

# San Francisco Bay Conservation and Development Commission

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November 22, 2024

**TO:** Commissioners and Alternates

**FROM:** Larry Goldzband, Executive Director (415-352-3653; [larry.goldzband@bcdc.ca.gov](mailto:larry.goldzband@bcdc.ca.gov))  
Jaclyn Perrin-Martinez, Senior Climate Adaptation Planner (415-352-3631; [jaclyn.perrin-martinez@bcdc.ca.gov](mailto:jaclyn.perrin-martinez@bcdc.ca.gov))

**SUBJECT:** **Response to Public Comments for Proposed Bay Plan Amendment No. 1-24, a Proposed Bay Plan Amendment to Adopt a Regional Shoreline Adaptation Plan and Establish Guidelines for the Preparation of Sea Level Rise Plans Pursuant to Senate Bill 272 (Laird, 2023)**

## Response to Public Comments

On September 16, 2024, BCDC released its Staff Report and Preliminary Staff Recommendation, which opened a 30-day public comment period. On October 17, 2024, BCDC held a Public Hearing on BPA 1-24, and public comment was received. The Commission closed the Public Hearing on October 17, 2024, but extended the deadline for written public comments to October 18, 2024. BCDC received 277 written public comments (with several comments receiving multiple signatures) and 27 oral public comments during the public comment period (September 16 – October 18, 2024), for a total of 304 public comments. This appendix includes responses to all written public comments and public comments provided at the October 17, 2024 Public Hearing. Written public comments are collected in Appendix C of this Staff Recommendation. Any public comments received after the public comment period were not responded to but have been circulated to the Commission.



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Comment 278	<b>Josh Quigley, Save the Bay</b> , spoken October 17, 2024	61
Comment 279	<b>Gordon Atkinson, Bay Area Floating Homes</b> , spoken October 17, 2024	61
Comment 280	<b>Rigel Robinson, Bay Area Council</b> , spoken October 17, 2024	61
Comment 281	<b>Kelli McCune, San Francisco Bay Joint Venture</b> , spoken October 17, 2024	61
Comment 282	<b>Lucy Gill, Confederated Villages of Lisjan Nation</b> , spoken October 17, 2024	61
Comment 283	<b>Justin Ebrahemi, Greenbelt Alliance</b> , spoken October 17, 2024	61
Comment 284	<b>Barbara Salzman, Marin Audubon Society</b> , spoken October 17, 2024	61
Comment 285	<b>Mike Pechner, Meteorologist</b> , spoken October 17, 2024	61
Comment 286	<b>Carin High, Citizens Committee to Complete the Refuge</b> , spoken October 17, 2024	61
Comment 287	<b>Skylar Sacoolas, Greenaction for Health and Environmental Justice</b> , spoken October 17, 2024	61
Comment 288	<b>Julie Weiss, City of Palo Alto Public Works Environmental Services</b> , spoken October 17, 2024	62
Comment 289	<b>Elliot Hellman, Mission Bay resident</b> , spoken October 17, 2024	62
Comment 290	<b>Sally Tobin, Biologist, Bioethicist, Richmond Resident</b> , spoken October 17, 2024	62
Comment 291	<b>Arthur Feinstein, Sierra Club Bay Alive</b> , spoken October 17, 2024	62
Comment 292	<b>Kristen Mercer, San Mateo resident; Sierra Club Sustainable Land Use Committee</b> , spoken October 17, 2024	62



Comment 293	<b>Charles Shaefer, Sierra Club Bay Alive Campaign, Los Gatos resident</b> , spoken October 17, 2024	62
Comment 294	<b>Laura Kaminski, City of Oakland</b> , spoken October 17, 2024	62
Comment 295	<b>Leslie Flint, Conservation Committee of Sequoia Audubon, National Audubon Society</b> , spoken October 17, 2024	62
Comment 296	<b>Ginny Madsen, Livermore resident</b> , spoken October 17, 2024	62
Comment 297	<b>Danielle Mieler, City of Alameda, Oakland Alameda Adaptation Committee</b> , spoken October 17, 2024	62
Comment 298	<b>Lucas Paz, Terraphase Engineering</b> , spoken October 17, 2024	63
Comment 299	<b>Gita Dev, Sierra Club, Sustainable Land Use Committee</b> , spoken October 17, 2024	63
Comment 300	<b>Kate Powers, San Rafael Resident</b> , spoken October 17, 2024	63
Comment 301	<b>Carolyn Cheng, Sierra Club, San Francisco Bay Chapter</b> , spoken October 17, 2024	63
Comment 302	<b>Jennifer Hetterly, Sierra Club Bay Alive Campaign</b> , spoken October 17, 2024	63
Comment 303	<b>Norman La Force, Sustainability, Parks, Recycling, Wildlife, Legal Defense Fund; Sierra Club Bay Alive Campaign</b> , spoken October 17, 2024	63
Comment 304	<b>Anthony Khalil, BCDC Environmental Justice Advisor</b> , spoken October 17, 2024	63

## Common Responses to Public Comments

### **Common Response #1: Use of Existing Plans, Studies and/or Providing Alternative Paths to Comply with the RSAP Guidelines**

#### *Summary of Comments:*

Several comments and Commissioners asked for clarification on how existing sea level rise assessments, plans, studies and projects could be considered or counted towards Subregional Adaptation Plan requirements and/or requested that existing work be accepted as-is. Some comments inquired specifically about content for Element B: Existing Conditions, Element C: Vulnerability Assessments, and adaptation projects already in the planning, design, or construction phase. Many comments expressed concerns that existing work will not likely meet exact plan requirements due to differing data, planning assumptions, planning processes, or conflicting design standards.

#### *Staff Response:*

It is not the intent of the RSAP to make plan requirements overly burdensome or force jurisdictions to repeat expensive and time-consuming planning work. However, one of the aims of the RSAP is to ensure Bay-wide consistency and to meet Minimum Standards within all Subregional Shoreline Adaptation Plans. There is wide variation across local jurisdictions with respect to their level of sea level rise preparedness and the methodologies they have used to do adaptation planning to date, so staff must assess existing work to see if it fits the aims and outcomes identified in the Guidelines.

Staff made several changes to the RSAP Guidelines to clarify how and where existing work or alternative paths to comply with requirements may be acceptable, including new text on flexibility in the Executive Summary and Introduction. A new section at the beginning of Section 3 (3.1.2) is entitled “Flexibility in Meeting Plan Requirements.” It describes how to use existing content as well as how to use alternative data sources. New text was added at the beginning of each Plan Element (Section 3.2) clarifying the intended outcome of the Element and pointing out how and where existing content may be used. The RSAP Guidelines also now make clear that BCDC will accept alternative submittals provided they meet the intended outcomes.

Finally, the process for submission and review of Subregional Shoreline Adaptation Plans by a local jurisdiction includes three required consultations with BCDC staff (Section 3.5.1). An initial consultation between BCDC and local staff can be used to collaborate with BCDC staff to identify where existing content exists, how close it is to meeting the RSAP plan requirements and identifying a reasonable compromise to meet plan requirements.

*Changes Made in Response:*

- Page vii, added in the “what this document is and is not” table the following text in the “is NOT” column: Necessarily require all new analysis, decision-making, or project development. Existing sea level rise vulnerability assessment and adaptation planning efforts may be applied to meeting these Guidelines.
- Page 5, Executive Summary, included language acknowledging that some cities have existing work and adding the following principles, which were used by BCDC in the development of the Guidelines:
  - **Flexible** – providing multiple paths to compliance, based on work that has already been done.
  - **Aligned** – fulfilling multiple plan requirements and coordinating planning processes when possible.
  - **Right-Sized** – targeting key outcomes that lead to change without being overly burdensome.
  - **Building on Existing Efforts** – by leveraging and expanding on existing work when possible.
  - **Impactful** – providing the right level of information to catalyze implementation of policies and projects for sea level rise adaptation.
- Page 15, Introduction, included the same language from the Executive Summary as described in the bullet above.
- Added Section 3.1.2: Flexibility in Meeting Plan Requirements, that addresses using existing content and reiterates the principles in the bullet above.
- Introduction text in each Element now starts with a “Intended Element Outcome” to clarify that the emphasis of the Element is on the outcome and recognize that even if Subregional Plans have followed a slightly different process or interim products, the emphasis in review will be on if the Subregional Plans meet the intended outcome.
- Added text in 3.2.1, 3.2.2, 3.2.3, 3.2.4, and 3.2.6, addressing how and where existing content may already exist that could be considered to fulfill the plan requirements in that Element.
- Added sidebar entitled “Alternative paths to comply” in Sections 3.2.1, 3.2.2, 3.2.3, and 3.2.4.
- Plan Requirement D4-a now includes an “alternative path to comply” sidebar that discusses how to handle existing adaptation strategies.
- 3.5.1 includes a section on consultations and includes “assessment of existing work” as a suggested use for consultation meetings.

## **Common Response #2: Strengthening Requirements Regarding Contamination**

### *Summary of Comments:*

Many comments sought to elevate the criticality of addressing mitigation and remediation of contaminated sites that will be impacted by sea level rise and groundwater rise, as well as additional specific guidance on mitigation actions and standards. Commentors also requested that BCDC play a leadership role in coordinating regularly with agencies with primary responsibilities, such as the Department of Toxic Substances Control and the California State Water Resources Control Board, to align their internal work with the updated priorities that cities will identify. This theme was supported by several Commissioners.

### *Staff Response:*

Staff acknowledge how important this issue is to the health, safety and quality of life for residents and habitats, and that there is a long history of environmental injustice that disproportionately impacts socioeconomically vulnerable shoreline communities.

Staff added a new Adaptation Strategy Standard to ensure contamination outside of Strategic Regional Priority areas (e.g., contaminated sites within Environmental Justice communities) is identified in Subregional Plans. Staff further strengthened the existing Strategic Regional Priority to add language on greater transparency and engagement with communities during contaminated site remediation. Additional language on contamination was also added to existing Adaptation Strategy Standards, including standards related to improving Baylands habitats, promoting growth areas, and incorporating climate-responsive standards and codes. Lastly, language in the One Bay Vision was revised to list Tribes as additional collaborators in advancing remediation and integrating Indigenous Ecological Traditional Knowledge (ITEK) in support of furthering emerging science on shallow groundwater rise.

Staff are also aware that there are limitations in how the RSAP and Subregional Shoreline Adaptation Plans can address this issue. First, the local governments who have been tasked with developing Subregional Plans may not have the authority or ability to perform site cleanup and/or mandate and enforce site cleanup by private landowners. Second, site cleanup standards in light of sea level rise and rising groundwater levels are primarily managed and regulated by agencies other than BCDC (Regional Water Quality Control Board, Department of Toxic Substances Control, US EPA). The new Standard added to the RSAP does not change previous requirements, as the initial RSAP draft already required all local governments to evaluate contaminated sites, identify sites of local concern and priority, and incorporate them into adaptation planning. The new Standard elevates this existing process by asking local governments to transparently disclose how locally identified contaminated sites are incorporated into identified adaptation strategies.

As part of its Technical Assistance program and next steps, staff will also evaluate ways to coordinate more closely and regularly with other agencies on this topic (see “Future Commission Actions” below).

*Changes Made in Response:*

- Added a new Adaptation Strategy Standard to on contamination outside Environmental Justice Communities as described above
- Adjusted existing Adaptation Strategy Standard on contamination and Environmental Justice communities by adding that remediation efforts should be conducted transparently and in coordination with impacted communities
- Provided “strategy options to achieve this” for both Standards based upon language from the California Department of Toxic Substances Control (DTSC)
- Additional language on contamination was also added to existing Adaptation Strategy Standards, including standards related to improving Baylands habitats, promoting growth areas, and incorporating climate-responsive standards and codes
- Updated language in the Shoreline Contamination One Bay Vision related to remediation and capped sites
- Language in the One Bay Vision was revised to list Tribes as additional collaborators in advancing remediation and integrating Indigenous Ecological Traditional Knowledge (ITEK) in support of furthering emerging science on shallow groundwater rise

**Common Response #3: Streamlining of Requirements and Simplification of Planning Steps**

*Summary of Comments:*

Several comments – primarily from representatives from cities and Commissioners – requested a streamlining and simplification in the RSAP Guidelines requirements, particularly in terms of processes outlined in the Subregional Plan Element requirements (3.2) that can be seen as overly prescriptive. Comments cited the level of detail in analysis steps, planning processes steps, and submittal requirements as being overly burdensome. The overarching concern was that the number of requirements and level of detail required will result in a substantial and costly effort for local staff, taking resources away from implementing projects and achieving adaptation goals.

*Staff Response:*

Sea level rise planning is extraordinarily complex. The RSAP has been developed, as required by SB 272, to provide local governments with a flexible guide to navigate this complexity in a comprehensive way, while ensuring consistency across the region. Planning for sea level rise is and should be a concerted and thorough effort, as it intersects with multiple critical issues (e.g., housing, environmental protection, flood control and emergency management, environmental



justice, transportation, and more). Failing to address sea level rise and coastal hazards in a timely and comprehensive manner will undermine any other efforts to ensure a high quality of life for residents in the future.

Staff acknowledge the level of effort that these plans will require and understands that many local governments may not have the current capacity to take on significant new planning. As such, staff revised the draft RSAP to streamline planning efforts for local governments while still maintaining requirements that would result in a comprehensive Subregional Plan. Overall, 10 plan requirements – out of 59 requirements in the previous draft – are now suggested “planning tips.”

