

San Francisco Bay Conservation and Development Commission

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State of California | Gavin Newsom – Governor | info@bcdc.ca.gov | www.bcdc.ca.gov

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Shari Posner

Commission Meeting

1:00 P.M.

December 1, 2022

Metro Center, 375 Beale Street, San Francisco, CA 94105, (415) 352-3600

This Commission meeting will be conducted in a hybrid format in accordance with SB 189 (2022). To maximize public safety while maintaining transparency and public access, members of the public can choose to participate either virtually via Zoom, by phone, or in person at the location listed above. Physical attendance at Metro Center requires that all individuals adhere to the site's health guidelines including, if required, wearing masks, health screening, and social distancing.

BCDC strongly encourages participation virtually through the Zoom link below due to changing COVID conditions.

Click here to join the Commission Meeting Via Zoom:

<https://bcdc-ca-gov.zoom.us/j/86261528573?pwd=aGxoWnJxc21aSnJ2WWRwekZ1bStwQT09>

Meeting ID: 862 6152 8573

Passcode: 335638

Teleconference Number: 1 (866) 590-5055

Conference Code 374334

*If you call in by phone: Press *6 to unmute your phone, Press *9 to raise/lower your hand*

Click here to [See information on public participation](#)

Tentative Agenda

1. Call to Order
2. Roll Call
3. Public Comment Period (Each speaker is limited to three minutes)

A maximum of 15 minutes is available for the public to address the Commission on any matter on which the Commission either has not held a public hearing or is not scheduled for a public hearing later in the meeting. Each speaker is generally limited to a maximum of three minutes. It is strongly recommended that public comments be submitted in writing, so they can be distributed to all Commission members for review. The Commission may provide more time to each speaker and can extend the public comment period beyond the normal 15-minute maximum if the Commission believes that it is necessary to allow a reasonable opportunity to hear from all members of the public who want to testify. No Commission action can be taken on any matter raised during the public comment period other than to schedule the matter for a future agenda or refer the matter to the staff for investigation, unless the matter is scheduled for action by the Commission later in the meeting.

(Steve Goldbeck) [415/352-3611; steve.goldbeck@bcdc.ca.gov]



4. Approval of Minutes for November 3, 2022 Meeting

(Peggy Atwell) [415/352-3638; peggy.atwell@bcdcc.ca.gov]

5. Report of the Chair**6. Report of the Executive Director****7. Commission Consideration of Administrative Matters**

(Steve Goldbeck) [415/352-3611; steve.goldbeck@bcdcc.ca.gov]

8. Briefing on Resilient State Route 37 Projects

The Commission will receive a briefing on the Caltrans State Route 37 interim and long-term highway improvements and developments projects along the entire corridor, from Highway US 101 (Novato, Marin) in the west to I-80 in the east (Mare Island, Vallejo). The briefing is a follow-up of the last April 2022 briefing with an update on the State Route 37 Planning and Environmental Linkages Study (long-term solution) including the selected alignment, next steps, timelines and funding, as well as interim projects designed to keep this critical regional connector operational in the near-term.

(Rafael Montes) [415/352-3670; rafael.montes@bcdcc.ca.gov]

9. Public Hearing and Vote on an Enforcement Committee Recommended Enforcement Decision, including Proposed Cease and Desist Order and Civil Penalty Order Number CCD2022.007.00 (BCDC Enforcement Case ER1988.024.00)

The Commission will hold a public hearing to address the permit violations and unauthorized development in the 100-foot shoreline band at a cul-de-sac known as John's Place in the City of Benicia, Solano County, and vote whether to adopt a Recommended Enforcement Decision proposed by the Enforcement Committee which includes a proposed Cease and Desist and Civil Penalty Order to require remedial actions at the site and payment of \$61,110 in administrative civil liability.

(Adrienne Klein) [415/352-3609; adrienne.klein@bcdcc.ca.gov]Adjournment

How to Provide Comments and Comment Time Limits. The full Commission is conducting this public meeting in a virtual fashion. If you would like to comment at the beginning of the meeting or on an item scheduled for public discussion, you may do by registering for the meeting and commenting during item number three.

