

MEMORANDUM

DATE: May 8, 2020

TO: Governing Board, San Francisco Bay Restoration Authority

FROM: Amy Hutzel, Deputy Executive Officer, San Francisco Bay Restoration Authority

SUBJECT: Bay Restoration Regulatory Integration Team (BRRIT) Performance to Date

This memo serves as a report on the activities and performance of the Bay Restoration Regulatory Integration Team (BRRIT) from late August 2019 to early April 2020. The San Francisco Bay Restoration Authority (Authority) Board will receive annual reports after this initial report. The BRRIT was fully staffed and had their kick-off training in late August 2019. The establishing document for the BRRIT, “San Francisco Bay Coordinated Permitting Approach, Agency Agreements, and Performance Measures,” is attached (Attachment 1).

The BRRIT consists of representatives from the U.S. Army Corps of Engineers (USACE); U.S. Fish and Wildlife Service (USFWS); NOAA’s National Marine Fisheries Service (NOAA Fisheries); San Francisco Bay Regional Water Quality Control Board (Water Board); California Department of Fish and Wildlife (CDFW); and San Francisco Bay Conservation and Development Commission (BCDC). USEPA participates on the BRIT on an *ad hoc* basis. All seven agencies have agency managers on the Policy and Management Committee (PMC), which works closely with the BRRIT to collaboratively identify and resolve policy issues and conflicts.

BRRIT Progress Overview

The BRRIT is showing significant promise for improving the permitting process for multi-benefit wetland restoration projects in San Francisco Bay. In the initial months following the BRRIT’s formation, the team took on two roles: initiating the BRRIT permitting process for several wetland restoration projects (itemized below) and, concurrently, completing seven independent administrative tasks related to its startup. The BRRIT is actively engaged with thirteen projects and convening additional meetings to discuss core policy issues with the restoration community. The three initial projects that have been through the BRRIT permitting process thus far have had varied results in terms of permitting timeframes, but have benefited from a dedicated team of regulatory staff who meet with the permit applicants together and work through issues in consultation with the PMC. The BRRIT recently permitted one of these, the 900 Innes Remediation Project, a project led by the San Francisco Recreation and Parks Department that will remove contaminated soils and sediment to support future habitat restoration, recreational access, and improved water quality. The other two projects that

submitted permit applications in late 2019, without the benefit of the pre-application process with the BRRIT, have not yet been fully permitted.

At this point, it is challenging to assess the BRRIT on the performance measures given that the first three projects that submitted permit application did not go through the pre-application consultation. Starting with the next performance memo to the Authority Board in 2021, staff will provide a quantitative assessment of the BRRIT's ability to meet the performance measures. Going forward, the BRRIT is currently working on a large number of projects in the pre-application phase and those projects are expected to provide a truer test of the BRRIT's ability to improve permitting timeframes and address permitting hurdles. Even in the face of the challenges presented over the past two months due to the COVID-19 shelter-in-place orders, the BRRIT's ongoing remote coordination and collaboration is expected to expedite permitting for future projects.

The PMC has also demonstrated significant benefit to increasing the pace and scale of restoration in San Francisco Bay by identifying and addressing policy and process issues that impact multiple projects. This has been done in collaboration with the BRRIT, elevating issues common among restoration projects for further consideration.

Funding

The budget for the BRRIT is approximately \$1,250,000 per year (with anticipated annual increases for inflation). Funding has been provided from the Authority (\$600,000 per year for five years, with increases annually for inflation), State Coastal Conservancy (\$250,000 per year for five years), Santa Clara Valley Water District (\$200,000 for the first year and reasonable efforts to provide \$200,000 annually for the remaining four years), East Bay Regional Park District (\$75,000 per year for five years), and Bay Area Toll Authority (\$100,000 per year for five years, subject to availability of funds in annual budgets after the first year). In addition, the Water Board is providing in-kind office space for the BRRIT to work and meet.

Authority staff will assess BRRIT expenditures at the end of the first year, in August of 2020. It is likely that there will need to be some adjustments to the budget among agencies for the second year, but it is not expected that the total annual cost will increase beyond any increase due to inflation. Due to delays in executing funding agreements with two of the agencies, there may be some initial cost savings. All of the agencies, regardless of the delay of executing funding agreements, assigned staff to the BRRIT team as of August 2019.

Policy and Management Committee

The PMC, made up of agency managers from USACE, USFWS, NOAA Fisheries, the Water Board, CDFW, BCDC, and USEPA, has been working since 2018 to establish the BRRIT and set roles, responsibilities, and processes. With the formation of the BRRIT, the PMC has continued to play a critical role, meeting monthly with the BRRIT to discuss specific projects as well as overarching policy issues and administrative and process issues. The PMC also uses the monthly meetings to obtain information on restoration issues, including those on the Permit and Policy Improvement List and approaches for mosquito control, and to complete actions such as review and approval of the BRRIT agency MOU.

Permit and Policy Improvements

Prior to standing up the BRRIT in August 2019, the PMC developed a Permit and Policy Improvement List, which was provided to the Authority Board in February 2019 and updated in spring 2020 to reflect completed work and newly-identified projects (Attachments 2 and 3). Prior to finalizing the list, the PMC sought input from a number of restoration practitioners who have significant experience with permitting restoration projects in the San Francisco Bay. The PMC will implement at least one of the policy initiatives on the list each year.

The following projects on the Permit and Policy Improvement List have been completed or have work underway:

- **Fill for habitat.** Tidal restoration projects can result in beneficial fill for habitat, including ecotone transition levees and other habitat features, such as nesting bird islands. Previously BCDC's Bay Plan potentially limited such features. BCDC approved a Bay Plan amendment on October 3, 2019, that provides more flexibility and certainty for the use of fill for beneficial purposes in restoration. The Water Board also completed an internal review of policies around fill for restoration and determined that existing policies have substantial flexibility for beneficial fill for habitat associated with restoration projects. This was shown, for example, in the Water Board's action on the South Bay Shoreline Project, where the Board, in authorizing ecotone levee fill, took into account the effects of projected sea level rise to reduce estimated fill impacts.
- **Type conversion framework.** Accomplishing regional wetland restoration goals can require conversion of one type of habitat into another (e.g., salt ponds to tidal wetlands). USEPA led a multi-agency effort to develop a consistent framework for analyzing type conversion proposals, taking into account the substantial work that has been completed around the Bay Area, such as the Baylands Habitat Ecosystem Goals reports. USEPA distributed a final framework in February 2020, and the BRRIT intends to pilot its use in 2020 for a project under the BRRIT's purview.
- **Fully Protected Species Memoranda of Understanding (MOUs) for Restoration Projects.** Restoration projects may have long-term benefits to special-status species, but project construction and establishment can have the potential to result in significant short-term impacts. Under the State Fish and Game Code, CDFW is unable to issue permits to take or possess a fully protected species. However, CDFW may authorize the taking of a fully protected species for necessary scientific research, including efforts to recover fully protected species. Working with the Lower Walnut Creek Restoration Project, CDFW has initiated consultation with the intent to issue a fully protected species permit if the project can demonstrate that the restoration will contribute to the recovery of the fully protected salt marsh harvest mouse. Through this effort, CDFW is developing guidance to assist other large-scale restoration projects that may cause take of fully protected species during restoration activities.
- **Guidance for project proponents.** The similar Bay margin locations and construction methods of many restoration projects means they can result in similar construction-stage impacts. The BRRIT has initiated a project to provide on the BRRIT's website organized lists of common impacts and mitigation measures, along with examples of recent biological assessments and biological opinions that could be used to guide evaluations and submittals by restoration project proponents. The project will add

information incrementally during 2020, with the goal of having a finalized set of guidance by the end of the year.

