

## MEMORANDUM

September 6, 2019

**TO:** MEMBERS, PORT COMMISSION  
Hon. Kimberly Brandon, President  
Hon. Willie Adams, Vice President  
Hon. Gail Gilman  
Hon. Victor G. Makras  
Hon. Doreen Woo Ho

**FROM:** Elaine Forbes  
Executive Director

**SUBJECT:** Informational presentation on the Draft Waterfront Plan review process and solicitation of public comments

**DIRECTOR'S RECOMMENDATION:** Information Only - No Action Requested

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### EXECUTIVE SUMMARY

In June 2019, the Port published the Draft Waterfront Plan for Public Review and Comment (Draft Plan). The Draft Plan was produced by Port staff following a three-year comprehensive public planning process that resulted in 161 recommendations from the Waterfront Plan Working Group, which were endorsed by the Port Commission following a series of public hearings in 2018.<sup>1</sup> Port staff is soliciting public comments through September 30, 2019 before beginning the environmental review process, including at the September 10, 2019 Port Commission meeting.

The Draft Plan is posted on the Port's website to support online review along with a survey to collect public comments. Attachment A reflects online public comments that have been received to date. Port staff also have provided numerous presentations and meetings, including a public boat tour, and promoted the Draft Plan on social media to answer questions and provide information to the public and community stakeholders, agency partners and Port tenants about the Draft Plan. These community engagement efforts have been coordinated to support understanding of the relationship of the update to the Waterfront Plan, which informs the Port Resilience Program, and supports the Port's current work to prepare a Request for Proposals for Embarcadero Historic District pier rehabilitation. There is generally strong support of the Draft Plan goals and

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<sup>1</sup> More details about the Waterfront Plan public process and overview of the Draft Waterfront Plan were presented in a [May 10, 2019 Port Commission staff report](#), which is incorporated by reference.

Policies. To date, Port staff has not received strong negative response or substantial opposition that would suggest the need to make any major changes to the Draft Plan's goals and policies.

This staff report also summarizes the ongoing work with staff from the San Francisco Bay Conservation and Development Commission (BCDC) and the San Francisco Planning Department (SF Planning) to align the Draft Plan with BCDC's San Francisco Waterfront Special Area Plan (SAP) and the City's General Plan and area plans, and preparations for the environmental review process. This staff report describes key policy issues proposed to be addressed in the BCDC SAP amendment process, which are discussed in further detail in Attachment B.

## **STRATEGIC PLAN OBJECTIVES**

The Port's Waterfront Resilience Program supports the goals of the Port's Strategic Plan as follows:

### Evolution

*Complete the Waterfront Plan update to provide a long-term vision for future use of Port lands.* The 2019 Draft Waterfront Plan updates existing and sets forth new goals and policies to guide Port planning, leasing, development, and improvement projects.

### Resiliency

*Prepare the Port for natural and human made risks and hazards.* The Draft Plan includes a new goal and supporting policies to help guide the Port as it develops more detailed resilience plans and projects for strengthening and adapting the waterfront to address climate and other risks, and envisioning the waterfront of the future.

### Engagement

*Strengthen public understanding and support of Port responsibilities and projects through community engagement and participation at many levels.* The Waterfront Plan Working Group led a 3-year public process that engaged hundreds of residents, stakeholders, and public agency partners. Together, they learned about the Port's history, responsibilities, challenges, and opportunities, and developed a public consensus about the values and priorities that should guide future Port improvements.

### Equity

*Ensure Port activities advance equity and public benefit and attract a diversity of people to the waterfront.* The Strategic Plan equity goal is reflected throughout the Draft Plan which promotes diverse and equitable opportunities for all San Francisco residents, neighbors, and visitors to work, live, travel, and recreate along the Port waterfront.

### Sustainability

*Practice environmental stewardship to limit climate change and protect the Bay.* The Draft Plan includes a new goal and supporting policies to guide, support, and elevate City and Port environmental stewardship and sustainability programs and initiatives.

### Productivity

*Attract and retain tenants that build an economically viable Port.* The Draft Plan public process resulted in greater understanding and critical support for new use and lease strategies that will help sustain, improve, and diversify Port land uses, operations, and portfolio of leases and tenancies.

