

INITIAL COMPLIANCE BRIEFING

JOHN CREECH AND ANTHONY DAYSOG

JANUARY 19, 2023

ITEM #14

GETTING STARTED:

- Compliance team hired in November 2022
 - Getting fully underway January 2023
- Began our journey collaborating with other members of BCDC staff as well as other state agencies to determine the agency's needs and how we can address them
- We are working on implementing these suggestions



DEFINING COMPLIANCE:

- Compliance activities include:
 - Permit Compliance, including tracking and verifying the following deliverables
 - Monitoring reports
 - Notices of Completion
 - Construction documents – including design and engineering plans
 - Construction deadlines
 - Plan Review
 - Actions to prevent enforcement cases
 - Enforcement Order compliance
 - Other deliverables as they arise



ACTIONS TAKEN THUS FAR:

- We are taking strides to become more proactive
- Using available Microsoft Teams apps to track our work
- Updated BCDC's compliance webpage
- Completing compliance review requests
- Attend regulatory, enforcement, and permitting team meetings



EXAMPLES THUS FAR:

- BCDC Permit M1982.009.00
- Benicia
- Special Condition II.B.4 -
Maintenance requires all
improvements to be
permanently maintained by
permittee
 - Doesn't rise to the level of
enforcement – practicing
engaging with the public in
positive ways



EXAMPLES THUS FAR:

- BCDC Permit 2004.003.03 - Jack London Square, Oakland Special Events
- Special Condition II.B.13.d. Reporting Schedule of Events requires permittee to provide details of special events to occur the following calendar year.
- List was provided and verified by compliance

Schedule of 2023 Annual Special Events								
BCDC Special Events Permit (Details)							Comments	
Month	Event Name	Dates	Farmers' Market Event Max. 104 events per year (Coverage up to 68,000 SF)	Small Scale Event Max. 40 events per year (Coverage up to 15,000 SF)	Medium Scale Event Max. 50 events per year (Coverage between 15,000 - 35,000 SF)	Large Scale Event Max. 35 events per year (Coverage between 35,000 - 68,000 SF)	Festival Zones Utilized	Event Type/Description
AUGUST	Live Music on Restaurant Row	11-Aug		2,430 sq. ft.			Zone #8	Ambient Music
AUGUST	Live Music on Restaurant Row	18-Aug		2,430 sq. ft.			Zone #8	Ambient Music
SEPTEMBER	PCFMA Farmer's Market / Water Street Markets	Every Sunday	40,600 sq. ft. / 17,087 sq. ft.				Portion of Zone #9 and all of #10, & #11/ Zones #5, #7 & #8	Farmers Market and Artisan Market

EXAMPLES THUS FAR:

- BCDC Permit 2006.009.06 - San Francisco Exploratorium
- Permittee requested time extension of outdoor, interactive features
- Analysis was completed by qualified design professionals



EXAMPLES THUS FAR:

- BCDC Permit M1996.013.04
 - Hi Dive at Pier 28 (San Francisco)
- Special Condition II.E - Holiday Tent Criteria: four-step process for placement of temporary tents used for special events during holiday season.
 - Project complies with Special Condition II.E Holiday Tent Criteria



EXAMPLES THUS FAR:

- BCDC Permit M2015.034.02
 - Public Access Contribution (Oakland)
- Special Condition II.B - Aerial Easement: As part of authorized rail-road bridge replacement project, permittee is to grant an aerial easement that would cross the rail-road bridge, on which the City of Oakland would construct a public bridge for pedestrian and bicycle access over the Lake Merritt Channel.
- Since the replacement rail-road bridge project is expected to begin later this year and finish in late 2024 and the City of Oakland has not moved forward with the public access bridge project, Caltrans seeks to amend permit to allow in-lieu public access contribution of \$175,000 to be deposited with State Coastal Conservancy Fund instead of the granting of the aerial easement.
 - Caltrans, State Coastal Conservancy Fund, and BCDC finalizing memo clarifying uses of in-lieu public access funds
 - Caltrans preparing application to amend BCDC Permit M2015.034.02



THANK YOU (OPTIONAL)



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<https://www.bccdc.ca.gov/enforcement/permitCompliance.html>