- **Restoration project monitoring.** Regulatory agencies often include requirements in their authorizations to evaluate project success. These are typically implemented on the individual project scale and are not coordinated on a regional scale, meaning the intended regional benefits of large-scale restoration implementation may not be well-characterized by existing monitoring. To address this problem and generally improve linkages between project-scale and landscape-scale monitoring, work funded by USEPA to develop a Wetlands Regional Monitoring Program (WRMP) is underway and expected to continue through 2021, led by the San Francisco Estuary Partnership. The WRMP scientific framework was completed in early 2020, and program elements to be developed through 2021 include an implementation plan that describes a funding and governance structure, and a data management plan.

Formation of the BRRIT

The BRRIT formally began with kick-off meetings on August 21-23, 2019. The team, PMC, and agency partners received a charge from Supervisor Dave Pine to begin the work of improving the efficiency of permitting wetland restoration projects. The kick-off meeting time was used to discuss the Memorandum of Understanding (MOU), which describes the formation and roles of the BRRIT and PMC and associated performance standards, BRRIT objectives, agency perspectives on challenges to permitting in the San Francisco Bay, site visits to existing restoration projects, and logistics of BRRIT formation.

The BRRIT is comprised of the following staff:

- Frances Malamud-Roam – USACE;
- Valary Bloom – USFWS;
- Alison Weber-Stover – NOAA Fisheries;
- Tami Schane – CDFW;
- Anniken Lydon – BCDC; and
- Agnes Farres – Water Board.

Since its inception, the BRRIT has met between one and three days per week at the Water Board's offices in Oakland, to discuss projects and conduct pre-application meetings. The BRRIT has met at other locations for site visits or when applicants request alternative meeting locations. Team members have also interacted regularly with one another and project proponents via video conference, phone, and email. On March 16, 2020, in-person interactions between the BRRIT members were interrupted by COVID-19 public health orders to shelter in place. While the orders were in place, the BRRIT continued to integrate its work remotely.

BRRIT Operations and Outreach

In the initial months following the formation of the BRRIT, the team completed tasks related to operations and outreach, including:

- Contacted all 17 project proponents on the Priority Project List and scheduled pre-application meetings and site visits with 14 of them;
- Developed a standard operating procedures document;

- Developed a SharePoint site for storing and sharing files, facilitating coordination of work products, and implementing a BRRIT group calendar;
- Developed Project Tracking and BRRIT performance tracking spreadsheets;
- Developed a pre-application initial email to project proponents;
- Developed the following outreach materials, which were posted on the Authority's website and can be shared at conferences and other meetings:
 - Description of the BRRIT pre-application process;
 - Pre-application meeting guidance;
 - BRRIT process flow chart;
 - One-page handout on BRRIT; and
 - A frequently asked questions document.
- Began development of a Tools tab on the BRRIT website to include resources to help applicants develop complete application packages.

Priority Project List

Authority staff maintain a list of priority projects for the BRRIT. This list was initially developed in June 2019. Authority staff conducted an email call for projects and received ten project submittals. A second call for projects was conducted in December 2019 and an additional seven projects were added to the list. Authority staff intend to conduct calls for additional projects every six months. Projects are screened for inclusion on the project list for BRRIT review by Authority staff, using the eligibility criteria for Authority funding, as described in Measure AA and associated Requests for Proposals.

The project priority list is divided into three categories:

- Category 1: Permit Application Review. There are currently five projects applying for and seeking permits from the BRRIT. Current Category 1 projects are:
 - 900 Innes Remediation Project;
 - Lower Walnut Creek Restoration Project;
 - Heron's Head Park Shoreline Resilience Project;
 - Invasive Spartina Project High Tide Refuge Islands; and
 - Terminal 4 Wharf, Warehouse, and Pilings Removal Project.
- Category 2: Pre-Permit Application Consultation. There are eight projects for which the BRRIT has conducted pre-application meetings and is conducting site visits in order to provide recommendations that will expedite permitting and identify potential interagency conflicts and propose solutions. Current Category 2 Projects are:
 - McInnis Marsh Restoration Project;
 - Multi-Benefit Treatment Wetland along the San Leandro Shoreline for Contaminant Removal and Sea Level Rise Adaptation;
 - South Bay Salt Ponds Phase 2 at Eden Landing;
 - South San Francisco Bay Shoreline Project Phase II;
 - Strategy to Advance Flood Protection, Ecosystems and Recreation along San Francisco Bay (SAFER Bay);
 - Palo Alto Horizontal Levee Pilot Project;
 - Novato Deer Island Tidal Wetlands Restoration; and
 - Tiscornia Marsh Restoration Project.

- Category 3: Other. There are four projects that need other services from the BRRIT. These range from requests for a jurisdictional determination, assistance with an environmental review strategy, and discussion of general permitting requirements. Current Category 3 projects are:
 - Coyote Hills Regional Park - Restoration and Public Access Project;
 - Sonoma Creek Baylands Strategy;
 - Native and Invasive Spartina; and
 - Living Shorelines/Subtidal and Intertidal Habitat Restoration Projects.

Permitting Timelines

The three Category 1 projects that have submitted permit applications to date are Heron's Head Shoreline Resilience Project, 900 Innes Remediation Project, and Lower Walnut Creek Restoration Project.

Heron's Head Shoreline Resilience Project

The USACE received an application for Heron's Head Shoreline Resilience Project on October 1, 2019. The BRRIT met with the applicant for a site visit and meeting in November 2019, then the project applicant suspended activity on their project for redesign. They recently reengaged for an April follow-up meeting.

India Basin/900 Innes Remediation Project

The India Basin/900 Innes Remediation Project has been permitted. This project will remediate upland soils and excavate a subtidal area to prepare the area for restoration and use by the public as a park. The permit application and request for an Individual Permit was received by the USACE on August 2, 2019. Based on feedback from the BRRIT, the applicant subsequently withdrew the request for an Individual Permit and requested a Nationwide Permit 38 authorization on December 16, 2019. The federal lead agency for this project is USEPA.

