Association of Bay Area Governments
Bay Area Air Quality Management District
Bay Conservation and Development Commission
Metropolitan Transportation Commission

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JOINT POLICY COMMITTEE — REGIONAL PLANNING PROGRAM

Minutes of the Meeting of July 18, 2014
Held at 10:00 AM at the Metro Center Auditorium, Oakland

ABAG	BAAQMD	BCDC	MTC
Scott Haggerty	Nate Miley	John Gioia	Amy Worth
Mark Luce	Mary Nejedly Piepho	Anne Halsted	
Julie Pierce	Mark Ross	Kathrin Sears	
		Zack Wasserman	
		Bradley Wagenknecht	

1. **Call to Order**

   Chair Gioia called the meeting to order.

2. **Overview of Types of Regional Agency Joint Projects and Role of JPC (Allison Brooks, JPC) –** *Attachments Matrix and Memo*

Allison provides an overview of current body of work under JPC including climate change, major regional planning efforts and economic development and outlined different levels of integration among the four JPC member agencies on different projects.

- Ms. Pierce said this is a really good start. She wants this to be an ongoing fluid list, which can be added to. People may be surprised how many things we work together on. It would be good to share with some of our legislators.
- Mr. Wasserman agreed it should be a fluid list, and the other piece we need to be careful of is that there may be policies executed by one agency that do not intersect with other agencies, but that have a regional impact. We are charged with taking a look at those as well, and executing an early warning system to avoid problems we have had in the past.

3. **Adapting to Rising Tides (ART) Program: The Hayward Shoreline Resilience Study (Lindy Lowe, ART Program Manager and Maggie Wenger, BCDC National Oceanic and Atmospheric Administration (NOAA) Coastal Fellow**

Ms. Brooks introduced the speakers by saying this is the first in a series of presentations that will be brought to the JPC sharing interim findings from research conducted through the ART program, moving toward a greater regional understanding of the local and regional implications of rising sea level.

Mr. Larry Goldzband said that San Mateo County Supervisor Dave Pine said to him a couple of months ago – I love the ART project, but I want to know what the ramifications are, what are the end results? This presentation is designed to show how communities

will have the opportunity to understand the choices they have in relation to rising sea levels resulting from climate change.

Ms. Lindy Lowe gave a PowerPoint presentation on the ART program (posted on the JPC website)

Ms. Maggie Wenger gave a PowerPoint presentation on the Hayward Shoreline Resilience Study (posted on the JPC website)

Questions in response to Ms. Lowe's presentation:

- Ms. Nejedly Piepho mentioned that the presentation touched on vulnerability of passenger rail. Is BCDC considering other types of rail, which also have vulnerabilities to sea level rise? Are we looking at rail comprehensively?

Ms. Lowe explained that this initial research was conducted through a partnership with the Capital Corridor Authority, but BCDC has assessed cargo and passenger rail and will continue to do so. For example, for the Oakland Seaport, greatest vulnerability is freight rail. We have looked at the rail system comprehensively in our earlier projects and we will work to scale up the analysis to look at what it means for cargo in addition to passenger rail in terms of weak links and hot spots.

- Ms. Nejedly Piepho said there is an ongoing discussion in Contra Costa County related to crude oil transport. In relationship with rail bridge safety. Rail Bridge infrastructure is not responsibility of federal government, it is the responsibility of the railroads. The individual rail folks do not have a good track record working with local governments.

Ms. Lowe said it has been difficult for the Capital Corridor to work with Union Pacific as well. This work will unveil findings we can use when talking with Union Pacific.

Mr. Goldzband suggested that if UP wanted to provide a contract to BCDC to help them identify hot spots throughout the Bay Area we would be happy to do so. They have not reached out to us.

- Ms. Nejedly Piepho suggested this could be a focus of Ms. Brooks' efforts moving forward. Pressure needs to be applied to appropriate place. This might be an excellent forum for that discussion to start.
- Ms. Pierce said that her experience working with UP has been that they are more than happy to talk with you as long as you bring money to the table. Otherwise, they will not cooperate. We need to be aware of that, and not be surprised.
- Mr. Ross said regarding his experience with UP – there are two lines that run through the City of Martinez- they are not too interested in identifying for the record their liabilities should something happen. We may need to find another route to identify these issues.

