



Making San Francisco Bay Better

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February 6, 2004

Governor Arnold Schwarzenegger  
Members of the California Legislature:

**SUBJECT: 2003 Annual Report**

It is with great pleasure that I submit the 2003 Annual Report of the San Francisco Bay Conservation and Development Commission (BCDC) describing our work under the McAteer-Petris Act, the Suisun Marsh Preservation Act, the federal Coastal Zone Management Act and the California Oil Spill Prevention and Response Act.

Last year, we approved \$471 million in development along the Bay shoreline which, as a result of our permit conditions, will allow the public to enjoy access to 3.8 miles of the waterfront. The wetland restoration projects we approved will enlarge the Bay by 118.7 acres. Thus, by maintaining our long-running record of advancing economic prosperity in the Bay region while at the same time protecting the Bay's natural resources, we have lived up to our name—Bay conservation AND development.

California's continuing budget crisis has had significant impact on our ability to carry out the mandates of state law. The 2003 Budget Act cut our \$4.7 million budget by \$485,000 and eliminated seven staff positions. These reductions came on top of earlier cuts which reduced our staff from 47.5 positions in June 2002 to 32 at the end of 2003, a reduction of nearly 33 percent in a year and a half.

To generate additional revenue, we are considering increasing our permit fees so that applicants will eventually pay the full cost of our permit operations. To cut costs we cancelled half of our Commission meetings last year and we are again foregoing our traditional practice of providing a comprehensive and detailed annual report. Instead, we hope you will find that the attached statistical summary provides an adequate overview of our activities in 2003.

To supplement this statistical information, I would like to highlight a few of our more important accomplishments last year:

□ We approved permits for the following projects and activities in 2003:

- A 261 million dollar cruise ship terminal and mixed-use development project on San Francisco's Pier 30-32.
- The restoration and commercial reuse of historic bulkhead buildings along the San Francisco waterfront.
- Maintenance dredging of the Bay's shipping channels by the U.S. Army Corps of Engineers.
- A marina in a former salt pond in Redwood City.

- Using a portion of a public plaza behind San Francisco's Ferry Building for a farmers' market on weekends.
  - Building car pool lanes to reduce traffic congestion on Highway 101 in Marin County.
  - A flood control project in San Jose.
  - A toxic material remediation project which will improve the productivity of a wetland in Martinez.
  - A shoreline residential condominium project and a commercial development in Oakland.
  - Facilities for the University of California, Berkeley crew teams along the Oakland shoreline.
- The following actions were taken in 2003 to improve compliance of the laws we administer:
- We issued orders to resolve two separate violations, one involving the failure to provide required public access at a residential development along the shoreline of the Oakland Estuary in Oakland, and the other resulting from a Bay dredging and disposal operation which violated permit conditions.
  - The Superior Court upheld our permit requirements for public access in a lawsuit against BCDC initiated by a home owners association in Redwood City.
  - We amended our regulations and Senator Sher introduced legislation to improve the effectiveness of our enforcement program.
- We continued to make progress on the much needed update of the *San Francisco Bay Plan*, which guides us in making permit decisions, by amending the sections of the Bay Plan dealing with nonpoint source water pollution and revising the provisions of both the Bay Plan and the Seaport Plan dealing principally with bulk cargo designations. In other planning initiatives:
- Using funds provided by the California Coastal Conservancy, we began our formal involvement in planning the massive task of converting thousands of acres of salt ponds in the South Bay to productive wetlands. We also continued to work on the Hamilton wetland restoration project in Marin County which was transferred from federal ownership to California in 2003.
  - We continued to work with the Port of San Francisco to develop a plan for improving San Francisco's Fisherman's Wharf.
  - We formally expressed our continued support for the objectives of the Regional Agencies Smart Growth Project and the Bay Area Alliance for Sustainable Communities, a partnership which gained BCDC an award from the Congress for the New Urbanism.
  - We received a report from an independent science panel, convened at our request by the federal government, on the impacts on the Bay that would result from expanding the runways at San Francisco International Airport. Shortly after the panel completed its work, the City and County of San Francisco Board eliminated all funding for further planning of the of the runway expansion project.

I hope this brief report demonstrates to you that BCDC remains committed both to making San Francisco Bay a healthier, more productive ecosystem and to sustaining the vitality of the region that surrounds the Bay. We look forward to the challenges ahead and will continue to work to make the Bay better for future generations.