Staff believe that these modifications are responsive to concerns raised by commenters while still creating a balanced framework for planning that leads to achieving the outcomes intended by SB 272 as well as the RSAP Purpose and Goals (See RSAP Section 1.2) and One Bay Vision (RSAP Section 2). Additional streamlining of requirements beyond those recommended by staff could result in inconsistency across the region, maladaptation, adverse impacts across communities, and/or a failure to act as intended under SB 272. Furthermore, too much simplification for planning would not address the complex nature of rising sea levels, leaving communities unprepared.

*Changes Made in Response:*

- In several sections, plan requirements were removed from the “requirements” and converted to a “planning tip” sidebar. Staff still believe that these are critical components to understand in the process but acknowledge that plans can still be robust and meaningful without the components being required. See the following requirements that were removed and/or converted into a “planning tip”:
  - A1-d: Staffing and resources – converted to “planning tip”
  - A3-b: State agency coordination - converted to “planning tip”
  - B1-c: Codes and regulations - converted to "planning tip”
  - B1-e: Sector and issue area plans – converted to “planning tip”
  - B1-f: Existing barriers – removed from Plan Requirement Section, as this kind of information is part of the identification of appropriate adaptation strategies in Element E
  - B1-g: Concurrent plan updates – removed from Plan Requirement Section, this concept is now included in F4-a, Plan update timeline
  - C2-a: Assets and areas of significance and C2-c: Priority action area – streamlined process to include a single step of identifying “priority areas”
  - C4-a: Reaches - converted to “planning tip”
  - D1-a: Planning area assumptions - converted to “planning tip”

- D2-a: Adaptation alternatives – streamlined requirement to two alternatives for the shoreline area at least, with multiple reaches being a local determination
- D4-a: Preferred adaptation strategies – streamlined requirement to only require selected adaptation strategies for the 0.8 ft (2050) sea level rise scenario as opposed to 0.8 ft (2050) and 3.1 ft (2100 Intermediate) as previously required, and instead are now asking for adaptation pathways to address risks through 2100, based on the adaptation alternatives in D2.
- D4-c: Matrix of Adaptation Strategy Standards – removed from Plan Requirement Section and integrated it into the plan checklist instead
- E1-b: Land use approach map – combined with E1-a: Land use approach description.

#### **Common Response #4: Guidance for CEQA/Environmental Review**

##### *Summary of Comments:*

Multiple comments and Commissioners requested clarity on whether environmental analysis would be required for Subregional Shoreline Adaptation Plans and who would be the lead agency for purposes of the California Environmental Quality Act (CEQA).

##### *Staff Response:*

The appropriate level of environmental analysis required under CEQA (if any) is a determination that will need to be made by the local government and may vary depending on the specific circumstances of each local government's plan development.

In response, staff included a sidebar in Section 3.5.1 that clarifies that the appropriate level of environmental analysis required under CEQA (if any) is a determination that will need to be made by the local government and may vary depending on the specific circumstances of each local government's plan development. Additionally, adopting a plan will be a local discretionary action, so BCDC anticipates that the local government in question would be the lead agency for environmental review to comply with CEQA, should the local government determine that such a review is required.

This approach ensures that the local government remains in control of its local land use planning process and environmental analysis and reflects the overall RSAP design to provide a flexible pathway for local jurisdictions to adopt Subregional Shoreline Adaptation Plans that fit their communities.

##### *Changes Made in Response:*

- Added sidebar in Section 3.5.1 with the above text

## **Common Response #5: More Robust Requirements for Nature-based Solutions and Habitat Protections**

### *Summary of Comments:*

Many comments came from Sierra Club members and other stakeholders in the manner of form letters emphasizing the value of the San Francisco Bay’s shoreline habitats and their invaluable ecosystem services. The comments urged the final RSAP to make the most of nature’s resiliency tools and prioritize restoration of habitats and nature-based adaptation, a theme that was echoed by several Commissioners. Comments also expressed the need to more fully explain the value of natural and nature-based solutions in the Introduction and recognize ecosystem health across all Plan Elements and Strategic Regional Priorities. Lastly, many of the comments noted that local governments may not be aware of the benefits of natural habitats for their contributions to community benefits and services, including climate resilience such as flood risk reduction and carbon storage.

### *Staff Response:*

Staff acknowledges how important healthy Baylands ecosystems are in providing essential benefits and services to communities today and into the future. The initial draft RSAP draft elevated the critical importance of Baylands ecosystems in various ways, such as by including the spectrum of natural and nature-based adaptation and conventional adaptation, discussing the benefits and services of ecosystems in the Introduction, creating a One Bay Vision topic area and Strategic Regional Priority on Ecosystem Health and Resilience, integrating ecosystem health across all topic areas, and creating Adaptation Strategy Standards for the following: improving Baylands habitats and facilitating their long-term survival, creating complete and connected ecosystems, and using nature-based adaptation where feasible. To further emphasize these principles, additional edits have been made across the revised RSAP. This includes additional language early and throughout the document on the value of habitats, a new call-out for examples of ecosystem services, inclusion of nature-based suitability in the Minimum Categories and Assets Standard and to be included in Element B: Existing Conditions, and linking habitat protection, restoration, and/or enhancement with regional habitat goals. The revised RSAP combined two of the previous Adaptation Strategy Standards related to Baylands habitats to better integrate and elevate all Baylands habitats – both within and across jurisdictions – as part of the Strategic Regional Priority. The revised and combined Strategic Regional Priority for Complete and Connected Ecosystems further links all Baylands habitats to defined regional habitat goals (see below) to improve clarity for how Subregional Plans can best meet these goals. Lastly, language for using natural and nature-based adaptation has been adjusted to “prioritize natural and nature-based adaptation where feasible” instead of “use” to clarify the importance of natural and nature-based adaptation in Subregional Plans.

*Changes Made in Response:*

- Added a paragraph in the Introduction in Section 1.1 The Importance of Addressing Sea Level Rise in the Bay Area on the value of Baylands habitats, including their economic contributions to reducing flood risk and drawing down greenhouse gas emissions (i.e., carbon storage and sequestration)
- Added a definition for “natural and nature-based adaptation” in 1.4.2 Adaptation Strategies and Benefits
- Adjusted the callout box in this Section to focus on the benefits nature provides to people and the variety of ecosystem services natural habitats provide
- Included a definition of regional habitat goals in the Strategic Regional Priority: Complete and Connected Ecosystems, including: “Regional habitat goals include protecting or restoring over 130,000 acres of tidal and non-tidal wetlands, protecting 16,500 acres of estuarine-uplands transition zone habitat, and restoring 8,000 acres of eelgrass beds, among many other goals as identified by the 2022 San Francisco Bay Joint Venture's Restoring the Estuary report<sup>1</sup> (best available science at the time of publication).”
- The term “regional habitat goals” was also added to the Glossary
- Combined Adaptation Strategy Standards (previously 4 and 5) to better link the concepts of complete and connected ecosystems and tie habitat goals to the regional goals listed in the Strategic Regional Priority
- Changed the name of the nature-based adaptation standard to “Prioritize natural and nature-based adaptation where feasible” and moved it into the category in the Adaptation Strategy Standards to “Maximize the benefits of shoreline uses and Baylands habitats that depend on their proximity and relationship to the Bay.”
- Included nature-based adaptation suitability in the Minimum Categories and Assets Standard and included a description of suitability in Element B: Existing Conditions. Using the best available science to identify natural and nature-based suitability is also included in Adaptation Strategy Standard #4.
- Adjusted the Minimum Standards for Ecosystem Health and Resilience to align with the habitats in the Strategic Regional Priorities, as developed in partnership with the Joint Venture and SFEI staff
- Made numerous text edit changes in response to specific suggestions

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<sup>1</sup> San Francisco Bay Joint Venture. 2022. Restoring the Estuary - A Framework for the Restoration of Wetlands and Wildlife in the San Francisco Bay Area. Richmond, CA

## **Common Response #6: Linking to Measurable Outcomes/Metrics**

### *Summary of Comments:*

Several comments, largely commenting on how habitat protection/preservation was incorporated within the RSAP (see above), shared concerns about the lack of metrics or measurable goals to evaluate the degree to which regionwide habitat goals are being met in Subregional Plans and the RSAP overall. There were requests to define regional habitat goals using specific habitat targets, and a request to include the full table from the San Francisco Bay Joint Venture's Restoring the Estuary report (2022), which sets regional habitat goals for Baylands habitats. Additionally, there were comments requesting that information about projects be added to the San Francisco Estuary Institute's (SFEI) EcoAtlas database and naming it explicitly. There were also questions about tracking plans and progress overall and updates to the RSAP Guidelines.

### *Staff Response:*

BCDC staff worked closely with staff from SFEI, San Francisco Bay Joint Venture, and other habitat advocacy groups to develop the Strategic Regional Priority on Complete and Connected Ecosystems and the initial draft RSAP include language that the data source(s) to be used for this regional priority for Subregional Plans is the most up-to-date data from the SFEI Baylands Habitat Map and San Francisco Bay Joint Ventures Implementation Strategy. Staff included an additional sentence in the Strategic Regional Priority on Complete and Connected Ecosystems to define regional habitat goals and reference the San Francisco Bay Joint Venture's Restoring the Estuary report (2022) as being the source of regional habitat goals Subregional Plans should strive to achieve. The additional sentence states, "Regional habitat goals include protecting or restoring over 130,000 acres of tidal and non-tidal wetlands, protecting 16,500 acres of estuarine-uplands transition zone habitat, and restoring 8,000 acres of eelgrass beds, among many other goals as identified by the 2022 San Francisco Bay Joint Venture's Restoring the Estuary report (best available science at the time of publication)." The term "regional habitat goals" was also added to the Glossary. Staff included specific reference to how project data will be incorporated into EcoAtlas in Element G: Project List. BCDC will be developing a technical assistance program following the adoption of the RSAP and explore tools and/or programs to support communication of Subregional Plan status. The RSAP also states that the Guidelines will be updated on a regular update schedule to reflect new or revised sea level rise science and other information as necessary.

While not directly related to any plan requirements, BCDC will be launching Bay Adapt Currents, a Bay Adapt metrics dashboard in early 2025. This platform is tied to the guiding principles in the Bay Adapt Joint Platform (2021) which includes the principle of "putting nature first whenever possible." This platform will make information related to Subregional Plan

development and outcomes available to provide transparency on adaptation in the region. Learnings from the Subregional Plan development process will be taken into account in any future revision of the Guidelines.

Additionally, BCDC intends to utilize SF Estuary Institute (SFEI) EcoAtlas/Project Tracker as the Regional Project Database listed in Element G1 and continue the efforts BCDC staff led in collaboration with SFEI and SFBJV on the Shoreline Adaptation Project Map (SAPMap). Staff intend to point to this resource in the forthcoming RSAP mapping platform and technical assistance resources. See additional responses in Common Response #15: Element G: Project List.

*Changes Made in Response:*

- Included a definition of regional habitat goals in the Strategic Regional Priority: Complete and Connected Ecosystems, including: “Regional habitat goals include protecting or restoring over 130,000 acres of tidal and non-tidal wetlands, protecting 16,500 acres of estuarine-uplands transition zone habitat, and restoring 8,000 acres of eelgrass beds, among many other goals as identified by the 2022 San Francisco Bay Joint Venture's Restoring the Estuary report<sup>2</sup> (best available science at the time of publication).”

**Common Response #7: Expectations for Coordinating with Neighboring Jurisdictions, Special Districts and other Entities**

*Summary of Comments:*

Comments and Commissioners requested clarity on expectations around working with neighboring jurisdictions, special districts, private landowners, or state or federal agencies that own, operate, maintain, or regulate land or assets within the local government’s boundaries that may be included in a Subregional Plan. Commentors expressed concern about identifying and implementing strategies that are outside of the local government’s control, especially if other entities do not agree, are uncooperative, or do not want to engage in a collaborative planning process.

*Staff Response:*

Many aspects of planning and implementing sea level rise adaptation are outside the control or authority of a singular local governmental entity. While comprehensive shoreline adaptation planning ideally involves all affected parties, such cooperation may not be realistic or achievable in the planning timeframe of a Subregional Plan. In Section 3.1.1, staff have clarified that BCDC expects jurisdictions to make their best efforts to involve all affected parties. However, in the

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<sup>2</sup> San Francisco Bay Joint Venture. 2022. Restoring the Estuary - A Framework for the Restoration of Wetlands and Wildlife in the San Francisco Bay Area. Richmond, CA

case of absent or non-cooperative parties, privately held data, or other limitations, local governments should indicate these barriers, their attempts to remedy them, and what may be needed to overcome them in the future.

*Changes Made in Response:*

- While this language was included in the initial RSAP draft, it was elevated to Section 3.1.1 and highlighted in a sidebar rather than in body text

**Common Response #8: Hierarchy of Authorities**

*Summary of Comments:*

Several comments expressed concern about conflicting requirements and authorities in relationship to the Subregional Plans. Concerns included questions about whether a Subregional Plan supersedes housing opportunity sites as identified in local Certified Housing Elements, whether the Adaptation Strategy Standards supersede design standards set forth by funding agencies, and whether land use changes identified in Element E supersede local general plans and zoning codes.

*Staff Response:*

Staff added a sidebar in Section 3.1.2 clarifying the expectations of the RSAP in regard to local land use decisions and in consideration of other legal requirements such as general plans, housing elements, Local Hazard Mitigation Plans, seaport plans, and more. The intent of the RSAP Guidelines is not to dictate or otherwise establish regulatory oversight or approval of local land use or policy decisions that supersede decisions made in alignment with other planning requirements nor to compel local governments to make any particular land use or policy decisions. Local governments will need to consider actions that effectively implement adaptation strategies as identified in Subregional Plans, which may include the need to make land use and policy changes at the local level and that require amendment or updating existing plans and policies. BCDC staff are committed to working with local governments to identify a path to plan approval that balances competing priorities or requirements while meeting the state-identified purposes of SB 272.