Lower Walnut Creek Restoration Project

The Lower Walnut Creek Restoration Project would restore nearly 100 acres of tidal marsh along the Suisun Bay shoreline. The project is complex, with multiple special status species issues and overlapping jurisdictional issues with pipeline work associated with the Bureau of Reclamation. The PMC is working in tandem with BRRIT to identify permitting solutions to this project's multiple permitting hurdles. This project exemplifies the ambitious and bold restoration actions needed in the San Francisco Bay. The USACE received an application for this project on September 13, 2019. Although this project did not benefit from the robust pre-application coordination the BRRIT is intended to provide, the resolution of challenges provides the opportunity to inform similarly complex restoration projects in the future.

Pre-Permit Application Coordination

Below is a list of BRRIT meetings and site visits with projects. Subsequent to participating in pre-application meetings, the BRRIT provided written guidance to applicants within two weeks of the meeting.

Project	Purpose of Meeting	Date
McInnis Marsh Restoration Project	Pre-application	December 4, 2019

Palo Alto Horizontal Levee Pilot Project	Pre-application	December 4, 2019
San Leandro Shoreline	Pre-application	January 8, 2020
South San Francisco Bay Shoreline Phase II	Interagency Corps Meeting	January 14, 2020
South San Francisco Bay Shoreline Phase II	Pre-application	February 5, 2020
Tiscornia Marsh Restoration	Pre-application	February 5, 2020
Terminal 4 Wharf, Warehouse, and Piling Removal Project	Pre-application	February 12, 2020
South Bay Salt Pond, Eden Landing Phase II	Pre-application	March 4, 2020
SAFER Bay	Pre-application	March 4, 2020
Invasive Spartina High Tide Islands	Pre-application	March 11, 2020

Note: Novato Deer Island Tidal Wetlands Restoration Project is a Category 2 project. However, the applicant has not yet approached the BRRIT for a pre-application meeting.

Other Projects

USACE provided guidance to the Coyote Hills Regional Park Restoration and Public Access Project on their jurisdictional delineation. Additionally, the BRRIT reached out to the Sonoma Creek Baylands Strategy, but the project proponent requested to delay coordination.

Collaborative Learning

In an effort to obtain knowledge on relevant policy issues directly associated with San Francisco Bay restoration projects, the BRRIT met with scientific experts and others on or at the following topics and events:

- Wetland Habitat Type Conversion Framework webinar—learning about the tool/framework. USFWS and BCDC provided comments on multiple iterations of the draft framework. The team is planning to implement the completed framework for a pilot project this year, in coordination with USEPA;
- State of the Estuary conference;
- San Francisco Bay Sediment Workshop (San Francisco Estuary Institute);
- Beneficial Reuse of Dredged Materials Workshop;
- Presentation to BRRIT by BCDC Planning Staff on their effort to assess their mitigation policies and any need for amendment thereof;
- Use of Remote Sensing for Vegetation Monitoring and Mapping;
- Fish Monitoring in Restoration Projects;
- Estuarine Connectivity Symposium;
- Overview of Living Shoreline benefits and Subtidal Habitat Goals guidance (California Coastal Conservancy); and
- Ecology of Marsh Mosquitoes and Design Implications. Presentation to the BRRIT and PMC by Karl Malamud-Roam, Vector Control Consultants, and Wes Maffei, Napa County Mosquito Abatement District.

Lessons Learned

- **Continued outreach and communication on the benefits of early coordination is key.**
For the first eight months, the BRRIT served applicants in any stage of the permitting process to accommodate ongoing project schedules. However, without the benefit of pre-application coordination, the BRRIT encountered challenges to rapidly permitting a complex project. Moving forward, the BRRIT expects to be most useful when it can engage with applicants during the pre-application phase.
- **Recognizing ongoing challenges for the restoration community.** The following challenges have been raised by project applicants:
 - Monitoring requirements;
 - Mechanism for providing incidental take coverage for fully protected species;
 - Difficulty addressing concerns/modifying design of the project after a certain level of design;
 - Desire for timely coordination and an easier regulatory process for restoration projects;
 - Agency guidance on avoidance and minimization measures to include in the project;
 - Perceived inconsistencies between the protection measures required among projects Bay-wide;
 - Physical conditions (e.g., shallow depth, high turbidity, strong currents, site access constraints) are more challenging and construction is considerably more expensive in the Bay Area than other parts of the state; and
 - Permitting long-term adaptive management and maintenance.
- **Applying lessons learned.**
 - The BRRIT strives to address the challenges of the restoration community and is actively responding by working toward developing standardized monitoring requirements where appropriate, developing protocols and resources, and elevating issues to the PMC as needed.
 - The BRRIT benefitted from the collaborative learning sessions it arranged and incorporated the following elements in its meetings with applicants:
 - Wetland restoration projects can result in a need to control mosquitoes. The BRRIT is advising project applicants to coordinate with local Mosquito Abatement Districts on project design. Additionally, the BRRIT has requested that local Mosquito Abatement Districts provide best management practices to project applicants, as needed.
 - There is an urgent need to restore habitats now to prepare for the future. Consideration of fill for habitat, timeframe of benefits, given the latest sea level rise projections and anticipated natural evolution and loss of habitat if no management action is taken.
 - Encourage green infrastructure (living shorelines) solutions where appropriate, recognizing some projects may require a solution on the green to grey spectrum.

Challenges

Balancing expedited review with restoration project quality and environmental protection.

The BRRIT's primary purpose is to expedite permitting of restoration projects by collaboratively integrating project review, recognizing that the quality of restoration projects is paramount. The greatest ecosystem benefits are achieved when restoration projects are designed and reviewed, based on sound science, by interdisciplinary teams with expertise in the ecosystems being restored. Projects have the potential for significant environmental impacts in the absence of appropriate design approaches, approved construction methods, and post-construction impact mitigation measures. As such, projects must still comply with each agency's regulations and policies, and that supports their beneficial outcomes. The BRRIT continues to work toward expediting the permit process for projects while these issues are being resolved:

