

1984

# 1984 Annual Report

San Francisco Bay Conservation and Development Commission

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San Francisco Bay  
Conservation & Development  
Commission

1984

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Commission meetings, open to the public, are normally held on the first and third Thursday of each month. Contact the Commission office for information on meeting location, time, and agenda.

The Commission's office is located at  
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SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

30 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102-6080  
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December 28, 1984

Governor Deukmejian and  
Members of the California Legislature:

The Commission is pleased to submit its 1984 Annual Report of activities under the McAteer-Petris Act, the Suisun Marsh Protection Act, and the Federal Coastal Zone Management Act.

During the year, the Commission issued 15 major and 135 administrative permits that involved \$97,000,000 of development. About 12 acres of new public access will be provided once these projects are completed. The projects will result also in 12 acres of additional Bay surface. In addition, the Commission certified numerous Federal projects under the Federal Coastal Zone Management Act.

The Executive Director and the Commission had to issue a total of 9 cease and desist orders, and 41 formal enforcement investigations were begun. Nevertheless, over 75 percent of the incidences of permit violations and illegal Bay fill have been corrected short of litigation or the issuance of formal cease and desist orders.

The Commission continued its planning program to address major issues affecting the Bay. The Commission adopted four Bay Plan Amendments begun at the request of local governments, including the significant Richardson Bay Special Area Plan; the Commission continued public hearings on its Houseboats and Live-aboards Study; in conjunction with the California Energy Commission and the California Coastal Commission, it completed the biennial power plant siting study; and completed studies of its Fill Control authority and water quality policies. The staff began work on a program to issue region-wide permits for certain types of work in the Bay; began a study of commercial fishing facilities and mariculture in the Bay; and began an update of the transportation element in the Bay Plan.

The Commission also completed a review of its regulations both to comply with the Governor's program to simplify regulations and to comply with the Legislature's program to assure that regulations are clear, necessary and concise. Considerable effort and many public hearings were required to complete the review. The regulations are now pending before the Office of Administrative Law.

In March, 1984, Chairman John Reading submitted his resignation; he had served as Chairman since August, 1983. Vice-Chairman John Dustin was acting Chairman through May. And in December, Frank Broadhead resigned as the Commission's Deputy Director. The Commission extends its gratitude for their service.

The Commission is most appreciative of the continued public interest and participation in its activities; the valuable contributions of the Design Review Board, Engineering Criteria Review Board, and the Citizens Advisory Committee whose members contribute their time and knowledge; to the Attorney General's Office for continued fine advice and support; and especially to its staff, whose numbers are less than the Commission itself, but who manage to produce work remarkable for both quantity and quality. The continued cooperation of permit applicants has also been important to assure a balance of conservation and development around the Bay.

Very truly yours,

ROBERT R. TUFTS  
Chairman

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## THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

The 27-member Commission was created in 1965 by the California Legislature in response to broad Bay Area concern over the future of San Francisco Bay. The McAteer-Petris Act, the Commission's enabling legislation, gave the Commission the responsibility of preparing "a comprehensive and enforceable plan for the conservation of the water of San Francisco Bay and the development of its shoreline." In 1969, the Commission submitted the completed San Francisco Bay Plan to the Governor and the Legislature. The McAteer-Petris Act was subsequently amended to make the Commission permanent and to give the Bay Plan the force of law.

The two objectives of the Bay Plan are: (1) to protect the Bay as a great natural resource for the benefit of present and future generations; and (2) to develop the Bay and its shoreline to their highest potential with a minimum of Bay filling. To implement the Bay Plan, the Commission:

- Regulates all filling and dredging in San Francisco Bay (which includes San Pablo and Suisun Bays, sloughs and certain creeks and tributaries that are part of the Bay system, salt ponds and certain other diked off areas);
- Provides, within a 100-foot-wide strip inland from the Bay, public access to the Bay to the maximum extent feasible, consistent with the nature of new shoreline development;
- Minimizes pressures to fill the Bay by ensuring that the limited amount of shoreline property suitable for regional high priority water-oriented uses is reserved for these purposes. Such priority uses include: ports, water-related industry, water-oriented recreation, airports, and wildlife areas;

- Reviews federal projects to assure they comply, to the maximum extent practicable, with the federally approved Management Program for the Bay; and
- Studies all aspects of the Bay to assure that the Bay Plan reflects current and accurate information.

In 1977, the California Legislature gave the Commission the added responsibility of implementing the Suisun Marsh Preservation Act in cooperation with local government. This legislation enacted into law most of the recommendations of the Suisun Marsh Protection Plan prepared by the Commission during 1976. The Act required local governments and special districts within the Marsh to prepare and the Commission to certify a local protection program consistent with the Protection Plan and the Preservation Act. The local governments are carrying out their certified programs designed to protect the wetlands, riparian habitats, and agricultural lands within the Marsh. The Commission and the county and cities regulate development in the Marsh through a Marsh development permit system. Marsh development permits are issued for projects consistent with the local protection program, however permits issued by the local governments may be appealed to the Commission which may affirm, modify, or deny the permit.

The Commission's regulatory activities fall within four broad, overlapping areas: pre-application discussions with project proponents; application review and formal action by the Commission or Executive Director; project monitoring after permits are issued; and enforcement activities when unpermitted activities are discovered or reported.

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## PRE-APPLICATION WORK

The Commission encourages project proponents to discuss with its staff at the earliest possible time proposals that may either fall within the Commission's permit jurisdiction, or that may affect the Bay. The staff works with the proponent, the local government, and the public prior to the actual filing and formal processing of permit applications to assure that the project is fully explained and that the relevant policies are understood. This pre-application work varies from simple inquiries concerning jurisdiction or the proper use of fill to extensive meetings over many months with architects, engineers, lawyers, designers, and the Design Review Board. Because project design has not been completed at this stage, project sponsors find it easier to modify projects to better assure compliance with Commission policy. Occasionally it is found that a proposed project cannot be constructed at a given site; such early detection reduces frustration and costs for applicants.

## PERMITS

The placement of fill, dredging, or any substantial change in use of the Bay or shoreline requires a permit. Under the BCDC law, the Commission must complete action on a permit application within 90 days after a complete application is filed or the permit is automatically granted. As a result, the Commission has one of the most expeditious regulatory processes in State government.

Permits are classified as either "major" or "administrative." Administrative permits are issued by the Executive Director for "minor repairs and improvements", as defined in the Commission's laws and regulations. All other permits are major permits and require a public hearing and action by the Commission. Permits are issued only if the project is consistent with the policies of the San Francisco Bay Plan and the McAteer-Petris Act, or the Suisun Marsh Preservation Act of 1977 and Suisun Marsh Protection Plan, as they apply.

The projects approved during 1984 total approximately \$97,000,000 in new development expenditures and will result in a total of 17 acres of new Bay fill. In order to mitigate for the environmental effects of the fill developers opened 29 acres of non-tidal area to tidal action; thus there will be a net increase in the Bay of 12 acres. In addition, the projects will provide approximately 12 acres of new public access along about 7 miles of Bay shoreline.

