

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

**A. GENERAL INFORMATION**

1. Date

2016-10-14

2. Department

San Francisco Bay Conservation and Development Commission

3. Organizational Placement (Division/Branch/Office Name)

Planning Division

4. CEA Position Title

Planning Program Director

5. Summary of proposed position description and how it relates to the program's mission or purpose.  
(2-3 sentences)

Under the general direction of the Executive Director and the Chief Deputy Director, the Planning Program Director provides executive level leadership for BCDC and manages the Commission's Planning program, whose objective is to ensure that the State's San Francisco Bay-related ecological, economic, and societal interests and goals are clearly articulated, established, implemented, supported, and protected.

6. Reports to: (Class Title/Level)

Executive Director and Chief Deputy Director, C.E.A B

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain):

8. Organizational Level (Select one)

- 1st
- 2nd
- 3rd
- 4th
- 5th (mega departments only - 17,001+ allocated positions)

## B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

Under the general direction of the Executive Director and the Chief Deputy Director, the Planning Program Director provides executive level leadership for BCDC and manages the Commission's Planning program, whose objective is to ensure that the State's San Francisco Bay-related ecological, economic, and societal interests and goals are clearly articulated, established, supported, and protected.

The Planning Program Director will:

1. As a member of Senior Staff, participates in and helps direct agency-wide initiatives, (such as the Policies for a Rising Bay study to re-evaluate BCDC policies in light of the need for climate change adaptation) ensures maximum internal coordination, collaboration, and partnerships among different divisions, represents staff before the Commission and represents the Commission externally, prepares and implements credible budgets that further BCDC goals, and is prepared to lead the agency when required or requested
2. Coordinate, collaborate, and partner with a wide variety of governmental, private sector, and non-profit sector agencies and organizations ( such as the Adapting to Rising Tides program for resilience to climate change) to protect, preserve, enhance, and develop the Bay under both current and future conditions;
3. Ensure that all BCDC planning documents, including the San Francisco Bay Plan, create policies through which Bay resources are best conserved and developed;
4. Provide assistance to the Regulatory Division as it applies the Commission's laws and policies to specific projects and conditions, and seek guidance from the Regulatory Division to review and modernize the Commission's laws and policies;
5. Create and successfully implement working budgets and identify grant opportunities to advance the work of the Commission on priority issues identified in the Commission's Strategic Plan. (an example of this is working with the Metropolitan Transportation Commission to successfully obtain a grant to evaluate the vulnerability of the Bay Area's regional transportation network in light of climate change);
6. Initiates, leads, manages, and/or disseminates programs, projects, and studies that further the public's understanding of the Bay and meet the needs of all populations that depend upon the Bay or are otherwise affected by it; and, helps analyze and modernize BCDC's laws, regulations, policies, and guidance using a variety of tools and strategies that advance the Commission's objectives and further BCDC's role as a regional partner and model coastal planning organization.

**B. SUMMARY OF REQUEST (continued)**

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: BCDC is the state agency with the responsibility to comprehensively protect, conserve, and enable the development of the San Francisco Bay and its shoreline. It carries out this responsibility under the McAteer-Petris Act (Govt. Code Sec. 66600-66682), the Suisun Marsh Protection Act (Govt. PRC Sec. 29000-29612), and the policies of the San Francisco Bay Plan. All persons, organizations, and governmental agencies must secure a permit from BCDC for work within its jurisdiction, which is defined as both in the Bay and up to 100 feet inland from mean high tide.

The Planning Division is responsible for continually updating the San Francisco Bay Plan (which carries the force of regulation), which includes all the policies implemented by BCDC as it works with public, private, and nonprofit shoreline landowners to plan developments and to conserve resources and as BCDC negotiates with a wide variety of permit applicants to determine the scale and scope of allowable projects. Those policies include Airports, Ports, Water Related Industries, Developing the Shoreline, Recreation, Public Access, Climate Change, Water Quality, Aquatic organisms and Wildlife, Tidal Marshes, and Public Trust, to name a few.