- **CDFW fully protected species.** There is no existing mechanism for CDFW to provide incidental take for fully protected species outside of scientific research, including efforts to recover the species. As noted above, CDFW is piloting an effort intended to result in a transparent, repeatable authorization process for Bay margin restoration projects (see Fully Protected Species MOUs for Restoration Projects in the PMC section).
- **Tools for Writing Permit Applications.** Tools, such as a Biological Assessment Builder, example Biological Opinions, example permit conditions, and a palette of avoidance and minimization measures, would be helpful to project proponents in putting together complete application packages and information for all agencies. The BRRIT is working to develop the tools with the goal of making them available on the BRRIT website in 2020 (see Guidance for Project Proponents in the PMC section).
- **USACE Nationwide Permit 27 (Restoration) vs. Individual Permits.** Project proponents need guidance on the appropriate permit pathway. Nationwide Permit 27 is an existing programmatic authorization for restoration projects, but is limited in terms of its scope. For example, it doesn't include authorization for long-term adaptive management strategies. By contrast, individual permits can take longer to get, but can be tailored to individual project needs.
- **Permit Timelines.** Permitting timelines depend on both agency and applicant responsiveness. While the BRRIT can facilitate timely communication, applicants may be working through a range of issues (e.g., land acquisition, CEQA development, project redesign) separate from BRRIT permitting work, which can delay their ability to respond to BRRIT requests.
- **Monitoring.** Currently, there is no coordinated monitoring program to inform key uncertainties related to restoration actions and anticipated species outcomes. Monitoring associated with restoration projects often needs to occur on a project-by-project basis, which can burden small restoration projects (see Restoration Project Monitoring item under the Permit and Policy Improvements section).
- **Project outcomes (e.g., establishment of habitat) can be uncertain** due to issues such as regular variations in weather and climate, the use of innovative or experimental restoration methods, and changes to conditions in the Bay (e.g., sea level rise, sediment supply).

Opportunities

In addition to the projects described above, the BRRIT will consider the following for development over time, as allowed by available resources.

- **Programmatic Approvals.** Consider incentives for restoration projects, similar to those that exist for other projects in the San Francisco Bay (e.g., LTMS programmatic biological opinion for navigational dredging, which allows projects that comply to not go through an individual Section 7 consultation). Ideas to implement this could include streamlined Section 7 consultations for restoration projects that are designed to contribute to recovery of listed species.
- **Anticipating Adaptive Management.** Encouraging project proponents to anticipate with some detail the long-term adaptive management actions that may be necessary for their project, so that authorization for that work can be included in the project's up-front permitting.

SAN FRANCISCO BAY COORDINATED PERMITTING APPROACH, AGENCY AGREEMENTS, AND PERFORMANCE MEASURES

PURPOSE: To improve the permitting process for multi-benefit wetland restoration projects and associated flood management and public access infrastructure in San Francisco Bay by dedicating agency representatives to review project information and prepare permit applications for consideration as a team in the most efficient manner.

BACKGROUND: Creating two joint inter-agency restoration teams - Bay Restoration Regulatory Integration Team (BRRIT) and the Policy and Management Team (PMT) - has been agreed upon during meetings held during 2017 and 2018 convened by the Resources Legacy Fund and Dudek with representatives from the US Army Corps of Engineers (Corps), National Marine Fisheries Service (NOAA Fisheries), US Fish and Wildlife Service (USFWS), San Francisco Bay Conservation and Development Commission (BCDC), San Francisco Bay Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (DFW), and the US Environmental Protection Agency (EPA).

WHAT: Collaboration within the multi-agency teams to ensure timely action and compliance with the following federal and state permitting authorities, including but not limited to: Clean Water Act (CWA) §404, CWA §401 Water Quality Certification, McAtee-Petris Act, Endangered Species Act & Essential Fish Habitat, California Endangered Species Act, California Water Code, CDFW 1600, San Francisco Bay Basin Plan, Suisun Marsh Preservation Act, Rivers and Harbors Act, Coastal Zone Management Act, California fully protected species.

WHERE: Multi-benefit wetland restoration projects in the San Francisco Bay and along the bay shoreline of the nine Bay Area counties, excluding the Delta Primary Zone.

WHY: The San Francisco Bay has an established tidal marsh goal of 100,000 acres, as well as goals for other wetland types, and there is a recommendation to accelerate the pace and scale of tidal marsh restoration, as tidal marshes established by 2030 are more likely to provide ongoing benefits when sea level rise accelerates at mid-century. (Baylands Goals Report, 1999 and 2015). The availability of \$500 million over the next 20 years for wetlands restoration and multi-benefit projects through the passage of Measure AA, and other funding sources, will require timely results and effectiveness of the restoration investments.

WHO:

- 1) Bay Restoration Regulatory Integration Team (BRRIT): To consist of 1.5 Full Time Employee (FTE) Corps, 1 FTE NOAA Fisheries, 1 FTE USFWS, 1 FTE BCDC, 1 FTE CDFW, 1 FTE RWQCB. (Inclusion of 1 FTE from EPA is possible on an ad hoc basis.)

- 2) Policy and Management Team (PMT): To consist of representatives from EPA, Corps, NOAA Fisheries, USFWS, BCDC, RWQCB, State Water Board, CDFW, and may include other entities as needed or suggested.

FUNDING: The estimated cost for the BRRIT is shown in the attached budget, which provides for 6 agencies to be paid for by the San Francisco Bay Restoration Authority and the Coastal Conservancy, and potentially the Santa Clara Valley Water District, East Bay Regional Park District, and others. An estimated \$278,000 will be provided through in-kind matching funds, including but not limited to USACE office space and equipment, and PMT participation. The ability to utilize funding for staff may be subject to hiring constraints applicable to individual participating agencies.

AGENCY AGREEMENTS

The following federal and state agencies agree to work together to form a coordinated permitting approach for multi-benefit wetland restoration projects in the San Francisco Bay and along the shoreline of the nine Bay Area counties, excluding the Delta Primary Zone: U.S. EPA Region 9; U.S. Army Corps of Engineers (Corps), San Francisco District; U.S. Fish and Wildlife Service (USFWS); NOAA National Marine Fisheries Service (NOAA Fisheries); San Francisco Bay Regional Water Quality Control Board (RWQCB); California Department of Fish and Wildlife (DFW); and San Francisco Bay Conservation and Development Commission (BCDC), (“the Agencies”).

The Agencies will form two teams: the Bay Restoration Regulatory Integration Team (BRRIT); and the Bay Restoration Policy and Management Team (PMT). The BRRIT will consist of dedicated staff from each agency to coordinate the review of project information to process and issue permits and other decision documents in a timely fashion. The PMT will be led by agency managers and will coordinate with the BRRIT as necessary to resolve policy issues and provide direction for any elevated project decisions. Projects will be screened for inclusion on the project list for BRRIT review by San Francisco Bay Restoration Authority staff, using the eligibility criteria for San Francisco Bay Restoration Authority funding, as described in Measure AA and associated Requests for Proposals.

AGREEMENT STANDARDS: BRRIT Commitments

By January 2019, a joint BRRIT pre-application process template and application template will be agreed upon by the agencies and used by applicants. The templates will include any necessary information required by any agency to consider a pre-application and an application.

