



Governing Board

SUMMARY MINUTES

April 11, 2018
11:00am – 3:00pm

Meeting Location:
City of Santa Rosa – Council Chamber Room
100 Santa Rosa Avenue, Santa Rosa CA 95404

For additional information, please contact
Ashmika Singh, Clerk of the Governing Board: (510) 286-0922

Agenda and attachments available at:
www.sfbayrestore.org

1. Call to Order

Chair Pine called the meeting to order at 11:08 a.m.

2. Roll Call

Anulika White, Clerk of the Governing Board, reported that five (5) members were present:

Dave Pine, John Gioia, Susan Gorin, Kate Sears, Greg Scharf

A quorum of the Governing Board was present.

Vinnie Bacon and Aaron Peskin were absent.

3. Public Comments

David Lewis, Executive Director of Save the Bay, congratulated the San Francisco Bay Restoration Authority on reaching the stage of authorizing funding for restoration projects.

The Governing Board thanked Save the Bay for all their help to date.

4. Board Member Announcements

There were no announcements.

5. Chair's Report

Dave Pine, Chair of the Governing Board, made a couple of announcements and informed the public of an extension to the deadline for responding to the Call for Applications for the Oversight Committee.

6. Executive Reports

Sam Schuchat, Executive Director, Restoration Authority, provided updates on staffing, and described the North Bay Watershed Association Conference that he attended on April 6, 2018.

Sam also presented

Resolution 42 *Amending the Locations of the San Francisco Bay Restoration Authority 2018 Governing Board Meetings*. Resolution 42 was moved and seconded. Motion passed unanimously.

Ayes: Pine, Gioia, Sears, Gorin, Scharff

Absent: Peskin, Bacon

7. Approval of Summary Minutes of February 02, 2018

Summary minutes of the Governing Board Meeting on February 02, 2018 were approved with no corrections.

8. Presentation on Coordinated Permitting Approach

Amy Hutzal, Deputy Executive Officer, Restoration Authority; Larry Goldzband, Executive Director, San Francisco Bay Conservation and Development Commission; and Mike Mielke, Sr. Vice-President, Energy and Environment, Silicon Valley Leadership Group; gave a presentation on regulatory permit coordination efforts. Amy Hutzal stated that staff plans to bring a proposal for Authority approval to the June 1, 2018 meeting. Board members asked questions and discussed the presentation. An Ad-hoc committee including Dave Pine, John Gioia, and Kate Sears. There were no public comments.

9. Grant Item Overview

Matt Gerhart, Program Manager, Restoration Authority, presented an overview of Round 1 Grant Recommendations. Board members asked questions and discussed. There were no public comments.

NORTH

10. MONTEZUMA WETLANDS RESTORATION PROJECT, PHASE 1

Laura Cholodenko, Restoration Authority, presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Jim Levine, of Montezuma Wetlands.

Resolution:

“The San Francisco Bay Restoration Authority hereby authorizes the disbursement of an amount not to exceed one million six hundred ten thousand dollars (\$1,610,000) to Montezuma Wetlands LLC for implementation of the Montezuma Wetlands Restoration Project, Phase 1, which includes tidal and seasonal wetland restoration on 630 acres of diked baylands and enhancement of adjacent uplands in Suisun Marsh, 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:

- a. A detailed work program, schedule, and budget
- b. Names and qualifications of any contractors to be employed in carrying out the project.
- c. A plan for acknowledgement of Authority funding.
- d. Evidence that all permits and approvals required to implement the project have been obtained.
- e. Evidence that the grantee has entered into a project labor agreement consistent with San Francisco Bay Restoration Authority Resolution 22.
- f. Evidence that the grantee has recorded an easement, deed restriction, or other agreement, sufficient to protect the public interest in the project.”