For the five-year period of 1980 through 1984, the Commission approved a total of 106 applications for major permits, and denied only four. According to figures supplied by the applicants at the time they submitted almost one and one half billion dollars in construction costs. Although these projects required 75 acres of new Bay fill, mitigation measures resulted in 429 acres of new Bay surface, or a net gain of approximately 354 acres of Bay surface. Conditions for approval of the permits provide also for an increase of 244 acres of new public access.

Permit Summary For 1984:

- Major Permits Granted: 15
- Administrative and Emergency Permits Granted: 135
- Major Applications Denied: 3

Major Permits Issued:

To the SAN FRANCISCO REDEVELOPMENT AGENCY AND THE PORT OF SAN FRANCISCO to redevelop the waterfront area between Piers 40 and 46A just north of China Basin. Three deteriorated wooden piers will be demolished and a 700-berth marina with associated facilities will be constructed. An existing concrete pier will be rehabilitated and a building constructed on it to house parking, offices, and a restaurant. Public access will be provided on the shoreline and around the perimeter of the pier. The Bay surface will be increased by three acres as the result of pier removal.

To the CITY OF ALBANY to close and seal the former Albany landfill located near Golden Gate Fields in Alameda County. The landfill pre-dates BCDC and was originally planned to extend farther into the Bay. Because leachate from the landfill was entering Bay waters, the Regional Water Quality Control Board ordered the site closed and sealed. Approximately 3.6 acres of earth fill will be placed to form a dike around the site. All of the newly filled area within the 100-foot shoreline band will be available for public access.

To the NEW REDROCK MARINA PARTNERSHIP to renovate and expand the existing 90-berth marina to 637 berths, and develop new shoreline marina-related facilities north of the Richmond-San Rafael Bridge in Richmond, Contra Costa County. About 2.5 acres of existing Bay fill will be removed and an additional 1.4 acres of solid fill and 2.1 acres of floating fill will be constructed. Approximately 1.4 acres of new public access will be provided on the site for viewing, fishing, and picnicking, along with improvements on the 1,000 foot-long Castro Pier.

To the CITY OF FOSTER CITY, ESTERO MUNICIPAL IMPROVEMENT DISTRICT, and Grupe Communities Inc. to construct portions of 544 residential condominiums, private streets, and landscaping and public access improvements on a site located near the confluence of Belmont and O'Neill Sloughs, in the City of Foster City, San Mateo County. Approximately 6.8 acres of public access will be provided throughout the project.



To the PORT OF REDWOOD CITY to demolish most of Wharf 3, located on the east side of Redwood Creek, at the Port of Redwood City, in San Mateo County. The deteriorated wharf will be replaced with a concrete wharf and will result in a net increase of 1/4 acre of Bay surface area. Because of safety and security concerns, the Port will provide public access at an area adjacent to Wharf 4 and improve the area with landscaping, pathways, and benches.

To the CITY OF VALLEJO REDEVELOPMENT AGENCY to construct two, two-story buildings that will house a restaurant and retail stores immediately south of the Vallejo Municipal Marina on the Napa River, in Solano County. The applicant will increase existing public access and landscape additional areas along the entire frontage of the project site.

To the PORT OF SAN FRANCISCO to demolish Pier 7, located on the Embarcadero in San Francisco, and reconstruct a new 33,600-square-foot fishing pier to be devoted totally to public access. Approximately 1-1/4 acres of new Bay surface area will result due to the demolition of the existing pier.

To CLIPPER YACHT HARBOR to demolish, reconstruct, and expand Caruso's Sportfishing and Seafood establishment, raise and repave a part of a parking lot, replace an existing fuel dock, and make public access improvements at Clipper Yacht Harbor Basin 2, in the City of Sausalito, Marin County. This project will help enhance existing public access along the shoreline.

To MR. AND MRS. JUSTUS CRAEMER to construct an 8,560-square-foot single-family residence on a 2-1/2 acre site in San Rafael, Marin County. Portions of the house are within the Commission's 100-foot shoreline band jurisdiction. Public access will be allowed along a beach at the front of the lot, and 1-1/2 acres of the adjacent tidelands will be permanently reserved for open space. The applicant will contribute funds toward building a public access pathway from a city street to the beach in a nearby area.

To BALLENA ISLE MARINA to enlarge the existing marina and make public access improvements to enhance the existing public access area at Ballena Isle Marina, in the City of Alameda.

To GEORGE AND WANDA FULTON to construct a single-family residence in the City of Benicia, Solano County. The applicant will contribute to the City of Benicia's Park Dedication Fund to provide offsite public access benefits.

To SOUTHWEST MARINA OF SAN FRANCISCO AND THE PORT OF SAN FRANCISCO to moor a 32,800-square-foot floating drydock for 10 years at Pier 28 on the San Francisco Waterfront. The drydock will be used to augment an existing ship repair facility. The end of Pier 7 will be improved for public access and fishing.

To the PORT OF REDWOOD CITY to moor for a two-year period, 89 LASH (Lighter Aboard Ship) barges at the Lone Star Company Dock, at the Port of Redwood City in San Mateo County. Because of the temporary nature of the project, no public access is provided. However, if substantial improvements or long term use of the site are proposed, public access improvements may be required.

Two major permits were issued for projects in the Suisun Marsh and are described in that section of this report.

#### Permit Applications Denied

The Commission denied the application of the Port of San Francisco and the Continental Development Corporation to rehabilitate and renovate the historic Ferry and Agricultural Buildings, and to construct a new three-story office building on the adjacent Pier One deck, all located at the foot of Market Street on the Embarcadero, in San Francisco. The project included a mixed-use complex of offices, retail stores, and restaurants, with public access provided throughout the project and around the entire shoreline perimeter. Portions of the site were under lease by parties other than the co-applicants, and because the Port decided not to exercise its power of eminent domain over these leases, the Commission found that the applicants did not have sufficient legal interest in the project site to construct the project as proposed.

Two applications for residences to be built partially over the Bay were denied: the application by MR. G. GETTEMY for two houses to be located in the City of San Rafael and the application by MR. W. MORRISON for a house in the City of Tiburon, both in Marin County. They were denied because residences over the Bay are not water-oriented uses of the Bay for which fill can be authorized. Also neither project met the criteria for minor fill to improve shoreline appearance or to provide public access to the Bay.

#### HBI Agreement

The Commission entered into an agreement with Harbor Bay Isle Associates (HBIA) to provide approximately 7 acres of public access along .67 miles of shoreline on Bay Farm Island in the City of Alameda. The agreements avoid litigation over the extent of the Commission's jurisdiction, a matter over which the Commission and the developer disagree. A master agreement was entered into in August 1975 which assures that public access will be part of the phased development of Bay Farm Island, and that the nature and extent of the public access are the subject of further agreements between the developer and BCDC. A total of over 21 acres of public access along more than 2 1/4 miles of shoreline have been developed as a result of these agreements.

#### Administrative Permits

The Executive Director is authorized to issue permits for proposals meeting certain criteria established by the Commission in its regulations. The Executive Director issued 135 "administrative" permits in 1984. The permits ranged from the simple, e.g. shore maintenance and small dock construction, to the more complex. Some examples include:

To SHEREX CHEMICAL COMPANY in the City of Oakland for construction of an air pollution control system to capture and recover organic vapors resulting from production of soap products.

To the PORT OF OAKLAND to demolish an existing 3-acre timber transit shed to allow the area to be used for break-bulk and roll-on/roll-off cargo.