- 1) Agency members of the BRRIT shall be of sufficiently senior civil service rank so as to work directly with their own agency management and the permit applicants to effect substantive changes as needed to ensure project permitting is not stalled.
- 2) The BRRIT will hold regular quarterly meetings and use agreed upon pre-application meeting procedures, which will be readily available to applicants and followed unless mutually agreed upon by the applicant and the agency team. The pre-application procedures will be conducted as follows (see attachment for further details):
 - a. Pre-Application Meeting Step 1
 - i. Applicant will use the pre-application template to submit project information no less than 14 calendar days prior to a regularly-scheduled BRRIT pre-application meeting.
 - ii. The BRRIT will review the project information and formulate questions and/or recommendations regarding project design, and avoidance, minimization, and other potential measures that would help to expedite permitting, will identify potential interagency conflicts, collectively examine possible approaches to solutions, and be prepared to provide direction and/or to recommend such solutions in writing at the Pre-Application Meeting Step 1.
 - iii. As part of Pre-Application Meeting Step 1 (Applicant can request Pre-Application Step 1 meetings be repeated as necessary):
 1. Applicant will present project information and respond to agency questions.
 2. The BRRIT will provide recommendations that will expedite permitting, and will identify potential interagency conflicts and propose solutions. The team will also explain how proposed solutions are derived citing regulatory and statutory requirements, as necessary, to provide a fully transparent process for the applicants. The BRRIT will document discussion of conflicts and proposed solutions.
 3. The BRRIT may conduct a site visit prior to the Pre-Application Meeting Step 2 to further understand potential conflicts and solutions and to provide more meaningful direction.
 - iv. If the BRRIT finds the project as proposed is clear of potential issues and conflicts, they will recommend the applicant's next step is to submit a permit application, Step 3 of the process.
 - v. If the BRRIT identifies potential conflicts and/or solutions, including interagency conflicts and solutions that would need project revisions, the team will recommend the applicant's next step is to update project information, in response to comments

received, and present the revised proposal to the BRRIT Team at Pre-Application Meeting Step 2.

- vi. If there are agency substantive issues and/or conflicts remaining that are law- or policy-driven, the BRRIT will document the issue(s) in a letter to the applicant and the PMT, citing the issue(s), the specific law(s) and/or regulation(s) with which the project is not in compliance, and provide recommendations for resolution.
- b. Pre-Application Meeting Step 2
 - i. Applicant will update project description and address identified conflicts. Applicant will submit updated project description no less than 14 calendar days prior to Pre-Application Meeting Step 2.
 - ii. Step 2 Meeting
 - 1. Applicant will present updated project information.
 - 2. Applicant and the BRRIT will resolve outstanding pre-application issues. All substantive project issues and conflicts that are not law- or policy-driven (i.e., permitting of project is not prohibited by existing laws or regulations) shall be resolved at this stage.
- c. Application Stage Step 3
 - i. The guidance provided by BRRIT in the pre-application procedures will guide the review of project applications consistent to the maximum extent possible with applicable federal and state laws, regulations, and policies.
 - ii. If any agency representative on the BRRIT identifies that a change in guidance is warranted due to a new issue, which must be a significant and unavoidable matter of their agency's law or policy, that would result in a change in previous agency guidance, that agency representative will identify the substantive issue(s) and elevate it to the PMT representative within their specific agency. If the PMT representative confirms that a change in guidance is significant and warranted (i.e., unavoidable matter of law or policy), the BRRIT and the applicant will be notified immediately to set up a meeting to discuss potential solutions. The BRRIT team member generating the issue will lead the process to alter the application and resolve any problems.
 - iii. Application review timelines shall be in accordance with the permitting coordination timelines described in this document at the *BRRIT Performance Measures: Permitting Coordination Timelines* Sections (1) through (4)
- 3) The Corps, in concert with BRRIT, will initiate appropriate, real-time tracking of timelines and other administrative milestones starting with the pre-application process through

permit application completion. This will include identifying potential conflicting requirements, and dates of significant interaction with applicant (e.g. document submittal, meetings, etc.). Information tracked will be provided to the funders and applicants on a quarterly basis.

- 4) If major decisions on permit applications would change the overall project or if permit denial is contemplated, the BRRIT will immediately set up a meeting with the applicant to discuss and will inform the PMT.
- 5) Agency members of the BRRIT shall attend pre-application meetings and project site tours as relevant to agency jurisdiction.
- 6) Agency members of the BRRIT shall make every effort to have their respective BRRIT members at USACE offices in San Francisco a minimum of 2.5 days per week. However, agency members of the BRRIT shall meet at the USACE offices in San Francisco a minimum of 5 days per month. BRRIT members will confer regularly on pre-applications and applications.
- 7) BRRIT will conduct outreach to permittees and interested parties as appropriate.

BRRIT PERFORMANCE MEASURES: Permitting Coordination Timelines

- 1) Upon completion of the pre-application process, the project applicant will submit its permit application to each Agency at the same time. The USACE will stamp the permit application with the date of receipt by the USACE, which date will be the Receipt Date. The USACE will notify the Agencies and the project applicant of the Receipt Date. Within thirty (30) calendar days of the Receipt Date, the BRRIT will coordinate their separate agency response letters notifying the project applicant of application completeness or incompleteness. If an agency letter indicates “incompleteness”, the letter will identify specific additional information needed to complete the permit application(s). The BRRIT shall provide such notification within the stated time frame at least 90% of the time.
- 2) USACE will send federal Endangered Species Act Section 7 consultation initiation request letters and Section 106 consultation initiation letters within fifteen (15) days of receiving adequate information from the project applicant to make a determination of effect and initiate consultation. The USFWS and NMFS will confirm initiation of consultation within fifteen (15) days of receiving the Corps’ initiation request letter. The BRRIT shall provide initiation requested letters within the stated time frame at least 90% of the time.
- 3) Project applications for “simple projects” (e.g. such as those requiring a Mitigated Negative Declaration level of CEQA review and that have “no effect” to federal or state threatened or endangered species) will be approved or denied (“processed”) within 120 days of the

Receipt Date. The BRRIT shall process simple applications within the stated time frame at least 80% of the time.

- 4) Project applications that require an Environmental Impact Report-level of CEQA review and/or “may effect” federal or state threatened or endangered species will be processed within 210 days of the Receipt Date. The BRRIT shall process complex applications within the stated time frame at least 80% of the time.