Findings:

“Based on the accompanying staff report 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 reviewed and considered the *Montezuma Wetlands Restoration Project Final Environment Impact Report/Environmental Impact Statement (EIR/EIS)* adopted by Solano County on

February 2, 1999, the Recirculated Draft Initial Study/Mitigated Negative Declaration adopted by Solano County on October 21, 2010 that addresses minor revisions to the Montezuma Wetlands Restoration Project and the Addendum to the EIR/EIS dated March 20, 2018 (collectively “CEQA Documents”). The CEQA documents indicate that the project has potentially significant effects in the areas of Hydrology, Water Quality, Biological Resources, Air Quality, Cultural Resources, Geology/Soils, and Noise. As described in the accompanying staff recommendation, mitigation measures that have been incorporated into the project will eliminate or substantially lessen all potentially significant effects with the exception of impacts to air resources.

4. Statement of Overriding Considerations. Construction of the Montezuma Wetlands Restoration Project may result in significant effects to air quality due to emissions of air pollutants during placement of dredged material. Mitigation has been incorporated to lessen these emissions but they remain significant after mitigation and there are no other feasible mitigation measures available to further reduce these effects. Specific environmental and other benefits of the project described in the accompanying staff recommendation and detailed in the CEQA documentation outweigh and render acceptable these unavoidable adverse environmental effects. These benefits include helping restore the region’s tidal marshes historically lost through development of Bay shorelines and implementing an alternative to in-water disposal of sediments dredged from San Francisco Bay.

Moved and seconded. Approved unanimously.

11. LOWER SONOMA CREEK

Jessica Davenport, Restoration Authority,, presented the Staff Recommendation. Speaking in favor of the Staff Recommendation: Wendy Eliot and Julian Meishler, Sonoma Land Trust

Resolution:

“The San Francisco Bay Restoration Authority hereby authorizes the disbursement of an amount not to exceed one hundred fifty thousand dollars (\$150,000) to Sonoma Land Trust to develop a strategy for landscape-scale restoration, flood protection and public access in the

Lower Sonoma Creek portion of the San Pablo Baylands in Sonoma 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:

- a. A detailed work program, schedule, and budget.
- b. Names and qualifications of any contractors to be employed in carrying out the project.
- c. A plan for acknowledgement of Authority funding.”

Findings:

“Based on the accompanying staff report 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 grantee is not required to enter into a project labor agreement per Resolution 22 due to the planning nature of the authorized project.”

Moved and seconded. Approved unanimously.

12. WETLAND-UPLAND TRANSITION ZONE HABITAT IN THE NORTH BAY

Caitlin Sweeney, Restoration Authority, presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: John Parodi, Point Blue Conservation Science.

Resolution:

“The San Francisco Bay Restoration Authority hereby authorizes the disbursement of an amount not to exceed two million six hundred sixty one thousand two hundred sixty four dollars (\$2,661,264) to Point Reyes Bird Observatory, Inc. to restore approximately 1.3 linear miles of critical wetland-upland transition zone habitat in the North Bay, engaging

STRAW (Students and Teachers Restoring a Watershed) participants at four sites: San Pablo Bay National Wildlife Refuge in Sonoma and Solano Counties; Pickleweed Park in San Rafael, Marin County; and Shollenberger Park and McNear's Landing in Petaluma, Sonoma 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:

- a. A detailed work program, schedule, and budget.
- b. Names and qualifications of any contractors to be employed in carrying out the project.
- c. A plan for acknowledgement of Authority funding.
- d. Evidence that the grantee has entered into agreements sufficient to enable the grantee to implement, operate, and maintain the project.”

Findings:

“Based on the accompanying staff report 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, codified at Gov. Code §§ 66700, et seq.
2. The proposed authorization is consistent with The San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (Measure AA).
3. The grantee is not required to enter into a project labor agreement per Resolution 22 due to the non-construction nature of the work.”

Moved and seconded. Approved unanimously.

13. DEER ISLAND TIDAL BASIN WETLANDS RESTORATION PROJECT

Avra Heller, Restoration Authority, presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Roger Leventhal, Marin County Department of Public Works.

