



2017

ANNUAL REPORT

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

< Benicia bridge, Martinez. Cover photograph courtesy of BCDC.

*To protect and enhance
the San Francisco Bay,
and encourage the responsible
and productive use of its resources
for this and future generations.*

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

455 Golden Gate Avenue, Suite 10600, San Francisco, California 94102

tel 415 352 3600 • fax 415 352 3606



2017

ANNUAL REPORT

4 INTRODUCTION

PLANNING 8

11 REGULATORY

LITIGATION 12

14 COORDINATION, COLLABORATION, AND PARTNERSHIPS

TABLE: SUMMARY OF PERMITS, FILL, AND MITIGATION 17

18 SUMMARY OF ENFORCEMENT ACTIVITIES

TABLE: WORK PROGRAM AND BUDGET

GRAPHIC: 2017 IN REVIEW 19

20 GRAPHIC: HISTORICAL TRENDS

INTRODUCTION

FEBRUARY 7, 2019

THE HONORABLE GAVIN NEWSOM, GOVERNOR

HONORABLE MEMBERS OF THE CALIFORNIA LEGISLATURE:

SUBJECT: 2017 ANNUAL REPORT

I am pleased to provide you with the 2017 annual report of the San Francisco Bay Conservation and Development Commission (BCDC), which summarizes the activities BCDC carried out during 2017 to implement the McAteer-Petris Act, the Suisun Marsh Preservation Act, the federal Coastal Zone Management Act, and the California Oil Spill Prevention and Response Act.

COMMISSION MEMBERS

Zack Wasserman, *Chair*
 Anne Halsted, *Vice Chair*
 Jim Chappell, *Alternate*
 Mark Addiego
 Malia Cohen, *Alternate*
 Rick Bottoms
 Katerina Galacatos, *Alternate*
 Thomas Butt
 Pauline Russo Cutter, *Alternate*
 Wilma Chan
 Marie Gilmore, *Alternate*
 Dave Cortese
 Greg Scharff, *Alternate*
 Karen Finn
 Geoffrey Gibbs
 Joshua Arce, *Alternate*
 John Gioia
 Federal D. Glover, *Alternate*
 Susan Gorin
 David Rabbitt, *Alternate*
 Claire Jahns
 Jenn Eckerle, *Alternate*
 Jennifer Lucchesi

Sheri L. Pemberton, *Alternate*
 Jim McGrath
 Newsha Ajami, *Alternate*
 Barry Nelson
 Aaron Peskin
 Jane Kim, *Alternate*
 Dave Pine
 Carole Groom, *Alternate*
 Sanjay M. Ranchod
 R. Sean Randolph
 Bijan Sartipi
 Dan McElhinney, *Alternate*
 Kathrin Sears
 Damon Connolly, *Alternate*
 Patricia Showalter
 Jim Spering
 John Vasquez, *Alternate*
 Jill Techel
 Daniel Hillmer, *Alternate*
 Brad Wagenknecht
 Belia Ramos, *Alternate*
 Sam Ziegler
 Jason Brush, *Alternate*
 Alexander Zwissler

LEGISLATIVE APPOINTEES

Senator Nancy Skinner
 Assemblymember Philip Ting
 Michael Sweet, *Alternate*

EXECUTIVE DIRECTOR

Lawrence J. Goldzband

DEPUTY ATTORNEY GENERAL

Shari Posner

BCDC was created in 1965 in order to prevent the Bay from shrinking due to local policies that encouraged unneeded landfill projects. Under the Commission's stewardship, the century-long diking, draining and filling that had reduced the Bay's size by one-third has ended. Over the past 52 years, BCDC has authorized 30 square miles of Bay habitat restoration, 158 miles of new public trails along the Bay shoreline, and over \$4.1 billion in productive waterfront development. Last year alone the Commission approved \$183 million in new development, which will make over two-and-a-half more miles of the Bay's waterfront available for public use and enjoyment. The projects approved in 2017 will enlarge the Bay by approximately 603 acres.

Now, global warming is presenting a new challenge for the Commission. Accelerated rising sea levels that will make the Bay larger threaten waterfront communities, infrastructure, businesses, and natural resources. In 2017, BCDC continued to work on the issue using a variety of approaches, including addressing the vulnerability of proposed projects to rising sea level and requiring adaptation measures as part of the Commission's permit process, leading projects and providing assistance through the Commission's Adapting to Rising Tides Program, completing a series of Commissioner workshops to determine the actions the Commission should take to address rising sea level, evaluating the effects of BCDC's laws and policies on rising sea level adaptation by initiating the Fill For Habitat and the Environmental Justice and Social Equity Bay Plan amendments, and participating in the region's Resilient by Design effort. Additionally, BCDC partnered with the Metropolitan Transportation Commission (MTC) and the Bay Area Regional Collaborative (BARC) on the ART Bay Area project to assess the vulnerability of the region's transportation, housing, community and natural areas and develop adaptation strategies to respond to those vulnerabilities.

▼ ART Bay Area Regional Working Group. Photograph courtesy of BCDC.



In addition to the attached statistical summary of our work in 2017, the following are some of BCDC's most important accomplishments last year.

2017-2020
STRATEGIC PLAN
UPDATE



LEADERSHIP
IN
CLIMATE
RESILIENCE

STRATEGIC PLAN: The Commission adopted an updated 2017-2020 Strategic Plan in June of 2017. The Strategic Plan Update was based, in large part, on policy discussions among Commissioners, staff, and the public who participated in working groups and workshops, and on discussions within BCDC, as well as on the eight rising sea level policy recommendations approved by the Commission in October 2016.

