



July 17, 2019

San Francisco Bay Conservation and Development Commission
455 Golden Gate Avenue, Suite 10600
San Francisco, CA 94102-7019

Re: Commission Consideration of Moving Services Contract

Dear Chair Wasserman and Commissioners:

We are writing to urge you once again to put an immediate halt to the BCDC's planned office relocation. We have opposed this move because of the outrageous outlay of taxpayer dollars this move represents when there are so many better needs for these funds.

We appreciate the information provided to us by Marc Zeppetello this week (enclosed) as it did not require another Public Records Act request on our behalf. We can even appreciate the rationale he provided for the relocation, as government efficiency is a noble goal. However, we continue to maintain that this agency should review its own efficiency first before helping to improve efficiency of other agencies.

The information provided regarding ongoing costs is alarming. For the first time, we now know the additional ongoing cost of rent in the new building. (We assume there will be other additional occupancy costs also). In addition to the \$3.02 million in one-time moving costs, the relocation will cost the BCDC an additional \$2.2 million over the term of the eight year lease. **Remaining in what we believe is a perfectly serviceable state office building would therefore save more than \$5 million!** For an agency that complains about not having enough staff and even used Bay fill abatement funds to hire employees, the optics of this move are disconcerting. There is not adequate justification for wasting this additional \$5 million expenditure simply to house staff.

The other figure that raises significant issues to us is the sheer size of the office space itself, stated to be almost 19,000 square feet! For an agency with around 40 employees, that means almost 500 square feet is planned for each employee. The average planned new space at most organizations in the Bay Area is now closer to 200 to 300 square feet per employee. Again, the amount of space strikes us as excessive. It confirms our worst belief that this agency, which is tasked with protecting San Francisco Bay and claims it

lacks the resources to do so, wastes its limited funds on non-critical projects. It is another example of misplaced priorities.

Many observers called the state audit released earlier this year a wake-up call: lawmakers, non-profit organizations, journalists and citizens. We remind the 27 Commissioners this decision is an opportunity to pause and fundamentally change the way this agency operates.

Spending \$5 million on this move and for such excessive space cannot be justified. Stop the move today.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bob Wilson".

Bob Wilson
Co-Founder
SF Bay Stewardship Alliance



July 3, 2019

San Francisco Bay Conservation and Development Commission
455 Golden Gate Avenue, Suite 10600
San Francisco, CA 94102-7019

Re: California State Auditor's Report

Dear Chair Wasserman and Commissioners:

We remain disappointed by the reaction by the Commission and leadership of the BCDC to the California State Auditor's May report. Urgent reforms are needed and, though the Commission has started steps to address certain long-standing issues, we believe a huge challenge remains.

Most troubling was the rebuttal of the audit findings which prompted a strong restatement by the audit chair to continue to make their points and we call on the Commission to act now.

A more compelling response by Commissioners would be to openly agree significant reforms are needed in governance, leadership and process. The auditor's report and headline are an indictment of the BCDC: "Its Failure to Perform Key Responsibilities Has Allowed Ongoing Harm to the San Francisco Bay". For example, the difficult issues of removal of derelict or abandoned boats are not being addressed thus causing continuing harm to the environment.

Commission and Staff reaction to focus the findings of the audit to justify more resources is misplaced. More may be needed in the future, but proper practice would be to first fix poor processes, address governance weaknesses and rebuild public confidence in an organization which is clearly in need of change. An enlightened leadership and oversight team's reaction to the audit would be to be working hard now to do better with your current resources and demonstrate positive results before demanding more funds. Clearly the public and the Commission are not being served well by current BCDC executive leadership.

Your staff has stated in public hearings that BCDC permits cannot be enforced as they are not understandable. BCDC permits are generally issued after many other agencies have issued theirs. This causes confusion and wasted resources. The BCDC "enforcement cases" are often conflicts in permit language your staff has written. We wonder if the existing process is intended to raise money as opposed to carrying out your mandate to protect the Bay and make it more accessible. Twice monthly enforcement hearings alone are not likely going to correct a broken permitting process. Further, you have no compliance function. Why are your executives not addressing these short-comings with existing resources? More than enforcement practices is broken at the BCDC.

You are asking for more resources while spending \$3 million on a move to new offices. This waste of public money would be hard to justify in normal circumstances, but to move ahead after the audit report was published shows a huge lack of sound judgment.

The audit report highlighted many examples of process weakness and lack of effective oversight. It is good to see your latest report to address some of these, but a review of executives would also be appropriate. Accountability has to start at the top. This commission, in light of the findings from the audit, stated there is an ongoing review of executive staff, although there is no public indication that such a review even exists. The evidence brought to light in the audit indicate change is necessary.

There are looming consequences of climate change that will plague our Bay without serious actions. Given the poor leadership and management at BCDC, why would the public trust your judgement on such consequential matters? You need to focus on reform process, effective leadership and strong oversight at the Commission level to regain the Public's trust. These ought to be your priorities.

The audit showed the commission's enforcement arm has not gone after the major polluters of our Bay strongly enough; rather, it targets businesses that demonstrate a perception of being able to pay fines for less significant issues. The important work to reform your commission's processes to streamline permitting, compliance and enforcement needs to happen immediately.

We are alarmed that given what is at stake, when the audit was discussed, almost a third of the commission's members were not even present. This fact is only one that makes our case for a smaller, more efficient commission that is better equipped to handle the important issues of Bay conservation and development.

We submit that this commission is at a crossroads. We agree with its fundamental mission, but share the concerns that have energized a group of bipartisan state law makers who are on record calling this an issue of “bureaucracy run amok”.

Many observers with different viewpoints on the audit have pointed out its findings should serve as a wake-up call. We have heard this from all sides except for one: yours.

Normally, one of the takeaways from an audit like this is that the auditors will grant you time to fix any problems they see in your commission. That time is running out. We encourage you to take the initiative and muster up the courage to provide the leadership this Bay needs.

Sincerely,



Bob Wilson and Peter Blackmore
Co-Founders
SF Bay Stewardship Alliance