



## JOINT POLICY COMMITTEE — REGIONAL PLANNING PROGRAM

### Minutes of the Meeting of September 21, 2012 Held at 10:00 AM at the Metro Center Auditorium, Oakland

ABAG

Jane Brunner  
 Dave Cortese  
 Mark Green  
 Rose Jacobs Gibson  
 Scott Haggerty  
 Mark Luce\*  
 Julie Pierce\*

BAAQMD

Tom Bates, Chair  
 Eric Mar  
 Mark Ross  
Mary Nejedly Piepho

BCDC

Geoffry Gibbs  
 John Gioia  
 Kathrin Sears  
 Brad Wagenknecht

MTC

Bill Dodd  
 Jake Mackenzie  
 Jim Spering  
 Adrienne Tissier,  
 Vice Chair

Lee Taubenek, Caltrans (for Bijan Sartipi)

(\* Executive Committee)

### 1. Call to Order

Chair Bates called the meeting to order.

JPC Senior Advisor Will Travis provided an overview of the meeting by noting that all of the items are interrelated parts of the larger body of work the JPC is engaged. The aim of the Climate and Energy Resilience Project is to engage stakeholders from the business, environmental, equity and academic communities to develop an action plan for dealing with all Bay Area climate impacts, including sea level rise, so that our region can continue to prosper in the future.

The next scheduled briefing is on the Economic Framework Study. Mr. Travis reminded the JPC that the purpose of the economic framework project is to provide a foundation for a regional economic development strategy. In order for such a strategy to be successful, we have to recognize that our future won't look like our past. Lots of things are changing, and our climate is one of them. If we don't have an effective strategy for adapting to climate driven impacts, we won't have an economic development strategy that will work. Most of the laws under which we operate were enacted before there was recognition that our climate is changing. Therefore, a thoughtful discussion with Senator Mark DeSaulnier is timely as the JPC continue its efforts to advance economic development and to address climate change. Mr. Travis opined that the seeds for some constructive changes in state law might be sown in the JPC's discussion with Senator DeSaulnier.

Finally, the JPC will be taking up the issue of whether you will take on a leadership role in the formulation of a regional sea level rise adaptation strategy. We know more about sea level rise than other climate change impacts in the Bay Area, so we're in a better position to begin the planning work that's needed to adapt to sea level rise. We also know that some of

the most important economic assets in our region—including Silicon Valley, our major port, two international airports, downtown San Francisco, and a number of communities—are in low-lying areas that are vulnerable to flooding. We can't expect our region to remain prosperous and attractive to investors if we ignore this peril and fail to prepare an effective strategy to deal with it. So as we talk about climate change impacts, and particularly sea level rise, remember that they are indelibly linked with our economic future, and that state legislation will likely be needed to help us deal with all these interrelated issues.

## **2. Approval of Joint Policy Committee Meeting Minutes of July 20, 2012**

On a motion by Mr. Green, the minutes of the July 20, 2012 Joint Policy Committee meeting were approved.

## **3. Bay Area Climate and Energy Resilience Project**

Using a PowerPoint presentation, Bruce Riordan, JPC Climate Strategist, briefed the JPC on the project, which is funded with a grant from the Kresge Foundation. Mr. Riordan began his presentation by noting that the JPC website (<http://www.abag.ca.gov/jointpolicy/>) has been redesigned and updated so that it is more attractive and user-friendly. He then referred the JPC to a written progress report and told them Lara Sasso, a Climate Corps staff member, has been hired, reported on discussions with faculty at UC Berkeley, and explained an alliance has been formed to coordinate with climate adaptation efforts underway in other California regions.

Mr. Riordan explained that the fundamental purpose of the Bay Area Climate and Energy Resilience Project is to help local governments and special districts deal with climate adaptation in the most efficient and effective way. The adaptation of infrastructure is typically the responsibility of the owner, but the responsibility for natural systems and health is more complex, so there is an important role the JPC can play to bring these issues into focus. The JPC can also assist the State of California by coordinating state resources for local agencies.

The Kresge Foundation has provided funding to organize the project over the next six months. Further Kresge funding may be available to implement the project. Over the next few months using available research and information, a narrative describing the climate change challenges will be prepared; meetings will be held with over 20 stakeholders to better understand their needs and how the JPC can assist them; and four special work scope plans (research to products, governance, social equity, and “win-win” GHG reduction/adaptation strategies) will be prepared.

