



# 2023 ANNUAL REPORT

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

< Overlook at Coyote Hills in Newark. Cover photograph courtesy Jemifer Hyman, BCDC Staff.

*The San Francisco Bay Conservation and  
Development Commission protects and  
enhances San Francisco Bay and advances  
the Bay's responsible, productive, and  
equitable uses for this and future generations  
as we face a changing climate and rising  
sea levels.*

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

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2023

# ANNUAL REPORT

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# INTRODUCTION

AUGUST 29, 2024

THE HONORABLE GAVIN NEWSOM, GOVERNOR

HONORABLE MEMBERS OF THE CALIFORNIA LEGISLATURE:

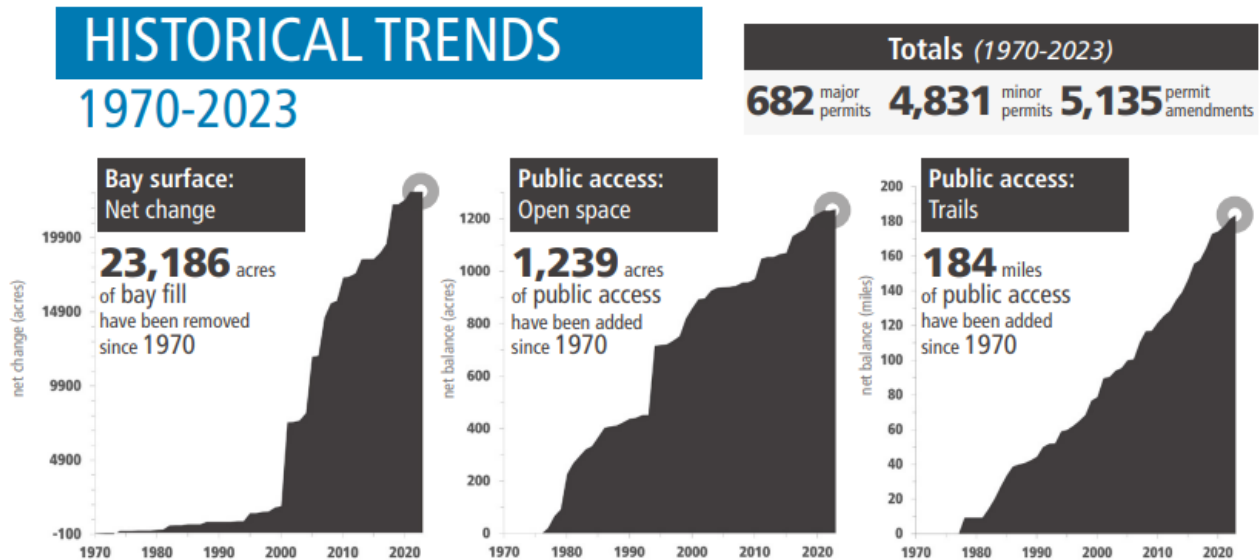
## SUBJECT: 2023 ANNUAL REPORT

*I am pleased to provide to you the San Francisco Bay Conservation and Development Commission (BCDC) 2023 Annual Report, which summarizes the activities BCDC carried out during 2023 to implement the McAteer-Petris Act, the Suisun Marsh Preservation Act, the federal Coastal Zone Management Act, and the California Oil Spill Prevention and Response Act.*

*BCDC is a regional state agency whose twenty-seven commission members range from private citizens to representatives from all levels of government. BCDC prepared and maintains the San Francisco Bay Plan for the protection and wise use of the Bay and is empowered to regulate work in the Bay and along the shoreline to minimize Bay fill, maximize public access, protect Bay resources, and encourage productive development consistent with Bay protection.*

*BCDC was created in 1965, as a result of the Save the Bay movement in the Bay Area to address uncontrolled Bay filling, in order to prevent the diminishment of the Bay from local policies that encouraged unneeded landfill projects. Under the Commission's stewardship, the century-long uncontrolled diking, draining, and filling that had reduced the Bay's size by one-third, was brought to an end. Over the past 59 years, public trails and parks have opened along 184 miles of the Bay shoreline. Last year alone, the Commission approved almost \$1.58 billion in new development and over 35 acres of Bay habitat was restored, which will make two more miles of the Bay's waterfront available for public use and enjoyment.*

Historical trends at BCDC through 2023..



Even as BCDC's continues its core planning and regulatory work, the Commission has intensified its commitment to responding to rising sea level driven by global climate change that threatens waterfront communities, Bay natural resources, businesses, and infrastructure affecting everyone in the Bay Area. In 2023 BCDC worked with leaders around the Bay to implement the Bay Adapt Joint Platform, launched the preparation of the Regional Shoreline Adaptation Plan, received grants to develop a roadmap for the use of sediments and soils for wetland adaptation, studied the cost of adaptation, and worked toward the passage a new state law that will further adaptation by local governments around the Bay.

BCDC welcomes the challenges and opportunities ahead, and Commissioners and staff are proud to fulfill BCDC's mission statement, embedded in its Strategic Plan, that reflects its two primary responsibilities: to protect and enhance San Francisco Bay and to encourage the Bay's responsible, productive, and equitable use for this and future generations as we face a changing climate and rising sea levels. We will continue to provide leadership with our many regional partners as we determine how we can adapt to the reality of rising sea levels.

Sincerely,

R. ZACHARY WASSERMAN, Chair



< Photographs courtesy of BCDC.

## COMMISSION MAKE UP IN 2023

### COMMISSION MEMBERS

Zack Wasserman, Chair  
 Rebecca Eisen, Vice Chair  
 Mark Addiego  
 Eddie Ahn  
 Dr. Tessa Beach  
 Tommy Williams, Alternate  
 Stephen Benson  
 Matt Almy, Alternate  
 Ellen Blake  
 Jason Brush, Alternate  
 Patrick Burt  
 Larry Klein, Alternate  
 Jenn Eckerle  
 Justine Kimball, Alternate  
 Pat Eklund  
 Nancy Kemnitzer, Alternate  
 Dina El-Tawansy  
 David Ambuehl, Alternate  
 John Gioia  
 Federal Glover, Alternate  
 Susan Gorin  
 David Rabbitt, Alternate  
 Andy Gunther  
 Letty Belin, Alternate  
 Karl Hasz

Otto Lee  
 Yoriko Kishimoto, Alternate  
 Jennifer Lucchesi  
 Sheri Pemberton, Alternate  
 Mitch Mashburn  
 John Vasquez, Alternate  
 Stephanie Moulton-Peters  
 Aaron Peskin  
 Catherine Stefani, Alternate  
 Dave Pine  
 David Canepa, Alternate  
 Belia Ramos  
 Joelle Gallagher, Alternate  
 Sanjay M. Ranchod  
 Barry Nelson, Alternate  
 R. Sean Randolph  
 Lenny Mendonca, Alternate  
 Patricia Showalter  
 Stephen Lefkovits, Alternate  
 Lena Tam  
 Marie Gilmore, Alternate  
 Cesar Zepeda  
 Bana Soheila, Alternate

