

BAY COALITION

Briefs

Summer 1997

Bay Planning Coalition (BPC) is a membership based, non-profit organization which advocates a reasonable, prudent and balanced planning and permit process for uses and activities in the San Francisco Estuary and shoreline areas.

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BAY WATER BOARD PURSUES PILOT JURISDICTION OVER NATIONWIDES

The U.S. Army Corps of Engineers (USACE) is proposing to issue a new Programmatic General Permit (PGP) according to the August 12, 1997 Public Notice. The PGP would authorize Regionally Permitted Activities that correspond to most of the activities within the scope of the existing Corps Nationwide Permits. The S.F. Bay Regional Water Quality Board (RWQCB) would assume administrative jurisdiction over the PGP, and applicants for activities covered under these selected Nationwide Permits would file applications with the RWQCB only.

The PGP is similar to the previous proposal issued in December 1995. It has been under discussion since the publication of the Governor's Wetland Policy in 1992 as a way to create more streamlined permit procedures between the Corps and the Water Board under the federal Clean Water Act Section 404 regulatory program. The PGP has been named a Section 404 Pilot Program because it is a test to determine the potential efficiency merits of the State assuming jurisdiction over the entire Section 404 program.

The BPC has been participating in discussions with the RWQCB and USACE since 1992 and is cautiously supportive of the PGP approach—as long as it achieves a streamlining goal. BPC will be evaluating the current proposal and submitting comments in time for the September 12 deadline. Those wishing a copy of the PGP, please call the USACE's S.F. District Regulatory Branch or the BPC office.

SAVE THE DATE

11th Annual

S. F. Bay Decisionmakers Conference

Friday, November 14, 1997

Palace Hotel

2 New Montgomery Street, San Francisco
(Montgomery Street BART Station)

8:30 a.m. - 2:30 p.m.

News and Announcements

The Marine Board of the National Research Council has just released a new report, *Contaminated Sediments in Ports and Waterways*. It is available from the National Academy Press for \$42.95 plus shipping and sales tax. Telephone Order No. (202) 334-3313. The report's recommended approach is to delineate the tradeoffs among risks, costs and benefits in order to choose the best course of action among multiple disposal management alternatives. Contaminated sediments should only be considered a problem if they pose a risk that exceeds a toxicological benchmark. The report concludes that our present sediment testing regime does not necessarily account for risk and thus a more directed and focused approach should perform a risk analysis involving risk assessment management and communication.

The BPC's research paper, *Sediment Quality Testing: Issues Related to the Testing Guidelines for Dredged Material Disposal at San Francisco Bay Sites*, has been accepted for presentation at the Society of Environmental Toxicology and Chemistry's (SETAC) 18th Annual Meeting, November 16-20, 1997 in San Francisco. Johnck will present the paper on Wednesday, November 19. For information on the meeting and reservations call the SETAC office at (904) 469-1500.

Welcome New BPC Members

EVS Consultants, Robert Dexter, Principal

Kennedy/Jenks Consultants,

Peter Mesard, Vice President

Larry Walker Associates, Larry Walker, President

Luce, Forward, Hamilton & Scripps,

Jon Wactor, Partner

Parsons, Richard Trautner, Project Manager

PES Environmental Inc., Bill Frizzell, Principal Engineer

Planning & Applied Economics, Edgar Rust, Principal

Western Wood Preservers Institute,

Dennis Hayward, Executive Director

Individuals:

James Arnold

Donald Emerson

Jim Haire

Jim Wiltshire

Welcome New BPC Board of Directors

Donald LaBelle, Public Works Director, Alameda County

Ron Kennedy, Port Director, Port of Richmond

HLA New Office

BPC founder member company, Harding Lawson, has opened a new office in Oakland. The new address is 383 - 4th Street, 3rd Flr., Oakland, CA 94607.

Where Are They Now?

Joe Wong is the new director of engineering at the Port of Oakland. He replaced **Rick Ferrin** who now works as deputy director for the Jacksonville Port Authority in Florida.

Ray Boyle has been appointed acting director of maritime at the Port of Oakland.

Bob Middleton, a 20-year veteran of community and media relations at the Port of Oakland, has left the Port to join MCA public relations firm. He brings shipping, airline, and environmental expertise to the seven year old MCA firm.

Michael Mantell, formerly Undersecretary at the California Resources Agency, has opened the Sacramento office of the Beveridge & Diamond law firm. The new Undersecretary at Resources is **Jim Branham**.

