San Francisco Bay Conservation and Development Commission
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October 23, 2026

Staff Recommendation

San Francisco Marina Improvement and Remediation Project

(For Commission consideration on November 5, 2026)

Permit Application Number:	2025.006.00
Applicant(s):	San Francisco Recreation & Park Departments (SFRPD) and Pacific Gas and Electric Company (PG&E)
Project Description:	Remediate contaminated sediments, reconfigure and dredge a marina, and renovate a shoreline park.
Location:	In the Bay and within the 100-foot shoreline band, at the San Francisco Marina East and West Harbors, at Marina Green Drive in the City and County of San Francisco.
Application Filed Complete:	October 7, 2026
Deadline for Commission Action:	January 5, 2027
Staff Contact:	Rowan Yelton (415-352-3613; rowan.yelton@bcdc.ca.gov)
Staff Recommendation:	APPROVAL WITH CONDITIONS

Basis for Staff Recommendation

The staff recommends approval of the permit application subject to the conditions in the recommended resolution below. The project will consist of remediation of a contaminated area of the Bay, reconfiguration of docks and breakwaters at the marina, and renovation of a shoreline park at the San Francisco Marina East and West Harbors, at Marina Green Drive in the City and County of San Francisco. The proposed use is not in conflict with the waterfront park/beach Priority Use Areas established by the San Francisco Bay Plan for this area. Among other things, the recommended resolution includes special conditions to require:

- Public access improvements and future adaptation measures in response to flooding-related closures
- Compensatory mitigation for Bay fill
- Hydrological monitoring and water testing
- Submission of plans for remediation

The project itself will result in the placement of 0.321 acres of solid fill for shoreline protection and breakwaters, 0.007 acres of solid fill and 0.978 acres of floating and overwater fill for docks, gangways and breakwaters. The project will also remove 0.005 acres of solid fill (piles) and 1.109 acres of floating and overwater fill (docks and gangways).

Recommended Resolutions and Findings

The staff recommends the Commission adopt the following resolution:

I. Authorization

A. Authorized Project

Subject to the conditions stated below, the permittee(s) are granted permission to do the following in the Bay and within the 100-foot shoreline band, at the San Francisco Marina, also known as Gashouse Cove, 10 Marina Boulevard, in the City and County of San Francisco.

East Harbor Sediment Remediation:

In the Bay:

1. Install 200 temporary sheet piles entirely below the sediment surface around the deeper dredge (approximately 2,600 square feet [sf]) within the 7,000 sf interim remediation (IRM) area.

2. Install a temporary turbidity curtain around the remediation area, with 30 steel shell piles, each less than 24-inch-diameter, using vibratory driving.

3. Remove approximately 5,107 cubic yards (cy) of debris, such as pier pilings and remnants, rock and trash.

4. Dredge approximately 37,000 cy of contaminated sediments from approximately 322,000 square feet (sf) (7.4 acres). Dredge depth will be up to 3 feet (ft) below the anticipated future dredging depth, with a maximum depth of -30 ft Mean Lower Low Water (MLLW), which includes 1-foot of overdredge (Exhibit B).

5. Place approximately 33,000 cy of capping material in a 1.5-to-2.5-foot-thick layer over 343,700 sf (7.89 acres) of remediated areas. Cap materials would be sand or reused clean dredged material, potentially mixed with reactive amendments such as activated carbon or organoclay, and in some areas capped with small gravel or rock. Materials will be from a commercial source approved by the San Francisco Regional Water Quality Control Board and tested for geotechnical and chemical properties prior to placement.

East Harbor Marina Reconfiguration:

In the Bay:

6. Remove 28,500 sf (0.65 acres) of existing docks and 360 sf of gangways, which include the 4,600 sf fuel dock and gangway. Remove the overhead trolley hoist boat launch, 270 creosote-treated piles and 4 steel piles.

7. Dredge approximately 44,000 cy over 285,318 sf (6.55 acres) of the berthing area to -8 ft MLLW (with 2 ft overdredge) and the entrance channel to -10 feet MLLW (with 2 ft overdredge).

8. Install 32,000 sf of floating docks secured by 62, 18-inch-diameter octagonal concrete or HDPE sleeved steel guide piles and 38, 12-inch-diameter fiberglass or HDPE separator piles for double slips for up to 165 slips (30-35 ft length), and install three gated gangways totaling 1,200 sf. This includes a new gated 4,030-square-foot visitor dock with 13 slips (30 ft length with power and water connections) and 2,160-square-foot gated community dock float (including kayak launch, launch cubes and kayak rack), pump out, and 600 square foot gangway.

9. Construct a 180 linear foot (lf) concrete sheet pile extension to the existing breakwater consisting of approximately 45 precast concrete sheet piles (14-inch thick and 4-foot-wide) and approximately 18 concrete 18-inch octagonal batter piles and a 5.5-foot-wide cast-in-place concrete cap (total of 793 cy of fill). During construction, temporarily install 45, 14-inch steel pipe or H piles (total of 142 cy of fill).

10. Restore the existing 1,020 lf concrete sheet pile breakwater by removing delaminated above-water sections of the concrete cap and guardrails, and repair concrete. Construct 270 lf of a 5.5-foot-wide public walkway on the breakwater with up to 1 widened viewing area, increasing the public access area by 1,560 sf.

11. Install a floating barrier with four helical anchors between the visitor dock and Fort Mason to discourage large vessels from entering the shallow water basin. The barrier will be designed with 20-foot-wide entry points on either end of the barrier for small craft navigation.

12. Establish an approximately 5.7-acre Shallow Water Recreation Basin (SWRB) in the south section of the harbor, with a designed depth of -4 ft MLLW.

Within the Shoreline Band:

13. Remove two buried fuel tanks.

East Harbor Shoreline Stabilization and Shoreline Band Improvements

Partially in the Bay, and Partially Within the Shoreline Band:

14. Remove 4,298 cy of existing rock and concrete debris from the Bay and 3,177 cy of rock and concrete debris from the shoreline band.

15. Reconstruct 1,700 feet of the shoreline by placing 6,200 cy of rock (5,738 cy in the Bay) at a maximum 2:1 slope over a permeable reactive barrier, resulting in 0.31 acres of Bay fill.

16. Install 40 tidepool units amongst the riprap in the Bay in intertidal waters.

17. Extend seven existing outfalls up to 12 lf (average 7 lf), with no increase in diameter.

18. Install a 1,525 sf tidal garden between Mean High Water (MHW) and High Tide Line (HTL).

Within the Shoreline Band:

19. Narrow the parking lot drive adjacent to the East Harbor shoreline and install a new 4,470 sf nature-based play zone, 200 sf tide pool overlook, a 5,000 sf marina grove plaza, 390 sf basin-view terrace, and furnishings such as benches.

20. Realign and repair the Bay Trail within the waterfront park by creating a meandering alignment, increasing Bay Trail length by 696 lf to 1,460 lf and its width to approximately 12 ft.

21. Install 9,800 sf coastal gardens and required irrigation infrastructure along Bay Trail.

22. Install required stormwater management infrastructure along western edge of shallow water basin and southern edge of the East Harbor marina.

23. Install accessibility enhancements including new accessible parking stalls and additional shoreline entry points along the Bay Trail and at the Community Dock.

West Harbor Marina Reconfiguration:

In the Bay:

24. Remove a 236 sf section of floating dock and potable water pipe. Replace a section of aluminum float with a new concrete float to maintain access to 12 slips.

25. Construct a 225 lf extension to the breakwater consisting of 56 precast concrete sheet piles (14-inch thick and 4 feet wide), and approximately 21, 24-inch precast concrete octagonal batter piles, and a 5.5 ft wide cast-in-place concrete cap.

26. Install 4,920 sf of floating docks (20 slips) and 12, 18-inch octagonal concrete or HDPE sleeved steel guide piles, and 10, 12-inch-diameter fiberglass or HDPE separator piles, and replace a section of aluminum dock with a concrete dock.

B. Permit Application Date

This authority is generally pursuant to and limited by the application dated December 22, 2025, including all accompanying and subsequently submitted correspondence and exhibits, subject to the modifications required by conditions herein.

C. Deadlines for Commencing and Completing Authorized Work

Work authorized herein must commence prior to December 31, 2027, or this permit will lapse and become null and void. Once commenced, all work authorized by this permit must be diligently pursued to completion by December 31, 2029, unless an extension of time is granted by amendment of the permit.

D. Project Summary

This project includes the remediation of sediment contaminated with polycyclic aromatic hydrocarbons (PAHs) and non-aqueous phase liquid (NAPL) in the Bay through dredging and capping, the reconfiguration of marina docks and creation of a shallow water area within the marina for small boat recreation, the lengthening of breakwaters around the marina, the replacement of riprap shoreline, and the renovation of a shoreline park.

1. Bay Fill

   The replacement of the riprap on the shoreline of the East Harbor and the breakwater extension outside the harbors will result in the placement of 0.321 acres of new solid fill in the Bay. The installation of docks and gangways will result in approximately 0.007 acres of new solid fill (piles), and 0.978 acres of new floating and cantilevered fill.

   To cap the remediated areas, the permittees will place a 1.5-to-2.5-foot-thick layer of capping material over 7.89 acres of subtidal bay. The capped areas would remain subtidal.

2. Public Access

   The project will improve public access to the Bay by installing a “community dock” for the launching of small boats (i.e. kayaks, paddleboards) and a “visitor dock” for secure, temporary, reserved mooring; by widening and improving the Bay Trail around the East Harbor; reopening a public walkway and fishing pier on the East

Harbor breakwater; and park improvements in the Shoreline Band, including a nature exploration area, the Marina Grove Plaza, and seating, landscaping and signage along the shoreline.

II. Special Conditions

The authorization made herein shall be subject to the following special conditions, in addition to the standard conditions in Part IV. A summary of deliverables (Compliance Tables) is included as Appendix A to this permit.