The revised Strategic Plan focuses on three specific issues: (1) continually improving our strategic daily work; (2) leading the Bay Area's efforts to increase its resilience in the face of rising sea level; and (3) improving our organizational health and expanding our staff to meet and conquer these challenges head on.

▲ Photograph courtesy of BCDC



As part of the rising sea level initiative, in 2017 BCDC accomplished the following:

- The Adapting to Rising Tides (ART) Program continued to lead and support rising sea level vulnerability and adaptation projects around the region. The ART Program team completed the Western and Central Contra Costa County ART Project and initiated the Eastern Contra Costa County ART Project and the ART Bay Area Project. The ART Program also provided support to the City of Oakland, the City and County of San Francisco, the Port of San Francisco, San Mateo County, Marin County, and other jurisdictions and organizations around the region.
- BCDC completed a public Commissioner Workshop Series to identify the actions that the Commission should take in coming years to address rising sea level. Building on the five workshops held in 2016, five additional workshops were held 2017. The workshops in the series were designed to inform, engage and provide a forum for participation by both the Commission and the public. Workshop 6 focused on scoping the Regional Adaptation Plan. Workshop 7 focused on “changing existing laws, policies and regulations to more fully consider the local and regional impacts of rising sea level in permitting and decision-making processes as needed” and is an outgrowth of the Bay Fill Working Group and Policies for a Rising Bay Project work. Workshop 8 focused on policy priorities identified in Workshop 7. Workshop 9 refined priority actions on changes to the Commission’s laws, policies, and practices regarding: (1) Fill for Habitat Projects; (2) Mitigation in the Face of Rising Seas; (3) Social Equity and Environmental Justice; and (4) Beneficial Use of Sediment. At the final Workshop 10, the Commission initiated two Bay Plan amendments regarding Bay Fill for habitat projects and social equity and environmental justice.

✓ Photograph courtesy of BCDC.



- BCDC formed the Financing the Future Working Group and held seven working group meetings exploring options for funding adaptation to rising sea level in San Francisco Bay. The working group, made up of BCDC Commissioners, financial professionals, and other experts, brought forward and discussed a wide array of innovative ideas for funding and financing the adaptation measures that will be required to protect the Bay's communities and ecosystems in the future.
- BCDC completed the nine-county Adapting to Rising Tides Sea Level Rise and Overtopping maps. These maps will help local governments better identify specific areas that face the greatest risk from rising seas and storm surges. The maps have been ground-truthed by local shoreline experts and contain detailed and up-to-date information about the Bay shoreline.
- Began work on the development of the "Bay Shoreline Flood Explorer" website. This new website will help Bay Area local governments and communities access interactive maps of current local flood risks due to rising sea level and storms. The Bay Shoreline Flood Explorer is designed to be used by a wide variety of users with varying levels of knowledge and expertise regarding flooding and rising sea level.
- BCDC continues to participate in important partnerships that leverage regional capacity to address climate change.



▲ Photograph courtesy of BCDC.

PLANNING

BCDC addressed the following significant planning issues in 2017:

- Formally initiated two Bay Plan Amendments to address the impacts of rising sea level as they relate to Environmental Justice and Social Equity, and Bay Fill for Habitat projects.
- The Commission's Bay Fill Policies Working Group continued to evaluate the issues associated with BCDC's fill policies and possible conflicts with the type and scale of adaptation strategies that will be needed to reduce the risks associated with rising sea level.
- Participated in the Port of San Francisco's Waterfront Working Group, an effort led by the Port of San Francisco to assess the need to change the Port's Waterfront Land Use Plan due to changing conditions that include the redevelopment of much of the waterfront, rising sea level, the cost of maintaining and repairing existing Port resources, the need to seismically retrofit the Port's seawall and other issues. This effort will likely lead to an amendment to the Commission's *San Francisco Waterfront Special Area Plan* in 2018-2019.

- Continued to work on an update to the Suisun Resource Conservation District's (SRCD) Local Protection Plan in the Suisun Marsh to reflect current practices, consistent with conserving marsh resources.
- BCDC Oil Spill Program staff led the development of an assessment of the Bay Area's tug capabilities to respond to emergency incidents offshore. Powerful oceangoing tugs are needed to halt disabled ships from drifting to the coastline thereby preventing oil spills and damaging effects to the environment. The study was required by legislation enacted following a significant petroleum spill in Santa Barbara county and was submitted by the CDFW Office of Spill Prevention and Response (OSPR) Administrator to the Legislature in April 2017.
- Staff from Planning and Regulatory divisions created the Wetland Habitat Assessment Team (WHAT), which is an internal staff working group focused on tidal, intertidal, and subtidal wetland restoration projects in the San Francisco Bay Area, including proposed and previously-permitted projects.

THE ADAPTING TO RISING TIDES (ART) PROGRAM

During 2017, the ART Program achieved the following milestones:

- Completed the Contra Costa County ART Project, assessing multiple assets with a broad working group of stakeholders and partners.
- Initiated ART Bay Area, in partnership with Metropolitan Transportation Commission (MTC) and the Bay Area Regional Collaborative (BARC). Caltrans awarded a grant to MTC and BCDC, with matching funds from MTC's Bay Area Toll Authority, to assess the vulnerability of transportation assets and services, Priority Development Areas, Priority Conservation Areas and communities with characteristics that make them more vulnerable to flooding. This two-year effort began in January of 2017 and will end in the Summer of 2019.
- Initiated the ART Eastern Contra Costa Project, in partnership with the Delta Stewardship Council and Contra Costa County. The project continues the successful work of the Central and Western ART Contra Costa project to complete a vulnerability assessment and adaptation plan for the eastern, Delta influenced, portion of Contra Costa County.
- Provided technical assistance and planning support to a range of regional and local initiatives, including but not limited to: (1) MTC's Horizon and Plan Bay Area; (2) Dumbarton Bridge Focus Area Study; (2) the County of San Mateo throughout its county-wide transportation assessment; (3) the Port of San Francisco in its San Francisco Waterfront Working Group; (4) Marin County's outer coast and Bayside vulnerability assessments; (5) Highway 37 vulnerability and adaptation planning efforts and, many other local, regional, state and federal agencies and organizations.

