

Bay Conservation and Development Commission (BCDC) Report to MCCMC¹

February 2026

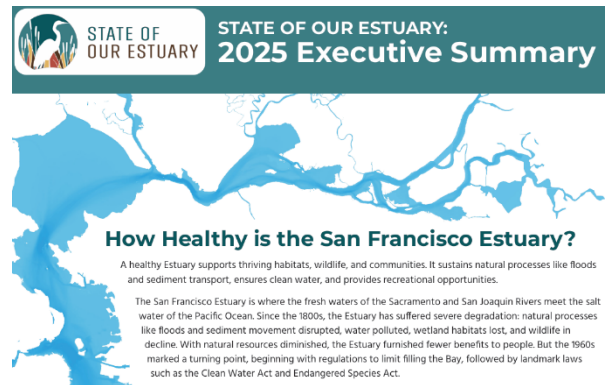
BCDC Commission Approved Enforcement Action against Beattie Trust for unpermitted fill on Novato Property within BCDC jurisdiction: On February 19, 2026, the Commission adopted a Stipulated Cease and Desist and Civil Penalty Order for the placement of unpermitted fill on property that falls within BCDC's jurisdiction in Novato owned by the Beattie family. The property owner placed a 66-foot wooden fence on their property which is within BCDC's Bay jurisdiction along with a wooden storage enclosure, sundry household items, and refuse without a BCDC permit in two separate violations of the McAteer-Petris Act which requires any person who wishes to place fill, broadly defined as "earth or any other substance or material," within BCDC's jurisdiction to obtain a permit from BCDC.

The violations date back to January 2018, when BCDC staff first observed during a site visit that a fence had been placed on their property. Using Google Earth imagery, staff confirmed that fences had been placed on the property at some point between 2017 and 2018, which is further confirmed by photographs from a BCDC site visit in July 2017 showing that the fences had not yet been placed on the property at that time. Staff made additional site visits in January 2020, October 2023, March 2024, August 2024, and January 2025 to confirm that the fences and storage enclosure remained on the property. In November 2023, staff sent Respondent an Initial Contact Letter to notify them that BCDC was opening this enforcement case and informing the property owners to come into compliance by applying for an after-the-fact permit. After numerous attempts, the property owner failed to take action which necessitated this enforcement action.

State of our Estuary: On February 19, 2026, the Commission received a briefing on the health of the SF Bay and Delta by the San Francisco Estuary Partnership and the San Francisco Estuary Institute. As stated in the executive summary,

"A high-level look at the Status & Trend Scorecard shows most Bay indicators are in **Fair condition and stable**, while most Delta indicators are in **Poor condition and declining**. But closer examination reveals bright spots of progress, showing that a healthier, more resilient ecosystem is possible."

If you would like a copy of the presentation, you can download it by clicking the following link: [Our Estuary presentation](#)



Contracts Approved: The Commission approved requests for staff to enter into the following contracts:

- 1) The San Francisco Estuary Institute (SFEI) to consult on a comprehensive update to the Shoreline Plants Design Guidelines for \$190,000 terminating June 30, 2027.
- 2) The Aquatic Science Center (ASC) to provide technical training on nature-based solutions and wetland restoration to BCDC staff. The ASC is a Joint Powers Authority created by the State Water Resources Control Board and the Bay Area Clean Water Agencies and administered and staffed by the San Francisco Estuary Institute (SFEI), to develop and deliver training.

¹ Marin County Council of Mayors and Councilmembers (MCCMC). For questions, contact Councilmember Pat Eklund; City of Novato at: pateklund@comcast.net; and/or 415-336-9913 (cell).