*Changes Made in Response:*

- Added sidebar in Section 3.1.2 with the above text
- Added “planning tip” in Element E to confirm that any land use changes are not legal until adopted by local process

## **Common Response #9: Adding More Robust Inclusion of Tribal Engagement and Knowledge**

### *Summary of Comments:*

Several comments pointed out that the Guidelines did not adequately address tribal engagement, formal government-to-government Tribal consultation, and inclusion of Indigenous Traditional Ecological Knowledge (ITEK). Commissioners also noted the importance of including Tribal engagement. In response to the Confederate Villages of Lisjan’s submitted comment letter prior to the October 17, 2024 Public Hearing, BCDC scheduled and conducted a Tribal consultation on Wednesday, November 6th with the Confederate Villages of Lisjan. During the Tribal consultation BCDC gave a presentation on the Regional Shoreline Adaptation Plan and responded to the three main points in the Tribe’s comment letter. The three points were: 1) the Regional Shoreline Adaptation Plan as drafted establishes no requirement or protocol for local governments to conduct government-to-government consultation with California Tribal Nations; 2) a request that Tribal Nations have the opportunity to engage in formal consultation on the RSAP before it is finalized; 3) concern that there is no discussion of Tribal Knowledge in the draft RSAP. Based on this consultation, BCDC have modified the RSAP, and invited the Confederate Villages of Lisjan to be ongoing thought partners in the development and implementation of the RSAP. BCDC and the members of the Confederate Villages of Lisjan agreed to monthly meetings for consultation going forward.

### *Staff Response:*

As a result of this consultation and other public comments, staff added a requirement for government-to-government Tribal consultation during the development of Subregional Plans (see Section 3.2.1). In addition, staff made several additional modifications to include Tribes as key stakeholders, clarify how and where to include Tribal lands and Tribal and cultural resources as critical assets, and how and where to include Indigenous Traditional Ecological Knowledge alongside traditional scientific data.

### *Changes Made in Response:*

- Section 2.3.1/Section 3.3.2 – added Tribes under populations “required to assess”
- Section 2.3.3 /Section 3.3.2 – added Tribal lands and sacred space under current and future land uses and development as “required to assess”
- Section 2.3.7 – Added Tribes and Indigenous Traditional Ecological Knowledge as included in the Shoreline Contamination vision and goals
- Section 3.1.2 – added a paragraph on how Indigenous Traditional Ecological Knowledge and “embracing more ways of knowing” should be considered alongside traditional methods of determining best available data
- Section 3.2.1 – Element A
  - A1-b: Added Tribes in the related Equity Assessment Standard
  - A1-c: Affected parties - added Tribes



- A1-d: Tribal consultation - added new plan requirement
- A3-a: Multi-jurisdictional coordination - added Tribal governments
- A4-a: Vulnerable community identification - added Tribes
- A4-b: Equitable outreach and engagement - added Tribes in the related Equity Assessment Standard
- Section 3.2.2 – Element B
  - Introduction – added reference to Tribes and Tribal cultural resources
  - B2-c: Ecosystem health and resilience conditions - added reference to Indigenous Traditional Ecological Knowledge (ITEK)
  - B3-f: Shoreline contamination conditions - added engagement with Tribes into the related Equity Assessment Standard
- Section 3.2.4 – Element D
  - D4-a: Selected adaptation strategies for the 0.8 ft (2050) sea level rise scenario - added Tribes into related Equity Assessment Standard
- Section 3.2.5 – Element E
  - E1-a: Proposed land use approach – added Tribal resources to related Equity Assessment Standard
- Section 3.2.6 – Element F
  - F1-c: Ongoing coordination - added Tribes

### **Common Response #10: Balancing Development and Other Tradeoffs in Adaptation**

#### *Summary of Comments:*

Comments pointed out that Adaptation Strategy Standards may be in conflict with one another and that it isn't always possible or feasible to apply every Adaptation Strategy Standard to every location. In particular, there may be tradeoffs between development and housing along the shoreline and habitat restoration, recreation, critical infrastructure, or water-oriented uses. Some comments requested more guidance in evaluating tradeoffs. The previous draft of the RSAP stated that strategies "must" apply every Standard, which commenters felt was not feasible. Several Commissioners pointed out the need for flexibility and balance. There was also a comment requesting additional discussion on how adaptation strategies may affect seawater intrusion into aquifers.

Comments spoke to the importance of balancing sea level rise adaptation with other critical regional needs, such as meeting housing and affordable housing requirements. In addition, commenters pointed out the important role that private development can play in funding adaptation through development incentives that lead to a more resilient shoreline design. Comments included recommendations for how the Adaptation Strategy Standards and

corresponding “Strategy options to achieve this” could be modified. Commissioners stated that the final RSAP should pay careful attention to the final wording so that the Guidelines are not inflexible or overly prescriptive as to the type of development (such as housing versus retreat).

*Staff Response:*

Staff have modified the RSAP in various places to clarify that the Adaptation Strategy Standards are designed to provide guidance and support for local jurisdictions when evaluating challenging tradeoffs and how to use them as such. The Adaptation Strategy Standards were re-worded to be outcome-oriented, rather than starting with the term “must,” and include language that will allow local planners to apply them to a range of shoreline conditions, by including language such as “to the greatest extent feasible,” “where possible,” or “as applicable.” These terms are applied intentionally to make the intended outcomes of the Standard clear and encourage local governments to identify appropriate adaptation strategies to achieve them to the greatest degree possible given local conditions. The extent to which these outcomes are reached in any given location will likely look different based on differences in local conditions, risks, barriers, and opportunities. BCDC will review Subregional Plans with an eye towards balancing tradeoffs and achieving the broad outcomes of the Adaptation Strategy Standards.

Staff adjusted language in Section 2.3.1 and 2.3.3 clarifying that certain Strategic Regional Priorities can and should be integrated with local housing elements and Regional Housing Needs Allocations requirements. Additionally, staff included much more language on tradeoffs in selecting appropriate Adaptation Strategy Standards (see Section II, Subsection E above) to reflect local pressures and added more targeted language in both Adaptation Strategy Standards as well as the “strategy options to achieve this” that reflect requests from the comments.

*Changes Made in Response:*

- Section 1.4.2 – added a new section on “Grounding Adaptation in Local Needs” that acknowledges adaptation tradeoffs and provides a greater discussion on the multiple facets and considerations – social, economic, engineering, etc. that must go into the development of adaptation strategies. This Section also provides more language on considering different strategies based on different risks presented by the coastal flood hazards in the Minimum Standards.
- Added language into the Introduction of Section 3.3.4 acknowledging the inherent tradeoffs that may be necessary in applying the Adaptation Strategy Standards and providing more guidance on how they are expected to be used
- Removed “must” from all Adaptation Strategy Standards and re-phrased to imply that the outcomes should be achieved to the degree feasible

## **Common Response #11: Refinements of the Plan Consultation, Submittal, Approval, and Updates Process**

### *Summary of Comments:*

Various comments sought clarity on engagement with BCDC during plan development, including plan consultations and the submittal and approval process. Multiple comments asked for consideration of a phased approach to submittal to ensure that plans are on track for approval by BCDC before they commit resources to undergoing environmental review and local approval. Others asked for clarification or changes to the timeline for plan updates, citing that overly burdensome plan updates may take resources away from implementing adaptation strategies and result in continual planning exercises. Commenters also cited that the requirement for a minor plan update every 5 years and a comprehensive update every 10 years went beyond the requirements of SB 272.

### *Staff Response:*

Staff have modified the process for submittal and review of Subregional Plans to clarify that consultations with BCDC staff can be used to review interim plan content to provide a “phased” approach to plan review. However, elements of an adaptation plan are interrelated and iterative. Subregional Plan Elements will not be approved separately, as decisions made in certain elements link to decisions made elsewhere. Approving one element individually does not represent a holistic planning approach as set forth in the RSAP Guidelines.

Additionally, the required timeline for updates was changed to be more flexible and locally driven. SB 272 states that, sea level rise plans must include, at a minimum, “...a timeline for updates, as needed, based on conditions and projections and as determined by the local government in agreement with the California Coastal Commission or the San Francisco Bay Conservation and Development Commission, as applicable.” As such, staff added clarification to plan requirement F4-a to include a locally proposed timeline for updates and revised Section 3.5.2 to better reflect the legislative intent. Instead of a five-year limited update, this Section now calls for jurisdictions to provide an interim progress report at a midway point between plan updates, and a comprehensive plan update no less frequently than every 10 years.

### *Changes Made in Response:*

- Additional language was added to Section 3.5.1 clarifying the role of consultations in reviewing interim plan content as a sort of “phased” approach to review.
- The required timeline for updates was changed in several ways.
  - Plan submitters shall now submit their own proposed timeline for updates as part of plan requirement F4-a: Plan update timeline. This is more aligned with the language in SB 272 that requires “A timeline for updates, as needed, based

- on conditions and projections and as determined by the local government in agreement with the California Coastal Commission or the San Francisco Bay Conservation and Development Commission, as applicable.”
- Changed language in Section 3.5.2 to reflect that timelines are now proposed by plan submitters rather than mandated by BCDC, but that plan updates should occur no less frequently than 10 years after approval.
  - Changed language for the “5-year limited updates” in the previous draft to “interim status report” to reflect the true nature of the update.
  - Removed the following language: “Failure to submit a limited plan update by the 5-year deadline will result in the previous plan being considered out of compliance and will no longer be considered approved by the Commission, unless an extension of time is granted by the Executive Director.”
  - Changed language that previously said “Failure to submit a comprehensive plan update by the 10-year deadline will result in the previous plan being considered out of compliance and will no longer be considered approved by the Commission, unless an extension of time is granted by the Executive Director” to “Failure to submit a comprehensive plan update by the established update schedule will remove the local government from eligibility for prioritized funding, as outlined in SB 272, unless an extension of time is granted by the Executive Director.

### **Common Response #12: Using Adaptation Pathways and Guidance on Selecting Pathways in 2100**

#### *Summary of Comments:*

Some comments raised concerns that the identification of “preferred” adaptation strategies in 2100, as required in the initial draft RSAP, was asking for too much detail and, given the uncertainty associated with climate projections, may be premature for decision making. The comments further noted that selecting a preferred approach in 2100 was not in line with the concept of adaptation pathways, which is an approach to identify one or more options (or pathways) that can support flexibility for future adaptation options. Other comments emphasized the importance of creating phased adaptation and utilizing an adaptation pathways approach, particularly in relation to Baylands habitats and facilitating transitions between strategies. Some comments also noted that adaptation pathways can be a challenging approach as longer-term strategies may not be possible if early adaptation actions (such of property ownership, rights-of-way, etc.) do not properly lay the groundwork for later changes.

#### *Staff Response:*

The concept of adaptation pathways has been embedded in the RSAP since the beginning of this process and is described and utilized across both the Introduction and Subregional Plan Elements



in the initial draft RSAP. In light of the comments, staff have made key revisions in Element D: Adaptation Strategies and Pathways to better reflect and incorporate the use of adaptation pathways as a tool for considering adaptation strategies options at longer time horizons and water levels (i.e., 2100). Adaptation strategies are now required to be “selected” at the 0.8 ft (2050) sea level rise scenario, and adaptation strategy options (e.g., pathways) are required to be described that show one or more options towards flood risk reduction in the 3.1 ft (2100 Intermediate) sea level rise scenario. This approach still requires local governments to consider adaptation alternatives at the 2100 water levels, but no longer requires a “preferred” approach for that time horizon. Additional descriptions and a diagram of the adaptation pathways concept have been added to the revised RSAP and one of the Adaptation Strategy Standards now more clearly articulates the utilization of phased adaptation approaches.

*Changes Made in Response:*

- Added an additional paragraph in Introduction in 1.4.2 Adaptation Strategies and Benefits and a new graphic on adaptation pathways to better illustrate the concepts of adaptation strategy lifespans, lead times, and decision points that support the development of adaptation pathways.
- Revised Element D4-a – Changed the name from “Preferred adaptation strategies” to “Selected adaptation strategy for the 0.8 ft (2050) sea level rise scenario.” This requirement was adjusted to only require selected adaptation strategies in the 0.8 ft (2050) sea level rise scenario with language that states the strategies must enable and not preclude adaptation strategy options identified in the alternatives for the 3.1 ft (2100 Intermediate) sea level rise scenario.
- Revised Element D4-b – Changed the name from “Adaptation pathways” to “Adaptation pathways for 2100 and beyond.” This requirement now incorporates the concepts of adaptation pathways (formerly in a separate requirement) with the adaptation strategy options for the 3.1 ft (2100 Intermediate) sea level rise scenario. This requirement still includes a narrative description of how strategies would need to be adjusted to respond to flood risk in the 6.6 ft (2100 High) scenario. This more clearly connects the use of triggers, decisions points, etc., with the adaptation pathways concepts to support identification of strategy options that can be responsive to changing future conditions.
- Revised Adaptation Strategy Standard title, “Plan for changes in land use, removal of assets, and/or equitable relocation” (formerly #17 and now #18). Adjusted the Introduction language to this Standard to state, “In areas along the Bay shoreline where assets or development at risk of flooding, utilize a phased adaptation approach to manage risk to populations and structures over time.” This Standard still includes language that this may include policies, regulations and/or finance incentives that would allow for transitions at the end of the asset or development’s life cycle to allow for more resilient

uses as part of a comprehensive planning strategy. This change provides greater clarity that a phased adaptation approach should be utilized to manage changing flood risk.