- Continued to update and maintain the ART Portfolio, the website initiated in late 2015 to provide tools, approaches, findings, project updates, and other information to help inform and assist others with rising sea level adaptation nationally. In 2017, the ART Portfolio was updated to include flood map books for each San Francisco Bay county and geodatabases for each county and the entire region, a technical report on the methodology used to create ART's nine county sea level rise and flood maps, ART Bay Area regional working group pages, and other associated resources.
- Provided material, assistance, and support through the ART Program Help Desk to a variety of city and county jurisdictions and other agencies and organizations, including the City of Alameda, Santa Clara County, the City of Oakland, the City and County of San Francisco, and other jurisdictions within the region and beyond.
- Developed a board game to illustrate the importance of community resilience, called Bartertown, in partnership with other regional partners and the California College of the Arts. Used the board game as an engagement exercise in ART Program and Resilient by Design outreach events.



REGULATORY

The Commission issued or denied the following significant regulatory permits, permit amendments, and federal consistency determinations in 2017:

- To Scott's Jack London Seafood, Inc. for after-the-fact authorization to replace a removable tent with a permanent, and partially retractable, wall panel system to enclose the public pavilion in the Franklin Street Plaza plus new public access improvements and remove Port of Oakland as co-permittee in the City of Oakland, Alameda County (BCDC Permit No. 1985.01.011B).
- To Hercules Development Partners, LP to develop a residential and commercial mixed use development adjacent to Refugio Creek in the City of Hercules, Contra Costa County (BCDC Permit No. 2017.002.00).
- To the East Bay Regional Park District to restore habitat and public access improvements at Albany Beach, in the City of Albany, Alameda County (BCDC Permit No. 2014.005.01).
- To the California Department of Fish and Wildlife to restore approximately 660 acres of managed marsh to full tidal action and enhance approximately 190 acres of habitat and raise Grizzly Island Road at Hill Slough Wildlife Area within the primary management area of the Suisun Marsh in an unincorporated area of Solano County (BCDC Permit No. 2017.003.00md).
- To the Port of San Francisco to construct a five-acre shoreline park at Pier 70 in the City and County of San Francisco (BCDC Permit No. 2016.006.00).
- Denied an application by Daxa Patel to construct a 100-room hotel at Harbor Bay Parkway in the City of Alameda, Alameda County.

The Commission resolved the following significant Permit Enforcement matters in 2017:

- On March 16, 2017, the Enforcement Committee held its second public hearing to consider a staff recommended enforcement strategy and policy to set enforcement priorities, improve compliance, improve regulatory and legal effectiveness, and use resources more efficiently.
- On April 6, 2017, the Commission voted to adopt proposed Cease and Desist and Civil Penalty Order No. CCD 2017.01, requiring Scott's Jack London Seafood, Inc., to resolve alleged violations at the Public Pavilion at Scott's Seafood Grill and Bar, located within Jack London Square in the City of Oakland, Alameda County. The CDO also included the requirement to make three penalty payments, each in the amount of \$131,787 by May 7, 2017, 2018 and 2019, respectively.

- On March 20, 2017, Richmond Wholesale Meat Company, Richmond, Contra Costa County, paid a standardized fine of \$37,900 (reduced upon appeal from \$60,000) for violations of adjacent Permit Nos. M1996.015 and M1992.004 involving the failure to: (1) maintain a required public access trail and (2) record a legal instrument to dedicate a public access area.
- On June 28, 2017, the Port of San Francisco, San Francisco County, paid a standardized fine of \$24,700 (reduced upon appeal from \$30,000) for violations of Permit No. 2012.001.04, involving the failure to make a required public access area available by the required date.
- On October 5, 2017, the Commission held a public hearing and voted to adopt Stipulated Cease and Desist and Civil Penalty Order No. CDO 2017.03, which requires the Heron Bay Homeowners Association to resolve public access violations at a multi-residential unit development, located in the City of San Leandro, Alameda County. The Order also required the payment of a civil penalty of \$120,000 to the Bay Fill Clean-up and Abatement Fund, half of which would be stayed for timely and complete compliance with the Order requirements. The permittee has paid its \$60,000 civil penalty.
- On November 16, 2017, BCDC's Enforcement Committee held a public hearing and voted to recommend to the Commission the adoption of proposed Cease and Desist and Civil Penalty Order No. CDO 2017.04, for alleged violations of BCDC Permit No. 2002.002.07 and the McAteer-Petris Act at Westpoint Harbor, in Redwood City, San Mateo County. This matter is pending a public hearing and possible vote by the Commission on March 15, 2018.
- In August 2017, BCDC's GIS analyst launched an enforcement layer to improve the geospatial database on which staff relies to locate permit information associated with various properties within BCDC's jurisdiction. The database now includes the history of enforcement actions.
- See the Litigation Section (p. 14) for an explanation of the ongoing litigation involving Point Buckler Club, LLC and John D. Sweeney.