### Stability

*Maintain the Port's financial strength by addressing deferred maintenance, maximizing the value of Port property, and increasing value.* The Draft Plan's updated financial goal and policies support a financially secure and equitable Port enterprise to help inform and achieve the Port's Capital Plan and Budget and Strategic Plan objectives.

## **DRAFT WATERFRONT PLAN**

In June 2019, the Port published the Draft Waterfront Plan for Public Review and Comment (Draft Plan). This staff report summarizes ongoing staff efforts to solicit public comments on the Draft Plan and invites more public comments at the September 10<sup>th</sup> Port Commission meeting. Public comments received to date are summarized below, and detailed further in Attachment A. This staff report also summarizes our ongoing work with staff from the San Francisco Bay Conservation and Development Commission (BCDC) and the San Francisco Planning Department (SF Planning) to align the Draft Plan with BCDC's San Francisco Waterfront Special Area Plan (SAP) and the City's General Plan and area plans.

When the Draft Plan was published in June, Port staff requested public comments by September 30, 2019. Public outreach and engagement has been multi-faceted over the summer, including promotion through Port social media and @SF Port digital magazine, online survey and public comments, a public waterfront boat tour co-sponsored with the San Francisco Water Emergency Transportation Authority and attended by over 200 people, meetings with City agency and BCDC staff, and 12 public meetings to date, with more scheduled through the end of September, listed in Table 1.

Port staff has carefully coordinated public outreach for the Draft Plan with outreach efforts for the Port Resilience Program's Embarcadero Seawall and San Francisco Flood Study efforts, as well as with current outreach efforts focused on the request for proposal (RFP) for rehabilitation of Embarcadero Historic District piers that will be issued later this year.<sup>2</sup> The Waterfront Plan is the master plan that sets long-term

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<sup>2</sup> More details are provided in Port Commission staff reports on the [Embarcadero Historic District RFP opportunity](#), and the [Port Resilience Program](#).

policies to guide the use and improvement of the Port's 7½ miles of waterfront properties for the next 10-20 years. By coordinating information about the Draft Plan with the historic pier and resilience improvement projects, Port staff seeks to advance public understanding of how Draft Plan goals and policies can be realized in Port leases and public investments, and the strategic approach and alignment the Port incorporates in carrying out its public trust responsibilities.

In addition, the Draft Plan will undergo environmental review pursuant to requirements of the California Environmental Quality Act (CEQA) before it can be considered for approval action and final adoption by the Port Commission. One goal of seeking early public comments is to determine whether there are information gaps or errors that should be corrected or addressed prior to beginning the environmental review process.

**Table 1: Waterfront Plan Public Engagement Meetings**

6/26/19	Waterfront Plan Working Group	8/7/19	Exploratorium
7/11/19	San Francisco Dolphin Club	8/14/19	District 6 Community Planners
7/13//19	WETA/Port waterfront public boat tour	9/4/19	ABAG Bay Water Trail Committee
7/16/19	U.S. Army Corps of Engineers	9/9/19	South Beach Mission Bay Neighborhood Assn
7/16/19	Fisherman's Wharf Advisory Group	9/10/19	Telegraph Hill Dwellers
7/17/19	Northeast Waterfront and Central Waterfront Advisory Groups	9/11/19	Bay Planning Coalition
7/18/19	Maritime Commerce Advisory Committee	9/16/19	Waterfront Design Advisory Committee
7/24/19	Southern Waterfront Advisory Committee	9/24/19	Potrero Boosters
8/6/19	SPUR lunch presentation		

**PUBLIC COMMENTS**

The Draft Waterfront Plan review and comment process is benefitting from the growth of interest in and general knowledge about the Port due to the ongoing public engagement process for the Embarcadero Seawall and Flood Study projects, and the outreach that led to approval by San Francisco voters of Proposition A Seawall GO Bonds. Thanks to these efforts, and the work of the Waterfront Plan Working Group and Resilience Subcommittee, the public understands that proactive environmental sustainability actions and initiatives are a core element of any program to make San Francisco and the Bay Area more resilient. This is reflected in the high level of support for the Draft Plan's new goals and policies for Environmental Sustainability, Resilience

and Transportation, and for the Port's efforts to adapt and open more of the Port's existing historic piers and resources for productive public use while planning for a future waterfront that can adapt to sea level rise and climate change over the longer-term.

