendees: I am going to go ahead and report on the accomplishments for Goal 2, Strategic Objectives 2.2 and 2.3, which really relate to implementing our laws and policies more consistently, transparently and efficiently. I am pretty sure that is a goal of most regulatory agencies. As well as to increase the capacity of the Regulatory Division to execute its core functions efficiently.

We have completed a yearlong assessment of BCDC's permitting program and identified priority actions we can take to improve permitting outcomes.

Back in June, Ethan Lavine briefed you all on the outcomes of the independent mission-based review of the BCDC Permitting Program conducted by the Department of Finance. That review was done at BCDC's request, and it provided a series of recommendations.

These include investing in better technology to support online applications, new project management techniques to get to faster decisions, and a revamped preapplication process. We have incorporated these recommendations and other strategic agency goals into a roadmap for our regulatory and permits team, and that's used to guide their work.

Among the team's recent accomplishments is the launch of a series of staff training sessions led by BCDC's Climate Adaptation Specialist Dr. Britne Clifton. Britne is leading these sessions to promote a stronger understanding of emerging science and trends around nature-based solutions, helping our staff work with applicants to increase adoption of these types of approaches in permitting. Britne is also providing on-call support to our permit teams on restoration and other habitat-focused issues.

For our next upcoming work, this week we welcomed back our BCDC Climate Adaptation Scholarship Specialist Jess Finkel. Jess will be creating a new program to increase BCDC's engagement with our regulatory partners and other state and federal agencies, really aiming for greater coordination in our work.

Also, early next year we will bring forward a proposal to you all to streamline our permitting process for small scale, straightforward projects seeking BCDC approval. This proposal will focus on simplifying and improving our Regionwide Permit Program, which is a form of BCDC permits that provides expedited permitting for simple projects.

We are also exploring the expansion of administrative permit categories to cover more restoration activities and other habitat improvement projects.

And with that, I am going to go ahead and turn it over to Phoenix.

Senior Manager for Climate Equity and Community Engagement Armenta commented: Thank you, Harriett.

For Strategic Plan Goal 3 we have had a few accomplishments since last we spoke. Most notable has been our NOAA Fellow Nayre Herrera who joined us in August. Nayre will be with us for two years and will be focusing on incorporating EJ into our permitting process. She has already started working on an EJ checklist and spoke to several of our permitting staff regarding the creation of a meaningful community engagement guidance document. Her main project will be doing a historical analysis of BCDC's permits to see what effect the Commission's decisions have made on EJ communities.

Next steps for Nayre will be to finalize the methodology that she will use for the historical analysis.

We also presented the findings of the organizational development analysis of the EJ Advisors conducted by MIG and Benchmark Consulting to the Commission. Since then, the EJ Advisors have also created an 18-month work plan with input from staff and the Commissioner EJ Working Group. The EJ Advisors will be reviewing their Work Plan at their next meeting and will be working over the next year to properly implement it.

For Strategic Objective 3.5 we have taken a great stride towards developing relationships with the Bay Area tribal communities by conducting a government-to-government consultation on the RSAP with the members of the Confederated Villages of Lisjan.

This was in response to a comment letter that they submitted regarding the inclusion of tribal consultation and Indigenous traditional ecological knowledge in the RSAP. From that meeting, the members of the Confederated Villages of Lisjan agreed to meet with us on a monthly basis to coordinate the implementation of the RSAP with regular tribal consultation, which we will be scheduling shortly.

We also solidified the Planning Team and agenda for BCDC's Tribal Engagement Plan. Our recently hired Assistant Manager for Environmental Justice Dalila Adofo is leading the team who will be completing our Tribal Engagement Plan.

Next up we will be conducting tribal engagement training with all of the California Coastal Zone Management agencies this February, and we will work with the Lisjan to help develop local tribal engagement for our staff.

Thank you. Passing it to Rylan.

Director of Legislative and External Affairs Gervase presented the following: Thank you, Phoenix.

Good afternoon, everyone. My name is Rylan Gervase. I am the still somewhat new Director of Legislative and External Affairs.

