



SAN FRANCISCO PORT COMMISSION

**JULY 16, 2024
MINUTES OF THE MEETING**

MEMBERS, PORT COMMISSION

HON. KIMBERLY BRANDON, PRESIDENT

HON. GAIL GILMAN, VICE PRESIDENT

HON. WILLIE ADAMS, COMMISSIONER

HON. STEVEN LEE, COMMISSIONER

ELAINE FORBES, EXECUTIVE DIRECTOR

JENICA LIU, COMMISSION AFFAIRS MANAGER

CITY & COUNTY OF SAN FRANCISCO
PORT COMMISSION

MINUTES OF THE MEETING
JULY 16, 2024

1. CALL TO ORDER / ROLL CALL / RAMAYTUSH OHLONE LAND ACKNOWLEDGEMENT

Port Commission President Kimberly Brandon called the meeting to order at 2:00 p.m. The following Commissioners were present: Kimberly Brandon, Gail Gilman, Willie Adams, and Steven Lee.

The Commission Affairs Manager read the Ramaytush Ohlone Land Acknowledgment.

2. APPROVAL OF MINUTES – June 11, 2024

ACTION: Vice President Gilman moved approval of the minutes. Commissioner Adams seconded the motion. The minutes were approved unanimously.

3. PUBLIC COMMENT ON EXECUTIVE SESSION

No Public Comment on Executive Session.

4. EXECUTIVE SESSION

A. Vote on whether to hold a closed session and to invoke the attorney-client privilege regarding the matters listed below as Conference with Legal Counsel.

ACTION: Vice President Gilman moved to go into closed session and invoke attorney-client privilege for Conference with Legal Counsel. Commissioner Adams seconded the motion. The motion passed unanimously.

(1) CONFERENCE WITH LEGAL COUNSEL REGARDING ANTICIPATED LITIGATION MATTER (Discussion and Possible Action)

Discuss anticipated litigation matter pursuant to California Government Code Section 54956.9(d)(4) and San Francisco Administrative Code Section 67.10(d)(2) (Discussion and possible action):

(a) ___ As Defendant X As Plaintiff

Discussion of anticipated litigation by and among the Port, Chevron Environmental Management Company, BP Remediation

Management, and Union Pacific Railroad related to contaminated sediments in the vicinity of the Mission Bay Ferry Landing site and Pier 64 and possible action approving the extension of an existing tolling agreement.

Present: President Kimberly Brandon
Vice President Gail Gilman
Commissioner Willie Adams
Commissioner Steven Lee

Also present: Elaine Forbes, Port Director
Michael Martin, Assistant Port Director
Jenica Liu, Commission Affairs Manager
Michelle Sexton, General Counsel

(2) CONFERENCE WITH LEGAL COUNSEL AND REAL PROPERTY NEGOTIATOR – This is specifically authorized under California Government Code Section 54956.8. *This session is closed to any non-City/Port representative: (Discussion Item)

(a) Property: Pier 54

Person Negotiating: Port: Kimberley Beal, Assistant Deputy Director, Real Estate

Under Negotiations: ___Price ___ Terms of Payment X Both

Port staff are evaluating the closure of Pier 54 due to its substructure condition. The executive session discussion will be an opportunity for the Port Commission to provide negotiation direction regarding price and terms of payment for consideration of possible new leases at other Port facilities and actions to set the price and payment terms that are most likely to maximize the benefits to the Port, the City, and the People of the State of California.

Present: President Kimberly Brandon
Vice President Gail Gilman
Commissioner Willie Adams
Commissioner Steven Lee

Also present: Elaine Forbes, Port Director
Michael Martin, Assistant Port Director
Jenica Liu, Commission Affairs Manager
Scott Landsittel, Deputy Director, Real Estate & Development
Kimberley Beal, Assistant Deputy Director, Real Estate & Development
Jennifer Gee, Senior Property Manager
Karen Chan, Property Manager

Annette Mathai-Jackson, Deputy City Attorney
Michelle Sexton, General Counsel

- (b) Property: Seawall Lots 323 and 324 and the two adjacent street stubs (Paper Streets), located at Broadway Street and The Embarcadero
Person Negotiating: Port: Michael Martin, Assistant Port Director; Scott Landsittel, Deputy Director, Real Estate & Development; Ricky Tijani, Waterfront Development Project Manager
Negotiating Parties: Jay Wallace and Darius Anderson (collectively, TZK Broadway, LLC.)
Under Negotiation: ___ Price ___ Terms of Payment X Both

The Port and TZK Broadway, LLC (“TZK”) are negotiating a proposed amendment to the Land Disposition and Development Agreement (“LDDA”) between the Port and TZK. In this executive session, the Port’s negotiators seek direction from the Port Commission on factors affecting the price and terms of payment, including rental amount and manner and timing of payment of the consideration for the financing required to develop the subject property as indicated in the LDDA. The executive session discussions will enhance the capacity of the Port Commission during the public deliberations and actions to reset the price and payment terms that are most likely to maximize the benefits to the Port, the City and People of the State of California.