In addition to comments received in meetings, the Draft Plan is available for public review on the Port's website, alongside an online public comment survey that has logged a substantial number of public comments. Attachment A contains pie charts and graphs that document the degree of agreement with content in the Draft Plan, and other information received through the online survey. A record of specific comments received on Draft Plan goals and policies, and the Plan's five waterfront subareas is also provided in Attachment A.

In summary, commenters appreciate or use Port waterfront facilities for a wide variety of work, recreation, and other uses, on a frequent basis; over 77% of respondents use the waterfront every day, weekly, or a few times per month. There is generally strong support of the Plan goals and policies; to date, Port staff has not received strong negative response or substantial opposition that would suggest the need to make any major changes to the Draft Plan's goals and policies, or subarea objectives and Acceptable Use tables. The tally of online comments reflects 80 to 90 percent agreement (strongly agree or agree) with eight of the nine categories of the Plan's goals and policies; 75 percent of commenters expressed agreement with the financial goal and policies. Public comment highlights from the survey and public meetings received to date are provided below, organized by Draft Plan goal:

#### Maritime

- There continues to be strong support for maintaining a diverse mix of maritime industries and water-dependent uses, including water recreational access to/in the Bay, and navigational safety
- Comments support maritime uses, including Southern Waterfront cargo terminals, which support job and economic diversity in the city
- Concerns expressed about air and water pollution associated with cruise ships
- It is important to maintain berths to support maritime vessels of all sizes, particularly deepwater berths
- Maintaining maritime and industrial uses in San Francisco is difficult; developing industrial warehouse space in the Pier 90-94 Backlands would help reinforce a maritime and industry base in the Southern Waterfront
- High city costs, transportation congestion and climate change effects on fisheries are increasingly challenging for fishing boat operators and the fishing industry

#### Diverse Uses

- Plan policies should address artists, art vendors and public art
- There were several comments in opposition to the Embarcadero SAFE Navigation Center
- Policy language for General Office use should be qualified to note that including office use in Embarcadero Historic District pier facilities is allowed to the extent

such use helps meet the financial feasibility requirements of the project, which includes maritime and public access trust uses, and public-oriented uses

- Port activities should promote leases and investments that attract more locals to the waterfront, and no/low cost activities accessible to people with limited income
- Policy language revisions should clarify that State legislation to allow housing or non-trust uses on seawall lots located north of Market Street should be pursued after a specific development project opportunity is defined, only if necessary and on a case-by-case basis
- Support for policies industrial uses, to complement Southern Waterfront cargo operations

### Parks and Open Space

- Several comments support natural and habitat areas, native plants and living shorelines
- Waterfront public access is important to provide to all regardless of income, and must extend along the Port's entire waterfront
- Support for activation of public open spaces and events to bring people together; consider environmentally friendly ways to support events (e.g., light shows instead of fireworks, discourage diesel generators)

### Urban Design and Historic Preservation

- Support for historic preservation by blending the old with the new and providing uses that meet 21<sup>st</sup> century needs
- Some comments disagree with an overemphasis on historic preservation, and request that policies focus on good design which can also allow modern additions, and bold visions that focus on climate change resilience
- Natural and Native American history, not only architectural or maritime history, also should be part of historic preservation efforts

### Finance

- Comments call for true equity benefits
- Comments reflect an understanding of need to generate revenue from leases, and to pursue diverse funding sources

### Transportation

- Many comments support making bicycle and pedestrian improvements along The Embarcadero, and to slow the speed of vehicle traffic; it is taking too long to implement protected cycle lanes
- Keep bikes, scooters and high-speed cycles separate from pedestrians
- Comments calling for more public transportation service along The Embarcadero, and ferry service
- Clarify the roles of Port and WETA in expanding water transportation, and improve information about water transportation improvement projects and timelines
- Industrial trucks and goods movement also needs to be accommodated in the waterfront transportation system, especially in the Southern Waterfront

- The Exploratorium supports and promotes use of alternative transportation, but needs to provide access to parking to attract and support regional and out of area visitors and families