Resolution:

“The San Francisco Bay Restoration Authority hereby authorizes the disbursement of an amount not to exceed six hundred thirty thousand dollars (\$630,000) to the Marin County Flood Control District (MCFCD) to prepare detailed designs, permit applications, and environmental documentation for the Deer Island Tidal Basin Wetlands Restoration Project, which will include restoration of approximately 194 acres of tidal baylands and creation of 4,500 linear feet of ecotone levees at Deer Island in the lower Novato Creek Watershed, Novato, Marin County. Prior to commencement of work, the grantee shall submit for the review and written approval of the Executive Officer of the Authority:

- a. A detailed work program, schedule, and budget.
- b. Names and qualifications of any contractors to be employed in carrying out the work.
- c. A plan for acknowledgement of Authority funding.”

Findings:

“Based on the accompanying staff report 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 § 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 grantee is not required to enter into a project labor agreement per Resolution 22 because the proposed authorization is for planning work.”

Moved and seconded. Approved unanimously.

WEST/SOUTH

14. PHASE 2 PROJECTS OF THE SOUTH BAY SALT POND RESTORATION PROJECT

Brenda Buxton, Restoration Authority, presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Len Maternman, San Francisquito Creek Joint Powers Authority.

Resolution:

“The San Francisco Bay Restoration Authority hereby authorizes the disbursement of an amount not to exceed seven million four hundred twenty-one thousand seven hundred thirty dollars (\$7,421,730) as follows: 1) up to six million two hundred twenty-one thousand seven hundred thirty (\$6,221,730) to Ducks Unlimited, Inc. for construction of Phase 2 projects of the South Bay Salt Pond Restoration Project in the Alviso and Ravenswood Ponds, and 2) up to one million two hundred thousand (\$1,200,000) to the California Wildlife Foundation to implement the South Bay Salt Pond Restoration Project’s adaptive management science program including studies and monitoring activities associated with Phase 2 implementation.

1. Prior to commencement of the project, each 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. Names and qualifications of any contractors to be employed in carrying out the project or studies.
 - c. A plan for acknowledgement of Authority funding.
 - d. Evidence that the grantee has entered into agreements sufficient to enable the grantee, as applicable, to implement the project or access property for scientific monitoring or data collection.
2. Prior to commencing the project, Ducks Unlimited, Inc., shall provide evidence that it has entered into a project labor agreement consistent with San Francisco Bay Restoration Authority Resolution 22.
3. In carrying out the project, Ducks Unlimited, Inc. shall comply with all applicable mitigation and monitoring measures that are identified in the Final Environmental Impact Statement/Report, South Bay Salt Pond Restoration Project – Phase 2 and in the 2007 South Bay Salt Pond Restoration Project Final Environmental Impact Statement/Environmental Impact Report or that are required by any permit or approval.”

Findings:

“Based on the accompanying staff report 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 § 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 information contained in the South Bay Salt Pond Restoration Project, Final Environmental Impact Statement/Report, Phase 2, April 2016 (Final Phase 2 EIS/R) (Exhibit 3) that was certified with findings by the State Coastal Conservancy on May 26, 2016 in order to comply with the California Environmental Quality Act (“CEQA”).
4. The Final Phase 2 EIS/R identifies a “potentially significant” effect from the implementation of the Preferred Alternative with respect to Traffic. With regard to this impact, as modified by incorporation of the mitigation measure identified in the Final Phase 2 EIS/R, the project has been changed to avoid, reduce or mitigate the possible significant environmental effect of the project on Traffic. The Final Phase 2 EIS/R identifies a “potentially significant” effect and a “significant and unavoidable” effect in the area of Recreational Resources. Specific environmental and other benefits of the project described in this staff recommendation and detailed in the Final Phase 2 EIS/R outweigh and render acceptable these unavoidable adverse environmental effects, as well as the unavoidable adverse effects identified in the 2007 EIS/R, because the Preferred Alternative will result in long-term environmental benefits including restoring native habitat for threatened and endangered salt marsh species as well as other plant and animal species that otherwise would be threatened by loss of critical habitat. In addition, the Preferred Alternative will improve the existing level flood protection which will benefit adjacent residences and businesses. Finally, although there are impacts to recreational resources, the Preferred Alternative will also construct new trails, overlooks, interpretive signs and other public amenities which will result in increased wildlife-oriented recreation and public access opportunities.”

