

# San Francisco Bay Conservation and Development Commission

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**To:** Bay Area Regional Collaborative (BARC) Governing Board  
**From:** Larry Goldzband, Executive Director  
San Francisco Bay Conservation and Development Commission (BCDC)  
**RE:** 2019 Rising Sea Level Priorities  
**Date:** February 4, 2019

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## Overview

Uncertainty surrounding how much and how quickly the level of the Bay will rise due to global climate change has prompted BCDC's Planning Division to lead the Bay Area's regional adaptation efforts and its Regulatory Division to continually learn how to better implement its groundbreaking 2011 climate change regulatory requirements. Currently, changes to BCDC's laws, regulations, and policies are being pursued through a combination of Commissioner working groups, public workshops, and public hearings. Other issues also at the forefront of BCDC's responsibilities include, but are not limited to, updating the Seaport Plan and continuing to support the expansion of water-borne transportation.

## Advanced Planning and Permitting for Rising Sea Level (RSL)

### *1. How will the Commission allow Bay fill in the future?*

The Commission is considering a San Francisco Bay Plan amendment to increase the amount of fill that can be placed into the Bay to lessen the risks associated with RSL. The "Fill for Habitat" amendment addresses the need to place an increasing amount of fill into the Bay to restore and enhance natural habitats, as well as provide other benefits (including flood protection). Findings will be based on an extensive review of scientific practices and input from a wide variety of experts and practitioners. The Commission plans to vote on amendment in Fall 2019. Other policy amendments on mitigation, beneficial reuse of dredged material, adaptive management, Bay fill for shoreline protection, and public access will follow.

### *2. How is BCDC focusing on at-risk communities?*

The Commission is considering a second amendment to the Bay Plan, and possible changes to BCDC practices and processes, to incorporate principles of environmental justice and social equity into the planning, design, and permitting of projects in and along the San Francisco Bay. The Commission is slated to vote on the Environmental Justice Bay Plan Amendment in Fall 2019. In addition, BCDC is expanding its outreach and engagement practices with at-risk communities historically subject to discriminatory land use policies so that their leaders can work with policymakers on RSL issues more successfully.

### *3. How is BCDC setting the stage for RSL adaptation?*

With the Metropolitan Transportation Commission (MTC) and BARC, BCDC's Adapting to Rising Tides (ART) Bay Area project is developing a regional adaptation planning process to increase the resilience of the region's transportation and community assets, including neighborhoods and natural areas. The project is assessing the vulnerabilities of interconnected assets and communicating these results to drive local and regional adaptation actions. Supported by a broad regional working group and targeting community engagement, ART Bay

Area will be completed in September 2019. A separate ART vulnerability assessment and adaptation planning project in Eastern Contra Costa County, in partnership with the Delta Stewardship Council, is the first to take place in the Delta and will be completed in 2019.

*4. BCDC will continue to lead and collaborate throughout the region in 2019 by:*

- Providing RSL adaptation technical assistance, planning guidance, and support to entities and programs throughout the region, including Horizon/Plan Bay Area, SB1 grant recipients, the “Level the Playing Field” initiative, and the Resilient by Design Accelerator Program;
- Expanding the ART Help Desk and ART Portfolio so that communities will become more resilient to flooding in alignment with a regional approach; and,
- Continuing to participate in the myriad local and regional adaptation planning efforts, among other programs.

**Regional Shoreline Adaptation Plan (RSAP)**

With additional funding proposed by Governor Newsom, BCDC is poised to take the lead on developing a regional shoreline strategy for adapting to RSL. In close collaboration with partner agencies, local governments, and the private and non-profit sectors, the RSAP will use the ART Program and other information to provide a comprehensive framework for Plan Bay Area 2021 that prioritizes projects and actions to solve the region’s most critical RSL-related flood risks. As a first step, BCDC will be conducting targeted outreach to stakeholders during the first half of 2019.

**Regulatory Response to RSL**

Responsibility for implementing the State of California’s RSL guidance falls to BCDC’s Regulatory Division. Well before the State issued such guidance, BCDC adopted its groundbreaking climate change amendments that require permit applicants to perform a vulnerability analysis on proposed projects and to propose an adaptive management plan through the year 2100, among other conditions. With new scientific projections moving the upper boundary of 2100 RSL projections from three feet to as much as ten feet, BCDC Commissioners and staff have conducted two complex public discussions concerning how staff should implement the new state guidance. The procedures outlined in the State’s guidance generally mirror BCDC’s approach to permitting new projects in light of RSL uncertainty.

Concurrent with BCDC’s efforts to change and adapt its policies, BCDC has joined with five other state and federal regulatory agencies to create the innovative Bay Restoration Regulatory Integration Team (BRRIT), which will work collaboratively to permit new, restored, and enhanced wetlands funded through Measure AA. Using a team-centered approach, the BRRIT will move multi-benefit habitat restoration projects through the warren of required regulatory approvals more quickly without any loss of individual agency jurisdiction or authority. In addition, BCDC is leading the creation of a senior leadership Project Management Team (PMT) to resolve long-standing policy points of friction among those agencies.