#### Environmental Sustainability and Resilience

- There are many comments in strong support of both goals, and to improve natural shoreline and habitat areas, Bay ecology and wetlands, and promote biodiversity and nature-based strategies
- Improving the Bay ecology and making the shoreline more resilient to climate change can be interconnected and mutually supportive
- The focus should be resilience to climate change, regardless of community and the Port's economic assets and services. Work with nature, not against it in order to save piers and buildings. Make contingencies for the next 200 years

#### Partnerships

- Comments support the need for interagency coordination and proactive discussions that foster public understanding and strong collaborations

Port staff will complete review of all public comments to determine where clarifications and refinements to the Draft Plan should be made. Port staff has received comments about the Draft Plan's length and are working to further distill content and provide links to shorten the background information presented for each of the nine Plan goals. Port staff are also looking for a more concise way to present the objectives for each subarea. Any revisions to the June 2019 Draft Plan text that affect the goals, policies, or objectives of the Plan, as opposed to changes that affect only background information, will be recorded in track change format to facilitate Port Commission and public review.

### **BCDC SPECIAL AREA PLAN**

Port staff are working closely with BCDC staff to review the Draft Waterfront Plan policy issues, and new information and updates needed to amend BCDC's San Francisco Waterfront Special Area Plan (Special Area Plan), with the objective of creating consistent and aligned planning policies and permitting requirements to support waterfront improvements and implementation projects promoted in the Waterfront Plan. Following several staff meeting discussions, BCDC is scheduled to formally initiate the Special Area Plan amendment process at the September 19, 2019 BCDC Commission meeting. Port and BCDC staff efforts will continue to produce amendment language for the Special Area Plan, which will undergo BCDC's public review process; Port staff will keep the Port Commission informed on these efforts. Attachment B provides a description of the Special Area Plan amendment issues, which include:

- Establish a comprehensive planning approach - Facilitate an equitable distribution of public benefits, shoreline improvements and fill mitigation required in future projects, from Fisherman's Wharf to Bayview Hunters Point. The Special Area Plan currently defines "geographic vicinities" which generally require public access and fill mitigation improvements to be provided within or near a project

site. Eliminating geographic vicinities provides more opportunity for the Port and BCDC to target public access needs and priorities along the Port's 7½ mile waterfront, to direct public access, fill mitigation and other public benefits to locations that provide greatest value, can be managed and maintained and to address environmental justice and equity needs in disadvantaged communities.

- Eliminate the Replacement Fill “50% Rule” Policy – The 50% Rule is a BCDC policy adopted in the 1970's that applies to pile-supported facilities, including piers in the Embarcadero Historic District and several pier restaurants in Fisherman's Wharf. While the policy was originally intended to provide flexibility to allow commercial recreation uses on piers, it has proven to be infeasible, and inhibits seismic retrofit or major repairs to pier substructures. In 2000, BCDC eliminated the 50% Rule from the area between Pier 35 and China Basin as part of a package of public benefits that enabled Port historic pier rehabilitation projects, along with removal of bay fill and development of major waterfront parks. The 50% Rule still applies to other Port pile-supported piers, including several historic Fisherman's Wharf restaurants. The Port proposes a package of public benefits, including the substantial public investments that created the Pier 43 Promenade and plazas, and Jefferson Street public realm improvements, to remove the 50% Rule in Fisherman's Wharf.
- Preserve Pier 23 in its entirety – Current Special Area Plan policy requires the eastern half of Pier 23 to be removed to expand public views of the Bay. The Port seeks to preserve the entire pier and has worked with BCDC and the public to identify a public benefit to replace the Pier 23 removal obligation. The Port proposes a new public plaza located on the bayside of the Ferry Building, a site which currently hosts the Saturday Farmer's Market. A new public plaza in this location would create a major civic gathering place utilized by a great number of city residents, workers, commuters and waterfront visitors, with spectacular views of the Bay and Bay Bridge.
- Recognize Embarcadero Historic District Public Trust Objectives to facilitate more historic pier rehabilitation projects – Current Special Area Plan policies called for the creation of the Embarcadero Historic District, which led to rehabilitation of the Ferry Building, Exploratorium, and Piers 1-5 projects which have transformed the waterfront. There is a high level of public support for additional rehabilitation projects that open more piers to public use and enjoyment. The Waterfront Plan public discussions, supported by an economic model analysis, led to Working Group recommendations to define Embarcadero Historic District Public Trust Objectives. They are incorporated into new Draft Plan policies that are intended to support financially feasible repairs and rehabilitation of Embarcadero historic pier structures, including adaptations to address sea level rise. The Port seeks to update the Special Area Plan to recognize the creation of the Embarcadero Historic District, and the Public Trust Objectives to facilitate pier rehabilitation.



