

Workshop Series 2011: Regional Government and Regulatory Agencies - Is This Going to Work for the Business Community?



PROGRAM AND RESOURCE GUIDE

Oakland, URS
September 14, 2011



Table of Contents

- Welcome 1
- Workshop Sponsors 1
- Agenda 2
- Speakers/Moderators 3
- Panelists 4
- About Bay Planning Coalition . . . 8



PORT OF OAKLAND
www.portofoakland.com



*West Coast Leaders in Aggregates, Dredging
 & Marine Construction Services*

The Dutra Group is made up of four distinct but integrated companies supplying turn-key, one-stop services to those who want to work with an industry leader.



Dutra Materials' primary source of aggregate is strategically located in one of the fastest growing areas in the Western United States.

Dutra Marine Construction provides the expertise and required resources to build in a multitude of marine environments.

Dutra Dredging supports a wide range of customers from governmental agencies to private industry members.

Dutra Equipment provides 24/7 equipment maintenance and capital repairs for the Dutra companies and their valued customers.

Call 415-258-6876 or visit our website at www.dutragroup.com

Welcome!

On behalf of the Bay Planning Coalition, I would like to welcome you today. This workshop—and those scheduled for the remainder of this year— are all designed to be educational and focused on specific issues that are important to our members and prospective members.

Today's workshop on Regional Government and Regulatory Agencies is to provide an open forum to discuss particular rules and regulations impacting the business and regulated community. The first part of the workshop will layout the practical impacts and challenges of the revised BAAQMD guidelines presented to new development and businesses in existing urban centers around the Bay. We encourage lead agencies and applicants trying to implement the new guidelines to share their experiences. The workshop will then continue with a discussion on the proposed Bay Plan Amendments, the creation of which Bay Planning Coalition has closely participated in, and the implications of its adoption. The workshop concludes with an update on California's "anti-sprawl" legislation, Senate Bill 375, and an update on the Sustainable Communities Strategy planning process.

Special thanks to URS for their generosity in providing this location. In addition, without all the support from our moderators, speakers and sponsors this workshop would not have taken place.

I hope that you enjoy the workshop and learn a great deal.

All the best,



*John A. Coleman, Executive Director
Bay Planning Coalition
tel: (415) 397.2293
john@bayplanningcoalition.org*

Workshop Sponsors

The Bay Planning Coalition gratefully acknowledges the generous support of the 2011 Workshop Series Sponsors.



Agenda

- 7:30 am - 8:00 am** **Registration**
- 8:00 am - 8:05 am** **Opening Remarks:** Rick Rhoads, President BPC, and John Coleman, Executive Director BPC
- 8:05 am - 9:05 am** **Panel 1: CEQA:** Practical Impacts of the Revised BAAQMD CEQA Guidelines. Moderator: Doug Daugherty, Principal, PhD, PE, CIH, Environ Corp.
- John Gioia, Board of Supervisors, Contra Costa County, District 1, BAAQMD Board of Directors
 - Henry Hilken, Director of Planning, Rules & Research, BAAQMD
 - Ken Kirkey, Planning Director, Association of Bay Area Governments (ABAG)
 - Greg McConnell, President and CEO, Jobs and Housing Coalition
 - Bill Wycko, Environmental Review Officer, SF Environmental Planning Division
- 9:05 am - 10:05 am** **Panel 2: BCDC:** Proposed Bay Plan Amendments Addressing Climate Change and Sea Level Rise. Moderator: Matthew Gray, Partner, Perkins Coie LLP
- Jay Ach, Manager of Regulatory & Environmental Affairs, Port of San Francisco
 - Paul Campos, Senior Vice President, BIA of the Bay Area
 - Joe LaClair, Chief Planning Officer, San Francisco Bay Conservation Development Commission
 - Ian Wren, Staff Scientist, San Francisco Baykeeper
- 10:05 am - 10:20 am** **Break**
- 10:20 am - 10:55 am** **Speakers:**
- Robert Freed, President and CEO / Katia Kamangar, Senior Vice President, Managing Director, SummerHill Homes (Introduction by John Briscoe, Partner, Briscoe Ivester & Bazel LLP)
 - Tiffany Bohee, Project Director, San Francisco Mayor's Office, Office of Economic and Workforce Development (Introduction by Gary Oates, President, Environmental Science Associates)
- 10:55 am - 11:55 am** **Panel 3: SB 375:** Update on SB 375 and Development of Regional Land Use Plan. Moderator: Nadia Costa, Senior Counsel / Sean Marciniak, Senior Associate, Miller Starr Regalia
- Bobby Glover, Executive Director, California Building Industry Association
 - David Greensfelder, Director, Landmark Retail Group, Northern California Division
 - Ezra Rapport, Executive Director, Association of Bay Area Governments
 - Stephanie Reyes, Policy Director, Greenbelt Alliance
- 11:55 am - 12:00 pm** **Wrap up and Closing Remarks**