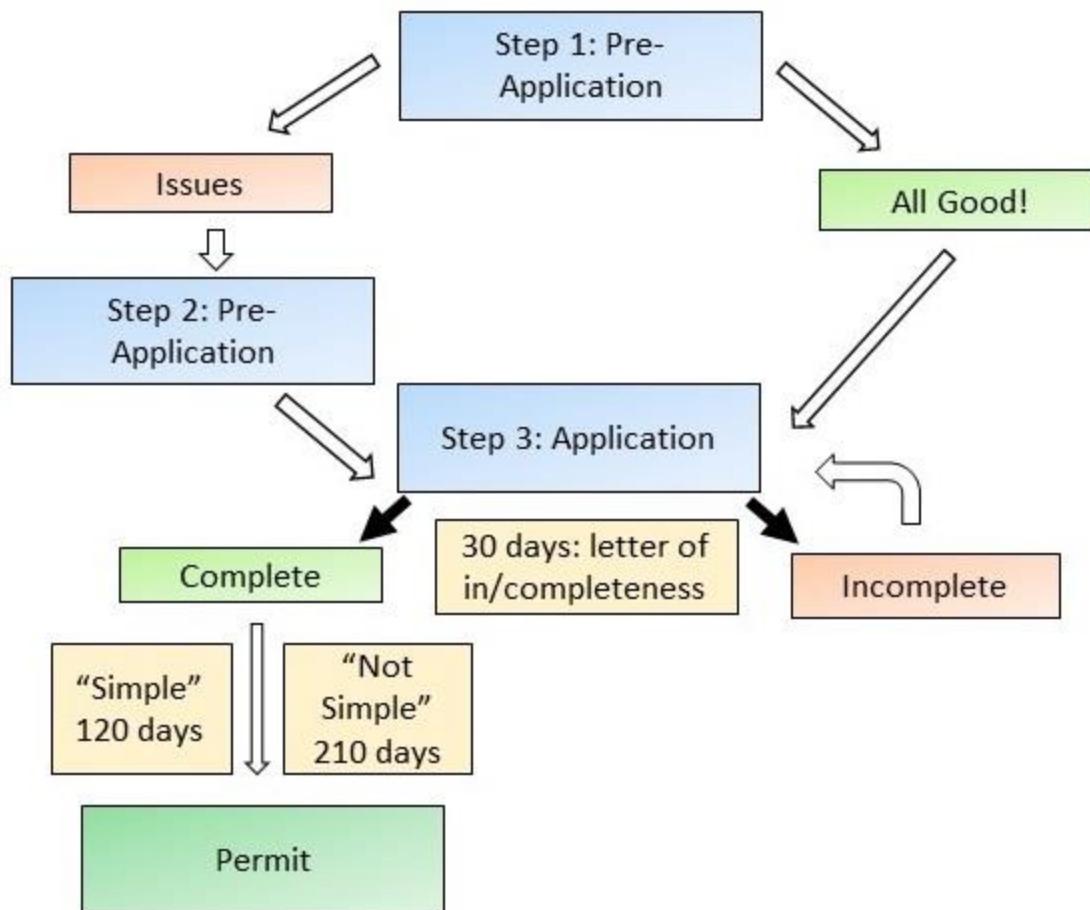
AGREEMENT STANDARDS: PMT Commitments

- 1) Agency members of the PMT shall be senior managers with the ability to make management decisions, permit decisions, and coordinate policy changes within their agency.
- 2) The BRRIT will be evaluated by PMT, the San Francisco Bay Restoration Authority and other funders, after its first six (6) months and annually thereafter, to assess performance against the performance measures listed above.
- 3) The PMT will create a system for achieving the policy deliverables identified in the *PMT PERFORMANCE MEASURES: Policy Deliverables* Sections (1) and (2), below. The system will identify policy issues and policy conflicts, include an outline and timeline for resolving the issues presented to them by the BRRIT, and identify a process for elevating issues that require agency policy shifts.

PMT PERFORMANCE MEASURES: Policy Deliverables

- 1) Each agency will actively participate in the development of a single prioritized list of initiatives (Permit and Policy Improvement List) to increase efficiency in permit review and/or resolving policy issues that have been identified as limiting flexibility in the design and permitting of multi-benefit restoration projects (based on the attached “Sand in the Gears” document, known permit efficiencies, 2016 USACE/EPA Collaboration Memo, FAST-41 Act, etc). This list shall be developed within six months of authorization of funding by the San Francisco Bay Restoration Authority, if not earlier.
- 2) Upon establishment of the Permit and Policy Improvement List, at least one (1) initiative identified on the list (in the form of standard operating procedures, new or revised policy, memorandum of agreement, memorandum of understanding, or other agency-to-agency agreement or initiative) shall be developed and implemented within one (1) year. Thereafter, at least one (1) initiative identified from the list will be developed and implemented annually.

Figure 1. BRRIT Process Flow Chart



SAN FRANCISCO BAY COORDINATED PERMITTING APPROACH

Policy and Management Team

Permit and Policy Improvement List

January 7, 2019

The Policy and Management Team (PMT) was established by the coordinated permitting approach agreement. The PMT is tasked with creating a system to identify and resolve policy issues and conflicts, and to identify a process for elevating issues that require agency policy shifts. A first step as described in the agreement is to develop a prioritized permit and policy improvement list, and to subsequently implement at least one initiative annually. The following list includes all the issues identified in the “Sand in the Gears” document and is organized into three prioritization categories:

1. Issues that may be addressed by December 2019 (initiatives currently underway)
2. Issues that may be addressed after 2019 (initiatives currently underway)
3. Issues and initiatives requiring further development (no identified initiatives underway)

The prioritization categories are primarily based on the timeframes for which resolution of the issues could be achieved, consistent with the agreement. As the PMT begins to work, achieves some success, and faces anticipated challenges (e.g., collaborative decision making among agencies), this list and prioritization will be revised. New issues will be considered as they are brought to the PMT by the BRRIT and stakeholders, and the list will be revised at least annually.

POLICY ISSUES	INITIATIVES
1. Issues that may be addressed by December 2019 (initiatives currently underway).	
<p>a. Type Conversion</p> <p>To accomplish regional wetland restoration goals, it is necessary to convert one type of wetland habitat to another. For example, currently diked baylands or seasonal wetlands may be converted to tidal baylands. When wetland-to-wetland conversion occurs in the process of restoring a site, some permitting agencies require compensatory mitigation while other agencies do not. Additionally, there are inconsistent approaches as regulators analyze projects and make mitigation decisions. Regulatory decisions need to be supported by robust technical frameworks to avoid additional project costs, lack of regulatory certainty, conflicting requirements, and project delays.</p>	<p>A multi-agency project is underway to develop a science-based framework for assessing habitat type conversion actions in the SF Bay Region and elsewhere. This framework would facilitate consistent and more transparent decision making. EPA is leading the effort with funding and staff while the other agencies are providing staff time. The PMT’s goal is to use this effort to agree on a common decision-making approach by the end of 2019.</p>