A. Specific Plans and Plan Review

1. Construction Documents

The development authorized herein shall be built generally in conformance with the plan sets, collectively referred to in this permit as "construction documents":

1. "EAST HARBOR AND OUTSIDE EAST HARBOR SEDIMENT REMEDIATION [90% design]" prepared by Haley & Aldrich dated June 2026.
2. "SAN FRANCISCO MARINA IMPROVEMENT AND REMEDIATION PROJECT [90% design]" prepared by Moffat & Nichol dated May 29, 2026.

The permittees are responsible for assuring that the construction documents accurately and fully reflect the terms and conditions of this permit and any legal instruments submitted pursuant to this authorization. No substantial changes shall be made to these documents without prior review and written approval by or on behalf of the Commission through plan review or a permit amendment.

2. Documents Review and Approval

No work whatsoever shall commence pursuant to this permit until final construction documents regarding authorized activities are approved in writing by or on behalf of the Commission. All documents are reviewed within 60 days of receipt. To save time, preliminary documents may be submitted prior to the submittal of final documents. If final construction document review is not completed by or on behalf of the Commission within the 60-day period, the permittees may carry out the project authorized herein in a manner substantially consistent with the plans referred to in Special Condition II.A.1 of this permit.

a. Document Details

Construction documents shall be labeled, as appropriate, with: the Mean High Water line or the upland extent of marsh vegetation no higher than +5 feet above Mean Sea Level and the tidal datum reference (NAVD88 or, if appropriate, Mean Lower Low Water (MLLW)); the corresponding 100-foot Shoreline Band; property lines; the location, types, and dimensions of materials, structures, and

project phases authorized herein; grading limits; and the boundaries of Public Access Areas and view corridor(s) required herein. Construction documents for shoreline protection projects must be dated and include the preparer's certification of project safety and contact information. No substantial changes shall be made to these documents without prior review and written approval by or on behalf of the Commission through plan review or a permit amendment.

b. Conformity with Final Approved Documents
All authorized development and uses shall conform to the final documents. Prior to use of the facilities authorized herein, the appropriate professional(s) of record shall certify in writing that the work covered by the authorization has been implemented in accordance with the approved criteria and in substantial conformance with the approved documents. No substantial changes shall be made to these documents without prior review and written approval by or on behalf of the Commission through plan review or a permit amendment.

c. Discrepancies between Approved Plans and Special Conditions
In case of a discrepancy between final approved documents and the special conditions of this permit or legal instruments, the special condition shall prevail.

d. Reconsideration of Plan Review
The permittees may request reconsideration of a plan review action taken pursuant to this special condition within 30 days of a plan review action by submitting a written request for reconsideration to the Commission's Executive Director. Following the Executive Director's receipt of such a request, the Executive Director shall respond to the permittee within 30 days with a determination on whether the plan review action in question shall remain unchanged or an additional review and/or action shall be performed by or on behalf of the Commission, including, but not limited to, an amendment to the permit and/or consultation with the Commission Design Review Board.

B. **Public Access**

1. Area
The approximately 32,000 sf East Harbor shoreline area as described in section II.B.2, the 5.7-acre shallow water recreation basin as generally shown on Exhibit A, and the 1,560 sf breakwater walkway shall be made available exclusively to the public for unrestricted access for walking, bicycling, sitting, viewing, picnicking, fishing, boating, and related purposes. Fishing within the marina is not permissible. The 2,760 sf community dock and gangway shall be made available exclusively to the public for access for sitting, viewing, boating, and related purposes during daytime hours. If the permittees wish to use the public access area for anything other than public access purposes, they must obtain prior written approval by or on behalf of the Commission.

The overall proposal for public access for this project includes:

- New public access in the shoreline band: 19,470 square feet.
- New public access in the Bay: 252,012 square feet.
- Existing public access to be improved: 17,666 square feet.

2. Public Access Improvements
Within one year of the completion of the remediation project, or by December 31, 2030, whichever date is earlier, the permittee shall install the following improvements, as generally shown on Exhibit A:

In the Bay:

- 240 lf, approximately 1,560 sf East Harbor breakwater walkway
- 2,160 sf gated community dock float (including kayak launch, launch cubes and kayak rack), and 600 square foot gangway
- An approximately 248,000 sf shallow water recreation basin

Within the Shoreline Band:

- 4,470 sf nature exploration terrace
- 5,000 sf Marina Grove and 390 sf tidal garden viewing area
- 9,800 sf coastal garden landscape areas
- 200 sf tide pool overlook
- 1,460 lf, 12.1 foot-wide Bay Trail between the East Harbor Breakwater and the Fort Mason Parking lot
- An appropriate amount of wayfinding and educational signage
- An appropriate number of furnishings and amenities to support public use of the space

All required public access shall be ADA accessible.

3. Public Parking
The SFRPD shall maintain 126 free public parking spaces and 1 loading stall for the community dock within the Shoreline Band around East Harbor. This Public Shore parking is exclusive of free parking elsewhere along the shore that is not modified by this project (e.g. near West Harbor). Should SFRPD determine that fee-based parking is required, SFRPD will engage in the City of San Francisco approval process which includes both Recreation and Park Commission and Board of Supervisors hearings and will notify BCDC with documentation of those public body approvals, dates of outreach and public hearings, rationale for the change, and rationale for why the

change would not result in inequitable public access opportunities. Conversion of any free parking required under this permit to paid parking will require an amendment to this permit prior to implementation.

4. Shallow Water Recreation Basin Water Safety
   The permittees will coordinate with the San Francisco Public Utilities Commission to incorporate the shallow water recreation basin into its existing recreational water quality advisory program to ensure the public receives timely notifications of combined sewer discharges in the area and the potential health risks associated with REC 2 activities during and after combined sewer discharges. Notifications shall include physical notices on the community dock gate and virtual notices on the SFPUC website.

5. Maintenance
   The areas and improvements listed in Special Condition II.B.2 shall be permanently maintained by and at the expense of the SFRPD or their assignees. Such maintenance shall include, but is not limited to, repairs to all circulation surfaces; replacement of any trees or other plant materials that die or become unkempt; repairs or replacement as needed of any public access amenities such as signs, benches, drinking fountains, trash containers and lights; periodic cleanup of litter and other materials deposited within the access areas; removal of any encroachments into the access areas; assuring that the public access signs and interpretive elements remain in place and legible; and repairs to any public access areas or improvements that are damaged by future subsidence or uneven settlement, flooding, or inundation caused by sea level rise. Within 30 days after notification by staff, the SFRPD shall correct any maintenance deficiency. The Executive Director may extend this deadline upon a finding that one is warranted, such as if there is a reasonable delay in completion of the maintenance task based on availability of necessary parts or contracting issues.

6. Reasonable Rules and Restrictions
   The SFRPD may impose reasonable rules and restrictions for the use of the public access areas to correct particular problems that may arise. Such limitations, rules, and restrictions shall have first been approved by or on behalf of the Commission upon a finding that the proposed rules would not significantly affect the public nature of the area, would not unduly interfere with reasonable public use of the public access areas, and would tend to correct a specific problem that the SFRPD has both identified and substantiated. Rules may include restricting hours of use and delineating appropriate behavior.

The community dock shall be open to the public between 6am and 10pm. The breakwater walkway shall be open to the public at all times except when conditions may pose imminent danger to the public.

7. Assignment
The rights, interests, and obligations contained in this permit are assignable in full or in part. This permit shall be assigned within thirty (30) days whenever: (a) the permittee transfers any interest in any real property on which an activity is authorized by a permit to occur; or (b) reassignment is necessary to achieve full compliance with one or more conditions of a permit. To assign this permit, the permittee-assignor and the assignee shall execute and submit for review and approval by Commission counsel a permit assignment document executed and dated by the assignor and assignee or their authorized representatives that contains all of the information specified in section 10830(a) of the Commission's regulations (14 C.C.R. § 10830(a)) and that also complies with sections 10830(b) or 10830(c), if applicable.

8. Construction in Existing Public Access Areas
When construction occurs within existing public access areas, SFRPD shall ensure that closures and impacts to public access areas are minimized and avoided. If construction activities will not impede the public's ability to use the public access area, no further action is required. If the construction activities necessitate a detour or temporary closure of a public access, the SFPRD shall establish a clearly marked and continuous detour rerouting the public around any portion of a public access pathway that may be occupied by construction. SFRPD shall post clearly marked signs at and near the construction site to notify the public of any temporarily closed public access areas, the length of time that the access path will be closed, and the location of the temporary detour. Prior to closures of public access areas, the SFRPD shall submit to BCDC a detour and public signage plan describing these measures for review and approval. Upon conclusion of construction activities and the removal of the encroachment, the public access area shall be restored to existing or improved conditions prior to the encroachment activities.

9. Special Event Use
The permittees may request authorization for occasional use of public access areas within the Commission's jurisdiction for special events through the plan review process established in Special Condition II.A.2. Authorization for such special events may be granted by or on behalf of the Commission upon finding that such events provide a public benefit and that appropriate measures are employed to ensure that primary pedestrian and bicycle circulation areas remain passable at all times. No event may be held within the minimum 12.1-foot-wide San Francisco Bay Trail.

C. **Flooding and Adaptation**

1. Flood Reports

   If any portion of the public access areas required by Special Condition II.B.1 is subject to flooding that necessitates closure of the public access in whole or in part, the SFRPD shall submit to the Commission a written report by June 30 of each year detailing the flooding event(s) resulting in closure(s) during the previous 12 months, with documentation of: the date and duration of the closure(s); the location of the affected site; the recorded water levels during the closure(s); the source of flooding (e.g., coastal flooding, stormwater backup, or overland flow); the resulting damage or cleanup; and illustrative photographs with site details.