Present: President Kimberly Brandon
Vice President Gail Gilman
Commissioner Willie Adams
Commissioner Steven Lee

Also present: Elaine Forbes, Port Director
Michael Martin, Assistant Port Director
Jenica Liu, Commission Affairs Manager
Scott Landsittel, Deputy Director, Real Estate & Development
Ricky Tijani, Waterfront Development Project Manager
Grace Park, Deputy City Attorney
Michelle Sexton, General Counsel

5. RECONVENE IN OPEN SESSION

- A. Possible report on actions taken in closed session pursuant to Government Code Section 54957.1 and San Francisco Administrative Code Section 67.12.

No Report.

- B. Vote in open session on whether to disclose any or all executive session discussions pursuant to Government Code Section 54957.1 and San Francisco Administrative Code Section 67.12.

ACTION: Vice President Gilman moved to reconvene in open session without disclosing closed session discussions. Commissioner Lee seconded the motion. The motion passed unanimously.

6. PLEDGE OF ALLEGIANCE

7. ANNOUNCEMENTS

- A. Announcement of Prohibition of Sound Producing Electronic Devices during the Meeting: Please be advised that the ringing of and use of cell phones and similar sound-producing electronic devices are prohibited at this meeting. The Chair may order the removal from the meeting room of any person responsible for the ringing of or use of a cell phone or other similar sound-producing electronic device.
- B. Announcement of Time Allotment for Public Comments: Please be advised that a member of the public has up to three minutes to make public comments on each agenda item unless the Port Commission adopts a shorter period on any item. Public comment must be in respect to the current agenda item. For in-person public comment, please fill out a speaker card and hand it to the Port Commission Affairs Manager. For remote public comment, instructions are on the first page of this agenda. During public comment, dial *3 to be added to the queue. An audio prompt will signal when it is your turn to speak.

8. PUBLIC COMMENT ON ITEMS NOT LISTED ON THE AGENDA

Public comment is permitted on any matter within Port jurisdiction that is not an agenda item. No Port Commission action can be taken on any matter raised other than to schedule the matter for a future agenda, refer the matter to staff for investigation or respond briefly to statements made or questions posed by members of the public. (Government Code Section 54954.2(a))

No Public Comment on Items Not Listed on the Agenda.

9. EXECUTIVE

A. Executive Director's Report

- **Economic Recovery**
- **Equity**
- **Key Project Updates**

Director Forbes: Good afternoon, President Brandon, Vice President Gilman, members of [the Port] staff and public. I am Elaine Forbes, the Port's executive director. And welcome this afternoon, the Port interns. We're very, very excited to see you here at the Port Commission hearing room and to observe the proceedings here today. We hope you have a wonderful experience at the Port.

It is really not lost on Port staff of some of the difficult times we're going through in the nation and through the news cycles. It's a very uncertain time. But we are very fortunate and very, very lucky to be able to work at the Port where we can focus on local initiatives and what we're doing at our waterfront and just put our pencils down and continue to work for the benefit of the community that we are building here.

And so with that, I'd like to turn to very exciting news on equity. We now have a nine-foot-tall sculpture called Sound Turned to Noise. The Arts Commission really played a pivotal role in getting this art on our waterfront. This is a piece that is having a big impact right from when she came to our waterfront. We've seen selfies. We've seen so many people in the public just really enjoying her.

The statue -- Thomas J. Price -- depicts a young black woman dressed in jogging clothing. Mr. Price got inspiration from a composite of many, many, many women and from observations in these photographs. So in this piece, the artist challenges our existing norms of what kind of woman gets to be memorialized in bronze.

And seeing this black strong woman larger than life is really sending a message and asking the question and challenging our public to be more inclusive and to create an environment of welcoming for all. So we're very proud to have the art here.

I want to acknowledge the Ferry Building. They've continued to have exceptional programming including Urban Tides with a lot of various artists that were shown. And we also have a new restaurant coming hot off the press called Sorrel.

I'd like to move now to economic recovery. We had the best, most amazing Fourth of July weekend. It was absolutely so clean. It was so vibrant. Jefferson Street was closed to traffic. And it was absolutely packed. The work that our staff did, the meticulous planning and the safety team and the maritime team in operations, that fit together perfectly with the SFMTA and the SFPD. It was truly just a wonderful weekend.

And the staff work, the city work in keeping people moving and safe was tremendously well done. It was flawless execution. And then, of course, the weather was good too. It was really a hot, beautiful weekend. And the fireworks -- it was a very clear night. And we could all see the fireworks show.

So congratulations to everyone on the Fourth of July weekend. We couldn't have been happier with it. And we have unaudited reports from tenants that they saw 2017-level sales, not 2019 but 2017. So we're really, really excited about that.

There's a lot happening on Fisherman's Wharf. The SkyStar Wheel is turning again after doing additional work, ground improvements. And we're really excited that the observation wheel is going. It's been very busy in the summer months. And the public likes the attraction.

We're doing a lot of improvements of the Little Embarcadero promenade, which you know of with our CBD. We're creating a welcome plaza at PAL and the Embarcadero, which will have new seating and a staffed visitor kiosk to move folks around.

And we also will be looking at leasing later, very, very close this summer into the fall, new leases and continuing to work with our tenants, so they are successful. More to follow -- we're really excited about the visitor experience along our waterfront. We feel that it is continuing to improve. Commissioners, we thank you so much for your support in this endeavor.