LITIGATION

- *San Francisco Bay Conservation and Development Commission v. United States Army Corps of Engineers*, N.D. Cal. Case No. 3:16-cv-05420-RS. On September 22, 2016, the California Attorney General filed a lawsuit on behalf of the Commission in federal district court to compel the United States Army Corps of Engineers (Corps) to implement its 2017 San Francisco Bay operation and maintenance dredging program in accordance with the Coastal Zone Management Act (CZMA). The CZMA requires the Corps' dredging program to be consistent to the maximum extent practicable with the state's federally-approved coastal zone management program, of which the Commission's *San Francisco Bay Plan* is a part.

The lawsuit concerns the Corps' refusal to comply with four conditions of the Commission's concurrence with the Corps' consistency determination for its dredging program that promote the beneficial reuse of dredged material to create and bolster marshes and wetlands, and that protect the Bay's fish and wildlife resources and water quality. On April 25, 2017, the Court granted the motion of San Francisco Baykeeper to intervene in the case as a plaintiff-intervenor. The Commission filed a Supplemental Complaint on June 20, 2017, Baykeeper filed an Amended Complaint on June 27, 2017, and the Corps filed its Answers to both the Commission's Supplemental Complaint and Baykeeper's Amended Complaint on July 10, 2017. For the remainder of 2017, the Corps began compiling the administrative record, and all parties met and conferred regarding the contents of the record. The case remains pending and the parties anticipate that it will be resolved by way of cross-motions for summary judgment on the administrative record.

- *John Sweeney, et al., v. San Francisco Bay Conservation and Development Commission, et. al., Solano County Superior Court Case No. FCS048136.* On November 18, 2016, the Commission issued Cease and Desist and Civil Penalty Order No. CDO 2016.02 (Order) to John Sweeney and Point Buckler Club, LLC (collectively Sweeney) for a large number of violations of the McAteer-Petris Act and the Suisun Marsh Preservation Act at Point Buckler Island in Solano County. Sweeney constructed a 4,700-foot new levee around the Island and engaged in other unpermitted fill and development activities, all of which significantly damaged and altered the hydrology, vegetation, and ecology of the island's 39-acres of tidal marsh. On December 16, 2016, Sweeney filed a Petition of Writ of Mandate and Complaint for Injunctive and Declaratory Relief against the Commission challenging its Order and against the San Francisco Bay Regional Water Quality Control Board challenging a Cleanup and Abatement Order the Regional Board had issued to Sweeney. On December 28, 2017, the Solano County Superior Court issued a writ of administrative mandamus directing the Commission to set aside its Order and remanded the proceedings to the Commission for further action. The Commission appealed to the California Court of Appeal, and the appeal remains pending.
- *Mark Sanders and Westpoint Harbor, LLC v. San Francisco Bay Conservation and Development Commission, San Francisco Superior Court Case No. CPF-17-515880.* On July 24, 2017, the Executive Director initiated enforcement proceedings against Mark Sanders and Westpoint Harbor, LLC (collectively Sanders) by issuing a Violation Report and Complaint for the Imposition of Administrative Civil Penalties (Violation Report). The Violation Report alleged a number of violations of the BCDC permit for Westpoint Harbor, which is located in Redwood City. On August 7, 2017, Sanders' counsel submitted a California Public Records Act (PRA) request for all records that relate in any way to the alleged violations or the facts asserted in the Violation Report. BCDC staff promptly provided access to Sanders' counsel to inspect and copy the Westpoint Harbor permit and enforcement files. BCDC staff and Sanders' counsel subsequently exchanged correspondence regarding the PRA request and BCDC produced additional responsive documents. On October 2, 2017, Sanders filed an action against BCDC in San Francisco County Superior Court, alleging that BCDC had failed to comply fully with its obligations under the PRA. On November 8, 2017, BCDC filed its Answer, denying liability. The action remained pending at the end of 2017.

COORDINATION, COLLABORATION, AND PARTNERSHIPS

BCDC continued and expanded its various relationships with other organizations to leverage its capabilities and integrate its programs with complementary efforts. Among the most important of these efforts were the following:

- Provided feedback to the Ocean Protection Council on the state's 2017 Draft Sea Level Rise Guidance to increase its utility in local and regional vulnerability assessments and adaptation planning and improve the State's communication of best available science on rising sea level projections.
- Identified funding and financing strategies for resilience planning and adaptation planning projects in coordination with the Governor's Office of Planning and Research (OPR).
- Organized and conducted a public meeting with the environmental justice community and in partnership with the Resilience Communities Initiative, OPR, and CalEPA on the issues associated with contaminated lands and flooding. Worked with CalEPA Office of Environmental Health Hazard Assessment to map the vulnerability of contaminated lands from current and future flooding, particularly when contaminated lands are located near disadvantaged communities.
- Participated in the State Coastal Leadership Group, led by the California Natural Resources Agency, to coordinate coastal agency activities, including implementation of the ocean and coastal resources component of the California Climate Adaptation Strategy Safeguarding California and development of an update to the State Sea Level Rise Guidance.
- Continued its active partnership with the U.S. Geological Survey, which uses funding provided by the U.S. Army Corps of Engineers to study sediment transport in the Bay, which is a key process affecting how wetlands adapt to a rising Bay.
- Completed its partnership with the San Francisco Estuary Partnership, San Francisco Estuary Institute, San Francisco Bay Joint Venture, and the Bay Area Flood Protection Association examining the sediment issues associated with flood protection projects, potential realignment to benefit Bay and wetland sediment supply, and regulatory impediments to innovative flood protection projects.
- Collaborated with the Bay Planning Coalition, Save the Bay, The Bay Institute, and the State Coastal Conservancy to develop congressional legislation for the Water Infrastructure Improvement for the Nation (WRDA 2018) authorizing ten pilot projects across the nation that would beneficially reuse dredged sediment while setting aside the "federal standard."