Speakers & Moderators

Tiffany Bohee, *Project Director, San Francisco Mayor's Office, Office of Economic and Workforce Development*

Tiffany Bohee is the Project Director for the Hunters Point Shipyard and Candlestick Point project, which is the City's largest public/private real estate development project. Tiffany is responsible for all activities associated with the conveyance and development of the former Hunters Point Naval Shipyard and Candlestick Point areas including securing all approvals and entitlements, structuring the real estate and financing transactions, and attracting private investment to the development. Previously, Tiffany served as a project manager with the San Francisco Redevelopment Agency.



Nadia Costa, *Senior Counsel, Miller Starr Regalia*

Nadia is a Senior Counsel in the firm's Walnut Creek office. Her practice centers on land use and local government law, specializing in the processing and implementation of land use entitlements. Nadia has extensive entitlement experience in a wide range of projects, with a particular emphasis on complex, mixed-use, urban in-fill, and master-planned developments. She regularly counsels landowners, developers and public agencies in all aspects of land use processing.



Douglas Daugherty, *PhD, PE, CIH, Environ Corp.*

Dr. Daugherty has over 14 years of experience in strategic development and management of air quality impact and risk assessments of goods movement facilities, new development, and industrial sources. He has prepared and evaluated numerous CEQA air quality, greenhouse gas, and health risk assessment analyses for such sources and is experienced in advising and assisting these facilities with air compliance programs.

Dr. Daugherty is a Registered PE (Chemical) in California and a Certified Industrial Hygienist. He is also a California Air Resources Board-accredited Greenhouse Gas (GHG) Lead Verifier. He has a B.S. in Chemical Engineering from John Hopkins University and a Ph.D. in Chemical Engineering from Princeton University.



Robert Freed, *President and CEO, Managing Director, SummerHill Homes*

Robert Freed draws from a dynamic background in real estate, corporate finance, and accounting to oversee SummerHill Homes' critical areas of development. He is charged with maximizing company profitability while ensuring the highest quality of community development. Prior to joining KB Home, Freed was the chief financial officer for Davidon Homes, a division president of Bedford Properties, and CFO of Blackhawk Corporation. Freed earned a Bachelor of Science degree in economics from the University of California, Los Angeles, where he graduated summa cum laude.



Matthew Gray, *Partner, Perkins Coie LLP*

Matthew Gray represents a range of local agencies, real estate developers and landowners in all stages of the land use entitlement and development process. He assists clients in negotiating and securing approval of development agreements, general plan amendments, specific plans, zoning, subdivision approvals, and annexation of property into cities and special districts; regularly appears before planning commissions and city councils; and advises clients on compliance with federal and state regulatory programs during development.



Speakers & Moderators *(continued)*



Katia Kamangar, Senior Vice President, Managing Director

Ms. Kamangar joined SummerHill Homes in 2005. She handles duties related to community development and performance, including entitlements, forecasting, budgeting, land planning, architecture, and implementation of the sales, marketing, and construction efforts. She is directly involved in the development of a variety of new home communities throughout the lower Peninsula and northern South Bay regions. Ms. Kamangar also leads the company's Green Task Force. Ms. Kamangar holds a Bachelor of Science Degree in Civil Engineering from U.C. Berkeley and a Masters Degree in Business Administration from Duke University's Fuqua School of Business.



