



SAN FRANCISCO BAY
RESTORATION AUTHORITY

Governing Board

SUMMARY MINUTES

March 03, 2023

11:00 A.M. – 1:35 P.M.

Hybrid Teleconference Meeting

For additional information please contact

Paul Johnson, Clerk of the Governing Board: Paul.Johnson@scc.ca.gov

Agenda and Attachments available at:

www.sfbayrestore.org

1. Call to Order

John Gioia, Vice Chair of the Governing Board, called the meeting to order at 11:00 A.M.

2. Roll Call

Paul Johnson, Clerk of the Governing Board, reported that four (4) members were present:

Karen Holman, Sophie Hahn, Susan Gorin, and John Gioia.

A quorum of the Governing Board was present at 11:02 A.M.

3. Public Comments

No public comments were made.

4. Board Member Announcements

5. Chair's Report

Dave Pine, Chair of the Governing Board, was unable to attend the meeting. Vice Chair Gioia asked staff if there was anything that Chair Pine was intending to mention in the Chair's Report. Executive Officer Amy Hutzel stated that Supervisor Pine wanted to provide updates on the federal budget. Supervisor Gorin proposed discussing the federal and state funding available for San Francisco Bay restoration at a future meeting. Executive Office Hutzel stated that the Congress had allocated \$91.2 million to the U.S. Army Corps of Engineers for the South Bay Shoreline Project.

6. Executive Reports

To respond to a question about parcel trends in Bay Area counties asked of Tim Seufert, Managing Director, NBS, at the previous Governing Board meeting, Executive Officer Hutzler reported that there are no significant trends. She asked the board to hold the date of June 2nd, 2023, for the East Bay Board Tour, and stated that the postponed North Bay tour will be rescheduled at a later date. She also presented a video that the Authority will be using to share information about the Authority with local governments and encourage them to apply for grants.

7. Approval of Summary Minutes of December 16, 2022

Summary Minutes of the Governing Board Meeting of December 16, 2022 were approved with no corrections.

Moved and seconded.

Ayes: Gorin, Holman, Hahn, Gioia

8. Advisory Committee Chair's Report

Advisory Committee (AC) Chair Jessica Martini-Lamb presented a report on the work of the Advisory Committee. Catie Thow, Sea Grant Fellow for the Authority and AC Clerk, presented a memo describing a recommended process for Authority staff and the AC to work together to develop an Equity Framework for the Authority.

9. Consideration and Possible Approval of Text of Annual Report

Jessica Davenport, Deputy Program Manager, and Karen McDowell, Deputy Program Manager, presented the text of the annual report.

Authority approval of the text of the annual report was moved and seconded.

Ayes: Gorin, Holman, Hahn, Gioia

10. Montezuma Wetlands Restoration Project, Phase 2

Resolution:

The San Francisco Bay Restoration Authority (Authority) hereby authorizes the disbursement of an amount not to exceed two million one hundred thousand dollars (\$2,100,000) to Montezuma Wetlands LLC to place 300,000 cubic yards of dredged sediment that has been diverted from ocean disposal at the Montezuma Wetlands site in Suisun Marsh, Solano County, for the purpose of raising the elevation required for the Montezuma Wetlands Restoration Project, Phase 2.

1. Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Authority the following:
 - a. A detailed work program, schedule, and budget.
 - b. A plan for acknowledgement of Authority funding.

- c. Evidence that all permits and approvals required to implement the project have been obtained.
 - d. Evidence that the grantee has entered into a project labor agreement consistent with San Francisco Bay Restoration Authority Resolution 22.
 - e. Evidence that the grantee has recorded an easement, deed restriction, or other agreement, sufficient to protect the public interest in the project.
2. The grantee shall submit for the review and written approval of the Executive Officer of the Authority the names and qualifications of any contractors to be employed in carrying out the project.

Findings:

Based on the accompanying staff recommendation and attached exhibits, the San Francisco Bay Restoration Authority hereby finds that:

1. The proposed authorization is consistent with The San Francisco Bay Restoration Authority Act, Gov. Code Sections 66700-66706.
2. The proposed authorization is consistent with The San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (Measure AA).

Moved and seconded.

Ayes: Gorin, Holman, Hahn, Gioia

11. Goat Island Tidal Marsh Restoration and Public Access Project.

Resolution:

The San Francisco Bay Restoration Authority hereby authorizes the disbursement of an amount not to exceed \$839,700 (eight hundred thirty-nine thousand, seven hundred dollars) to the Solano Land Trust to conduct community engagement and prepare final designs and engineering plans, an adaptive management plan, and permit applications, for the restoration of 80 acres of tidal wetland, 8 acres of wetland-upland transition zone, and 1 acre of seasonal wetland, and related public access trails and amenities, at Goat Island Marsh in Solano County.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Authority the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be employed in carrying out the project.
3. A plan for acknowledgement of Authority funding.

