

# San Francisco Bay Conservation and Development Commission

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November 14, 2024

**TO:** Enforcement Committee Members

**FROM:** Matthew Trujillo, Enforcement Policy Manager (415-352-3633;  
[matthew.trujillo@bcdc.ca.gov](mailto:matthew.trujillo@bcdc.ca.gov))

**SUBJECT:** Draft Minutes of November 14, 2024 Enforcement Committee Meeting

**1. Call to Order.** The hybrid meeting was called to order by Chair Gilmore at 2:00 a.m. The meeting was held with a primary physical location of 375 Beale Street, San Francisco, California, and online via Zoom and Teleconference.

Chair Gilmore gave instructions to all attendees on procedures for participating in the meeting.

**2. Roll Call.** Mr. Trujillo called the roll. Commissioners Belin, Eisen, Ranchod and Chair Gilmore were present. Commissioner Vasquez joined after Roll Call. A quorum was achieved.

Staff in attendance included Lead Enforcement Attorney Bella Castrodale, Legal Secretary Margie Malan, and Enforcement Program Manager Matthew Trujillo.

Chair Gilmore stated a quorum was present and the Committee was duly constituted to conduct business.

**3. Public Comment.** Chair Gilmore invited the general public to comment on items not on the day's Agenda.

Chair Gilmore was informed that one written general comment had been received and it would be posted on the website. She then gave instructions for members of the public to offer public comment.

No members of the public addressed the Committee.

**4. Approval of Draft Minutes from the August 28, 2024, Enforcement Committee Meeting.**

**MOTION:** Commissioner Eisen moved approval of the August 24, 2024, Meeting Minutes; Commissioner Ranchod seconded the motion.

The minutes were approved by affirmation.

**5. Enforcement Report.** Chair Gilmore called on Enforcement Program Manager Matthew Trujillo to provide the Enforcement Report.

Mr. Trujillo reported that as of August 28, 2024, 13 new cases have been

opened and 13 cases have been closed. There are 55 unresolved cases in the queue as of November 14, 2024.

Mr. Trujillo stated the Enforcement Team has been engaged in onboarding new staff.

The two interns have also made tremendous progress in their respective projects. Erich has digitized 173 of the older case files, and Monica recently delivered a staff training on best practices for completing an Enforcement Report. This will become part of a series of trainings for staff to orient them on the programs and functions to enhance understanding and collaboration between the Enforcement Team and the various other teams at BCDC.

The new Analysts are working on one or more violation reports to initiate formal enforcement on older cases and on cases that do not qualify for resolution using standardized fines. We expect those cases to come to hearing in early 2025.

Since October 28, 2024, BCDC has collected \$12,000 in penalties and that is thanks to our new Enforcement Attorney Bella.

Commissioner Eisen asked Matthew to review the new staff members.

Mr. Trujillo stated the two interns may be at BCDC six months or so. He also pointed out the two new analysts, Isabel Chamberlin and Anne Usher.

**6. Enforcement Hearing.** Chair Gilmore called for Item 6 - Resolution of Enforcement Case ER2023.019.00.

During the public hearing Lead Enforcement Attorney Bella Castrodale presented the Recommended Enforcement Decision that the Enforcement Committee vote to recommend that the Commission authorizes the Executive Director to issue the proposed Cease and Desist and Civil Penalty Order No. CCD2024.003.00, which would order Respondent to:

1. Cease and desist from violating the McAteer-Petris Act;
2. By January 1, 2025, submit a plan to remove all used automotive tires, shopping carts, plastic, and other unauthorized material, floating or sunk, from San Pablo Bay and to a legal disposal site, as prepared by a professional of record, such as an engineer or environmental scientist knowledgeable in site restoration;
3. By February 1, 2025, BCDC staff will review the professionally prepared fill removal plan and either approve, conditionally approve, or deny the plan;
4. By March 1, 2025, the professional of record shall have made any required revisions to the fill removal plan directed by staff and resubmitted it for staff review and obtained staff approval;

5. By June 1, 2025, Respondent shall have fully implemented the BCDC-approved fill removal plan;
6. Pay \$60,000 in administrative civil liability within thirty (30) days of Order issuance.

**MOTION:** Commissioner Vasquez moved approval of the Staff Recommendation, seconded by Commissioner Eisen.

**VOTE:** The motion carried with a vote of 5-0-0 with Commissioners Belin, Eisen, Ranchod, Vasquez and Chair Gilmore voting, "YES", no "NO" votes, and no "ABSTAIN" votes.

(A verbatim transcript is available for this Agenda Item.)

**7. Adjournment.** There being no further business, the Enforcement Committee meeting was adjourned at 3:01 p.m.