

# SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

50 California Street • Suite 2600 • San Francisco, California 94111 • (415) 352-3600 • Fax: (415) 352-3606 • www.bcdc.ca.gov

January 21, 2010

**TO:** Commissioners and Alternates

**FROM:** Will Travis, Executive Director (415/352-3653, [travis@bcdc.ca.gov](mailto:travis@bcdc.ca.gov))  
Bob Batha, Chief of Permits (415/352-3612, [bobb@bcdc.ca.gov](mailto:bobb@bcdc.ca.gov))

**SUBJECT:** **Listing of Pending Administrative Matters**  
(For Commission consideration on February 4, 2010)

This report lists the administrative permit applications, federal consistency actions, marsh development permits in the Secondary Management Area of the Suisun Marsh, regionwide permit actions, minor amendments to the Suisun Marsh Local Protection Program, and emergency permits that are pending with the Commission. The staff members to whom the matters have been assigned are indicated at the end of the projects' description. Inquiries should be directed to the assigned staff member prior to the Commission meeting.

## Administrative Permits and Federal Consistency Actions

The following administrative permit applications and non-material amendment have been filed and are presently pending with the Commission. The Executive Director will take the action indicated on the matters unless the Commission determines that it is necessary to hold a public hearing.

**Applicant:** California Department of Transportation (Caltrans)  
P.O. Box 23660  
Oakland, California 94623-0660

**Request for Amendment No. Twenty-Six to BCDC Permit No. 8-01**  
Filed: 12/09/09  
90<sup>th</sup> Day: 02/22/10

**Location:** In the Bay and within the 100-foot shoreline band, in the City of Oakland, Alameda County, and in the City and County of San Francisco.

### **Background & Project:**

On November 21, 2001, BCDC Permit No. 8-01 was issued to Caltrans for replacing the East Span of the San Francisco-Oakland Bay Bridge with a new self-anchored, single-tower, steel suspension bridge and concrete skyway. Several special conditions were included in the permit to reduce the impacts of the project on eelgrass beds. In particular, Special Condition II-F-10-b required Caltrans to provide a total of \$2.5 million to the Eastshore State Park for habitat restoration projects that were to provide a minimum of 5.0 acres of restored sand



Making San Francisco Safer

flats and 10.8 acres of restored eelgrass beds. Special Condition II-F-10-b states that any revisions to this allocation must be approved by the Commission.

As part of the restoration efforts required in Special Condition II-B-10-b, Caltrans hired biologists and conducted a series of meetings with various agencies and interested stakeholders in a multi-year effort to determine the most appropriate location and to develop a plan for eelgrass restoration in Eastshore State Park. As a result of this effort, the North Basin, a site in the City of Berkeley, Alameda County, was identified as the most appropriate site for restoration efforts and Caltrans undertook a \$1 million, three-year pilot study at the site to determine if it was suitable for a full-scale restoration project. While the pilot study yielded considerable insights into the design and construction requirements for eelgrass restoration, eelgrass establishment at the pilot site was intermittent, creating uncertainty as to the appropriateness of the North Basin site for a full-scale restoration project.

In June 2009, various agencies and stakeholders met to discuss the status of Caltrans' eelgrass restoration efforts relative to Special Condition II-F-10-b. At this meeting, it was determined that the remaining funds (approximately \$1.5 million) should be transferred to the National Oceanic and Atmospheric Administration National Marine Fisheries Service (NMFS) to be used for a Bay-wide comprehensive eelgrass restoration program, with an emphasis on East Bay restoration, as appropriate. Disbursement of the funds would be subject to approval by or on behalf of the Commission in consultation with various agencies and interested stakeholders. Caltrans proposes to revise Special Condition II-F-10-b in BCDC Permit No. 8-01 to reflect the transfer of the funds from Caltrans to NMFS and to require that use of the funds be subject to approval by or on behalf of the Commission, as described above.

*Tentative Staff Position: Recommend Approval.* (Michelle Burt Levenson) [415/352-3618, michellel@bcdcc.ca.gov]

**Applicants:** Marin Rod and Gun Club  
Post Office Box 150900  
San Rafael, California 94915-0900

**AND**

City of Berkeley  
2180 Milvia Street  
City of Berkeley, California 94704

**BCDC Permit Application No. M08-18(C)**

Filed: 12/21/09

90<sup>th</sup> Day: 03/21/10

**Location:** In the Bay, north of Cesar Chavez Park, in the City of Berkeley, Alameda County.

**Project:** As part of the San Francisco Estuary Habitat Restoration for Salmonids Project, install up to 40 oyster clutch mounds measuring two to three feet high and two to three feet in diameter, acoustic sensors, and up to nine square feet of eelgrass plants at an approximately 15,000-square-foot area. The proposed oyster mound installation methods would involve: (1) strapping together large bags of Pacific oyster shells and securing them to a wooden pallet; and (2) mixing oyster shells and sand to create concrete and using molds to create "reef balls". Following

installation, the study area would be monitored for fish usage, plankton presence, and water quality. In total, 47 cubic yards of fill would be placed, covering approximately 792 square feet of Bay surface area.

*Tentative Staff Position: Recommend Approval.* (Michelle Burt Levenson) [415/352-3618, michellel@bcd.ca.gov]

**Applicant:** U.S. Geological Survey  
400 Natural Bridges Drive  
Santa Cruz, California 95060

**BCDC Consistency Determination No. CN 1-10**

Filed: 1/19/10

60th Day: 3/20/10

**Location:** In the Bay, at the California Department of Fish and Game's Corte Madera Marsh State Ecological Reserve, in the Town of Corte Madera, Marin County.

**Description:** As part of an effort to measure waves, install six instrumentation stations: two in marshland, three in mudflats, and one in deep-water. A one-foot-in-diameter disk associated with the marsh stations would partly rest on or be driven into marsh surface. The three mudflat stations would not be visible at the surface. The six instruments would constitute (in total) approximately three cubic yards of fill in the Bay, which would be removed within three months following installation.

*Tentative Staff Position: Recommend Approval. (Adam Parris) [415/352-3647 and/or adamp@bcdc.ca.gov]*

**Permits in the Secondary Management Area of the Suisun Marsh**

Solano County has not issued any marsh development permits since the last listing.

**Minor Amendments to Suisun Marsh Local Protection Program**

The Commission has not received any amendments to the Suisun Marsh Local Protection Program for certification since the last listing.

**Regionwide Permits**

The Executive Director has not issued any following regionwide permits since the last listing.

**Emergency Permits**

The Executive Director has not issued any emergency permits since the last listing.