Sean Marciniak, Senior Associate, Miller Starr Regalia

Sean represents public agencies, landowners, and developers in a variety of environmental and land use matters, focusing on litigation and counseling under CEQA. Sean also has developed proficiency in areas that include the National Environmental Policy Act, the Planning and Zoning Law, the Community Redevelopment Law, takings and exactions, development agreements, initiatives and referendums, Local Agency Formulation Commissions, affordable housing, the Subdivision Map Act, natural resource permitting, and emerging laws addressing climate change and sustainable development. In past years, Sean has helped litigate land use issues in superior and appellate courts across the state, as well as the California Supreme Court.

Panelists

Panel 1



John Gioia, Board of Supervisors, Contra Costa County, District 1

John Gioia has been a member of the Contra Costa County Board of Supervisors since 1999. John was first elected to public office in 1988 as a Director of the East Bay Municipal Utility District serving for 10 years. John is considered a leader in Bay Area regional government and serves on numerous boards including: the Association of Bay Area Governments Executive Board, San FranciscoBCDC, Vice-Chair of BAAQMD, Vice-Chair of the San Francisco Bay Restoration Authority, Bay Area Regional Airport Planning Committee.

John graduated from the University of California, Berkeley with a B.A. with highest honors in Political Science and earned his law degree from Berkeley Law at U.C. Berkeley. He also completed the Program for Senior Executives in State and Local Government at Harvard University's Kennedy School of Government.



Henry Hilken, Director of Planning, Rules & Research, Bay Area Air Quality Management District

Henry Hilken is the Director of Planning and Research at the Bay Area Air Quality Management District. The Air District is responsible for assuring clean air in the nine-county San Francisco Bay Area. Mr. Hilken oversees preparation of regional air quality plans, transportation and land use programs, climate protection activities, amendments to Air District regulations, air quality modeling analyses, preparation of emission inventories, and the Community Air Risk Evaluation program. Mr. Hilken has a Masters of City Planning from UC Berkeley and has worked at the Air District since 1988.

Ken Kirkey, Planning Director, Association for Bay Area Governments (ABAG)

Ken Kirkey, AICP is Planning Director with ABAG. He began the consensus-based process for launching the FOCUS program, a regional blueprint plan encompassing over 120 Priority Development Areas (transit-served infill development areas) and more than 100 Priority Conservation Areas. Ken is currently co- project manager of SB375 and development of the Sustainable Communities Strategy in the Bay Area. Ken has nearly 20 years of experience related to regional land use and transportation planning.



Greg McConnell, President and CEO, Jobs and Housing Coalition (JHC)

Greg serves as JHC's legislative and public policy advisor/advocate. JHC members are 40 of the top executives of Oakland's major corporations that promote economic development to create jobs, a strong housing market, and a better quality of life for Oakland residents.

Greg has worked on every major issue affecting economic development in Oakland since 2005. Greg was appointed in 2007 to Oakland's Blue Ribbon Commission on Housing to represent Oakland's homebuilding industry. In 1995, Greg led the charge to pass the landmark Costa-Hawkins Rental Housing Act that changed restrictive rent control in California and advanced the property rights of landlords and residential developers.

Greg left the public sector and opened The McConnell Group to consult with property owners and developers on land use issues. Greg graduated from Howard University School of Law, cum laude, in 1976, and is a member of the District of Columbia Bar.



Bill Wycko, Environmental Review Officer, San Francisco Planning Department

Bill Wycko has been the Environmental Review Officer (ERO) for the San Francisco Planning Department since 2007. As ERO, he manages the Environmental Planning group, which is responsible for all local CEQA review. For the previous sixteen years, Mr. Wycko managed all aspects of transportation planning for the Planning Department. His 30 year planning career has been split between environmental review and long-range planning. Mr. Wycko is an attorney as well as a planner and also has professional training in transportation engineering and economics.



