

JOB ANNOUNCEMENT

OPPORTUNITY TO HELP PROTECT SAN FRANCISCO BAY

ENFORCEMENT ATTORNEY (ATTORNEY III)

Full-Time, Permanent Position, San Francisco

7/10/18

About Us. The award-winning San Francisco Bay Conservation and Development Commission (BCDC) is a small State agency located in San Francisco. BCDC has planning and regulatory responsibility in San Francisco Bay and along the Bay's nine-county shoreline. BCDC is guided in its decisions by its laws and policies, the McAteer-Petris Act, Suisun Marsh Preservation Act, *San Francisco Bay Plan*, and other special plans for areas around the Bay. Our staff of 42 planners, scientists, engineers, designers, attorneys, administrators, and assistants take pride in its many accomplishments.

About the Position. Under the general direction of the Chief Counsel, the Enforcement Attorney will work closely with BCDC's Enforcement Manager and three enforcement analysts to lead, implement and support the Commission's data-driven enforcement strategy, resolve current and past Bay-related permit violations, and develop a proactive compliance program.

Who We Want. BCDC seeks an attorney with administrative hearing and/or litigation experience and knowledge of land use, administrative, environmental, and/or natural resource laws. Candidates should possess the appropriate legal background, be passionate about the San Francisco Bay and its varied shoreline, understand how to balance environmental protection with appropriate shoreline development and public access, and have a strong desire to be at the leading edge of public policy debate about current issues that involve the intersection of science, land use law, and Bay-related resources including sea level rise. The successful candidate will demonstrate the ability to manage and resolve complex enforcement matters, perform detailed legal research and analysis, and have excellent writing skills.

Term and Salary. Full-time, permanent position in BCDC's Legal Division. Salary range of Attorney III is \$9,210 - \$11,815 per month.

Essential Job Functions

- Prosecutes difficult and complex enforcement actions through the formal administrative enforcement process and provide litigation support to the Attorney General's Office; evaluates the Commission staff's legal position and develops strategies for successful long-term resolution of violations; drafts enforcement violation reports and complaints for administrative civil penalties; prepares administrative records; prepares proposed cease and desist and civil penalty orders, and recommended enforcement decisions; negotiates stipulated orders and settlement agreements; represents the staff's position at public hearings and presents recommended orders or settlements to the Commission's Enforcement Committee and full Commission; provides litigation support to the Attorney General's Office to defend and enforce Commission orders and settlements in court. Analyzes and advises Commission staff

(including the Enforcement staff, Executive Director and Chief Counsel) on enforcement matters; advises and assists staff in resolving issues on policy and law related to pending enforcement actions; provides direction on case priorities; ensures compliance with deadlines for processing enforcement actions;

- Renders legal advice, both oral and written, to the Commission and staff on issues regarding enforcement; interprets provisions of the various laws and regulations administered by Commission, including but not limited to, the Mc-Ateer-Petris Act, the Suisun Marsh Preservation Act, the San Francisco Bay Plan, the Commission's regulations, the Coastal Zone Management Act and its implementing regulations, the California Environmental Quality Act, and the Bagley-Keene State Agency Open Meeting Act;
- Implements the requirements of the Public Records Act and the Information Practices Act; responds to Public Records Act requests, particularly as related to pending enforcement actions;
- Determines the sufficiency of legal instruments required by BCDC permits, including agreements that guarantee public access, open space, and view corridor areas, covenants, conditions and restrictions for the maintenance of such areas, and permit assignments, and works with permittees in fulfilling these requirements; and
- Advises the Executive Director and Chief Counsel on proposed revisions to the Commission's enforcement regulations and supporting documentation and assists the Chief Counsel in processing proposed regulations through review by the Office of Administrative Law.

Eligibility. Individuals on the Attorney III eligible list are encouraged to apply. Current State employees or former State employees with transfer or reinstatement rights at the Attorney III level are also eligible. (Please note that in order to be eligible for transfer or reinstatement, applicants must meet the minimum qualifications of the Attorney III classification.) Appointment is subject to the State Restrictions of Appointment (SROA) provisions. Applicants must clearly indicate the basis of their eligibility, including SROA, surplus, transfer, re-employment status, or list eligibility in the Examination or Job Title section on the State Application Form 678.

NOTE: If you are not currently eligible for appointment to the Attorney III classification, you may participate in the CalHR online examination. A link to the exam can be found [here](#).

Applying for the Job. The job opening is at the San Francisco Bay Conservation and Development Commission; however, the California Coastal Commission manages BCDC's personnel functions. To apply, submit a resume, a State Application Form 678 (available at www.jobs.ca.gov), a minimum of 3 professional references, and a brief legal writing sample (5 pages or less) to:

Human Resources Office
California Coastal Commission
45 Fremont Street, Suite 1930
San Francisco, California 94105-2219
(415) 904-5430 or toll free (866) 831-2540
HumanResources@coastal.ca.gov

Filing. The position will be open until filled. Priority will be given to applications for the examination received by 5:00 p.m. on Friday, August 3, 2018. Applications will be screened and only the most qualified candidates will be interviewed. No relocation expenses will be offered.

For More Information. See our website at: www.bcdc.ca.gov or contact Marc Zeppetello (Chief Counsel) at 415-352-3655.