Jim Burroughs has left his state post at the Department of Forestry to rejoin his former law firm, Beveridge & Diamond.

The USFWS will have a new Region on the West Coast soon. **Mike Spear**, presently head of the Northwest Division in Portland, will move to Sacramento to form a new Region 8 overseeing California and Nevada. Region 1 will now include four states, instead of six, Idaho, Oregon, Washington, and Hawaii.

Richard Wall, managing partner of the law firm of O'Donnell, Weiss & Meschke, and **Chris Warner**, attorney at law for Pacific, Gas and Electric Company

were appointed by Governor Wilson to the S.F. Bay Conservation and Development Commission (BCDC). **Colleen Casey**, formerly a BCDC Commissioner, now serves as alternate to Mr. Wall and chair of BCDC's Enforcement Committee. **Wade Hughan**, a partner in the accounting firm of Barlow & Hughan will serve as Mr. Warner's alternate. **Jim Levine**, president of Levine•Fricke•Recon was recently appointed by Speaker of the Assembly, Cruz Bustamante, to serve on BCDC.

Michael Fischer is leaving as executive director of the California Coastal Conservancy to become the executive director of the Hewlett Foundation. A search is on for his replacement at the Conservancy.

The Governor has appointed **Charles Raysbrook** as director of the Department of Boating and Waterways. Mr. Raysbrook has served as deputy administrator of the Department of Fish and Game's Office of Oil Spill Prevention and Response. He also served as chief deputy and interim director of the Department of Fish and Game.

Tom Chase, formerly with the S.F. District of the U.S. Army Corps of Engineers and Environmental Protection Agency's DC headquarters is now director of environmental affairs for the American Association of Port Authorities. He replaces **Tony MacDonald**, who resigned to become executive director of the Coastal States Organization.

DEBATE CONTINUES ON HOT SPOT PROGRAM

Legislation AB 1479 (Sweeney) which would extend the Bay Protection and Toxic Cleanup Program (BPTCP) and fees for four more years was passed out of the Senate Environmental Quality Committee with only one no vote by Cathie Wright who said, "just say no!". The Senate passed the measure 20-12. The State Water Resources Control Board announced its official oppose position on September 5. The bill is on the Governor's desk awaiting signature or veto.

In the eight years since the program has existed, the board has not been able to meet the mandates of the program, yet it has collected almost \$15 million. Bay Area permit applicants contribute just about 35% of the total.

BPC, the Northern California Marine Association and California Chamber of Commerce remain opposed to the bill. Our opposition is based on the following: 1) the purpose and intent of the BPTCP can be accomplished under the existing authority of the Porter-Cologne Act; 2) it is duplicative with the existing Bay Area Regional Monitoring Program which has over 60 participants in the \$2.5 million program; 3) monitoring data collected by the program indicates the majority of California's water quality problems do not involve the type of discrete, localized sites suitable for targeted cleanups. The problem areas tend to be low-level and spread over a broader water and land area which is better addressed through pollution prevention and watershed management strategies; 4) the fees are burdensome and inequitable—they do not distinguish between small and large businesses. Further, agriculture dischargers were exempted in the 1992 legislative extension which has added to the financial burden of all dischargers.

The law adopted in 1988 requires the State Water Resources Control Board and its nine regional boards to identify toxic hot spots in bays and estuaries, rank them state-wide, and prepare and implement a cleanup program.

The program was supported by the General Fund for the first two years, but in the absence of General Fund money in 1991, legislation was adopted instituting new annual permit fees covering all point and non-point dischargers who discharged into bays, enclosed estuaries and the ocean.

RMP 5-YEAR ANNUAL REVIEW

The Regional Monitoring Program for Trace Substances in the S.F. Estuary (RMP) was instituted in 1992. The idea evolved from the recommendations of the Comprehensive Conservation Management Plan. It is aimed at collecting data on chemical contaminants in the water and sediments of S.F. Bay, evaluating the bioaccumulation potential of trace contaminants by biota in the Bay, and determining the potential for water and sediments in the Bay to cause toxicity in bioassay organisms.

It is a \$2.5 million program today which is funded by 60 participants divided into 5 categories: municipal dischargers, industrial dischargers, cooling water, stormwater agencies and dredgers. From the dredging group point of view, BPC has been concerned that the RMP is only collecting data that is never properly analyzed or used effectively in dredging disposal decisions. BPC's executive director represents the Dredger Group on the Steering Committee.