### LEGISLATIVE APPOINTEES

Nancy Skinner  
 Assemblymember Philip Ting  
 Alicia John-Baptiste, Alternate

### EXECUTIVE DIRECTOR

Lawrence J. Goldzband

### DEPUTY ATTORNEY GENERAL

Shari Posner

## 2023 HIGHLIGHTS

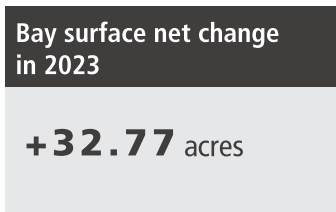
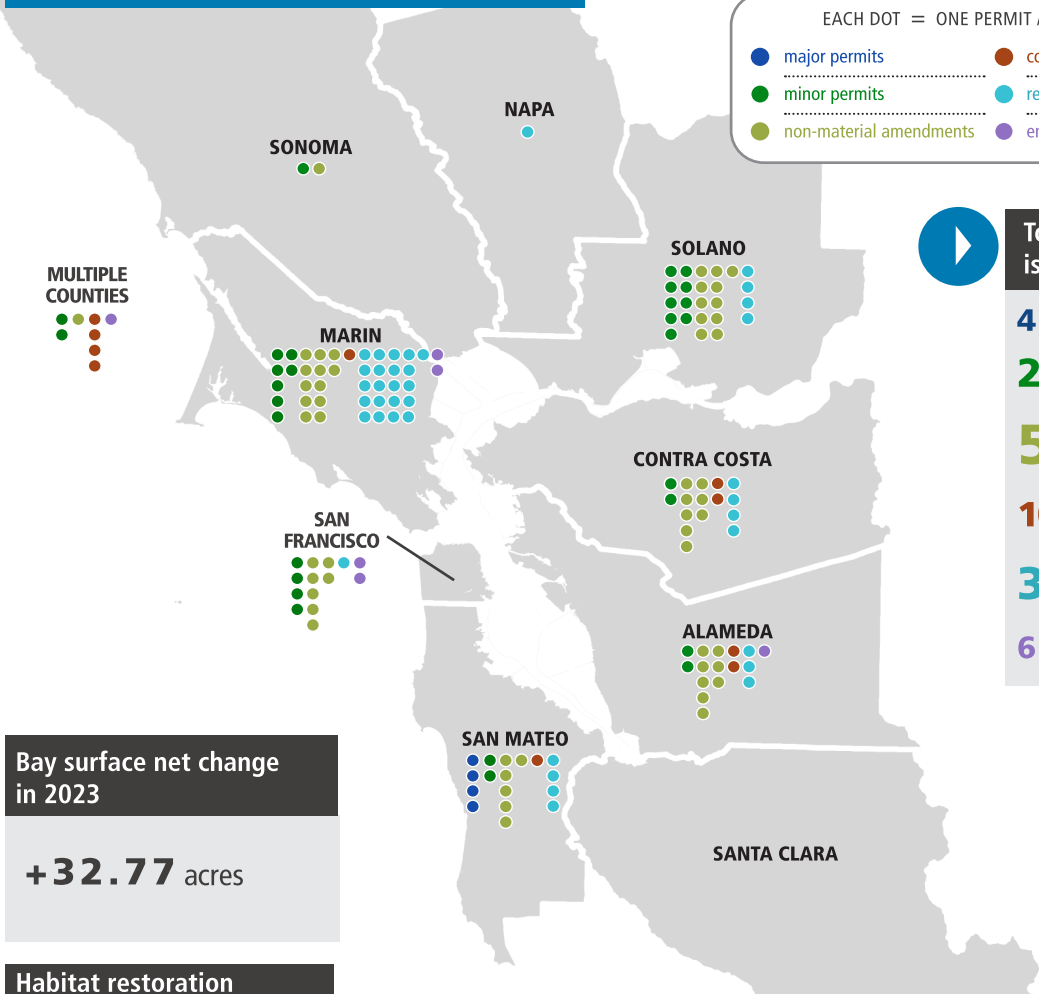
As part of implementing BCDC's 2021-2025 Strategic Plan and other cross-agency initiatives, the following are some of BCDC's most important accomplishments in 2023:

- Adopted a new Strategic Plan that sets direction for the Commission for the next three years
- Approved a comprehensive update to the Seaport Plan for the first time in 30 years
- Supported SB 272, whose enactment ensures local governments across the California coast and San Francisco Bay prepare plans for rising sea level.
- Identified structural challenges to the Regulatory Program and began to develop a Regulatory Roadmap to address those challenges to streamline adaptation in the Bay.
- Initiated and collaborated with the Department of Finance's Mission Based Review of BCDC's regulatory program to analyze BCDC's permitting process and recommend changes to make it more effective and efficient.
- Released, with MTC/ABAG, the Bay Area Sea Level Rise Adaptation Funding and Investment Framework Report that quantifies the \$110B in investment needed to adapt to rising sea level.

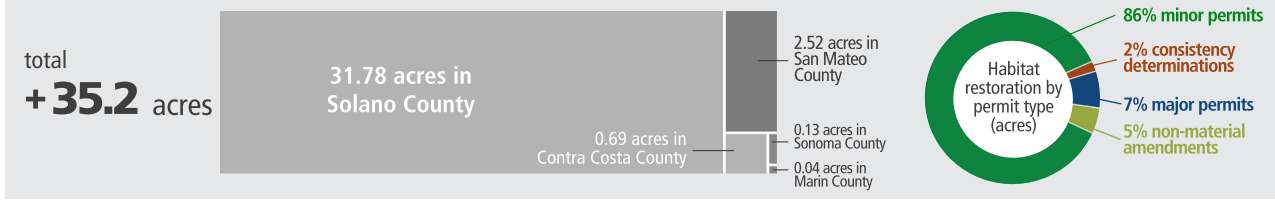
▼ Egrets at Alameda Beach, Alameda. Photograph courtesy of BCDC.



# 2023 IN REVIEW



### Habitat restoration



### Public access: trails



### Public access: open space





# PROGRAM MILESTONES

## CHARTING A NEW COURSE

In January 2023, the Commission adopted its 2023-2025 Strategic Plan. This new Strategic Plan charts a course for how BCDC will perform its expanding responsibilities in the midst of an uncertain future in light of climate change and other stressors.

BCDC 2023-25 Strategic Plan Vision and Goals are listed in the excerpt below followed by sections that illustrate how BCDC began to implement the five goals of its Strategic Plan in 2023.



Excerpt from BCDC's 2023-2025 Strategic Plan. ▾

▲ Seaplane Lagoon, Alameda. Photograph courtesy of BCDC.

### Vision

**BCDC will be a proactive and responsive, equitable, and collaborative organization that successfully addresses the regulatory and planning challenges facing the Bay, its shoreline, and the communities that it serves.**

### Goals

- 1** Lead regional planning efforts that result in successful and equitable adaptation, restoration, development, and public access projects for the Bay Area in light of rising sea levels.
- 2** Improve BCDC's regulatory and planning functions to create a more unified and consistent regional-scale approach to managing the Bay and its shoreline in light of the uncertain future caused by rising sea levels.
- 3** Implement equity initiatives and practices throughout BCDC's policies, programs, and processes.
- 4** Communicate more successfully externally with stakeholders and internally among divisions.
- 5** Build and maintain an adequately resourced, responsive, and diverse organization that can meet its growing challenges more effectively and sustainably.

### Anticipated Outcomes

- Through BCDC's bold leadership and collaboration, the Bay Area is prepared to adapt faster, better, and more equitably to rising sea levels, protect and restore its natural habitats, and increase access to the Bay.
- Enlarge the focus of BCDC's regulatory program to permit larger-scale and more complex subregional projects that are aligned with the Regional Shoreline Adaptation Plan.
- By advancing equity practices internally and externally BCDC will seek to eliminate past historic disparities and achieve tangible equitable results for its stakeholders and the communities it serves moving forward.
- BCDC will be more transparent and accessible to all, and Commissioners, staff, and stakeholders will have a shared knowledge of the agency's priorities and objectives and have meaningful opportunities to shape policies.
- BCDC will better fulfill its mission by increasing its capacity, and attracting and retaining a more diverse staff and Commission who are responsive to the variety of diverse communities around the Bay.



## PLANNING FOR THE BAY'S FUTURE (GOAL 1)

PROGRESS TOWARDS GOAL 1



● ON TRACK ● DELAYS/ISSUES ● COMPLETED ● NOT STARTED

BCDC's Planning Division works collaboratively with other agencies and organizations on issues of regional importance, including sea level rise adaptation, environmental justice, ecosystem protection, shoreline land use, and oil spill prevention and response. Through major studies, research, science and mapping, public engagement and policy development, including updating the Bay Plan, planning staff supports critical planning decisions to promote connection to and stewardship of a resilient San Francisco Bay.