POLICY ISSUES	INITIATIVES
1. Issues that may be addressed by December 2019 (initiatives currently underway), CONTINUED	
<p>b. Fill for Habitat</p> <p>Habitat transition zones (e.g., ecotone slope levees, high tide refugia) and other habitat features, (e.g., nesting bird islands) are important features that provide sea level rise resilience. Creating these features requires fill in wetlands or open water, an activity that is limited by some agencies and that often triggers mitigation. Filling areas of existing habitat is linked to habitat conversion issue described above as it converts habitat from one type to another.</p>	<p>The PMT will consider multiple efforts that address this policy issue. Currently, the initiatives described here are underway and the PMT should coordinate with the agencies leading those efforts.</p> <p>The Water Board recently completed grant-funded work to look at policies that may lead to Basin Plan amendments. Those efforts are likely to extend beyond 2019. In the meantime, the Water Board is evaluating its ability to address the issue using existing policies.</p> <p>On July 20, 2017, BCDC approved consideration of an amendment to the San Francisco Bay Plan to allow additional fill policies for habitat projects. The amendment process is now underway, supported by the Commission's Bay Fill Policies Working Group, a committee of 5 Commissioners, including Water Board, EPA, and USACE representatives. Water Board, EPA, and USACE representative participation is intended to facilitate crosswalk policy discussions between BCDC and these agencies, specifically Clean Water Act Section 401 and 404 permitting. Coordination with the PMT would assist in creating permit consistency. The Bay Plan amendment process is scheduled for completion in late 2019.</p>
<p>c. Elevation and Resolution of Issues</p> <p>While the PMT has begun to develop process for both the BRRIT and itself, it has not yet discussed or created an agreed-upon process for resolving issues elevated to the PMT from the BRRIT. This process will necessitate consideration of each agency's law, policies, and authority. A decision-making process must be identified and agreed upon by the PMT prior to elevating issues.</p>	<p>The PMT has initiated this discussion and will likely have framework in place by the second quarter of 2019.</p>

POLICY ISSUES	INITIATIVES
2. Issues that may be addressed after 2019 (initiatives currently underway).	
<p>a. Wetland Monitoring Regulatory agencies include monitoring requirements in their permits to evaluate project success. However, there can be a lack of consistency between these monitoring requirements. The cost of monitoring requirements can be burdensome and associated funding is difficult to obtain. Large scale, long-range restoration projects have greater levels of uncertainty related to timing and successful habitat outcomes, especially in light of climate change and sediment availability. Uncertainty is difficult to address in the currently regulatory framework. Project proponents and agencies need the ability to experiment and tolerate risk consistently to address the dynamic, systemic changes that are occurring.</p>	<ol style="list-style-type: none"> 1. The Wetlands Regional Monitoring Project (WRMP). The San Francisco Estuary Partnership is working with stakeholders through an EPA grant to develop a tidal wetland regional monitoring plan for the Bay Area. The plan will include recommendations for funding and data management. The plan is expected to be completed in late 2019. 2. Fisheries Monitoring Framework. NMFS is working with UC Santa Cruz to develop wetland monitoring framework for fisheries in the greater SF Bay region. The framework would identify and provide monitoring components for inclusion in project-specific monitoring plans. It would provide standardized monitoring methods to determine the effectiveness of restoration projects for fish. 3. Wetland Habitat Assessment Team (WHAT). BCDC's internal habitat and restoration science and policy working group educates new staff, discusses and evaluates projects and monitoring reports, identifies BCDC permit compliance issues, and seeks regulatory program improvements. 4. RIPTIDES Internship Program. RIPTIDES is a partnership between BCDC, SFSU, and the San Francisco Bay National Ecological Estuarine Research Reserve working with master's students to analyze the success of San Francisco Bay wetland restoration and mitigation projects and the outcomes of wetland monitoring that is required in BCDC permits.
<p>b. Public Access and Wildlife Compatibility BCDC is the only regulatory resource agency that includes public access requirements in its permits. Other agencies require minimization of public access to protect habitat value. These potentially conflicting mandates create uncertainty for project applicants in designing a permissible restoration project and can result in project design delays.</p>	<p>In 2012, BCDC amended the Bay Plan Public Access policies to address potential conflict between protecting wildlife and encouraging public access in habitat areas. The PMT should revisit these policies and the associated report, review the current science and recreation trends, and discuss their findings in order to address this concern.</p> <p>BCDC will be undertaking a Bay Plan amendment process to address the larger issue of public access and rising sea level, and this issue likely within the next 3 years.</p>

3. Issues and initiatives requiring further development (no identified initiatives underway).

- a. Lack of collaborative decision-making among agencies.
- b. Upland alternatives to fill for habitat.
- c. Protecting single species in the context of larger, holistic restoration goals.
- d. Permitting inconsistencies related to State and Federal Endangered Species Acts, and Fully Protected Species (e.g., salt marsh harvest mouse, Ridgway's rail, peregrine falcon, brown pelican).
- e. Short-term impacts of wetland restoration activities vs. long-term benefits of the overall wetland restoration.
- f. Restoring watershed to Bay connection to improve sediment supply to baylands.

SAN FRANCISCO BAY COORDINATED PERMITTING APPROACH
Policy and Management Committee
Permit and Policy Improvement List
Updated April 2020

The Policy and Management Committee (PMC) is part of the coordinated permitting approach agreement, which includes the Bay Restoration Regulatory Integration Team (BRRIT), and whose responsibilities are described in an interagency memorandum of understanding. The PMC is tasked with creating a system to identify and resolve policy issues and conflicts, and to identify a process for elevating issues that require agency policy shifts. The permit and policy improvement list identifies priority issues identified to date and a timeline for addressing the issues in the three categories below with a commitment to implement at least one initiative annually.

1. Issues that have been addressed (initiatives completed through early 2020)
2. Issues that are being addressed during the current calendar year (initiatives currently under way, with an anticipated completion date in 2020)
3. Issues and initiatives requiring further development (no identified initiatives under way, or initial work has begun, but will not be completed until after 2020)

The prioritization categories are primarily based on the timeframes for which resolution of the issues could be achieved, consistent with the agreement. As the PMC begins to work, achieves some success, and faces anticipated challenges (e.g., collaborative decision making among agencies), this list and prioritization will be revised. New issues will be considered as they are brought to the PMT by the BRRIT and stakeholders, and the list will be revised at least annually.

POLICY ISSUES	INITIATIVES
1. Issues addressed by early 2020.	
<p>a. Type Conversion</p> <p>To accomplish regional wetland restoration goals, it is necessary to convert one type of wetland habitat to another. For example, currently diked baylands or seasonal wetlands may be converted to tidal baylands. When wetland-to-wetland conversion occurs in the process of restoring a site, some permitting agencies require compensatory mitigation while other agencies do not. Additionally, there are inconsistent approaches as regulators analyze projects and make mitigation decisions. Regulatory decisions need to be supported by robust technical frameworks to avoid additional project costs, lack of regulatory certainty, conflicting requirements, and project delays.</p>	<p>A multi-agency project is underway to develop a science-based framework for assessing habitat type conversion actions in the SF Bay Region and elsewhere. This framework would facilitate consistent and more transparent decision making. EPA is leading the effort with funding and staff while the other agencies are providing staff time. The PMC's goal is to use this effort to agree on a common decision-making approach by the end of 2019.</p> <p><i>2020 Update:</i> The final framework was distributed to agency partners on February 14, 2020. Pilot implementation of the final framework is planned for a project under the BRRIT's purview in 2020.</p>