Mr. Riordan summarized discussions that have been held with representatives from UC Berkeley on establishing a “do tank” (as opposed to a think tank), which would focus on providing solutions to climate adaptation problems rather than simply more research on climate impacts.

He then summarized a meeting in Sacramento that was held to coordinate the regional climate adaptation initiatives under way in the Bay Area, Sacramento, Los Angeles and San Diego. The Governor's Office of Planning and Research is helping support this Alliance of Regional Collaboratives for Climate Adaptation (ARCCA).

Mr. Riordan concluded his presentation by summarizing some of the information contained in the eleven reports on climate impacts in the Bay Area, which have recently been released by the California Energy Commission.

One of the reports provides a compilation of all the research on impacts on rangeland and viticulture. It indicates that as temperatures get warmer, the optimum areas for growing high quality grapes will move westward toward the coast over the next decades. This information is essential when formulating adaptation strategies for keeping the wine industry vibrant in the future.

Another of the reports focuses on the social vulnerability to climate change in Oakland using factors, such as availability of air conditioning, tree cover, the need to work outdoors, ground elevations, etc.

The Arctic ice, which has been shrinking for decades, has declined 18% this past year. The same temperature rises that are causing this decline could increase the rate of the melting of land ice on Greenland, which contributes to sea level rise.

The purpose of the project is to anticipate these changes and to begin developing effective strategies for adapting to them.

- Mr. Green noted that the list of faculty the staff is working with at UC Berkeley does not include any engineers. Mr. Riordan explained that the list is illustrative, not comprehensive, and that engineers will be involved.
- Ms. Piepho noted that the slide on agriculture products does not show that wine is being bottled in eastern Contra Costa County.
- Mr. Mackenzie said on his many flights to and from Scotland over the past nearly 50 years he has flown over Greenland and has personally witnessed the dramatic shrinking of the glaciers and the absence of ice in the summer have eliminated any doubt he may have had the global warming is real.
- In response to a request from Mr. Haggerty, Mr. Riordan indicated his slides would be provided to the members of the JPC.
- Chair Bates said he found the briefing very sobering, but we need to begin taking steps to better understand climate impacts and to develop strategies for dealing with the impacts.

#### **4. Report on Progress on Regional Economic Framework**

Mr. Travis indicated that Sean Randolph had to make a quick trip to London so he isn't available to provide a briefing today. He has, however, provided a short memo summarizing the progress that's been made on the project. The final report on the study will be released at the ABAG General Assembly on October 18, 2012.

Chair Bates said he and a few other members of the JPC received a briefing on the study which has found that few companies are actually moving out of the region and that small businesses are driving our economy. He recommended that the JPC members attend ABAG General Assembly to be briefed on the final report.

#### **5. Discussion with Senator Mark DeSaulnier**

Mr. Travis noted that the consultants had provided the JPC with a brief memo entitled, "Recommendation for Discussion with Senator Mark DeSaulnier. With the aim of making the discussion as productive as possible, the consultants recommend that the discussion

should focus on what roles the JPC and the Senator can most productively play in advancing the formulation of an economic development strategy for the Bay Area. Senator DeSaulnier has stressed the importance of a regional economic strategy by incorporating such a strategy into SB 1149, into his statement of principles underlying SB 1149, and into SB 878.

At its last meeting, the JPC unanimously decided that the consultants, along with the agency staff, should work with the business community to draft an action plan that assesses what elements should be included in a regional economic development strategy, the likely costs of developing such a strategy, and the potential sources of funding for such work.

Given that both Senator DeSaulnier and the JPC are interested in a regional economic development strategy, we believe your discussion today will be most constructive if you focus on this point of agreement.