- To the CITY OF SAN LEANDRO to improve existing dikes and construct a 1.4-mile pedestrian and bicycle trail along the renovated bayfront dike.
- To HARBOR BAY ISLE ASSOCIATES to construct docking facilities for a six-month test of a hovercraft ferry service between Alameda and San Francisco.
- To CHEVRON, U.S.A to dredge approximately 1,000,000 cubic yards annually from the Richmond Long Wharf and Point Orient Wharf areas. The project is coordinated with the Corps of Engineers' Baldwin Ship Channel Project.
- To the CALIFORNIA DEPARTMENT OF FISH AND GAME to construct pumping facilities to flood an existing upland area to create new and enhance existing managed wetlands in the Grizzly Island Wildlife area.
- To the BELL MARINE COMPANY for dredging of sand and shells to be used for commercial purposes from a location near Port Chicago in Contra Costa County.
- To the EAST BAY REGIONAL PARK DISTRICT for an extension of the San Leandro Regional Shoreline Trail system. Work includes construction of a 2,000-foot-long trail at the East Creek Channel.
- To INTERSEA RESEARCH CORPORATION to perform a geophysical survey for oil and gas deposits in Suisun, Grizzly, and Honker Bays. Small boats will tow hydrophone cables to collect seismic data generated by the firing of a nonexplosive water or air gun.

### Suisun Marsh Permits

Pursuant to the Suisun Marsh Preservation Act of 1977, local governments and special districts with jurisdiction in the 100-square-mile Suisun Marsh in southern Solano County prepared components of a local protection program for their areas of the Marsh. A marsh development permit is required for any development in the Marsh. The Commission issues the permit within the "primary management area", which includes the wetlands within the Marsh; local governments issue the permit within the "secondary management area", which surrounds the primary management area and consists mainly of agricultural land that is part of the Marsh ecological system. Both types of permits must be consistent with the local protection program.

Marsh development permits issued by local governments in the secondary management area are appealable to the Commission. However, in 1984, no permits were appealed. This was due in part to close coordination between applicants, local governments, and the Commission.

Although the Commission granted only two significant permits in the primary management area of the Marsh in 1984, considerable staff time was devoted to pre-application discussions on a wide variety of projects within the primary and secondary management areas, including construction of piers and docks, nature trails, improvements to existing pipelines, reconstruction and raising of levees, and improvement of land fill and levees in duck clubs. There was also continued interest in the construction of commercial wind turbine generators.

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The following permits were issued:

To the STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES (DWR) to excavate a new channel adjacent to Montezuma Slough, construct a water control structure in the excavated channel, and then close the existing slough by building a dike across Montezuma Slough. The project is part of an overall program by the DWR to maintain the brackish character of the Marsh and meet water quality standards set by the State Water Resources Control Board. Public benefits, in addition to maintaining water quality, include constructing two public access areas, that will be used by the public for day-use berthing.

To SHELL OIL COMPANY to create a 1.5-acre drilling pad and new access road in a managed wetland near Montezuma Slough in the primary management area of the Suisun Marsh to conduct exploratory drilling for natural gas. No public access is provided as part of this permit. Should drilling be unsuccessful, all fill materials will be removed outside the Commission's jurisdiction and the site will be returned to its natural state. Should the drilling be successful, a subsequent permit for the permanent pumping and related facilities will include provisions for public access and to offset the loss of any managed wetlands.

#### Consistency Determinations

Under the terms of the federal Coastal Zone Management Act, the Commission reviews proposals involving federal activities within or directly affecting the San Francisco Bay segment of the California Coastal Zone for consistency with the Commission's federally approved Management Program. During 1984, the Commission concurred with the sponsoring federal agency that the following projects were consistent with the Management Program:

The U. S. ARMY CORPS OF ENGINEERS' project to deepen Southampton Shoal and the Richmond Long Wharf maneuvering area in Contra Costa County by dredging 8.8 million cubic yards of material. Spoils will be disposed at the Alcatraz disposal site in the Bay. The project will allow deeper draft petroleum tankers to reach the Richmond Long Wharf and the adjacent refinery without having to lighten or two-port their cargos because of existing shallow channel depths. A controversy arose over this project regarding disposal of the dredge spoils at the Alcatraz disposal site. A mound had formed there allegedly due to illegal dumping of concrete, large debris, and disposal of greater amounts of consolidated dredge spoils in recent years. The mound had grown to within 25 feet of the surface and posed a navigation hazard as well as adversely affecting sand dredging in adjacent shoals. To address this issue the Corps established specifications for spoils disposal that require disposal in a slurry form to increase dispersion and discourage mounding. The Corps also embarked on a program to disperse the mound at the Alcatraz site.

The U. S. ARMY CORPS OF ENGINEERS' project to repair the Richmond Harbor breakwater, west of Brooks Island in Alameda County. The Corps will place quarry stone on subsided portions of the breakwater to restore them to original height. The stone will be barged to the site, requiring dredging of channels through areas containing wildlife resources. The Corps will conduct an experimental eelgrass transplant program which will help offset these impacts.

The U. S. ARMY CORPS OF ENGINEERS project to construct three breakwaters adjacent to the Hyde Street Pier and the Fisherman's Wharf commercial harbor at Fisherman's Wharf, in San Francisco. Approximately 17,000 square feet of fill will be placed and 1,650 lineal feet of public access for fishing and pedestrians will be provided on top of the breakwater. The project will provide major wave protection for the historic ships and commercial fishing fleet at the Fisherman's Wharf mooring area.

The Commission acted also on several other federal projects in 1984, including:

The U. S. COAST GUARD'S relocation and construction of floating docks and a breakwater at Government Island in Alameda County; and an emergency certification for removal of a 90-foot-high lighted tower knocked over by a ship. The debris was an immediate threat to navigation.

The U. S. ARMY CORPS OF ENGINEERS' dredging for flood control in the Corte Madera Flood Control Channel in Marin County, and another project in San Francisco to place 15 experimental devices adjacent to Pier 19 in San Francisco to reduce sedimentation. Each device will be anchored in the mud and consists of a foil that rotates in the current causing turbulence to keep sediments in suspension and to resuspend sediment.

The DEPARTMENT OF COMMERCE'S project for shoreline protection at the Southwest Fisheries Center Tiburon Laboratory in Marin County.

The U. S. NAVY for two projects: demolition of a deteriorated boat house and wooden deck at Treasure Island Naval Station; and demolition of deteriorated timber wharves and portions of steel shipways at Mare Island Shipyard in Solano County. No replacement structures are proposed for either project.

The U. S. FISH AND WILDLIFE SERVICE for the acquisition of approximately 6,200 acres of wildlife habitat area for the protection and restoration of wildlife resources. The project is part of the 23,000 acre National Wildlife Refuge in the southern part of San Francisco Bay.

## ENFORCEMENT

The Commission refused to concur with ACME FILL CORPORATION'S consistency certification to expand an existing 125-acre sanitary landfill into an adjacent 97-acre area. The site, located south of Waterfront Road in Contra Costa County, is designated as a priority use area for water-related industry in the Bay Plan. The Commission could not concur with the certification because the project is inconsistent with using the site in the future for a water-related industry. In its findings the Commission determined that: (a) a landfill is not a water-related industry; and (b) the landfill could not be considered an appropriate interim use due to the difficulties of constructing industrial facilities on a site with a 70-foot-high landfill that would result.