A comprehensive program review was anticipated as part of the initial RMP design, and was set to occur in the fifth year of study. This five-year review has just been completed by a team of independent scientists and specialists from outside the Bay. These are the conclusions:

- ✓ 1) RMP is a successful program collecting high quality data. The current objectives are being met.
- ✓ 2) But now is the time for RMP participants to provide a more detailed statement of goals, a clean set of program objectives, a more precise set of scientific questions to be answered, and a more distinct definition of roles, responsibilities and decision-making processes.
- ✓ 3) It is apparent that the RMP is not meeting all user needs uniformly, particularly the dredger group.
- ✓ 4) It is hoped that the RMP could reduce self-monitoring requirements specified in discharge permits, and that participation would be awarded with increased regulatory flexibility.

- 5) New RMP objectives might be based on:
 - a) revised monitoring;
 - b) statement of environmental values;
 - c) formulating questions, e.g. linking environmental values with measurements and indicators; and
 - d) choice of monitoring measurements (specific measurements required to address questions).
- ✓ 6) Proposed new monitoring program objectives are:
 - a) determine compliance with water quality objectives and evaluate sediment and tissue concentrations in terms of other guide lines;
 - b) assess estuarine condition in terms of selected beneficial uses;
 - c) assess contributions from general sources of contamination; and
 - d) report, interpret and synthesize RMP information for a variety of audiences.
- ✓ 7) Importance of synthesis and interpretation; need for direct biological measurements of effects to complement chemistry and toxicity tests, and summaries of contaminant inputs.
- 8) We should now be asking "so what?"
- 9) Roles of Steering and Technical Review committees in tracking accomplishments of objectives are not clear.
- ✓ 10) Original objectives should have included a goal to ensure that the RMP serves as an integral element of environmental management.
- 11) Assessing contributions from sources of contaminants should be a high priority.
- 12) Define better Bay resources or uses impaired and how impacts on these are to be determined.
- 13) RMP information should be broadly available.
- 14) Better articulate management needs for scientific information. Raw data collected frequently alone does not directly address information needs of decisionmakers.

At its July meeting, the Steering Committee agreed to hold a series of 4 workshops to finalize implementation of the 14 subject areas of the recommendations.

For more information contact the S. F. Estuarine Institute at (510) 231-9539.

DREDGE OFFICE REPORTS 90% OF MATERIAL OK

During the first six-month pilot phase of the Dredged Material Management Office (DMMO), joint staff of the member agencies reported that of all the dredging permits reviewed, 90% of the material has been declared suitable for unrestricted disposal at existing in-bay disposal sites or the ocean disposal site.

The report concludes that coordination efforts of the DMMO have successfully increased member agencies' permit processing efficiency and decreased the redundancies associated with multi-agency review. Although some operational and procedural problems were noted during this first phase, there is consensus on the part of the agency staff to continue the pilot DMMO by commencing a second six-month pilot phase following an expression of concurrence by the Long Term Management Strategy (LTMS) Management Committee.

BPC is gratified that our goal to establish a coordinated permit process has been met, however, several problems remain. We think the DMMO must establish greater clarity for its appeal process for DMMO staff decisions, specifically on sediment testing plans (SAPs). Also, a new interpretive decisionmaking

framework for the evaluation of sediment toxicity test results is needed. Recently, the DMMO staff voted to deny the disposal of a portion (10,000) cubic yards of the San Rafael Canal federal dredging project. This has caused considerable controversy because there was a difference of opinion on whether the test results were conclusive.

In September 1995, the LTMS agencies (S.F. Bay Regional Water Quality Control Board, State Water Resources Control Board, S.F. Bay Conservation and Development Commission, U.S. Environmental Protection Agency and U.S. Army Corps of Engineers, S.F. District and South Pacific Division) officially signed the Memorandum of Agreement launching the pilot DMMO with the U.S. Army Corps of Engineers agreeing to "host" the DMMO and take on responsibilities associated with the lead role.

EPA BEGINS REVIEW OF DREDGE TESTING RULES

As part of Vice President Gore's plan to break "mud-lock" at the Port of New York and New Jersey, the Environmental Protection Agency (EPA) has been directed to convene a Federal Advisory Committee (FACA) to review the testing requirements for ocean

disposal (Green Book). Within nine months (Sept.-March 1998) the FACA is to submit recommendations for revisions to the ocean disposal regulations, if appropriate, which would improve the dredged material disposal and management decisionmaking process. This will likely affect testing requirements for disposal in inland waters, as well, given that the Inland Testing Manual, currently circulating as a Draft Manual since 1995, is based on the Green Book.

