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October 9, 2026

TO: Enforcement Committee Members

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SUBJECT: **BCDC Compliance Unit Quarterly Report: Fourth Quarter FY 2025-2026**
(For Enforcement Committee consideration on October 22, 2026)

I. Overview

BCDC's Compliance Unit maintains an Excel-based tracking log into which staff enters all cases they are asked to handle and resolve. Requests come from people both inside and outside of BCDC, as well as from the Compliance staff themselves.

Staff use the tracking log not simply for case intake purposes (i.e. nature of the case, responsible parties, location, and deadlines) but also to track how the Compliance staff coordinates with others in BCDC, and to track uploading of pertinent documents of completed cases to BCDC's permanent record filing systems.

In addition, the Compliance staff uses the tracking log to analyze its performance. This memo presents data from the tracking log with respect to the Compliance Units Third Quarter FY 2025-2026 performance.

II. 4th Quarter (April 1 – June 30) FY 2025-2026 Performance

Top Line Findings

BCDC's Compliance Unit handled 209 compliance tasks in the fourth quarter (April 1 – June 30) of Fiscal Year 2025-2026. Of these, 109 were new tasks generated in the fourth quarter, while 100 were hold-overs from the first three quarters of the fiscal year. At 90 closed tasks, the Compliance staff closed 43 percent of all compliance tasks it handled in the 4th quarter (Table 1).

Table 1. New and Continuing Compliance Tasks: 4th Quarter FY 25-26

	Total	Opened in FY25-26 4th Quarter	From Prior Quarters & Addressed in FY25-26 4th Quarter
Total	**209**	**109**	**100**
Active	119	36	83
Closed	90	73	17

Major and Minor Compliance Tasks

Because a considerable number of tasks it handles are relatively minor tasks, the Compliance Unit distinguishes major from minor tasks. Of the 109 new fourth quarter tasks, 36 involved major compliance tasks, while 73 were minor (Table 2). Of the major compliance tasks, 20 tasks were closed during this quarter, while 16 are on-going.

Table 2. New Compliance Tasks By Major and Minor Tasks: 4th Quarter FY 25-26

	Total	Major Compliance Tasks	Minor Compliance Tasks
Total	**109**	**36**	**73**
Active	48	16	32
Closed	61	20	41

Examples of major tasks closed by staff include the following:

1. On a site visit conducted by Compliance on a completely separate matter, staff discovered that Genentech had installed a sign that looked like a standard BCDC Public Access Area sign, given that it employed the same fonts, colors, and design of this BCDC sign. However, the sign redesigned by Genentech emphasized "no public access" and that the property immediately around the sign was private property owned by Genentech. Compliance staff reached out to Genentech to let them know that the sign was not authorized by the underlying permit and therefore needed to be removed and replaced with the correct sign. Genetech promptly complied.

2. Compliance staff used the deliverables tracker to request 9 outstanding deliverables from Bradmoor Island and Arnold Slough Restoration Sites. The California Department of Water Resources (DWR) sent these documents, including Pre-Construction Surveys, the Final Adaptive Management and Monitoring Plan and Annual Monitoring Reports from 2023, 2024, and 2025. Compliance staff reviewed the documents and updated internal documentation in preparation for reviewing upcoming Annual Monitoring Reports. (2020.005.00md)

3. Compliance staff reviewed Annual Reports submitted by DWR for the Suisun Marsh Facilities and Maintenance and the Suisun Marsh Salinity Control Gates Operation and Maintenance permits. Through a series of meetings with DWR staff, Compliance staff received updated information regarding the Montezuma Day Use Area, a public access area that has been flooded and closed for multiple years, as well as biological monitoring, operational changes, and annual trends in marsh conditions. Compliance staff connected DWR with BCDC permitting staff to facilitate further discussions regarding a potential permit amendment. (1978.035.18md & 1984.004.07md)

Examples of minor tasks closed by staff include the following:

1. Upon reviewing multiple PG&E notifications under its Operations and Maintenance Permit, Compliance staff contacted the Water Boards to obtain guidance regarding the use of pressure-treated wood. Guidance on specific treatments was received and filed for staff reference. (2023.022.00)