2. Adaptation Planning Process

   At such time that Commission staff determine, through its review of annual summaries of public access closures, that adaptations or modifications to the site would be necessary to avoid prolonged closure of the public access area or interruption to the connectivity of the shoreline trail, Commission staff shall notify the SFRPD to initiate the development of a Sea Level Rise Adaptation Plan (Adaptation Plan). Then, within one year of the date of that notification, the permittee shall submit a draft Adaptation Plan consistent with Special Condition II.C.3 (“Adaptation Plan Requirements”) below, which should ensure the provision of shoreline access into the future given projected sea level rise for as long as the project objectives remain viable.

   The Adaptation Plan shall be submitted for review and approval by the Executive Director on behalf of the Commission through the plan review process established in Special Condition II.A.2. The Executive Director may extend this deadline at the request of the SFRPD upon finding that an extension is warranted. After the Plan has been approved by or on behalf of the Commission, the SFRPD shall diligently proceed to implement the measures described in the Plan to completion according to the implementation schedule outlined in the approved Plan.

3. Adaptation Plan Requirements

   The goal of the Adaptation Plan is to maintain maximum feasible public access, consistent with the project, and to ensure that the public access remains viable under future conditions with sea level rise. The public access area required in Special Condition II.B.1 shall be protected from coastal flooding through measures designed to maximize the size and usability of the public access areas. A reduction in the public access area may be allowed (i.e., some areas may be occasionally or regularly flooded) if the overall shoreline public access experience is enhanced through a redesign of the shoreline as determined by or on behalf of the Commission. Alternatively, the SFRPD may propose an alternative, equivalent public access area

or areas that provides maximum feasible public access, consistent with the project. The Adaptation Plan shall also include a timeline to implement the adaptation measures to ensure that the project continues to provide maximum feasible public access. The Adaptation Plan and schedule therein shall incorporate sea level rise and storm projections based on the best available science, and shall be consistent with Commission policies in effect at the time of submittal. Review and approval of the Adaptation Plan shall be conducted through the plan review process established in Special Condition II.A.2. The work required to implement the selected adaptation measures, as well as modifications to the public access required by this permit, may require additional Commission review and approval, including a BCDC permit or an amendment to this permit.

D. **Dredging and Remediation**

1. Dredging and Debris Removal Activities
   This permit authorizes debris removal and new work dredging only within the areas shown in Exhibit B, to the project depth and volume as follows:

   a. Remove approximately 5,107 cy of debris, such as pier pilings and remnants, rock, and trash from East Harbor.

   b. Dredge 37,000 cubic yards of contaminated sediments over 322,000 square feet (7.39 acres) consistent with the dredging plan (Exhibit B). Dredge depth will be up to 3 ft below the anticipated future dredging elevation, with a maximum depth of -30 ft MLLW in the Outside East Harbor area.

2. Remedial Action Plan
   The PG&E shall submit a final Remedial Action Plan to the Commission prior to construction, and conduct all remediation activities according to the plan.

3. Sediment Sampling and Analysis
   The PG&E shall comply with the "Sampling and Analysis Plan East Harbor and Outside East Harbor Dredged Material Evaluation San Francisco, California", dated September 23, 2026, prepared by Haley and Aldrich, and approved by the Dredge Material Management Office.

4. Dredge Operation Plan
   At least 30 days before the commencement of any dredging and/or disposal episode authorized herein, the PG&E shall submit to the Commission's Executive Director a Dredge Operation Plan containing:

   a. Dredging Plan and Methods
      Proposed dredging methods and avoidance and minimization measures. A signed bathymetric survey, completed approximately 60 days prior to start of dredge,

showing the location of all areas proposed to be dredged, the proposed volume and depth (including over-dredge depth based on MLLW) of sediment for beneficial reuse and sediment for landfill disposal, and the approximate date of project commencement. At least two weeks prior to any dredging episode, the PG&E shall notify the Commission staff of the commencement date by telephone or in writing. If the date of commencement changes, the PG&E shall provide an updated schedule as soon as it is available.

b. Placement
(1) the proposed disposal site(s) and quantity of sediment proposed for in-Bay placement and/or beneficial reuse, ocean disposal or landfill disposal, and dates of dredging; (2) if applicable, a discussion as to how the proposed placement volumes are consistent with in-Bay disposal allocations and the Long-Term Management Strategy (LTMS) program's goal to maximize beneficial reuse; (3) the results of chemical and biological testing of sediment proposed for disposal; and (4) an alternative disposal site analysis explaining feasible options to in-Bay disposal, if any.

5. Equipment
All dredging activities shall be conducted to minimize resuspension or loss of contaminated sediment. An environmental bucket shall be used while dredging contaminated sediment to minimize the release of sediment in the water column. In areas inaccessible to the environmental bucket, a diver-assisted hand-held suction dredge or walk-behind equipment shall be used and pumped directly into a scow or other containment equipment.

6. Suspended Sediment Containment
To reduce distribution of contaminated sediment, a turbidity curtain and absorbent booms shall be deployed around the remediation area prior to commencing dredging activities and shall remain in place until the filling and capping is complete.

7. Seasonal Limitations for Dredging
To protect listed, migratory, and commercially important fish species, including Chinook salmon and steelhead, dredging activities and placement of the turbidity curtain shall be limited to the work windows specified in Special Condition II.H.2.

8. Scow Decant Wate
No decant water shall be discharged from scows or other equipment during dredging, transport, or offloading of dredged sediment.

9. Capping
PG&E shall backfill the dredged areas and cap the areas shown on Exhibit B in the East Harbor Marina, Outside East Harbor and under the Fort Mason Pier 1 to isolate

any remaining contaminants from the Bay consistent with the Regional Water Quality Control Board (RWQCB), San Francisco Bay Region approved remediation plan where contaminated sediment is being managed in place.

10. Barge Overflow Sampling and Testing
    Results of any effluent water quality or other testing required by the California Regional Water Quality Control Board, San Francisco Bay Region shall be submitted in writing to Commission staff at the same time such testing is submitted to the Regional Board.

11. Post-Dredge and Cap Construction Completion Report
    The PG&E shall provide a copy of the post-dredge survey and cap construction completion report within 90 days of completion of dredging and capping operations for each site. The report shall contain the dates of dredging, figures of the dredge footprint, the calculated and final dredging volume, the sediment disposal location(s), and the volume of sediment disposed at each location. The report shall also contain as-built plans for each of the capped areas, as well as a post-cap-construction baseline bathymetric survey.

12. Post-Remediation Monitoring
    The PG&E shall monitor the remediation site after construction is completed to verify remedy effectiveness in terms of meeting the remedial action objectives (RAOs), permanence, and conditions warranting cap maintenance, repair, or any other adaptive measures. Monitoring methods shall be described in a Risk Management and Monitoring Plan (RMMP) that the PG&E shall submit to the Commission for review and approval prior to construction. If RMMP review is not completed by or on behalf of the Commission within 60 days, the PG&E may carry out the project authorized herein in a manner substantially consistent with the submitted RMMP. The RMMP shall include a detailed description of procedures to monitor the cap using periodic post-construction bathymetric surveys to verify the elevation and integrity of the cap; shall include an outline of potential issues and solutions to failed institutional controls; and shall detail measures for the long-term maintenance of the cap. The first survey shall be undertaken within 12 months of the completion of cap placement. Once the monitoring plan is approved, monitoring shall continue until such time that the monitoring indicates that the capped areas are stable as determined by or on behalf of the Commission. At such time, the PG&E shall request approval by or on behalf of the Commission to cease monitoring. The PG&E shall continue surveys until written approval to end monitoring is provided by or on behalf of the Commission.

    The PG&E shall submit annual reports on monitoring and cap maintenance no later than January 31st following each year that monitoring is required.

If bathymetric monitoring indicates that additional material is necessary to maintain the cap integrity the PG&E shall notify the Commission and provide the following information: plans indicating areas where the cap has eroded/consolidated, the volume and type of fill required to restore the cap, adaptive management measures, and the location where any additional fill is required. The PG&E shall request and obtain approval by or on behalf of the Commission for any necessary corrective actions, including potentially a permit amendment. Additional fill placement shall be conducted according to the conditions of this permit or future amendment to this permit.

E. **Marina Conditions**

1. Visitor Dock
   Access to the visitor dock shall be available to any member of the public using a reservation system.

2. Construction
   Construction standards for marina berths and associated facilities shall be at least equal to those established by the State Department of Boating and Waterways. All construction activity shall be performed to minimize turbidity and to prevent debris from drifting and presenting a pollution or navigation hazard.

3. Waste Discharge
   The discharge of any solid or liquid wastes, including oily bilge water, waste oil, or sewage into the Bay within the marina basin, shall be in accordance with federal and state regulations. This restriction shall not apply to the discharge of liquid wastes associated with the use of an automatic bilge pump.

4. Waste Facilities
   Prior to the use of any berth, the permittees shall install a suitable facility for receiving and disposing of oily wastes, and a facility for pumping out vessel holding tanks and receiving wastes from portable toilets. Such facilities shall be constructed to all applicable codes and standards, shall be connected to onshore waste treatment facilities, and shall be maintained by the permittees in a safe and sanitary manner. Such facilities shall be available to boaters every day of the week and any fees for the use of the facilities shall be limited in amount to cover the cost of the operation of the facilities.

5. Marine Toilets
   SFRPD shall require, through its berthing agreements and the Rules and Regulations that any vessel equipped with a marine toilet be operated and maintained so as to preclude the discharge of sewage or other wastes into Marina waters, including by use of an adequate holding tank, incinerator recirculation device, or other

equivalent device approved by applicable agencies, or by rendering the marine toilet inoperable while the vessel is berthed in the Marina.

Any violation of these waste-discharge requirements shall be addressed in accordance with the enforcement and berthing-license cancellation procedures established in the Marina Rules and Regulations. SFRPD shall submit to the Commission a copy of the applicable berthing agreement and Marina Rules and Regulations demonstrating incorporation of these requirements.

