Building on Our Progress: The Future of Enforcement and Compliance at BCDC

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Overview

2026 | Strengthening Our Team & Building a Stronger Foundation

2027–2029 | Expand Proactive Capacity

Long-term | Deliver lasting improvements across the Bay

ENFORCEMENT & COMPLIANCE:
WHERE WE ARE AND WHERE WE'RE GOING!

First - the team today that makes this all possible

- Fully staffed Enforcement & Compliance team
  - With the added support of a dedicated intern
- Strengthened collaboration with the Legal Team, particularly our Enforcement Attorney, to ensure consistent, effective, and legally sound enforcement actions.





A Year of Progress

Completed

- Permit Oversight: Implemented standardized deliverables tables in all permits.
- Procedures: Finalized the Compliance SOP
- Reporting: Integrated regular Compliance updates into Enforcement Committee meetings.
- Training: Completed agency-wide general Enforcement & Compliance training.
- **Expanded Responsibilities: Assumed responsibility for after-the-fact permits.**
- Develop a simpler enforcement case prioritization matrix

In Progress

- Regulatory Management System: Supporting implementation to improve compliance and enforcement tracking and reporting.
- Enforcement Procedures: Streamlining Enforcement Committee briefings and standardizing enforcement templates and tools.
- Public Guidance: Improving public-facing Enforcement & Compliance resources.
- Staff Training: Expanding training on compliance tools and strengthening onboarding.

EXPAND PROACTIVE CAPACITY (2027 – 2029+)

Proactive Enforcement Program

- Conduct a comprehensive review of current enforcement authorities and regulations
  - Develop recommended updates to strengthen clarity, consistency, and enforceability
- Set data-informed enforcement priorities (e.g., chronic noncompliance hot spots, climate-vulnerable sites, repeat violators).
- Strengthen multi-agency coordination for complex cases (e.g., Coast Guard, NOAA, cities/counties, Port of Oakland).

Proactive Compliance Program

- Track all permit deliverables in BCDC's Regulatory Management System to improve oversight and accountability.
  - Automate Compliance Outreach
  - Integrate compliance resources and tools into the Regulatory Management System and/or BCDC's website.
- Perform annual compliance audits of high-risk sites to proactively identify and address potential violations.
- Collaborate on complex projects early in the permitting process to prevent compliance issues before they arise.
  - Streamline Permit Holder Communication by providing holders of multiple permits with consolidated compliance requirements and deliverables to improve clarity and efficiency.

Launching our Drone Program

- Close to operational launch, just finalizing policy and protocols with legal
  - Drone already on site
  - Erich Miller passed FAA exam
- Goal: Support site assessments, monitoring, and documentation in hard-to-reach locations which will increase bay-wide visibility and identify potential violations proactively
- First major project will be a Bay-wide structure assessment
  - Inventory abandoned and derelict structure within BCDCs jurisdiction
  - Assess jurisdiction, permit status, enforceability, and potential harm
  - Prioritize removal where warranted; restoring or creative solutions where appropriate

Regional ADV Program

- Consultant contract approaching final approval to develop a roadmap (aiming to start Nov/Dec 2026)
- Enforcement staff will be presenting BCDCs approach to a regionwide program at the annual ADV conference Tides of Change in December 2026
- BCDC presented on ADV challenges in the bay during the recent Restore Americas Estuaries Conference in September 2026
- The internal ADV team continues to host regular Regional ADV check-ins with key stakeholders
- Working with sister agencies like SFEP on ADV tracking across the bay
- Relationship & community building: particularly focused on the Alameda/Oakland Estuary


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Jurisdiction Review

- Working closely with regulatory on a phased approach to our updated jurisdictions across the bay
  - Particularly focused on: San Rafael & Oakland Lake Merrit Channel

Looking Head
&
Questions?

Anne Usher will lead the team during Isabel's maternity leave beginning in late November.