The Planning Department has broad authority both to develop and refine those policies and to create new policies based upon expert input and a well-defined public process. In addition to adhering to the policies within the Bay Plan, shoreline interests are also governed by Special Area Plans (e.g., within the City and County of San Francisco) and industry-specific plans (e.g., the Seaport Plan). The Planning Division leads BCDC's groundbreaking planning efforts to make the Bay Area (and its state-owned assets) resilient to rising sea level.

Absent an effective and efficient Planning Department, the Bay Plan and other regulatory efforts will grow stale while the Bay Area continues to grow.

**B. SUMMARY OF REQUEST (continued)**

**11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.**

During the Brown Administration, BCDC's Planning Division has greatly expanded its role within Bay Area regional governance due to the emergence of climate change and its ramifications. Current State estimates of rising sea level include an upper bound of 55" by 2100; observers believe that State estimates currently under development will increase this upper bound by as much as 50% and will also increase by a very large amount mid-century estimates of rising sea level. Shoreline wide, well over \$60 billion of infrastructure and investment is at immediate risk of flooding and near-and medium-term risk of inundation due to current state estimates, along with hundreds of thousands of residents and their housing structures. This includes massive amounts of state-owned assets (including transportation assets) that ring the Bay. Under AB 2094 (2008) BCDC is responsible for leading the development of the Bay Area's preparedness for, and resilience to, rising sea level and storm surge. To do so, BCDC's Planning Department is directing a collaboration of state, regional, and local government agencies, along with a plethora of private sector and nonprofit organizations, to develop a Bay Area resilience and adaptation strategy based upon the risks evident due to rising sea level. There is no specific state funding for this requirement; Planning Division personnel are paid through a combination of General Fund and a growing amount of contract and grant funding. This type of groundbreaking planning within such a diverse and governmentally fragmented region has never been attempted in the United States and is the subject of national and international interest.

To fulfill this mandate, as well as AB 2094 (2008, Chapter 442) that authorizes BCDC to develop regional strategies to resolve the impacts of rising sea level on San Francisco Bay Area communities, BCDC's Planning Division (with the federal National Oceanic and Atmospheric Administration – NOAA) has created the groundbreaking region-wide "Adapting to Rising Tides" (ART) Program. ART successfully develops collaborative strategies responding to rising sea level at the local and regional scales by building local, regional, state, and federal partnerships to determine how to address the vulnerabilities of both networked assets (such as highways, airports, seaports, mass transit systems, and wastewater systems) and community assets (such as housing, job centers, parks, fire stations, hospitals) in a comprehensive fashion. The ART approach incorporates equity, the environment, economy, and governance at every stage to ensure that the actions to protect local, regional, and state assets will be comprehensive and broadly supported.

In addition to expanding its own program, frequent requests from local, regional, state and federal agencies for the ART Program to support their climate adaptation efforts around the region and beyond demonstrates its success. During the past four years, the Planning Division has led and supported adaptation planning in the region at multiple scales, including transportation projects for CalTrans, BART, and the Metropolitan Transportation Commission, community-based projects in Alameda and Contra Costa counties, for the East Bay Regional Park District, and within the cities of Hayward, Oakland and Alameda. The ART Program has been invited to support related efforts in San Mateo County, the outer coast in Marin County, southern Marin County, and the cities of Benicia, San Rafael, and Richmond – all with great success.

The ART Program has been called "an international leader on assessing and addressing climate change impacts with the best available tools and information, regional strategy development, and policy revisions," by the National Oceanic and Atmospheric Administration.

Funding for ART beginning in January 2017 will approximately triple during the next 30 months. In addition, completing the ART Program will require a further quadrupling of that amount, which BCDC is seeking through the Administration and the Legislature. This will increase the Planning Division's staff and support technical consulting contracts for coastal engineering, environmental, economic and land use planning and design, hydrologists, geospatial analysis and mapping, and integrated water management planning, as well. Most important, as Rising Sea Level will not end during the next century, planning for it will only become more and more complex.

The complexity of this regional planning requirement, which will re-shape the Bay Area and its fixed assets, also has a tremendous impact on the Bay Plan. As the Bay changes, Bay Plan policies also must change to ensure that the State-protected resource remains protected. All the policies within the Bay Plan need to be updated as soon as possible, as do Special Area Plans and industry-specific plans. Again, as there is no specific funding available to fulfill this mandate, the Planning Division faces a very large managerial challenge – implementing ART and updating the scientifically based Bay Plan policies – that requires a CEA.

