

San Francisco Bay Conservation and Development Commission

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TO: Commissioners and Alternates

FROM: Lawrence J. Goldzband, Executive Director (415-352-3653; larry.goldzband@bcdc.ca.gov)
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SUBJECT: Staff Report and Recommendation on a Contract with Environmental Science Associates to Provide Technical Consulting Services to Modernize and Expand BCDC's Regionwide Permit Program and Study Programmatic Approaches for Habitat Restoration and Multi-benefit Shoreline Protection Projects
(For Commission consideration on June 18, 2026)

Summary

BCDC is undertaking a project to modernize and expand its existing regionwide permit program, which has not been comprehensively updated in many years, and to study programmatic permitting approaches for larger-scale habitat restoration and shoreline resilience projects. Staff propose to enter into a \$251,844 contract with Environmental Science Associates (ESA), an environmental consulting firm with extensive experience in Bay Area permitting, regulatory strategy, and restoration project delivery, to accomplish this work. Staff further recommends that the Commission authorize the Executive Director to administratively amend the contract as necessary, including revising the amount or duration of the agreement, so long as the amendment does not change the contract amount by more than 30% or extend the contract duration by more than one year.

Staff Report

Background

Under the McAteer-Petris Act, a very broad range of activities proposed to be undertaken within BCDC's jurisdiction first require a permit from the Commission. Typically, such activities are authorized through major or administrative permits (or amendments to such permits), which require analysis of project impacts and policy conformance on a case-by-case basis. Beginning in the 1980s, the Commission determined that certain routine activities had little impact on Bay resources and created the regionwide permit program to authorize them in a streamlined fashion. Regionwide permits provide efficient permitting pathways for many categories of common, smaller-scale construction, reconstruction, replacement, repair, and maintenance projects, allowing eligible projects to receive authorization in significantly less time and at lower cost than individual permits. Per BCDC regulations, these permits are only intended for projects that would not substantially impact the environment or reduce public access to the Bay.



The existing regionwide permits have not been comprehensively updated in many years and many lack the present-day clarity and enforceability needed for project proponents to readily understand and comply with their requirements. At the same time, as the region begins implementing the Regional Shoreline Adaptation Plan (RSAP) and local governments develop Subregional Shoreline Adaptation Plans pursuant to Senate Bill 272 (Laird, 2023), demand for efficient permitting pathways for a broader range of project types will only grow. This project will position BCDC to meet that demand with respect to projects that would not be expected to have any substantial impact on Bay resources.

Modernizing and Expanding the RWP Program

One component of this project is for BCDC staff to redraft and for the Commission to readopt BCDC's existing regionwide permits to improve their usability, consistency, and enforceability. In addition, BCDC is seeking to expand the regionwide permit program beyond its historical focus on small-scale gray infrastructure to cover a broader range of activities well-suited for streamlined permitting. Priority areas include green infrastructure and nature-based projects, such as small-scale habitat restoration and enhancement, living shoreline elements, and placement of scientific instrumentation in the Bay. The project will also identify other routine, small-scale activities where a standardized permitting approach can reduce timelines and costs without compromising environmental protection.

For larger-scale habitat restoration, creation, and enhancement projects, or multi-benefit shoreline resilience projects that may be too large or complex to fit within the regionwide permit program, BCDC is also exploring more expeditious, programmatic permitting options. This contract includes scope items to study a programmatic permitting approach for those larger-scale activities.

Scope of Work

The scope of work for this project is organized into five tasks:

Task 1: Comprehensively redraft for Commission readoption of the existing regionwide permits to improve usability, consistency, and enforceability, informed by a comparative review of best practices and permit conditions used by other agencies. (To be completed approximately Q4 2026.)

Task 2: Assess, prioritize, and develop new regionwide permits for common, high-value, small-scale project types currently lacking coverage under the program that are otherwise consistent with the intent and purpose of the regionwide permit program. (To be completed approximately Q4 2026.)