- Commission approves new [Seaport Plan](#) for first time in 30 years.** The San Francisco Bay Area is home to five seaports that serve as a critical gateway between Northern California and the global supply chain. To plan for the region's seaport growth, the San Francisco Bay Area Seaport Plan was first adopted in 1982, but had not been substantially overhauled since. Following a multi-year collaborative process between BCDC, the five seaports, and other regional stakeholders, the Commission adopted a new Seaport Plan in November 2023. Newly introduced topics on crucial issues like climate change and environmental justice, and refocused policies and standards, will provide more flexibility for the ports and a better framework for decision-making on issues big and small.

✓ Screenshot of SF Bay Area Seaport Plan. Courtesy of BCDC.





< Photographs courtesy of BCDC.

- Regional Shoreline Adaptation Plan launches with equity and nature at the forefront.** In January 2023, the Regional Shoreline Adaptation Plan (RSAP) kicked off with an over 40-member Advisory Group representing key sectors and stakeholders in the region, including paid Environmental Justice and Equity Representatives, environmental experts, planners, and engineers. A key milestone for the project has been the creation of the [One Bay Vision](#), which defines what successful adaptation can look like for our communities now and into the future. To gather the voices and values from participants across the region, the BCDC team participated in ten in-person pop-up events across the Bay Area in fall 2023. Pop-ups were held in Richmond, San Rafael, Newark, San Francisco, Oakland, American Canyon, Palo Alto, Mountain View, and Suisun City, where participants engaged in dot voting and discussions about the shoreline with staff. This outreach also included an online survey, a Public Workshop, and release of a video to introduce both the challenges and opportunities of adaptation for our rising San Francisco Bay. In total, over 500 people contributed to the One Bay Vision, which will to guide the RSAP project in the development of guidelines throughout 2024.
- Leaders from around the Bay help to implement the Bay Adapt Joint Platform.** The Bay Adapt Joint Platform, developed through consensus with hundreds of stakeholders and adopted by the Commission in 2021, lays out regional roadmaps for how to adapt faster, better and more equitably to rising sea level. It calls for leadership from various levels and across many sectors to come together to overcome challenges and set the stage for adaptation. To advance the tasks contained in the Joint Platform, BCDC formed and is facilitating multiple groups to help advise, educate, and increase capacity for leadership: (1) The Local Electeds Task Force of 19 local elected officials, will catalyze leadership and advocacy; (2) The Rising Sea Level Commissioner Working Group serves as a think tank for issues around BCDC’s role and authority related to sea level rise; (3) the Implementation Coordinating Group consists of Executive-level leaders who can help drive action within their organizations; and (4) a Regional Shoreline Adaptation Plan (RSAP) Advisory Group with a wide array of subject matter experts and community leaders to ensure that the Regional Shoreline Adaptation Plan is reflective of the depth and breadth of knowledge about the Bay (see above). Internally, grants to support Bay Adapt, made possible by the Ocean Protection Council and State Coastal Conservancy, have enabled the creation of six new positions at BCDC. These include an Assistant Planning Director and Assistant Regulatory Director for Climate Adaptation, to provide more focused leadership on how each division will incorporate climate adaptation

Excerpt from the Draft One Bay Vision, developed as part of the RSAP. Courtesy of BCDC. V

"Living in harmony with our evolving landscape."  
- Jenny, Berkeley  
(survey respondent)

## Gathering values and visions from communities across the Bay Area

As waters in the Bay rise due to climate change, the Bay Area's communities and shorelines face an increased risk of flooding, which can damage critical infrastructure, lead to losses of natural shoreline habitats, and disrupt our daily ways of life. For more than a decade, the San Francisco Bay Conservation and Development Commission (BCDC) has been working to prepare our communities for the challenge ahead. **The One Bay Vision lays the foundation for what a more resilient future can look like.**

The One Bay Vision is an essential component of BCDC's Regional Shoreline Adaptation Plan (RSAP). It describes what adaptation to sea level rise should look like for our communities, and outlines actions we can take across our region to achieve successful adaptation. The vision reflects our values today and acknowledges that the future Bay shoreline will look different as communities continuously adapt over time.

The One Bay Vision captures our communities' common priorities and goals, which add up to our collective shared future. This began with initial research on existing visions from previous planning efforts at BCDC and elsewhere, and we built upon it by talking to a wide range of communities across the Bay Area to learn what they valued today and for the future.



Photos from the One Bay Vision outreach process in Fall 2023. Clockwise from the top left: Richmond, Menlo Park, American Canyon, and Bayview.

In Fall 2023 the BCDC team participated in in-person pop-up events across the Bay Area to gather input from community members on their regional values, spread awareness of the RSAP effort, and direct attendees to take the longer-form vision and values survey. Pop-ups were held in Richmond, San Rafael, Newark, San Francisco, Oakland, American Canyon, Palo Alto, Mountain View, and Sausalito, where participants engaged in dot voting, shoreline coloring book activities, and discussions about the shoreline with staff. Over 250 people participated in contributing their values during these events.

BCDC also hosted an online survey to gather Bay-wide input on why the public values the shoreline, their priorities for the future of the Bay, and their hopes and concerns for Bay-wide adaptation efforts. This survey was open August-November 2023, and gathered 246 responses from around the Bay Area.

Together, the myriad voices we heard drove the vision we hold for a more resilient future. Read on to discover our One Bay Vision for the bay!

"We have adapted to rising water and learned to shape our communities to defend where we can, and welcome the water in, where we can't."

-Anonymous, Menlo Park  
(survey respondent)

WORKING DRAFT ONE BAY VISION

WORKING DRAFT ONE BAY VISION



## One Bay Vision for a Resilient Future Shoreline

As sea levels rise, the Bay Area's diverse communities come together to transform how we live, work, plan, and adapt along our changing shorelines.

In this future, communities are **healthy, safe**, and have greater **access** to the shoreline where they can feel connected to the Bay's edge and experience the beauty and wonder of thriving **habitats** we depend upon to sustain our quality of life. Our region remains **connected** so that networks of people and goods can move with ease and get to the places they need to go. The **services** we rely upon keep our communities and economies running and are designed for the long-term. Achieving this future will require **governments, the private sector, and communities** to make a commitment to equity, address past harms, and take on complex, interrelated challenges together. A resilient future for the San Francisco Bay Area starts now and continues for generations to come.



a. Community Health and Wellbeing

As sea levels rise...

### Communities are healthy and vibrant.

To achieve this:

- Adapt Bay Area communities to safeguard all from the public health consequences of flooding and support healthy environments, public safety, and quality of life.
- Meaningfully engage and empower communities in adaptation decision-making processes, including language access.
- Address risks to essential community assets, services including Bay ecosystem services, and cultural resources.
- Prioritize economic opportunities from adaptation in disadvantaged communities through local hire, workforce development, and other community benefits.



b. Critical Infrastructure and Services

### Critical services are reliable.

To achieve this:

- Adapt existing local and regional critical infrastructure systems to maintain or improve service continuity for everyone, while minimizing vulnerabilities of new infrastructure networks to future flooding hazards and utilizing nature-based approaches where possible.
- Integrate flooding hazards into emergency management services planning and operations.
- Prioritize adaptations that address service deficiencies in underserved communities.



c. Ecosystem Health and Resilience

### Healthy Baylands ecosystems thrive.

To achieve this:

- Protect, restore, and enhance Baylands ecosystems to improve their function, scale, biodiversity, and services.
- Prioritize nature-based solutions where possible and incorporate habitat connectivity, sediment management, and whole watershed approaches into shoreline planning and projects.
- Identify and facilitate opportunities for ecosystems to migrate landward to support and enhance natural adaptation processes.



d. Governance, Collaboration, and Finance

### Regional collaboration drives efficient and effective adaptation.

To achieve this:

- Ensure local and regional governments collaborate to address shared flooding risk, identify multi-benefit adaptation opportunities, including nature-based solutions, and avoid adverse flooding impacts to other jurisdictions.
- Identify and engage with Indigenous partners when planning, implementing, and managing shoreline adaptation projects.
- Promote formal and informal multi-stakeholder collaborations equipped to effectively plan, fund, implement, maintain, and adaptively manage adaptation strategies over time.
- Improve funding and regulatory processes to expedite innovative and transformative adaptation projects with regional benefits.