6. Enforcement Responsibility
   The permittees shall adequately enforce the requirements herein, and shall submit to the Commission the name, address, and telephone number of the person at the marina responsible for such enforcement.

7. Enforcement Alternatives
   The Commission reserves the right, in the event of repeated or serious problems with waste discharges in violation of the requirements herein or in the event of laboratory test results that indicate the presence of materials associated with waste discharges, to require that onshore sewer lines be provided for each berth or that the permittees remove or cause to be removed permanently from the marina any vessels from which wastes have been discharged.

F. Compensatory Mitigation

Within 9 months of commencement of in-water work, the permittees shall:

- Remove at least 0.323 acres of fill, consisting of debris, derelict vessel material, and/or abandoned structures, from Bay waters; and
- Protect and enhance 0.97 acres of tidal wetland and open water areas

at the PG&E-owned South Honker Bay site, as described in the "Compensatory Mitigation Plan San Francisco Marina Improvement and Remediation Project" (Mitigation Plan) prepared by Integral Consulting Inc., dated August 28, 2026. Prior to in-water construction of the authorized project, the permittees shall submit to the Commission an addendum to the Mitigation Plan containing information, figures, and photographs describing the objects planned for removal. If the permittees are unable to remove the required quantity of fill at the South Honker Bay Site, they shall identify alternative mitigation at three times the original ratio. The addendum and possible alternative mitigation plan shall be reviewed by the Commission through the plan review process established in Special Condition II.A.2.

Within one month of completion of the debris removal, the permittees shall submit to the Commission a post-removal report identifying the final quantity of debris removed, photographs or other verification of the removal, and any deviations from the approved plan.

G. Shoreline Protection Material, Placement, and Maintenance

Riprap material shall be either quarry rock or specially cast or carefully selected concrete pieces free of reinforcing steel and other extraneous material and conforming to quality requirements for specific gravity, absorption, and durability specified by the U. S. Army Corps of Engineers. The material shall be generally spheroid-shaped. The overall thickness of the slope protection shall be no more than three feet measured perpendicular to the slope. Use of dirt, small concrete rubble, concrete pieces with exposed rebar, large and odd shaped pieces of concrete, and asphalt concrete as riprap is prohibited. Riprap material shall be placed so that a permanent shoreline with a minimum amount of fill is established by means of an engineered slope not steeper than two (horizontal) to one (vertical) unless slope is keyed at the toe. The slope shall be created by the placement of a filter layer protected by riprap material of sufficient size to withstand wind and wave generated forces at the site. The riprap crest shall be at least 4.5 ft wide.

The shoreline protection improvements authorized herein shall be regularly maintained by and, at the expense of, the permittees, lessee, assignee or other successor in interest to the project. Maintenance shall include the collection of riprap material that becomes dislodged, the in-kind replacement of damaged or missing riprap material and associated filter fabric or other material, and the removal of debris on riprap. Within 30 days of notification by or on behalf of the Commission, the permittees or any successor in interest shall correct any identified maintenance deficiency.

H. Environmental Protection

The permittee shall take appropriate precautions to avoid adverse impacts to the longfin smelt, Chinook salmon, steelhead trout, Pacific herring, green sturgeon, harbor seals, California sea lions, humpback whale, and all other native species that may occur at the project site.

1. Modifications to Species Protections

No work inconsistent with these conditions II.H.2–12 may be conducted without the approval of the Executive Director, provided that such approval may only be issued after (1) consultation with the U.S. Fish and Wildlife Service and/or NOAA National Marine Fisheries Service, (2) consultation with California Department of Fish and Wildlife; and (3) the Executive Director has determined that the modifications do not pose any significant impacts to species materially different or in addition to those

already considered and conditioned for under this permit; and (4) are consistent with the ultimate permits/authorizations issued by NMFS, USFWS, and CDFW referenced in Special Conditions II.C.8-11 below. All documents are reviewed within 45 days of receipt.

2. In-Water Work Windows
All in-water work shall comply with the following work period restrictions:

Table 1. Work Windows for In-Water Activities.

In-Water Work Activity (Below HTL)	Time of Year that Activity May Occur
Installing protection for structures, establishing staging areas, and deploying navigation aids (using vibratory methods if pile installation required)	March 15 to November 30
Temporary turbidity curtain and breakwater installation piles and water quality control boom(s) installation	March 15 to November 30 (vibratory methods, all pile types), June 1 to November 30 (impact installation of wood or composite piles only)
Temporary Turbidity Curtain Installation/Maintenance	June 1 to November 30
Surface Debris Removal	June 1 to November 30
Dredging/Debris/RSP Removal	June 1 to November 30
Placement of cap/armor materials	March 15 to November 30
Removing, relocating, or replacing docks and/or piles	March 15 to November 30 (vibratory methods), June 1 to November 30 (impact methods). Attenuation only required for impact installation of steel piles (assuming authorized under the Marine Mammal Incidental Harassment Authorization).
Removing piles and installing piles to support turbidity control features as well as pile replacement using vibratory installation methods	March 15 to November 30

3. Pile Removal
All piles authorized for removal shall be fully removed unless infeasible. Piles that cannot be fully removed shall be cut, or otherwise removed, to below the deepest of the following: the final sediment surface elevation, below the maintenance dredge

depth (including overdredge allowance), below the bottom of the remedy cap, or below the permeable reactive barrier (PRB).

4. Pile Driving
   Vibratory pile installation is preferred, and impact driving shall only be used when other methods are infeasible. The permittee shall use a soft start procedure when commencing vibratory or impact pile driving. When an impact hammer is required for pile driving, the permittee shall use noise attenuation methods such as bubble curtains, cushion blocks and isolation casings as directed by NMFS and CDFW to minimize noise effects on fish.

5. Construction Operations and Debris Removal
   Best management practices shall be employed during construction to prevent construction materials from falling, washing or blowing into the water or tidal marshes. Floating debris barriers and absorbent booms shall be used to capture any construction debris and petroleum products that may be discharged into the environment. If such material escapes or is placed in an area subject to tidal action of the Bay, the permittee shall immediately retrieve and remove such material at its expense. Construction materials and debris shall be stored sufficiently far from the water and tidal marshes to assure that they will not accidentally end up in these habitats. After construction, all construction debris shall be removed to an authorized location outside the jurisdiction of the Commission. In the event that either soil or construction debris washes into the water or tidal marshes during construction, the permittee shall immediately retrieve and remove such material at its expense, and institute corrective measures to prevent future occurrences.

6. Creosote Treated Wood
   No pilings or other wood structures that have been pressure treated with creosote shall be installed in any area within the Commission's jurisdiction as part of the project authorized herein.

7. Temporary Construction Fill
   All temporary fill for construction and excavation shall be removed within three months of project completion, unless specific authorization is given by the Commission through further amendment to this permit.

8. U.S. Fish and Wildlife Service (USFWS) Consultation
   The permittee shall conduct all project activities in compliance with the "*Formal Consultation on the San Francisco Marina Improvement and Remediation Project, City of San Francisco, San Francisco County, California (U.S. Army Corps of Engineers File Number: SPN-2018-00401)*" issued by the USFWS on August 6, 2026. including all conservation measures and compensatory mitigation requirements.

9. National Marine Fisheries Service (NMFS) Consultation
   Prior to construction, the permittee shall submit a copy of the NMFS consultation to BCDC. The permittee shall conduct all project activities in compliance with the consultation.

10. California Department of Fish and Wildlife (CDFW)
    Once the Incidental Take Permit (ITP) is issued, prior to construction, the permittee shall submit a copy of the documents to the Commission. The permittee shall conduct all project activities in compliance with the ITP. No construction shall commence until the ITP is submitted to BCDC.

11. Water Quality Certification
    The permittee shall conduct all project activities in compliance with the "*CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION AND ORDER for: San Francisco Marina Improvement and Remediation Project, City and County of San Francisco*," dated October 7, 2026.

12. Marsh and Bay Habitat Protection During Construction
    The work authorized by this permit shall be performed in a manner that will prevent, avoid, or minimize to the extent possible any significant adverse impact on any tidal marsh, other sensitive wetland resources, and existing native upland vegetation. The permittee shall comply with all minimization and avoidance measures submitted as part of the application

13. Plant Pathogen Prevention
    The permittees shall prevent the introduction and spread of plant pathogens such as *Phythophthora sp.* to the site by implementing the sanitation protocol specified in the "Sanitation Measures to Minimize Pathogen Spread[1]" and sourcing of plants from nurseries in compliance with the "Guidelines to Minimize Phytophthora Pathogens in Restoration Nurseries"[2] prepared by the California Oak Mortality Task Force. Alternative protocols may be used if approved by the Executive Director on behalf of the Commission through the plan review process established in Special Condition II.A.2.

I. Proof of Property Interest

Prior to construction, the permittees shall submit the National Parks Service Special Use Permit confirming permission to remediate the submerged area labelled Fort Mason Military Reservation in Exhibit C and the Port of San Francisco License to Use the Property. The lease and permit shall be reviewed and approved by or on behalf of the

[1] https://www.suddenoakdeath.org/wp-content/uploads/2017/04/Professional-sanitation-guide_January-2013.pdf
[2] https://www.suddenoakdeath.org/wp-content/uploads/2023/12/Restoration.Nsy_.Guidelines.2021.pdf.

Commission. Work may commence at a particular project site once property interest documentation is submitted and approved for that site, but no work shall commence on any site that has not been approved. If BCDC staff do not respond to a submittal of property interest within 60 days, that submittal shall be considered approved. All documents shall be submitted by email to compliance@bcdc.ca.gov.

J. Post Construction Report

Within 45 days of project completion, the permittee shall submit a post construction report containing as-built information and photographs of the constructed project.

