San Francisco Bay Conservation and Development Commission
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October 3, 2025

Application Summary

Eden Landing Levee Maintenance Material Amendment

(For Commission consideration on October 16, 2025)

Permit Application Number:	2003.007.07
Applicant:	California Department of Fish and Wildlife
Project Description:	Amend BCDC Permit No. 2003.007.06, which currently authorizes operations and maintenance activities within the Eden Landing Ecological Reserve (ELER), for authorization to place and maintain an additional up to 50,000 square feet of fill material, including soil and riprap, in the Bay to protect and maintain existing Bayfront levees throughout the ELER.
Location:	In the Bay, within the Eden Landing Ecological Reserve, in the City of Hayward, Alameda County.
Application Filed Complete:	September 19, 2025
Deadline for Commission Action:	December 18, 2025
Staff Contact:	Schuyler Olsson (415/352-3668; schuyler.olsson@bcdc.ca.gov)

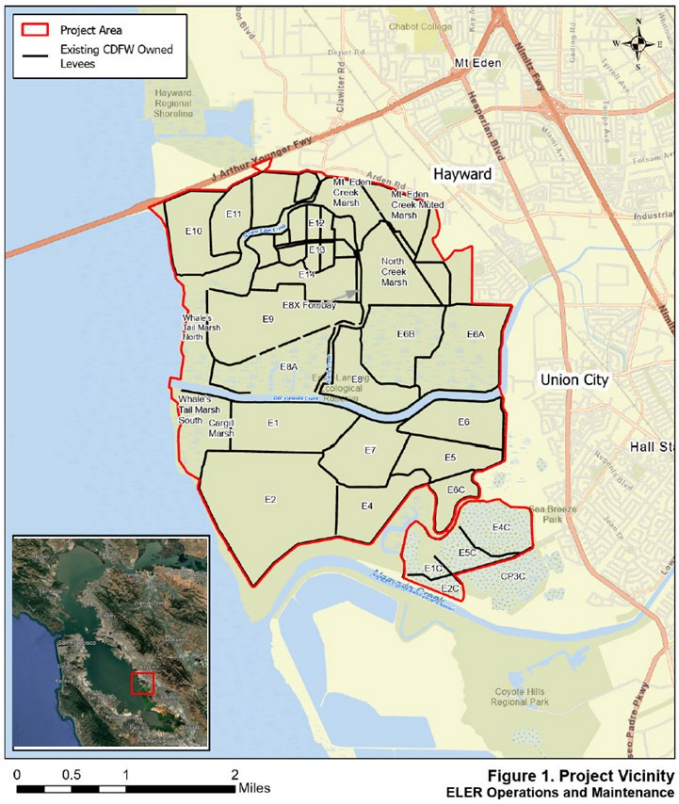

Figure 1. The project site is the Eden Landing Ecological Reserve in Hayward, CA. Figure provided by project team.

Project Overview

Permit History and Project Description

The permit applicant, California Department of Fish and Wildlife (CDFW), has applied for a material amendment to BCDC Permit No. 2003.007.06, which currently authorizes operations and maintenance activities, including levee maintenance, within the Eden Landing Ecological Reserve (ELER) in the City of Hayward, Alameda County. The applicant has requested authorization to place an additional up to 50,000 square feet of fill material, including soil and riprap, in the Bay to repair, protect, and maintain existing Bayfront levees throughout the ELER.

Permit History

The existing permit was originally issued to CDFW on April 28, 2004, and authorized the South Bay Salt Ponds Initial Stewardship Plan (ISP) at Eden Landing, after CDFW acquired the site from the previous landowner, Cargill, Inc. The ISP involved operations and maintenance activities and other activities within former salt ponds to prepare the ponds for large scale tidal restoration. Material Amendment No. One (issued on October 2, 2008), then authorized Phase One of the South Bay Salt Pond Restoration Project at Eden Landing, which included restoring approximately 630 acres of tidal wetlands, reconfiguring approximately 230 acres of managed ponds, constructing public access trails and amenities, and conducting on-going operations and maintenance of existing site features.

Amendment No. Two (issued on September 20, 2010) authorized placement of dredged material to fill borrow ditches, raise pond bottoms, raise or construct internal berms and levees, and create upland habitat. Amendment No. Three (issued on December 18, 2020) authorized a time extension for ongoing maintenance activities authorized in previous amendments. Amendment No. Four (issued on March 23, 2021) authorized additional maintenance activities, and specified limits on fill quantities for levee maintenance separately in each of BCDC's Bay, Salt Pond, and 100-foot Shoreline Band jurisdictions. There is an incomplete BCDC permit application for Amendment No. Five, which would authorize the anticipated Phase Two of the South Bay Salt Ponds Restoration Project at Eden Landing. Amendment No. Six (issued on February 16, 2024) authorized a time extension through February 1, 2029, for various operations and maintenance activities, including levee maintenance.

The applicant has reached the limit of BCDC-authorized fill placement for levee maintenance within the Bay jurisdiction only as authorized under Amendment No. Four, and has applied for authorization for additional fill placement for levee maintenance within the Bay, as described below.

Proposed Project

The work associated with Material Amendment No. Seven would involve placing up to 50,000 square feet (9,550 cubic yards) of additional fill material within the Bay, including soil and riprap, along approximately 2,000 linear feet of shoreline, to repair, protect, and maintain existing Bayfront levees throughout the ELER.