Goal 4 is all about improving how BCDC communicates with the public, with interested parties, policymakers, and most importantly, how we communicate amongst ourselves. We have made some notable achievements in the last few months that I wanted to highlight here.

I will start with Objective 4.1, which is all about the website, social media and having public-friendly communications tools. BCDC launched a new website in August, which sadly I cannot take any credit for as I started in September. I would like to especially thank our website team, Reylyna Ruiz, Elsa Gomez, Angela Noble and Ethan Lavine for all their hard work and dedication to putting this together.

If you have been on our BCDC website, you will notice that it has now been redesigned with a lot more concise and plain language that is easy to understand for the public. You also might notice, or maybe not because it is more of a backend issue, that we no longer use GoDaddy to host our website, we are using the official state template. So, I do pride myself that it is one of the best-looking websites for the state of California.

Also, on the back end we found it is much easier and quicker to make changes. You will notice that tomorrow when we post a great deal of information on the RSAP it is going to go up very smoothly with no technological issues whatsoever I am told.

Also, you will find that information is logically and accessibly organized. In particular, the About Us section I would definitely recommend reading through that. It is a very good description of who BCDC is and how we work. You will also find a lot better and more accessible explanations of how our permitting process works, which is going to be huge for permitting applications. And then finally I wanted to highlight something which is the pride of our Executive Director. We now prominently feature a Contact Us button on our website, so it is very much easier to get in contact with BCDC staff.

So, moving on to communications materials. We have been very productive in preparing a lot of these to the website. I wanted to highlight a couple which are going to be coming out in the next few weeks. Those are going to be leave-behinds for legislative visits.

One will be a BCDC 101, basically being used with legislators to talk about who we are and what we do, providing a very basic overview of all the need-to-know information about BCDC.

I also wanted to highlight a two pager that we will be producing on permitting reform, which will explain a lot of the very important initiatives that BCDC is making to improve its permitting process. This is going to be a very big topic, as we have already seen with an Assembly Select Committee hearing. It is going to be a big topic in the legislature next year, so we are looking to get ahead and be proactive on our outreach to the legislature on this issue.

For upcoming challenges, certainly maintaining the website is going to be a very big one. We are going to be continuously auditing it to make sure that it is up to date and functioning smoothly.

Also, as far as social media, which I have talked very little about so far. It is something I am still very much getting my feet wet with here at BCDC. You will find that our social media presence has been considerably improved since last year and that is thanks largely to a series of social media interns that we had over the summer.

We are looking at hiring a Conservation Corps Intern early next year, which will help us go to the next level on social media. I would particularly like to say that our Instagram posts have been very much on point thanks to our interns and hoping to keep up that good work.

Objective 4.2 is about hiring a Public Information Officer. That's me, so mission accomplished and job well done. I might add, since I came on board in September, I have been helping out with the press inquiries.

I and other staff have contributed to around a dozen news stories in the last two months or so, which have been on a wide range of topics. I would also like to highlight that we, I or other staff, have been quoted in, to my knowledge, at least four of these news articles.

And in particular, I wanted to highlight a news article that went out in the *Vallejo Sun* earlier this week that was on an encampment in the White Slough around Vallejo. Caltrans and several other agencies initiated a cleanup of toxic debris associated with that encampment in the White Slough. Waste in that area included tires as well as car batteries that were being dumped in the Slough and polluting the water, and that was really affecting the habitat for listed fish species including the Delta smelt and Sacramento splittail.

And in particular wanted to thank BCDC's Enforcement Team led by Greg Scharff here to my right, also including Bella Castrodale, Matthew Trujillo and Anne Usher. They played a big role in encouraging agencies to clean up waste in the Slough. They also played a big role in getting me prepared to speak eloquently on the record so thanks to them for that.

Our upcoming challenges with this objective are going to be bringing back Steve Goldbeck as a retired annuitant to provide a training program for staff and Commissioners. We are also looking forward to developing an overarching public affairs strategy and procedures.

So, I will conclude on that note and very happy to answer any questions when the time comes. Thank you.

