

September 16, 2021

To: ABAG Executive Board

From: President Jesse Arreguin

Subject: Appointment to San Francisco Bay Conservation and Development Commission

On the Consent Calendar for tonight's meeting is Item 7g, Ratification of Appointment to Committee. After much consideration, I am appointing Mayor Pat Eklund, City of Novato, as the North Bay Cities representative on the San Francisco Bay Conservation Commission. Pursuant to the ABAG Bylaws, the ABAG President makes appointments to various committees with the advice and consent of the Executive Board. I am requesting that the Executive Board ratify my appointment of Mayor Eklund to BCDC. This memo provides additional background on the application process and reasons for my selection.

California Government Code Section 66620, the McAteer-Petris Act, established BCDC and specifies the membership of the Commission which includes:

- i. Four city representatives appointed by the Association of Bay Area Governments from among the residents of the bayside cities in each of the following areas:
  1. North Bay--Marin, Sonoma, Napa, and Solano Counties;
  2. East Bay--Contra Costa County (west of Pittsburg) and Alameda County north of the southern boundary of Hayward;
  3. South Bay--Alameda County south of the southern boundary of Hayward, Santa Clara County, and San Mateo County south of the northern boundary of Redwood City;
  4. West Bay--San Mateo County north of the northern boundary of Redwood City, and the City and County of San Francisco. Each city representative shall be an elected city official.

ABAG appoints the city representatives to the commission who are elected city officials from bayside cities throughout the San Francisco Bay Area for an indefinite term. Currently, the North Bay cities seat is vacant and ABAG must make an appointment. In light of the vacancy, ABAG Clerk of the Board Fred Castro issued a call for nominations in late December 2020 to the Cities Selection Committees of Marin County, Sonoma County, Napa County and Solano County. The call for nominations invited elected officials representing the following communities to apply:

**Marin County: Belvedere, Corte Madera, Larkspur, Mill Valley, Novato, San Rafael, Sausalito, Tiburon**

**Sonoma County: Petaluma**

**Napa County: American Canyon, Napa**

**Solano County: Benicia, Fairfield, Suisun City, Vallejo**

Nominations were also encouraged from Cities Selection Committees by January 29, 2021. ABAG received one set of nominations from the Marin County City Selection Committee recommending Larkspur Mayor Kevin Haroff, Tiburon Vice-Mayor Jon Welner, and Novato Mayor Pat Eklund for consideration.

The Call for Nominations suggested that ABAG at its discretion may schedule interviews with applicants regarding their interest and qualifications to serve on BCDC. President Arreguin, at the request of applicants, scheduled interviews with each of the candidates to discuss their interest, experience and priorities. After conducting interviews and much consideration, I am recommending Mayor Eklund. However, I want to note that she was one of several excellent candidates for the vacant North Bay BCDC seat. Both Mayor Haroff and Vice-Mayor Welner had impressive qualifications. It was admittedly challenging to choose from such an excellent pool of applicants.

Mayor Haroff has served on the Larkspur City Council since 2013 and is Larkspur's representative to the ABAG General Assembly. He also serves on the Board of Marin Clean Energy. He is an accomplished lawyer, with years of experience in environmental law. Of note was his work on behalf of the Santa Clara Water District to develop a comprehensive estuarine protection strategy which was incorporated into the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. He has also assisted clients around wetlands restoration issues and advised on federal and state water statutes. His work as a public official and Marin County resident has involved shoreline and wetlands restoration work.

Vice-Mayor Welner has served on the Tiburon City Council since 2018 and is a land use and environmental lawyer with 25 years of experience. He has been personally and professionally involved with BCDC. Most recently he chaired the California Lawyers Association conference on "Sea Level Rise and the Law" which was sponsored by BCDC and the Coastal Commission. He serves on the Marin County Mayors Conference Climate Action Committee and as Tiburon's representative to Marin Clean Energy.

I want to thank Mayor Haroff and Vice-Mayor Welner for their strong interest in BCDC. I thoroughly enjoyed meeting them and encourage them to consider other opportunities for regional leadership.

While both Mayor Haroff and Vice-Mayor Welner were strong candidates, Mayor Eklund's decades of professional and public service experience around bay restoration and environmental protection made her exceptionally qualified and gave her the edge. Her over 40 years of professional experience in environmental and water policy issues, and 25 years as a local elected official serving in regional and statewide positions makes her uniquely qualified.

In addition to serving as Mayor of Novato, she has also served on the ABAG Executive Board since 2013, and currently serves on the ABAG Administrative Committee, Legislative Committee, Housing Committee and Regional Planning Committee. As an ABAG representative, she was asked to join the SF Estuary Implementation Committee. In that capacity she helped facilitate discussions around the remake of Highway 37 incorporating wetlands restoration into the project scope.

Throughout her life she has served on numerous boards, commissions, committees and working groups demonstrating her ability to work collaboratively and constructively with staff, stakeholders and the public along with elected officials at all levels of government.

Mayor Eklund is a past President of the League of California Cities (2004-2005). During her time as League President, she advocated for the passage of Proposition 1A, which prohibits the state from diverting local revenue. She also served on boards of various statewide organizations for counties, schools and special districts. Additionally, she has held numerous leadership positions in the League, as Vice President and President of the Mayors and Councilmembers Department, and Chair of the Environmental Quality Policy Committee.

Professionally Mayor Eklund has an over 40 year career working on environmental protection, wetland restoration and water quality issues, first with the US Army Corps of Engineers, where she was tasked with implementing the new Section 404 of the Clean Water Act and developing the Corps regulatory permitting program. In that capacity she began her regulatory involvement with the San Francisco Bay and Delta.

She later worked for the United States Environmental Protection Agency for 35 years where she worked on a variety of environmental programs. While at the EPA, she is especially proud of her role managing the EPA's Region 9 Oceans and Estuaries Program, including nominating the SF Bay and Delta as regional estuaries through the agency's National Estuary Program. This enabled states and local organizations to be eligible for federal and state grants to grow protection programs.

Mayor Eklund was also chief of the EPA Region 9's NPDES permitting program and has been involved in numerous efforts that ultimately resulted in dredged material being used for wetland restoration rather than disposal. She also worked with the State Water Resources Control Board

and regional water quality boards on their permitting programs to ensure federal requirements were being followed.

Throughout her professional career, she has worked on issues of environmental protection and water management including protecting ground water, drinking water, addressing ocean dumping, NPDES permitting, wetlands restoration, storm water, water quality planning and waste water treatment and reuse. This work involved actively engagement with BCDC staff and knowledge of state regulations relating to protection of the San Francisco Bay.

In her interview, Mayor Eklund had thoughtful responses to questions about expanding and improving BCDC's enforcement program, how to address sea level rise planning and climate adaptation regionally.

I am pleased that Mayor Eklund is willing to lend her deep professional and public service experience to the important work of BCDC.