



Making San Francisco Bay Better

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March 15, 2007

Governor Arnold Schwarzenegger  
Members of the California Legislature:

**SUBJECT: 2006 Annual Report**

I am submitting the 2006 annual report of the San Francisco Bay Conservation and Development Commission (BCDC). Our report summarizes our accomplishments 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. We hope this brief report demonstrates to you that BCDC remains committed both to making San Francisco Bay a more productive estuarine ecosystem and to sustaining the vitality of the region that surrounds the Bay.

BCDC was established in 1965 as the nation's first state coastal management agency. Under the Commission's stewardship, the century-long diking, draining and filling that had reduced the Bay's size by one-third has ended. Over the past four decades nearly 19 square miles of Bay habitat have been restored, public trails and parks have been opened along 100 miles of the Bay shoreline, and over \$15 billion in attractive waterfront development has been built. Last year alone we approved \$169 million in development, which will make another four-tenths of a mile of the Bay's waterfront available for public use and enjoyment. The wetland restoration projects we approved in 2006 will enlarge the Bay by 70 acres. Thus, we are maintaining our record of advancing economic prosperity in the Bay region, while at the same time protecting and enhancing the Bay's natural resources.

The debilitating budget cuts that had impaired our ability to carry out the mandates of state law over the past few years finally ended in 2006 when the Budget Act included a one million dollar augmentation for us to invest in increasing our productivity and preparing for the challenges expected to impact the Bay in the future. These funds, combined with additional revenue that is available through our partnerships with other organizations, has allowed us to hire 12 new staff members so we can provide the public with the most effective, efficient and fastest service. The new funding is also allowing us to better address critical and emerging issues, such as climate change, to support scientific research about Bay processes, to enhance the Bay's role in moving goods and people and to better prepare to respond to possible disasters.

Development activity in the Bay Area remains erratic. The only major

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permit action we needed to undertake last year involved amending a permit we had previously issued. However, our staff processed 207 permit applications last year, each in an average of only 43 days, and as the year ended we received nine applications for large projects which we will consider in 2007.

To supplement the attached statistical summary, following are some of our most important accomplishments in 2006.

- ❑ We expanded the many partnerships we have with other organizations to leverage our capabilities and integrate our programs with other complimentary efforts. Among the most important of these partnerships are:
  - An agreement with the Metropolitan Transportation Commission which is providing us with \$170,000 a year so we can assist in regional airport planning, ferry terminal planning and smart growth initiatives.
  - An invitation from the Joint Policy Committee, which is composed of representatives from the Association of Bay Area Governments, the Bay Area Air Quality Management District and the Metropolitan Transportation Commission, to participate in addressing key regional issues, such as the impact of climate change on the Bay Area.
  - An ongoing partnership with Northern California Public Broadcasting on the production and broadcast of a four-hour television documentary entitled, "Saving the Bay."
- ❑ We dealt with the following significant regulatory issues:
  - We approved a material amendment to the permit we had earlier issued to Caltrans for the replacement of the eastern span of the Bay Bridge to provide greater flexibility in the use of \$8 million Caltrans has provided to mitigate the adverse environmental impacts of constructing the bridge.
  - We authorized the rehabilitation and reuse of the historic Ford auto plant in Richmond for a mixed-use project that will provide public access along the waterfront.
  - We issued a permit amendment and related cease and desist order to deal with long-standing enforcement problems and to resolve alleged violations at a marina in Marin County.
  - We approved an agreement with the Port of Oakland that will allow Bay fill the Port removed as a part of earlier projects to be considered as mitigation for future projects the Port undertakes.
  - We approved an eelgrass restoration project in Corte Madera.
  - We approved the U. S. Fish and Wildlife Service's management plan for the Marin Islands in San Pablo Bay.
  - We authorized restoring a 70-acre diked area to tidal wetlands in the Suisun Marsh.
  - We issued a number of emergency permits to deal with damage caused by winter storms.
  - We are continuing to monitor studies on whether it will be feasible to provide access for bicyclists on the Richmond-San Rafael Bridge.

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- ❑ We continued to make progress on updating our *San Francisco Bay Plan*, which guides us in making permit decisions, by initiating the development of goals for subtidal habitat areas in the Bay. In other planning initiatives:
  - As part of our newly initiated climate change project we produced maps illustrating the impact of a one meter rise in sea level in San Francisco Bay. The California Climate Change Center predicts this will occur by the end of the century.
  - We revised the provisions in our Bay Plan policies dealing with recreation.
  - We amended a port priority use designation at the Port of Oakland.
- ❑ We updated the strategic plan which we use to guide the development of our budget requests and identify the issues we want our staff to focus upon.
- ❑ Because we had fewer permit applications to review, we were able to cancel over half our regularly-scheduled meetings and use the meetings we did hold to receive briefings on important issues such as:
  - Recommendations from the chair of our Design Review Board on how the quality of public access along the Bay shoreline can be improved.
  - The results of a survey undertaken by the Public Policy Institute of California on public opinions on environmental issues, including Bay protection.
  - An initiative of the Bay Area Air Quality Management District to deal with climate change.
  - The perspective of the director of the California Department of Parks on how the state is responding to the latest trends in the public's recreational demands.
  - The progress being made in enhancing the habitat value of thousands of acres of former salt ponds in the South Bay which were purchased by the public a few years ago.
  - The work of the Harbor Safety Committee of the San Francisco Bay Region, which is chaired by one of our Commissioners.
- ❑ We undertook a comprehensive assessment of our Bay management program and adopted a strategy for improving it. We also adopted a 19-point plan to make our regulatory process even more efficient after that plan had been endorsed by environmental organizations and business interests. A related federal evaluation of our program found no deficiencies beyond those that are being addressed by the budget augmentation we received last year.