Director of Administrative and Technology Services Ruiz continued: Thank you, Rylan.

Good afternoon. My name is Reylena Ruiz, and I am the Director of Administrative and Technology Services.

One of our objectives for Goal 5 was to have our staff reflect the diversity of the Bay Area. We have been able to fill vacated positions and continue to offer telework and flexible hours. Bargaining Unit 10 employees specifically, which are our Environmental Scientist classifications, recently received salary increases and pay differentials, including geographic recruitment and retention pay and longevity pay, which we are hoping enhances our recruitment efforts. We will work with the Coastal Commission and Coastal Conservancy to continue pursuing for the rest of the staff.

And to increase our efforts of the Disability Advisory Committee or DAC we have initiated discussions with other departments, those departments as well as others under the CNRA umbrella, to form a multi-department DAC. We hope this will further the goal of increasing and improving employment opportunities for people with disabilities.

So, in the next quarter we are going to finalize the format of the multi-department DAC. We are also working on conducting the organizational health survey and revisiting the workforce planning and succession planning to better inform our strategies moving forward.

Another objective of Goal 5 is to implement technological upgrades to improve our processes. We were able to successfully onboard to CNRA's Security Operations Center, and that will enhance our cybersecurity. We were able to onboard the equipment that was purchased as part of an organization-wide inventory refresh into that environment. As Rylan said, we launched our website hosted by California Department of Technology.

In the upcoming quarter we will continue to evaluate the content strategies with our new Director of Legislative and Public Affairs Rylan and the Website Strategy Team and move forward with implementing the online payment portal, which will allow the public to pay regulatory and enforcement fees.

We will be onboarding staff to a new IT training portal and enrolling them in the courses to fulfill our annual cybersecurity training requirement.

Lastly, we will complete a CDT audit, which will evaluate our compliance with state security and privacy policies. Thank you.

Executive Director Goldzband continued: So, with that, Commissioners, that gives you a brief outline of that which we have done over the past few months. More, of course, has been done that we did not really talk about. We are happy to provide even more detail on anything you would like.

I just want to say that it has been for me an absolute delight to have Rylan here so that I do not have to talk to the press as much as I used to. I really want to say that I think that what you will see over the next year with regard to Goal 4 as Rylan settles in is both external collaboration to make sure that we get what we need and to actually be active in Sacramento on the legislative side, but also stronger internal collaboration within BCDC to ensure that we as an organization are speaking with a unified voice. Which we have not had a problem with before, but we have never had a real strategy about how to do it, and that is one of the things that Rylan will certainly be working on.

So, with that, we are happy to answer any questions.

Chair Wasserman asked: Any public comment?

(No members of the public addressed the Commission.)

Chair Wasserman continued: Any comment or questions from Commissioners?

Commissioner Ranchod commented: Thanks for the update and review of all the progress, this is great. I had a question about the status of one of the strategic objectives that we did not review here, which was 2.1. It is the one concerning determining whether our regulatory and planning authority and jurisdiction should be expanded to foster large-scale adaptation and other efforts. Can someone provide an update on where we are on that one?

Executive Director Goldzband fielded this inquiry: I will save Harriet from this one. Great question. Given that we are working on the RSAP now, a lot of the, candidly, brain power working toward that is also in the midst of starting to work on 2.1. And there is a link between them, as you might imagine, given what the Regional Shoreline Adaptation Plan entails and does not entail.

So, we will be having a briefing for the Rising Sea Level Working Group in either January or February, starting that discussion process in a very general way. And I am sure the Chair will ask either a member of the Working Group to provide a short briefing or will do so himself after that first RSL Working Group meeting and we will go from there.

But to be honest, we did not have the capability of tackling both of those at once, so we have done a bunch of prework that Erik and his group have done, but we want to start it after the RSAP is at least completed at this point.

Commissioner Ranchod acknowledged: Understood. Thanks.

Chair Wasserman added: And to some extent, the implementation of the RSAP will inform the other efforts.

Commissioner Showalter was recognized: I was pleased to hear that there is so much interest in our Leadership Academy and I wondered if it would be possible to have another cohort. Do we have the capacity for that?

