

Bay Conservation and Development Commission (BCDC) Report to MCCMC¹

February 2025

EXECUTIVE SUMMARY:

This report includes a brief report on BCDC's approval of an application to remove an existing marina and construct a new marina and wave attenuator at Clipper Cove on the eastern side of Treasure Island; and, BCDC efforts to change their permitting requirements to accelerate climate adaptation.

APPLICATION FOR DREDGE AND FILL AT TREASURE ISLAND:

The Commission conducted a hearing and approved an application to remove an existing marina and construct a new marina and wave attenuator at Clipper Cove on the eastern side of Treasure Island in the City and County of San Francisco. On June 3, 2023, BCDC received an application for a permit from Treasure Island Enterprises, LLC to remove 36,895 square feet of existing marina docks and gangways and 100 existing pilings (47.3 cubic yards of solid fill), and place 73,279 square feet of new marina docks and gangways, and 138 new pilings (273 cubic yards solid fill), for a net increase of 36,384 square feet of overwater fill and 225.6 cubic yards of solid fill.

The approval included many conditions of approval (see Attachment 1 for a complete list of conditions) along with the following two conditions: Provide a publicly accessible transient moorage dock at a nominal fee and implement measures to protect natural resources and water quality during construction. BCDC authorized the work must commence prior to November 30, 2028, or the permit will lapse and become null and void. Also, the permit required all work must be completed by November 30, 2030, unless an extension of time is granted by amendment of the permit.

BCDC REVISING THEIR PERMIT REQUIREMENTS:

On February 6, 2025, the BCDC Commission received an update on the staff efforts to modify their permitting program for projects dealing with sea level rise. As mentioned in last month's report, BCDC adopted the Regional Shoreline Adaptation Plan (RSAP) and guidelines for the preparation of sea level rise plans by cities and counties throughout the SF Bay Area. BCDC recognizes that their permitting program needs to be responsive to the needs in the Bay Area to accelerate the pace at which resilient shoreline adaptation projects are reviewed and built. See Attachment 2 for additional information on how BCDC is changing their permitting to accelerate climate adaptation.

Attachment 1 – Complete listing of permit conditions for Treasure Island

Attachment 2 – How BCDC is changing permitting to accelerate climate adaptation

For questions on this report, please contact Pat Eklund, City of Novato Councilmember at: 415-336-9913 (c).

¹ Marin County Council of Mayors and Councilmembers (MCCMC)

ATTACHMENT 1

DETAILED CONDITIONS FOR TREASURE ISLAND PROJECT

A. Authorized Project

Subject to the conditions stated below, the permittee, Treasure Island Enterprises, LLC, is granted permission to do the following in the Bay, in Clipper Cove (1 Clipper Cove Way) at Treasure Island, in the City and County of San Francisco.

In the Bay:

1. Remove the existing 108-slip Treasure Island Marina comprised of 36,895 square-foot wooden docks and 100 12-inch round, creosote-treated wood piles;
2. Construct a new 168-slip marina comprised of 73,279 square-foot concrete docks and gangways, comprised of:
 - a. A floating system of concrete dock sections rafted together with a fiber-reinforced plastic waler system, and equipped with internal utility chase, with the following components:
 - i. One 445-foot by 8-foot walkway connecting the A, B and C Docks;
 - ii. A-Dock: 705-foot by 12-foot walkway with twenty-four 45-foot fingers;
 - iii. B-Dock: 520-foot by 8-foot walkway with twenty-five 45-foot fingers and twenty-four 50-foot fingers;
 - iv. C-Dock: 531-foot by 8-foot walkway with twenty-four 50-foot fingers and twenty-two 60-foot fingers;
 - v. D-Dock: 553-foot by 8-foot walkway with twenty-three 60-foot fingers and nineteen 80-foot fingers; and,
 - vi. Install, use and maintain in-kind various utilities improvements, including electrical, water, and communications systems, a fire suppression system, lighting, and a pump-out facility at the marina dock system.
 - b. Install 108 18-inch round steel piles with 2-inch high-density polyethylene (HDPE) sleeves (20-inch overall diameter);
 - c. Install thirty 24-inch round steel piles with 2-inch HDPE sleeve (26-inch overall diameter); and,
 - d. Install three 80-foot-long by 6-foot-wide grated aluminum gangways, connecting the new dock system to the Clipper Cove Promenade.

3. Construct a new 705-foot-long and 12-foot-wide floating concrete transient and marina dock and wave attenuator/transient dock at the eastern edge of the new marina;
4. Conduct in-kind repair and maintenance of all facilities authorized herein; and
5. Use not more than 16 of the berths in the 168-berth marina for live-aboard vessels to enhance security at the marina.

In the Shoreline Band:

1. Connect the three 6-foot-wide aluminum gangways to the existing rip rap slope/abutments at Clipper Cove Promenade and install three security gates; and
2. Temporarily (for no more than 270 days) use a portion of the adjacent Treasure Island shoreline, specifically the area designated as the contractor staging area except as may be extended as required.