2. Compliance staff reviewed the 30% Design Development Package for the Cargill Coyote Intake Fish Screens and communicated the requirement for Cargill to submit a permit amendment for the future installation of their fish screen. Compliance staff also conveyed initial comments from BCDC technical staff regarding the safety of fills. (2021.03.00)

Compliance Tasks Categories

Compliance staff organizes compliance tasks by 25 categories. The category with the highest number of tasks was Category 6 (“Conducting Outstanding Deliverables Check”), followed by Category 210 (“Prepare Plan Reviews”), with Category 4 (“Responding to Major Compliance Questions”) and Category 3 (“Responding to Minor Compliance Questions”) rounding out the top for compliance task categories of fourth quarter FY 25-26 (Table 3). Examples of the fifth category (“Other”) include the following:

1. BCDC staff was contacted by the City of San Leandro regarding a dead whale found along its shoreline. Compliance staff directed the City to contact the Marine Mammal Center and confirmed that temporary impacts to public access during whale removal did not constitute a compliance issue.

2. Upon receiving an inquiry from a member of the public regarding K-rails potentially impeding public access at Point Molate, Compliance staff coordinated with Richmond Fire to confirm that the K-rails at the Chevron Refinery did not restrict public access or emergency vehicle access.

Table 3. New Compliance Tasks By Task Categories: 4th Quarter FY 25-26

	Total	Major Compliance Tasks	Minor Compliance Tasks
Total	**109**	**48**	**61**
06 Conduct Outstanding Deliverables Check	**35**	2	33
10 Plan Review: Prepare Plan Review	**19**	19	0
04 Respond to Compliance Questions - Major	**13**	11	2
03 Respond to Compliance Questions - Minor	**9**	0	9
25 Other	**6**	1	5
19 Respond to Internal Requests - Minor	**5**	0	5
20 Respond to Internal Requests - Major	**4**	4	0
13 Annual Or Monitoring Report: Prepare Review	**4**	3	1
14 Annual Or Monitoring Rprt: Support Tech Review Staff	**3**	2	1
11 Plan Review: Support Technical Review Staff	**2**	1	1
99 All Remaining Categories w\Few Tasks	**9**	5	4

Compliance Tasks By In-Take Categories

The Compliance staff categorizes task by nine different in-take codes. The codes can be divided into two broad types – tasks resulting from pro-active or reactive in-take requests. Pro-active measures include:

- Setting calendar reminders in Microsoft Outlook to reach out to a permittee to remind them to submit a deliverable on time;

- Entering each compliance tasks on one worksheet of the unit's Excel-based compliance task worklog, such that, on another worksheet of the same Excel file, tasks are chronologically organized by deadline dates and importance score; and,
- Following procedures requiring staff to research and ask about missing deliverables each time staff works on any compliance task, such as reviewing a monitoring report.

Of the 109 new fourth quarter compliance tasks, the bulk came to Compliance staff in a reactive manner: 57 is attributable to requests from permittees or others outside of BCDC, while 24 came from requests from BCDC colleagues. Last quarter, 28 compliance tasks were as a result of pro-active measures deployed by staff.

Table 4. New Compliance Tasks By In-Take Categories: 4th Quarter FY 25-26

	Total	Major Compliance Tasks	Minor Compliance Tasks
Total	**109**	**48**	**61**
01 Outlook Reminders	**4**	0	4
02 Plan Review Precipitated Task	**1**	0	1
03 Report Review Precipitated Task	**1**	0	1
04 Inquiry About Another Matter Precipitated Task	**0**	0	0
05 New Permit Checklist Precipitated Task	**18**	1	17
06 Misc Matter Precipitated Task	**2**	0	2
09 Inquiry Into Another Matter Precipitated Task	**2**	1	1
07 Not Due To Preventive Meas. - External Request	**57**	35	22
08 Not Due To Preventive Meas. - Internal Request	**24**	11	13
00 NA	**0**	0	0

Compliance Task Closure Categories

Compliance staff closed 73 the 109 new tasks it handled in Q4 of 2025-2026. For cases that are closed, staff categorizes each of the case by one of seventeen different codes. The table below lists the top ten leading categories.