- A Safe and Active Waterfront for All to Enjoy - The Waterfront Plan Working Group recommendations expressed a clear need for increased activity and diverse experiences within existing Port open space areas, to meet the interests of a broad spectrum of users--local residents as well as regional visitors of all ages. Ideas include public artwork, water-oriented activities, technology or interactive exhibits that may spark youth engagement, programmed cultural events and youth activities and concessions that activate edges and increase security. These values are incorporated in the Draft Plan's updated open space policies, and the Port seeks Special Area Plan amendments that allow for activation of public parks and public access areas.

The Port also seeks Special Area Plan amendments that align with Working Group recommendations and Draft Plan policies to support active maritime operations that contribute to the authentic character of the waterfront. While not all maritime operations are compatible with public access, the Port seeks Special Area Plan amendments that allow for recognition of off-site views of maritime vessels and interpretive exhibits as public benefits that meet BCDC public access requirements.

- Resilience Planning and Partnering for Success - Planning and funding resilience programs to protect the Port, the City, and regional, state and federal interests will require intensive multi-jurisdictional planning and massive infusions of funds from many sources, over many decades. The Port's Resilience Program provides an important coordination framework to guide these efforts, and support partnerships and deep engagement with City and governmental agencies, non-government organizations, Port tenants and development partners, and neighborhood stakeholders. The Port's Special Area Plan amendment request include the addition of new policies, including adaptation strategies for the Embarcadero Historic District, to recognize and promote these multi-jurisdictional collaborations.

The Port and BCDC entered into a Memorandum of Understanding to provide Port funding for BCDC staff costs to complete the Special Area Plan amendment process. This work is anticipated to occur through the Spring 2020 and will require a BCDC public hearing. BCDC cannot approve Special Area Plan amendments until the CEQA environmental review process is completed.

## **SAN FRANCISCO PLANNING DEPARTMENT**

The Port also seeks to maintain consistent Port and City planning policies for Port properties and is working with Planning Department staff to determine whether amendments to the San Francisco General Plan are needed to align with the updated goals and policies in the Draft Plan. In addition, Port staff will propose amendments to the San Francisco Planning Code and Zoning Map to increase the area that will be subject to waterfront design review procedures. Currently, waterfront design review procedures for major Port development projects apply to Port property north of China

Basin Channel, and in the Mission Rock and Pier 70 Special Use Districts, but not for other Port properties south of China Basin; the Planning Code and City Zoning Map amendments would create design review procedures for those Port properties.

The Port and Planning Department staff also are working towards beginning the CEQA environmental review process. The environmental review analysis will include the Draft Plan, and amendments to BCDC and Planning Department documents. This effort will require close coordination with environmental review efforts for the Seawall and San Francisco Flood Study. Project description and schedule details are being developed, and Port staff seeks to have a CEQA public scoping meeting by the end of 2019.

## **NEXT STEPS**

As reflected in this staff report, there are several layers of work in progress to gather further public comments on the Draft Plan while we continue to work towards conforming amendments to BCDC and Planning Department planning documents and begin the CEQA environmental review process. Port staff efforts will be focused on:

- Review and assess all public comments to determine revisions to the Draft Plan, and will produce a report that documents revisions for review by the Port Commission and public
- Initiate BCDC Special Area Plan amendment process and work with BCDC staff to develop proposed amendment language
- Work with Planning Department staff on General Plan and Planning Code amendments and to initiate the CEQA environmental review process, and provide a report to the Port Commission on progress of this work and further schedule details

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**Attachment A: Waterfront Plan online survey comments**

**Attachment B: BCDC Special Area Plan policy issues**