To resilience, I'm very pleased to report that, on June 28th, we reached a huge milestone with the Army Corps of Engineers in their approval of the agency decision milestone, or ADM. And this marks the Corps' formal endorsement of the recommended plan and starts the path to the completed study.

We were very impressed with the work that the Army Corps of Engineers did at the senior level through what they call the vertical integration to really interrogate the plan and make sure that the public comments were included and that we're ready to move forward.

So it's a huge milestone. Congratulations to all. I remember our first meetings with the Army Corps of Engineers now seven years ago when we're asking for the new start and where we are today. Congratulations.

And I don't want to brag too much on our team. But in this meeting, Sean Elsbernd, who is the chief of staff, said that we have the biggest infrastructure priority for the city and for our mayor. And Mr. Eric Bush, who is the chief of planning and policy for the Army Corps, said that we have one of the most consequential and important studies that the Army Corps has underway. And it's among the most innovative work. So congratulations on that as well.

President Brandon: Wow.

Vice President Gilman: Yeah.

President Brandon: Wow.

Vice President Gilman: Priceless.

President Brandon: That is wonderful.

Director Forbes: Congratulations.

President Brandon: Congratulations. [applause] That is outstanding. Thank you.

Director Forbes: Thank you. And to the final update, last week the Port joined the San Francisco Bay Ferry and local partners and federal officials for a ribbon-cutting ceremony for the MV Sea Change. This is the nation's first commercial passenger ferry powered by hydrogen.

And so it demonstrates really groundbreaking progress towards cleaner transportation. And hydrogen is a very, very powerful fuel. And it also has huge capacity to move us to a green environment. So it's a 75-passenger ferry. And it'll operate for six months in a demonstration period. And it will provide free service between Piers 41 and the downtown ferry terminal.

So we're really excited to see this demonstration project and have commercial pathways for this technology. We have supported this effort through grant applications identifying locations for fueling operations, securing regulatory entitlements, community outreach and facility plans and review. So we do feel that we are on the path with our partners.

Finally, we have had very tumultuous years in our insurance premiums. You've heard a little bit about that in the budget. But our premiums have gone up, and our level of coverage has gone down precipitously over these years. And I'm excited to say that, with the city administrator's risk manager, he encouraged us to find a new broker. And we have new insurance. And we're comfortable that we have a good policy.

So far, we're going to save quite a bit of expense here for our economic recovery. So good work, Nate Cruz. And good work, Matt Hansen. And good work -- if we ever have an emergency or a fire on our facilities, we'll be better covered and for a lower cost. And commissioners, that concludes my report. Thank you so much.

President Brandon: Thank you, Elaine. We will now take public comment on the executive director's report. Is there any public comment in the room? I would like to ask Tiffany Tatum to come up and give us a little introduction or -- into our interns. We are just so excited to have them here with us today.

Tiffany Tatum: Thank you, President Brandon. Director Forbes, commissioners, we're really excited to have our interns here today. We partner with a couple of programs: Project Pull, Enterprise for Youth and Opportunities

for All. We also have seven interns that are down at Pier 50 having the opportunity to really get immersed in the trades.

They are a transitional age, 18 to 25. And they work a much earlier shift, 6:00 a.m. to 2:30. So they're not here with us today. The interns -- we have a maritime cohort. Maritime cohort, can you wave your hands? [applause] While we didn't get a chance to take them to Cal Maritime this year, we look forward to being able to do that next year.

But they really did get an opportunity and continue to get an opportunity to learn about our maritime operations here. They've been to all of our facilities. And we've had some great tenants to volunteer to host our interns as well. So they got to see a little bit of Port operations from our tenant side.

Our other interns -- I'm sorry. We also partnered with Department of Police Accountability, who recruits exclusively from HBCUs. So our program ends July 31st. They've been here since June 10th. And they're dispersed throughout the organization. We always have full participation from all of our departments which I really love.

And this is our first year coming to the Port Commission and, I hope, not our last. We did get a little training before we came here. Thank you, Michelle Sexton. We also had the Youth Commission come and talk to them about their role in the city and how they can get involved.

And we also had Tyra Fennell from the mayor's office come in and talk about commission appointment process and how they're selected and who these people are and so really trying to encourage our young people to see themselves in this process, to want to get involved in how their city is run. Thank you.

President Brandon: Thank you, Tiffany. Thank you for such a wonderful job. And welcome. We are so excited to have you here at the Port. Thank you. Okay. No public comment in the room. Do we have anyone on the phone?

No Public Comment on the Executive Director's Report.

Commissioners' Discussion on the Executive Director's Report:

Commissioner Lee: So Elaine, that is really good news about Fourth of July. Fisherman's Wharf needs a big boost in business. I think this is something that we really look forward to with the nice weather and everything. So I'm really glad for that.

Interns, welcome. When I was your age, I came to Fisherman's Wharf. And I went on those boats. And now, I'm sitting here. How many years later? I won't tell you. [laughter] But anyway, I hope you have a career in maritime because it's fun actually. But again, great report, Elaine. That's all I have.

President Brandon: Thank you. Commissioner Adams?

Commissioner Adams: To our interns, welcome. Thanks for being here. One of these days, you may be up here or whatever you decide to do with your dreams. And I know, coming as a young person like you, you're a little bit shy. But I know you're all a little bit louder and wilder than what you appear to be. But thanks for [laughter] -- thanks for being here. Right. Our future is right out here in the audience. Thank you for participating.