- Partnered with and provided technical support to Baykeeper and Coastkeeper in seeking state legislation and funding to support beneficial reuse of dredged sediment in wetland restoration projects.
- Continued to work closely with MTC, Caltrans, BART, VTA, MUNI and other transportation agencies in the region to assess vulnerabilities, identify adaptation strategies, and increase communication to others such as the county congestion management agencies on the risks from rising sea level.
- Continued our strong partnership with the National Oceanic and Atmospheric Administration on the Adapting to Rising Tides Program's tools, approaches and planning process.
- Continued to strengthen the partnership among the regional agencies through the Bay Area Regional Collaborative (BARC), Metropolitan Transportation Commission (MTC), Association of Bay Area Governments (ABAG), the Bay Area Air Quality Management District, BCDC, with the addition of the California Coastal Conservancy) to support resiliency planning as part of Horizon/Plan Bay Area, the region's Sustainable Communities Strategy.
- Completed the Raising the Bar Report in collaboration with BARC. Worked on several regional resilience efforts and joint grant proposals with BARC team for regional adaptation planning work.
- Participated as a managing partner on Resilient by Design, a regional design challenge to address rising sea level.
- Continued serving as a core member of the NOAA San Francisco Bay and Outer Coast Sentinel Site Cooperative.
- Collaborated with and provided data to Point Blue and Nature Serve on their National Fish and Wildlife Foundation-funded project to identify priority fish and wildlife habitat data, which will be used to identify areas that can increase both the resilience of human communities and fish and wildlife habitat from the effects of rising sea level and coastal and inland storms.
- Participated in the Government Alliance on Race and Equity (GARE) 2017 Northern California jurisdictional cohort to advance racial equity, along with staff from the Metropolitan Transportation Commission (MTC) and the Bay Area Air Quality Management District (BAAQMD), to integrate equitable and innovative approaches for engaging the public in agency projects, including resilience planning efforts. BCDC staff who participated in GARE shared some of the training materials in a workshop that included staff from the Coastal Conservancy, Coastal Commission, and Resilient by Design.



< Photographs courtesy of BCDC.

BCDC welcomes the challenges and opportunities ahead, and BCDC's Commissioners and staff are proud to fulfill BCDC's mission statement, embedded in its Strategic Plan, that reflects its two primary responsibilities: to protect and enhance San Francisco Bay and to encourage the Bay's responsible and productive use for this and future generations.

Sincerely,

R. ZACHARY WASSERMAN, Chair

SUMMARY OF PERMITS, FILL, AND MITIGATION

Year	Major Permits ¹		Minor Permits ²		Permit amendments	Net change in Bay surface ³ (acres)	Total Project cost ⁴ (x \$100,000)	Public access (acres)	Public access (miles)
	granted	denied	granted	denied					
1970	12	1	66	0		-72			
1971	26	4	61	0		-25.1			
1972	12	3	80	0		-7			
1973	17	1	71	0		-4.4			
1974	20	0	107	1		274			
1975	10	0	87	0		5	100		
1976	14	0	110	0		-2.2	43		
1977	20	0	116	0	104	16.8	100	21.4	
1978	23	1	104	4	90	-1.9	152	46.1	9.6
1979	34	0	120	2	103	3.4	93	25.1	
1980	19	1	105	1	101	30	470	134	
1981	23	0	134	0	125	44.5	130	42.2	
1982	26	0	104	0	115	262	379	27	5
1983	23	0	105	0	131	5	395	26	6
1984	15	3	135	0	130	12	97	12	7
1985	15	1	98	0	104	60	200	35	6.3
1986	20	0	108	0	112	11	639	35	5.1
1987	16	2	108	0	104	-2	68	6	1.1
1988	17	1	119	2	137	152.2	125	3.3	0.9
1989	17	0	114	1	144	1.7	107	12.7	1.5
1990	17	1	112	0	151	-1.5	127	12.7	2
1991	8	1	61	0	163	-0.7	400	4	5.6
1992	10	1	84	0	140	-1.6	97	10.4	1.9
1993	8	1	89	0	122	50.1	26	0.2	0.3
1994	11	1	114	0	96	1.6	383	264	6.9
1995	15	0	72	0	107	549.6	136	2.8	0.9
1996	7	0	93	0	97	-1	60	3.1	2.2
1997	14	2	109	0	94	75	733	14.1	2.9
1998	15	1	109	0	130	38.5	518	16.4	3.3
1999	10	0	103	0	124	258	828	67.2	8.4
2000	21	0	85	0	141	112.4	4,640	40	1.9
2001	14	0	67	0	67	5,649.30	2,770	34.8	11.1
2002	6	0	75	0	103	1.1	118	2.5	0.5
2003	11	0	59	0	79	118.7	471	28.8	3.8
2004	7	0	74	0	95	493	408	11.2	1.5
2005	8	0	57	0	93	3,807.00	382	3.4	4.5
2006	1	0	35	0	114	70	169	0.7	0.4
2007	8	0	52	0	71	2,560.00	459	3.5	9.7
2008	5	0	39	0	73	961	552	12.7	6.5
2009	4	0	40	0	74	174	500	1.5	0.2
2010	8	0	65	0	95	1,562.00	251	11.5	4.8
2011	3	0	20	0	121	74	1,700	77.8	3.9
2012	5	0	38	0	74	201	362	6.7	3
2013	6	0	38	0	105	968	112	0.3	6
2014	6	0	48	0	135	13.8	935	11	4.5
2015	7	0	42	0	121	-0.1	407	4	7.4
2016	7	1	19	0	80	419.7	18,811	63.58	5.3
2017	5	1	24	0	89	603.1	1,839	14	2.15
TOTAL	626	28	3,875	11	4,454	19,519	41,362	1,148.68	157.89

¹ Projects authorized by major permits and major federal consistency concurrences. Some authorized projects have not been built, and some projects may have been changed pursuant to subsequent permit amendments.