K. Notice to Contractor

The permittees shall provide a copy of this permit to any contractor or person working in concert with the permittees to carry out the activities authorized herein and shall point out the special conditions contained herein. Prior to commencing any grading, demolition, or construction, the general contractor or contractors in charge of that portion of the work shall submit written certification that they have reviewed and understands the requirements of the permit and the final BCDC-approved plans, particularly as they pertain to any public access or open space required herein, or environmentally sensitive areas. The certification form and instructions for completing it are located on BCDC's website under Permits/Forms, or may be obtained by emailing compliance@bcdc.ca.gov.

III. Findings

This authorization is given on the basis of the Commission's findings and declarations that the work authorized herein is consistent with the McAteer-Petris Act, the San Francisco Bay Plan (Bay Plan), the San Francisco Waterfront Special Area Plan (San Francisco Waterfront SAP), the California Environmental Quality Act (CEQA), and the Commission's amended coastal zone management program for San Francisco Bay for the following reasons:

A. Project Site, Existing Conditions, and Authorized Project

The San Francisco Marina includes West Harbor and East Harbor (also known as Gashouse Cove). Prior to the Marina's establishment, the PG&E's predecessor, the San Francisco Gas Light Company, owned and operated the North Beach Manufactured Gas Plant (MGP) near the East Harbor. Between 1963 and 1968, the Marina, which is now owned and operated by the SFRPD, was constructed. Since at least the 1990s, sampling has found that sediments in the East Harbor are contaminated with tar-like non-aqueous phase liquids (NAPL) and polycyclic aromatic hydrocarbons (PAH) resulting from past MGP operations. These contaminants adversely impact aquatic organisms, particularly those living in the sediment and humans, when contacting the water. The site currently operates as a public marina, including yacht clubs, emergency vessel berths, a fuel dock, and a public park. The primary purpose of the project is to

remediate the site of toxic contamination to prevent further ecological harm by removing a portion of the shallower contaminated sediments and establishing a barrier (either engineered cap or natural sediment) between the remaining contaminated sediments and the Bay water. Additionally, a permeable reactive barrier on the shoreline composed of reactive materials such as activated carbon or organoclay will be placed between geotextile materials on the shoreline to limit the potential groundwater discharge of dissolved PAHs into the Bay. The remediation planning and operation is overseen by the San Francisco Regional Water Quality Control Board.

The project also includes installation of new boat docks in West Harbor, partial reinstallation of boat docks and construction of a new breakwater in East Harbor, navigational dredging in East Harbor, conversion of the southern portion of East Harbor into an SWRB with a visitor dock and community dock for small boat launching, and improvements to the public park and parking lot on the shore.

B. Project Summary

East Harbor Sediment Remediation: The dredging of contaminated sediment and capping/isolation of remaining contaminated sediment from the Bay water in the northern part of East Harbor (see Exhibit B). The southern part of East Harbor will not be dredged, and instead converted into the SWRB with natural sedimentation cover capping deeper contaminated sediment. This will result in approximately 2,122 cubic yards of net fill (36,290 cy / 321,908 sf removal and 38,412 cy / 345,866 sf cap fill), and will improve water quality in the Bay for native aquatic organisms and human uses.

East Harbor Marina Reconfiguration: The removal of marina docks and fuel dock from East Harbor, construction of new docks and navigation dredging in the northern part of East Harbor, and establishment of a SWRB in the southern portion of East Harbor. This will result in the net placement of 3,740 sf of fill (docks, gangways, and breakwaters). In 2024, the permittees removed 17,650 sf of floating docks at this location under the authorization of 1974.010.08. This permit included Special Condition II.I, which held credit for the removal of the docks, gangways, and broken piles for future replacement of gangways and docks, at the same location, within the East Harbor Marina, or a similar use, acknowledging the necessity of remediation of the East Marina prior to dock reconstruction. As fewer docks will be constructed compared to the pre-2024 East Harbor, the project will reduce the area of Bay filled by docks and gangways by approximately 13,910 sf compared to the pre-2024 condition. Pre-2024, East Harbor had 344 slips. After the removal project in 2024, East Harbor had 128 slips as of August 2024. This project would result in a total of 158 slips at East Harbor.

The breakwater constructed at East Harbor is designed to reduce wind waves to improve boat navigation in the harbor, benefiting public boaters using the Marina. The breakwater will be constructed of sheet piles, minimizing fill. The community dock will

provide free public access to the Bay for launching of small boats. The visitor dock will provide 13 berths for short-term reservation for the public.

East Harbor Shoreline Stabilization and Shoreline Band Improvements: The placement of 6,200 cy of rock riprap over 0.31 acres of the Bay. The fill is designed to protect the shoreline of East Harbor from erosion into the Bay. Previous attempts to construct a revetment in this location have failed because of insufficient size, overly steep slopes, and inadequate engineering. This revetment has been designed with a wider crest and shallower slope, conforming to modern shoreline engineering standards, but necessitating the new Bay fill. To compensate for the loss of Bay waters, the permittees are required to remove at least 0.323 acres of artificial fill from the Bay (Special Condition II.F).

West Harbor Marina Reconfiguration: The construction of an approximately 1,240 sf breakwater and 4,920 sf of floating docks. The breakwater is designed to address a sand shoal that historically accumulates at West Harbor and is constructed of concrete sheetpiles and batter piles to minimize fill. The docks will replace docks that were recently removed because of the sand shoal. Prior to the removal of the docks for the sand shoal in 2017, West Harbor had 377 slips. After the dock removal, West Harbor had 347 slips. This project would result in a total of 356 slips at West Harbor.

C. Relevant Nearby Permits

1974.010.00, issued to the SFRPD on October 16, 1974, authorized construction of a 110 lf breakwater and related marina improvements at East Harbor. Significant amendments to this permit include:

1974.010.02, issued June 9, 1977, authorized modifications to the structures authorized in the original permit, the construction of new berths, and the replacement of existing berths.

1974.010.04, issued August 26, 2016, authorized placement of a reactive core mat to contain a localized petroleum seep/sheen in the sediment.

1974.010.05, issued July 14, 2017, authorized the placement of additional reactive materials to contain the sheen area.

1974.010.06, issued February 2, 2018, authorized a Remedial Repair Measure Corrective Action to address the sheen until a future planned remediation project.

1974.010.08, issued July 29, 2024, authorized the removal of 17,650 sf of floating docks at East Harbor. The permit states that credit for this removal would be held for a future renovation of marina docks and gangways at East Harbor.

M1977.075.00, issued to Gashouse Cove Marina, Inc., August 23, 1977, authorized construction of the fuel dock in East Harbor.

M2016.009.00, issued to Fort Mason Center for Arts and Culture on October 11, 2016, authorized conversion of a free parking lot into a paid parking lot, and required a 7,200-sf area along an approximately 500 lf section of shoreline at the project site's northern boundary adjacent to the Bay, and a 5,050 sf area within the project site's southeastern plaza area, as public access. The rights, duties, and obligations of the permit were assigned to the City and County of San Francisco after 2023.

2012.001.00, (and seven subsequent amendments) issued to the America's Cup Event Authority, the Port of San Francisco, and America's Cup Project Director for temporary infrastructure placed for the America's Cup sailing competition. The permit required a kayak launch be installed at West Harbor as public access.

D. Priority Use

Bay Plan Map 4 designates this portion of Bay as a waterfront park, beach priority use area. This project, the improvement of a marina, a water-related recreational facility, and a shoreline park, is consistent with these designations and with the Bay Plan policies on water-related recreation.

E. Bay Fill

1. Authorized Fill

The project involves the following fill in the Bay:

Solid Fill:

Riprap revetment: 0.31 acres along the shoreline of East Harbor

Piles: 0.007 acres in East and West Harbors

Breakwater: 0.011 acres in East and West Harbors

Floating and overwater fill:

Floating docks: 0.902 acres in East and West Harbors

Gangways: 0.032 acres in East and West Harbors

Submerged Fill:

Remediation sediment cap: 7.94 acres of in East Harbor

2. Consistency of Fill with the McAteer-Petris Act

Government Code Section 66605 of the McAteer-Petris Act provides that further filling of the Bay may be authorized by the Commission only when public benefits from fill clearly exceed public detriment from the loss of water areas, and is limited to water-oriented uses or minor fill for improving shoreline appearance or public access to the Bay. Additionally, fill in the Bay should be authorized only if: no

alternative upland location is available for such purpose; the water area authorized to be filled is the minimum necessary to achieve the purpose of the fill; harmful effects to the Bay and its waters are minimized; the fill is constructed in accordance with sound safety standards; the fill establishes, to the maximum extent feasible, a permanent shoreline; and the applicant has valid title to the property in question.

Public Benefits vs. Public Detriments. The fill will benefit the public by removing and containing contaminated sediments in the Bay, improving marina berths and hydrodynamic conditions, reducing sand shoaling in West Harbor, protecting the shoreline at East Harbor, and constructing a public access dock and shallow water basin for kayaks and similar hand-launched boats. Public detriments of the project are primarily temporary adverse impacts to the environment, as discussed below in section III.F.

Water-Oriented Use or Minor Fill for Improving Shoreline Appearance or Public Access. The fill includes marina-related infrastructure, capping of submerged contaminated sediments, and shoreline protection, which are inherently water-oriented uses. The fill associated with the community dock is minor (2,160 sf) and improves public access to the Bay for water recreation.

No Alternative Upland Location. The docks, gangways, breakwaters, and submerged cap can only be constructed in the Bay. The shoreline protection revetment at East Harbor extends into the Bay (0.31 acres). The revetment is larger than previous revetments at this site, which is required to stabilize the shoreline to improve public safety, and could not be built in an upland location due to the existence of on-shore infrastructure.

Minimum Fill Necessary. The marina docks and infrastructure is of a typical design and involves the minimum fill required to achieve the purposes of the marina. The breakwaters have been designed to protect the harbors with minimal fill, as they are constructed of sheet piles, with widened walkways cantilevered over the water.

Harmful Effects to the Bay are Minimized. See discussion below in section III. F.