A Federal Register Notice will appear soon describing the process. EPA has hired two facilitators who will direct the nine-month process, make recommendations for Committee designees, and organize the program. Phil Harter is the consultant for East Coast issues; Alana Knaster, West Coast. The Committee is to be selected by September, 1997 and will convene sometime that month with a series of five to ten meetings around the country, in major port cities, through mid-1998. EPA and the U.S. Army Corps of Engineers will have the lead for the Federal agencies, and there will be about 20 or less designees from industry, labor and environmental groups.

Executive Director Johnck and Port of Oakland's Jim McGrath and Jon Amdur met with West Coast consultant, Alana Knaster, to provide the perspective from the Bay Area dredging experience on testing requirements, LTMS and disposal management issues. Johnck recommended that the FACA adopt the BPC's six issues outlined in our paper "Sediment Testing Requirements at S.F. Bay Sites" as its operating guidance. We also requested that the Coalition be invited to participate as a FACA designee.

ANNAPOLIS MEETING HIGHLIGHTS REGIONAL DREDGE PLANS

At the invitation of the Co-Chairs of the National Dredging Team, Craig Vogt, Director of the Oceans and Estuaries Division of the Environmental Protection Agency and Rich Worthington, Policy Advisor at the U.S. Army Corps of Engineers Headquarters, executive director Johnck spoke to the National Dredging Team meeting in Annapolis, MD. The purpose of the meeting was for regional and national personnel to review objectives and activities relating to dredging the nation's ports and discuss progress with stakeholders.

The National Dredging Team was formed as a result of a 1994 report of the Federal Interagency Working Group on the Dredging Process. The report, entitled "The Dredging Process in the United States: An Action Plan for Improvement," recognized the dredging crisis and affirmed the federal agencies' commitment to improve the dredging process at the nation's ports.

The Team includes the primary federal agencies with jurisdiction over dredging, U.S. Army Corps of Engineers, Environmental Protection Agency, National Marine Fisheries Service, U.S. Fish and Wildlife Service, and Maritime Administration.

During the June meeting, the National Dredging Team described its current activities: development of dredging planning guidance and preparation of public outreach materials. Representatives from each regional team described their activities and issues. In addition to the BPC, other presentation stakeholders represented were the American Association of Port Authorities (AAPA) director of environmental affairs, Tom Chase, and Tony McDonald, formerly with AAPA, who is now executive director of the Coastal States Organization.

In July 1995, representatives of the six federal agencies signed the Charter for the National Dredging Team. The five-year Charter commits the agencies to implement the Working Group's report and says that the National Dredging Team will "function as a forum for information exchange, issue identification, and timely resolution of issues affecting the dredging programs." BPC envisions the team approach as being useful for resolution of dredging disposal policy covering sediment toxicity testing and interpretation policy.

Johnck reported to the group that the Bay Area appears to be the only region in the country where the regulatory agencies want to dictate disposal placement using a percentage volume as a core feature of its disposal policy.

It is interesting to witness the increasing number of similar LTMS-type planning programs around the country—all facing similar challenges. Most regions are grappling with the high cost of disposal for beneficial reuse. Further, most regions are approaching disposal management with both economic feasibility and environmental objectives as dual planning criteria.

"THE CITY REUNITED WITH ITS WATERFRONT"

The San Francisco Port Commission recently adopted the Waterfront Development Plan, a visionary set of land use guidelines that are designed to draw people to the bay and spur development of the piers and empty lots along the Embarcadero. Under the Plan, the city would promote mixed-use commercial activity, with a preference for "maritime" themes, between the Bay Bridge and Fisherman's Wharf and actively begin the job of restoring the Ferry Building to its former grandeur. Development of the cargo shipping business would be consolidated at Piers 48 to 96.

The Port's slogan "the City reunited with its waterfront" would be expressed primarily through a "Port Walk" pedestrian path that would link attractions from Pier 70 to Aquatic Park. The path would guide visitors through a series of open spaces, plazas and piers. The projects that will receive first attention are the Ferry Building renovation, a recreational boating facility, a \$17 million expansion of excursion service based at the Ferry Building, development of seawall lots and a \$32 million recycling center at Pier 80 for Norcal Waste Systems Inc.

