

San Francisco Bay Conservation and Development Commission

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TO: Commissioners and Alternates

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SUBJECT: Request for Authorization for an Interagency Flooding and Sea Level Rise and Memorandum of Understanding
(For Commission consideration on May 16, 2024)

Summary

Staff recommends that the Commission authorize the Executive Director to enter into a Memorandum of Understanding (MOU) among BCDC and the member agencies of the Bay Area Regional Collaborative (BARC) to coordinate efforts to address the threats of flooding and sea level rise in the San Francisco Bay Area.

Background

The accelerating rate of global sea level rise calls for urgent, coordinated, and regionwide actions to actively plan for and implement adaptation strategies to address the inevitable, far-reaching economic, environmental, and social impacts of flooding and sea level rise in the San Francisco Bay Area. Recent studies show strong evidence that the cost of doing nothing to prepare for the impacts of sea level rise exceeds the costs associated with adapting to them by 4 to 10 times.¹ While sea level rise will impact the entire California coast, two-thirds of the economic damage in California caused by rising sea levels absent adequate adaptation measures will occur in the San Francisco Bay Area.² A 2023 joint report by BCDC and MTC/ABAG estimates that the Bay Area alone will require approximately \$110 billion worth of new flood protection and adaptation actions to adequately defend shoreline infrastructure and communities from a worst-case sea level rise and storm surge scenario by 2050.³ While this number is large, it pales in comparison to the over \$230 billion in partial estimated damages over the same time frame. Addressing the impacts of sea level rise, therefore, is not a question of if, but when, how, and at what cost. Because the threat of sea level rise is regional in nature,

¹ Moser SC, MA Davidson, P Kirshen, P Mulvaney, JF Murley, JE Neumann, L Petes, D Reed (2014). Chapter 25: Coastal Zone Development and Ecosystems. In: Climate Change Impacts in the United States: The Third National Climate Assessment.

² Barnard, P.L., Erikson, L.H., Foxgrover, A.C. *et al.* (2019) Dynamic flood modeling essential to assess the coastal impacts of climate change. *Sci Rep* **9**, 4309.

³ MTC/ABAG and BCDC (2023). *San Francisco Bay Area Sea Level Rise Adaptation Funding and Investment Framework*. [Sea Level Rise Adaptation Funding & Investment Framework | Metropolitan Transportation Commission \(ca.gov\)](#)



requiring a range of interventions to be implemented, there is not one agency that is solely responsible for managing the threat. In order to avoid near and long-term impacts, San Francisco Bay's shoreline communities must implement the appropriate local adaptation strategies working within a supportive and connected regional context.

Over the past nine months, leaders from the Bay Area Regional Collaborative (BARC) developed a draft Interagency Sea Level Rise Memorandum of Understanding (MOU; see Attachment A). The purpose of the MOU is to align efforts, expertise, and core functions across the member agencies to support the delivery of priority, multi-benefit, flood risk management projects across the Bay Area. The objectives of the MOU are to accelerate project implementation, increase Bay Area's competitiveness for funding, establish interagency structures for coordination and project prioritization, support multi-jurisdictional partnerships, and support cities and counties expand their capacity to fund and implement adaptation projects.

BARC is a consortium of seven regional and regionally-oriented state agencies working together to address issues facing the San Francisco Bay Area. BARC member agencies include: the Association of Bay Area Governments (ABAG), also host of San Francisco Estuary Partnership (SFEP), the Bay Area Air Quality Management District (BAAQMD), the Metropolitan Transportation Commission (MTC), and the San Francisco Bay Conservation and Development Commission (BCDC). The California State Coastal Conservancy (SCC), the California Department of Transportation District 4 (Caltrans D4), and the California Regional Water Quality Control Board, San Francisco Bay Region (SF Bay Water Board) are non-voting members.