Once again, Director Forbes, excellent, exquisite report. And it's good that we're doing the things that the community and our tenants and the customers need to continue to push the Port. I agree with my brother, Steven. We need to do -- pull out all the stops we can to make Fisherman's Wharf the shining light and to help them and do whatever we can and to bring tourists back to our great waterfront. Thank you.

President Brandon: Thank you. Vice President Gilman?

Vice President Gilman: Director Forbes, thank you for your report. I do really want to highlight Sounds to Noise. I had the honor to be there when the Art Commission unveiled it. And I think it's really important that we all recognize particularly when we look at statues of human beings, not sort of more exploratory art, that who is represented really, really matters.

And this piece by this artist in particular based out of London -- it's really an attempt globally to show that not -- that more than just figures in our society which have traditionally been white males can be portrayed in bronze. And I never really understood the context of that until going to that opening and the power of that and to watch people take selfies with it, to watch children come by, to watch the interns from the Art Commission who were actually there for that was really moving.

So I just really want to commend the Port again. We have seven-and-a-half square miles of public-trust space. And I hope that we can continue to have a vibrant art program that portrays and shows the diversity of San Francisco.

Again, great news about Fourth of July and what we're trying to do on the Fisherman's Wharf but throughout the waterfront to drive business here. I think that's really splendid. And to the interns, thank you so much for applying and wanting to come and do service with us. You know, all of you are living here in the City and County of San Francisco.

And it's unique to have seven-and-a-half miles of waterfront from the southeast to the northeast so really hope you're enjoying your time. And I'm sure many of you one day will be sitting in these chairs or other chairs in San Franciscan -- as commissioners. So thanks.

President Brandon: Thank you. Director Forbes, thank you for a wonderful report. I think the art installation, the Sound Turned to Noise is absolutely beautiful. Unfortunately, I couldn't make it last week. But walking by today, I just understood what all of the social media and all of the articles and the conversation is about because she's absolutely stunning, beautiful. So thank you so much. It's unfortunate that she'll only be here till January. [laughs]

Director Forbes: We may be able to extend six months.

President Brandon: Great. Great. Great. [crosstalk] No. I think there were so many people that just stopped while I was just walking by because it's just -- it's beautiful. So thank you to the Arts Commission for partnering with us to bring that installation.

I think the Ferry Building is doing a phenomenal job in bringing in new tenants, wonderful and diverse tenants. And I can't wait to see the new restaurant that's taking over the Slanted Door space. I think that's great news.

And congratulations to everyone who worked on the Fourth of July weekend. I mean, to hear that sales were 2017 levels is absolutely incredible. The Port is really, really doing their job on every level in this economic recovery. And I just want to thank all the staff, the work that weekend or that prepared for that weekend, that prepares for every day because we're really bringing people to the waterfront. So thank you very much.

Also, Fisherman's Wharf -- and I had no idea that the SkyStar was such a huge attraction. [laughter] I mean, people really felt it not being there, you know, for the months it had to go through the maintenance requirements. But it's a huge attraction to Fisherman's Wharf.

And the fact that Fisherman's Wharf was so vibrant during the Fourth of July weekend and that we have new restaurant leases coming in and -- I think the Port has just done a phenomenal job in investing in Fisherman's Wharf for their recovery. We're back almost -- almost 100 percent -- almost. [laughs]

You know, the Army Corps and the resilience and this whole effort is just a testament to the leadership that we have here at the Port. I mean, it's been seven years of continued conversations, of community outreach and back and forth to D.C. and speaking with various congressmen and senate -- congress people [laughs] senators and -- we should be so proud of all of the work that we've done.

And it's not reactive. It's very proactive for us to be in this position. And as we've told them since day one, we'll be the pilot. We'll be -- you know, try it on us. And it will work. We'll do the work. And it's just paid off. And what we're doing to show the rest of the country what needs to be done to protect our waterfront, to protect our buildings, to protect our population is just incredible.

And the fact that we were able to partner with the Army Corps at this level is just phenomenal. So congratulations to you and your staff. And thank you for your leadership. [applause]

Commissioner Adams: President Brandon, [one more thing]?

President Brandon: Sure.

Commissioner Adams: One thing that I wanted to thank the Port and especially for the young people -- President Brandon was there, Vice President Gilman -- but last Monday at the Giants stadium, we paid tribute to the great Willie Mays, the Say Hey Kid.

And sitting there, we heard from Former Mayor Willie Brown. We saw Mayor London Breed there. But nobody knew that President Bill Clinton was in the audience. His name wasn't on the deal. And he got up and spoke about Willie Mays. You had film director, Spike Lee. You had Dusty Baker. You had Barry Bonds.

You just had an assortment of people. But the thing that struck me most was one of his godsons says, "We can talk about Willie Mays --" and we always talk about people, who they are and what they do in their jobs. But he talked about who he was as a person, as a father, an uncle, an individual, how he treated people.

And what was near and dear to Willie Mays was his family and his foundation and young people. He always had time for young people, to talk to them and to encourage them. And sometimes we'll look at an image of a person. That's just what they do. We have to look at the soul of what they contribute.

And I was just so inspired hearing about Willie Mays, watching him as a kid growing up and to have -- finish his career here in San Francisco and being there and seeing all the people. It was on ESPN. It was coverage all over the country, all over the world.