Panel 2

Jay Ach, Manager of Regulatory & Environmental Affairs, Port of San Francisco

Jay Ach manages the Port's \$3.5M annual dredging program, regularly representing the Port before seven State and Federal agencies regarding environmental permitting of the program. Mr. Ach also serves as the Port's delegate to local and statewide dredging and maritime environmental organizations. He is the Port's in-house expert on contaminated sediments and sediment disposal and reuse. Mr. Ach is also the Port's lead in the oversight of PG&E's sediment remediation at the Potrero Power Plant.



Panelists *(continued)*



Paul Campos, Senior Vice President Government Affairs and General Counsel, Building Industry Association of the Bay Area

Paul Campos oversees the BIA Bay Area governmental affairs staff, assists staff on regulatory and legal issues, works with CBIA and its Major Builders Council on state legislative issues, manages BIA Bay Area's litigation activities, acts as a resource for Association builder members on land use, planning and environmental issues, and is the principal Association spokesman on environmental issues. He earned a B.A. with highest honors from UC Berkeley and graduated cum laude from Harvard Law School.



Joe LaClair, Chief Planning Officer, San Francisco Bay Conservation Development Commission

As BCDC's Chief Planning Officer, Mr. LaClair directs and supervises the Commission's planning program, serves as technical advisor to the Commission and staff and provides liaison with governmental and private agencies on planning matters. He holds a Bachelor of Arts degree in Economics from the University of Oregon, and a Masters in Landscape Architecture and a Masters in City and Regional Planning from the University of California at Berkeley. Currently, Mr. LaClair is overseeing the Bay Plan policy project to address climate change and sea level rise and is a staff liaison to the regional Joint Policy Committee, focusing his efforts on implementing the Bay Area's regional climate change strategy.



Ian Wren, Staff Scientist, San Francisco Baykeeper

Ian focuses on hydrological research and advocacy. Prior to joining Baykeeper, Ian spent six years in environmental consultancy in Los Angeles and London, England, where he focused on flood risk assessment and sea level rise planning for a number of private and public sector clients subject to stringent sea level rise adaptation regulations. He studied biology at UC Berkeley and holds an M.S. in Hydrology and Sustainable Development from Imperial College, London.

Panel 3



Bobby Glover, Building Industry Association of the Bay Area

Bobby Glover began working for BIA Bay Area as a member of the governmental affairs staff in 2003 and was promoted to Executive Officer of BIA Bay Area in 2011. In addition to managing the daily operation of BIA Bay Area and serving as a member of the Executive Committee, Glover also manages the local governmental affairs operations for the Association. Glover earned a B.A. from U.C. Davis in Rhetoric and Communications.



David Greensfelder, Director, LandMark Retail Group, Northern California Division

In over 20 years, David Greensfelder has driven more than 325 projects including mixed-use projects, specialty shopping centers, and stores for specialty retailers, promotional retailers, and daily needs retailers such as drug stores. Most recently, in 2008, he opened LandMark Retail Group (LRG) /NewMark Merrill's (NM) Northern California office. Since 2008, he has built a pipeline of CVS-approved projects with over \$100 million in development value, helped CVS acquire a publically-traded competitor. David also developed plans to reposition over 1 million square feet of retail and mixed-use projects valued at over \$115 million for NM. David graduated from Pitzer College (Claremont Colleges) with a degree in Business Economics.

Ezra Rapport, Executive Director, Association of Bay Area Governments (ABAG)

Rapport provides oversight and supervision of ABAG's planning and service programs, and serves as liaison to the region's city, town, and county managers and administrators. Rapport brings strong leadership and recognized expertise in municipal management, governmental operations, land use, and transportation to ABAG and is committed to advancing regional collaboration.

Rapport's background includes a Bachelor of Arts degree in History from the State University of New York at Buffalo, a Master of City and Regional Planning from the University of California at Berkeley, and a Juris Doctor from Hastings College of Law, San Francisco. Rapport is a long-time resident of the Bay Area and resides in Oakland with his wife and children.