How BCDC is changing permitting to accelerate climate adaptation



The San Francisco Bay Area needs to rapidly implement shoreline adaptation and habitat restoration projects to protect the Bay's communities and ecosystems from rising sea levels. We're working to improve BCDC's permitting program to accelerate the pace at which resilient shoreline adaptation projects are reviewed and built.

For additional information: Rylan Gervase, rylan.gervase@bcdca.gov

Why accelerating adaptation is important

\$110 billion

Estimated cost to protect the Bay's shoreline from projected sea level rise and storm surges by 2050.

7

The number of state and federal agencies involved in reviewing and permitting most multi-benefit restoration projects.

5 years

How long the Bay Area has left to meet its regional goal to protect 100,000 acres of healthy tidal marsh.

Building on our progress

BCDC has already taken steps to rethink how we approach permitting.

- ✓ **Flexible policies for a rising Bay.** BCDC's San Francisco Bay Plan has gone through major updates and now includes a science-driven and flexible approach for "getting to yes" on nature-based adaptation projects that are good for the region and the Bay.
- ✓ **A new model for government collaboration.** BCDC and our partners in state and federal government founded the Bay Restoration Regulatory Integration Team (BRRIT), a nationally recognized model for multi-agency integrated permitting that we can build on.
- ✓ **Roadmap for action.** BCDC invited a year-long external evaluation of our permitting program and identified priority actions we will take to improve permitting outcomes and reduce wait times.

What BCDC will accomplish

We've set out the following goals to improve BCDC's permitting program:

Permitting that's more effective, efficient, and transparent

Cut green tape to speed up project timelines, make the rules of permitting easier to understand, and ensure better outcomes for regional resilience.

Greater capacity to implement the region's resilience vision

Build organizational and staff capacity to resolve complex and challenging issues, working in close collaboration with other government agencies to achieve regional goals for resilience.

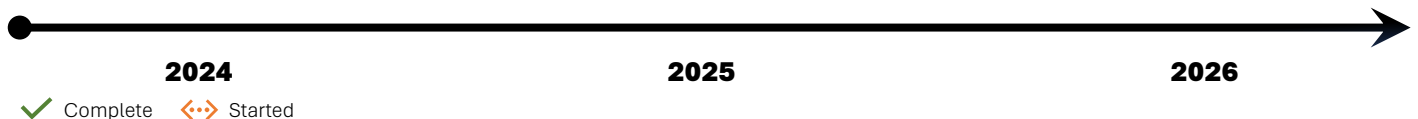
Permitting for a resilient shoreline roadmap

Our action plan to accelerate good permitting outcomes for regional resilience projects.

Roadmap priorities	Steps we're taking
1. Cut green tape Reduce permitting timelines, especially for natural and nature-based adaptation projects.	<ul style="list-style-type: none">Expand the number of projects eligible for expedited reviewStreamline rules to reduce permitting burdens for straightforward projects
2. Implement regional resilience goals Rethink and redesign BCDC's regulatory program around accelerating progress toward the region's resilience vision.	<ul style="list-style-type: none">Provide technical support to projects using nature-based solutionsClose regulatory "gaps" for regional adaptation
3. Communicate in plain language Make plans, regulations, and guidance easier for everyone to understand.	<ul style="list-style-type: none">Adopt a plain language equity standardWrite clearer policies and regulationsWrite permit requirements that are easier for permittees to follow and comply with
4. Modernize the application process Utilize new technology and project management techniques to become more effective and efficient.	<ul style="list-style-type: none">Move to an online permit application platformCreate a more robust, mandatory, and faster pre-application process to resolve issues earlyUse modern project management methods and technology to improve processing times
5. Coordinate better across agencies Increase the level of interagency coordination on permitting for resilience.	<ul style="list-style-type: none">Enhance early and ongoing collaboration among agenciesMore closely integrate permitting processes where possible across agencies
6. Build a strong and capable workforce Recruit and train a workforce that can meet BCDC's growing role in regional climate adaptation.	<ul style="list-style-type: none">Build staff expertise and capacity through advanced trainingGrow staffing levels to meet the region's needs

Timeline with selected priority actions

- Write plain-language permit guidance for the BCDC website ✓
- Start staff training series on NbS ✓
- Hire a restoration scientist to help expedite restoration projects ✓
- Give staff new tools to resolve common permitting challenges with habitat restoration <-->
- Expand and simplify BCDC's regionwide (programmatic) permit program <-->
- Expand use of administrative permits to cover more habitat projects <-->
- Revamp pre-application process <-->
- Explore opportunities to expand upon the BRRIT model
- Launch online "one stop shop" permit application platform
- Simplify rules for major and administrative permit process
- Integrate Agile into permit application review
- Implement joint efforts to coordinate permit review with regulatory partners



✓ Complete <--> Started