### **Common Response #13: Clarifying/Correcting Data and Science**

#### *Summary of Comments:*

Public comments asked for clarification on the selection of models and sea level rise scenarios. In some cases, commenters requested additional details on methodology, clarification on how more localized models might be incorporated, or explanations for why certain sea level rise scenarios were not selected. Several commenters wanted to understand why the RSAP Guidelines did not require novel modeling and instead rely on existing data. Lastly, some commenters wanted to know if sea level rise selections in the RSAP were consistent with federal scenarios.

#### *Staff Response:*

The RSAP Guidelines require the use of best available science in Subregional Plans. The sea level rise scenarios in the RSAP reflect the current best available science from the Ocean Protection Council's California Sea Level Rise Guidance (2024). To support that, BCDC staff have assembled high-quality sea level rise and groundwater rise model outputs and assembled them into regionwide data layers. However, BCDC does not require the use of BCDC's hazard layer and encourages local governments to bring knowledge of local projects to their planning process. To clarify the science models used in the plan, staff updated, and refined text and added additional explanatory figures, tables, maps, and text in Section 3.3.1.

The Adapting to Rising Tides inundation maps have been used regionally in planning for years. Other models exist but a review of other options indicated that there were trade-offs. If a Subregional Plan preferred to use, the Our Coast Our Future CoSMoS model outputs, those are also appropriate for most of the region. There may be more appropriate local or subregional analyses. In those cases, BCDC staff encourage Subregional Plans to utilize them. These may have been developed for existing vulnerability assessments or projects. In cases where new infrastructure has been invested in since the hazard data was developed, BCDC staff encourage Subregional Plans to account for those new projects in their plan development. Please read the section titled "Using BCDC's Regional Data or Subregional/Local Data to Meet the Standard" (p138-139) to see considerations for using alternative datasets.

While investing in science to advance local understanding of sea level rise impacts can be valuable, the RSAP Guidelines do not require new hydraulic modeling. BCDC staff acknowledge that in many cases as project moves from planning phases into design that new hydraulic modeling is often necessary. Because of the significant resources required to conduct independent hydraulic or geotechnical analyses BCDC staff have provided regional data to meet the Guidelines. However, planners should carefully review Appendix 1 to understand the assumptions made in providing regional hazard data to ensure they understand those assumptions and are comfortable with them. It is likely that in some locations different

assumptions may be better due to local conditions that are difficult to account for when making regionwide assumptions.

BCDC staff have selected scenarios consistent with the 2024 California Sea Level Rise Guidance. This document was chosen to support RSAP Guidelines because it will align Subregional Plans with statewide guidance as well as federal guidance while staying consistent with the most up to date and best science from the IPCC. While there is uncertainty in sea level rise and it may be higher or lower than these scenarios, the selected scenarios cover a wide range of uncertainty over the planning horizon. Additionally, BCDC staff have provided an explanation of how these scenarios can provide insight into many different outcomes (Table 3-8).

*Changes Made in Response:*

- Updated Tables 3-2 to clarify coastal flood hazards requirements to make it easier for readers to understand what scenarios connect to which guidelines
- Updated Table 3-3 to clarify the source of storm surge data, and to better connect requirements to mapped data in the text
- Added combined hazards maps to Section 3.3.1 to better connect narrative to mapped data. Further explanation on data were added to map captions for clarity and text connecting maps to narrative was added especially for groundwater
- Added Figure 3-7 and additional narrative to offer more information on the connection between mapped hazards and the range of sea level rise scenarios in the California Sea Level Rise Guidance
- Updated the details in the RSAP Data Sources and Analytical Methodology Report, a supplement to the RSAP, detailing the methodology and clarifying methodological decisions
- Text clarifying that Subregional Plans can substitute improved local data and outlined that process.

**Common Response #14: Future Technical Assistance and Regional Leadership on Sea Level Rise Adaptation**

*Summary of Comments:*

The RSAP Guidelines require the use of best available science in Subregional Plans. The sea level rise scenarios in the RSAP reflect the current best available science from the Ocean Protection Council's California Sea Level Rise Guidance (2024). To support that, BCDC staff have assembled high-quality sea level rise and groundwater rise model outputs and assembled them into regionwide data layers. However, BCDC does not require the use of BCDC's hazard layer and encourages local governments to bring knowledge of local projects to their planning process. To clarify the science models used in the plan, staff updated and refined text and added additional explanatory figures, tables, maps, and text in Section 3.3.1.

Several comments were received regarding regional adaptation topics that go beyond the scope of the RSAP, such as the need for a regionwide funding approach to ensure that there is adequate access to funding for both plans and project development, as well as for identifying regional priorities for funding and the need for regionwide and city-wide education programs on sea level rise, especially for youth.

*Staff Response:*

Staff acknowledge that there is still a lot of information, examples, case studies, and tools that are not included in the Guidelines that can be helpful and useful for interpreting and applying the Guidelines. In some cases, these tools have not been developed yet and so were not able to be included in the RSAP. Staff also did not want to include case studies or examples that may soon be outdated in a published document but want to make these resources available in a nimbler and more easily updateable way. Staff is currently working with a consultant team to develop a work plan for a technical assistance (TA) program for RSAP support and is conducting interviews and surveys to determine highest TA needs as well as reviewing the public comments for TA requests. It is anticipated that elements of the TA program will be available to plan preparers by spring 2025. It may include, but is not limited to, TA tools such as worksheets, templates, examples, case studies, workshops, and one-on-one consultations.

The Bay Adapt Joint Platform, adopted by the Commission in 2021, lays out a suite of regionwide actions, which include “Figure out how to fund adaptation” (Action 6)” and “Broaden public understanding of climate change since and impacts” (Action 3). BCDC, in collaboration with partner agencies at MTC/ABAG, Coastal Conservancy, BARC and others, are working together to advance various approaches to coordinating, prioritizing, and expanding funding opportunities for adaptation. For example, BCDC, with MTC/ABAG, developed a regional sea level rise needs and revenue assessment, and the agencies are actively working together to seek major federal and state funding. BCDC, with MTC/ABAG, will also be developing a Funding and Investment Strategy that is complementary to the RSAP and identifies, evaluates, and communicates funding priorities for adaptation. This work is only beginning and will continue into the future. Likewise, while BCDC is not an educational institution, it is partnering with and looking for ways to expand public education around sea level rise. BCDC’s forthcoming Shoreline Leadership Academy is an example of how BCDC can provide capacity building and education to future leaders to enable them to actively participate in decision-making that impacts their shoreline. The first Shoreline Leadership Academy is slated to begin in January 2025 for youth in San Francisco and will be carried out in partnership with the Port of San Francisco, the Exploratorium, and others.

**Common Response #15: Project List Requirements**

*Summary of Comments:*

Multiple comments were focused on Element G: Project List, which requires that local jurisdictions submit a list of projects closer to design and construction with its Subregional





Shoreline Adaptation Plan. Comments included concern that developing projects to the required level of detail would rush project decisions; concern that the limitation of short-term projects (within the next 10 years) would leave out critical projects with a longer timeline; concern that the project lists would quickly become outdated; and requests that the projects submitted be integrated into the EcoAtlas platform.

*Staff Response:*

Inclusion of recommended projects in Subregional Plans is a requirement of SB 272, and an important component of both local and regional sea level rise adaptation planning and funding. Identifying and vetting locally-identified projects and their consistency with regional goals supports a regional funding strategy, as called for in the Bay Adapt Joint Platform, the BARC cross-agency Sea Level Rise Adaptation MOU, and the proposed Climate Change Policy 6 revisions. It provides a mechanism to communicate Bay Area priorities for State funding prioritization, pursuant to SB 272 (Section 30985.5). The project list is intended to capture only projects that have been developed to the level of detail that they should be included in a regional projects database. BCDC and MTC/ABAG have already established a regional database of adaptation plans and projects, and projects submitted as part of Subregional Shoreline Adaptation Plans will continue to build out this database. This database uses EcoAtlas as the underlying platform, so projects in this database are automatically included in EcoAtlas and will be identified as advancing habitat goals if they meet the criteria for doing so.

Staff have modified this Section to clarify expectations for project list submittals, describing the intent of the regional project database that submittals in this Section will help populate, and clarifying how these projects will be linked to the EcoAtlas platform.

*Changes Made in Response:*

- Additional language was added to the Introduction of Section 3.2.7 to clarify the intention of the project list and its uses and to clarify that if adaptation strategies are not advanced enough to contain individual project data, this Section is not necessary to complete, and that project data can be added or updated more frequently than the proposed plan update timeline.
- G1-a was adjusted to clarify that only projects with sufficient detail and advancement need to be submitted as part of the project list.

**Common Response #16: Clarifying the Expected Approach to Economic Analysis**

*Summary of Comments:*

Comments requested clarification or more guidance on plan requirements related to cost of inaction and cost of adaptation and expressed concerns that this type of economic analysis is costly to do.

*Staff Response:*

While an economic impact analysis is not required for the initial Subregional Plan, SB 272 does require an economic impact analysis in future updates to Subregional Plans. Given this, staff removed language requiring an economic impact analysis and adjusted the requirement to “provide the potential costs of damages from inaction” (C1-c) and clarifying that this is a high-level, order-of-magnitude assessment. A sidebar in 3.5.2 explains that an economic impact analysis will be expected in future plan updates.

*Changes Made in Response:*

- Revised C3-a: Cost of damage from inaction to C1-c. Removed language that required an economic impact analysis (which is not required until a Subregional Plan update per SB 272), and clarified that this is a high-level, order-of-magnitude assessment.
- Added language in Section 3.5.2 indicating that the requirement will be added to the next version of the Guidelines for plan updates.
- Added sidebar in Section 3.5.2 explaining BCDC’s interpretation of the SB 272 mandate for economic impact analysis.

## Individual Responses to Written Comments

**Comment 1. Mark Harnett**, received September 17, 2024

Response: Thank you for your public comment. Please see Common Response #13 and #16. The RSAP does not encourage tidal barriers to be included as an adaptation strategy in Subregional Shoreline Adaptation Plans because of the significant impacts associated with this measure, including impacts to habitat, hydrology of the Bay, and water quality. In addition, tidal barriers are not consistent with the existing Water Surface Area and Volume policies of the San Francisco Bay Plan.

**Comments 2-28, 31, 32, 35, 37. 31 people**, received September 23-25, 2024

Response: Thank you for your public comment. Please see Common Response #2, #5, #6, and #12.

The RSAP outlines how local jurisdictions can address the issues experienced by Environmental Justice communities and recommends coordination with other jurisdictions to address these issues. Throughout the process of creating Subregional Plans, jurisdictions will have an opportunity to apply for resources to help create and execute their plans.

**Comment 29. Denise Churchill**, received September 27, 2024

Response: Thank you for your public comment. Please see Common Response #2.

**Comment 30. Evan Adams**, received September 28, 2024

Response: Thank you for your public comment. Please see Common Response #13.

**Comment 33. Mary Cousins, Bay Area Clean Water Agencies**, received September 17, 2024

Response: Thank you for your public comment. BCDC has updated the source of GIS data representing wastewater treatment works to the regional wastewater agency, Bay Area Clean Water Agencies, to increase the accuracy of the information.

**Comment 34. Jennifer Ku, East Bay Municipal Utility District**, received September 30, 2024

Response: Thank you for your public comment. Please see Common Response #13. BCDC has updated the source of GIS data representing publicly owned treatment works to the regional wastewater agency, Bay Area Clean Water Agencies, to increase the accuracy and completeness of the information. The Strategic Regional Priority maps were based on the best available data. Please see Section 2.2 of the RSAP for more details.

**Comment 36. Diane Dohm, Metropolitan Transportation Commission/San Francisco Bay Trail**, received October 4, 2024

Response: Thank you for your public comment. Regarding BCDC staff notifying the Bay Trail team when a subregion begins coordinating with BCDC on a new Subregional Plan, your concerns regarding jurisdictional/agency coordination



are noted. This information will be taken into consideration as BCDC staff develop technical assistance offerings. BCDC staff are planning to develop a notification process and/or clearinghouse for when Subregional Shoreline Adaptation Plans are in process.

Regarding page 63, BCDC staff acknowledge your suggestion and have made the appropriate text update as requested.

Regarding RSAP Data Preview referencing the 2019 Regional Bikeway Network and the Existing Conditions layer, BCDC staff have updated the public access data sources.

Regarding page 67, BCDC staff acknowledge your suggestion and have made the appropriate text update as requested.

Regarding pages 62-65, comment noted.

Regarding page 65, BCDC staff acknowledge your suggestion and have made the appropriate text update as requested.

**Comment 38.** **Irenne Zwierlein, the Amah Mutsun Tribal Band of San Juan Batista**, received October 1, 2024

Response: Thank you for your public comment. Please see Common Response #9.

**Comment 39.** **Danielle Mieler, City of Alameda**, received October 7, 2024

Response: Thank you for your public comment. Please see Common Response #1, 3, and #7.

**Comments 40-67, 69-100, 102-111, 113-121, 125, 126, 128-190, 192-194, 196, 198-202, 204, 208, 209, 215, 237. 158 people**, received October 7-17, 2024

Response: Thank you for your public comment. Please see Common Responses #2, #3, and #5. BCDC added Adaptation Atlas Nature Based Suitability data to the required existing conditions considerations in Element B.

