



# Governing Board

## SUMMARY MINUTES

February 22, 2019  
11:00am – 1:00pm

Meeting Location:  
San Francisco Bay Area Metro Center  
375 Beale Street, CR 110 Board Room  
San Francisco, CA 94102

For additional information, please contact  
Anulika White, Clerk of the Governing Board: (510) 286-0343

Agenda and attachments available at:  
[www.sfbayrestore.org](http://www.sfbayrestore.org)

### **1. Call to Order**

Chair Pine called the meeting to order at 11:06 a.m.

### **2. Roll Call**

Anulika White, Clerk of the Governing Board, reported that six (6) members were present:

Dave Pine, John Gioia, Susan Gorin, Kate Sears, Aaron Peskin, Vinnie Bacon

A quorum of the Governing Board was present.

### **3. Public Comments**

There were no public comments

### **4. Board Member Announcements**

There were no announcements.

### **5. Chair's Report**

Dave Pine, Chair of the Governing Board, thanked Greg Scharff for his service on the Governing Board.

## **6. Executive Reports**

Sam Schuchat, Executive Director of the Restoration Authority, presented Resolution 54 *Adopting the 2019 San Francisco Bay Restoration Authority Governing Board Meeting Schedule*. Resolution 54 was moved and seconded. Motion passed unanimously.

Ayes: Pine, Gioia, Sears, Gorin, Bacon, Peskin

Sam also presented an update on the Measure AA Grant Round 2 and a report on expenditures that he authorized in the past quarter pursuant to the Authority's delegation of authority to the Executive Officer.

Board members asked questions and discussed. There were no public comments.

## **7. Approval of Summary Minutes of February 22, 2019**

Summary minutes of the Governing Board Meeting on February 22, 2019 were approved with no corrections.

Ayes: Pine, Gioia, Sears, Gorin, Bacon, Peskin

## **WEST**

### **8. 900 INNES**

Kelly Malinowski, Restoration Authority, presented the staff recommendation, which was revised by staff at the meeting to include additional findings regarding the project's air quality impacts, as indicated in underlined text below.

Speaking in favor of the staff recommendation: Jill Fox, India Basin Neighborhood Association; Uriel Hernandez, San Francisco Park Alliance; Philip Vitale, The Trust for Public Land.

Resolution:

“The San Francisco Bay Restoration Authority hereby authorizes the disbursement of an amount not to exceed four million nine hundred ninety-eight thousand and six-hundred dollars (\$4,998,600) to the City and County of San Francisco to remediate and restore soft-bottom intertidal and subtidal habitat and remove dilapidated structures at 900 Innes, San Francisco. 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 engaged 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.
- f. 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:

1. The proposed authorization is consistent with The San Francisco Bay Restoration Authority Act, Gov. Code § 66700.
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 *India Basin Mixed-Use Project Final Environmental Impact Report* (FEIR) certified by the San Francisco Planning Commission on July 26, 2018 (which certification was affirmed by the San Francisco Board of Supervisors on October 16, 2018), pursuant to the California Environmental Quality Act, and attached to the accompanying staff recommendation as Exhibit 3. As discussed in greater detail in the accompanying staff recommendation, which is hereby incorporated, the FEIR indicates that the project has potentially significant effects in the areas of Cultural Resources, Noise, Air Quality, Biological Resources, Hydrology and Water Quality, and Hazards and Hazardous Materials; however, mitigation measures will be implemented that eliminate or substantially lessen all potentially significant effects of the project with the exception of impacts to Cultural Resources.
4. Statement of Overriding Considerations. The project may result in significant unavoidable effects to the India Basin Scow Schooner Boatyard Vernacular Cultural Landscape (Cultural Landscape). In particular, the removal of buildings on the site (the Boatyard Office, Tool Shed, and Water Tank) will alter or remove some of the character-defining features and distinctive setting, design, materials, workmanship,

feeling, and association of the Cultural Landscape to such degree that the Cultural Landscape would no longer be able to convey the characteristics that justify its eligibility for listing in the California Register of Historical Resources (CRHR), and thus this impact would be significant. The impact will be lessened by Mitigation Measures M-CR-1a, M-CR-1b, M-CR-1c, and M-CR-1e, but not to the degree that the resource would remain eligible for listing in the CRHR. In addition, the FEIR identifies a mitigation measure that would reduce the impacts on the Cultural Landscape, M-CR-1d, which provides for retaining the Boatyard Office Building, but would not reduce the impacts to a less than significant level, and this mitigation measure was rejected by the Planning Commission as infeasible because it conflicts with the policy goals identified for redevelopment of the project site, including the goals of providing accessible and safe access to the future park on the site. The project may also result in significant unavoidable effects on air quality for the air quality impacts AQ-1, AQ-3, C-AQ-1, and C-AQ-2. These impacts will be lessened by mitigation measures, but not to a level of insignificance.

However, specific environmental and social benefits of the project, as described in the accompanying staff recommendation, outweigh and render acceptable the unavoidable adverse impact of the project on air quality and the Cultural Landscape. The environmental benefits include benefits to fish and wildlife habitat by directly improving the soft-bottom substrate that supports invertebrate populations; improving the Essential Fish Habitat, which is an identified restoration objective in the Subtidal Habitat Goals Report; and remediating contaminants in the intertidal and subtidal areas of the property to the degree necessary to support existing and future tidal marsh habitat. The social benefits include the facilitation of future redevelopment of the dilapidated and unusable project site into a park with numerous educational and public access amenities for the surrounding disadvantaged community

Moved and seconded. Approved unanimously.

Ayes: Pine, Gioia, Sears, Gorin, Bacon, Peskin

## **9. Financial and Levy Report**

- A. Brian Mayhew, Treasurer of the Restoration Authority; Scott Diem and David Bullock, Macias Gini & O’Connell LLP presented the San Francisco Bay Restoration Authority Financial Statements and Independent Auditor’s Report.
- B. Tim Seufert, Managing Director of NBS presented the NBS report *2018/19 Annual Levy Report for: Measure AA Special Parcel Tax*.

Board members asked questions and discussed. There were no public comments.

#### **10. Consideration and Possible Approval of Annual Report**

Matt Gerhart, Program Manager, Restoration Authority, presented the Annual Report of the San Francisco Bay Restoration Authority, Fiscal Year 2017-2018.

Board members asked questions and discussed. There were no public comments.

The board approved the Annual Report. Ayes: Pine, Gioia, Sears, Gorin, Bacon, Peskin

#### **11. Bay Restoration Regulatory Integration Team (BRRIT) Update**

Amy Hutzal, Deputy Executive Officer, Restoration Authority and Brad McCrea, Regulatory Director, San Francisco Bay Conservation and Development Commission, presented an update on the Bay Restoration Regulatory Integration Team (BRRIT).

There were no public comments.

#### **12. Appoint New Advisory Committee Member**

Jessica Davenport, Project Manager, Restoration Authority, presented Resolution 55, *Appointment of Advisory Committee Members*.

The board commented and welcomed the new members. There were no public comments.

Resolution 55 was moved and seconded. Motion passed unanimously.

Ayes: Pine, Gioia, Sears, Gorin, Bacon, Peskin

#### **13. Advisory Committee Chair’s Report to the Board**

Luisa Valiela, Advisory Committee Chair, Restoration Authority, gave a report on the Advisory Committee. There were no public comments.

#### **14. Adjournment**

Chair Pine adjourned the Governing Board meeting at 12:50 p.m.