WORKING DRAFT ONE BAY VISION

WORKING DRAFT ONE BAY VISION

into all aspects of its work, as well as a new Environmental Justice and Climate Equity lead. This increase in capacity also led to the creation of a new Adapting to Rising Tides’ Data and Science unit to ensure the agency’s planning and policy decisions around climate adaptation are based in the best available science and data.

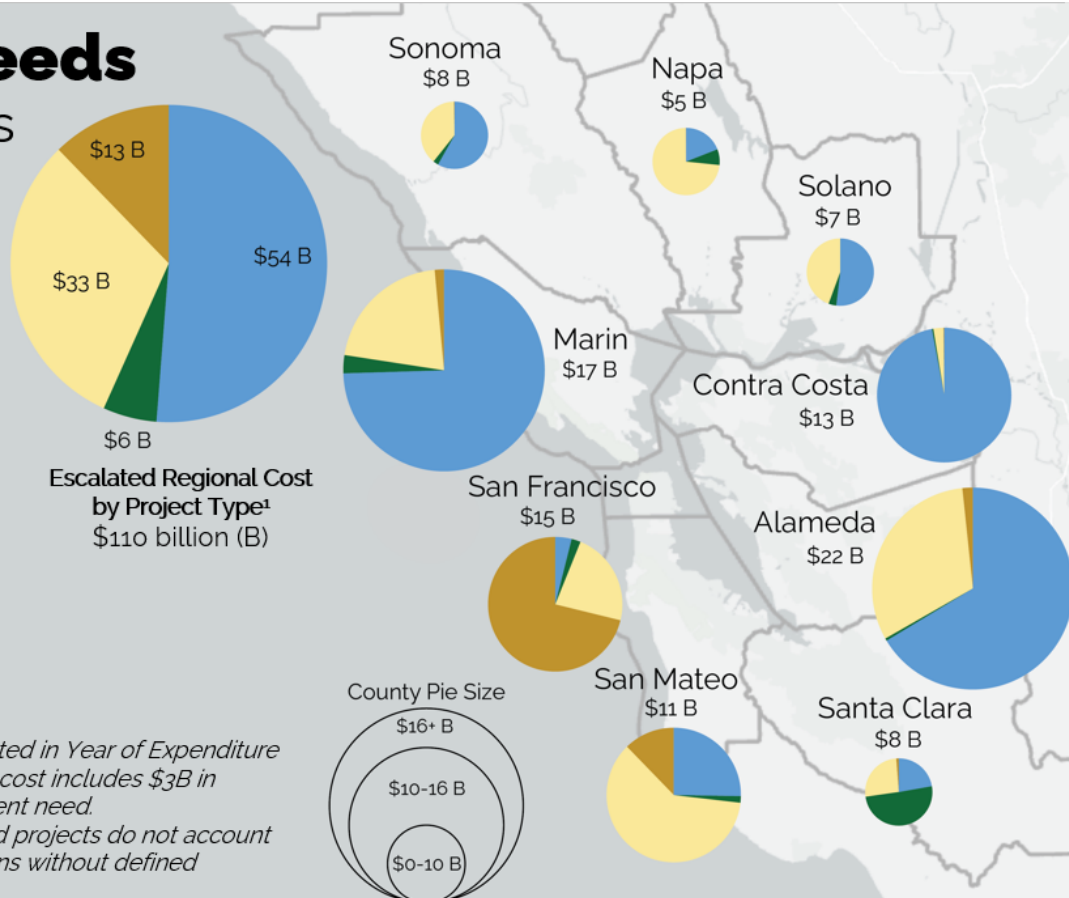
- New state law advances sea level rise preparation in California. So what is SB 272 and what does it mean for BCDC?** In 2023, Governor Newsom signed SB 272: Sea Level Rise Adaptation and Planning (Laird, 2023), which the Commission supported. The law will ensure that local governments across the California coast and San Francisco Bay plan for adaptation to rising sea levels with the targeted assistance of the State. The law charges BCDC with developing planning guidelines by the end of 2024, to be used by Bay local governments. The guidelines must build on Bay Adapt’s Guiding Principles, and be developed in coordination with the California Coastal Commission (CCC), the Ocean Protection Council, and the California Sea Level Rise State and Regional Support Collaborative. It also gives the Commission approval authority over the proposed local government plans, which must be submitted to BCDC by January 1, 2034. The bill also includes an important carrot: projects and strategies contained within plans approved by BCDC or CCC will be prioritized for State funding. BCDC is on track to deliver the guidelines in 2024 through its Regional Shoreline Adaptation Plan.
- Joint BCDC and MTC/ABAG report estimates \$110B needed for Sea Level Rise Adaptation.** Protecting the San Francisco Bay Area from sea level rise and storm surge by 2050 is estimated to cost \$110 billion, according to a first-of-its-kind [report](#) released by BCDC, the Metropolitan Transportation Commission and the Association of Bay Area Governments

∨ Results from Sea Level Rise Funding and Investment Framework Report BCDC/MTC (2023).

# Inventory Adaptation Needs

## Additional Findings

- Most planned projects are hybrid, representing a focus on multiple benefits.
- Alameda and Marin are estimated to have the highest adaptation costs.
- Significant implementation gaps are present across the region; the largest gaps are in Alameda, Contra Costa, and Marin<sup>2</sup>.



**Project Type**

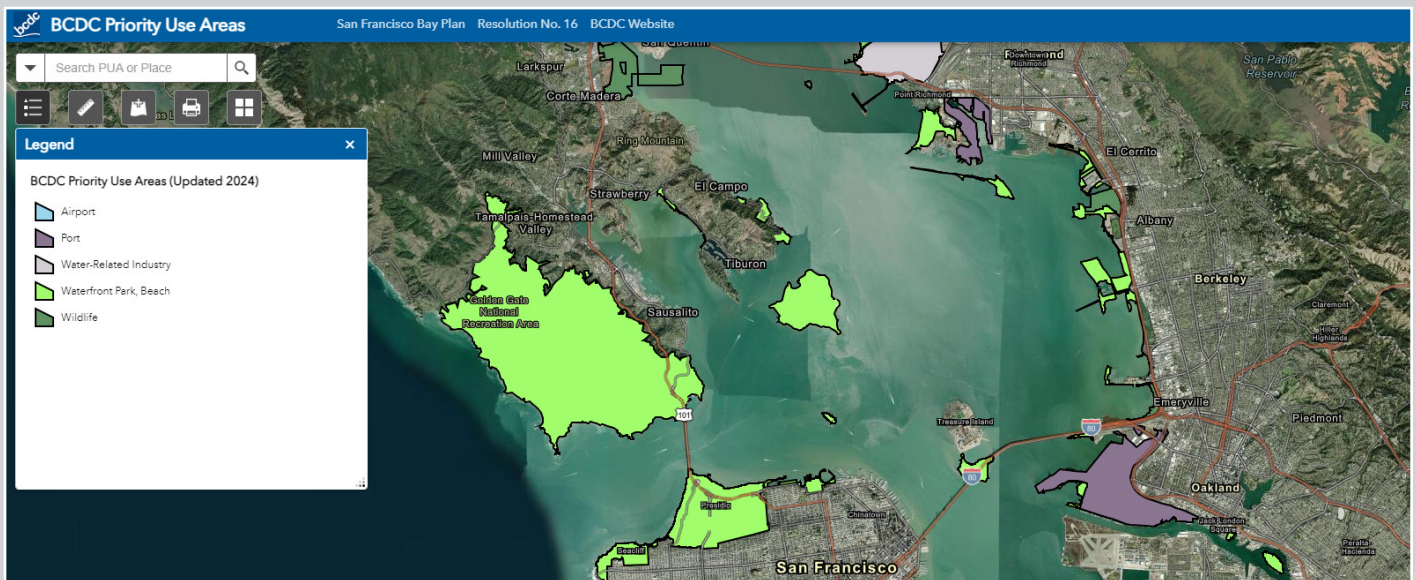
- Grey
- Hybrid
- Green
- Placeholders

<sup>1</sup> Values represented in Year of Expenditure dollars; Regional cost includes \$3B in additional sediment need.  
<sup>2</sup> Locally identified projects do not account for studies or plans without defined interventions.