The existing levees that would be subject to repair are historic salt pond berms that were not designed to modern engineering or flood protection standards and require periodic maintenance and recontouring to raise low spots, fill in eroded side slopes, and bring the levees back to consistent elevations. The levees subject to repair are in poor condition due to exposure

to wind fetch and wave run-up, settlement over time, and impacts from storms. The permittee has identified two initial priority levee locations that currently require repair.

Approximately 37,000 square feet (7,100 cubic yards) of soil and riprap would be required to repair the Pond E2 Bayfront Levee located at the southwestern portion of ELER. The Pond E2 Bayfront Levee separates and protects approximately 1,400 acres of managed ponds from San Francisco Bay (Ponds E1, E2, E4, and E7, collectively referred to as the "Bay Ponds"). The Bay Ponds consist of shallow perennially ponded water that provides foraging and roosting habitat for shorebirds, migratory waterfowl, and other waterbirds. The Bay Ponds would be restored to tidal habitat in the future as part of a separate project, the anticipated Phase Two of the South Bay Salt Pond Restoration Project at Eden Landing. Once the Bay Ponds are restored, the Pond E2 Bayfront Levee would be mostly left in place to protect the Bay Ponds as interior elevations rise and the ponds transition from tidal flats to tidal marsh due to passive accretion of sediment. In addition to habitat protection, the Pond E2 Bayfront Levee also provides de facto flood risk protection for the communities of Union City and Hayward located east of ELER.

In addition, approximately 7,200 square feet (1,250) cubic yards of soil would be placed to repair a recently breached levee in the northeastern portion of ELER. This levee is located along the eastern boundary of North Creek Marsh (restored in 2006), adjacent to a small unnamed pond near the Mt. Eden Creek Muted Marsh (North Creek Marsh Levee). A segment of the East Bay Dischargers Association (EBDA) regional effluent pipeline runs through this unnamed pond. The North Creek Marsh Levee requires repair to continue providing protection for the unnamed pond and the EBDA pipeline located within.

The remaining approximately 5,800 square feet (1,200 cubic yards) of soil and riprap would be placed as needed along other exterior levee slopes that are showing signs of accelerated erosion and are at risk of failure in the near future. Some of these levee repair areas may overlap with areas of existing public access required under the existing permit.

Levee maintenance would include placement of fill material in the minimum amount necessary to repair and protect existing levees. The actions would explicitly exclude raising or expanding the levees beyond their historic levels. Fill material would be placed to maintain the outboard levees of ponds that do not have outboard tidal marsh habitats and that are likely to be restored to tidal circulation in the future.

Bay Fill

The activities would involve placement of up to 50,000 square feet (9,550 cubic yards) of additional fill material in the Bay for maintenance of existing levees. The applicant would employ numerous avoidance and minimization measures to reduce the impacts to Bay resources from the activities and associated fill elements.

Public Access

The proposed work would not include new public access, would not include any activities that would result in permanent adverse impacts to existing public access or views of the Bay, and would not generate demand for new public access. Certain levee repairs may occasionally result in temporary public access closures or detours, but these instances are expected to be infrequent and limited in duration. The applicant would submit a Public Access Closure and

Detour Plan for BCDC review and approval prior to conducting any work that would temporarily adversely impact public access areas, to ensure the temporary impacts are avoided and minimized. The proposed work would not involve a substantial change of use (i.e., the project is a continuation of existing maintenance activities), would not involve new development impacting existing shoreline access, and would not involve activities that would generate demand for new public access.

Flooding and Sea Level Rise

The proposed work would involve repairing existing levees within their historic footprints and to their historic elevations and would exclude raising levees or expanding levees beyond historic levels. Repairing the levees will provide protection for existing tidal restoration areas, and support the restoration of future areas as part of the anticipated Phase Two of the South Bay Salt Pond Restoration Project at Eden Landing, which is expected to provide flood protection and sea level rise resilience benefits for adjacent communities.

Environmental Justice and Social Equity

The proposed work is a continuation of operations and maintenance activities linked to Phase One of the South Bay Salt Pond Restoration Project, authorized via Material Amendment No. One to the original permit. Planning for Phase One included over four years of extensive community engagement, including over 40 meetings, workshops, and charettes with the public, agency representatives, and stakeholders, that informed the Phase One overall restoration plan. The applicant is currently conducting additional community outreach to inform design of Phase Two of the South Bay Salt Pond Restoration Project at Eden Landing, the next phase of restoration in the project area.

Schedule and Cost

Construction could begin as early as 2025 and would continue through approximately 2029. The estimated total project cost is approximately $1.6 million.

Issues Raised

The staff believes the primary issues raised by the Project are:

(1) Whether it is consistent with the Commission's fill policies, including those related to water quality, natural resources, and shoreline protection.

Applicable Policies

The following laws and policies are applicable in the Commission's review of the proposed project:

- McAteer-Petris Act: Sections 66602 (Water-Oriented Land Uses and Public Access), 66605 (Allowable Bay Fill), and 66632.4 (Maximum Feasible Public Access); and
- San Francisco Bay Plan policies on: Fish, Other Aquatic Organisms, and Wildlife; Public Access; Safety of Fills; Shoreline Protection; Tidal Marshes and Tidal Flats; and Water Quality.