Moved and seconded. Approved unanimously.

15. SOUTH SAN FRANCISCO BAY SHORELINE PROJECT

Brenda Buxton, Restoration Authority, presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Mita Prakash, Santa Clara Valley Water District.

Resolution:

“The San Francisco Bay Restoration Authority hereby authorizes the disbursement of an amount not to exceed four million four hundred thirty-nine thousand four hundred six dollars (\$4,439,406) to the Santa Clara Valley Water District for design and implementation of the South San Francisco Bay Shoreline Project in the community of Alviso, San José, Santa Clara 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:

- a. A detailed work program, schedule, and budget.
- b. Names and qualifications of any contractors to be employed in carrying out the project.
- c. A plan for acknowledgement of Authority funding.
- d. Evidence that all permits and approvals required to implement the project have been obtained.
- e. Evidence that the grantee has entered into agreements sufficient to ensure that the project will be implemented, operated, and maintained.”

Findings:

“Based on the accompanying staff report 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 § 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 grantee is not required to enter into a project labor agreement per Resolution 22 since the project will be funded by, and undertaken in collaboration with, the U.S. Army Corps of Engineers.
4. The San Francisco Bay Restoration Authority has independently reviewed and considered the information contained in the *Final Integrated Interim Feasibility Study and Environmental Impact Statement/Environmental Impact Report* (Integrated Document) that was certified with findings by the Santa Clara Valley Water District on March 22, 2016 in order to comply with the California Environmental Quality Act (“CEQA”).
5. The Integrated Document identifies Alternative 3 as the preferred alternative. The Integrated Document identifies potentially significant effects from implementation of Alternative 3 in the areas of Hydrology, Water Quality, Biological Resources, Hazards and Hazardous Materials, Air Quality, Noise, and Cultural Resources. Alternative 3, as modified by incorporation of the mitigation measures identified in the Integrated Document, avoids, reduces or mitigates all of the potentially significant environmental effects of the project except for the impacts identified in finding 5, below.
6. Construction of Alternative 3 may result in significant impacts even after mitigation in the areas of Air Quality (emissions of nitrogen oxides and reactive organic gas), Biological Resources (cumulative loss of pond habitat), and Noise (cumulative temporary increase in noise levels). Changes have been incorporated into the project that substantially lessen these three impacts, but they remain significant after mitigation and there are no other feasible measures available to further reduce these impacts. Specific environmental and other benefits of the project described in the accompanying staff recommendation and detailed in the Integrated Document outweigh and render acceptable these unavoidable adverse environmental effects because the project will result in the long-term environmental benefits of restoring habitat for the State- and Federally-listed threatened and endangered species and

other plant and animal species that otherwise would be threatened by loss of critical habitat, protecting the community of Alviso and the Regional Wastewater Facility from tidal flooding, and improving regional trail connections and creating new Bay Trail segments.”

Moved and seconded. Approved unanimously.

EAST

16. SAN LEANDRO’S WATER POLLUTION CONTROL

Caitlin Sweeney, Restoration Authority, presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Justin Jenson, City of San Leandro.

Resolution:

“The San Francisco Bay Restoration Authority hereby authorizes the disbursement of an amount not to exceed five hundred and thirty nine thousand dollars (\$539,000) to the City of San Leandro to prepare detailed designs, permit applications, and environmental documentation for the conversion of a 4.3-acre wastewater storage basin at the City of San Leandro’s Water Pollution Control Plant to a multi-benefit treatment wetland, and to develop a community-based shoreline resiliency and tidal marsh restoration plan for the surrounding area.