² Smaller projects including consistency concurrences approved administratively or under regionwide permits.

³ The area of the Bay created or restored, including salt ponds converted to tidal action, less the area of the Bay authorized to be filled pursuant to major permits and major consistency determinations through 1987. Thereafter, significant administrative permits and amendments are included in the data.

⁴ Major and minor permits only.

SUMMARY OF ENFORCEMENT ACTIVITIES

Caseload at the beginning of 2017:

197

New cases opened in 2017:

55

Cases closed in 2017:

33

Caseload at the end of 2017:

219

Cease and Desist Orders issued:

3

Enforcement related permits or amendments issued:

8

Civil penalties received:

\$383,312

WORK PROGRAM AND BUDGET

WORK PROGRAM	FY 16-17		FY 17-18	
	PY	x \$1,000	PY	x \$1,000
Core Program				
Permits/Consistency Determinations	15.0	1,580	15.0	1,687
Enforcement	3.0	463	3.0	420
General Planning	11.0	640	14.0	601
Executive, Legal and Legislative Support	6.0	924	6.0	966
Administration, Commission and Clerical Support	12.0	1,254	11.0	1,417
TOTAL, CORE PROGRAM	47.0	\$4,861	49.0	\$5,091
SPECIAL FUND PROJECTS				
Enforcement (Bay Fill Clean-up Fund)	0.0	0	0.9	139
NOAA 306 Permits (Federal Grant)	1.2	188	0.7	126
NOAA 306 Enforcement (Federal Grant)	0.5	66	0.2	44
NOAA 309 Suisun Resource Conservation District Local Protection	0.2	31	n/a	n/a
NOAA 309-Assessment & Strategy Project (FY15) (Federal Grant)	0.4	52	n/a	n/a
NOAA 309-Art Portfolio (FY16) (Federal Grant)	0.3	43	0.4	67
NOAA 309 Environmental Justice	n/a	n/a	0.5	71
NOAA 309 FY19	n/a	n/a	n/a	n/a
CIAP Climate Change Task 2 Shoreline Development Database	0.0	1	n/a	n/a
CIAP Regional Sediment Management (Federal Grant)	0.1	8	n/a	n/a
CIAP Climate Change Task 4 Assistance to Local Govt	0.2	24	n/a	n/a
Regional Collaboration (Metropolitan Transportation Commission)	2.4	308	1.6	222
Metropolitan Transportation Commission/Caltrans	0.5	64	2.0	278
Oil Spill Prevention and Response Planning (Department of Fish and	0.8	135	0.8	139
Delta Stewardship Council	n/a	n/a	0.2	32
Transportation Project Review (Caltrans)	0.2	37	0.3	60
Association of Bay Area Governments (ABAG) (EPA Grant) Flood	0.4	59	n/a	n/a
ABAG Adaptation Workshop	0.1	5	n/a	n/a
Greenhouse Gas Reduction Fund	n/a	n/a	0.5	79
SFBRA Permitting	n/a	n/a	n/a	n/a
SB-1	n/a	n/a	n/a	n/a
Port of San Francisco	n/a	n/a	n/a	n/a
TOTAL, SPECIAL FUND PROJECTS	7.2	1,021	8.2	1,257
TOTAL PROGRAM	54.2	\$5,882	57.2	\$6,348