**Comment 68.** **Brenda Hattisburg**, received October 8, 2024

Response: Thank you for your public comment. Comment noted. The RSAP provides Guidelines to support local government planning, but it is not a building code and does not require specific adaptation strategies. The RSAP does not encourage tidal barriers to be included as an adaptation strategy in Subregional Plans because of the significant impacts associated with this measure, including impacts to habitat, hydrology of the Bay, and water quality. In addition, tidal barriers are not consistent with the existing Water Surface Area and Volume policies of the San Francisco Bay Plan.

**Comment 101.** **Ginny Madsen**, received October 9, 2024

Response: Thank you for your public comment. Please see Common Response #5.



**Comment 112. Greg Chiampou, received October 11, 2024**

Response: Thank you for your public comment. Please see Common Response #9.

**Comment 122. Edward Arango, City of Mountain View, received October 14, 2024**

Response: Thank you for your public comment. Please see Common Response #1, #3, #7, #8, #11, #13, and #16.

BCDC has no statutory authority to enforce the preparation and implementation of the Subregional Plans.

BCDC staff outline allowable deviations in the Coastal Flood Hazards and Sea Level Rise Scenarios Standard and recommend that if existing work is outside this range, jurisdictions consult with BCDC staff during the planning process.

**Comment 123. Kristin Mercer, received October 14, 2024**

Response: Thank you for your public comment. Please see Common Responses #2, #3, #5, and #8.

**Comment 124. Chris MacIntosh, Member, Sequoia Audubon Society of San Mateo County, received October 14, 2024**

Response: Thank you for your public comment. Please see Common Responses #2, #3, #5 and #12.

**Comment 127. Nancy Federspiel, received October 13, 2024**

Response: Thank you for your public comment. Please see Common Responses #2, #3, #5, and #12.

**Comment 191. Ginny Madsen, received October 15, 2024**

Response: Thank you for your public comment. Please see Common Responses #2, #3, and #5.

**Comment 195. Ginny Madsen, received October 15, 2024**

Response: Thank you for your public comment. Please see Common Response #5.

The RSAP recognizes the interconnectivity of the Bay and emphasizes that adaptation projects in one region will have impacts on neighboring regions. The RSAP recommends and prioritizes multi-jurisdictional plans to help ensure plans take regional interconnectivity into account.

The RSAP includes required consultations and through future technical assistance, BCDC staff will explore BCDC's role in providing support for and across jurisdictions.

Bay Adapt is working to track the beneficial reuse of sediment in the region.

**Comment 197. Lawrence Abbott,** received October 15, 2024

Response: Thank you for your public comment. Please see Common Responses #2, #5 and #7.

**Comment 203. Star St. John,** received October 16, 2024

Response: Thank you for your public comment. Please see Common Responses #2, #3, and #5.

**Comment 205. Nona Dennis, Marin Conservation League,** received October 16, 2024

Response: Thank you for your public comment. Please see Common Responses #4, #7 and #12.

Redwood Landfill is not included in the Shoreline Contamination Strategic Regional Priority map because it is not located in an Environmental Justice community, which is a criterion for all sites included in the Strategic Regional Priority. However, all landfills that are exposed to the 0.8 ft (2050) sea level rise scenario are required to be assessed in Element C, including the Redwood Landfill. This data will be available through the RSAP Mapping Platform.

Local jurisdictions can map water levels above the minimum requirements of the Coastal Flood Hazards and Sea Level Rise Scenarios Standard. Additionally, each sea level rise scenario includes four coastal flood hazards: tidal inundation, storm surge, emergent groundwater, and shallow groundwater. Therefore, the 6.6 ft (2100 High) sea level rise scenario includes a water level of combined sea level rise and storm surge, which can be used to interpret permanent sea level rise flooding at higher water levels.

BCDC already tracks projects via the SAPMap, which is based in EcoAtlas. BCDC and MTC/ABAG are also developing a process for evaluating projects for funding suitability/prioritization. No other project analysis is planned at this time.

BCDC's jurisdiction is defined by the terms of the McAteer-Petris Act. Specifically, the Bay is defined as "all areas that are subject to tidal action...specifically the marshlands lying between mean high tide and five feet above mean sea level; tidelands (land lying between mean high tide and mean low tide); and submerged lands (land lying below mean low tide)." As sea levels rise, the BCDC will change correspondingly.

FEMA values will be provided in the RSAP data platform. The Statewide Averages Compared to Regionally Available Data Table (Table 3-5) outlines how BCDC's analysis differs from the Statewide Averages. The FEMA data was not included in this analysis and is therefore not included in the table.

An environmental assessment, prepared pursuant to BCDC's regulations as a certified regulatory program under CEQA, was included in the Staff Report and Preliminary Recommendation dated September 17, 2024. For a discussion of how local governments will be required to comply with CEQA, see Common Response #4.



**Comment 206. Naomi Goodman, Volunteer, Sequoia Audubon Society of San Mateo County,** received October 16, 2024

Response: Thank you for your public comment. Please see Common Responses #2 and #5.

**Comment 207. Adam Wolff, Town of Corte Madera,** received October 16, 2024

Response: Thank you for your public comment. Please see Common Response #1, #7 and #14. The RSAP has been developed pursuant to a requirement in SB 272, which requires local governments to develop adaptation plans for their jurisdiction. Your concerns regarding a sample scope of work, jurisdictional/agency coordination, staff time, and funding are noted. This information will be taken into consideration as BCDC staff develop technical assistance offerings. BCDC staff appreciate your engagement and are committed to providing support through the RSAP process to address these issues.

**Comment 210. Akanksha Chopra, City of San Carlos,** received October 16, 2024

Response: Thank you for your public comment. Please see Common Responses #4, #11, and #15. Multi-jurisdictional plans function as a single plan. The plans will be reviewed and approved together.

**Comment 211. Meredith Rupp, City of Concord,** received October 16, 2024

Response: Thank you for your public comment. BCDC staff appreciate your engagement and will ensure that BCDC staff include the City of Concord.

**Comment 212. Chris Zapata, City of Sausalito,** received October 16, 2024

Response: Thank you for your public comment. Please see Common Response #1, #7, and #14.

**Comment 213. Bay Area Council, Building Industry Association Bay Area, Housing Action Coalition, East Bay Leadership Council, North Bay Leadership Council, and Kiewit Corporation,** received October 16, 2024

Response: Thank you for your public comment. Please see Common Responses #1, #3, #8, and #10.

BCDC staff have revised the Development, Housing, and Land Use Strategic Regional Priority to ensure that housing needs can be met while achieving reduced flood risk. BCDC staff have been in communication with the California Department of Housing and Community Development (HCD) about BCDC's approach, and HCD staff did not indicate that these standards were in conflict.

**Comment 214. Cheryl Patel,** received October 17, 2024

Response: Thank you for your public comment. Please see Common Responses #2, #3, and #5. BCDC staff have added "prioritize" in the Adaptation Strategy Standard on natural and nature-based adaptation. BCDC staff have added a

new Standard on contamination for areas outside Environmental Justice communities. BCDC staff acknowledge your suggestion and have made the appropriate text updates.

**Comment 216. Jan de Jager, received October 17, 2024**

Response: Thank you for your public comment. The RSAP does not encourage tidal barriers to be included as an adaptation strategy in Subregional Plans because of the significant impacts associated with this measure, including impacts to habitat, hydrology of the Bay, and water quality. In addition, tidal barriers are not consistent with the existing Water Surface Area and Volume policies of the San Francisco Bay Plan.

**Comment 217. Anne Richman, Transportation Authority of Marin, received October 17, 2024**

Response: Thank you for your public comment. Please see Common Responses #1 and #14.

**Comment 218. Kelli McCune, San Francisco Bay Joint Venture, received October 17, 2024**

Response: Thank you for your public comment. Please see Common Response #3, #9, #12, and #15.

BCDC staff acknowledge your other suggestions and have revised figures where BCDC staff found appropriate.

Element D of the RSAP incorporates Adaptation Strategies and Pathways and responds to existing Climate Change Policy 6 to incorporate an adaptive management approach. Element F of the RSAP includes Project Implementation Plan and Funding Strategy requirements consistent with existing Climate Change Policy 6(e): “identify a framework for integrating the adaptation responses of multiple government agencies,” and Policy 6(m): “identify mechanisms to provide information, tools, and financial resources so local governments can integrate regional climate change adaptation planning into local community design processes.”

**Comment 219. Corrina Gould, The Confederated Villages of Lisjan Nation, received October 17, 2024**

Response: Thank you for your public comment. Please see Common Response #9.

**Comment 220. Kate Colin, City of San Rafael, received October 17, 2024**

Response: Thank you for your public comment. Please see Common Responses #1, #3, #7, and #14. This information will be taken into consideration as BCDC staff develop technical assistance offerings. Funding of several million dollars is available to all communities, not just disadvantaged communities. BCDC staff is committed to working with communities to ensure that the plan requirements are fulfilled using existing work, within reasonable expectations, and will seek to accommodate exceptions and adjustments based on real-world needs.



**Comment 221. California State Coastal Conservancy, received October 17, 2024**

Response: Thank you for your public comment. Please see Common Responses #2, #5, #12, and #15. Regarding the name for The San Francisco Bay Water Trail, BCDC staff acknowledge your suggestion and have made the appropriate text update as requested.

BCDC is including the Water Trail sites (existing and planned) in the Public Access and Recreation Strategic Regional Priority map, as well as the required Minimum Categories and Assets Standard.

The additional language regarding Section 3.1.1 Planning Process, 3.1.2 Existing Conditions and others, has been added throughout the document, where appropriate, to emphasize that landscapes also include the adjacent shorelines, aquatic areas, and nearshore areas.

Regarding including a minimum distance of subtidal area in the plan area, the local government should include a plan area consistent with the local government's boundaries, including the extent of subtidal areas within their boundaries. BCDC staff will be able to provide technical assistance to local governments on the extent.

**Comment 222. Todd Cusimano, City of Mill Valley, received October 17, 2024**

Response: Thank you for your public comment. Please see Common Responses #1, #3, #7, #11, #13, and #14.

**Comment 223. Brad Eggleston, City of Palo Alto, received October 17, 2024**

Response: Thank you for your public comment. Please see Common Responses #1, #3, #4, #7, #10, #14, and #16.

The equity assessment is in itself a tool to achieve equity in each of the plans. Other tools include BCDC's social vulnerability map and existing state tools that are used to analyze equity. Cities/Counties are also encouraged to use existing tools they are currently using to achieve equity in their own operations.

A county may submit one notice of intent for a multi-jurisdictional plan that identifies all participating local governments. Cities may choose to join a multi-jurisdictional plan or remove themselves from a multi-jurisdictional plan so long as they comply with their proposed update timeline. If changing the plan type results in a different timeline than originally stated, the city may request an extension or amendment to the update timeline.

BCDC staff acknowledge your suggestions and have made appropriate text updates, including but not limited to the executive summary, and graphic updates to improve clarity.

BCDC staff have edited table 3-2 for clarity and added an accompanying graphic to improve legibility.



**Comment 224. Jeanette Carr, received October 17, 2024**

Response: Thank you for your public comment and support for the RSAP. Comment noted.

**Comment 225. Mike Jacob, Pacific Merchant Shipping Association, received October 17, 2024**

Response: Thank you for your public comment. Please see Common Response #1.

**Comment 226. Patrick Moore, Pacific Gas & Electric Company, received October 17, 2024**

Response: Thank you for your public comment. BCDC staff certainly encourage cities and counties to submit plans prior to the January 1, 2034 deadline. Power plants are already included in the Critical Infrastructure and Services Strategic Regional Priority. In addition, electric and natural gas facilities are included as part of the minimum assets that all Subregional Plans are required to assess in Element C: Vulnerability Assessment. Electrical transmission line and natural gas pipelines have been included in the Recommended Categories and Assets.

**Comment 227. Ken Schreiber, received October 17, 2024**

Response: Thank you for your public comment. Please see Common Responses #4, #7, #11 and #13.

The Strategic Regional Priorities provide additional ways in which local jurisdictions are encouraged, and at times, required, to coordinate with one another. The Adapting to Rising Tides Bay Area report was foundational in developing much of the data in the RSAP. BCDC cannot alter the legislatively mandated timeline for local governments to adopt Subregional Plans.

BCDC staff already include a requirement for a narrative of 6.6 ft.

**Comment 228. Maggie Lazar, Richmond Southeast Shoreline Area Community Advisory Group, received October 17, 2024**

Response: Thank you for your public comment. Please see Common Responses #2 and #14.

The RSAP outlines how local jurisdictions can help address contamination in Environmental Justice communities and recommends coordination with other jurisdictions to address these issues. Throughout the process of creating their Subregional Plans, jurisdictions will have the opportunity to apply for resources to help create and execute their plans. BCDC staff hope that this work will help to provide resources to those Environmental Justice communities.

**Comment 229. Oakland Alameda Adaptation Committee, received October 17, 2024**

Response: Thank you for your public comment. Please see Common Responses #1, #3, #7, #8, #9, #12, #13, #14, and #15.

BCDC staff acknowledge your suggestions and have made several text revisions based on your comments. Some specific responses to suggested changes are outlined below.

Relax equity assessment requirements. The purpose of the Equity Assessment is to guide and inform ongoing and future community engagement efforts. BCDC recognizes that past work may not meet all Equity Assessment Standards. If past work has been completed, consult with BCDC staff on an acceptable strategy for meeting the Standards. The Equity Assessments within each element have been reviewed and revised to reduce redundancy, as well as recommend, rather than require, outreach to community-based organizations (CBOs). Partnership agreements with CBO partners are not required to be formal but are encouraged to create clear expectations for all parties involved. SB1 is available to fund local planning efforts, and funding can be earmarked to support partnerships with CBOs.