Task 3: Research and evaluate programmatic permitting approaches for larger-scale habitat restoration and multi-benefit shoreline protection projects, summarized in a memo with clear, actionable recommendations for Commission consideration. (To be completed approximately Q1 2027.)

Task 4: Conduct structured stakeholder, community, and agency engagement at key decision points throughout the project. (Concurrent with Tasks 1–3.)

Task 5: Provide project management, deliverable tracking, and Commission adoption support throughout the contract term. (Approximately July 2026 – March 2027.)

Selection Process and ESA's Qualifications

Staff issued a Request for Proposals (RFP) and underwent a competitive bidding process to hire a consultant to help execute this work. After accepting proposals that met the minimum qualifications set forth in the RFP, BCDC staff scored the proposals based on several criteria, including statement of project, description of qualifications, interview, samples of work, and cost. Based on BCDC staff's evaluation using the scoring criteria set forth in the RFP, ESA was the highest scoring bidder. ESA brings extensive experience in environmental permitting, developing programmatic frameworks, drafting permit conditions, and supporting permit adoption processes throughout the San Francisco Bay Area. Their team has a strong history of working with state, federal, and regional agencies, positioning them well to align permit requirements with those of other agencies, reduce redundancy, and improve clarity within BCDC's regionwide permit program.

ESA's in-house permitting team includes staff with direct prior experience at regulatory agencies, including former staff from BCDC, the California Coastal Commission, the U.S. Army Corps of Engineers (USACE), and the San Francisco Bay Regional Water Quality Control Board. This institutional experience informs ESA's ability to draft plain-language, robust permits that are internally consistent, useful to permittees, and structured to anticipate common compliance challenges.

ESA has direct experience preparing and implementing multiple Regional General Permits (RGPs) issued by USACE, providing practical insight into how BCDC permits integrate with USACE, San Francisco Bay Regional Water Quality Control Board, and California Department of Fish and Wildlife permitting pathways. ESA's project team has also been directly involved in the establishment of statewide and regional restoration programmatic authorizations, including the Statewide Restoration General Order (SRGO) issued by the State Water Resources Control Board, and National Marine Fisheries Service and United States Fish and Wildlife Service Restoration Programmatic Biological Opinions, and regularly applies these frameworks to streamline permitting for complex restoration efforts.

ESA has designed, entitled, and implemented numerous habitat restoration and shoreline resilience projects throughout the Bay, including the Oro Loma Horizontal Levee Living Laboratory, as well as Giant Marsh, Heron's Head Marsh, Tiscornia Marsh, McInnis Marsh, and the Hayward Regional Shoreline Adaptation Master Plan. ESA also served as strategic advisors in the development of BCDC's Regional Shoreline Adaptation Plan and is currently supporting four local governments (the Cities of Richmond, San Mateo, and Mill Valley, and Contra Costa County) in preparing Subregional Shoreline Adaptation Plans in close coordination with BCDC planning staff.

To supplement their in-house expertise, ESA has partnered with AECOM as a subcontractor. The proposed contract amount covers subcontractor costs. AECOM is a major infrastructure firm with more than 500 Bay Area-based employees and extensive experience engaging with BCDC across all permitting pathways, including Major, Administrative, Regional General,



Emergency, and Programmatic Permits. AECOM's relevant major Bay Area project experience includes the San Francisco-Oakland Bay Bridge, the South Bay Salt Pond Restoration Project, and the State Route 37 Sears Point to Mare Island Improvement and Flood Relief Project, among many others.

Staff Recommendation

Staff recommends that the Commission authorize the Executive Director to enter into a \$251,844 contract, terminating March 2027, with Environmental Science Associates. Staff further recommends that the Commission authorize the Executive Director to administratively amend the contract as necessary, including revising the amount or duration of the agreement, so long as the amendment does not change the contract amount more than 30% or extend the contract duration by more than one year.