Stephanie Reyes, Policy Director, Greenbelt Alliance

Stephanie works on statewide and regional smart growth, affordable housing, and open space protection policy, with an emphasis on the connection between land use and climate change. Reyes previously held positions in communications, public education, and advocacy at EHC LifeBuilders, an affordable housing and homeless services nonprofit. She received a Bachelor's degree in Computer Science from Brown University.



Every dollar invested in energy efficiency today could return two dollars in energy savings.

Energy efficiency doesn't just reduce carbon emissions, it also yields remarkable economic gains. A recent report by McKinsey & Company concludes that investments in U.S. energy efficiency of \$520 billion in the next 10 years would generate energy savings of \$1.2 trillion.*

At Chevron, we've focused on energy efficiency for decades. Since 1992, we've improved the energy efficiency of our own global operations by 30%. And we're helping others do the same. Right here in the Bay Area, we constructed a large solar panel installation at the Contra Costa Community College District. This and other energy efficiency improvements are expected to help them save \$70 million over the next 25 years. It's just one of the hundreds of projects that will help businesses and government organizations reduce their energy costs by over \$1 billion.

To learn more, visit us at chevron.com.

Chevron is proud to support the Bay Planning Coalition.



Human Energy®

*McKinsey & Company's report examined greater efficiency in the stationary uses of energy in the U.S. only. All data from this report expressed in net-present-value terms. CHEVRON, the CHEVRON Hallmark and HUMAN ENERGY are registered trademarks of Chevron Intellectual Property LLC. ©2010 Chevron U.S.A. Inc. All rights reserved.

About Bay Planning Coalition

Celebrating 28 Years of Accomplishment

Founded in 1983, the Bay Planning Coalition (BPC) is a non-profit, membership-based organization representing public and private entities in the maritime industry and related shoreline businesses, ports and local governments, landowners, recreational users, labor unions, residential and commercial builders, environmental and business organizations, and professional service firms in engineering, construction, law, planning and environmental sciences.

BPC emerged from a group of Bay Area citizens and representatives of local government and private industry who became concerned about the increasing complexities and inefficiencies in the state and federal permit processes. Many instances were documented where unreasonable permit conditions, delays and over-reaching policies impeded the economic use of land and water for commerce and essential infrastructure to serve population needs. BPC was formed to correct this problem and establish greater balance in Bay permitting and planning processes to reduce unwarranted costs, delays and uncertainties for Bay development projects. BPC also works to ensure that regulatory agencies fulfill the intent of the law while meeting time and economic constraints of the permit applicants.

BPC's mission is to ensure that commerce, recreation and the natural environment thrive in the San Francisco Bay-Delta region. In support of this mission BPC's activities include initiation, facilitation and consensus building of regional projects and programs related to navigation and dredging and dredged material disposal, water and air quality, water supply, transportation, wetlands and endangered species.

Welcome New Members since Last Workshop: Brown and Caldwell, Weiss Associates Environmental Science, Engineering and Management

If you are not already a member of the Bay Planning Coalition, we hope you will consider joining today.

For more information, please visit our website at:
www.bayplanningcoalition.org or contact John Coleman,
Executive Director, at: john@bayplanningcoalition.org

Upcoming Workshop Series and Events

LTMS and Nutrient Studies: What Are The Implications for the Bay's Future?

Wednesday, November 9, 8:00 am - 12:00 pm, Oakland

A scientific review due to the impacts of diminishing turbidity and increasing nutrients in the Bay, and the economic impacts for dredging. What is a Beneficial Use? How do we solve the problem?

Annual Luncheon

Thursday, December 8, 11:00 am – 1:30 pm, St. Francis Yacht Club

SAN FRANCISCO Business Times

SAN FRANCISCO OAKLAND SAN MATEO PENNSACOLA SACRAMENTO



BUSINESS INTELLIGENCE

Subscribe to the Bay Area's premier source for breaking local business news.
Go to www.sanfranciscobusinesstimes.com/subscribe or call (415) 288-4973.