But to me, that was a bright and shiny day for San Francisco. The Giants are one of our biggest tenants. But to see something like that-- and I wish a lot of the young people could understand that. There are certain things that money can buy and certain things that money can't buy.

Willie Mays had all those things that money couldn't buy. So thank you. And I'm glad I had an opportunity to be there with everyone and to say goodbye and to thank Willie Mays, the Say Hey Kid. Thank you.

President Brandon: Thank you. It was a great event. It was a wonderful event. The Giants did a phenomenal job in putting that tribute together, that celebration of life. And I think we will all remember Willie Mays.

To the interns, I really want to thank you for joining us today. I hope you have a very valuable and rewarding experience here at the Port. This is one of the best agencies in the city. So you guys are so fortunate to be here. [laughter] And if you want to ask us any questions, if you want to talk to any of us after the meeting is over, please feel free to come up. Okay. Don't be shy. Welcome. Thank you, Elaine. Next item, please.

10. CONSENT

- A. Request authorization to advertise for competitive bids for Construction Contract No. 2857, Crane Cove Park Playgrounds and Dog Park. (Resolution 24-32)**
- B. Request reduction of Port of San Francisco Crab and Salmon receiver lease rents up to 50% for a period of five months (May 15, 2024, through October 15, 2024) in light of economic disruption caused by the closure of the 2023 and 2024 commercial Salmon season and the multiple shortened commercial Dungeness Crab seasons. (Resolution 24-33)**

ACTION: Commissioner Adams moved approval of the consent calendar. Vice President Gilman seconded the motion.

Public Comment on the Consent Calendar:

Kenny Belov: Excuse me. Thank you all for allowing me a few minutes to speak. I am Kenny Belov. I am the owner of TwoXSea at Pier 45, Shed D3. We have been a tenant of yours since 2012 and in business for 15 years. We have a saying in our company, "Seafood without a story is flavorless." And we refuse to serve flavorless seafood.

The stories that we sell are the stories of the individuals that catch our local fish. And they have been hit very hard not only for the past two years, but it's been for considerably longer than that. In 2023, we offloaded 200,000 pounds less fish than we did in 2022, costing our company a total of \$2 million in revenue.

This year has started the same with the shortened crab season and, again, with the loss of salmon season. I -- unfortunately -- I want to apologize for my attire. I'm recovering from surgery. So I kind of learned about this at the last minute. So I really appreciate you allowing me the time.

It's becoming very difficult for all of us at the wharf who operate the way we do, which is offloading local boats, the local catch and selling it to local restaurants. I do not start my day at the airport. I do not pick up fish that's imported from all over the world. I sell California seafood, Oregon seafood, Alaskan seafood but mostly California seafood.

And without it, I'm out of business. So as we find ways to pivot and we find ways to adapt to what's going on in our oceans, it's not just the fishermen. It's the temperatures of our oceans, the whale populations. Everything is affecting everyone and will continue to do so.

So I thank you for this opportunity to have some sort of a relief for all of us that participate in the salmon and crab fisheries at Fisherman's Wharf. We have the opportunity to sell other fish, which allows us to stay in business if we choose to. The permit holders of California Dungeness crab and California wild king salmon do not have the opportunity to pivot as we do in the industry. But we are all suffering one and the same. So I thank you all for your time. Thank you.

President Brandon: Thank you. Janette Caito?

Janette Caito: President Brandon, Port commissioners, Ms. Forbes, I just want to say a few things. I want to thank you for everything that you've done for us at Caito Fisheries and the seafood industry for over the years. We really appreciate it. We appreciate your support at Fisherman's Wharf.

And in addition, I'd like to thank your staff because they've worked so hard on all this relief and the numbers and trying to figure out what's the right thing to do. And I think they have. And I appreciate that. Thank you.

President Brandon: Thank you. Is there any other public comment in the room? If not, do we have anyone on the phone?

Operator: There is one caller for public comment. Opening the first line now.

President Brandon: Thank you.

Sarah Bates: Yes. Hi. Good afternoon. Thank you for allowing me the time to comment. My name is Sarah Bates. I fish commercially out of Fisherman's Wharf. And I am also a board member of the San Francisco Community Fishing Association. And I would like to thank the Port Commission for considering this request of rent reduction for crab and salmon receiver leases.

You've heard all the stories, I'm sure, that we are facing our second year of complete salmon closure in California. And we have not yet received a single penny of federal or state disaster funds. And this year, we also faced incredibly shortened nine-week Dungeness crab season. And that's in contrast to a normal season of about seven months.

And these two species are really the two keystone fisheries of the Port of San Francisco. And without these two species, we are facing basically market crashes for our local boats and for our wholesalers and receivers. You know, without the sort of crab and salmon to keep everything moving, we are seeing even sort of lower demand for a lot of our other species.

And anything that the Port can do to relieve some of this financial stress is very, very much appreciated. So first of all, thank you for even considering this request. And obviously, we encourage you to support the request. And also, as a member of the fleet of an active fishing vessel out of San Francisco, I personally really rely on the markets of San Francisco.