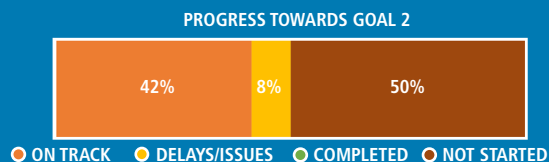
in 2023. Of that amount, Bay Area governments can account for just over \$5 billion being available through existing federal, state, regional, and local funding programs – leaving a gap of approximately \$105 billion to fill in the next decades. While the cost of tackling this regional challenge is significant, failing to adapt would result in a much larger deficit – a partial estimate is over \$230 billion based on assessed valuation and certain transportation projects. The findings in this report are based on an inventory of nearly 200 actual or hypothetical projects across the region. The report also offers potential solutions, including how new local and regional revenues for sea level rise adaptation can be raised most equitably, as well as possible paths to distribute new funds for sea level rise adaptation. Through BCDC’s [Bay Adapt](#) program, Bay Area leaders are now using this report to develop new approaches to prioritizing investments to meet this critical need.

- How will Bay wetlands adapt to rising sea level? BCDC’s [Sediment for Wetland Adaptation](#) project will help.** Sediment from Bay tributaries, navigation and flood protection dredging, and construction sites can greatly contribute to restoring wetlands and adapting to sea level rise. However, facilitating the movement of sediment requires coordination, collaboration, and mobilization. To address this regional challenge, BCDC received awards from the US EPA Wetland Program Development Grant program and the Ocean Protection Council to coordinate a regional strategy. BCDC is working with a project team of regional partners including the US EPA, the State Coastal Conservancy, the San Francisco Bay Regional Water Quality Control Board, the San Francisco Estuary Institute, and the San Francisco Bay Joint Venture, as well as a Sediment and Beneficial Reuse Commissioner Working Group. In preparation for a two-day workshop, BCDC drafted background documents, hired a facilitator, and met with stakeholders individually and in groups to understand the issues and raise awareness of the project. The outcomes of this project will be the development of a regional implementation roadmap for beneficial reuse of sediment and soils for wetland adaptation, a potential Bay Plan Amendment and funding strategy.
- New interactive digital [map](#) of Bay Plan Priority Use Areas launched.** This tool provides the public with information on Bay Plan designated ports, airports, water-related industry, waterfront parks and wildlife areas that are important components of BCDC’s jurisdiction and coastal management program. Simultaneously, the Commission also updated its [“Resolution 16”](#), which describes the legal extents of the Priority Use Area boundaries.

✓ [Priority Use Area Map](#). Available on the BCDC website.



## REGULATORY IMPROVEMENTS & HIGHLIGHTS (GOAL 2)



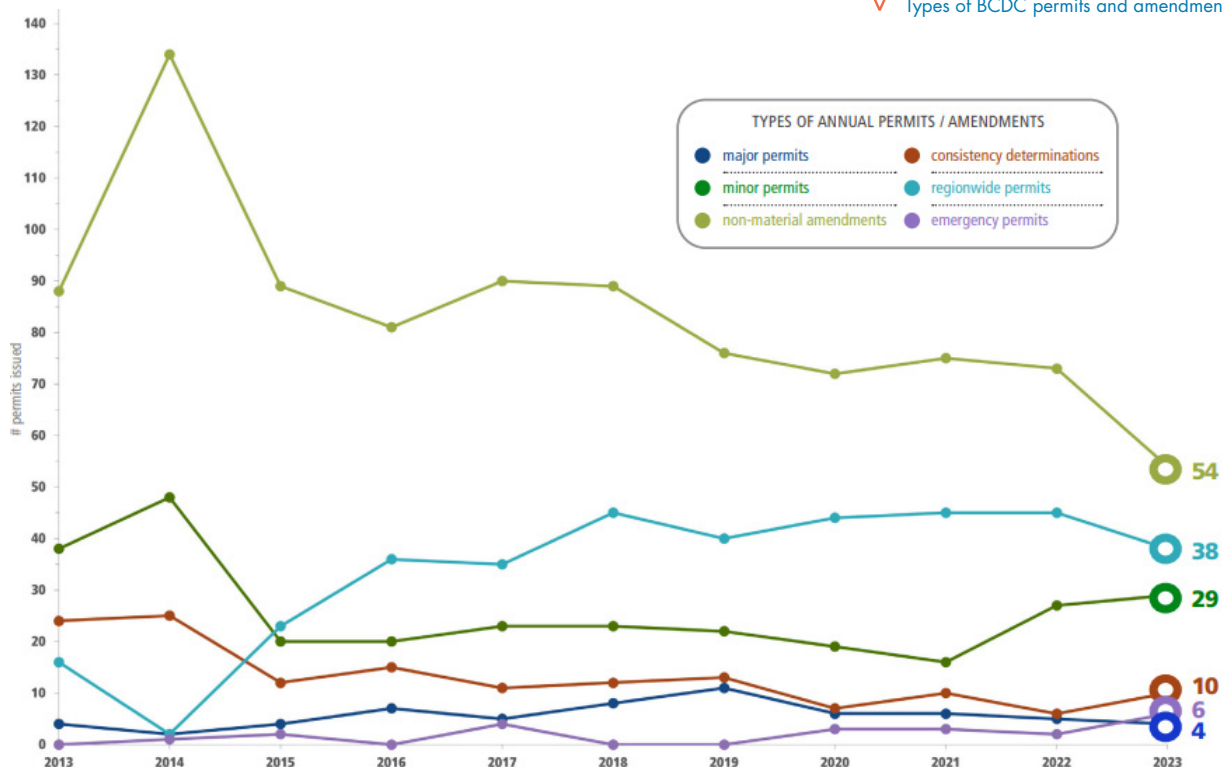
BCDC’s regulatory program protects and enhances the San Francisco Bay through a consistent regional-scale approach, and collaborates with a range of stakeholders so that BCDC permits allow the minimum amount of Bay fill and maximize feasible public access to the Bay.

- Refining and improving BCDC’s regulatory program.** The time and effort required to obtain regulatory approvals can contribute to the overall difficulty in getting adaptation projects built. To ensure that our region can meet its resiliency goals, in 2023, BCDC launched a new “Regulatory Improvements” program to explore how we can make the permitting process for resilient shoreline adaptation projects more efficient and effective. This effort kicked off by evaluating and synthesizing existing studies on the challenges faced by adaptation projects in the regulatory process and identifying major opportunities for improvement– from enhancing interagency coordination to expediting deployment of natural and nature-based adaptation approaches.
- Conducting a Mission-Based Review of BCDC’s permitting.** In 2023, BCDC solicited the expertise of the Department of Finance’s Research and Analysis Unit to evaluate and suggest improvements to how the agency processes permit applications. BCDC staff and stakeholders contributed hundreds of hours to studying various aspects of the permitting program, identifying areas of improvement, and brainstorming potential solutions. This Mission-Based Review will result in a list of targeted actions to enhance the permitting program, including new project management techniques and implementing new technological solutions.
- Advancing habitat restoration in the SF Bay through collaboration with our regulatory partners.** BCDC staff serves on the [San Francisco Bay Restoration Regulatory Integration Team](#) (BRRIT) which improves the permitting process for multi-benefit habitat restoration projects and associated flood management and public access infrastructure in the SF Bay and along the shoreline. In 2023, the BRRIT began pre-application discussions with proponents of eight new proposed multi-benefit restoration projects. In the same period, a total of four new permit applications were submitted to the BRRIT. Two BRRIT projects became fully permitted in 2023, including the Pacheco Marsh Public Access project, which will provide approximately 130,000 square feet of new public trails, a non-motorized watercraft launch, educational and interpretive features, and related amenities at the recently restored, Lower Walnut Creek Restoration site in Martinez, CA (a previously permitted BRRIT project). Also in 2023, construction was completed for a BRRIT project, the Heron’s Head Shoreline Resilience Project, which features a gravel beach with rock groins to protect existing tidal marsh; offshore oyster reef balls; plantings of the endangered California seablite; and various public access improvements. In addition, all in-water work was completed for the previously permitted Terminal Four Wharf, Warehouse, and Pilings Removal Project, including removal of the largest derelict creosote wharf in San Francisco Bay, installation of oyster reef elements,

and stabilization of the shoreline. The project as permitted will result in the removal of approximately 9,122 cubic yards of solid fill and 1.8 acres of pile-supported fill from the Bay, in addition to other habitat improvements.