- State Senator Mark DeSaulnier thanked the JPC for providing him an opportunity to participate in the discussion. He reminded the JPC of his commitment to work with the JPC to find agreement on how the Legislature and the JPC can best work together. He is aware that the JPC is working on ways it can be more effective.
- Chair Bates said he believes it is important that the Senator be aware of the work the JPC is doing. In particular, the JPC is engaged in developing local strategies to deal with sea level rise, which may inevitably require state legislation to implement. Therefore, the JPC would like to be able to call upon the Senator for assistance once the JPC and local governments determine what their needs are. He added that the JPC is committed to determining what needs to be done to strengthen the Bay Area's economy. Fulfilling this commitment may also require state legislation. Having a likely author for any such legislation would be helpful to the JPC.
- Senator DeSaulnier responded that the Legislature is beginning a new two-year session so there is plenty of time to work together any draft legislation. The need for a regional economic development strategy emerged from hearings the Senate Transportation Committee held recently. He noted Seattle and Puget Sound have developed such a strategy and integrated it with their regional transportation plan.
- Chair Bates indicated it is essential that the JPC be consulted and engaged in the drafting of any legislation rather than having to react to bills dealing with the JPC. Senator DeSaulnier agreed and stressed that in a global economy people live regionally. Therefore, effective regional governance is essential.
- ABAG staff member Miriam Chion pointed out that HUD is funding work on a regional economic development strategy that is focused on low- and moderate-income workers and that ABAG is working on identifying places and industries of opportunity.
- Vice Chair Tissier asked whether Senator DeSaulnier whether he could offer examples of other places that are handling regional matters more effectively than the Bay Area. Senator DeSaulnier noted that the Bay Area is competing with Hong Kong, London, Beijing and other places that are also grappling with the problem of providing workforce housing and infrastructure. If the Bay Area can meet these regional challenges, we will be more competitive in the global economy. Vice Chair Tissier also asked how regional leaders can influence local constituents who objected to Plan Bay Area as an unwanted regional initiative. Senator DeSaulnier opined that more outreach is needed to explain the value of addressing issues at a regional level.

- Mr. Green said he serves on the East Bay Economic Development Alliance and understands that it is essential to create a climate where new businesses can be established and prosper. There have been many calls for regulatory reform, providing a better-educated work force, more affordable housing, and adequate infrastructure. Is the Senator thinking about a new regional authority for achieving these goals. Senator DeSaulnier responded that the purpose of this discussing this and other matters like what to do about redevelopment and housing.
- Mr. Gioia welcomed Senator DeSaulnier's perspective on global competition and the need for a regional economic strategy. He said regional leadership is essential if we are to explain to local constituents who are skeptical about regional planning, that regional thinking will help the Bay Area be stronger. Legislation or other help from the state can help achieve the balance between local control and regional competitiveness.
- In response to a question from Mr. Ross, Senator DeSaulnier said SB 1156 is a bill authored by Senator Steinberg that would allow tax-increment financing for housing around transit. The bill has been passed by the Legislature and is on the Governor's desk. (The Governor vetoed the bill on September 29, 2012.)
- Chair Bates concluded the discussion by reiterating that the JPC would like to be able to work with the Senator if the JPC determines that legislation is needed to deal with issues like sea level rise and to get state resources or the legal capacity to raise funds to implement a sea level rise strategy. Senator DeSaulnier suggested the JPC should work with the Bay Area Legislative Caucus, which he co-chairs with Assemblymember Rich Gordon.

## **6. Report on Regional Sea Level Rise Adaptation Strategy**

Mr. Travis stated that before the JPC turns to the 24-page report and recommendation the consultants have prepared, it would be helpful for the JPC to hear a short presentation from an expert on flood protection as to why we should begin paying more attention to flood risks now.

That expert is Jeremy Lowe, the sea level rise program manager, at the consulting firm ESA/PWA Mr. Lowe is a coastal geomorphologist who has detailed knowledge of estuarine systems, process modeling, and coastal engineering. His 14 years of international consulting experience spans a wide range of projects in the United Kingdom, Italy, Lebanon, Hong Kong and the United States. His achievements include the design of sea defenses to reduce flood hazards in Venice, Italy; coastal erosion protection for the new Hong Kong airport; and policy recommendations to the United Kingdom on intertidal habitat restoration.

Using a PowerPoint presentation, Mr. Lowe noted that there has been a lot of attention on projected future mean sea level, which makes it appear that sea level rise won't be a problem until some years in the future. However, by comparing on the height of existing flood protection devices with projected future sea level, it becomes apparent that some of these protection structures will be overtopped within a relatively short time. Moreover, we already experience extreme events during high tides and storms. By graphing the water level during extreme events to projected sea level rise, it becomes apparent that there will be more overtopping of flood protection structures far more frequently. Thus, the risk of flooding increases dramatically and a protective device designed for a 1 in 50 event in 1950 would be adequate for only a 1 in 20 event in 2020. Because it takes a long time to plan and build such devices, Mr. Lowe recommended we begin that planning now. Mr. Lowe added that flooding

in low-lying areas can be caused by runoff into rivers and streams, which cannot flow into the bay during extreme weather events. In effect, the high bay water levels serve as dams.