POLICY ISSUES	INITIATIVES
1. Issues addressed by early 2020, CONTINUED	
<p>b. Fill for Habitat</p> <p>Habitat transition zones (e.g., ecotone slope levees, high tide refugia) and other habitat features, (e.g., nesting bird islands) are important features that provide sea level rise resilience. Creating these features requires fill in wetlands or open water, an activity that is limited by some agencies and that often triggers mitigation. Filling areas of existing habitat is linked to habitat conversion issue described above as it converts habitat from one type to another.</p>	<p>The PMC will consider multiple efforts that address this policy issue. Currently, the initiatives described here are under way and the PMC should coordinate with the agencies leading those efforts.</p> <p>The Water Board recently completed grant-funded work to look at policies that may lead to Basin Plan amendments. Those efforts will extend beyond 2019. In the meantime, the Water Board is evaluating its ability to address the issue using existing policies.</p> <p>On July 20, 2017, BCDC approved consideration of an amendment to the San Francisco Bay Plan to allow additional fill policies for habitat projects. The amendment process is now underway, supported by the Commission's Bay Fill Policies Working Group, a committee of 5 Commissioners, including Water Board, EPA, and USACE representatives. Water Board, EPA, and USACE representative participation is intended to facilitate crosswalk policy discussions between BCDC and these agencies, specifically Clean Water Act Section 401 and 404 permitting. Coordination with the PMC would assist in creating permit consistency. The Bay Plan amendment process was completed on October 3, 2019.</p>

POLICY ISSUES	INITIATIVES
2. Issues that may be addressed during the current calendar year (initiatives currently under way).	
<p>a. Elevation and Resolution of Issues</p> <p>The PMC has begun to develop a process for both the BRRIT and itself, and has discussed, but not yet finalized, an agreed-upon process for resolving issues elevated to the PMT from the BRRIT. This process will necessitate consideration of each agency's law, policies, and authority. A decision-making process must be identified and agreed upon by the PMC prior to elevating issues.</p>	<p>The PMC initiated this discussion in 2019.</p> <p><i>2020 Update:</i> Informal elevation of project issues has occurred with BRRIT's first two projects, India Basin/900 Innes and Lower Walnut Creek. A BRRIT and PMC communication protocol for identifying and elevating issues has been drafted for review by the PMC and BRRIT. Protocols for elevating issues are planned to be finalized by spring 2020.</p>
<p>b. Wetland Monitoring</p> <p>Regulatory agencies include monitoring requirements in their permits to evaluate project success. However, there can be a lack of consistency between these monitoring requirements. The cost of monitoring requirements can be burdensome and associated funding is difficult to obtain. Large scale, long-range restoration projects have greater levels of uncertainty related to timing and successful habitat outcomes, especially in light of climate change and sediment availability. Uncertainty is difficult to address in the currently regulatory framework. Project proponents and agencies need the ability to experiment and tolerate risk consistently to address the dynamic, systemic changes that are occurring.</p>	<p>1. The Wetlands Regional Monitoring Project (WRMP). The San Francisco Estuary Partnership is working with stakeholders through an EPA grant to develop a tidal wetland regional monitoring plan for the Bay Area. The plan will include recommendations for funding and data management. The plan is expected to be completed in late 2019.</p> <p><i>2020 Update:</i> SFEP has additional EPA funding to continue planning the WRMP through 2021. The scientific framework for the WRMP was completed in early 2020. Program elements that will continue to be developed through 2021 include an implementation plan that describes a funding and governance structure, and a data management plan.</p> <p>2. Fisheries Monitoring Framework. NMFS is working to develop a fish monitoring framework for restoration projects in the greater SF Bay region. The framework will identify and provide monitoring guidance for inclusion in project-specific monitoring plans and resources for standardized monitoring methods to determine the effectiveness of restoration projects for fish.</p> <p>3. Wetland Habitat Assessment Team (WHAT). BCDC's internal habitat and restoration science and policy working group educates new staff, discusses and evaluates projects and monitoring reports, identifies BCDC permit compliance issues, and seeks regulatory program improvements.</p> <p>4. RIPTIDES Internship Program. RIPTIDES is a partnership between BCDC, SFSU, and the San Francisco Bay National</p>

	<p>Ecological Estuarine Research Reserve working with master's students to analyze the success of San Francisco Bay wetland restoration and mitigation projects and the outcomes of wetland monitoring that is required in BCDC permits.</p>
c. Permitting inconsistencies related to State and Federal Endangered Species Acts, and Fully Protected Species (e.g., salt marsh harvest mouse, Ridgway's rail, peregrine falcon, brown pelican). Specifically, restoration projects may have long-term benefits to special-status species, but project construction and establishment can have the potential to result in significant short-term impacts. Under the State Fish and Game Code, CDFW is unable to issue permits to take or possess a fully protected species. However, CDFW may authorize the taking of a fully protected species for necessary scientific research, including efforts to recover fully protected species.	<p>Working with the Lower Walnut Creek Restoration Project, CDFW has initiated consultation with the intent to issue a fully protected species permit if the project can demonstrate that the restoration will contribute to the recovery of the fully protected salt marsh harvest mouse. Through this effort, CDFW is developing guidance to assist other large-scale restoration projects that may cause take of fully protected species during restoration activities.</p>
d. Develop guidance for project applicants	<p>Restoration projects often have similar issues and, while knowledge may reside in particular project proponents or consultants, there is an opportunity to facilitate project development and permitting by completing FAQs and providing other guidance, such as typically approved management practices and example biological opinions. BRRIT staff will work to develop guidance for project proponents over the course of 2020, making it available on the BRRIT web page, with the goal of finalizing available guidance by the end of 2020, to help project proponents address simple questions that may repeatedly arise.</p>

3. Issues and initiatives requiring further development (no identified initiatives under way, or work has begun, but is unlikely to be completed during the current calendar year).

POLICY ISSUES	INITIATIVES
<p>a. Public Access and Wildlife Compatibility BCDC is the only regulatory resource agency that includes public access requirements in its permits. Other agencies require minimization of public access to protect habitat value. These potentially conflicting mandates create uncertainty for project applicants in designing a permittable restoration project and can result in project design delays.</p>	<p>In 2012, BCDC amended the Bay Plan Public Access policies to address potential conflict between protecting wildlife and encouraging public access in habitat areas. The PMT should revisit these policies and the associated report, review the current science and recreation trends, and discuss their findings in order to address this concern.</p> <p>BCDC will be undertaking a Bay Plan amendment process to address the larger issue of public access and rising sea levels, likely within the next 3 years.</p>
<p>b. Lack of collaborative decision-making among agencies.</p> <p>c. Upland alternatives to fill for habitat.</p> <p>d. Protecting single species in the context of larger, holistic restoration goals.</p> <p>e. Short-term impacts of wetland restoration activities vs. long-term benefits of the overall wetland restoration.</p> <p>f. Restoring watershed to Bay connection to improve sediment supply to baylands.</p>	