Questions and comments resulting from Ms. Wegner's presentation:

- Chair Gioia suggested that BCDC summarize the lessons learned from the Hayward experience to inform regional approaches on how to address sea level rise. Everyone is working really hard within his or her organizational structures, but that may not work for the region.

- Mr. Rapport asked - were you assuming, in your first scenario, that if we don't all work together that nothing gets done?

Ms. Wegner replied that the first scenario assumes that everyone does everything within his or her power, but it fails. The best conversation we had as part of this project was how do you even begin to think about feasibility? That is part of how the working group is moving forward – what are engineering possibilities for these landscapes, costs, challenges, opportunities, etc.? Playing the convening role and bringing in as much information we can to local governments helps them take this issue up.

- Chair Gioia asked if there were a set of recommendations regarding ways to make this process easier on a governance level? One of the things I think would be useful for us it to make suggestions as to what could change to better support adequate responses to sea level rise.

Mr. Goldzband said that a great outcome of this is that BCDC does not own this, but that Hayward owns this with BCDC. They have done a great job of focusing in on the best options for the City of Hayward.

- Mr. Wasserman asked Ms. Wegner to make a pitch for "Sharks in our Backyard" – the last meeting in Hayward is this Saturday to help community members get their arms around sea level rise. He said it is a wonderfully graphic ways of demonstrating what's coming.
- Ms. Pierce shared that the fall assembly for ABAG will be a resilience conference, not a typical fall assembly. This is a perfect item for the agenda. We are all dealing with the challenge of convening the agencies that need to be working together. The date for that meeting is October 16th, likely in Oakland at the Marriott Convention Center.
- Ms. Worth said it was a wonderful presentation and great work. Picking up on comments of BCDC chair, will some of these workshops be developed in a way so we can share them with other communities across the Bay Area? Based on our experience presenting a movie on the construction of the Bay Bridge at the Oakland Museum, providing visuals can be very powerful.

Ms. Lowe said BCDC is in the process of developing the tools to make them applicable to other cities and counties. For example, we are working with Supervisor Sears in Marin to develop communication and process tools in Marin.

- Ms. Worth said that most of our counties have regular meetings with Mayors and Councilmembers, which would be a good venue for a presentation like this.
- Ms. Sears shared that Marin County has developed a Sea level Rise subcommittee. These resources help focus our efforts.
- Mr. Wasserman said that we do need to figure out the resources that will allow BCDC to take ART on the road.
- Ms. Pierce suggested that aspects of this presentation would be helpful in outreach to the public the need for regional planning and how we integrate all of these things into the SCS. It helps tell our story about regional planning in a far more down to earth way that people can sense on a gut and personal level.

Ms. Lowe said that they have found that developing large reports is not that useful to the desired end users. BCDC is developing a variety of tools and resources that will be available to a wide audience. We will continue to develop –as it is an iterative process – what we are learning in the pilot project and in other places where we are working.

Mr. Rapport said it was a great presentation and it raises a lot of issues. We need to discuss these in the future, particularly as it relates to the SCS. We are looking at PDA's and how resilient those areas are, regional assets and the timeframe in which these risks are occurring, and the various assumptions that have to be made. We need to continue to have a dialogue to decide where do we go from here?

4. California State Legislative Summary and Next Steps for JPC (Rebecca Long, MTC and Tom Addison, BAAQMD)

Ms. Brooks introduced Ms. Long with MTC, who provided an overview of a handout regarding the different funding categories for expending cap-and-trade revenue (posted on the JPC website).

- Chair Gioia said to Ms. Long that this was the best collection of materials in one place for cap-and-trade. It would be great to put this up on the web so people can access this user-friendly information. This is very well done.

Ms. Long provided some context regarding disadvantaged communities, explaining that SB 535 (Senator DeLeon) passed in 2012 and requires that 25% of cap-and-trade revenue must be invested to benefit disadvantaged communities and 10% must be invested directly in disadvantaged communities. The California Environmental Protection Agency (CalEPA) is the entity identified to define disadvantaged communities. The California Air Resources Board (CARB) is charged with defining what is considered a benefit.

CalEPA is holding a series of workshops to help determine eligible disadvantaged communities. CalEPA has proposed using the CalEnviroScreen 2.0 tool – developed by the Office of Health Hazards Assessment (OEHHA) - to identify those communities.