If I don't have a buyer that's going to buy my fish and then treat it with respect and send it to the local markets and restaurants, then I don't really have a fishery. And these salmon are going to come back. So if we don't have the infrastructure to support the fleet, then we have lost a really critical part of our entire industry. So thank you again for your consideration.

President Brandon: Thank you. Are there any other callers? Are there any other callers on the line?

Operator: There are no other callers for public comment at this time.

President Brandon: Thank you. Public comment is closed.

President Brandon: We have a motion and a second. All in favor?

All Commissioners were in favor.

Motion passes unanimously. Resolutions 24-32 and 24-33 are adopted.

11. PLANNING & ENVIRONMENT

A. Informational presentation on PG&E Beach Street Offshore Sediment Remediation Project.

Kathryn Purcell: Good afternoon, commissioners. My name is Kathryn Purcell. And I work in the Port's planning and environment division. I'm pleased to be here today to provide the Port Commission and the public with an update on the PG&E Beach Street offshore remediation project.

I'm specifically going to look at providing an update on some pre-remediation outreach, permitting, remedial design plans that PG&E is performing in compliance with the San Francisco Regional Water Quality Control Board with cooperation and oversight by the Port.

I'd like to say thank you to Luke Vernagallo from PG&E. I appreciate your attendance today and your team's commitment to this project. Our presentation today will basically run through a little bit on the project background, regulatory requirements, project milestones, outreach and plans and environmental protections.

I'd like to draw your attention to this map. The site as we know it is located on the Port's northern waterfront and includes offshore areas that span basically on the left side of the map from Pier 43, where the home of Red and White Fleet tours and bay excursions sits, over to Pier 43, which is our historic ferry arch and promenade.

And then, moving further to the right, you hit Pier 41 1/2 and where we have Blue and Gold Fleet operating ferry and water excursions and then to the west marina and the east marina off the shores of Pier 39.

A little bit on the background of this project site -- as shown on the map, PG&E and its predecessors operated what was called the Former Beach Street Manufactured Gas Plant, or MGP as we know them, from the early 1900s to the 1930s.

In 2011 and 2013, a chemical known as polycyclic aromatic hydrocarbons, or more easily PAHs, was identified during pre-dredge sediment sampling in the east and west marinas. Subsequently, determined to be related to the former Beach Street MGP, PG&E with the Port cooperation completed over five years of remedial investigations to characterize these sediments with PAHs.

And then, finally in 2021, PG&E finalized what is called the feasibility study remedial action plan or, more shortened, FSRAP, recommending a clean-up plan that includes dredging and capping of offshore areas between Pier 43 1/2 on the left, over to the right to the east basin, approximately 1,000 feet offshore.

It's important to note the regulatory requirements of this site. The San Francisco Regional Water Quality Control Board is the lead agency at this site. And we've been working with them in collaboration with PG&E since approximately 2013-2014.

In February of 2022, following the approval of the site investigations and the FSRAP, the Water Board issued a site clean-up order compelling PG&E, as the primary responsible party for the PAHs in the sediment, and the Port, as the property owner, to complete what is called a proposed clean-up plan and a mitigation monitoring and reporting program.

As shown on this graph, following five years of investigation, studies and reports and the finalization of the RAP or the clean-up plan, the Water Board, as the lead agency for the project, completed what is called the CEQA initial study for the clean-up.

The Water Board then, in 2022, adopted a CEQA mitigation -- a mitigated neg. dec. for the project and then promptly followed to issue the clean-up order compelling PG&E and the Port to implement this project. My focus going forward is really to kind of update you on what we've been doing since we last presented to the commission in August of 2022.

The project team has been advancing what we call pre-remediation engineering design, construction plans, permitting. And we're now working with PG&E to prepare for remediation that is currently scheduled to begin in the Pier 43 1/2 offshore area in the summer of 2025.

Outreach and engagement, as you can imagine, has been an ongoing process. PG&E and Port staff have completed endless briefings with permitting agencies. And we've also met with our Port advisory committees including presentations to the Southern Advisory Committee, Northern Advisory Committee and Fisherman's Wharf.

As noted in this slide, the Water Board also performed public outreach and public notice for review and comment on the proposed clean-up plan and their CEQA studies. Since 2022, Port staff have worked with the PG&E team on over 22 what we call working group meetings with Port tenants, who will be directly impacted by the project both within the northern and the southern waterfront areas.

On the northern waterfront, this includes meetings with: the San Francisco Maritime National Park Association, who operates the USS Pampanito at Pier 45; Red and White Fleet; Blue and Gold Fleet; Pier 39 to review and discuss engineering plans, construction methods and equipment and to work through how to plan for and minimize interference with tenant and Port operations during the construction.

Included in these working group meetings are Port real estate staff, maritime staff, engineering and our communications team, all working together to ensure the construction minimizes impacts to our tenants operation and our community uses in the project areas.

Why do sediments need to be dredged and disposed? This is a question that comes up frequently. As noted in the prior slides, studies performed as part of the FSRAP concluded that the PAHs detected in sediments, while they do not directly impact or cause harm to human health, they are required to be remediated to be protective of wildlife and certain aquatic species.

The approved remedial plan is designed to accommodate future and current vessel operations and to enable our future maintenance dredging and tenant-operation needs. Once completed, remediation will have cleaned up the offshore sediments of the site. And they will not interfere with our maritime or our tenant operations.

