

San Francisco Bay Conservation and Development Commission

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

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Lawrence J. Goldzband
DEPUTY ATTORNEY GENERAL
Shari Posner

Agenda

1:00 P.M.

September 7, 2023

Note: Agenda Items 10 and 9 will be taken up first.

This Commission meeting will operate as a hybrid meeting under teleconference rules established by the Bagley-Keene Open Meeting Act. Commissioners are located at the primary physical location and may be located at the teleconference locations specified below, all of which are publicly-accessible. The Zoom video-conference link and teleconference information for members of the public to participate virtually is also specified below.

- **Primary Physical Location: Metro Center, 375 Beale Street, San Francisco, 415-352-3600**
- **Teleconference Locations:**
 - **Office of Contra Costa Supervisors John Gioia, 11780 San Pablo Avenue, Suite D, El Cerrito, 510-942-2220**
 - **County Administration Building, 575 Administration Drive, Room 100A, Santa Rosa, 707-565-2241**
 - **100 Howe Avenue, Suite 100 South, Sacramento, 916-574-1992**
 - **County Government Building, 70 W Hedding Street, East Wing 10th Floor, San Jose, 408-299-5030**
 - **North Star, 15 Commercial Street Extension, Louisbourg, NS B1C 2J4, 902-733-2080**
 - **176 Blithedale, Mill Valley, 415-531-2770**
 - **675 Texas Street, 6th Floor, Room 6004, Fairfield, 707-784-6129**
 - **Caltrans Building, 111 Grand Avenue, Room 15-230 (Mountain View Room), Oakland, 925-250-5593**
 - **Napa County Administration Building, CEO Office, 1195 Third Street, Suite 310, Napa, 707-253-4421**

Click here to join the Commission Meeting Via Zoom:

<https://bcdca.gov.zoom.us/j/83169214197?pwd=cW52bXpZbWVHSi92NjFDOHJFVG8rUT09>

Meeting ID: 831 6921 4197

Passcode: 673599

Teleconference Number: (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](#)



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 July 20, 2023 Meeting

(Reylina Ruiz) [415/352-3638; reylina.ruiz@bcdc.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@bcdc.ca.gov]

10. Briefing on Mission-Based Review of BCDC's Permitting Program

Staff from the Department of Finance will brief the Commission on their work to conduct a Mission-Based Review of BCDC's permitting program. The Mission-Based Review will focus on streamlining and updating the Commission's permitting process, as well as BCDC's coordination with other permitting agencies, and clarity and enforceability of permits.

(Ethan Lavine) [415/352-3618; ethan.lavine@bcdc.ca.gov]

9. Summer Interns Briefing

BCDC's five summer undergraduate interns will present to the Commission a summary of their internship accomplishments, along with recommendations for BCDC's internship program.

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

8. Commission Consideration of Legislation

The Commission may consider and take positions on legislation, including SB 544 (Laird) *Bagley-Keene Open Meeting Act: teleconferencing*.

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

11. Briefing on Oyster Point Compliance

The Commission will receive a briefing on BCDC's liveboard policies. The Commission will also receive an update regarding the Oyster Cove Marina liveboard compliance issue.

(John Creech) [415/352-3619; john.creech@bcdc.ca.gov]

12. Briefing on the BCDC Enforcement Program

The Commission will receive a briefing on the Enforcement Program, including an overview of the enforcement process as well as a quarterly update on the ongoing program improvements and developments since the last briefing in April 2023.

(Matthew Trujillo) [415/352-3633; matthew.trujillo@bcdc.ca.gov]

13. Adjournment

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; and (2) describe specifically in that agenda the items to be transacted or discussed. Public notices of Commission meetings and staff reports (as applicable) dealing with 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.

How to Provide Comments and Comment Time Limits. Pursuant to state law, the Commission is currently conducting its public meetings in a “hybrid” fashion. Each meeting notice will specify (1) where the meeting is being primarily held physically, (2) all teleconference locations, which will be publicly-accessible, and (3) the ZOOM virtual meeting link. If you would like to comment at the beginning of the meeting or on an item scheduled for public discussion, you may do so in one of three ways: (1) being present at the primary physical or a teleconference meeting location; (2) emailing comments in advance to [public comment](#) until 10 a.m. on the day of the meeting; and (3) participating via ZOOM during the meeting.

If you plan 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 depending on the volume of persons intending to provide public comment. 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.

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. Additional 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 physically 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. We will attempt to make the virtual meeting accessible via [Zoom accessibility capabilities](#), as well.

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.

- **Design Review Board Meeting**

The BCDC's Design Review Board will hold a hybrid public meeting on Monday, September 11, 2023, at 5:00 p.m., MetroCenter, 375 Beale Street, San Francisco, accessible online by Zoom and by phone. Additional information and the full agenda is available here:

<https://www.bcdc.ca.gov/drb/drbmtg.html>

(Ashley Tomerlin) [415/352-3643; Ashley.tomerlin@bcdc.ca.gov]

- **Enforcement Committee Meeting**

The BCDC's Enforcement Committee will hold a hybrid public meeting on Thursday, September 14, 2023, from 9:30 a.m. to 12:30 p.m., MetroCenter, 375 Beale Street, San Francisco, 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 Trujillo) [415/352-3655; matthew.trujilio@bcdc.ca.gov]