Ms. Armenta answered: We are planning a second cohort in Contra Costa County, and we are actually looking for funding for future cohorts as well.

Commissioner Showalter replied: Great.

Commissioner Eklund stated: Having served decades in the federal government and worked with cities and states throughout Region 9, I am kind of curious about what your plans are to do more active outreach to cities and counties, local governments.

Based on what I have seen so far, all regulatory agencies could always use some improvements in that. I am kind of curious about what is on the books to help do more of an active outreach.

Mr. Gervase responded: Excellent question, Commissioner. We have actually started daylighting a legislative program. Larry and I have been talking to field representatives and we are getting meetings with legislators on the books. We would like to do the same thing for a lot of the city and county planning desks to introduce them to who is BCDC, who they should be reaching out to for any questions on projects in their area.

As far as the timing on that, I think that will probably be somewhat later in 2025. I am a little bit subject to the legislative calendar, which is going to be very much impacted at the beginning of the year, but we definitely want to look forward to rolling that out perhaps in summer of 2025.

But I do agree that making those connections are going to be essential for BCDC in the next couple of years, especially with the implementation of the RSAP. Thank you.

Commissioner Eklund added: Yes, that is exactly one of the reasons why I raised this issue, because I think that the preliminary feedback I have gotten from local governments has shown that there is a real need to do more active research and more outreach and actually going to local governments and getting their input. I think this RSAP thing really is reflecting the tremendous need.

And it is too bad that it is timing the way it is, because I think it would be really good to be able to dovetail it as we release the RSAP. I would like to at some point have some discussion about some ideas that I have so that we can really do a dynamic job in getting local governments more engaged in our work.

Mr. Gervase replied: Thank you, Commissioner. We will definitely like to engage you when the time comes.

Ms. Fain added: I will just pile on a little bit to that to say as part of the next phase of the RSAP we are fortunate to be developing the Technical Assistance Program that we have talked about. We have a consultant team right now who is really helping shape what that program is. And when we say technical assistance that can sound a little like technical, I guess. But really what it is, is an outreach program to engage with all of the cities that are going to have to be doing these local shoreline adaptation plans to provide them with the information they need.

I think the first step of that is making sure that they are aware that this is a requirement, here is what it is. That is just taking shape. I would love to talk to you more about that and will bring that to the Commission as well.

Commissioner Eklund acknowledged: I look forward to that discussion.

Commissioner Beach was recognized: Yes, not a question, just kudos on the new website. I found it to be very user-friendly and easy to navigate and I really appreciate the hosting of some of the GIS products. We use those frequently in our agency so thanks for that.

Chair Wasserman asked: Thank you. Any other questions?

You would like to make some concluding comments?

Executive Director Goldzband concluded: If that is possible. While I want to thank Rylan for giving props to me for the Contact Us button I need to also give props to Sierra, because the two of us many times get called at various times of the day, not exactly sure why or how, but my number and my name is on the website as the emergency contact, and the clerical team and Reception seems to get calls so Sierra handles those. So, we looked at each other and said, we need a new way of doing it.

I would urge you actually if you go onto the website to look at three things in particular. First look at the Calendar because it is really easy to use. Second, look at the About Us. Rylan, I think said it really well. It is a great description of what BCDC does. And third, look at the Contact Us page. You will see how we have directed people to actually contact BCDC. And that goes directly, Commissioner Eklund, to what you are talking about. So, as we move forward next year trying to figure out how we are going to expand that outreach, I am not going to say that Contact Us page is going to change, but we are going to learn during the year how we can do things better.

The other thing to say is that the initial website analytics that we have received demonstrate that the public actually is interested in the website because they are clicking on things. I really want to compliment that Website Team for really doing the really hard work of creating that with our consultant in what I think is a pretty good way, so thank you.

Chair Wasserman announced: That concludes this item and our agenda.

11. Adjournment. There being no further business, upon motion by Commissioner Eklund, seconded by Commissioner Randolph, the Commission meeting was adjourned at 2:41 p.m.