We look forward to the challenges and opportunities we will face in 2007 as we continue to work to make the Bay better for future generations.

Sincerely,

R. SEAN RANDOLPH  
Chair

# SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

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## 2006 ANNUAL REPORT

SUMMARY OF PERMITS, FILL AND MITIGATION <sup>1</sup>									
Year	Major Permits <sup>1</sup>		Minor Permits <sup>2</sup>		Permit amend- Ments	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
2003	11	0	59	0	79	+ 118.7	471	28.8	3.8
2004	7	0	74	0	95	+ 493	408	11.2	1.5
2005	8	0	57	0	93	+ 3,807	382	3.4	4.5
<b>2006</b>	<b>1</b>	<b>0</b>	<b>35</b>	<b>0</b>	<b>114</b>	<b>+ 70</b>	<b>169</b>	<b>0.7</b>	<b>0.4</b>
<b>TOTAL</b>	<b>562</b>	<b>26</b>	<b>3,450</b>	<b>11</b>	<b>3,416</b>	<b>+ 11,982.5</b>	<b>\$15,364</b>	<b>942.1</b>	<b>100.6</b>

<sup>1</sup>Includes projects authorized by permits and federal consistency concurrences. 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 only major projects and consistency determinations for projects through 1987 and significant administrative permits thereafter.

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

<sup>5</sup>Major projects only.



Making San Francisco Bay Better

**SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION**  
**2006 ANNUAL REPORT**

**SUMMARY OF ENFORCEMENT ACTIVITIES**

Caseload at the beginning of 2006:	126
New cases opened in 2006:	30
Cases closed in 2006:	35
Caseload at the end of 2006:	121
Cease and Desist Orders issued:	1
Cases referred to the Attorney General:	0
Civil penalties received:	\$37,500

**WORK PROGRAM AND BUDGET**

<b>WORK PROGRAM</b>	<b>FY 05-06</b>		<b>FY 06-07</b>	
	<b>PY</b>	<b>\$000</b>	<b>PY</b>	<b>\$000</b>
<b>Core Program</b>				
Permits/Consistency Determinations	6.7	892	12.4	1,494
Enforcement	1.6	202	2.5	301
General Planning	4.3	631	5.9	711
Executive, Legal and Legislative Support	5.6	618	5.6	674
Administration, Commission and Clerical Support	8.6	939	10.5	1,265
<b>Total, Core Program</b>	<b>26.8</b>	<b>\$3,282</b>	<b>36.9</b>	<b>\$4,445</b>
<b>Special Fund Projects</b>				
Enforcement (Bay Fill Clean-up Fund)	0.8	196	0.8	203
Permits (Federal Coastal Act Grant)	1.0	149	1.0	149
Enforcement (Federal Coastal Act Grant)	0.3	47	0.3	47
Assessment and Strategy (Federal Coastal Act Grant)	0.6	85	0.3	60
Managed Wetlands Policies (Federal EPA Grant)	0.0	0	0.0	51
Climate Change (Federal Coastal Act Grant)	0	0	0.6	67
Water Quality (Federal Coastal Act Grant)	0.2	34	0.2	33
Federal Coastal Impact Assistance Program	0.0	0	0.0	90
Transportation Planning (Metropolitan Transportation Commission)	0.0	0	0.9	170
Oil Spill Prevention and Response Planning (Department of Fish and Game)	0.9	141	0.9	171
Transportation Project Review (Caltrans)	0.8	120	0.8	144
Wetland Restoration Planning (State Coastal Conservancy)	0.0	10	0.0	8
<b>Total, Special Fund Projects</b>	<b>4.6</b>	<b>782</b>	<b>5.8</b>	<b>1,193</b>

**SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION**  
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<b>TOTAL PROGRAM</b>	<b>31.4</b>	<b>\$4,064</b>	<b>42.7</b>	<b>\$5,638</b>
<b>BUDGET</b>				
<b>Expenditures</b>				
Personal Services		2,807		3,894
Operating Expenses and Equipment		1,257		1,744
<b>Total Expenditures</b>		<b>\$4,064</b>		<b>\$5,638</b>
<b>Revenue</b>				
General Fund		3,197		4,445
Bay Fill Clean-up and Abatement Fund		196		203
Reimbursements from Federal Grants		400		497
Reimbursements from Other Sources		271		493
<b>Total Revenues</b>		<b>\$4,064</b>		<b>\$5,638</b>