Safety of Fill. The fill has been designed in accordance with the results and recommendations of the project geotechnical investigations and the City's Sea Level Rise (SLR) Guidance and Checklist. The design incorporates specific measures to ensure protection of persons and property from hazards associated with unstable soils, seismic loading, shoreline slope failure, SLR, and stormwater/flood conditions. Detailed soils investigation analysis and geotechnical design analysis were completed for the Marina and used to inform the design. The shoreline stabilization design for East Harbor includes reconstruction of the shoreline with a stable 2:1 slope, a widened crest to correct deficiencies in the original 1960s embankment, and

structural integration with the permeable reactive barrier, thereby reducing erosion risk and providing long-term stability under projected water levels and storm conditions through the project's expected life (2067).

Permanent Shoreline. As discussed above, the revetment on the shoreline of East Harbor has been designed with a wider crest and shallower slope than previous iterations, which have historically eroded quickly. The new breakwater at West Harbor is designed to prevent sand shoaling at West Harbor, and the breakwater extension at East Harbor is designed to reduce waves reaching the East Harbor docks and shoreline.

Valid Title. The majority of the project site is owned by the City of San Francisco. Special Condition II.I requires the permittee to obtain a special use permit from the National Parks Service, and a Lease Agreement Amendment from the Port of San Francisco for two portions of the site that are not owned by the City.

Therefore, the Commission finds that the amount of fill proposed is consistent with Government Code section 66605 of the McAteer-Petris Act.

F. Bay Resources

Section 66605(d) of the McAteer-Petris Act states, in part, "That the nature, location, and extent of any fill should be such that it will minimize harmful effects to the Bay Area, such as, the reduction or impairment of the volume surface area or circulation of water, water quality, fertility of marshes or fish or wildlife resources, or other conditions impacting the environment, as defined in Section 21060.5 of the Public Resources Code".

The Commission finds that the project, as conditioned, is consistent with McAteer-Petris Act, Bay Plan, and policies related to Bay Resources for the following reasons:

1. Dredging and Remediation

Bay Plan Subtidal Areas policies state, in part:

- *"Any proposed filling or dredging project in a subtidal area should be thoroughly evaluated to determine the local and Bay-wide effects of the project on: (a) the possible introduction or spread of invasive species; (b) tidal hydrology and sediment movement; (c) fish, other aquatic organisms and wildlife; (d) aquatic plants; and (e) the Bay's bathymetry. Projects in subtidal areas should be designed to minimize and, if feasible, avoid any harmful effects" (Policy No. 1).*

Bay Plan Dredging policies state, in part:

- *"Dredging should be authorized when the Commission can find: (a) the applicant has demonstrated that the dredging is needed to serve a water-oriented use or*

other important public purpose, such as navigational safety; (b) the materials to be dredged meet the water quality requirements of the San Francisco Bay Regional Water Quality Control Board; (c) important fisheries and Bay natural resources would be protected through seasonal restrictions established by the California Department of Fish and Game, the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service, or through other appropriate measures; (d) the siting and design of the project will result in the minimum dredging volume necessary for the project; and (e) the materials would be disposed of in accordance with Policy 3" (Policy No. 2).

- *"Dredged materials should, if feasible, be reused or disposed outside the Bay and certain waterways. Except when reused in an approved fill project, dredged material should not be disposed in the Bay and certain waterways unless disposal outside these areas is infeasible and the Commission finds: (a) the volume to be disposed is consistent with applicable dredger disposal allocations and disposal site limits adopted by the Commission by regulation; (b) disposal would be at a site designated by the Commission; (c) the quality of the material disposed of is consistent with the advice of the San Francisco Bay Regional Water Quality Control Board and the inter-agency Dredged Material Management Office (DMMO); and (d) the period of disposal is consistent with the advice of the California Department of Fish and Game, the U.S. Fish and Wildlife Service and the National Marine Fisheries Service" (Policy No. 3).*

The dredging authorized by this permit is in an established marina (at least 60 years old) that has been previously dredged, and is for the twin purposes of removing contaminated sediment from the Bay to improve water quality, and to enable safe navigation and berthing at the harbors. The contaminated dredged areas would then be covered with a 3-foot layer of capping material, composed mainly of sand or clean reused dredge material, and potentially mixed with reactive amendments. In some areas, the cap would be topped with gravel or rock for erosion protection.

The permittees studied alternative projects that would remove varying quantities of sediment in the "Final East Harbor Feasibility Study San Francisco, California" (Feasibility Study) prepared by Haley and Aldrich, dated June 26, 2026, which was approved by the RWQCB, the agency overseeing the remediation. The Feasibility Study outlined three Remedial Action Objectives (RAO) for the site:

1. Prevent the future potential for NAPL or PAHs in surface and subsurface sediment to be exposed or released such that the sediment could impair the beneficial uses of the Bay once the Marina has been redeveloped.

2. Prevent the future potential for continuous NAPL in upland soil adjacent to the Bay to migrate into the Bay once the Marina has been redeveloped.

3. Prevent the future potential for PAHs dissolved in groundwater to discharge to surface water at concentrations that could impair the beneficial uses of the Bay once the Marina has been redeveloped.

The Feasibility Study analyzed three options that would achieve the RAOs for feasibility, based on cost, time, environmental impact:

1. No Project. Would not achieve RAOs.

2. Rebuild Project. Dredging and capping of contaminated sediment in the entirety of the East Harbor to navigational depths, and rebuilding of the marina docks throughout East Harbor.

3. Renovation Project. Dredging and capping of contaminated sediment in the northern section of East Harbor, conversion of the southern portion into a shallow water area with natural sediment cap and no motorized boats.

4. Maximum Sediment Removal. Remove contaminated sediment throughout the entirety of East Harbor to the maximum depth feasible. Either the Rebuild or Renovation marina configuration alternatives could be constructed in conjunction with this alternative remediation.

The study found alternatives 2, 3 and 4 would achieve the RAOs. The Renovation Project was chosen as the preferred alternative, as it has the highest short-term effectiveness (shortest duration, fewest temporary negative impacts), high implementability, and highest cost effectiveness.

Dredged material would be sent for beneficial reuse or sent to landfill outside of BCDC jurisdiction, based on contamination level. Surface sediments are expected to be usable for foundation or cover material at the Montezuma Wetland Restoration Project, and the permittees have prepared a Sampling and Analysis Plan to determine maximum dredge depths of sediments for beneficial reuse. The Dredge Material and Management Office approved the Sampling and Analysis Plan on October 7, 2026, and will approve disposal locations for the dredged sediments based on results of the sampling. Special Condition II.D requires submittal of a final remedial action plan, a dredge operations plan, and a Risk Management and Monitoring Plan to ensure that the remediation achieves the RAOs.

2. Impacts to Aquatic Ecosystems

Bay Plan Fish, Other Aquatic Organisms and Wildlife policies state, in part:

- *"The Commission should: (a) Consult with the California Department of Fish and Wildlife, and the U.S. Fish and Wildlife Service or the National Marine Fisheries Service, whenever a proposed project may adversely affect an endangered or*

threatened plant, fish, other aquatic organism or wildlife species; (b) Not authorize projects that would result in the "taking" of any plant, fish, other aquatic organism or wildlife species listed as endangered or threatened pursuant to the state or federal Endangered Species Acts, or the federal Marine Mammal Protection Act, or species that are candidates for listing under these acts, unless the project applicant has obtained the appropriate "take" authorization from the U.S. Fish and Wildlife Service, National Marine Fisheries Service or the California Department of Fish and Wildlife; and (c) Give appropriate consideration to the recommendations of the California Department of Fish and Wildlife, the National Marine Fisheries Service or the U.S. Fish and Wildlife Service in order to avoid possible adverse effects of a proposed project on fish, other aquatic organisms and wildlife habitat" (Policy No. 4).

Bay Plan Water Quality Policies state, in part:

- *"Bay water pollution should be prevented to the greatest extent feasible. The Bay's tidal marshes, tidal flats, and water surface area and volume should be conserved and, whenever possible, restored and increased to protect and improve water quality. Fresh water inflow into the Bay should be maintained at a level adequate to protect Bay resources and beneficial uses" (Policy No. 1).*
- *"Water quality in all parts of the Bay should be maintained at a level that will support and promote the beneficial uses of the Bay as identified in the San Francisco Bay Regional Water Quality Control Board's Water Quality Control Plan, San Francisco Bay Basin and should be protected from all harmful or potentially harmful pollutants. The policies, recommendations, decisions, advice and authority of the State Water Resources Control Board and the Regional Board should be the basis for carrying out the Commission's water quality responsibilities" (Policy No. 2).*
- *"When approving a project in an area polluted with toxic or hazardous substances, the Commission should coordinate with appropriate local, state and federal agencies to ensure that the project will not cause harm to the public, to Bay resources, or to the beneficial uses of the Bay" (Policy No. 4).*

The site's underwater topography is generally characterized by flat basin floors with localized scour near heavily trafficked slips and entrance channels. Within the East and West Harbors, basin bottom elevations generally range from approximately -2 to -16 ft NAVD88. Depths in the remediation area outside of East Harbor vary between -14 and -27 ft NAVD88. The site is subject to frequent vessel traffic, though

the southern section of East Harbor has not been used as a harbor since the docks were removed in 2024. Existing in-water structures include marina docks, ramps, piles, and breakwaters. The East Harbor shoreline consists of a failing rock revetment. No submerged aquatic vegetation, wetlands, or other sensitive aquatic habitats exist at the site.

The site contains habitat for Pacific herring, steelhead, Chinook salmon, green sturgeon, longfin smelt, harbor seals, California sea lions, humpback whales and other native aquatic organisms.