I want to show you briefly a little bit about the areas of remediation and the construction schedule. As shown on this slide, the order has approved the recommended cleanup to dredge and cap and perform post-construction monitoring, reporting and operational controls on what we call five remedial areas.

As you see on this map, remediation will be performed beginning at Pier 43 1/2 in 2025 and Pier 43 in '25 and then move to the right annually to 41 1/2, the west marina and the east marina. Based on the current schedule, PG&E will begin construction in 2025 and complete construction by areas over a five-year period ending in 2029.

PG&E contractors would mobilize spring of each year, following the construction activities from June through November during what we call in-water regulatory work windows. A little bit about what's coming in 2025 -- to provide PG&E access to dredge and cap the offshore areas at Pier 43 1/2 shown in the red outline on this map, they first have to temporarily relocate the USS Pampanito about 250 feet north on Pier 45.

Once the Pampanito is shifted north temporarily, the Red and White Fleet, which currently operates vessels at Pier 43 1/2, will shift over to Pier 45, so they can continue operating. That work would happen in the spring of 2025. And then construction sequencing for the remediation would start in June of '25.

The sequencing is going to include mobilizing waterside barges and equipment followed by demolition, dredging, installing clean cap materials and site restoration. The construction equipment will be waterside. The project does not anticipate impacting landside traffic, parking, public and pedestrian access along the shoreline operations or the visitor experience along the northern waterfront during the summer season.

Sediment will be dredged and placed into enclosed scows and barged offsite for disposal. Some of the required construction control measures include what we call turbidity curtains and absorbent booms that will be placed around the active remedial areas to limit impact to the water quality.

The photos that you see here are a typical material barge with a dredge piece of equipment. And next to the dredge equipment in the bottom-right corner is a dredge scow. These are common pieces of equipment the Port uses on its maintenance dredging program.

Other components to the project to ensure control measures include water quality sampling and analysis, sound attenuation and engineering controls and odor suppressants. All of this work will be done under agency-approved mitigation and construction plans.

It's also important to point out the extensiveness of federal, state and local permits being placed on the project. This includes the Army Corps, National Marine Fishery Service, NOAA, California Department of Fish and Wildlife, the Water Board and, of course, Bay Conservation and Development Commission.

PG&E is working with each of these agencies to finalize permits later this with the goal to begin remediation in '25. Equally important is the work that's

been going on between PG&E, its engineers and Port staff and consultants. We have had an extensive design review of all submittals, plan sets and specs to date.

And PG&E will be working to obtain building permits for each of these areas and also working with us on license-and-use agreements for the remedial project areas.

Briefly on some of the environmental protections -- as you can imagine, with each agency permit, there are permit conditions requiring formal written, reviewed and approved plans, health and safety, water-quality monitoring, marine mammal monitoring, dust, vapor, odor, waste management.

All of the monitoring results will be submitted and reviewed by the Water Board and made available to the public. I also anticipate both Water Board staff and Port staff will be performing site inspections to ensure contractor compliance throughout all stages of the construction.

And then, finally, I want to close with some of the work that's starting to take place on planning for communication during construction. This is a list of some of the things that PG&E's communication team is working with our tenants and our Port communication team including: informational kiosks at the site; project signage that would be interactive, so people understand what the equipment is and what it's doing.

It'll all be offshore. And it will be visible. And people will be curious. There will be coordination with the Marine Mammal Center to ensure sound levels and protections to marine life in and around the area. And there will be in-person briefings at key milestones.

I think key is going to be rapid response and communication to public inquiries as this project moves forward. And that concludes my presentation. I'm happy to take any questions you may have.

President Brandon: Thank you, Kathryn. We will now open it up to public comment. Is there any public comment in the room? Seeing none. Do we have anyone on the phone?

No Public Comment on Item 11A.

Commissioners' Discussion on Item 11A:

Commissioner Adams: Thank you, Kathryn, very thorough report. Anything that involves environmental protection is really of great concern and a big issue for not only the Port but for the citizens of San Francisco. And I appreciate the in-depth report. And at this time, I support it. and I look forward to when you're coming back. I have no other questions. Thank you.

Kathryn Purcell: Thank you.

President Brandon: Thank you. Commissioner Lee?

Commissioner Lee: Well, first thing -- some of the dredging is obviously at the boat docks, you know, where all the boat docks -- that's controlled by Pier 39. [Do we have] revenue from the boat docks? I mean, I see you've got the eastern marina. There's some green spots. And then, you have -- near Pier 45 obviously, you know, there's that red area there.

How are PG&E going to -- I mean, obviously, they've got to dredge there. So do you have to relocate those boat people to another part of the marina temporarily? How do they plan to kind of protect some of those -- well, it's actually extra income for Pier 39, obviously.

But I don't want it to affect the fishermen. You know, they're Pier 45. I'm just curious how PG&E is planning to have less impact to the business community there.

Kathryn Purcell: Good question. We've just spent the past year in working-group meetings with Pier 43 tenant on how to mitigate any impacts to their operation. And we have been working now with the Blue and Gold Fleet, who is next in line at Pier 41 1/2 and with Pier 39 on how we move towards the west marina and more -- and further down the road, the east marina.

The working-group sessions involve the financial and the operational and the communications folks from each of those tenants to begin to plan for temporary relocations as needed. We don't have those plans sorted out just yet. And we would be returning to you as those as developed with the tenants and what their needs are.