- **BCDC continues its core mission to minimize Bay fill, increase habitat restoration, permit water-oriented uses, and improve public access.** In 2023, BCDC issued a total of four major permits, 29 minor permits, 54 non-material amendments, 10 consistency determinations, 38 regionwide permits, and 6 emergency permits as shown in the graphic. As a result, in 2023 the Bay surface had a net change of 32.77 acres, an increase of 35.2 acres of habitat restoration, 2.2 miles of public access trails, and 5.7 acres of open space.

Types of BCDC permits and amendments issued by year.



- **The Commission issued the following significant regulatory permits, permit amendments, and federal consistency determinations in 2023:**

#### West Bay Sanitary District (BCDC Permit No. 2022.001.00)

- **Project Sponsor(s):** West Bay Sanitary District
- **Project Location:** In the Bay and within the 100-foot shoreline band, at 1700 Marsh Road, in the City of Menlo Park, San Mateo County.
- **Project Description:** Place approximately 3,700 linear feet of shoreline protection, including sheet pile walls and raising the grade of the perimeter berms, placing Bay fill for nature-based shoreline protection, creating new tidal marsh habitat, and new public access amenities.



**Redwood Crossing Residential and Commercial Project (BCDC Permit No. 2023.004.00)**

- **Project Sponsor(s):** Redwood Crossing LLC
- **Project Location:** Within the 100-foot shoreline band, at 557 East Bayshore Road in the City of Redwood City, San Mateo County.
- **Project Description:** Redevelop a 14-acre commercial site with a mixed-use residential and commercial project, including a public access area.

**Oyster Point Life Sciences Office Campus (BCDC Permit No. 2022.003.00)**

- **Project Sponsor(s):** KR Oyster Point III, LLC
- **Project Location:** Within the 100-foot shoreline band, at 385 Oyster Point Boulevard in the City of South San Francisco, San Mateo County.
- **Project Description:** Develop an approximately 27-acre Life Sciences Office Campus, including a waterfront park.

**777 Airport Blvd Office Park Project (BCDC Permit No. 2022.004.00)**

- **Project Sponsor(s):** DL Burlingame Sub, LLC c/o Lincoln Property Company West
- **Project Location:** Within the shoreline band located at 777 Airport Boulevard in the City of Burlingame, San Mateo County.
- **Project Description:** The development involves a single high-rise building atop a multi-level parking podium, and on-site surface parking and landscape improvements in areas surrounding the site.

**USACE Turning Basins Project (BCDC Permit No. C2023.003.00)**

- **Project Sponsor(s):** U.S. Army Corps of Engineers, San Francisco District
- **Project Location:** Within the Coastal Zone, at Oakland Inner Harbor and Outer Harbor turning basins, at the Port of Oakland in the City of Oakland, Alameda County.
- **Project Description:** Expand the Inner Harbor Turning Basin from 1,500 feet to 1,834 feet, and the Outer Harbor Turning Basin from 1,650 feet to 1,965 feet at the Port of Oakland.

▼ Miller Knox Overlook, Richmond. Photograph courtesy of BCDC.



## SUMMARY OF PERMITS, FILL, AND MITIGATION

Year	Major Permits <sup>1</sup> granted	Major Permits <sup>1</sup> denied	Minor Permits <sup>2</sup> granted	Minor Permits <sup>2</sup> denied	Permit amendments	Net change in Bay surface <sup>3</sup> (acres)	Total Project cost <sup>4</sup> (x \$100,000)	Public access (acres)	Public access (miles)
1970	12	1	66	0		-72			
1971	26	4	61	0		-25.1			
1972	12	3	80	0		-7			
1973	17	1	71	0		-4.4			
1974	20	0	107	1		274			
1975	10	0	87	0		5	100		
1976	14	0	110	0		-2.2	43		
1977	20	0	116	0	104	16.8	100	21.4	
1978	23	1	104	4	90	-1.9	152	46.1	9.6
1979	34	0	120	2	103	3.4	93	25.1	
1980	19	1	105	1	101	30	470	134	
1981	23	0	134	0	125	44.5	130	42.2	
1982	26	0	104	0	115	262	379	27	5
1983	23	0	105	0	131	5	395	26	6
1984	15	3	135	0	130	12	97	12	7
1985	15	1	98	0	104	60	200	35	6.3
1986	20	0	108	0	112	11	639	35	5.1
1987	16	2	108	0	104	-2	68	6	1.1
1988	17	1	119	2	137	152.2	125	3.3	0.9
1989	17	0	114	1	144	1.7	107	12.7	1.5
1990	17	1	112	0	151	-1.5	127	12.7	2
1991	8	1	61	0	163	-0.7	400	4	5.6
1992	10	1	84	0	140	-1.6	97	10.4	1.9
1993	8	1	89	0	122	50.1	26	0.2	0.3
1994	11	1	114	0	96	1.6	383	264	6.9
1995	15	0	72	0	107	549.6	136	2.8	0.9
1996	7	0	93	0	97	-1	60	3.1	2.2
1997	14	2	109	0	94	75	733	14.1	2.9
1998	15	1	109	0	130	38.5	518	16.4	3.3
1999	10	0	103	0	124	258	828	67.2	8.4
2000	21	0	85	0	141	112.4	4,640	40	1.9
2001	14	0	67	0	67	5649.3	2,770	34.8	11.1
2002	6	0	75	0	103	1.1	118	2.5	0.5
2003	11	0	59	0	79	118.7	471	28.8	3.8
2004	7	0	74	0	95	493	408	11.2	1.5
2005	9	0	106	0	140	3807	382	3.4	4.5
2006	2	0	74	0	141	70	169	0.7	0.4
2007	9	0	90	0	109	2560	459	3.5	9.7
2008	9	0	81	0	139	961	552	12.7	6.5
2009	12	0	81	0	128	174	500	1.5	0.2
2010	11	0	114	0	113	1562	251	11.5	4.8
2011	5	0	57	0	125	74	1,700	77.8	3.9
2012	2	0	73	0	110	201	362	6.7	3
2013	4	0	78	0	88	968	112	0.3	6
2014	2	0	75	0	134	13.8	935	11	4.5
2015	4	0	55	0	89	-0.1	407	4	7.4
2016	7	1	71	0	81	419.7	18,811	63.58	5.3
2017	5	1	69	0	90	603.1	1,839	14	2.15
2018	8	0	80	0	89	2672	4,945	13.1	6.67

**SUMMARY OF PERMITS, FILL, AND MITIGATION (CONTINUED)**

Year	Major Permits <sup>1</sup> granted	Major Permits <sup>1</sup> denied	Minor Permits <sup>2</sup> granted	Minor Permits <sup>2</sup> denied	Permit amendments	Net change in Bay surface <sup>3</sup> (acres)	Total Project cost <sup>4</sup> (x \$100,000)	Public access (acres)	Public access (miles)
2019	11	0	75	0	76	9.4	11,772	43.8	8.4
2020	6	0	70	0	72	310.8	3,640	15.2	1.5
2021	6	0	71	0	75	640.1	12,519	12.15	2.97
2022	5	0	78	0	73	-0.7	3,972	0.31	4.34
2023	4	0	83	0	54	32.77	15,787	5.7	2.2
<b>TOTAL</b>	<b>670</b>	<b>28</b>	<b>4,756</b>	<b>11</b>	<b>5,081</b>	<b>2,3186</b>	<b>73,492</b>	<b>1,239</b>	<b>184</b>

<sup>1</sup> Projects authorized by major permits, material amendments, and major federal consistency concurrences. Some authorized projects have not been built, and some projects may have been changed pursuant to subsequent permit amendments.