Acme appealed to the Secretary of Commerce and filed a lawsuit against BCDC in Contra Costa County Superior Court. Subsequently, however, the Corps issued a permit to Acme that limited Acme's expansion to a 40-foot height limit and to a three-year period. On that basis, Acme requested and obtained a stay of its appeal to the Secretary of Commerce and of its lawsuit.

The Commission appealed the Corps' issuance of a permit to Acme first to the Division Engineer and subsequently to the Office of the Chief of Engineers. In each case, the Corps concluded that the District Engineer had properly issued the permit to Acme and denied the appeal. The Commission authorized litigation in this matter if all other possible avenues of resolution fail, and the Commission is currently attempting to resolve this matter without litigation.

The Commission investigates reports of unauthorized fill and construction within its jurisdiction and reviews all projects authorized since September 1965 for compliance with the terms and conditions of the permits.

During 1984, the enforcement staff initiated 41 enforcement investigations and continued its investigation into 38 previously initiated cases. In most cases, after the staff identified the problem and contacted the responsible party, satisfactory solutions were reached. Since the program began, approximately 75 percent of the cases have been resolved by voluntary compliance or by permit amendment.

Although most enforcement matters involve minor infractions with parties willing to cooperate to resolve them quickly, some cases require stronger enforcement measures. The Executive Director can issue temporary cease and desist orders that stop unauthorized activity; the Commission's cease and desist orders are permanent and may require corrective measures.

In 1984, the Executive Director issued five orders:

To the CITY OF FOSTER CITY to stop the unauthorized dumping of earth and rubble in a large low-lying area on the north side of Foster City. The Commission's staff is trying to negotiate an agreement with the City concerning this violation.

To JOE BLANEY AND LON EISMAN to stop unauthorized fill along the Napa River near the Highway 37 Bridge in the City of Vallejo. Resolution of this matter is expected in 1985.

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To the PORT OF OAKLAND AND SCOTT'S SEAFOOD GRILL AND BAR in Jack London Square to halt conversion of an existing public access area to an outdoor eating area. The aggrieved parties have stipulated to a proposed Commission Cease and Desist Order which will be considered by the Commission in early 1985.

To MR. URBAN BRAITO to stop unauthorized filling in Suisun Slough in the City of Suisun, Solano County. Mr. Braitto stopped filling and has removed all unauthorized fill.

To the CITY OF EMERYVILLE to stop the unauthorized dumping of asphalt, concrete, and dirt along the Emeryville shoreline. The order required the City either to remove the material or to apply for and obtain a Commission permit for the material. When the City did neither, the Commission issued an order that required removal of the material by a specific date. The City subsequently removed all the material.

In 1984, in addition to the Emeryville order, the Commission issued the following orders:

To REDWOOD SHORES, INC. AND ARNDT ELECTRONICS, INC. to comply with the terms of a BCDC permit issued for construction of a light industrial area in Redwood City. The corporations are complying with the schedule set in the order, and are completing the public access facilities.

To the OWNERS OF FOUR LOTS ON THE RICHARDSON BAY SHORELINE IN MARIN COUNTY for failure to install public access improvements as required by a permit issued previously by the Commission. The improvements have been installed.

To the CITY OF EMERYVILLE to compel the City's compliance with a permit issued in 1970 for construction of the City Hall and related improvements. Conditions in the permit require installation of a 3,300 foot long shoreline path on the south side of the Emeryville peninsula, and dedication of the pathway to the public. The City agreed initially to comply with the order, but found subsequently that it could not meet the construction schedule and requested a one-year extension. The Commission agreed to the extension if the City would: (a) place the funds for the project in an interest bearing account; (b) apply the interest to uses specified by the Commission; and (c) allow the Commission to enter City-owned land to build the pathway if the City failed to meet any of a series of completion dates that would culminate in construction of the pathway. The City rejected the agreement; the Commission has requested the Attorney General to initiate litigation against the City.

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## PLANNING

The McAteer-Petris Act requires the Commission to make a continuing review of all the characteristics of the Bay, including: the quality, quantity, and movement of Bay waters, the ecological balance of the Bay, the economic interests in the Bay, including the needs of the Bay area population for industry and for employment, the requirements of industries that would not pollute the Bay nor interfere with its use for recreation or other purposes, and the present and proposed uses of the Bay and its shoreline. To identify the specific planning to be undertaken, the Commission adopts a biennial planning program. In compliance with the 1983-1984 Planning Program, the Commission staff studied and reported to the Commission on the following matters:

### Richardson Bay Special Area Plan

The Richardson Bay Special Area Plan is the result of a two-year joint planning effort by the Commission, Marin County, and the Cities of Sausalito, Mill Valley, Tiburon, and Belvedere. After extensive hearings by local government and the Special Area Plan Steering and Advisory Committees, the Plan was adopted unanimously by the local governments; and in December 1984, it was adopted by the Commission.

The Special Area Plan is a management plan for the future use and protection of Richardson Bay. The Plan includes findings and policies, maps indicating water uses of Richardson Bay, and recommended implementation measures. Major policies and recommendations include: (a) houseboats and live-aboard vessels should be located in marinas and not allowed to "anchor-out" in the Bay; (b) the Environmental Protection Agency should declare Richardson Bay a vessel sewage no discharge area and sewage from houseboats and live-aboards in Richardson Bay should be contained onboard and pumped to an onshore treatment system; (c) navigation channels should be locally marked and maintained; (d) a continuous public access system around Richardson Bay should be developed; and (e) a cooperative agreement among the local governments should be established to carry out many of the plan recommendations.

### Fill Control Study

The Commission reviewed its Bay Plan policies on Bay fill, concentrating on three areas: (1) legislation and court decisions affecting the Commission's authority to control Bay fill with emphasis on the public trust; (2) adequacy of the Commission's policies on the filling of the Bay for commercial recreation purposes; and (3) mitigation required for the unavoidable adverse environmental impacts to the Bay of authorized Bay fill.



In October, the staff released its Staff Report on Fill Controls for Commission and public review. The report provided the background materials necessary for the Commission to determine whether it wished to begin the Bay Plan amendment process and the possible amendments it wanted to consider. The report was prepared with the assistance of the Office of the Attorney General, particularly for the discussion and analysis of the public trust.

The Commission held three hearings on the report, and in December decided to begin the Bay Plan amendment process to consider changes to the existing Bay Plan public trust policy and the addition to the Plan of a policy on mitigation. The Commission will consider the possible amendments in early 1985.

#### Review of Commission Regulations

In 1983, the Commission issued a notice of proposed rulemaking that represented the culmination of the Commission's review of its existing regulations as required by the Administrative Procedures Act (AB 1111) and the Governor's Regulatory Review Program. The review intended to determine if the Commission's regulations complied with the six statutory criteria of necessity, authority, reference, consistency, clarity, and nonduplication and if the regulations represented the most cost-effective method of meeting the need the regulations were intended to fulfill.

The Commission held three public hearings on the proposed changes, and based on those hearings and subsequent written comments, adopted a revised set of regulations in May, 1984. The regulatory filings were disapproved by the Office of Administrative Law (OAL) in late December and the Commission is awaiting explanation from OAL before deciding what additional action to take.