Temporary impacts of the project include noise from pile driving, disturbance of contaminated sediment into the water, disturbance of benthic organisms, and increased turbidity. The permittees will implement avoidance and minimization measures (as required by Special Conditions II.D and II.H), including adherence to in-water work windows, use of a turbidity curtain during dredging, use of noise attenuation measures during pile driving, and prevention of plant pathogen spread. Once the project is complete, the environment for native organisms would be improved by the removal of contaminated sediments from the Bay and the establishment of clean sediment caps to isolate remaining contaminated sediments from the Bay waters.

Additionally, Special Conditions II.H.8 and II.H.11 require that the permittees comply with the USFWS Consultation and RWQCB Water Quality Certification issued for this project. At the time of issuance of this permit, the permittees had completed an application to CDFW for an ITP for longfin smelt, Sacramento River winter-run Chinook salmon, Central Valley spring-run Chinook salmon, and white sturgeon. Similarly, at the time of issuance of this permit, the NMFS was in the process of finalizing a formal consultation for impacts to Federally-listed fish species from the project. Commission staff have consulted with staff from both agencies to confirm the expected issuance of these documents in time for the permittees' anticipated start date in March 2027. Therefore, to comply with Fish, Other Aquatic Organisms and Wildlife Policy 4, Special Conditions II.H.9 and II.H.10 require the permittees to obtain the NMFS Consultation and CDFW ITP Permit, respectively, and submit them to the Commission prior to starting the project.

3. Mitigation for Loss of Bay Water Volume and Area

Bay Plan Mitigation Policies state, in part:

- *"Projects should be designed to avoid adverse environmental impacts to Bay natural resources such as to water surface area, volume, or circulation and to plants, fish, other aquatic organisms and wildlife habitat, subtidal areas, or tidal marshes or tidal flats. Whenever adverse impacts cannot be avoided, they should*

be minimized to the greatest extent practicable. Finally, measures to compensate for unavoidable adverse impacts to the natural resources of the Bay should be required. Mitigation is not a substitute for meeting the other requirements of the McAteer-Petris Act" (Policy No. 1).

- *"Individual compensatory mitigation projects should be sited and designed within a Baywide ecological context, as close to the impact site as practicable, to: (1) compensate for the adverse impacts; (2) ensure a high likelihood of long-term ecological success; and (3) support the improved health of the Bay ecological system. Determination of the suitability of proposed mitigation locations should be guided in part by the information provided in the Baylands Ecosystem Habitat Goals report" (Policy No. 2).*
- *"The amount and type of compensatory mitigation should be determined for each mitigation project based on a clearly identified rationale that includes an analysis of: the probability of success of the mitigation project; the expected time delay between the impact and the functioning of the mitigation site; and the type and quality of the ecological functions of the proposed mitigation site as compared to the impacted site" (Policy No. 5).*
- *"Mitigation should, to the extent practicable, be provided prior to, or concurrently with those parts of the project causing adverse impacts" (Policy No. 7).*
- *"When compensatory mitigation is necessary, a mitigation program should be reviewed and approved by or on behalf of the Commission as part of the project. Where appropriate, the mitigation program should describe the proposed design, construction and management of mitigation areas and include:*

    a. Clear mitigation project goals;

    b. Clear and measurable performance standards for evaluating the success of the mitigation project, based on measures of both composition and function, and including the use of reference sites;

    c. A monitoring plan designed to identify potential problems early and determine appropriate remedial actions. Monitoring and reporting should be of adequate frequency and duration to measure specific performance standards and to assure long-term success of the stated goals of the mitigation project;

    d. A contingency plan to ensure the success of the mitigation project, or provide means to ensure alternative appropriate measures are implemented if the identified mitigation cannot be modified to achieve

success. The Commission may require financial assurances, such as performance bonds or letters of credit, to cover the cost of mitigation actions based on the nature, extent and duration of the impact and/or the risk of the mitigation plan not achieving the mitigation goals; and

e. Provisions for the long-term maintenance, management and protection of the mitigation site, such as a conservation easement, cash endowment, and transfer of title." (Policy No. 8).

- *"Mitigation programs should be coordinated with all affected local, state, and federal agencies having jurisdiction or mitigation expertise to ensure, to the maximum practicable extent, a single mitigation program that satisfies the policies of all the affected agencies." (Policy No. 9).*

As discussed in Section III.E above, the placement of fill is necessary to protect the public parkland from wave action, sea level rise and erosion. To mitigate for this fill, the permittee will remove 0.323 acres of existing fill from a PG&E-owned site at South Honker Bay within 9 months of commencement of the project, which will likely be 2-3 years before the project is completed. In addition, the permittee will protect and enhance 0.97 acres of open water and tidal wetlands at this site and will place that area under a conservation easement. The permittees coordinated mitigation planning with CDFW and RWQCB. Staff from these agencies have indicated that this mitigation plan is acceptable.

Although the mitigation site is not located near the impacted area, the permittee was unable to identify a closer site where mitigation could be achieved within the required timeframe. The site is located in a tidal marsh area away from development and will therefore benefit fish and other organisms in the Bay. The permittee has submitted a conceptual mitigation plan; however, because the plan lacks specificity, the permittee is required to submit an addendum with additional detail to ensure the success of the mitigation. If the permittee is unable to remove the anticipated amount of fill, the permittee shall be required to identify alternative mitigation at three times the original ratio to compensate for the resulting temporal loss.

Therefore, the compensatory mitigation plan is consistent with the Bay Plan for this project.

4. Hydrodynamic Impacts

Bay Plan Water Surface Area and Volume Policies state, in part:

- *"The surface area of the Bay and the total volume of water should be kept as large as possible in order to maximize active oxygen interchange, vigorous*

circulation, and effective tidal action. Filling and diking that reduce surface area and water volume should therefore be allowed only for purposes providing substantial public benefits and only if there is no reasonable alternative" (Policy No. 1).

- *"Water circulation in the Bay should be maintained, and improved as much as possible. Any proposed fills, dikes, or piers should be thoroughly evaluated to determine their effects upon water circulation and then modified as necessary to improve circulation or at least to minimize any harmful effects" (Policy No. 2).*

The project will affect hydrodynamics at East and West Harbors through the construction of breakwaters, change in dock configurations, and change in harbor depths. These changes could impact water quality through the effect on water residence time within the harbors, and sedimentation/erosion. Changes in hydrodynamics would most directly impact water quality and human health at East Harbor, where the Laguna Street Outfall occasionally discharges partially treated sewage during storms. During these discharge events, harmful bacterial blooms can form, rendering the water unsafe for recreation. The permittees submitted two studies of these impacts:

- The "SFM West Harbor Entrance Morphologic Modeling," prepared by Moffat and Nichol on May 22, 2024. This study used modeling to assess alternatives to reduce sand shoaling at the entrance to West Harbor, and recommended the construction of the 225 lf breakwater as described in the authorization and plans.
- The "SF Marina Residence Time Modeling," prepared by Moffat and Nichol on September 26, 2025. This study modeled impacts of the project breakwaters and dredging depths on water residence time at the East and West Harbors based on tidal and wind forcings. At most locations in West Harbor, residence time would not change, but in some locations, it would increase by up to two days. The increase in residence times at West Harbor is expected as a result of the new breakwater, and should not adversely impact water quality, as West Harbor is not exposed to contaminated sediments or sewer outfalls. At East Harbor, the residence times will increase by up to three days directly behind the breakwater, and decrease by up to two days in the SWRB and the northwestern area. The change in residence time could impact the duration of pollution events resulting from outfall discharge events in East Harbor. In the SWRB, where humans would most directly contact the water, the residence time is expected to decrease, which may result in faster clearing of contaminated water and bacterial blooms.

As the project is not expected to have significant adverse impacts on hydrodynamics, and the changes are unavoidable results of structures designed to improve marina conditions, the project is consistent with the Bay Plan.

G. Public Access and Recreation

The Commission finds that the project, as conditioned, is consistent with McAteer-Petris Act, Bay Plan, and San Francisco Waterfront SAP policies related to public access for the following reasons:

1. Maximum Feasible Public Access

Section 66602 of the McAteer-Petris Act states, in part, that "maximum feasible public access, consistent with a proposed project, should be provided," and Section 66632.4 states, in part, that "[w]ithin any portion or portions of the Shoreline Band that are located outside the boundaries of water-oriented priority land uses…the commission may deny an application for a permit for a proposed project only on the grounds that the project fails to provide maximum feasible public access, consistent with the proposed project, to the bay and its shoreline" and Bay Plan Public Access Policy No. 2 states that "maximum feasible access to and along the waterfront and on any permitted fills should be provided in and through every new development in the Bay or on the shoreline." To preserve this public access, Bay Plan Public Access Policy No. 7 states that "[w]henever public access to the Bay is provided as a condition of development, on fill or on the shoreline, the access should be permanently guaranteed."

The Commission has in past instances determined maximum feasible public access to the Bay and shoreline based on availability of existing public access at the project site, future demand for public access improvements, the public access improvements provided by the project, the project's consistency with the Bay Plan's policies for public access, and the Commission's previous actions on comparable projects. For the reasons discussed below, the Commission finds that the project is consistent with its laws and policies regarding maximum feasible public access.

Public access improvements of this project include the renovation and improvement of the Bay Trail, restoration of public access on the East Harbor breakwater, and the addition of the nature exploration area, tidal garden viewing area, and community dock for small boats in the SWRB. The project also includes public park improvements outside of BCDC jurisdiction, including beach volleyball courts, renovated restroom, and a picnic area.