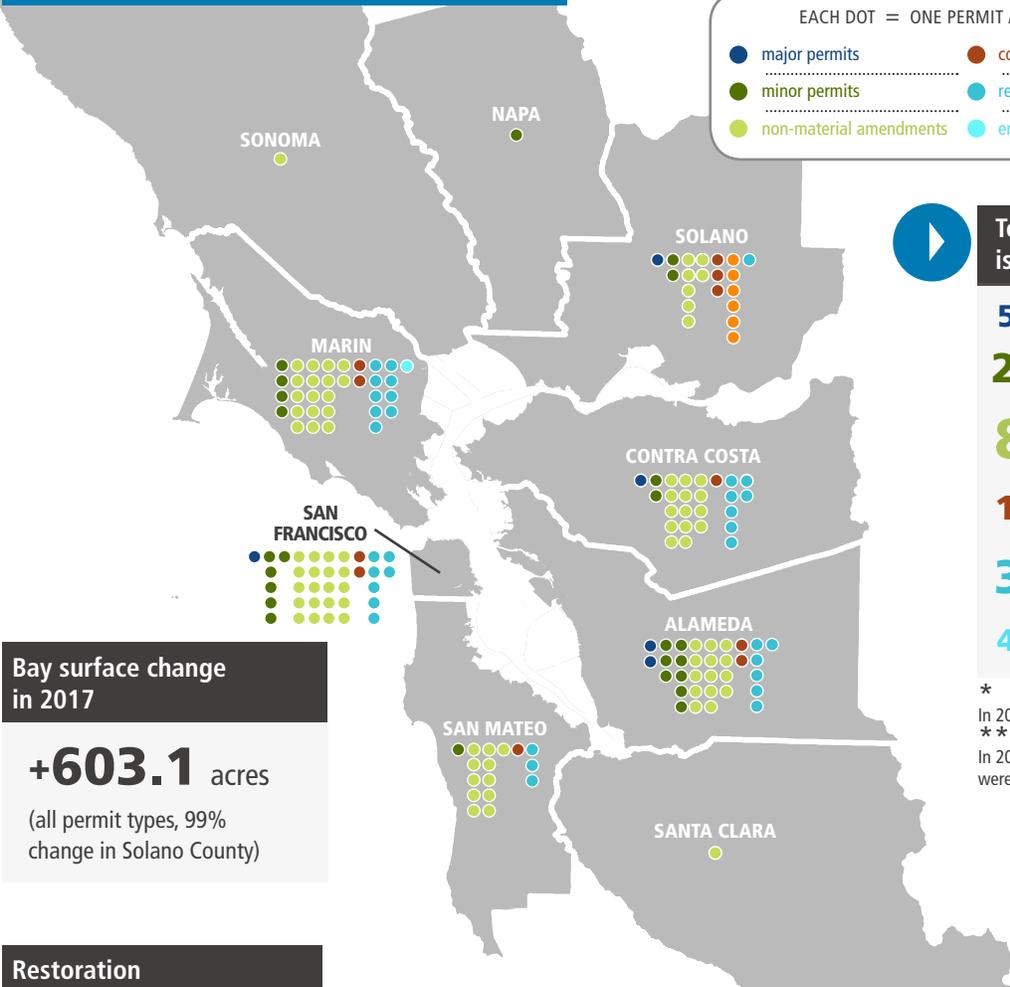
BUDGET

Expenditures			
Personal Services		4,698	5,050
Operating Expenses and Equipment		2,121	3,527
TOTAL EXPENDITURES		\$6,819	\$8,577
Revenue			
General Fund		5,651	5,903
Bay Fill Clean-up and Abatement Fund		0	100
Federal Trust Fund		0	0
California Climate Resilience Account		0	0
Greenhouse Gas Reduction Fund		0	79
Reimbursements from Federal Grants		448	316
Reimbursements from Other Sources		718	806
TOTAL REVENUES		\$6,817	\$7,204

2017 IN REVIEW

EACH DOT = ONE PERMIT / AMENDMENT

- major permits
- minor permits
- non-material amendments
- consistency determinations
- regionwide permits
- emergency permits



Total permits issued by county

- 5 major permits *
- 24 minor permits
- 89 non-material amendments
- 11 consistency determinations **
- 37 regionwide permits
- 4 emergency permits

Bay surface change in 2017

+603.1 acres
(all permit types, 99% change in Solano County)

* In 2017, 1 major permit was denied.
** In 2017, 2 consistency determinations were issued Bay wide.

Restoration

total: **+603.2** acres

- 600 acres in Solano County
- 3.2 acres in Marin Co.

Restoration area by permit type (acres)

- 99% major permits
- 1% minor permits

Public access: Trails

total **+2.15** miles

- 2 miles in Solano County
- 0.15 miles in San Francisco Co.

Public access trails by permit type (miles)

- 88% major permits
- >1% minor permits

Public access: Open Space

total **+13.9** acres

- 7.6 acres in Alameda County
- 3.4 acres in Solano Co.
- 2.6 acres in San Francisco Co.
- 0.45 acres in Contra Costa Co.
- 0.02 acres in Marin Co.

Public access open space by permit type (acres)