The Commission deferred action on a new regulation that would have required a Commission permit for any subdivision affecting present or future public access, or availability of an area designated for water-related priority use.

At the request of the interested parties, the Commission began a series of workshop meetings to study alternative methods of avoiding problems the Commission had in the past with subdivisions that subsequently interfered with providing public access at the construction stage. The group at the workshop recommended the Commission adopt a regulation to require a permit for such subdivisions with limits on when the Commission staff must determine if a permit is needed, how to process an application for such a permit, and what types of conditions could be placed in a permit for such a subdivision. In October, the Commission adopted the proposed regulation, which was returned by OAL in late December. The Commission is awaiting explanation for disapproval of its main filing discussed above before deciding what action to take.

#### Houseboat and Live-aboard Study

In July 1983, the Commission began public hearings on a report about houseboats and live-aboards in the Bay. The staff report, prepared in tandem with a report on Recreational Boating Facilities, discussed the increase in the numbers of such floating structures and vessels, their impacts on the Bay, the consistency of this type of residential use with the public trust, and their impacts on the demand for recreational boating berthing space.

Several hundred people attended the public hearings held in San Francisco and Sausalito, and the Commission received several hundred cards and letters regarding the study. Because of the great interest, the Commission extended the comment period until February 29, 1984. The Commission determined that the Richardson Bay matter should be completed before concluding work on this study. The study will be scheduled for Commission reconsideration in early 1985.

#### Region-Wide Permit Study

During 1984, the Commission investigated the possibility of issuing certain administrative permits on a region-wide basis. The program would streamline the Commission's existing review of projects that were found to pose little significant adverse impact on the Bay or on public access and were otherwise consistent with the Commission's policies. The study analyzed hundreds of BCDC permits, reviewed other land use regulatory programs by federal, state and local governments, and solicited comments from governmental agencies, interested groups, and members of the public.

The staff's report concluded that the Commission should establish a region-wide permit program for certain types of work within the Commission's jurisdiction. The staff recommended also in the report that the Commission continue to require the submittal of an individual application for work proposed to be included within a region-wide permit, and a new, shortened application be developed for this purpose.

The Commission directed the staff to begin the process to amend its regulations to develop procedures for region-wide permits for Commission consideration in early 1985.

#### Monitoring Diked Historic Baylands

Since October 1982, the staff, at the Commission's direction, has monitored and commented on projects proposed in diked historic baylands which are outside the Commission's jurisdiction. The staff concluded in its annual report to the Commission on the status of the diked historic baylands, that there had been no significant changes to the baylands during the monitoring period October 1983 to October 1984.

#### Bay Plan Amendments

In addition to the Richardson Bay Special Area Plan, in 1984 the Commission considered four Bay Plan amendments:

At the request of the CITY OF SAN LEANDRO in Alameda County, the Commission deleted the Park Priority Use designation for a 5-1/2 acre area on the San Leandro shoreline from Bay Plan Map Nos. 2 and 5. The area had already been developed with light industrial uses and had been designated for industrial use in the City's General Plan since 1972.

At the request of the PORT OF SAN FRANCISCO, the San Francisco Waterfront Total Design Plan was amended to allow three rather than two office-oriented historic ships to be permanently moored in the Pier 3 through 5 area; the retention of most of the Pier 5 bulkhead building, and the removal of part of the Pier 3 bulkhead building. The changes to the Total Design Plan were requested by the port to increase office space in the area, to protect structures with historic-architectural significance, and to improve public access, views, and vistas along the northeastern waterfront.

The COMMISSION amended the San Francisco Waterfront Special Area Plan to show the current shoreline configuration on the Plan Maps and to incorporate already adopted Bay Plan amendments that affect the San Francisco waterfront, such as the Port and Recreation policies.

The COMMISSION adopted the Richardson Bay Special Area Plan as an amendment to the Bay Plan and amended Plan Map No. 11 to note the authority of the Special Area Plan on permit matters. A brief discussion of the Special Area Plan is included above.

At the request of the CITY OF ALAMEDA, the Commission deleted the Port Priority Use designations at the former Todd Shipyard site from both the Bay Plan and the Seaport Plan. The designation of the site for marine terminal use excluded all other uses, except interim uses. The City requested the change to allow a mixed-use project on the site. The Commission deleted the designation of the site for marine terminal use from the Seaport Plan, but retained the Port Priority Use designation in the Bay Plan. The Commission adopted also a policy protecting ship channels and turning basins in the Oakland-Alameda inner harbor area from the placement of fill that might impair shipping navigation.

At the request of the PORT OF SAN FRANCISCO, the Commission began public hearings to consider changes to the San Francisco Waterfront Special Area Plan affecting the Ferry Building area. The changes were requested in part to accommodate a project proposed by Continental Development Corporation that would redevelop the Ferry Building, Pier One and the Agriculture Building, reallocate the uses in these buildings among offices, restaurants, retail shops, and which affected the public access features for the area. The application for the proposal was denied by the Commission, consequently the Commission did not act on the proposed Bay Plan change.

#### Energy

BCDC coordinates with the California Energy Commission and the Pacific Gas and Electric Company in reviewing potential power plant sites within the Bay. In December, BCDC adopted the biennial update of its report "Designation of Areas within the Jurisdiction of the San Francisco Bay Conservation and Development Commission that are Unsuitable for Power Plants." The update incorporates the latest energy demand forecasts adopted by the Energy Commission. In other energy-related matters, BCDC reviewed and advised on construction of a cogeneration plant at the C and H sugar refinery in Crockett; reviewed Solano County marsh development permits for construction and operation of gas extraction facilities in the Suisun Marsh; reviewed and issued permits for extensive testing activities to determine the extent and location of geological formations under the Suisun Marsh which might be favorable for gas wells; and reviewed and issued permits for the expansion and maintenance of oil refinery facilities.

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## Bay Shoreline Landscape Guide

The Commission published a landscape plant materials guidebook to assist applicants and their project designers working with Bay shoreline sites. The guidebook lists native marsh plants appropriate for enhancing small wetland areas and describes plants suitable for shoreline areas subject to as saline soils, strong winds, and limitations on irrigation. The intent of the guidebook is to assist permit applicants in providing attractively landscaped areas that can tolerate a Bay shoreline setting with minimal maintenance requirements.

## State Coastal Conservancy

In 1981, the Commission began working closely with the State Coastal Conservancy on projects in the Conservancy's public access, wetlands enhancement, and urban waterfront programs. During 1984, BCDC staff reviewed several preliminary proposals under these programs to ensure their consistency with the Bay Plan. In addition, the Commission began working with the Conservancy on mitigation. Under the McAteer-Petris Act and the California Environmental Quality Act, the Commission requires project sponsors to offset significant adverse effects caused by Bay fill. These mitigation measures usually consist of opening diked areas to tidal action or of enhancing the wildlife values of degraded areas. Some project sponsors have found mitigation requirements difficult because of insufficient area for enhancement projects at or near the project site or due to costs and delays involved in acquiring other suitable lands.

The State Coastal Conservancy recently began developing a Wetlands Mitigation Bank Program for San Francisco Bay. The Commission supports this program in concept because it has the potential to assist permit applicants and to speed the process of restoring diked areas to tidal action and improving wildlife habitat around the Bay. The Commission agreed to use a small pilot mitigation project in San Pablo Bay to assess the program.