To participate through ZOOM, please use your ZOOM-enabled device and click on the "raise your hand" button, and then wait to speak until called upon. If you are using a telephone to call into the meeting, **select *6 to unmute your phone** and you will then be able to speak. We ask that everyone use the mute button when not speaking. It is also important that you not put your phone on hold. Each speaker may be limited to a maximum of three minutes or less at the discretion of the Chair during the public comment period. Any speakers who exceed the time limits or interfere with the meeting may be muted by the Chair. It is strongly recommended that public comments be submitted in writing so they can be distributed to all Commission members in advance of the meeting for review. You are encouraged to submit written comments of any length and detailed information to the staff prior to the meeting at the email address above, which will be distributed to the Commission members.

Website Access to Commission Meeting Material. Public notices of Commission meetings and staff reports dealing with most matters on the meeting agendas can be found on [BCDC's website](#). Simply access Commission Meetings under the "Public Meetings" tab on the website and select the date of the meeting.

Questions and Staff Reports. If you have any questions concerning an item on the agenda, would like to receive notice of future hearings, or access staff reports related to the item, please contact the staff member whose name, email address and direct phone number are indicated in parenthesis at the end of the agenda item.

Campaign Contributions. State law requires Commissioners to disqualify themselves from voting on any matter if they have received a campaign contribution from an interested party within the past 12 months. If you intend to speak on any hearing item, please indicate in your testimony if you have made campaign contributions in excess of \$250 to any Commissioner within the last year, and if so, to which Commissioner(s) you have contributed. Other legal requirements govern contributions by applicants and other interested parties and establish criteria for Commissioner conflicts of interest. Please consult with the staff counsel if you have any questions about the rules that pertain to campaign contributions or conflicts of interest.

Access to Meetings. Meetings are held in venues that are accessible to persons with disabilities. If you require special assistance or have technical questions, please contact staff at least three days prior to the meeting via email at helpdesk@bcdc.ca.gov. We will attempt to make the meeting accessible via [Zoom accessibility capabilities](#), as well.

Bagley-Keene Open Meeting Act. As a state agency, the Commission is governed by the Bagley-Keene Open Meeting Act which requires the Commission to: (1) publish an agenda at least ten days in advance of any meeting; (2) describe specifically in that agenda the items to be transacted or discussed; and (3) refuse to add an item subsequent to the published agenda.

Upcoming Meetings of Interest

The following meetings, which may be of interest, will be held over the next several weeks. All the meetings are open to the public. If you have any questions concerning one of the meetings or would like to receive a meeting notice, please contact the staff member whose name and direct phone number are indicated in parenthesis.

- **Commissioner Strategic Planning Working Group**

The Commissioner Strategic Planning Working Group will hold a virtual public meeting on Thursday, December 1, 2022, from 10:30 am to 12:00 p.m., accessible online by Zoom and by phone. Additional information and the full agenda is available here:

<https://www.bcdc.ca.gov/StrategicPlan/12-01-agenda.html>

(Larry Goldzband) [415/352-3653; larry.goldzband@bcdc.ca.gov]

- **Enforcement Committee Meeting**

The BCDC's Enforcement Committee will hold a virtual public meeting on Thursday, December 8, 2022, from 9:30 a.m. to 12:00 p.m., accessible online by Zoom and by phone. Additional information and the full agenda will be available here:

<https://www.bcdc.ca.gov/enforcement/meetings.html>

(Matthew Trujilio) [415/352-3655; matthew.trujilio@bcdc.ca.gov]

- **Design Review Board Meeting**

The BCDC's Design Review Board will hold a hold a virtual public meeting on Monday, December 12, 2022, at 5:00 p.m., accessible online by Zoom and by phone. Additional information and the full agenda is available here: <https://www.bcdc.ca.gov/drb/drbmtg.html> (Andrea Gaffney) [415/352-3643; andrea.gaffney@bcdc.ca.gov]

- **Engineering Criteria Review Board Meeting**

The BCDC's Engineering Criteria Review Board will hold a public meeting on Wednesday, December 14, 2022, from 1:00 p.m. to 5:00 p.m., accessible online by Zoom and by phone. Additional information and the full agenda is available here: https://www.bcdc.ca.gov/ecrb/ecrb_mtng.html (Rafael Montes) [415/352-3670; rafael.montes@bcdc.ca.gov]