Mr. Addison from BAAQMD shared that the JPC and other agencies have submitted letters to OEHHA raising concerns about CalEnviroScreen 2.0 given that Bay Area disadvantaged communities are underrepresented using this tool. BAAQMD has been raising concerns over the last two years.

Mr. Addison went over the 19 factors (Attachment 4 in handout) that are currently all weighted equally as part of the CalEnviroScreen 2.0 methodology.

What are next steps?

- It was proposed the JPC to reach out to the Bay Area delegation to have them reach out to OEHHA regarding problems with the CalEnviroScreen 2.0 tool.

Mr. Broadbent said he met with Mr. Rodriguez last week and Mr. Rodriguez indicated he would take the concerns of Bay Area under consideration.

- Ms. Nejedly Piepho said she is hearing a sense of urgency to take some action. Providing necessary information to cities and counties to encourage them to reach out on this issue will be helpful.
- Mr. Wasserman made a motion supporting a JPC letter to the Bay Area delegation. Ms. Nejedly Piepho seconded the motion. Mr. Wasserman asked whether the letter should be from four JPC member agency Executive Directors or from the Chairs of the four agencies, and the Chair of the JPC.
- Chair Gioia concurred that the letter should be signed by the five Chairs. He takes a vote. All voted in favor.
- Ms. Nejedly Piepho requested that the letter be cc'd to each of the JPC members, and to the cities and counties.

Ms. Long stated that it was important to remember that the statue does not define what is considered a benefit. CARB will focus on the benefit issue, but not how disadvantaged communities are defined.

Mr. Heminger said this is an important point – how do you define benefit? What the Bay Area is doing through our Sustainable Communities Strategy is benefitting the Central Valley. It is to their benefit that we are able to make the plan a reality in the Bay Area.

AB69 is still being considered that would take the fuels out from under the Cap, which would reduce the amount of money that falls under cap-and-trade considerably. This will continue to be tracked.

5. JPC Climate Program Update (Bruce Riordan, JPC)

Mr. Riordan gave a PowerPoint presentation providing an update on the Climate Readiness Institute (CRI), the Bay Area Climate and Energy Resilience Project (BACERP), and an emerging regional collaborative effort currently called the Alliance for Climate Resilience (ACR).

CRI is a partnership between practitioners and academics from Lawrence Berkeley Lab, UC Berkeley, Stanford and UC Davis. There are a few major funding proposals being submitted to support the Initiative. JPC staff is working with staff at UC Berkeley to move the project along, including in facilitating different working groups emerging to tackle different issues.

BACERP has held and is holding series of webinars highlighting different climate efforts underway across the Bay Area, including projects by BCDC and BAAQMD.

Ms. Worth thanked Bruce for his work. She wants to understand how he is incorporating this work with Plan Bay Area. How are the climate issues integrating with the housing, transportation and economic development issues?

Chair Gioia inquired about how this work is being incorporated into other JPC areas of focus namely the Sea Level Rise work and Plan Bay Area.

Mr. Riordan said that Ms. Worth touches on the main point of the CRI - to bring practitioners from government, non-profit and business sectors with the academics to address these issues.

Mr. Rapport said an important question for us is how resilient Plan Bay Area is. We need to lie out the different components of this question more clearly in the future.

6. JPC Organizational Planning Update (Allison Brooks, JPC)

We will be interviewing teams that have submitted proposals in the next week. We will make a decision and you will get the opportunity to meet the team in person in September.

Mr. Haggerty asked why we need professional support. Why have we not thought about doing this in-house instead of spending the money?

Mr. Rapport said that the reason the costs are so low ($45,000) is that we are sharing the burden of the costs across the agencies.

BAAQMD and MTC are both paying $15,000; BCDC is paying $10,000; and ABAG is paying $5,000.

Ms. Brooks said that the agencies have made a concerted effort to shape the JPC over the last ten years, and it has all been done in-house. This is an attempt to try something different.

Mr. Haggerty concurred.

7. Approval of Joint Policy Committee Meeting Minutes of May 16, 2014

Ms. Nejedly Piepho moved to approve the minutes. The motion was seconded. The minutes were approved.

8. Adjournment

Chair Gioia adjourned the meeting at 12:00pm

Date Submitted:

Date Approved: