



**U.S. DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**Office for Coastal Management**  
Silver Spring Metro Center, Building 4  
1305 East-West Highway  
Silver Spring, Maryland 20910

June 26, 2020

Mr. Larry Goldzband  
California Coastal Management Program  
San Francisco Bay Conservation and Development Commission  
375 Beale St., Ste. 510  
San Francisco, CA, 94105

Dear Mr. Goldzband

Thank you for the San Francisco Bay Conservation and Development Commission's (BCDC's) April 13, 2020,<sup>1</sup> request for approval of changes to the Findings and Policies of the San Francisco Bay Plan pursuant to the National Oceanic and Atmospheric Administration (NOAA) Coastal Zone Management Act (CZMA) regulations at 15 CFR part 923, subpart H.<sup>2</sup>

NOAA's Office for Coastal Management approves the incorporation of the changes as part of the federally approved San Francisco Bay segment of the California Coastal Management Program subject to the qualification below.

NOAA's regulations require that the state post a public notice of the Office for Coastal Management's decision.<sup>3</sup> The public notice should state that as of the date of this decision letter the revised and new enforceable policies shall apply to federal consistency reviews under the CZMA and its implementing regulations found at 15 CFR part 930.<sup>4</sup> Please include in the public notice the list of changes provided in this letter, and send a copy of the public notice to the Office for Coastal Management for our records to close out this file.

### **CHANGES APPROVED**

See the attached Table of Approved Changes (BCDC-2020-3).

### **QUALIFICATION**

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<sup>1</sup> In accordance with CZMA § 306(e), a decision on the request was originally due on May 13, 2020, subject to extension. The Office for Coastal Management extended its review of this program change approval request to June 26, 2020.

<sup>2</sup> This program change request was submitted under the revised CZMA program change regulations at 15 CFR part 923, subpart H (84 Federal Register (FR) 38118 (Aug. 6, 2019)).

<sup>3</sup> 15 CFR § 923.81(e)(5); 84 FR 38118, 38133 (Aug. 6, 2019).

<sup>4</sup> 15 CFR § 923.81(f); 84 FR 38118, 38133 (Aug. 6, 2019).

As a standard qualification applying to all program changes, states may not incorporate enforceable policies by reference. If an approved enforceable policy refers to another statute, regulation, policy, standard, guidance, or other such requirement or document, the referenced policy itself must be submitted to and approved by the Office for Coastal Management as an enforceable policy in order to be applied under the federal consistency review provisions of the CZMA. No referenced policy may be applied for federal consistency unless that policy has been separately reviewed and approved as an enforceable policy by the Office for Coastal Management.

**PUBLIC AND FEDERAL AGENCY COMMENTS**

The Office for Coastal Management received no comments on this submission.

Thank you for your cooperation in this review. Please contact Sarah van der Schalie at 510-637-3794, if you have any questions. For future correspondence regarding these program changes, please refer to the file number assigned to this action, BCDC-2020-3.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joelle Gore', written in a cursive style.

Joelle Gore, Chief  
Stewardship Division

Attachment: Table of Approved Changes (BCDC-2020-3)

California (BCDC) CZM CHANGE REQUEST TABLE (BCDC 2020 3 approved June 26, 2020)

Legal citation	Title of policy, section, or other descriptor	Is the change new, revised, or deleted	Date effective in state	Enforceable policy	Enforceable mechanism citation
San Francisco Bay Plan (developed pursuant to the McAteer-Petris Act), Part V – The Plan Maps; Plan Map 5 Central Bay	<b>Bay Plan Map 5:</b> This map was modified by removing the Waterfront Park, Beach Priority Use Area designation from 17.84 acres outside of the Commission’s jurisdiction and 0.06 acres in the Commission’s shoreline band jurisdiction, while retaining the designation on 11.6 acres within and outside the Commission’s jurisdiction at a project site at India Basin.	Revised	04/04/2020	Yes	BCDC Permit Program: California Government Code Section 66632, and BCDC Enforcement Program: California Government Code Section 66637 through 66642 et seq
San Francisco Waterfront Special Area Plan (developed pursuant to the McAteer-Petris Act), Plan Maps, Special Area Plan Map 7	<b>San Francisco Waterfront Special Area Plan Map 7:</b> This map was modified by removing the Waterfront Park, Beach Priority Use Area designation from 17.84 acres outside of the Commission’s jurisdiction and 0.06 acres in the Commission’s shoreline band jurisdiction, while retaining the designation on 11.6 acres within and outside the Commission’s jurisdiction at a project site at India Basin.	Revised	04/04/2020	Yes	BCDC Permit Program: California Government Code Section 66632, and BCDC Enforcement Program: California Government Code Section 66637 through 66642 et seq.