The Conservancy's program follows the Commission's agreement in 1983 to use a mitigation bank program of the East Bay Regional Park District. Under that program, about 200 acres of diked wetlands in Hayward will be enhanced and restored to tidal action using, at least in part, funds derived from BCDC permits that require off-site mitigation. It is expected that both programs will be useful in achieving the goals of the Commission.

## Seaport Committee

The Metropolitan Transportation Commission/San Francisco Bay Conservation and Development Commission Seaport Planning Advisory Committee met twice during the year to consider port planning issues. In August, the Committee reviewed the City of Alameda's request described above, and recommended approval of the amendment.

In December, the Committee considered whether a proposal to expand ship repair activity at Pier 50 in San Francisco, an active marine terminal site could be considered an interim use within the intent of the Seaport Plan. The Committee recommended approval so long as the ship repair facility was limited to a five year term. Other conditions were imposed to assure that the facility would be readily removed if the site were needed for marine terminal expansion, and that future extensions of the permit term would be subject to rigorous review.

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## LITIGATION AND COURT DECISIONS

Although the Commission prefers to resolve disputes administratively, some litigation is unavoidable. During 1984 the following legal matters received court attention:

- PEOPLE EX REL. SFBCDC V. CITY OF EMERYVILLE. In 1970, the Commission issued a permit to the City of Emeryville for the construction of the Emeryville Marina Complex. In 1975, the Commission's staff discovered that the City had placed approximately 4.5 acres of fill in excess of that authorized by the permit. At the request of the City, the Commission amended the permit to authorize the fill and, with the City, adopted a public benefits plan. The plan required that the City complete the public improvements by December 31, 1983. Again at the request of the City, the Commission revised the plan to change some of the public benefit projects, but retained the completion date. All the required projects have not been completed, and at the Commission's request, the Attorney General has filed suit against the City; litigation is pending.
- LESLIE SALT COMPANY V. SFBCDC. In 1980, the Commission issued a cease and desist order to the Leslie Salt Company to remove fill placed illegally by unknown third persons on Leslie's property on Alviso Slough at the southern end of San Francisco Bay. Leslie filed suit against the Commission to invalidate the order. Leslie argued that under the McAteer-Petris Act, the Commission lacked the authority to order a landowner to remove fill placed illegally by unknown third parties on the landowner's property. In 1981, the trial court agreed with Leslie and ordered the Commission to set aside the order. In 1984, the California Court of Appeal reversed the decision and held that under the McAteer-Petris Act, landowners are liable for the removal of unauthorized fill placed on their property by unknown third parties. Leslie petitioned the California Supreme Court to hear the case, but the Court denied Leslie's petition. Subsequently, staff met with Leslie to discuss compliance with the order, and Leslie has submitted an alternative fill removal plan for staff review.

- STATE OF CALIFORNIA EX REL. SFBCDC V. GIANULIAS, ET AL. In 1980, the Commission sued to enjoin George Gianulias from placing fill on his property located in the White Slough area of Vallejo without a Commission permit. The trial court issued a preliminary injunction. In 1983, the court held Mr. Gianulias in contempt for violation of the order. The court also upheld the legality of the regulation on which the Commission had relied when it asserted jurisdiction over Mr. Gianulias's property. In 1984, the trial court again reviewed this matter to determine what type of relief to grant and to impose sentence on Mr. Gianulias for the contempt. The court, based on a stipulation between Mr. Gianulias and the Commission, determined the extent of the Commission's jurisdiction in the area, prohibited any filling within the Commission's jurisdiction without a BCDC permit, and required that Mr. Gianulias either obtain a permit for or remove the fill he had placed in the Commission's jurisdiction without a permit. The court also imposed a \$500 fine on Mr. Gianulias for the contempt and a \$12,000 civil penalty for violations of the Commission's cease and desist order. However, the court suspended payment of the \$12,000 penalty pending final disposition of the case. Mr. Gianulias and intervenors City of Vallejo and Vallejo Sanitation and Flood Control District have all appealed the trial court's decision. The appeal is now pending.

- STATE OF CALIFORNIA EX REL. SFBCDC, V. UNITED STATES ET AL. In June 1980, the United States General Services Administration (GSA) announced its final disposition of Hamilton Air Force Base in Marin County. The Commission believed the proposed disposition was not consistent with the BCDC law nor the Bay Plan, which designated Hamilton for airport priority use to reduce pressures for airport fill at other bayfront airports. The Commission filed suit against GSA to require Commission approval under the Federal Coastal Zone Management Act.

The Metropolitan Transportation Commission joined the Commission in its lawsuit and raised other objections as well. In addition, the Pacific Legal Foundation filed a separate lawsuit objecting to the disposal decision on behalf of the Marin Coalition, a local business interest group, and the Aircraft Owners and Pilots Association. The County of Marin and City of Novato intervened in both lawsuits on the side of GSA.

At the beginning of 1983, the parties to the lawsuits began to explore the possibility of settlement. Out of these discussions evolved the Hamilton Air Force Base "roundtable", which included representatives of each of the litigants. The roundtable provided a forum in which the parties could develop a factual basis for settlement discussions and then attempt to reach a settlement. Meeting monthly, the roundtable progressed toward a settlement agreement. It developed controls to assure that any civil aviation at Hamilton would be limited to general aviation, and the members of the roundtable accepted the controls as part of a possible settlement.

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In 1984, after the roundtable completed preliminary studies of economic feasibility and the institutional arrangements necessary for civil airport operations at Hamilton, the City of Novato made a crucial proposal. The City proposed that it would apply to operate a civil airport jointly with the U. S. Army, which had taken title to the airfield to continue its limited use of the facilities, under certain conditions: (1) civil operations would be expressly limited by the controls that the roundtable had approved; (2) the City would have to be protected from incurring any deficit to establish or operate the airport; and (3) the proposal would have to be approved by the City's voters. In response to the City's commitment, all of the roundtable members except the U. S. Government, approved an agreement that the City would pursue an airport application under these conditions.

As a result, the litigants approved a settlement of the lawsuits in June, 1984. The Commission and the other plaintiffs relied in the settlement on the City's good faith pursuit of the airport application, subject to the vote of the City's electorate at the November General Election. The U. S. Government agreed in the settlement to hold available the part of the property that might be needed for airport operations until after the election.

The Novato City Council placed the issue on the local ballot for the General Election, proceeded with an application for airport use, and completed an airport master plan, economic feasibility study and environmental impact report prior to the election. Several agencies that had been involved as parties to the litigation or in the roundtable's work assisted the City in its preparatory work: the Metropolitan Transportation Commission provided funding and technical assistance in both preparation of the grant application and review of consultants' technical studies; the Port of Oakland (operator of the Oakland International Airport) provided technical review assistance; and the Federal Aviation Administration provided the major funding for the studies.

On November 7, 1984, the voters of the City of Novato rejected by a 60 percent to 40 percent margin the proposal to operate the airport. As it now stands, the Army will continue to operate their portion of the airport with remaining lands not needed for general airport use to be returned to the private sector.

