

CALFED Bay-Delta Program

KEY AGENCY CONTACT MEETING SUMMARY

DATE: March 12, 1996

AGENCY: San Francisco Bay Conservation and Development Commission (BCDC)

ATTENDEES:

Rick Breitenbach	CALFED	916/657-2666
Kristina Bergquist	Jones & Stokes Associates	916/737-3000
Ray McDowell	DWR/CALFED	916/653-9499
Will Travis	BCDC	415/557-3686
Jim Martin	DWR/CALFED	916/653-9715
Steve McAdam	BCDC	415/557-3686
Ken Bogdan	Jones & Stokes Associates	916/737-3000

Opening remarks by Rick Breitenbach, CALFED, included introductions, purpose of meeting, and background of the CALFED Bay-Delta Program. This was followed by a discussion of the following subjects:

Agency's Requirements and Approach to Public Involvement:

BCDC has no early public involvement requirements; however, the agency distributes the permit applications for major projects to six agencies (i.e., RWQCB, Corps, State Attorney General's Office, SLC, DFG, and USFWS).

Agency's Regulatory and Permitting Requirements for Program-Level Activities:

Steve McAdam stated that a federal agency undertaking an action affecting the San Francisco Bay segment of the coastal zone as part of the Bay-Delta Program must submit a consistency determination under the Coastal Zone Management Act with which BCDC must concur. If the U.S. Army Corps of Engineers issues a blanket Section 404(b)(1) permit for the Bay-Delta Program, BCDC would be asked to concur in this.

Will Travis suggests that Lester Snow brief the BCDC commissioners and public on the CALFED Bay-Delta Program when the EIR/EIS alternatives have been narrowed down to 10. Mr. Snow should conduct another briefing before the commission after the preferred project and 2-4 alternatives have been selected and indicate how BCDC's and the public's comments were addressed. Mr. Travis noted that Judy Kelly, of the CALFED staff, is the alternate commissioner to the board from Alameda County.

Agency's Regulatory and Permitting Requirements for Project-Level Activities:

BCDC does not normally require permits from federal agencies, but it can require permits from state or local agencies.

CALFED/1473

According to the legal description, BCDC's jurisdiction abuts the Delta; in the context of the Bay-Delta Program, its jurisdiction includes:

- the San Francisco Bay to the Sacramento River line, which is a line between Stake Point and Simmons Point, extended northwesterly to the mouth of Marshall Cut, including all sloughs, and specifically, the marshlands lying between mean high tide and 5 feet above mean sea level; tidelands (land lying between mean high tide and mean low tide); and submerged lands (lands lying below mean low tide);
- a shoreline band consisting of all territory located between the shoreline of San Francisco Bay and a line 100 feet landward of and parallel to that line with exclusions of certain portions;
- managed wetlands consisting of all areas that have been diked off from the bay and have been maintained as duck hunting preserve, game refuge, or agricultural land; and
- the Suisun Marsh, which is described as water-covered areas, tidal marsh, diked-off wetlands, seasonal marshes, lowland grasslands, upland grasslands, and cultivated lands; it includes both the primary and secondary management areas shown on the Suisun Marsh Protection Plan Map and includes the entire right-of-way of any state highway that is designated as a portion of the boundary of the marsh.

Within its McAteer-Petris Act jurisdiction, BCDC issues permits for fill, extraction of materials, or substantial change in the use of land, water, or structure. Within the Suisun Marsh, BCDC issues marsh development permits for "developments" specified in the Suisun Marsh Preservation Act.

BCDC, Corps, EPA, SWRCB, and relevant California Regional Water Quality Control Boards have agreed to participate in a joint effort to formulate a federal/state management strategy for bay dredging (long-term management strategy) that concentrates federal efforts on studying and possibly designating ocean disposal sites, and focuses state efforts on in-bay and upland disposal options. Collinsville is a high-priority site.

BCDC also avoids duplication of effort in carrying out its role in the long-term management strategy by making maximum use of information available from other portions of the strategy; the San Francisco Estuary Project; and other federal, state, and local agencies and private organizations.

Additional Meetings:

None required.