Operational Landscape Units (OLU) as the inland boundary. BCDC added language to A2 indicating that OLU boundaries can be used to define the planning area.

Flexibility for departments to include within the project team. The participation list is recommended (i.e., "should," not "must") and jurisdictions are allowed to propose the correct leadership team that fits in their jurisdiction.

Rename Element C. Vulnerability is defined as a component of risk in the RSAP and includes sensitivity, adaptive capacity, and consequence. Exposure is also defined as a component of risk, and C1-a requires an evaluation of exposure to help determine what assets should undergo a vulnerability assessment.

Priority action areas. While this Section of the RSAP has been revised, both the former and current version of the plan requirements include an Equity Assessment response describing how community input has shaped the development of priority areas for adaptation planning. Both the former and current version of the plan requirements include mentions of areas outside "priority areas". Priority areas are locally identified in Element C2 and defined by local determination and include Strategic Regional Priorities, among a few other criteria.

Clarify E1. Element E1 only refers to new policy changes. Existing policies that support adaptation strategies can be included in a Subregional Plan but are not required.

Planning to 2100. To address the uncertainties of planning for 2100, BCDC staff have adjusted the 2100 requirements, emphasizing an adaptation pathways approach.

Recommend clarifying that 3.5 feet at 2100 is for high-level planning. The suggested text has been added to Table 3-4 and is also mentioned in the data sources and analytical methodology Report.

**Comment 230. Sindy Mulyono-Danre, City of Redwood City, received October 18, 2024**

Response: Thank you for your public comment. Please see Common Responses #1, #3, #4, #7, #8, #11, #13, and #14.

BCDC staff acknowledge your suggestions and have made several text revisions based on your comments. Some specific responses to suggested changes are outlined below. The process for submittal and review of the Subregional Plans incorporates minimum consultation meetings with BCDC staff and local governments to advise local governments on the process. However, local governments may wish to collaborate with BCDC staff more than is required under the Guidelines. BCDC staff will take a collaborative approach to helping prepare local governments, and will be available to answer questions, clarify the Guidelines, and provide technical assistance for local governments throughout the process. The adoption of the RSAP is not the only time local governments will be able to ask questions or receive clarification on the RSAP.

How to coordinate with BCDC to update map layers. BCDC will include reference to data sources and analytical analysis in the Data Sources and Analytical Methodology Report and in the RSAP Mapping Platform. BCDC staff are available to collaborate on future updates.

Identifying protected areas. Areas that are already adequately protected against sea level rise would be identified in the "Existing Conditions" Section of the plan or the area would simply not show up as vulnerable and, therefore, would not need an adaptation strategy.

Projects already in process. Projects currently in the pipeline can be included and/or referenced across multiple elements of the RSAP. Element B2 (Planned future shoreline changes) is meant to ensure that development of adaptation strategies incorporates existing projects. Element D includes an "Alternative Path to Comply" that allows existing projects to be used instead of developing strategies from scratch. Element F requires a description of how selected adaptation strategies, including existing strategies, will be advanced. Lastly, Element G allows users to submit project data for existing projects into a regional project database. Local jurisdictions can determine if and how existing projects should be included based on how they fit into the overall plan and timeline of selected strategies.

Planning outside of the local government boundary. The requirement does not include a planning area outside jurisdictional boundaries.

Historical Baylands Data. The source for this data is the San Francisco Estuary Institute's (SFEI) Historical Baylands data.

Bay Fill requirements of other state and federal agencies. SB 272 does not alter BCDC's regulatory authority or permitting process and does not alter the requirements or standards for any other state or federal agency. Any project proposed must be consistent with all applicable BCDC laws and policies.



**Comment 231. Melissa Sparks-Kranz, League of California Cities,** received October 18, 2024

Response: Thank you for your public comment. Language has been added to reflect the nuance described in this comment in the Introduction and in Section 3.1.1. The timeline for updates requirement has been adjusted to allow for the local government to propose the update schedule, per the language in SB 272. A footnote with language from SB 272 was added in the Introduction to reflect that “the operation of this division is contingent upon an appropriation for its purposes by the Legislature in the annual Budget Act or another statute.” Currently, OPC SB 1 grant funds, appropriated by the Legislature in 2021, are available to support this planning work. BCDC will continue to coordinate with state agencies and local governments to support additional funding opportunities.

**Comment 232. Norman La Force, Sustainability, Parks, Recycling and Wildlife Legal Defense Fund,** received October 18, 2024

Response: Thank you for your public comment. Please see Common Responses #2, #5, and #7.

**Comment 233. Roger Leventhal, San Francisco Bay Regional Coastal Hazards Adaptation Resiliency Group,** received October 18, 2024

Response: Thank you for your public comment. Please see Common Responses #4, #10, #12, and #14.

BCDC staff acknowledge your suggestions and have made several text revisions based on your comments. Some specific responses to suggested changes are outlined below.

Costs of projects. BCDC staff acknowledge your concerns regarding the costs associated with sea level rise adaptation, including the specific examples you provided.

Infrastructure map (Page 60). These categories of critical infrastructure have been integrated into the Minimum Categories and Assets Standard table.

Funding. Funding of several million dollars is available from the State to all communities, not just disadvantaged communities. BCDC staff are committed to working with communities to ensure that the plan requirements are fulfilled using existing work, within reasonable expectations, and will seek to accommodate exceptions and adjustments based on real-world needs. BCDC does not directly fund projects.

Housing. Subregional Plans do not need to plan for housing but should consider housing decisions made previously and how to protect that planned housing from sea level rise. This also includes consideration of how displacement policies may be impacted by sea level rise.

Difference between flooding types. The revised RSAP includes new call-out boxes in Element D: Adaptation Strategies and Pathways to provide a reminder that each sea level rise scenario includes four coastal flood hazards: tidal inundation, storm surge, emergent groundwater, and shallow groundwater.

What is feasible. The determination of what is feasible is a local consideration, and feasibility can change over the course of time. The revised RSAP has included additional language in the evaluation criteria for what should be considered in evaluating alternatives. The Adaptation Strategy Standards also provide important guardrails and requirements for considering and minimizing the consequences of failure.

Maintenance of development. The evaluation criteria in D3 were updated to include the following language: "Evaluation criteria should include physical and economic feasibility, consider capital and long-term maintenance and operational costs." Additional language was also added in the Introduction to include maintenance and operations as important considerations in developing adaptation strategies. The revised RSAP encourages jurisdictions to share more details of adaptation strategies beyond conceptual designs but does not require it at this planning level scale.

Engineering Standards. BCDC staff made an adjustment to the text identifying FEMA Coastal Engineering criteria as a resource.

Backwater flooding and stormwater. BCDC staff have added backwater flooding to the recommended coastal flood hazards in Section 4.3.1. This information will also be taken into consideration as BCDC staff develop technical assistance offerings.

**Comment 234. Sara Tobin, received October 18, 2024**

Response: Thank you for your public comment. Please see Common Responses #5 and #14.

**Comment 235. Kristine Zortman, Port of Redwood City, received October 18, 2024**

Response: Thank you for your public comment. Please see Common Responses #7, #10, and #14.

Critical infrastructure projects and restoration projects are currently identified as projects with regional benefits in Bay Plan Climate Change Policy 7. BCDC staff do not recommend additional changes to Climate Change Policy 7 because a change would alter existing regulatory or permitting process and is therefore outside of the scope of this Bay Plan Amendment.

**Comment 236. Margaret Bruce, San Francisquito Creek Joint Powers Authority, received October 18, 2024**

Response: Thank you for your public comment. Please see Common Response #14.



**Comment 238. Citizens for East Shore Parks, received October 18, 2024**

Response: Thank you for your public comment. Please see Common Response #2. The statement referenced requires local governments to demonstrate coordination with these agencies, not the Environmental Justice communities that reside within those local government jurisdictions. Throughout the process of creating their Subregional Plans, jurisdictions will have the opportunity to apply for resources to help create and execute their plans. BCDC staff hope that this work will help to provide resources to those Environmental Justice communities.

**Comment 239. David Lewis, Save the Bay, received October 18, 2024**

Response: Thank you for your public comment. Please see Common Responses #2, #10, #14, and #15.  
Overlay zones for contamination are a policy option listed in "Strategies to Achieve This."

**Comment 240. Laura J. Hidas, Alameda County Water District, received October 18, 2024**

Response: Thank you for your public comment. Please see Common Responses #2, #10, and #14. BCDC staff acknowledge your suggestions and have made several text revisions based on your comments. Some specific responses to suggested changes are outlined below.

Proposed additions to project team. BCDC staff have incorporated suggested additions to the potential planning team members in Section A1-b.

Water facilities in Strategic Regional Priority. Regional data for water treatment facilities and infrastructure is not available, and so is not appropriate for an SRP, though it is part of minimum categories and assets to assess vulnerability.

Contamination mapping. BCDC has expanded the description of the Shoreline Contamination Strategic Regional Priority map to clarify what it represents, as well as other ways that contaminated sites are addressed in the RSAP. The Shoreline Contamination figure 2-8 is intended to highlight those Strategic Regional Priorities that are required to be addressed in the plans (which are defined by exposure to 0.8 ft (2050) sea level rise scenario, including shallow groundwater rise, proximity to Environmental Justice communities, and site status).

Characterize physical conditions. The revised RSAP includes additional language in B2-a Physical Conditions in response to these comments.

Groundwater modeling. BCDC staff acknowledge your comment and have provided a full citation for the Groundwater Modeling on the Coastal Flood Hazard maps, as well as mentioning it in the body text of Section 3.2.1. Additionally, more detail is provided on the assumptions in the RSAP Data Sources and Analytical Methodology Report, a supplement to the RSAP. BCDC staff chose moderate subservice connectivity, this information is in the technical methodology report and BCDC staff encourage people to use better regional data if available.

**Comment 241. City and County of San Francisco**, received October 18, 2024

Response: Thank you for your public comment. Please see Common Responses #1, #3, #7, #8, #14, and #15.

Bay fill. The language regarding bay fill for habitat incorporates the requirements of the McAteer-Petris Act and the current Bay Plan policies. This language has been revised.

**Comment 242. Bay Area Climate Adaptation Network**, received October 18, 2024

Response: Thank you for your public comment. Please see Common Responses #7, #11, and #14.

**Comment 243. Greg Chanis, Town of Tiburon**, received October 18, 2024

Response: Thank you for your public comment. Please see Common Responses #1 and #14.

**Comment 244. Lorien Fono, Bay Area Clean Water Agencies**, received October 18, 2024

Response: Thank you for your public comment. Please see Common Responses #1, #3, and #11. BCDC staff acknowledge your suggestions and have made several text revisions based on your comments. Some specific responses to suggested changes are outlined below.

Citations. Our citations are in Chicago Footnote style; therefore, the APA suggested citation was not used.

Suggestions for Executive Summary. The Executive Summary now includes a description of the Coastal Flood Hazards and Sea Level Rise Scenarios Standard and requirements for using this Standard in vulnerability assessments and adaptation planning.

GIS Recommendations. BCDC staff updated the source of GIS data representing wastewater treatment facilities to Bay Area Clean Water Agency, to increase accuracy of information.

Remove consultation meetings. Consultation meetings are an essential step in ensuring that plans are on track and that local governments have the assistance of BCDC staff in designing their process for Subregional Plans. BCDC only requires three consultation meetings over what is likely to be a multi-year process, which should not be overly burdensome. Removing consultation meeting requirements could result in local governments proceeding with plans that do not meet the RSAP Guidelines.

Streamline process. BCDC does not require submittal of the plan before local approval. The language states, "The local government must provide the Commission with notification in writing of the nature and text of the proposed Subregional Plan at least 30 days prior to adoption."

Timeline for review. The 150-day time frame was selected to reflect the level of review required and anticipated staffing capacity. Staff will make every effort to review plans in a timely manner.





**Comment 245. Greg Greenway, Seaport Industrial Association,** received October 18, 2024

Response: Thank you for your public comment. Please see Common Responses #7, #10, and #14.

Critical infrastructure projects and restoration projects are currently identified as projects with regional benefits in Bay Plan Climate Change Policy 7. BCDC staff do not recommend additional changes to Climate Change Policy 7, because a change would alter existing regulatory or permitting process and is therefore outside of the scope of this Bay Plan Amendment.

**Comment 246. Barbara Salzman, Marin Audubon Society,** received October 18, 2024

Response: Thank you for your public comment. Please see Common Responses #5, #7, and #14.

Baylands habitats. The RSAP currently requires a description of existing Baylands habitats, which includes tidal marshes and adjacent uplands and a consideration of their habitat resilience characteristics and ecosystem services, as defined in the Minimum Categories and Assets Standard. This Standard also includes state and federally listed endangered species in the existing requirements.

Benefits of wetland habitat. BCDC staff have updated the discussion to include additional benefits.

Housing. SB 272 does not alter BCDC's regulatory authority or permitting process and does not alter the requirements or standards for any other state or federal agency. Residential uses are not water-oriented uses, and therefore, fill in the Bay may not be used for a residential use under the terms of the McAteer-Petris Act. Furthermore, residential uses are not consistent with the public trust doctrine. As a result, the RSAP does not include residential uses in the Bay. In addition, it does not recommend adaptation measures that would be inconsistent with the public trust doctrine.

Process for amending the RSAP. Language in the plan requirements states, "BCDC will provide updates to the Guidelines contained within this document on a regular update schedule. Guideline updates will reflect new or revised sea level rise science and other information as necessary."