- BENICIA INDUSTRIES V. SFBCDC. In December 1982, the Commission issued permits to Benicia Industries, Inc. to authorize two existing automobile processing and storage yards located on the shore of Suisun Bay in Benicia. The permits contained conditions that required Benicia Industries to provide public access along a levee that separated the yards from the Bay, mitigation for filling approximately five acres of wetlands, and the permanent dedication of the tidal portions of Benicia Industries' property as open space to create a permanent shoreline. Benicia Industries filed suit against the Commission to challenge these conditions.

The trial court upheld the conditions pertaining to mitigation and public access but determined that the open space condition was illegal. Benicia Industries has appealed the court's ruling on the mitigation condition, but has agreed to comply with the public access conditions.

- STATE OF CALIFORNIA EX REL. SFBCDC V. LEHMAN, ET AL. In late 1983, the United States Navy condemned three parcels of property owned by the Port of Oakland. The property totals approximately eleven acres currently leased by the Navy from the Port for parking. The Bay Plan designates the property as a Port Priority Use area.

The Navy refused to submit a consistency determination prior to its condemnation. In June 1984, the Commission filed suit against the Secretary of the Navy and other Navy officials. The suit sought to prohibit the Navy from acquiring the property or to force the Navy to submit a consistency determination for Commission review. In September 1984, the trial court ordered the Navy to do nothing with the property other than continuing its use for parking pending full court consideration of the matter. The case is currently pending.

## LEGISLATION

The Commission reviewed and took positions on several bills affecting the Bay or the Commission's policies:

- SB 834. Along with the several other agencies and public interest groups, the Commission opposed this bill which would have terminated the public trust on certain tidelands and submerged lands in the Delta and the Suisun Marsh.
- SB 1369. This bill, along with a package of other bills, would have authorized new, Cross-Delta transfer facilities to increase the amount of fresh water exported from the Delta. The Commission opposed this bill because it was inconsistent with its adopted position on legislation authorizing such new water facilities.
- AB 3507 and AB 3700. These bills would have created a new wetlands policy for the State and established a task force to plan for wetlands preservation and enhancement throughout the State. Generally, the Commission supported these bills and suggested certain amendments.



## PUBLIC AFFAIRS

- Propositions 18 and 19. Proposition 18 provided funds for the development and maintenance of recreational facilities along the Bay edge and elsewhere in the State. Proposition 19 provided funds for the preservation, enhancement and restoration of wetland habitat for fish and wildlife resources of the Bay and other areas of the State. The Commission supported both propositions and both were passed by the electorate in June, 1984.
- S. 2324 and H.R. 4589. These Federal bills were introduced to make it clear that Outer Continental Shelf oil and gas lease sales and other such Federal activities were subject to review by coastal states under the consistency provisions of the Federal Coastal Zone Management Act. The Commission supported the bills because they broadened the applicability of these consistency provisions to ensure an adequate State role in reviewing Federal activities in the Bay. The bills did not pass this year but will be considered again in 1985.

During 1984, the Commission expanded its program to inform and involve a greater number of government officials, interested groups, and individuals of issues affecting San Francisco Bay. As part of this program, BCDC took the following actions:

### Newsletter

The Commission's staff began publishing a quarterly newsletter called the "Bay Tidings." The newsletter is designed to inform public officials, community leaders, interested groups and individuals about the Commission's actions and activities, and it discusses projects and issues relevant to San Francisco Bay. The newsletter has a mailing list of over 700.

### League of Women Voters Program

In May, the Commission agreed to provide partial funding for a one-year period to the League of Women Voters of the Bay Area for its bi-monthly newsletter, "Bay Area Monitor." The League expanded the Monitor's coverage, which was formerly limited to transportation issues, to include regional land use, air quality and water quality issues. The Commission determined that it was important that BCDC issues and activities be analyzed and publicized by an outside view and to a wider range than is possible with its own newsletter. The Monitor is mailed to over 5,000 addresses in the Bay Area.

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## THE COMMISSION

The San Francisco Bay Conservation and Development Commission (BCDC) is composed of 27 members who represent federal, state, and local governments, and the general public. The Commission members (Alternates shown in parentheses) during 1984 were:

### PUBLIC REPRESENTATIVES

Appointed by the Governor:

Robert R. Tufts, Chairman  
San Francisco  
John Reading,\* Chairman  
Oakland  
(David A. Thompson)  
(Robert E. Mortensen\*)

John C. Dustin, Vice Chairman  
Redwood City  
(Richard C. Wilde)

Donald C. DeLutis  
San Francisco  
(Margarita F. A. Marshall)

Pier A. Gherini, Jr.  
San Francisco  
( )

Angelo J. Siracusa  
Mill Valley  
( )

Appointed by the Speaker of the Assembly:

Earl P. Mills  
San Francisco  
(David Jenkins)

Appointed by the Senate Rules Committee:

Elizabeth Osborn  
Fremont  
(Jim Pacht)  
(Patricia Shelton\*)

### FEDERAL REPRESENTATIVES

Jay K. Soper  
United States Army Corps of Engineers  
Lt. Col. Andrew M. Perkins\*  
Colonel Edward Lee\*  
(Calvin Fong)

Judith E. Ayres  
Environmental Protection Agency  
(John C. Wise)

### STATE REPRESENTATIVES

Marion E. Otsea  
Regional Water Quality Control Board  
(Fred Klatte)

Michael D. McCollum  
Resources Agency  
(Mark Timmerman)

Chon Gutierrez  
Department of Finance  
(Jennifer Richardson)

Claire T. Dedrick  
State Lands Commission  
(Diane R. Jones)

Burch Bachtold  
Business and Transportation Agency  
(William J. Dowd)

### LOCAL REPRESENTATIVES

Appointed by the County Board of Supervisors:

Supervisor John T. George  
Alameda County  
(William H. Fraley)

Supervisor Nancy Fahden  
Contra Costa County  
(Anthony A. Dehaesus)

Supervisor Albert Aramburu  
Marin County  
(Supervisor Harold C. Brown, Jr.)

Supervisor Robert E. White  
Napa County  
(Supervisor Mel Varrelman)

Supervisor Carol Ruth Silver  
San Francisco County  
(Lily Cuneo)

Supervisor Thomas L. Legan  
Santa Clara County  
(Supervisor Rod Diridon)

Supervisor Anna Eshoo  
San Mateo County  
(Councilwoman Roberta Teglia)

Supervisor Richard Brann  
Solano County  
(Supervisor Osby Davis)

Supervisor Bob Adams  
Sonoma County  
(Donald Head)

Appointed by the Association of Bay  
Area Governments (ABAG):

Councilman Arthur Lepore  
City of Millbrae  
(Supervisor Doris Ward)

Councilwoman Dianne McKenna  
City of Sunnyvale  
(Councilman Robert Bury)

Councilman Frank H. Ogawa  
City of Oakland  
(Mayor Valance Gill)

Councilwoman Barbara Kondylis  
City of Vallejo  
(Councilwoman Carol Peltz)

REPRESENTATIVES OF THE LEGISLATURE

Senator Dan McCorquodale

Assemblyman Dominic Cortese

Note: \* Commission Members or  
Alternates who no longer serve  
on the Commission after 1984

During 1984, the Commission was  
represented on other regional and  
local organizations:

Commissioner Earl P. Mills  
Metropolitan Transportation  
Commission

John C. Dustin, Vice Chairman  
Regional Airport Planning Committee  
(Commissioner Angelo J. Siracusa)

Robert Tufts, Chairman  
Seaport Planning Advisory Committee  
(Commissioner Angelo J. Siracusa)

John C. Dustin, Vice Chairman  
Association of Bay Area  
Governments, Regional Planning  
Committee

Commissioner Barbara Kondylis  
Hans Schiller  
Barbara Eastman  
Richardson Bay Special Area Plan  
Steering Committee

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## SPECIAL ADVISORY BOARDS

In addition to the Commission's Advisory Committee, the Commission has appointed two special advisory boards to assist in its review of permit applications.