- Mr. Gibbs complimented Mr. Lowe because the graph he provided makes the increased danger of flooding more apparent than any of the maps and graphs Mr. Gibbs has seen heretofore.
- Chair Bates noted Berkeley has faced exactly the situation Mr. Lowe described when runoff from the hills backed up into the lagoon in Aquatic Park during high tides causing flooding in west Berkeley. He asked what can be done about this. Mr. Lowe suggested proving more places for water storage either at higher elevations or along the shoreline, as well as using wetlands.
- Mr. Haggerty how sea level rise planning will be integrated with the One Bay Area effort to encourage more development around transit in the urbanized core of the region, some of which is in low-lying areas around the Bay. Mr. Travis explained that this integration will be achieved by incorporating the sea level rise adaptation strategy into the Sustainable Communities Strategy to ensure that the PDAs will be located or designed so they will not be vulnerable to flooding. He agreed with Mr. Haggerty that in some places it may be appropriate to retreat from the water's edge, but he stressed that the decisions on which areas to protect and where wetland restoration is more appropriate need to be made at a regional level.
- Mr. Ross asked whether the incidence of intense rainfall events is expected to increase. Mr. Lowe said they were. Mr. Lowe also added that salt water intrusion into ground water, higher ground water elevations and more saline water farther into the Delta are expected.
- Chair Bates complimented Mr. Lowe in his ability to make it clear that dealing with sea level rise is not some problem for the distant future because extreme weather events make flooding a current problem.
- Mr. Cortese asked whether the urban SIM modeling will incorporate sea level rise. Mr. Heminger said that it currently does not, but could in the future. He added that retreat from the shoreline is not a realistic option in areas that are currently heavily developed or have extensive transportation infrastructure. Since these areas will have to be protected from flooding, it makes sense to encourage more growth in them as called for in the SCS. Mr. Cortese said urban SIM seems ideal for this analysis.

Mr. Travis noted that the staff provided the JPC with a report, which explains in some detail why the consultants are recommending that the JPC should take on a leadership role in the formulation of a regional sea level rise adaptation strategy. This recommendation was endorsed by the agency executive directors on September 5, 2012, and the JPC Executive Committee considered the recommendation on September 10, 2012. Although the Executive Committee was one person short of the quorum needed for official action, all the members present supported the recommendation.

The report stems from an action taken nearly a year ago when BCDC amended the San Francisco Bay Plan to address climate change. In addition to revising the regulatory policies that apply to shoreline development, BCDC recommended that the JPC should oversee the formulation of a regional sea level rise adaptation strategy. The agency executive directors endorsed BCDC's recommendation in November 2011, the JPC took up the matter in December 2011 and referred it back to each of the four regional agencies. In January 2012,

the JPC decided not to make a decision on sea level rise until it had a more systematic process for dealing with this and other regional issues. Between February and May, the JPC consultants undertook an extensive re-assessment of the JPC's purpose and processes, and the JPC adopted a detailed series of policies, procedures and decisions to guide its deliberations. That body of guidance is contained in Attachment A of the report provided to the JPC.

By applying this guidance, the JPC is now in a position to decide what role it should take on in dealing with sea level rise. In the consultants' report, we've carefully applied the six criteria the JPC adopted for determining whether it should exercise leadership on a particular issue. According to each of these criteria, we've concluded JPC's leadership on sea level rise adaptation is appropriate and needed. The adopted procedures prescribe that if the JPC decides to take on a regional leadership role on a particular issue, the agency staff will then develop a work plan for carrying out that leadership role.

Given the likelihood that preparing a regional sea level rise strategy will take some years and be quite costly, the agency executive directors asked the staffs of ABAG and BCDC to take the lead in formulating a work plan in advance of the JPC's policy decision. This detailed work plan is contained in Attachment B of the report. It calls for integrating sea level rise adaptation into the Sustainable Communities Strategy. This effort could take as long as ten years to complete and could cost as much as \$20 million. As explained in the report, given the success the agency staff have had in securing funds for the climate adaptation planning to date, the needed \$2 million a year should be available through a combination of federal grants, state bond funds, partnerships, foundations and JPC agency budgets. But if the JPC adopts this recommendation today, a more detailed fundraising strategy should be developed. Fortunately, that does not have to be done immediately because funding is already in place to complete the work called for in the first task of the work plan. We've also laid the groundwork to qualify for state bond funding and we're exploring foundation support for some of the work.

Also, recall that your procedures call for developing a work plan after the JPC decides to take on a regional issue. In this case, that work plan, which includes an initial assessment of funding opportunities, is available before the JPC makes its decision on exercising leadership on this important issue. Therefore, we believe you have enough information available to you to make a decision today.