<sup>2</sup> Smaller projects including new minor permits, consistency concurrences approved administratively, and regionwide permits.

<sup>3</sup> The area of the Bay created or restored, including salt ponds converted to tidal action, less the area of the Bay authorized to be filled pursuant to major permits and major consistency determinations through 1987. Thereafter, significant administrative permits and amendments are included in the data.

<sup>4</sup> Major and minor permits only.

<sup>5</sup> Permit counts from 2005 onward have been updated based on improved accounting methods in Summary of Permits Tables for Annual Reports starting in 2021.

✓ South Bay Salt Ponds. Photograph courtesy of BCDC.



## SEDIMENT MANAGEMENT

The Commission's Sediment Management program focuses on regional sediment management, including dredging, and using sediment and soil to assist the region to adapt to rising sea level. Over 30 million cubic yards of sediment dredged from Bay channels has been directed to beneficial reuse, along with its Long Term Management Strategy for the Placement of Dredged Material in the Bay Region (LTMS) Program partners – US Environmental Protection Agency (EPA), San Francisco Bay Regional Water Quality Control Board (Water Board), and US Army Corps of Engineers (USACE). Work in 2023 included:

- Working with the dredging community to send nearly 2 million cubic yards of dredged sediment to Montezuma Wetlands in 2023. Increased federal funding obtained by teaming up with the Coastal Conservancy and working with the Assistant Secretary of the Army and the USACE provided the impetus for the beneficial reuse.
- Supporting the USACE Regional Dredged Material Management Plan in its design charette focused on the next 20 years of USACE dredging.
- Overseeing completion of technical studies on sand mining, with an independent science panel review of the: (1) sand provenance and aging study from UT Austin, (2) sediment and sand budget from SFEI, (3) sand transport modeling study from Anchor QEA, and (4) a mining site study from Deltares. The US Geological Survey partnered with each team in these studies, and provided additional funding for a new analysis, called SedTrails, which can track sand movement.
- Providing technical support and processing a permit for the USACE's Strategic Placement Pilot Project to assess whether sediment placed offshore near Whale's Tale Marsh would be moved by tides and currents onto adjacent mudflats and marsh, to assist the marsh in adapting to rising seas.
- Processed the first phase consistency determination for the Oakland Turning Basins Widening project, in which USACE committed beneficial reuse of nearly two million cubic yards.
- Developing a [permitting roadmap](#) for beneficial reuse projects with the North Coast team of the State's Coastal Sediment Management Workgroup.



▲ Marina Green, San Francisco. Photograph courtesy of BCDC.

## ENFORCEMENT

BCDC enforcement addresses violations of BCDC laws and the terms and conditions of permits. Work in 2023 included:

- Creating a Formal Enforcement Docket to ensure cases are moved through the enforcement process in a timely manner, all regulatory requirements are met, and to ensure due process for violators.

- Developed a draft administrative civil penalty calculator to make efficient use of a new civil penalty procedure in Appendix H of BCDC’s regulations (14 CCR).
- Managing the enforcement caseload under the newly revised enforcement regulations that took effect on October 1, 2022. The revisions to the regulations have allowed more efficient communication with respondents exclusively via e-mail, and the introduction of a systematic civil penalty calculation process (see Regs. Appendix H).
- Opening 70 cases and resolving 50 of the 70 using the case resolution milestone methodology that was developed in 2020, while also resolving 38 cases from prior years, and ending 2023 with the lowest case count in decades.
- Collecting approximately \$425,000 in penalties deposited into the Bay Cleanup and Abatement Fund.
- Being selected as an honoree for the “2023 Geo for Good Award” by Google for innovative use of Google’s mapping tools to assist in investigation, research and monitoring of sites around the Bay, particularly those that would be inaccessible to BCDC due to their remote nature.



## COMPLIANCE

BCDC Compliance staff works with the regulated community to ensure they remain in compliance with applicable orders, agreements, permits, BCDC laws, and BCDC policies. This work involves close collaboration with BCDC’s permitting, technical design, and engineering staff to synchronize the application and approval phases of a permit with the subsequent post-issuance compliance phase. 2023 work included:

- Implementing the first full year of BCDC’s Compliance program nested under BCDC’s Legal branch.
- Finalizing team policies and procedures.
- Alleviating BCDC’s permitting staff from compliance tasks and enabling them to channel their time and expertise into expediting permit applications.
- Revamping the compliance website page to specifically address compliance-related queries and concerns of both permit holders and applicants.

## LEGAL

BCDC legal staff provides expert support to the Commission and staff. In 2023 legal work:

- Favorably resolved a lawsuit involving a challenge to the Bay Plan Amendment that removed the Port Priority Use Area designation at Howard Terminal at the Port of Oakland and recovered BCDC's litigation costs.
- Provided support to the Planning Division, including processing of and submittal of a comprehensive Seaport Plan Update to the Commission for adoption and subsequent submittal to Office of Administrative Law for approval.
- Provided ongoing and regular support to Regulatory Staff, including negotiations with permit applicant's legal counsel, to craft legally defensible staff recommendations on permit applications for Commission consideration and approval.
- Submitted program changes to NOAA to update BCDC's coastal management program pursuant to its authority under the federal Coastal Zone Management Act, including incorporation of recent comprehensive updates to BCDC's regulations.

## OTHER REGULATORY HIGHLIGHTS

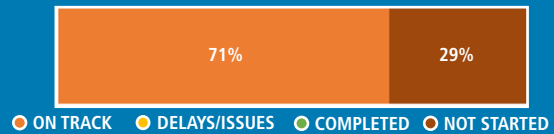
- The Regulatory Division held its first retreat in several years at Heron's Head Park in December under the team's new Regulatory Director. Staff reconnected with colleagues, discovered the strengths of the team, and talked about how best to work together to accomplish the mission of BCDC.
- Technical and Compliance staff issued 102 responses to Plan Review requests.
- The Design Review Board held eight project reviews and two briefings.
- The Engineering Criteria Review Board held five project reviews and one briefing.

✓ Regulatory Staff Retreat. Photographs courtesy of BCDC.



## IMPLEMENTING EQUITY (GOAL 3)

PROGRESS TOWARDS GOAL 3



BCDC's Environmental Justice and Social Equity Policies state that the Commission's guiding principles on environmental justice and social equity should shape all of its actions and activities. BCDC's Environmental Justice unit leads the implementation of BCDC's policies, in close coordination with BCDC's Environmental Justice Advisors from communities around the region.

### OPERATIONALIZING EQUITY

- Embedding Equity Action Plan:** Governor Newsom's Executive Order N-16-22 required that all state agencies create an Embedding Equity Action Plan for how they are going to incorporate equity into their operations in 2023. Over the course of the year, BCDC implemented about 80 percent of the actions in its Embedding Equity Action Plan. These included hiring an additional Environmental Justice Manager, creating a database of equity focused interview questions, increasing funding for our Environmental Justice Advisors, and ensuring that there are paid seats for community members on our Bay Adapt and Regional Shoreline Adaptation Plan committees. The Embedding Equity Action Plan is the first step in completing the Racial Equity Action Plan, to be completed in 2024.
- Translation Services:** BCDC contracted with a translation services agency to better connect with the Bay Area's linguistically diverse region. Members of the public can now request translation and interpretation in multiple languages. BCDC's EJ team coordinated with other staff members to create a policy on how and when to engage in translation services. In 2024 we plan to roll out translations of BCDC created documents and provide translation at events.

✓ Middle Harbor Shoreline Park, Oakland. Photograph courtesy of BCDC.



