

San Francisco Bay Conservation and Development Commission

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November 22, 2017

TO: Commissioners and Alternates

FROM: Lawrence J. Goldzband, Executive Director (415/352-3653 larry.goldzband@bcdc.ca.gov)
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SUBJECT: Scott's Jack London Seafood, Inc., Commission Cease and Desist and Civil Penalty Order No. CDO 2017.01
(For Commission information only)

At the Commission meeting on October 19, 2017, representatives of Scott's Seafood requested during the public comment period that the Commission review the Executive Director's determination that Scott's did not comply fully and in a timely manner with certain requirements of Commission Cease and Desist and Civil Penalty Order No. CDO 2017.01 and, therefore, is not entitled to a waiver of 15% of the total penalty amount under the Order. That determination was made on September 15th and reaffirmed upon reconsideration on October 18, 2017. In response to Scott's request, Chair Zack Wasserman asked that the matter be scheduled for discussion at a later date.

On November 14, 2017, Chair Wasserman requested in an e-mail to Executive Director Goldzband that the matter be referred to the Enforcement Committee. Such a referral is in accordance with Commission Resolution 93-9 that establishes an Enforcement Committee and sets its procedures and states, in Paragraph Six, that the Enforcement Committee shall conduct its hearings in accordance with the Commission's laws and regulations "**upon matters referred to it by either the Executive Director or the Commission Chair**" (emphasis added). Staff will ask the Committee to place this matter on its next available agenda.