Using the adopted policies and procedures, we've concluded that the JPC should take on a leadership role in facilitating the formulation of a regional sea level rise adaptation strategy. The JPC should fulfill this facilitation role through its responsibilities for regional leadership and regional agency coordination. As mentioned at the outset, the executive directors of the JPC agencies and the members of the JPC Executive Committee have endorsed this conclusion and recommendation. If the JPC adopts our recommendation, the California State Coastal Conservancy will be engaged in developing the strategy because the Conservancy administers programs that can provide funding for adaptation. Also the strategy should be developed in partnership with the local agencies that are responsible for flood protection.

- In response to a question from Mr. Haggerty, Mr. Travis summarized BCDC's work on sea level rise. A few years ago, BCDC prepared maps showing areas around the bay vulnerable to flooding from sea level rise in 2050 and 2100. BCDC thought these maps

would stimulate a regional discussion on how to deal with this potential flooding problem. Instead, because BCDC is a regulatory agency, some observers thought the maps showed that BCDC wanted to expand its regulatory authority into these areas. BCDC decided to deal with this misunderstanding by asking the JPC to take on the lead in determining how the region should deal with sea level rise because the JPC is not a regulatory agency; it is a coordinating body. BCDC then changed its regulatory policies applying to shoreline development, but also recommended that the JPC should take on the regional leadership role in addressing sea level rise. Mr. Travis stressed that ultimately dealing with sea level rise is not an environmental problem, it is an economic imperative. In order for the Bay Area to remain competitive and attractive to investors, it needs an effective strategy for dealing with the very real problem of sea level rise.

## **7. Public Comments**

- Rich Hedges questioned whether siltation is being considered because increased rain will result in increased erosion. He favored taking action even though it might be controversial. Without action to maintain and improve levees, a major flood or earthquake could result in many communities being abandoned.
- Carol Mahoney, Chair of the Bay Area Flood Protection Agencies and representative of the Integrated Regional Water Management Plan, was not aware of the meeting today so she urged more public outreach. The flood agencies are confused as to which sea level rise models to use. She believes the JPC can provide guidance on this issue. She recommended also working with the Bay Area Stormwater Management Agencies Association, the California Department of Water Resources, the Army Corps of Engineers, and the USGS. She recommended recycling sediment in a beneficial manner.
- Alex Leumer, The Nature Conservancy, supported the recommendation that the JPC take on a leadership role in developing a regional sea level rise adaptation strategy.

## **8. Committee Comments**

- In response to a question from Chair Bates about siltation, Mr. Travis responded that as important as these specifics are, the issue before the JPC is not the details of the work plan but rather whether the JPC should take on a leadership role on sea level rise adaptation. The details, such as siltation and coordination with local agencies, are extremely important and must and will be addressed in the planning.
- Mr. Spring recommended that the focus of the strategy should be on protection although he acknowledged that it might not be cost-effective to protect disadvantaged communities.
- Ms. Piepho recommended that the five Delta counties in addition to the local flood protection agencies should be involved as stakeholders in the planning. Water storage should also be addressed in the sea level rise adaption planning.
- Mr. Gioia agreed all of these issues are important when we get to the detailed planning, but today we're deciding whether to take on a leadership role on this issue. He believes it is appropriate for the JPC to take on this role because, unlike BCDC, it involves all the agencies and local governments. He moved to support the consultants' recommendation. Mr. Haggerty seconded the motion.
- Mr. Ross noted that Martinez uses a drainage mitigation fee to encourage people to recharge water rather than dumping it into the drainage system to reduce the sediment in the water. The cumulative effect of many other such local programs could have a regional

positive impact and the fee system should be considered as a means for financing the regional adaptation strategy.

- Mr. Cortese recommended that the Urban SIM modeling should be incorporated into the work plan. Ms. Chion explained that the SIM model is at capacity for the current version of the SCS, but can be added in the future.
- Mr. Gioia and Mr. Haggerty agreed to amend their motion to call for coordinating with Urban SIM modeling in the work plan.
- Ms. Piepho asked that the public comments and the comments from the JPC members be incorporated into the motion to be carried forward in the process.

The JPC unanimously passed the motion. Chair Bates complimented the consultants and the agency staff

### **9. Committee Comments**

There were no additional comments.

### **10. Public Comment**

There were no additional public comments.

### **11. Adjournment**

Chair Bates announced that the next meeting will be on November 16, 2012. At that meeting new officers will be elected for the next two years. The meeting was adjourned at noon.