### **C. ROLE IN POLICY INFLUENCE**

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

The CEA will direct the planning efforts described above. Ramifications due to rising sea level will have a cascading effect on the Planning Division's policies, and the CEA will be responsible for their successful development and implementation:

A. Rising Sea Level: BCDC's 27 Commissioners are intimately involved in creating BCDC policies relating to rising sea level. Half are members of two Commissioner Work Groups now and more will join a third to be created later this year. The CEA will be the staff director of one of those work groups and s/he will supervise two members of his/her staff who will be actively involved in staffing the two others. BCDC Senior Staff (including the CEA) work very closely with Commissioners. Meetings of these Work Groups are open to the public and, like all public meetings, must comply with California's transparency laws. In addition, the Commission has held, and will continue to hold; open workshops that draw upward of 80 public attendees who sit with Commissioners at open tables and spawn complex and important discussions. These workshops foster collaborative policymaking throughout the Bay Area region and result in new Commission policies. For the most part, members of the Planning Division staff these workshops and the CEA will lead their development and implementation. These workshops, and their resulting policy recommendations, have received as much or more attention from local media than any other specific BCDC work during the past 5-10 years and it is likely that interest will not abate. To accomplish the increased responsibilities BCDC faces in leading the regional planning effort overall, the CEA will need to greatly expand BCDC's ability to successfully garner non-GF funding during the next 5-10 years.

B. Special Area and Industry-Specific Plans: A very large endogenous result of the new policies created due to rising sea level is that many, if not all, current Bay Plan policies and plans related to specific geographic locations and industries need to be updated. For example, as the CEA works with Commissioners and staff to determine how current BCDC "fill" policies may need to change because the Bay Area will rely more and more on a larger number of substantial wetlands and levees to mitigate the ramifications of increased storms and rising waters, those new policies will affect current BCDC policies on such issues as benthic habitat, recreation, dredging, and many others. Simply put, the Bay Plan was started in 1965 when BCDC was created and the Bay has stayed put since then. Now that the State recognizes that the Bay's shoreline will move consistently during the next century or longer, BCDC's policies need to be examined and, likely, substantially altered to account for a larger and growing Bay. Just as important to note, this process will not rely on a static assessment of a natural resource; it will rely on dynamic assessments that are based on scientific and mathematical estimates of what will happen in and around the Bay based upon scientific observations and forecasts of what will happen around the world. In sum, the endogenous results of the exogenous factors will drive an increasing and increasingly complex workload.

C. Consequences: The broad authority that the CEA will have in leading, directing, and managing the increased and more difficult Planning Division workload fits hand-in-glove with increased consequences of being wrong. Without a correct and dynamic planning effort that will last scores of years, more and intense flooding will occur that will imperil residents and drive out businesses. By not fulfilling its mandate, the ramifications of that failure will be felt by each of the Bay Area's millions of residents and all of its organizations. Simply put, BCDC is the only government agency with jurisdiction over each mile of the Bay shoreline and all levels of government are relying on BCDC to lead a successful planning effort. And, the CEA will be BCDC's lead staff to work with all external stakeholders in this effort.

**C. ROLE IN POLICY INFLUENCE (continued)**

**13. What is the CEA position's scope and nature of decision-making authority?**

The CEA has authority over the entirety of the Planning Division and its actions. Policy recommendations developed by the Planning Division (through its collaborative efforts) are vetted and finalized by the CEA, its recommendations to the Commission are transmitted from the CEA, and the CEA is responsible for successful policy implementation.

In addition, the CEA will be required to work collaboratively with BCDC's Regulatory Director (already a CEA A position) to ensure that BCDC policies reflect the needs and expertise of both organizations, as regulatory documents (e.g., permits, enforcement actions, etc.) are required to reflect BCDC's planning policies in whole or part. This requirement is accomplished, as well, through consistent participation in twice-monthly Senior Staff meetings that are led by the Executive Director.

Finally, the CEA will lead BCDC's efforts to gain external funding for the Commission's mandated workload.

**14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?**

The CEA will have broad authority to develop and implement new policies as well as interpret and determine changes to existing policies based upon the requirements of those new policies. (See above.)