- **RSAP Equity Strategy** – As a first step in developing a Regional Shoreline Adaptation Plan, BCDC’s Sr. Manager of Climate Equity and Community Engagement worked closely with the Regional Shoreline Adaptation Plan Equity Sub-Committee to craft an Equity Strategy. The Equity Strategy is a living document that outlines how BCDC implements equity into both the process of developing the RSAP and within the RSAP Guidelines. The Equity Strategy will include Equity Assessments of the guidelines that will help local jurisdictions assess how they are operationalizing Equity into their sub-regional sea level rise plans.

## INTERNSHIPS AND FELLOWS PROGRAMS

- **Summer Interns** – BCDC’s summer internship program draws college students from diverse backgrounds to learn about and gain work experience at BCDC. In the Summer of 2023, BCDC’s five interns supported an array of program areas. Two interns helped the EJ unit reimagine the curriculum for the Shoreline Leadership Academies, assisted with the Racial Equity Action Plan, and conducted research for the EJ Advisors’ Toxic Tours. Other interns provided GIS support, records management, and supported the Bay Adapt program. Throughout the summer, interns met with senior leaders and policymakers, and received career development coaching. At the end of the summer, the interns presented on their work to the Commission.
- **California Conservation Corp Fellow** - In October of 2023 the Environmental Justice team welcomed its first CA Conservation Corp Fellow, Rocio Velasquez (Rosie). With Rosie’s help, BCDC now has its first Instagram account; please see @SF\_BCDC on Instagram.

## MAJOR PERMITS AND ENVIRONMENTAL JUSTICE

- **Oakland Harbor Turning Basin** - BCDC’s Sr. Manager for Climate Equity and Community Engagement coordinated with the Port of Oakland and the US Army Corps of Engineers to conduct community engagement in West Oakland around the dredging of the Oakland Harbor Turning Basin. BCDC helped the Port to identify Community Based Organizations in West Oakland, develop a presentation that was accessible to the public, and attended and helped to facilitate a meeting for the public on May 7, 2023. When the US Army Corps of Engineers brought the project to the Commission for a phased consistency determination on December 7, 2023, our Sr. Manager presented on the Environmental Justice issues for the Commissioners.



Instagram from @SF\_BCDC.



## COMMUNICATING SUCCESSFULLY (GOAL 4)

PROGRESS TOWARDS GOAL 4



● ON TRACK ● DELAYS/ISSUES ● COMPLETED ● NOT STARTED

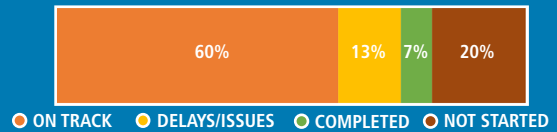
- **New BCDC Website:** BCDC was able to secure funding to develop a new website to replace its existing decades-old website hosted by an external vendor. Slated for activation in Spring 2024, the new website will have far more functionality and readability for the general public, will include options for BCDC to add modules to keep it updated, and is being developed and edited in a consistent manner to make it more user-friendly. The website is being developed by a diverse group of staff given the operational limitations of BCDC's two-person IT team.
- **Increased Social Media Presence:** BCDC was one of the first organizations within the Natural Resources Agency to request an intern from the California Conservation Corps. That experience has convinced BCDC to become a regular solicitor of CCC interns who can assist staff in the fields of social media outreach and environmental justice planning. For example, the first fellow created and oversaw BCDC's Instagram page.
- **Updated Annual Report:** Veteran readers of BCDC's Annual Report will note that this year's edition is significantly different than past reports, both in terms of content and presentation. The influx of new staff at BCDC during the past five years has provided the organization with crucial creative sparks and increased technological prowess. This new version of the Annual Report reflects that spirit.

Hamilton Wetlands. Photograph courtesy of BCDC.



## ORGANIZATIONAL HEALTH (GOAL 5)

### PROGRESS TOWARDS GOAL 5



BCDC's Administration Division is responsible for a broad range of activities including the accounting, budgets, contracts, facilities, human resources, purchasing, information technology, records management, training, and travel functions of the organization.

Over the past year, the Administration team has focused on streamlining internal processes to use its small workforce more effectively. Along with managing the responsibilities of the annual administrative services cycle, the team spearheaded the new website project effort and made progress on its strategic plan objectives.

In 2023, BCDC was able to increase the diversity of its candidate pool by expanding its recruitment outreach list and providing flexible work hours and telework to accommodate employee and business needs. Another significant focus in 2023 was the effort to prioritize and implement technological upgrades. BCDC completed its California Military Department security assessment, which is a technical analysis to measure cybersecurity, including vulnerability, firewall analysis, phishing susceptibility, and more. Later in the year, BCDC onboarded to the California Natural Resources Agency's Security Operations Center, which will proactively identify security threats and vulnerabilities. These milestones were critical to ensure the organization establishes the foundation to mitigate risks as it looks to enhance its use of technology.

### INCOME BUDGET AND EXPENDITURES SUMMARY

	FY 21-22*	FY 22-23*
<b>TOTAL FUNDING (APPROPRIATIONS &amp; REIMBURSEMENTS)</b>	<b>\$10,509</b>	<b>\$11,679</b>
<b>General Fund (General Tax Revenues)</b>	7,335	8,403
<b>Special Dedicated Funds</b>	1,961	2,030
Bay Fill Clean-Up and Abatement Fund Authority	95	100
Greenhouse Gas Reduction Fund (Cap and Trade)	1,866	1,930
<b>Reimbursements (Grants &amp; Interagency Agreements)</b>	1,213	1,205
<b>Federal Trust Fund (EPA Grants)</b>		41
<b>TOTAL SPENDING</b>	<b>\$10,509</b>	<b>\$11,679</b>
<b>Total Salaries, Wages, and Benefits</b>	7,366	7,566
<b>OE&amp;E</b>	3,143	4,113
Rent (Non-Add Item)	1,254	1,200

## COORDINATION, COLLABORATION, AND PARTNERSHIPS

- Continued our partnership as part of the Bay Area Regional Collaborative (BARC) (Metropolitan Transportation Agency, Association of Bay Area Governments (MTC/ABAG), the Bay Area Air Quality Management District, Water Board, Coastal Conservancy, and BCDC).
- Participated in the State Sea Level Rise Leadership Team Working Group, led by the California Natural Resources Agency.
- Collaborated with the Long Term Management Strategy (LTMS) partner agencies and participated in the Dredged Material Management Office (DMMO) to manage disposal of dredging from the Bay.
- Continued to serve on the Bay Restoration Regulatory Integration Team (BRRIT) and the BRRIT Policy Management Committee (PMC), to improve permitting for restoration projects.
- Served on the [Wetland Regional Monitoring Program's](#) (WRMP) Steering Committee, Regulatory Advisory Committee, and Technical Advisory Committee; to inform science-based decision making for wetlands restoration and adaptive management and decrease the costs of monitoring.
- Served on the Management Boards of the San Francisco Bay Joint Venture, the San Francisco Bay National Estuarine Research Reserve, and the Implementation Committee of the San Francisco Estuary Partnership.
- Participated in, and shared project updates at quarterly regional Bay Area Climate Adaptation Network (BayCAN) meetings.
- Coordinated with the Delta Stewardship Council on projects related to the Suisun Marsh.
- Participated in the Suisun Marsh Adaptive Management Advisory Team.
- Participated as a planning team member in the SF Estuary Geospatial Working Group (SFEGWG), a diverse multidisciplinary partnership emphasizing integration of geospatial technology in coastal management and restoration.
- Continued active partnership with the US Geological Survey (USGS), to study sediment transport in the Bay, a key process affecting how wetlands adapt to a rising Bay.
- Engaged with Caltrans and MTC in the multi-agency stakeholder planning process related to resiliency and congestion issues at State Route 37.
- Participated in the Coastal Zone Managers, National Estuarine Research Reserve, and Office for Coastal Management's Training Collaboration Workgroup to identify staff training priorities for CZM agencies.



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