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December 4, 2019

Mr. Lawrence Goldzband, Executive Director
San Francisco Bay Conservation and Development Commission
455 Golden Gate Avenue, Suite 10600
San Francisco, California 94102
Email: larry.goldzband@bcdc.ca.gov

Transmitted via Electronic Mail

RE: Consistency Determination No. C2019.004.00, U.S. Army Corps of Engineers, San Francisco District, Maintenance Dredging 2020-2024

Dear Mr. Goldzband and Commissioners,

On behalf of San Francisco Baykeeper (“Baykeeper”) and our over five thousand members and supporters who use and enjoy the environmental, recreational, and aesthetic qualities of San Francisco Bay and its surrounding tributaries and ecosystems, we respectfully submit these comments for consideration by the San Francisco Bay Conservation and Development Commission (“BCDC”), regarding the Consistency Determination for the U.S. Army Corps of Engineers, San Francisco District’s (“Corps”) proposed maintenance dredging operations in San Francisco Bay for the years 2020 through 2024 (the “Project”). As proposed by the Corps, the Project is inconsistent with BCDC’s federally-approved Amended Coastal Zone Management Program for San Francisco Bay, including the McAteer-Petris Act, the Suisun Marsh Preservation Act, the San Francisco Bay Plan (“Bay Plan”), the Suisun Marsh Protection Plan, and BCDC’s regulations. Thus, the Project is also inconsistent with the federal Coastal Zone Management Act, 16 U.S.C. §§ 1451 *et seq.* (“CZMA”). Baykeeper supports the Staff Recommendation that the Commission conditionally concur with the Corps’ Consistency Determination for the Project. The conditions included in the Staff Recommendation are necessary to ensure that the Project is consistent to the maximum extent practicable with the Bay Plan, including but not limited to Dredging Policies 1, 2, 3, 4, 5, 6, and 12; Fish, Other Aquatic Organisms and Wildlife Policies 1, 2, and 4; Subtidal Areas Policies 1 and 5; and Water Quality Policies 1 and 2. Baykeeper strongly urges the Commission to adopt the Staff Recommendation, and apply all of the conditions identified in Section II of the Staff Recommendation to the Consistency Determination for the Corps’ 2020 through 2024 proposed maintenance dredging operations.

Sincerely,

Nicole C. Sasaki
Staff Attorney
San Francisco Baykeeper

Cc via electronic mail:

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