**Comment 247. A. Gordon Atkinson, Bay Area Floating Homes, Inc.,** received October 18, 2024

Response: Thank you for your public comment. SB 272 does not alter BCDC's regulatory authority or permitting process and does not alter the requirements or standards for any other state or federal agency. Residential uses are not water-oriented uses, and therefore, fill in the Bay may not be used for a residential use under the terms of the McAteer-Petris Act. Furthermore, residential uses are not consistent with the public trust doctrine. As a result, the RSAP does not include residential uses in the Bay.

**Comment 248. Len Materman, OneShoreline, received October 18, 2024**

Response: Thank you for your public comment. Please see Common Responses #3, #12, #13, and #14.

Terminology. BCDC staff acknowledge the concern regarding the use of terminology. BCDC staff have added clarifications in the document. BCDC staff have also added an additional paragraph to the Introduction, a new graphic, and revised Element D4 to have a greater emphasis on adaptation pathways.

Site specific hazards. BCDC is providing coastal hazard layers to assist in vulnerability assessment. These layers will be made available through the RSAP Mapping Platform for use by local jurisdictions (unless local jurisdiction has more refined local hazard data). The RSAP requires the inclusion of FEMA Flood Maps (B2-b). Additional site-specific hazard studies are not necessary for purposes of complying with RSAP submittal requirements. Since future modeling of wave run-up does not exist as a regional dataset, requiring data on wave run-up may be cost-prohibitive for certain jurisdictions. Additional analysis of wave run-up for local jurisdictions to use in adaptation is encouraged, but not required due to the additional costs of conducting additional analysis. Local jurisdictions are encouraged to use wave run-up data when available.

Preferred adaptation strategies. The previous language for "preferred" adaptation strategies in Element D has been adjusted to "selected" adaptation strategies to avoid language commonly used in CEQA. Revisions in Element D also include a requirement to identify selected adaptation strategies to meet the 0.8 ft (2050) sea level rise scenario, and to provide a description of adaptation pathway to provide flood risk reduction to the 3.1 ft (2100 Intermediate) and a narrative description of strategy change needs for the 6.6 ft (2100 High) sea level rise scenario to reduce the need to identify specific strategies at later time horizons.

**Comment 249. John Bourgeois, Santa Clara Valley Water District, received October 18, 2024**

Response: Thank you for your public comment. Please see Common Responses #5, #7, #13, and #14. BCDC staff acknowledge your suggestions and have made several text revisions based on your comments. Some specific responses to suggested changes are outlined below.

Critical Infrastructure (Section 2.3.4). Critical infrastructure Strategic Regional Priority were defined by the subset of infrastructure assets that have regionally available data and have regional significance. The remaining assets listed in the Minimum Categories and Assets Standard are required to be assessed for vulnerability if exposed to the 0.8 ft (2050) sea level rise scenario. The map captions have been updated to further clarify this.



Require special districts to be included. SB 272 imposes requirements specifically on local governments. To provide local governments with the flexibility to control their own planning, BCDC staff will not require the inclusion of any single named agency.

Element B recommendations. The revised RSAP includes additional language in B2-a Physical Conditions and B3-c Critical Infrastructure and Services conditions. The RSAP allows local jurisdictions to further define what they consider to be vulnerable populations, and this can include unhoused populations in that definition.

BCDC staff acknowledge your comment and have provided a full citation for the Groundwater Modeling on the Coastal Flood Hazard maps, as well as mentioning it in the body text of Section 3.2.1. Additionally, more detail is provided on the assumptions in the RSAP Data Sources and Analytical Methodology Report, a supplement to the RSAP. BCDC staff have also made efforts to re-emphasize that jurisdictions are welcome to use locally available data if they prefer. Figure 1-2 states in the text that the baseline year is 2000.

**Comment 250. Peninsula Accountability for Contamination Team,** received October 18, 2024

Response: Thank you for your public comment. Please see Common Responses #2, #6, and #14. BCDC staff acknowledge your suggestions and have made several text revisions based on your comments. Some specific responses to suggested changes are outlined below.

Land use planning practices. The RSAP acknowledges that there are historical planning processes that aided in the concentration of contaminated sites in lower-income communities of color. The RSAP acknowledges this explicitly on page 34, "By prioritizing the inclusion and needs of socially vulnerable communities in the planning process, equitable adaptation can work to address past harms. Addressing the legacies of environmental injustice first and foremost in the planning process can lead to fairer outcomes and an appreciation from community members who finally see their issues addressed. This can be accomplished through elevating the voices of socially vulnerable community members in the decision-making process, prioritizing the cleanup of contaminated sites in their communities, and taking steps to mitigate displacement." As the RSAP is a regional plan, it is each city's/county's responsibility to address harms in more specific ways (naming specific policies and outcomes of those policies, etc.) and conduct enough community engagement to allow communities to express these harms and create possible solutions in collaboration with each other.

ART Flood Explorer will be updated to incorporate groundwater rise and combined flood risks. The Coastal Flood Hazards and Sea Level Rise Scenarios



Standard includes flooding from combined sources (sea level rise, groundwater, storm surge). Other types of combined tidal riverine flooding are encouraged to be evaluated where local studies exist. BCDC staff have added some additional detail about flood hazards and limitations in the RSAP.

Contaminated sites map be updated to include current stormwater flood zones, groundwater rise, and contaminated sites that are located just outside of census tracts with a CalEnviroScreen score of 75 or greater, and high-risk closed sites that could still contribute to contaminant mobilization and health impacts. The Shoreline Contamination Strategic Regional Priority includes sites that are exposed to 0.8 ft (2050) sea level rise scenario, are open/active, and are located with census tracts with CalEnviroScreen percentile greater than 75, pollution burden percentile greater than 95, or located in census block groups identified as moderate, high, highest contamination vulnerable in BCDC Community vulnerability screening map. These criteria follow similar criteria developed by the Water Board. However, local jurisdictions are required to assess other sites, including those outside Environmental Justice communities or sites identified by local communities in their Subregional Plans. BCDC staff have updated language in the Shoreline Contamination Strategic Regional Priority Section clarifying this. RSAP encourage community-led site prioritization and offer clear strategies and support structures to ensure that smaller and under-resourced jurisdictions receive adequate support. This recommendation will also be taken into consideration as BCDC staff develop technical assistance offerings (See Common Response #14).

**Comment 251. Pam Stello, received October 18, 2024**

Response: Thank you for your public comment. Please see Common Responses #9 and #14. BCDC staff acknowledge your support of the changes recommended by the Confederated Villages of Lisjan Nation, Sierra Club San Francisco Bay Area Chapters and Sierra Club California, San Francisco Bay Shoreline Contamination Cleanup Coalition, Citizens for East Shore Parks, and Sally Tobin's recommendation that land use for undeveloped shoreline be restricted to public use and natural and nature-based solutions.

Public education program to strengthen the Public Engagement and Equity Elements. This recommendation will be taken into consideration as BCDC staff develop technical assistance offerings.

**Comment 252. The Sierra Club and Citizens Committee to Complete the Refuge, received October 18, 2024**

Response: Thank you for your public comment. Please see Common Responses #2, #3, #5, #6, and #10. BCDC staff acknowledge your suggestions and have made several text revisions based on your comments. Some specific responses to suggested changes are outlined below.



Overall structure. BCDC staff have made revisions where appropriate, including clarification that the One Bay Vision represent overarching vision and goals for each topic area and are not requirements themselves. The revised RSAP now includes hyperlinks across Plan Elements A-F for each of the Minimum Standards that appear in each element and hyperlinks to the Strategic Regional Priorities in the Adaptation Strategy Standards to link these sections together more clearly.

Glossary. Many of your recommendations in regard to the glossary have also been incorporated to enhance clarity and consistency.

BCDC staff acknowledge that you support the suggestions from the San Francisco Bay Joint Venture, including the need to identify the SFEI EcoAtlas as the “Regional Project Database” described in Element G.1.b. BCDC staff will keep the description of the regional project database as is in the RSAP but intend to include the specific references to EcoAtlas in technical assistance materials.

Element D. A call-out box on the Adaptation Strategy Standards has been added to Element D to closer link the development of adaptation strategies with the Adaptation Strategy Standards in response to your proposed changes to Section 3. The revised RSAP will also hyperlink to the Adaptation Strategy Standards where appropriate.

**Comment 253. Rebecca Groves, received October 18, 2024**

Response: Thank you for your public comment. Swimming is an important public access use and recreational use. Where the RSAP provides Standards and Guidelines on public access and recreation, swimming is among the uses that can be considered.

**Comment 254. Miyoko Harris-Parker, received October 18, 2024**

Response: Thank you for your public comment. Please see Common Response #14.

**Comment 255. Sarah Atkinson, San Francisco Bay Area Planning and Urban Research Association, received October 18, 2024**

Response: Thank you for your public comment. Please see Common Responses #2, #6, #11, and #14. BCDC staff acknowledge your suggestions and have made several text revisions based on your comments. Some specific responses to suggested changes are outlined below.

Housing. BCDC staff have revised the Development, Housing, and Land Use Strategic Regional Priority to ensure that housing needs can be met while achieving reduced flood risk. BCDC has been in communication with the HCD about BCDC’s approach and they did not indicate that these standards were in conflict. Additionally, you suggested that the RSAP include manufactured home



parks (MHPs) in the list of required assets to assess in Sections 2.3.1 and 2.3.3. The RSAP currently requires a description of land use types for existing conditions and in the exposure analysis. Manufactured home parks, as a specific asset, have been added to the Recommended Assets to Assess. These are assets that may be of local significance and can be incorporated into a local planning effort with input from communities.

Land use planning practices. The RSAP acknowledges that there are historical planning processes that aided in the concentration of contaminated sites in lower-income communities of color. The RSAP acknowledges this explicitly on page 34 "By prioritizing the inclusion and needs of socially vulnerable communities in the planning process, equitable adaptation can work to address past harms. Addressing the legacies of environmental injustice first and foremost in the planning process can lead to fairer outcomes and an appreciation from community members who finally see their issues addressed. This can be accomplished through elevating the voices of socially vulnerable community members in the decision-making process, prioritizing the cleanup of contaminated sites in their communities, and taking steps to mitigate displacement." As the RSAP is a regional plan, it is each city's/county's responsibility to address harms in more specific ways (naming specific policies and outcomes of those policies etc.) and conduct enough community engagement to allow communities to express these harms and create possible solutions in collaboration with each other.

ART Flood Explorer will be updated to incorporate groundwater rise and combined flood risks. The Coastal Flood Hazards and Sea Level Rise Scenarios Standard includes flooding from combined sources (sea level rise, groundwater, storm surge). Other types of combined tidal riverine flooding are encouraged to be evaluated where local studies exist. BCDC staff have added some additional detail about flood hazards and limitations in the RSAP.

Contaminated sites map be updated to include current stormwater flood zones, groundwater rise, and contaminated sites that are located just outside of census tracts with a CalEnviroScreen score of 75 or greater, and high-risk closed sites that could still contribute to contaminant mobilization and health impacts. The Shoreline Contamination SRP includes sites that are exposed to 0.8 ft SLR scenario, are open/active, and are located with census tracts with CalEnviroScreen percentile greater than 75, pollution burden percentile greater than 95, or located in census block groups identified as moderate, high, highest contamination vulnerable in BCDC Community vulnerability screening map. These criteria follow similar criteria developed by the Water Board. however local jurisdictions are required to assess other sites including those outside

Environmental Justice communities or sites identified by local communities in their Subregional Plans. BCDC staff have updated language in the SRP maps clarifying this.

RSAP encourage community-led site prioritization and offer clear strategies and support structures to ensure that smaller and under-resourced jurisdictions receive adequate support. This recommendation will also be taken into consideration as BCDC staff develop technical assistance offerings (See Common Response #14).

Decision-making guide. Additional language on tradeoffs was incorporated into Section 1.4.2 and Section 3.3.4.

**Comment 256. Derek Johnson, County of Marin,** received October 18, 2024

Response: Thank you for your public comment. Please see Common Responses #1, #3, #7, #8, and #14.

**Comment 257. Jeremy Lowe, San Francisco Estuary Institute,** received October 18, 2024

Response: Thank you for your public comment. Please see Common Responses #5, #8, #9 #14, and #15. BCDC staff acknowledge your suggestions and have made several text revisions based on your comments. Some specific responses to suggested changes are outlined below.

The map legend for the Ecosystem Health and Resilience Strategic Regional Priority has also been updated in response to your suggested changes.

BCDC staff acknowledge your recommendation to establish advisory boards to monitor the plans and will take this into consideration as staff develop the technical assistance offerings.

Regarding including a minimum distance of subtidal area in the plan area, the local government should include a plan area consistent with the local government's boundaries, including the extent of subtidal area within their boundaries. BCDC staff will be able to provide technical assistance to local governments on the extent.

BCDC staff acknowledge your concerns about accounting for the cumulative effects of different plans and will take this into consideration as staff develop the technical assistance offerings.

**Comment 258. The Watershed Project,** received October 18, 2024

Response: Thank you for your comment. Please see Common Responses #5 and #14  
BCDC staff acknowledge your comments regarding climate mitigation and note that BCDC's work, as defined by the McAteer-Petris Act and SB 272, is focused on developing Guidelines for support local governments to develop comprehensive Subregional Plans to address impacts to rising sea levels and flooding. An additional sentence was added to the Adaptation Strategy



Standard on “Integrate multiple benefits into adaptation” to include reductions in greenhouse gases from adaptation activities, where possible. More planning efforts will be necessary at the local, regional, state, and federal level, to continue to move the region forward in how BCDC staff address all other aspects of how climate change impacts communities, including mitigation. For additional information, please see Common Responses #1 and #10.