Table 5. New Compliance Tasks By Task Closure Categories: 4th Quarter FY 25-26

	Total	Major Compliance Tasks	Minor Compliance Tasks
Total	**109**	**48**	**61**
00 ACTIVE	36	16	20
01 CLOSED - COMPLIANCE ACHIEVED - IMMEDIATE RESULTS	19	7	12
11 CLOSED - REPORT - REVIEWED AND FILED	13	9	4
12 CLOSED - QUESTIONS ANSWERED - INQUIRANT SATISFIED	12	3	9
16 CLOSED - OTHER	9	2	7
10 CLOSED - REPORT - NO REVIEW AND FILED	4	3	1
02 CLOSED - COMPLIANCE ACHIEVED - COMMITMENT TO PROD	4	3	1
17 CLOSED - DELIVERABLE RECEIVED AND FILED	2	0	2
04 CLOSED - VIOLATIONS - CONFIRMED - IMMEDIATE RESULTS	2	2	0
15 CLOSED - NO RESPONSE	2	0	2
99 ALL OTHERS	6	3	3

Examples of closed tasks categorized by any one of the leading categories include the following:

1. 01 Closed – Compliance Achieved – Immediate Results: Compliance staff performed a routine deliverables check for the Chipps Island Interim Levee Repairs project and requested outstanding deliverables under the permit. The permittee submitted all outstanding deliverables and provided a status update on project progress. (NOI2024.004.00)2.

2. 11 Closed - Report – Reviewed and Filed. BCDC staff review and file notifications submitted throughout the quarter under PG&E's Operations and Maintenance Permit. Compliance staff review these notifications, consult with technical staff as needed, and communicate compliance determinations to PG&E. (2023.002.00)

3. 12 Closed – Questions Answered – Inquirant Satisfied: CDFW contacted Compliance staff to clarify the due date for its 2024–2025 biennial report under the Napa-Sonoma Marshes Restoration Projects permit. Because the permit did not specify a due date, Compliance staff established a reasonable deadline for future biennial reports. (2004.008.03)

Table 6. New and Continuing Compliance Tasks By Task Categories: 4th Qtr FY 25-26

	Total	Major Compliance Tasks	Minor Compliance Tasks
Total	**209**	**95**	**114**
00 ACTIVE	119	55	64
01 CLOSED - COMPLIANCE ACHIEVED - IMMEDIATE RESULTS	22	8	14
11 CLOSED - REPORT - REVIEWED AND FILED	20	13	7
12 CLOSED - QUESTIONS ANSWERED - INQUIRANT SATISFIED	12	3	9
16 CLOSED - OTHER	12	3	9
17 CLOSED - DELIVERABLE RECEIVED AND FILED	3	1	2
02 CLOSED - COMPLIANCE ACHIEVED - COMMITMENT TO PROD	5	3	2
10 CLOSED - REPORT - NO REVIEW AND FILED	4	3	1
15 CLOSED - NO RESPONSE	3	0	3
13 CLOSED - QUESTIONS ANSWERED - INQUIRANT NOT SATISFI	1	0	1
99 ALL OTHERS	8	6	2

BCDC Topics of Interest

Compliance staff also tracks each compliance task by key topics of interest to BCDC. These include public access, eelgrass restoration, sea level rise protection, etc. That way, Compliance is able to report how many of its task involved any one of BCDC topics of interest.

Table 7. New Compliance Tasks By Topics of Interest: 4th Quarter FY 25-26

	Yes	No
Public Access	12	97
Beneficial Reuse Fill	0	109
Fill Removal	0	109
Eelgrass Habitat	3	106
Environmental Justice	0	109
SLR Protection	0	109
Wetland Habitat	4	105

New Compliance Tasks By County

The bulk of the compliance tasks in third quarter were in Marin County, followed by Alameda and San Francisco Counties. The table below attributes 4 new compliance tasks to an area called “Other” --

Table 8. New Compliance Tasks By County: 4th Quarter FY 25-26

	Total	Major Compliance Tasks	Minor Compliance Tasks
Total	**109**	**48**	**61**
03 Marin	24	10	14
01 Alameda	19	8	11
05 San Francisco	17	6	11
02 Contra Costa	15	5	10
08 Solano	12	5	7
06 San Mateo	9	7	2
04 Napa	4	2	2
07 Santa Clara	4	1	3
10 Other	4	4	0
09 Sonoma	1	0	1