These are the Engineering Criteria Review Board and the Design Review Board. The boards consist of outstanding professionals in the fields of engineering, geology, and design who volunteer their services to help the Commission evaluate proposed projects. Their help is of great value to the Commission, and the members of the two boards have set a high standard of professional contribution in the public interest.

### CITIZEN ADVISORY COMMITTEE

The legislatively mandated volunteer Citizens Advisory Committee assists and advises the Commission in carrying out its responsibilities. The 20-member Committee is representative of a broad cross-section of interests concerned with the future of San Francisco Bay and its shoreline.

Walter A. Abernathy  
Port of Oakland

Robert D. Brown, Jr.  
U. S. Geological Survey  
Menlo Park

Elva Edger  
League of Women Voters

Sylvia Gregory  
San Bruno

Esther Gulick  
Save San Francisco Bay Association  
Berkeley

Dr. Michael Herz  
Oceanic Society  
San Francisco

Marcella Jacobson  
Hillsborough

Ellen Johnck  
Bay Planning Coalition  
San Francisco

Roger Johnson  
San Francisco Bay National  
Wildlife Refuge  
Newark

Michael N. Josselyn  
Tiburon Center for Environmental  
Studies  
Tiburon

Shiraz Kaderali  
Pacific Gas and Electric Company  
San Francisco

Michael Marston  
Keyser Marston Associates, Inc.  
San Francisco

William Newton  
Landscape Architect  
Berkeley

Raul L. Regalado  
San Jose Airport

Burton Rockwell  
American Institute of Architects  
San Francisco

Barbara Salzman  
Marin Audubon Society  
Larkspur

Dwight Steele  
Attorney  
Walnut Creek

Timothy J. Sullivan  
University of California  
Berkeley

Richard Trudeau  
East Bay Regional Park District  
Oakland

Alan Woodhill  
Leslie Salt Company  
Newark

Rose Beatty\*  
Peninsula Conservation Center  
Palo Alto

Henry Bostwick, Jr.\*  
San Mateo County Development  
Association  
San Mateo

Richard M. Boswell\*  
Pacific Inter-Club Yacht  
Association  
El Cerrito

Mrs. Ward Duffy\*  
Portola Valley

Henry W. Simonsen\*  
IT Corporation  
Martinez

#### DESIGN REVIEW BOARD

Members of the Design Review Board advise the Commission on the appearance, design, and public access of proposed projects. Because the Commission may approve a project only if it provides maximum feasible public access consistent with the project, the advice of the Board regarding such projects is a critical part of the permit application process.

Stanley Gould, Chairman  
Architect  
Design Professionals, Inc.  
San Jose

Mai Arbegast, Landscape Architect  
Berkeley

Eldon Beck, Landscape Architect  
Mill Valley

NOTE: \*Board Members who resigned  
1984

Eric Elsesser, Structural Engineer  
Forell/Elsesser Engineers, Inc.  
San Francisco

Allan E. Gatzke, Land Planner  
Berkeley

Cynthia Ripley, Architect/Urban  
Designer  
Ripley Associates  
San Francisco

Hideo Sasaki, Site Planner  
Berkeley

Kenneth Simmons, Architect  
Community Design Collaborative  
Oakland

Jacob Robbins\*, Architect/Planner  
Robbins and Ream  
San Francisco

John Field\*, Architect  
Field/Gruzen, Associated Architects  
San Francisco

#### ENGINEERING CRITERIA REVIEW BOARD

Members of this Board are specialists in the fields of structural engineering, soils engineering, geology, engineering geology, and architecture. They advise the Commission on the safety of proposed Bay fill projects. Board members volunteer their time for multi-disciplinary review of projects proposed in earthquake-prone areas with problematic soil conditions.

Dr. Robert E. Wallace, Chairman  
Geologist  
U.S. Geological Survey  
Menlo Park

Joseph P. Nicoletti, Vice Chairman  
Structural Engineer  
John A. Blume and Associates  
San Francisco

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Prof. Tor L. Brekke  
Engineering Geologist  
University of California  
Berkeley

Donald Harms, Architect  
Sagar, McCarthy and Kampf  
San Francisco

Eugene A. Miller, Soils Engineer  
Harlan, Miller, Tait Associates  
San Francisco

Alan L. O'Neill, Engineering Geologist  
Lafayette

John E. Rinne, Structural Engineer  
Kensington

A. E. Wanket, Civil Engineer  
U.S. Army Corps of Engineers  
San Francisco

Prof. Edward L. Wilson  
Structural Engineer  
University of California  
Berkeley

Prof. James M. Duncan  
Soils Engineer  
University of California  
Berkeley

Dr. Richard H. Jahns, Geologist  
Stanford University  
Stanford

Dr. Egor P. Popov, Structural Engineer  
University of California  
Berkeley

Dr. T. Leslie Youd, Soils Engineer  
U. S. Geological Survey  
Menlo Park

Note: \* Board Members who resigned  
during 1984

## COMMISSION STAFF

Alan R. Pendleton  
Executive Director

Frank F. Broadhead  
Deputy Director

Russell A. Abramson  
Assistant Executive Director

### Permits

Nancy A. Wakeman  
Chief of Permits

Robert J. Batha  
Permit Analyst

Linda M. Pirola  
Permit Analyst

Robert S. Merrill  
Permit Analyst

Myrna F. Carter  
Senior Permit Secretary

### Enforcement

Robert B. Hickman  
Chief of Enforcement

Joan Lundstrom  
Enforcement/Permit Analyst

Randa Phillips  
Enforcement/Permit Analyst

Cynthia J. Gonzales  
Enforcement/Permit Secretary

### Technical

Norris H. Millikin  
Senior Engineer

Jonathan T. Smith  
Staff Counsel

Tan D. Chang  
Bay Design Analyst

### Planning

Jeffrey S. Blanchfield  
Chief Planner

Philip E. Kern  
Senior Planner

Margit Hind  
Coastal Program Analyst

Linda Turriciano  
Senior Planning Secretary

Glenn R. Kistner\*  
Graduate Student Assistant

### Legislation

Steven A. McAdam  
Assistant Executive Director for  
Governmental Affairs

### Administration

Sharon T. Louie  
Administrative Assistant

Stephanie L. Tucker  
Executive Secretary

Montano P. Dionisio  
Management Services Technician

Grace Gomez  
Receptionist

### Attorney General's Office

Linus Masouredis  
Deputy Attorney General

Joseph Rusconi  
Deputy Attorney General

### Court Reporter

Paul Schiller

NOTE: \*Staff Members who resigned from  
the Commission during 1984