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. Names and qualifications of any contractors to be employed in carrying out the project.
- c. A plan for acknowledgement of Authority funding.”

Findings:

“Based on the accompanying staff report 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 §§ 66700, et seq.
2. The proposed authorization is consistent with The San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (Measure AA).
3. The grantee is not required to enter into a project labor agreement per Resolution 22 due to the planning nature of the authorized project.”

Moved and seconded. Approved unanimously.

17. ENCINAL DUNE RESTORATION AND SHORELINE STABILIZATION PROJECT

Karen McDowell, Restoration Authority, presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Robert Doyle, East Bay Parks Regional Districts.

Resolution:

“The San Francisco Bay Restoration Authority hereby authorizes the disbursement of an amount not to exceed four hundred and fifty thousand dollars (\$450,000) to East Bay Regional Park District (EBRPD) to implement the Encinal Dune Restoration and Shoreline Stabilization Project, consisting of removal of shoreline debris, restoration of dune habitat, and creation of new trail and water access. 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.
4. Evidence that all permits and approvals required to implement the project have been obtained.
5. Evidence that the grantee has entered into a project labor agreement consistent with San Francisco Bay Restoration Authority Resolution 22.

Findings:

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

The proposed authorization is consistent with The San Francisco Bay Restoration Authority Act, Gov. Code § 66700-66706.

The proposed authorization is consistent with The San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (Measure AA).

The Authority has considered the “Final Initial Study and Mitigated Negative Declaration (MND) for the Encinal Dune Restoration and Shoreline Stabilization Project” (MND), attached to the accompanying staff recommendation as Exhibit 3, and comments received, and finds that on the basis of the whole record, the proposed project avoids, reduces or mitigates any possible significant environmental effect of the project and there is no substantial evidence that the proposed project, as mitigated, will have a significant effect on the environment.”

Moved and seconded. Approved unanimously.

18. 2016/17 Financial and Annual Program Report

Sam Schuchat, Executive Director of the Restoration Authority, gave the 2016/17 Financial and Annual Report. Board members asked questions and discussed.

Resolution to approve the 206/17 Financial and Annual Report was moved and seconded. Approved unanimously.

19. ~~Draft Work Plan and Budget~~ This item was postponed to the June 1st, 2018 Meeting.

20. Resolution to Accept San Francisco and other County Teeter

Amy Roach, Legal Counsel for the Restoration Authority presented Resolution 43 *Accepting Extension of the Teeter Plan to Measure AA Parcel Tax*. Board members asked questions and discussed.

Resolution 43 was moved and seconded. Approved unanimously.

21. Approval of Revisions to the Parcel Tax Procedures Manual

Karen McDowell, Project Manager, Restoration Authority presented Resolution 44 *Adoption of revisions to the San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration, Measure AA -Special Parcel Tax Procedures Manual*

Resolution 44 was moved and seconded. Approved unanimously.

22. Advisory Committee Chair's Report to the Board

Luisa Valiela, Advisory Committee Chair, updated the Board on the last Advisory Committee meeting.

23. Appoint New Advisory Committee Member

Jessica Davenport, Project Manager, Restoration Authority, presented Resolution 45 *Appointing a New Member to Represent California Audubon on the Restoration Authority Advisory Committee* and Resolution 46 *Appointing a New Member to Represent Santa Clara Valley Water District on the Restoration Authority Advisory Committee*. Resolution 45 is to appoint Gaylon Parsons, Deputy Director, Audubon California, as Advisory Committee Member for a term beginning on April 12, 2018 and ending February 10, 2019; Resolution 46 is to appoint Mitra Prakash, Senior Management Analyst, Santa Clara Valley Water District, as Advisory Committee Member for a term beginning on April 12, 2018 and ending on February 10, 2021.

Resolution 45 and Resolution 46 were moved and seconded. Approved unanimously.

24. Adjournment

Chair Pine adjourned the Governing Board meeting at 2:24 p.m.