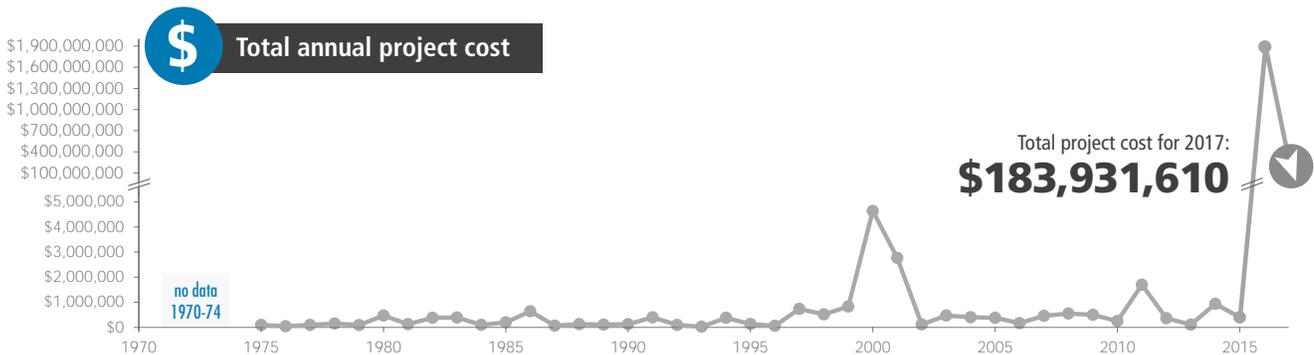
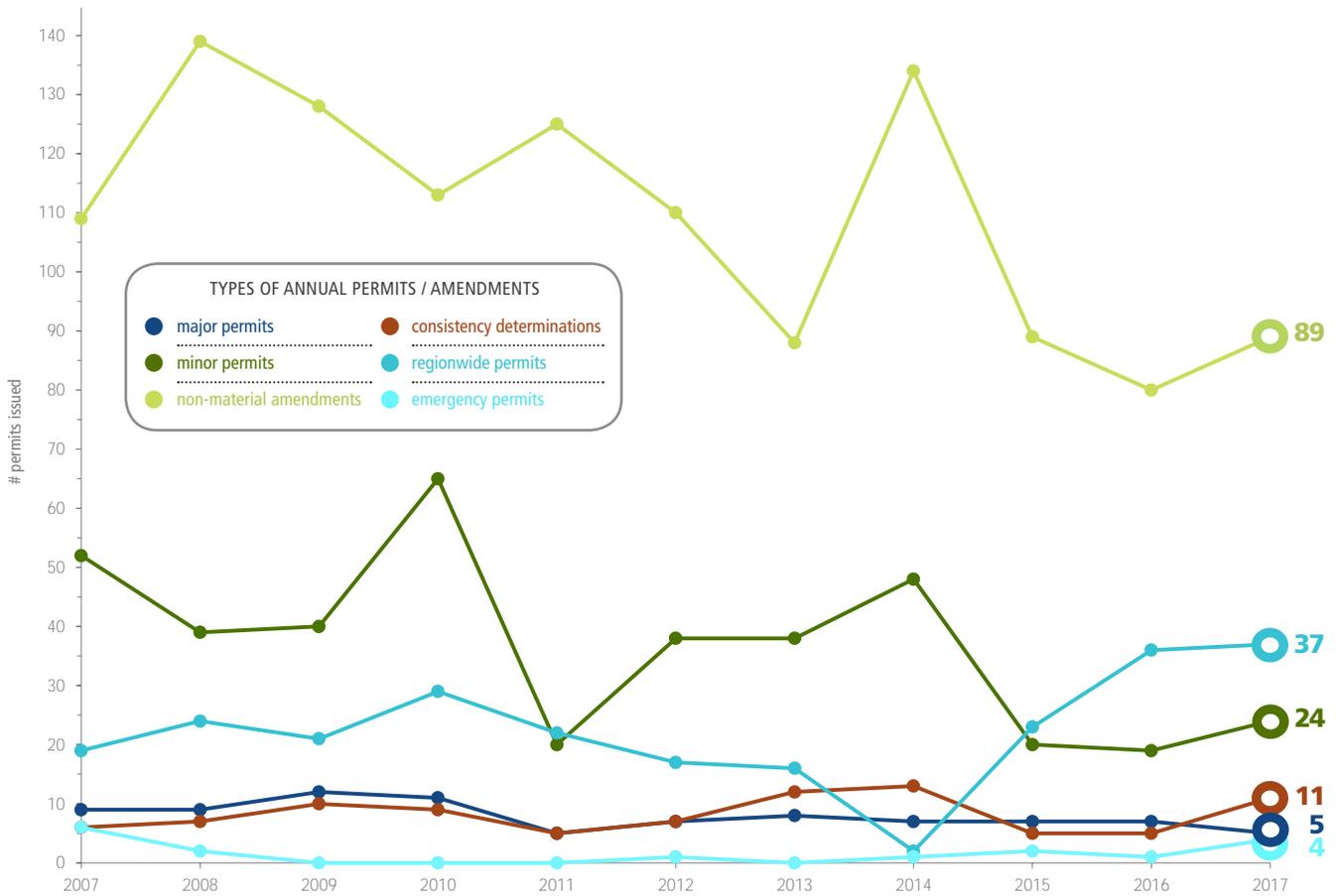
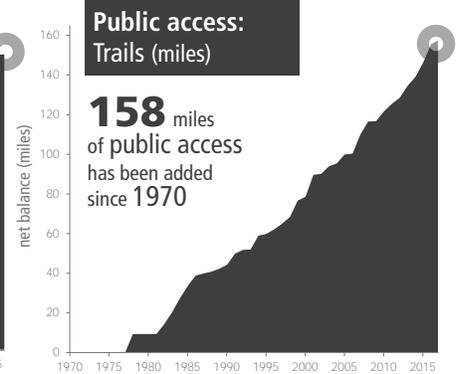
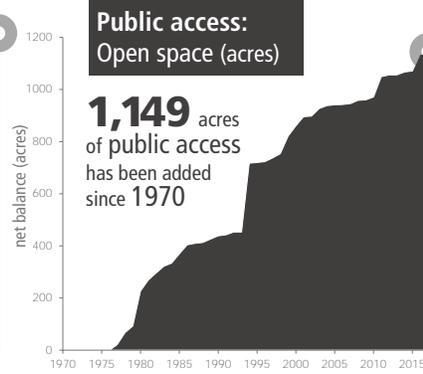
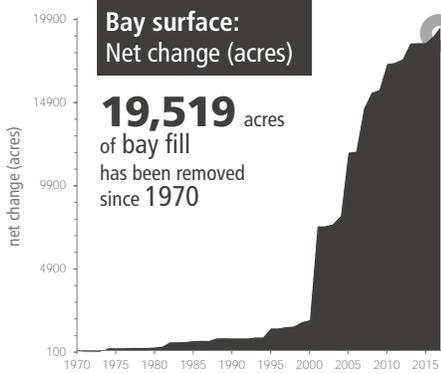
- 100% major permits

HISTORICAL TRENDS

1970-2017

Totals (1970-2017)

626 major permits **3,875** minor permits **198** consistency determinations





SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

455 Golden Gate Avenue, Suite 10600, San Francisco, California 94102

tel 415 352 3600 • fax 415 352 3606