Findings:

Based on the accompanying staff recommendation and attached exhibits, the San Francisco Bay Restoration Authority hereby finds that:

1. The proposed authorization is consistent with The San Francisco Bay Restoration Authority Act, Gov. Code Sections 66700-66706.
2. The proposed authorization is consistent with The San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (Measure AA).
3. The San Francisco Bay Restoration Authority has independently reviewed and considered the *Rush Ranch Habitat Restoration Conditional Use Permit & Marsh*

Development Permit Initial Study and Mitigated Negative Declaration (MND), which was adopted by the Solano Planning Commission on January 21, 2016 (Exhibit 3). As described in the MND and accompanying conditionally approved permit, mitigation measures have been incorporated into the project that will eliminate or reduce all potentially significant effects of the project below the level of significance. There is no substantial evidence that the project as mitigated will have a significant effect on the environment.

Moved and seconded.

Ayes: Gorin, Holman, Hahn, Gioia

12. Berkeley North Basin Project

Resolution:

The San Francisco Bay Restoration Authority hereby authorizes the disbursement of an amount not to exceed six-hundred thousand dollars (\$600,000) to East Bay Regional Park District to conduct environmental studies and prepare environmental documentation under the California Environmental Quality Act (CEQA), assess the feasibility of daylighting Schoolhouse Creek, conduct community engagement, and prepare preliminary designs for the restoration of shoreline habitat and associated trails in North Basin Strip and Berkeley Meadow within McLaughlin Eastshore State Park in Alameda County. Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Authority the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be employed in carrying out the project.
3. A plan for acknowledgement of Authority funding.

In addition, East Bay Regional Park District shall not receive any of this disbursement until they can demonstrate to our Executive Officer adequate consultation with Ohlone representatives, the Sogorea Te' Land Trust, and the City of Berkeley

Findings:

Based on the accompanying staff recommendation and attached exhibits, the San Francisco Bay Restoration Authority hereby finds that:

1. The proposed authorization is consistent with The San Francisco Bay Restoration Authority Act, Gov. Code Sections 66700-66706.
2. The proposed authorization is consistent with The San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (Measure AA).

Councilmember Hahn proposed an amendment to staff's recommended resolution to add the following condition, "In addition, East Bay Regional Park District shall not receive any of this disbursement until they can demonstrate to our Executive Officer adequate consultation with Ohlone representatives, the Sogorea Te' Land Trust, and the City of Berkeley."

Moved as amended and seconded.

Ayes: Gorin, Holman, Hahn, Gioia

13. Strategy to Advance Flood Protection, Ecosystems and Recreation along San Francisco Bay (SAFER Bay) Project (Augmentation)

Resolution:

The San Francisco Bay Restoration Authority hereby authorizes the disbursement of an amount not to exceed three million nine hundred eighty thousand dollars (\$3,980,000) to the San Francisquito Creek Joint Powers Authority to augment the grant previously authorized by the Authority to conduct planning, perform data collection and analysis, develop design plans, and prepare program-level and project-level California Environmental Quality Act documentation for the Strategy to Advance Flood Protection, Ecosystems and Recreation along San Francisco Bay (SAFER Bay) Project in San Mateo County. Prior to commencement of the work to be funded with this augmentation, the grantee shall submit for the review and written approval of the Executive Officer of the Authority an updated work program, schedule, and budget.

Findings:

Based on the accompanying staff recommendation and attached exhibits, the San Francisco Bay Restoration Authority hereby finds that:

1. The proposed authorization is consistent with The San Francisco Bay Restoration Authority Act, Gov. Code Sections 66700-66706.
2. The proposed authorization is consistent with The San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (Measure AA).

Moved and seconded.

Ayes: Gorin, Holman, Hahn, Gioia

14. Delegation of Authority to the Executive Officer to Sign on to Specified Types of Letters and Position Papers

The Authority considered Resolution 104 to delegate authority to the Executive Officer to sign specified types of letters and position papers. Following comments by Vice Chair Gioia, Amy Hutzler revised Resolution 104 to include authority for the Chair of the Governing Board to sign the types of documents identified in the resolution. Ms. Hutzler inserted the words "the Chair or" into the clause "the Authority hereby delegates to the Executive Officer."

Resolution 104 was moved and seconded.

Ayes: Gorin, Holman, Hahn, Gioia

15. Honoring Sally Lieber for her Outstanding Service to the Authority

Staff recommended that the Authority adopt Resolution 105 honoring former Authority Board Member and Advisory Committee Member Sally Lieber. In the Resolution the Authority expressed its deepest gratitude to Sally Lieber for her unwavering commitment to the restoration of San Francisco Bay, her pivotal role in the establishment of the Authority, and her exceptional years of service to the organization.

Sally Lieber, Member of the State Board of Equalization, commented.

Resolution 105 was moved and seconded.

Ayes: Gorin, Holman, Hahn, Gioia

16. Appointment of New Advisory Committee Members

The ad hoc committee for AC Appointments, consisting of Supervisor John Gioia and Councilmember Sophie Hahn, recommended that the Authority adopt Resolution 106 appointing the listed individuals to the Authority's AC for four-year terms. The board commented and discussed.

Resolution 106 was moved and seconded.

Ayes: Gorin, Holman, Hahn, Gioia

17. Appointment of Oversight Committee Member

Karen Mcdowell, Deputy Program Manager, recommended the adoption of Resolution 107 appointing Garth Hall to the Independent Citizens Oversight Committee.

The board commented and discussed. Resolution 107 was moved and seconded.

Ayes: Gorin, Holman, Hahn, Gioia

18. Adjournment

Vice Chair Gioia adjourned the Governing Board meeting at 1:35 P.M.