

EXHIBIT 2: Request for Assistance



Making San Francisco Bay Better

November 25, 2003

Ms. Nadine Hitchcock
Manager, San Francisco Bay Area Conservancy Program
California State Coastal Conservancy
1330 Broadway, Suite 1100
Oakland, California 94612

SUBJECT: BCDC Inquiry File No. MC.MC.8106.1

Dear Md. Hitchcock:

The purpose of this letter is to request the State Coastal Conservancy's assistance in disbursing funds that our Commission has required to be paid by permittees to provide public access improvements or to offset adverse environmental impacts associated with public and private development projects.

Mitigation and public access are important elements in the Commission's permit process. Occasionally, it is not appropriate for a permittee to directly provide a mitigation or undertake a public access project. In these cases, the Commission requires the permittee to provide funds to BCDC in lieu of actually carrying out the mitigation or public access project. To implement these in-lieu mitigation or public access projects, the Commission created a number of special deposit accounts in the State Treasury with the approval of the Department of Finance. Although the Commission's permit conditions typically specify where the funds must be spent, who must receive the funds, and how the funds must be used, the Department of General Services has concluded that the Commission does not have the explicit legislative authority to make grants. Although we disagree with the DGS legal opinion, our views are of little relevance because DGS must approve any grant BCDC might want to make. Moreover, we lost our only contracts manager position in recent budget cuts and position elimination actions. Thus, there is no one on BCDC's staff who has significant experience or time to perform the contract workload associated with grant making or normal contract processes.

We are, therefore, asking the Conservancy to assist the Commission in disbursing these funds and administering, with BCDC staff's assistance, any grants associated with such disbursements. The Conservancy's assistance would advance the Conservancy's objectives and help the Commission and permittees meet the goals and policies of the Commission's *San Francisco Bay Plan*. We further believe that expenditure of the funds for the purposes specified would improve the fish and wildlife resources of the bay and provide needed public access improvements along its shoreline, goals that are shared by both agencies. Finally, it is entirely possible that some of these funds will be available to augment projects that the Conservancy itself may have funded or will fund in the future.

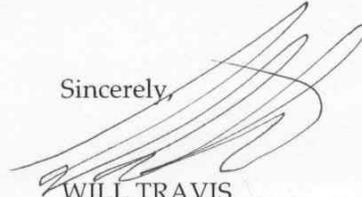
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We hope that the Conservancy chooses to assist the Commission in this endeavor and would ask that the Conservancy and its staff initiate these efforts as quickly as possible. A number of public agencies and non-profit groups are eagerly awaiting the disbursement of some of these funds to carry out important projects and have been understandably frustrated by the State's inability to put this money to good use.

Thank you for your consideration.

Sincerely,



WILL TRAVIS
Executive Director

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