

Bay Conservation and Development Commission (BCDC) Report to MCCMC¹

January 2025

EXECUTIVE SUMMARY: This report includes an update on the recent sea level rise legislation signed by President Biden on January 4, 2025; summary on BCDC efforts on the San Rafael Richmond Bridge; and, a synopsis of adopted actions on the Regional Shoreline Adaptation Plan and guidelines for the preparation of sea level rise plans.

1. SEA LEVEL RISE: President Biden signed the Water Resources Development Act of 2025 on January 4th which includes a section instructing the U.S. Army Corps of Engineers to study the impacts of sea level rise on the entire Bay Area region. Anticipated to begin in 2026, the study will consider the needs of economically disadvantaged communities and the existing vulnerable infrastructure of these areas, and the use of natural features and beneficial use of dredged sediment in the solutions. The study has the potential to bring federal funds to the region for climate adaptation, in alignment with PBA 2050 implementation and the SF Estuary Partnership's Estuary Blueprint and other issues related to sea level rise.

2. RICHMOND- SAN RAFAEL BRIDGE MODIFICATIONS ON PUBLIC PATHWAY: On January 16, 2025, the BCDC Commission held a workshop on the proposed modifications to the Richmond-San Rafael Bridge Public Pathway Pilot Project.

Caltrans has submitted an application to amend BCDC Permit No. 1997.001 to modify the Richmond-San Rafael Bridge Public Pathway Pilot Project (Pilot). While Caltrans is the permittee, the Pilot is being implemented in coordination with the Bay Area Toll Authority (BATA), which is a subsidiary agency under the Metropolitan Transportation Commission (MTC) created to administer tolls on the Bay Area's state-owned bridges. The Pilot currently consists of a separated Class I public pathway on the shoulder of the westbound upper deck of the Richmond-San Rafael Bridge that is open 24 hours a day, seven days a week. Caltrans has proposed modifications to the Pilot that would reduce the days and hours of operations of the public pathway for a two-year period in order to collect additional information about whether modifying the current public pathway to an emergency vehicular shoulder during weekdays may affect response times and delays related to incidents on the bridge.

The workshop allowed us an opportunity to receive information related to the Pilot and proposed modifications, and to provide direction on important considerations related to the proposal. The workshop was NOT a public hearing nor was a vote conducted on Caltrans' permit amendment application

In 2016, BCDC issued an amended permit to Caltrans authorizing a four-year pilot project to evaluate the use of a separated Class I public pathway on the shoulder of the westbound upper deck of the Richmond-San Rafael Bridge and use of the shoulder of the eastbound lower deck as a part-time vehicular travel lane during PM peak hours only. **The purposes in piloting these uses of the bridge shoulders were to seek a means of reducing congestion and travel time in the eastbound direction and to provide pedestrian and bicycle facilities across the bridge, the latter of which is related to the provision of public access contemplated in the findings of the original permit.** The BCDC permit required that Caltrans provide a written and verbal report to the Commission at or around the end of the third year of the Pilot regarding the status of the public pathway. The status report was required to include, but was not limited to, an analysis of public usage and benefits, an assessment of any operational and safety issues, and the need for any future changes to the

¹ Marin County Council of Mayors and Councilmembers (MCCMC)

facilities, including removal or making them permanent. Caltrans and BATA provided a report to the Commission at a briefing on May 2, 2024.

The authorization provided in BCDC's permit expired at the end of the four-year pilot period. As the lower deck pilot improvements opened on April 20, 2018, and the upper deck pilot improvements opened on November 18, 2019, the original authorization for the pilot project components expired on April 20, 2022, and November 18, 2023, respectively. However, the amended permit also stated that the Pilot facilities could not be removed, substantially altered, or made permanent without authorization through a permit amendment. Thus, to allow time to conclude the Pilot evaluation, determine appropriate next steps, and complete the amendment process with BCDC, Caltrans requested and was granted an extension of the Pilot through December 31, 2025.

Caltrans and BATA have proposed the following modifications to the Pilot Project:

1. On the eastbound (lower) bridge deck, continue, on a permanent basis, the use of the shoulder as a vehicle travel lane during the peak commute hours of 2:00pm to 7:00pm each day.
2. On the westbound (upper) bridge deck, for a two-year Modified Pilot period, reduce the availability of the public pathway to only the period from 2:00pm on Thursdays through 9:00pm on Sundays, with some additional availability around holidays. At all other times, the movable barrier separating the pathway would be removed and the path would revert to a shoulder and emergency breakdown lane. A shuttle would operate between 6:00am and 7:00pm on days where the path is closed to transport cyclists across the bridge (on Thursdays, the shuttle would run until the path reopens). The shuttle would run between the Tewksbury Avenue bus stop in Richmond and the Vista Point parking lot in San Rafael and involve the placement of informational signage. Caltrans would begin implementing the modifications in spring 2025.

BCDC will be considering these proposed modifications to the pilot project in subsequent public hearings in 2025.

3. ADOPTION OF A REGIONAL SHORELINE ADAPTATION PLAN (RSAP) AND GUIDELINES FOR THE

PREPARATION OF SEA LEVEL RISE PLANS: On December 5, 2024, the San Francisco Bay Conservation and Development Commission (BCDC) adopted the Regional Shoreline Adaptation Plan (RSAP) and guidelines for the preparation of sea level rise plans by cities and counties throughout the SF Bay Area. These guidelines include requirements for local governments to use in preparing the rising sea level plans by January 1, 2034 pursuant to Senate Bill 272 (Laird, 2023).

As mentioned in my last BCDC report, SB 272 was signed into law on October 7, 2023 which requires all cities and counties along the San Francisco Bay shoreline to address how they will tackle the ramifications of sea level rise through preparation and adoption of Shoreline Resiliency Subregional Plans. BCDC developed the draft guidelines that will be used by the local governments to prepare these plans in San Francisco Bay and is required to approve or deny plans based on consistency with the guidelines. While SB 272 provides the mandate for these plans, BCDC has been setting the stage for local governments to create coordinated adaptation plans for well over a decade. The San Francisco Bay Plan (Bay Plan) is BCDC's guiding policy document for implementing the laws as outlined in the McAteer Petris Act of 1965.

The Commission adopted the guidelines after reviewing over 225 written comments along with hours of verbal testimony from environmental organizations, business and industry, local governments, individuals and many others.

For questions on this report, please contact Pat Eklund, City of Novato Councilmember at: 415-336-9913 (c).