The Bay Planning Coalition is pleased to have played a role in facilitating environmental and regulatory support for the Plan and looks forward to assisting its member, the Port of San Francisco, in its implementation.

WHITHER MITIGATION BANKING

At long last, the S.F. Bay Area agencies are finally moving forward to produce a Memorandum of Agreement (MOA) on mitigation banking.

What is really needed is more official state agency support for mitigation banking, and a MOA would be a good beginning. Adopting an MOA promoting banking would fit right in to the process begun two years ago when the Resources Agency convened a Bay Area Wetland Planning Group (BAWPG) to implement the Bay Area regional planning component of the Governor's Wetland Policy. The group consists of state agencies, the California Coastal Conservancy (CCC), Regional Water Quality Control Board (RWQCB), S.F. Bay Conservation and Development Commission (BCDC), Department of Fish and Game (DFG), State Water Resources Control Board (SWRCB) and Environmental Protection Agency (EPA).

It was BCDC's executive director, Will Travis who more than a year ago circulated a paper outlining a proposal to create a mitigation banking system. However, BPC suggested that the idea of a "system" was putting the carriage before the horse.

The BPC has supported mitigation banking for several years and continues to be an active participant in the discussions. We want to shape an MOA that is consistent with the federal guidance and that promotes rather than deters banking.

The federal agencies adopted their own guidance on the *Establishment, Use and Operation of Mitigation Banks* in 1995.

BCDC adopted a Mitigation Policy over 10 years ago, facilitated by BPC, which states, in part, "To encourage cost effective and comprehensive mitigation programs, the Commission should extend credit for certain fill removal and encourage land banking provided that any credit or land bank is recognized pursuant to a written agreement executed by the Commission."

The S. F. Bay RWQCB and the S. F. Estuary Project convened a Wetlands Banking Workshop in July. BPC members Dave Ivester and Jill Singleton attended as well as executive director Johnck along with several agencies and groups.

The BPC office has a copy of the Workshop presentations and general comments. If you wish a copy mailed to you or any other document related to mitigation banking, please call the BPC office.

CONGRESS INCREASES \$ FOR CIVIL WORKS--ADDS HAMILTON STUDY

Both the House of Representatives and the U.S. Senate have passed appropriations bills earmarking more funds for the Army Corps of Engineers' civil works program than the President requested for FY 1998. The House, which passed its energy and water development appropriations bill on Friday, July 25 almost unanimously (418-7), increased funding for civil works to \$4.03 billion—19.6 percent or \$659.5 million more than the President requested, which was \$3.37 billion.

The Senate, which passed its version of the energy and water development appropriations bill by a 99-0 vote

in mid-July, held civil works funding for FY 1998 to \$3.66 billion. Even so, the Senate figure is 8.7 percent or \$292.1 million more than the President's request. The differences between the two versions must be reconciled in House-Senate Conference Committee in September.

In the final markup before August recess, the House and Senate Appropriations Committees included additional funds (\$400,000 and \$100,000 respectively) for the Corps to initiate a reconnaissance study to determine the feasibility of constructing a wetland restoration at the 700-acre Hamilton Army Airfield using dredging material. There is wide-spread agreement on the opportunity that Hamilton presents as a disposal site for federal maintenance dredging material as well as for the Port of Oakland's 50' channel deepening project. Similar to its role in the Sonoma Baylands project, the California Coastal Conservancy will be the local project sponsor. Timing is of the essence in moving the project along due to the urgency of the Port of Oakland's 50' deepening project and the deadline for the Army to officially close the base in 1999.

THE COURTS AND ENDANGERED SPECIES

On the federal level, the Supreme Court's ruling in *Bennett v. Spear* opens the way to legal challenges by farmers and other property owners in Endangered Species Act (ESA) cases. The Court ruled that individuals suffering economic harm as a result of application of the ESA can sue the federal government for their loss. The case involved Oregon irrigation districts that challenged a federal cutoff of their water during a drought for the benefit of two endangered sucker fish species. The Court clarified that the ESA allows any person to bring suit, regardless of whether they are seeking to implement protection requirements or prevent their application.

It is important to note that this case dealt only with whether or not the farmers could sue the federal government. Nevertheless, this case provides an important declaration of landowners' rights under ESA.