MONEY BACK GUARANTEE. IF YOU ARE NOT SATISFIED, WE WILL REFUND ALL OF YOUR MONEY ON ALL NON MAILED ISSUES.

Breaking news daily  SanFranciscoBusinessTimes.com

amec^U

Global reach, local presence

Providing environmental,
geotechnical and earthquake
engineering solutions in the
Bay Area since 1984

Local offices: San Francisco,
Oakland, Petaluma and Sacramento.
Global offices in 40 countries.

510.663.4100

amec.com

BRISCOE IVESTER & BAZEL LLP

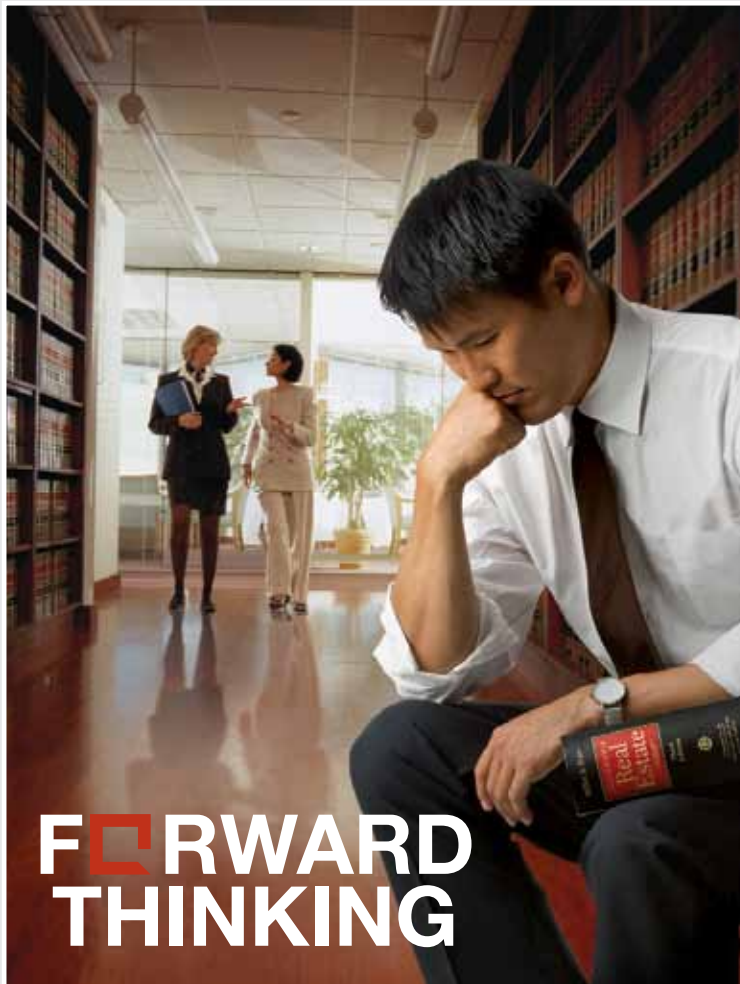
Land, Natural Resources and Environmental Law

from the Salton Sea
to the Great Salt Lake,

the Beaufort Sea
to the East Sea,

and San Francisco Bay

155 SANSOME STREET
7TH FLOOR
SAN FRANCISCO, CA 94580
TELEPHONE: (415) 402-2700
www.briscoelaw.net



At Miller Starr Regalia, we can't stop thinking about the future of California real estate law. With more than 40 years of experience, we continue to be the leader in the ever-evolving real estate environment. In fact, we authored the most respected and widely used series of California real estate law books. Forward thinking is what keeps Miller Starr Regalia out in front of the competition.

So why bother going to the other guys?
They're just using our books anyway.



**MILLER STARR
REGALIA**

Real Estate Transactions ■ Litigation ■ Land Use & Environmental ■ Business Law

Walnut Creek Office
925 935 9400

Palo Alto Office
650 463 7800

www.mslegal.com