Sincerely,

BARBARA KAUFMAN  
Commission Chair

# SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

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## 2003 ANNUAL REPORT

SUMMARY OF PERMITS, FILL AND MITIGATION <sup>1</sup>									
Year	Major Permits		Minor Permits <sup>2</sup>		Permit amend-ments <sup>4</sup>	Net change in Bay surface <sup>3</sup> (acres)	Construction cost <sup>4</sup> (\$000,000)	Public access <sup>5</sup> (acres)	Public access <sup>5</sup> (miles)
	granted	denied	granted	denied					
1970	12	1	66	0		- 72.0			
1971	26	4	61	0		- 25.1			
1972	12	3	80	0		- 7.0			
1973	17	1	71	0		- 4.4			
1974	20	0	107	1		+ 274.0			
1975	10	0	87	0		+ 5.0	100		
1976	14	0	110	0		- 2.2	43		
1977	20	0	116	0	104	+ 16.8	100	21.4	
1978	23	1	104	4	90	- 1.9	152	46.1	9.6
1979	34	0	120	2	103	+ 3.4	93	25.1	
1980	19	1	105	1	101	+ 30.0	470	134.0	
1981	23	0	134	0	125	+ 44.5	130	42.2	
1982	26	0	104	0	115	+ 262.0	379	27.0	5.0
1983	23	0	105	0	131	+ 5.0	395	26.0	6.0
1984	15	3	135	0	130	+ 12.0	97	12.0	7.0
1985	15	1	98	0	104	+ 60.0	200	35.0	6.3
1986	20	0	108	0	112	+ 11.0	639	35.0	5.1
1987	16	2	108	0	104	- 2.0	68	6.0	1.1
1988	17	1	119	2	137	+ 152.2	125	3.3	0.9
1989	17	0	114	1	144	+ 1.7	107	12.7	1.5
1990	17	1	112	0	151	- 1.5	127	12.7	2.0
1991	8	1	61	0	163	- 0.7	400	4.0	5.6
1992	10	1	84	0	140	- 1.6	97	10.4	1.9
1993	8	1	89	0	122	+ 50.1	26	0.2	0.3
1994	11	1	114	0	96	+ 1.6	383	264.0	6.9
1995	15	0	72	0	107	+ 549.6	136	2.8	0.9
1996	7	0	93	0	97	- 1.0	60	3.1	2.2
1997	14	2	109	0	94	+ 75.0	733	14.1	2.9
1998	15	1	109	0	130	+ 38.5	518	16.4	3.3
1999	10	0	103	0	124	+ 258.0	828	67.2	8.4
2000	21	0	85	0	141	+ 112.4	4,640	40.0	1.9
2001	14	0	67	0	67	+ 5,649.3	2,770	34.8	11.1
2002	6	0	75	0	103	+ 1.1	118	2.5	0.5
<b>2003</b>	<b>11</b>	<b>0</b>	<b>59</b>	<b>0</b>	<b>79</b>	<b>+ 118.7</b>	<b>471</b>	<b>28.8</b>	<b>3.8</b>
<b>TOTAL</b>	<b>546</b>	<b>26</b>	<b>3,284</b>	<b>11</b>	<b>3,114</b>	<b>+ 7,612.5</b>	<b>\$14,405</b>	<b>926.8</b>	<b>94.2</b>

<sup>1</sup>Some authorized projects have not been built, and some projects may have been changed pursuant to subsequent permit amendments.

<sup>2</sup>Includes smaller projects approved administratively or under regionwide permits.

<sup>3</sup>Net change equals the area of the Bay created or restored through mitigation less the Bay area authorized to be filled. Includes major permits and consistency determinations only for projects through 1987 and significant administrative permits thereafter.

<sup>4</sup>Includes both major and minor permits.

<sup>5</sup>Includes major projects only.



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**SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION  
2003 ANNUAL REPORT**

**SUMMARY OF ENFORCEMENT ACTIVITIES**

Caseload at the beginning of 2003:	170
New cases opened in 2003:	50
Cases closed in 2003:	70
Caseload at the end of 2003:	150
Cease and Desist Orders issued:	2
Cases referred to the Attorney General:	3
Civil penalties received:	\$125,720

**WORK PROGRAM AND BUDGET**

<b>WORK PROGRAM</b>	<b>FY 02-03</b>		<b>FY 03-04</b>	
	<b>PY</b>	<b>\$000</b>	<b>PY</b>	<b>\$000</b>
<b>Core Program</b>				
Permits/Consistency Determinations	7.7	910	6.7	866
Enforcement	3.2	350	1.6	196
General Planning	4.9	600	4.0	530
Executive, Legal and Legislative Support	5.9	625	5.6	600
Administration, Commission and Clerical Support	8.0	980	7.6	920
<b>Total, Core Program</b>	<b>29.7</b>	<b>\$3,465</b>	<b>25.5</b>	<b>\$3,112</b>
<b>Special Fund Projects</b>				
Enforcement (Bay Fill Clean-up Fund)	1.1	146	0.8	155
Permits (Federal Coastal Act Grant)	1.9	154	1.0	155
Enforcement (Federal Coastal Act Grant)	0.3	49	0.3	49
Bay Resource Assessment Tool (Federal Coastal Act Grant)	0.6	72	0.3	75
Power Plant Siting (Federal Coastal Act Grant)	0.3	50	0.0	0
Water Quality (Federal Coastal Act Grant)	1.2	100	0.8	100
Federal Coastal Impact Assistance Program	0.0	200	0.0	975
Pre-Application Assistance (San Francisco Airport)	0.3	125	0.0	0
Oil Spill Prevention and Response Planning (Department of Fish and Game)	0.7	85	0.9	171
Transportation Project Review (Caltrans)	1.0	100	0.8	108
Bay Plan Amendments (Local Governments)	1.2	173	0.0	0
<b>Total, Special Fund Projects</b>	<b>8.6</b>	<b>1,254</b>	<b>4.9</b>	<b>1,788</b>
<b>TOTAL PROGRAM</b>	<b>38.3</b>	<b>\$4,719</b>	<b>30.4</b>	<b>\$4,900</b>
<b>BUDGET</b>				
<b>Expenditures</b>				
Personal Services		2,863		2,468
Operating Expenses and Equipment		1,856		2,432
<b>Total Expenditures</b>		<b>\$4,719</b>		<b>\$4,900</b>
<b>Revenue</b>				
General Fund		3,465		3,112
Bay Fill Clean-up and Abatement Fund		146		155
Reimbursements from Federal Grants		625		1,354
Reimbursements from Other Sources		483		279
<b>Total Revenues</b>		<b>\$4,719</b>		<b>\$4,900</b>