Commissioner Lee: Are you planning to do this kind of work -- hopefully not during summertime.

Kathryn Purcell: Unfortunately, the work is required to be performed during regulatory in-water work windows. Those work windows are set by federal, state and local agencies to be basically June 1st to November 30th of any year.

Commissioner Lee: Wow.

Kathryn Purcell: So you cannot dredge outside of those work windows under the permits or do much of the in-water construction hence the extensive working-group effort made to work three, four years out in advance to plan for how to minimize impact, where to temporarily relocate and how to make our tenants whole.

Commissioner Lee: Right. Because that -- especially the ferry boats, Blue and Gold, going to Alcatraz -- I can't wait to hear the --

Kathryn Purcell: Yeah.

Commissioner Lee: -- the plan because that's a lot of revenue right there for Fisherman's Wharf. So I'm really concerned about that. So I look forward to the working group coming up with some solutions because, whatever it is, we're on a roll now. I don't want to go back.

Kathryn Purcell: Yeah.

Commissioner Lee: Right. We don't want to go backwards. So it's one thing after another. So that's pretty much all -- one other thing -- where does this dirt -- where do you guys take it to? Where does it get towed to?

Kathryn Purcell: The sediment will be removed and put into scows and then barged to a material-handling facility in an upland area. PG&E is working with the Water Board and the BAAQMD and other agencies currently to decide on that site location. It has not been finalized. It is a critical path component to the project to move forward.

Commissioner Lee: Right.

Kathryn Purcell: So that also is in process for being determined.

Commissioner Lee: So it's going to be offloaded and then trucked.

Kathryn Purcell: Yeah.

Commissioner Lee: Right.

Kathryn Purcell: So the sediment has to be offloaded, dewatered and then taken to a land fill.

Commissioner Lee: Okay.

Kathryn Purcell: And it is primarily non-hazardous -- disposed of as non-haz soil. It just can't stay in the bay.

Commissioner Lee: Right. Get it. Okay. So I look forward to hearing the business plan on that.

Kathryn Purcell: Okay. Thank you.

Commissioner Lee: Thank you.

President Brandon: Thank you. Vice President Gilman?

Vice President Gilman: Kathryn, thank you for the update. I have no questions.

Kathryn Purcell: Thank you.

President Brandon: Kathryn, thank you so much for a very detailed report. This is great information. So when you did the working groups and met with the various community groups, were there any concerns or any comments that you'd like us to know?

Kathryn Purcell: We've had productive meetings with the Northern Advisory and the Fisherman's Wharf. Many of the attendees to those groups are tenants involved in working groups. And the concerns of temporary relocation, ensuring -- minimizing any public impacts to their -- you know, the public or their visitors has been prominent, wanting to understand the construction schedule and how things can be staged or sequenced to also minimize impacts.

We've also met with the Southern Waterfront Advisory Group. When we were here a few years ago, the Pier 96 was considered as a material-handling facility. Due to concerns, PG&E has pivoted two years ago to review and look for other sites up in the delta and in other parts of the bay.

So that's where we have been at this point. I should say PG&E has come back to the Port and proposed Pier 94, addressing some of the concerns with 96 including a more robust site plan with an enclosed tent and rail disposal, not truck. But that proposal is currently under review by the Water Board and the BAAQMD on if it will go forward.

President Brandon: Thank you. So is PG&E solely responsible financially for this effort? Or does the Port have any financial responsibility?

Kathryn Purcell: Good question. PG&E is funding the entire project and program. They are working with our tenants on cost agreements for incremental costs due to the project and also with the Port on our consultant and our Port labor costs to support the project. The Port is compelled as a responsible party and the property owner to support, provide site access and ensure the remediation is performed.

President Brandon: Great. Thank you.

Kathryn Purcell: Okay.

President Brandon: Great report. Much appreciated.

Kathryn Purcell: Thank you.

President Brandon: Next item, please.

12. NEW BUSINESS

Director Forbes: I have not recorded any new business. Is there new business?

Vice President Gilman: Yeah. Hi, Director Forbes. I'm hoping we could get a briefing on what's happening -- and I apologize -- the numbers I'm going to not remember. We had ambitious plans for redevelopment of our historic fingerling piers.

Director Forbes: Finger piers. Mm-hmm.

Vice President Gilman: Yes. And I would love to get an update on where we are with that.

Director Forbes: Yes. Absolutely.

President Brandon: Any other new business?

Commissioner Lee: Yeah. I've got one I want to w -- I'd like to, if possible, meet with the fishermen, especially the legacy ones, to figure out what else we can do outside the box to help you. Fees and cutting fees and things like that is a big deal. But if there's something else we can help promote or help -- we can help you sell fish off the boat maybe at different -- I mean, I don't know.

Maybe we should really have a conversation about that. So I want to -- I would like to engage with the fishermen with that. Whenever we can put that together, I'm available.

Director Forbes: [Great. Okay.]

President Brandon: Thank you. Any other new business? If not, can I have a motion to adjourn?

13. ADJOURNMENT

ACTION: Commissioner Adams moved to adjourn the meeting. Vice President Gilman seconded the motion. All commissioners were in favor.

The meeting was adjourned at 4:21 p.m.