

SF Bay Stewardship Alliance Comments  
BCDC Commission Meeting  
May 7, 2020

Agenda Item #3  
Public Comment Period

Thank you, commissioners, for the opportunity to address you today. I am Peter Blackmore co-founder of the Alliance.

Later in today's session you will consider a report on the enforcement efforts of BCDC and a staff report recommending opposition to pending legislation resulting from last year's report by the California State Auditor. We will comment on those topics during those agenda comment periods.

I want to gain your support today for urgent reform of a different and critical issue facing the BCDC and our community.

It is time for a major review and overhaul of BCDC's permitting process. The current BCDC leadership has known this is a major issue for many years, but has done little or nothing to reform permitting. It's a further example of poor leadership and execution at the BCDC. Commissioners we need you to act.

The Bay Planning Coalition issued a well thought out report on BCDC permitting practices in November 2018. To date this commission has held no hearings on this set of thoughtful findings and recommendations.

The BCDC Enforcement Staff are quoted in their workshop on enforcement practices held in October 2016 that permits are poorly written and are often unenforceable.

Many alleged enforcement "violations" are often the result of poorly drafted language and conflicting requirements that cannot be resolved without costly and protracted enforcement or legal proceedings. We have seen this in every case we have analyzed over the past several years.

BCDC insists it must be the last agency to review any project where they claim jurisdiction. Candidly, the BCDC staff is rewriting permits already well-structured by more qualified agencies. They create much inefficiency and many unneeded problems with their approach to permit issuance.

Do you ever wonder why we have over 288 open enforcement actions? Certainly, improvements can be made in enforcement practices. However, our view is the bigger culprit is the BCDC permit process. It needs an urgent review and overhaul.

There is a much a much better model to permit issuance. Some commissioners are participating in a better practice already in another SF Bay agency.

In fact, Brad McCrae and his staff are already supporting this much better process. They have agreed to work jointly with the SF Bay Restoration Authority using a process where all the agencies sit in the same room from day one and work cooperatively on permit issuance. Why not use this model for all projects at the BCDC?

We in California and the BCDC face massive budget challenges ahead. BCDC ought to be acting aggressively today to reform the permitting process to help accelerate these programs once they are initiated. This is not a tradeoff against environmental needs or public access. Just the opposite.

Thank you in advance for your consideration and importantly ACTION on this critical issue.