The MOU includes objectives, principles of agreement, and essential functions and activities needed to help address the threats of flooding and sea level rise. For each activity, it identifies the agencies best positioned to serve as the lead(s) and how activities will be coordinated. The five topic areas are:

I. **Planning: Preparing for Sea Level Rise and Flooding Risks**

This section focuses on establishing plans, policies, and project priorities to foster an enabling environment for wide-scale advancement of equitable, multi-benefit climate adaptation projects. It includes the development of a Regional Shoreline Adaptation Plan vision and local planning guidelines by BCDC, per SB 272 (Laird 2023), and the development of a Sea Level Rise Funding and Investment Strategy by BCDC and MTC/ABAG, to be included in Plan Bay Area.

II. **Fund Management: Securing and Awarding Federal, State, and Regional Funding**

This section describes how the agencies will collaborate on efforts to seek, secure, and distribute funding to support the delivery of adaptation projects. It identifies SCC as the lead for funding proposals to federal agencies; SCC, with BARC, to track and coordinate funding proposals; roles for SFEP, MTC, ABAG, and Caltrans to raise, align and distribute funding; and coordinated legislative advocacy.

III. Technical Assistance: Supporting Project Development & Delivery

This section describes the development of a collaborative Regional Technical Assistance (TA) Program that augments the capacity of local governments, special districts, and local organizations, pending sufficient funding.

IV. Regulatory Alignment: Permitting for Climate Adaptation

This section re-commits the agencies to work together and with the regulated community to continually improve the permitting process to facilitate multi-benefit, climate adaptation project delivery while maintaining important environmental and other public goods, such as public access.

V. Structures for Collaborative Decision-Making

This section describes the processes and forums in which the agencies will identify and determine a course of action and activities. The MOU does not supersede any authorities or jurisdictions of individual agencies.

The MOU expands on the Bay Adapt *Joint Platform*. Adopted by BCDC in 2021, the Joint Platform is a regional strategy for how to adapt faster, better, and more equitably to a rising San Francisco Bay. It was created through an inclusive, consensus-driven process and endorsed by over 55 cities, counties and agencies, including the parties of this MOU. The MOU builds upon the Bay Adapt Guiding Principles and implements numerous actions contained in the Joint Platform, specifically:

- Task 1.1: Create a long-term regional vision rooted in communities, bay habitats, and the economy.
- Task 1.2: Lay the foundation for a proactive regional legislative agenda.
- Task 2.1: Improve how communities and public agencies learn from each other and work together.
- Task 4.2: Make scientific data, information, and guidance easier to use.
- Task 5.1: Provide incentives for robust, coordinated adaptation plans.
- Task 5.2: Align state-mandated planning processes around adaptation.
- Task 6.2: Establish a framework for funding plans and projects.
- Task 6.3: Help cities and counties expand ways to fund adaptation planning and projects.
- Task 7.1: Accelerate permitting for equitable, multi-benefit projects.
- Task 7.2: Assess environmental regulations and policies that slow down progress on projects.
- Task 8.1: Incentivize projects that meet regional guidelines.
- Task 8.2: Encourage collaboration among people doing projects in the same places.
- Task 8.3: Facilitate faster construction of nature-based projects.

Additionally, the MOU aligns with and advances BCDC's 2023-2025 Strategic Plan, specifically:

- Goal 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.
- Goal 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.
- Goal 3: Implement equity initiatives and practices throughout BCDC's policies, programs, and processes.

Staff Recommendation

Staff recommends that the Commission authorize the Executive Director to enter into a Memorandum of Understanding among the San Francisco Bay Conservation and Development Commission (BCDC) and the Association of Bay Area Governments (ABAG), also host of San Francisco Estuary Partnership (SFEP); the Bay Area Air Quality Management District (BAAQMD); the Bay Area Regional Collaborative (BARC); the California State Coastal Conservancy (The Conservancy); the California Department of Transportation District 4 (Caltrans D4); the Metropolitan Transportation Commission (MTC); and the California Regional Water Quality Control Board, San Francisco Bay Region (SF Bay Water Board) to coordinate efforts to address the threats of flooding and sea level rise in the San Francisco Bay Area.