Regarding your suggestion that plans should include a long-term maintenance strategy, BCDC staff note that plan updates are required in F4-a. Project maintenance is not articulated because projects are not assumed to be identified to the level of detail that would indicate a specific maintenance protocol. As local governments implement projects, they should identify a maintenance program for each project. This may also be included in F1-b, Implementation plan.

**Comment 259.** **San Francisco Bay Shoreline Contamination Cleanup Coalition**, received October 18, 2024

Response: Thank you for your comment. Please see Common Responses #2, #13, and #14.

The statement referenced in your comment, the requirement for coordination with agencies, appears to be a misunderstanding of the requirement. The draft RSAP requirement to "demonstrate and describe where and how remediation is being prioritized and what coordination is occurring with the responsible parties and regulatory agencies" requires local governments to demonstrate coordination with these agencies, not the Environmental Justice communities that reside within those local government jurisdictions.

The RSAP addresses the inclusion of vulnerable and Environmental Justice communities in Plan Element A: Planning Process and throughout the Equity Assessment.

Your request that the RSAP list the remediation methods that must no longer be used at sites subject to sea level and groundwater rise and your suggestion that the RSAP include methods for ensuring the representation of vulnerable communities will be taken into consideration as staff develop the technical assistance offerings.

In response to your request that BCDC go beyond the Ocean Protection Council (OPC) recommendations for sea level rise projections, staff note that as a state agency, BCDC follows OPC guidance. Additionally, jurisdictions are required to provide a vulnerability assessment for multiple 2100 scenarios. Please see the Coastal Flood Hazards and Sea Level Rise Scenarios Standard for more details.



**Comment 260. Greenaction for Health and Environmental Justice**, received October 18, 2024

Response: Thank you for your comment. Please see Common Response #2.

Regarding your recommendation that all forms of shoreline contamination be required to be mapped and described in Subregional Plans, staff note that where additional sites (beyond those listed in the Shoreline Contamination Strategic Regional Priority) are identified as local priorities they can and should be elevated into the planning process in B3-f, C1-a, and C2. Additionally, B3-f includes an Equity Assessment Standard to engage with vulnerable communities and describe the status of contamination in communities. Equity Assessment Standards in Element C: Vulnerability Assessment ask for a description of how community assets and services were incorporated. You also suggest that all Subregional Plans should be preparing for, at minimum, the worst-case scenario outlined in the RSAP: MHHW+3.5ft+6.6ft. The Coastal Flood Hazards and Sea Level Rise Scenarios Standard requires an evaluation of risks at the 6.6 ft (2100 High) sea level rise scenario, which includes storm surge (+3.5 ft), and shallow and emergent groundwater, and a description of potential adaptation strategies at this higher water level to respond to increasing flood risks in Element D: Adaptation Strategies and Pathways.

**Comment 261. Peter Birkholz**, received September 17, 2024

Response: Thank you for your comment. Please see Common Response #4.

BCDC staff acknowledge your concerns about cultural resources. The RSAP lays out a process for local communities and stakeholders to identify priority assets and issues to be included in adaptation. Historic piers may be considered part of cultural resources for a community and can be included in adaptation planning.

**Comment 262. Kirstin Huiber**, received September 19, 2024

Response: Thank you for your comment.

In response to your concern about the technical language of the RSAP, BCDC staff have made the appropriate text updates.

**Comment 263. Judith Fruge**, received September 19, 2024

Response: Thank you for your comment.

The RSAP addresses the inclusion of people with disabilities in the Equity Assessment Standard within Element A: Planning Process.

**Comment 264. Milton Lau**, received September 20, 2024

Response: Thank you for your public comment.

BCDC staff have noted your suggestion regarding pumping stations.

The draft RSAP does not encourage tidal barriers to be included as an adaptation strategy in Subregional Plans because of the significant impacts associated with

this measure, including impacts to habitat, hydrology of the Bay, and water quality. In addition, tidal barriers are not consistent with the existing Water Surface Area and Volume policies of the San Francisco Bay Plan.

**Comment 265. Linda Barbosa,** received October 10, 2024

Response: Thank you for your comment. Please see Common Responses #5 and #11.

**Comment 266. Mei Collins,** received October 11, 2024

Response: Thank you for your comment. Please see Common Responses #6 and #14.

**Comment 267. Alejandra Amador-Caro,** received October 15, 2024

Response: Thank you for your comment. Please see Common Responses #6 and #14.

In regard to planning and project development, all planning documents are considered "subject to change." Plan updates should detail how designs evolve over time.

**Comment 268. Thomas Musial,** received October 16, 2024

Response: Thank you for your comment. Please see Common Response #5.

**Comment 269. Bruce Ohlson,** received October 17, 2024

Response: Thank you for your comment. Please see Common Response #5.

**Comment 270. Sivasankari Krishnanji,** received October 17, 2024

Response: Thank you for your comment. Please see Common Responses #5, #6, #13, and #14.

Regarding your concerns about the inclusion of groundwater rise in the RSAP, BCDC staff would like to clarify that groundwater is included in the Coastal Flood Hazards and Sea Level Rise Scenarios Standard.

Regarding your suggestion to include more detail in plans, and add a framework for monitoring and evaluating plans, BCDC staff note that this is required in Element F: Implementation Plan.

**Comment 271. Gail Napell,** received October 17, 2024

Response: Thank you for your comment.

BCDC staff acknowledge your comment about the need for immediate action on sea level rise and your suggestion to include engaging and educating children in the RSAP. The RSAP does mention including youth in the community engagement plan requirement. However, the work you are suggesting is outlined in the Bay Adapt Joint Platform. It can be found in Task 3.2: Weave



climate literacy into school programs. Under the Bay Adapt Joint Platform, BCDC staff have been working with youth organizations to develop educational materials for classrooms. In addition, BCDC staff are planning a series of Shoreline Leadership Academies to work with people in local jurisdictions to build up community capacity. Some of the Shoreline Leadership Academies will focus on youth, and the curriculum will be open to the public.

**Comment 272. Erik Alm, California Department of Transportation,** received October 17, 2024

Response: Thank you for your comment. Please see Common Responses #1, #7, #8 #11, and #14.

**Comment 273. Tracy Roth,** received October 18, 2024

Response: Thank you for your public comment. Please see Common Responses #5, #12, #10, #13 and #14. Regarding your comment about the San Francisco Bay Trail, this information will be taken into consideration as BCDC staff develop technical assistance offerings.

Regarding your comment about including future tidal wetland habitat on the maps, the Ecosystem Health and Resilience Strategic Regional Priority includes existing estuarine-upland transition zone areas mapped and required to be included in Subregional Plans. Undeveloped migration space is also part of the Ecosystem Health and Resilience Strategic Regional Priority as Restoration and Connectivity Opportunities. Additional language is included in the Adaptation Strategy Standard on protecting, restoring, and enhancing Baylands habitats.

Regarding your comment about whether plans should follow either the 2050 sea level rise scenario or the 2100 sea level rise scenario, please see Common Response #12. Additionally, the RSAP does not require any specific level of freeboard above base flood elevation. Each sea level rise scenario in the Coastal Flood Hazards and Sea Level Rise Scenarios Standard includes four flood hazards: tidal inundation, storm surge, emergent groundwater, and shallow groundwater. Jurisdictions have the flexibility to design specific adaptation strategies (which may include policies on freeboard above base flood elevation) to meet the needs in their community.

Regarding your comment about sea level rise modeling, if better local data exists, BCDC staff encourage use of that data source.

Regarding your comment about modeling changes in groundwater conditions, the RSAP already includes encouragement for stakeholders to perform independent analyses.

**Comment 274. Kristina Hill,** received October 18, 2024

Response: Thank you for your public comment. Please see Common Responses #6 and #14.

Regarding your comment concerning the RSAP's consistency with the Bay



Adapt Joint Platform, the RSAP is consistent with the Guiding Principles in the Joint Platform (see Introduction). Many of the actions in the Joint Platform include actions and tasks that go beyond the scope of the RSAP. While not directly related to any plan requirements, BCDC will be launching Bay Adapt Currents, a Bay Adapt metrics dashboard in early 2025. This platform is tied to the Guiding Principles in the Bay Adapt Joint Platform (2021), which includes the principle of “putting nature first whenever possible.” This platform will make information related to Subregional Plan development and outcomes available to provide transparency on adaptation in the region. Learnings from the Subregional Plan development process will be taken into account in any future revision of the guidelines.

**Comment 275.** **Jean Severinghaus**, received October 18, 2024

Response: Thank you for your public comment. Please see Common Response #5.

**Comment 276.** **Denean Ni**, received October 18, 2024

Response: Thank you for your public comment. Please see Common Response #14.

**Comment 277.** **Mary Spicer**, received October 18, 2024

Response: Thank you for your public comment. Please see Common Response #14.

**Individual Responses to Oral Comments made on October 17, 2024**

**Comment 278. Josh Quigley, Save the Bay**

Response: Thank you for your public comment. Please see Common Responses #2 and #10. In addition, public trust considerations have been incorporated as a required area to be assessed in Public Access and Recreation and Critical Infrastructure and Services.

**Comment 279. Gordon Atkinson, Bay Area Floating Homes**

Response: Thank you for your public comment. Residential uses are not water-oriented uses, and therefore fill in the Bay may not be used for a residential use under the terms of the McAteer-Petris Act. Furthermore, residential uses are not consistent with the public trust doctrine. As a result, the RSAP does not include residential uses in the Bay.

**Comment 280. Rigel Robinson, Bay Area Council**

Response: Thank you for your public comment. Please see Common Responses #3 and #8.

**Comment 281. Kelli McCune, San Francisco Bay Joint Venture**

Response: Thank you for your public comment. Please see Common Responses #3, #9, #12, and #15. BCDC staff acknowledge your other suggestions and have revised figures where BCDC staff found them appropriate.

**Comment 282. Lucy Gill, Confederated Villages of Lisjan Nation**

Response: Thank you for your public comment. Please see Common Response #9.

**Comment 283. Justin Ebrahemi, Greenbelt Alliance**

Response: Thank you for your public comment and support for the RSAP. Comment noted.

**Comment 284. Barbara Salzman, Marin Audubon Society**

Response: Thank you for your public comment. Please see Common Responses #5 and #14.

**Comment 285. Mike Pechner, Meteorologist**

Response: Thank you for your public comment. Your concerns regarding storm surge and atmospheric rivers are noted. Please see Common Response #14.

**Comment 286. Carin High, Citizens Committee to Complete the Refuge**

Response: Thank you for your public comment. Comment noted. Please see Common Response #5.

**Comment 287. Skylar Sacoolas, Green Action for Health and Environmental Justice**

Response: Thank you for your public comment. Please see Common Response #2.

**Comment 288. Julie Weiss, City of Palo Alto Public Works Environmental Services**

Response: Thank you for your public comment. Please see Common Responses #3, #4, #16.

**Comment 289. Elliot Hellman, Mission Bay resident**

Response: Thank you for your public comment. Please see Common Responses #2, #5, and #9.

**Comment 290. Sally Tobin, Biologist, Bioethicist, Richmond Resident**

Response: Thank you for your public comment. Please see Common Response #2.

**Comment 291. Arthur Feinstein, Sierra Club Bay Alive**

Response: Thank you for your public comment. Please see Common Responses #2, #5, and #12.

The RSAP outlines how local jurisdictions can address the issues experienced by Environmental Justice communities and recommends coordination with other jurisdictions to address these issues. Throughout the process of creating Subregional Plans, jurisdictions will have to opportunity to apply for resources to help create and execute their plans.

**Comment 292. Kristen Mercer, San Mateo resident; Sierra Club Sustainable Land Use Committee**

Response: Thank you for your public comment. Please see Common Responses #5, #10, and #12.

**Comment 293. Charles Shaefer, Sierra Club Bay Alive Campaign, Los Gatos resident**

Response: Thank you for your public comment. Please see Common Responses #5 and #14.

**Comment 294. Laura Kaminski, City of Oakland**

Response: Thank you for your public comment. Please see Common Responses #1 and #7.

**Comment 295. Leslie Flint, Conservation Committee of Sequoia Audubon, National Audubon Society**

Response: Thank you for your public comment. Please see Common Responses #5 and #6.

**Comment 296. Ginny Madsen, Livermore resident**

Response: Thank you for your public comment. Please see Common Response #5.

**Comment 297. Danielle Mieler, City of Alameda, Oakland Alameda Adaptation Committee**

Response: Thank you for your public comment. Please see Common Responses #3, #7, #8, and #10.

**Comment 298. Lucas Paz, Terraphase Engineering**

Response: Thank you for your public comment. Please see Common Responses #5 and #13.

**Comment 299. Gita Dev, Sierra Club, Sustainable Land Use Committee**

Response: Thank you for your public comment. Please see Common Responses #5 and #10.

**Comment 300. Kate Powers, San Rafael Resident**

Response: Thank you for your public comment. Please see Common Responses #1, #7, #8, and #10.

**Comment 301. Carolyn Cheng, Sierra Club, San Francisco Bay Chapter**

Response: Thank you for your public comment. Please see Common Responses #2 and #5.

**Comment 302. Jennifer Hetterly, Sierra Club Bay Alive Campaign**

Response: Thank you for your public comment. Please see Common Response #2.

**Comment 303. Norman La Force, Sustainability, Parks, Recycling, Wildlife, Legal Defense Fund (SPRAWLDEF); Sierra Club Bay Alive Campaign**

Response: Thank you for your public comment. Please see Common Responses #2 and #7.

**Comment 304. Anthony Khalil, BCDC Environmental Justice Advisor**

Response: Thank you for your public comment. Please see Common Response #6.