On the state level, the First District Court of Appeals ruled in *Planning and Conservation League v. Department of Fish and Game* that the California Department of Fish and Game (DFG) lacks the authority under the California Endangered Species Act (CESA) to issue "take permits or memoranda of understanding" needed for many building developments, maintenance operations and public works. The term "take" is

defined by CESA as "hunt, pursue, catch, capture or kill, or attempting to hunt, pursue, catch, capture or kill." This is a devastating decision for landowners.

The DFG has been authorizing the take of an endangered, threatened or candidate species for scientific, educational or management purposes under Section 2081 of the Fish and Game Code for years. The DFG and the business community have interpreted management purposes to include allowing the take of an endangered species in connection with a lawful activity, such as development projects, routine maintenance on utility lines or repairing levees.

While most environmental groups do not oppose the notion of creating express incidental take authority in CESA, they are insistent that such authority be accompanied by strict standards and conditions.

The status of permits for projects already completed is unknown. In response to this decision, DFG is no longer authorizing the incidental take of CESA-listed species for most development activities.

There are several bills attempting to redress the decision and create the express authority in CESA to allow DFG to issue incidental take permits consistent with DFG's 2081 Management Authorization program. The bills include: AB 409 (Machado/Olberg) which has passed the Assembly and awaits Senate action, SB 231 (Costa) and SB 879 (Johnston) which have both passed the Senate and await Assembly action. On May 20, 1997 the DFG and Governor Pete Wilson filed a Petition with the California Supreme Court seeking review of the First District Court of Appeal's opinion in this case and the petition for review has been granted. This means the appellate court rule is set aside.

NCCP GENERAL PROCESS GUIDELINES ADOPTED

The Department of Fish and Game (DFG) has adopted General Process Guidelines for the Natural Community Conservation Plan (NCCP). The NCCP Act of 1991 (Chapter 10, Div. 3 of the Ca. Fish and Game Code Section 2800 et seq.) authorized the adoption of plans which encourage cooperation between private and government interests and provides for the regional or areawide protection of plants, wildlife and their habitats, while allowing compatible and appropriate development and growth. Approved NCCPs provide the basis for issuance of state authorizations for the incidental take of listed species under the independent authority section 2835 of the Fish and Game

Code and may provide the basis for issuance of federal permits. It is important to note, however, that the NCCP process does not supplant the listing process of either the federal or state Endangered Species Acts. The Process Guidelines cover elements of an NCCP including an Implementation Agreement and Assurances Policy. The Policy states that the DFG will

provide measures sufficient to conserve the specific species addressed in the plan and that no further land dedications, land use restrictions or financial compensation will be required by the Department of Plan participants, except in defined extraordinary circumstances.

SUPREME COURT RULES IN TAKINGS CLAIM

The U.S. Supreme Court unanimously ruled in *Suitum v. Tahoe Regional Planning Agency* that a property owner's takings claim could be adjudicated because the government (the Tahoe Regional Planning Agency) made a final decision when it denied Suitum the right to develop the property even though transferable development rights (TDRs) were offered to the landowner. This means that a landowner seeking to bring a regulatory takings claim need not attempt to secure and sell the TDRs before filing suit. TDRs provide a means by which a property owner's develop-

ment rights may be sold or transferred for use on a different property to construct additional floor area, dwelling units or parking spaces.

If the availability of TDRs dissuades a court from finding a taking, then it may be that no additional compensation is due, regardless of how little the TDRs are worth. But if TDRs are viewed as compensation, they may be worth the full amount that was taken by the development denial.

In Memoriam

Leo Brien

Director of Maritime, Port of Oakland

June 23, 1997

It is with deep sorrow that we announce that a long time member and friend of the Bay Planning Coalition has passed away. I saw many of you at the memorial service, and so this is not new news. However, it is important that I express not only my own sadness of his passing but also on behalf of all of the members of the Coalition. Leo walked into the Coalition offices almost ten years ago, when he was executive director of the Pacific Merchant Shipping Association, and said he had heard of the great work of the Bay Planning Coalition and what could he and the vessel carrier businesses in the Bay do to help. Leo brought so much vim, vigor, intelligence and creativity to achieve success for our maritime projects, particularly dredging. It was he who first dubbed me the "dredging queen." So, we shall miss him very much. We'll be thinking of him at our side as we steam on ahead in his spirit.

—Ellen Johnck, Executive Director

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