2. Consistency with Bay Plan Public Access and Recreation Policies

Bay Plan Public Access policies state, in part:

- *"… Any public access provided as a condition of development should either be required to remain viable in the event of future sea level rise or flooding, or equivalent access consistent with the project should be provided nearby" (Policy No. 7).*
- *"Public access improvements provided as a condition of any approval should be consistent with the project, the culture(s) of the local community, and the physical environment, including protection of Bay natural resources, such as aquatic life, wildlife and plant communities, and provide for the public's safety and convenience. The improvements should be designed and built to encourage diverse Bay-related activities and movement to and along the shoreline, should provide barrier free access for persons with disabilities, for people of all income levels, and for people of all cultures to the maximum feasible extent, should include an ongoing maintenance program, and should be identified with appropriate signs, including using appropriate languages or culturally-relevant icon-based signage" (Policy No. 8).*
- *"Access to and along the waterfront should be provided by walkways, trails, or other appropriate means and connect to the nearest public thoroughfare where convenient parking or public transportation may be available. Diverse and interesting public access experiences should be provided which would encourage users to remain in the designated access areas to avoid or minimize potential adverse effects on wildlife and their habitat" (Policy No. 10).*

Bay Area Recreation Policies state, in part:

- *"Diverse and accessible water-oriented recreational facilities, such as marinas, launch ramps, beaches, and fishing piers, should be provided to meet the needs of a growing and diversifying population, and should be well distributed around the Bay and improved to accommodate a broad range of water-oriented recreational activities for people of all races, cultures, ages and income levels…" (Policy No. 1).*
- *"Non-Motorized Small Boats. (1) Where practicable, access facilities for non-motorized small boats should be incorporated into waterfront parks, marinas, launching ramps and beaches, especially near popular waterfront destinations" (Policy No. 2).*

The public access areas are designed with a functional lifespan of 40 years, and are built behind the riprap shoreline with a lowest elevation of 10.1 ft NAVD88. By end of century, the area is expected to experience occasional flooding during extreme storm events, if no shoreline adaptation is done. Special Condition II.C requires the permittee to prepare an adaptation plan if public access areas begin to become unusable because of flooding. The purpose of the adaptation plan is to ensure that maximum feasible public access is maintained at the site and to allow for adaptation and change if required by sea level rise conditions.

The conversion of the southern area of East Harbor to the Shallow Water Recreation Basin expands and diversifies direct access to the Bay to people who do not own or operate a large motorized boat, creating an opportunity for water-oriented recreation along the northern San Francisco waterfront as existing public access at this site is limited to the shoreline path and viewing the Bay. Compared to the existing kayak launch at the West Harbor, the East Harbor community dock will be more visible, accessible without a key, include convenient boat and passenger loading near the community dock, and will launch directly into a protected non-motorized boat area. Additionally, the SWRB could be used for kayak polo, a sport that requires a large expanse of water isolated from boat traffic. Swimming access is not encouraged at this site. Community members expressed concern about the safety of water quality for recreation in relation to the Laguna Street combined outfall system within the project area so BCDC has coordinated with the SFPUC to understand the operation of the outfall, frequency and duration of sewage discharge events, the SFPUC beach safety system to detect discharge events, and public warnings for when recreation areas exceed acceptable water quality levels. Special Condition II.B.4 requires the permittees to collaborate with the SFPUC to include this location with their existing monitoring and public notification system, which consists of a website and physical signage. At East Harbor, the physical signage would be posted at the entrance to the community dock, the only entrance to the SWRB from the shoreline.

3. Design Review Board

The project was presented to the Design Review Board on January 6, 2025, and April 6, 2026. The Board was generally supportive of the project, and their comments included guidance to maximize water-oriented park uses, ensure fuel dock service is replaced nearby, support youth sailing programs, improve public messaging about the project, plan for future expansion of small boat docks at the SWRB, reduce or relocate parking in order to improve the pedestrian experience along the shoreline path, and improve connections to Fort Mason.

H. **Environmental Justice**

Bay Plan Policies state, in part:

- *"Equitable, culturally-relevant community outreach and engagement should be conducted by local governments and project applicants to meaningfully involve potentially impacted communities for major projects and appropriate minor projects in underrepresented and/or identified vulnerable and/or disadvantaged communities, and such outreach and engagement should continue throughout the Commission review and permitting processes. Evidence of how community concerns were addressed should also be provided. If such previous outreach and engagement did not occur, further outreach and engagement should be conducted prior to Commission action" (Environmental Justice Policy No. 1)*

- *"Public access that substantially changes the use or character of the site should be sited, designed, and managed based on meaningful community involvement to create public access that is inclusive and welcoming to all and embraces local multicultural and indigenous history and presence. In particular, vulnerable, disadvantaged, and/or underrepresented communities should be involved. If such previous outreach and engagement did not occur, further outreach and engagement should be conducted prior to Commission action" (Public Access Policy No. 5).*

The Project site is located in the Marina District, in Block Group 1, Census Tract 126.02, of San Francisco. According to the Commission's Community Vulnerability Mapping Tool, this census tract is categorized as having overall low social vulnerability based on the 2021 5-Year American Community Survey estimates, and moderate contamination vulnerability based on CalEPA Office of Environmental Health Hazard Assessment's (OEHHA's) CalEnviroScreen 4.0 data. The project will not substantially change the use or character of the site, as it will simply add and improve park amenities to an existing park and convert marina slips into a public access area for small boats.

To publicize the project, the permittees physically mailed notices of the project to residents within a 1000 ft radius, and established an approximately 900 person mailing list, and maintained and updated a project website. The permittees held five community meetings during project planning, which were attended by a total of 436 people. Two online surveys were conducted, with 825 total responses. The permittees additionally presented project updates and alternatives at RPD Commission meetings, Marina neighborhood association meetings, and community open houses to solicit input on marina improvements, remediation design, and public access enhancements.

Therefore, the Commission finds that the project is consistent with the Bay Plan Environmental Justice policies.

I. Shoreline Protection and Sea Level Rise

1. Sea Level Rise Resiliency

Bay Plan Climate Change Policies state, in part:

- *"When planning shoreline areas or designing larger shoreline projects, a risk assessment should be prepared by a qualified engineer and should be based on the estimated 100-year flood elevation that takes into account the best estimates of future sea level rise and current flood protection and planned flood protection that will be funded and constructed when needed to provide protection for the proposed project or shoreline area. A range of sea level rise projections for mid-century and end of century based on the best scientific data available should be used in the risk assessment. Inundation maps used for the risk assessment should be prepared under the direction of a qualified engineer. The risk assessment should identify all types of potential flooding, degrees of uncertainty, consequences of defense failure, and risks to existing habitat from proposed flood protection devices" (Policy No. 2).*
- *"To protect public safety and ecosystem services, within areas that a risk assessment determines are vulnerable to future shoreline flooding that threatens public safety, all projects – other than repairs of existing facilities, small projects that do not increase risks to public safety, interim projects and infill projects within existing urbanized areas – should be designed to be resilient to a mid-century sea level rise projection. If it is likely the project will remain in place longer than mid-century, an adaptive management plan should be developed to address the long-term impacts that will arise based on a risk assessment using the best available science-based projection for sea level rise at the end of the century" (Policy No. 3).*

The remediation components of the project are not expected to be affected by sea level rise. This project is not a "larger shoreline project" because it is the repair of 1,700 lf of existing riprap revetment that does not significantly alter the shoreline. The permittees assessed the project for sea level rise resiliency using the Guidance for Incorporating Sea Level Rise into Capital Planning in San Francisco Sea Level Rise Checklist process. The shoreline elements, including the revetment and park, are designed for a 40-year life span, extending to 2067. The assessment found that as the lowest elevation of the shoreline riprap crest is 10.1 feet NAVD88, the site would be vulnerable to temporary flooding during a 100-year extreme tide event coupled with projected sea level rise under Representative Concentration Pathway (RCP) 8.5 by

2067. Under those conditions, flooding would be limited to a few areas along the edge of the shoreline, with minimal flooding of the Bay Trail or other public access areas.

As discussed in Section II.E.2, a special condition is included to require sea level rise adaptation of the public access features.

2. Nature-Based Shoreline Protection Features

Bay Plan Shoreline Protection Policies state:

- *"All shoreline protection projects should evaluate the use of natural and nature-based features such as marsh vegetation, levees with transitional ecotone habitat, mudflats, beaches, and oyster reefs, and should incorporate these features to the greatest extent practicable. Ecosystem benefits, including habitat and water quality improvement, should be considered in determining the amount of fill necessary for the project purpose. Suitability and sustainability of proposed shoreline protection and restoration strategies at the project site should be determined using the best available science on shoreline adaptation and restoration. Airports may be exempt from incorporating natural and nature-based features that could endanger public safety by attracting potentially hazardous wildlife" (Policy No. 5).*

The permittee analyzed an alternative shoreline protection plan that would incorporate nature-based features to the riprap revetment at East Harbor, including mudflat, tidal wetland, and beach features. They found that the alternative shoreline approach was not feasible based on hydrodynamics, sediment composition, and the on-site Laguna street outfall. Wind wave conditions at East Harbor would transport sediment away from the tidal marsh and mudflat, towards the boat harbor, thus requiring frequent sediment placement in the tidal marshes and mudflats, and more frequent navigation dredging in the harbor. In addition, the placement of sediment to build the marsh, beach, and mudflat could potentially cause sediment movement into the harbor, and could disrupt the remediation cap. Furthermore, the permittee found that a revetment would still be required in addition to nature-based features to protect the shoreline in the future, given projected sea level rise. The nature-based alternative would also reduce the size of the public access SWRB area by 25 percent.

Although the shoreline will be a steep rock revetment, it will incorporate nature-based features in the form of 40 artificial tidepools to increase intertidal habitat diversity among the rocks, a small tidal garden constructed at an elevation between mean high water and the high tide line, and native plantings in the coastal garden adjacent to the revetment.

Therefore, the Commission finds that the project is consistent with Bay Plan Shoreline Protection policies, and that the Bay Plan Climate Change Policies do not apply to this project.

J. Fuel Dock Removal

The project includes the removal of the fuel dock in the southwest of East Harbor. The fuel dock was built around 1977 and authorized by BCDC permit M1977.075.00. It is leased by the SFRPD to a private operator and serves both diesel and gasoline for commercial, governmental, and private boats. At the time of issuance of this permit, the fuel dock is the only facility supplying gasoline to boats in the area. A nearby fuel dock at the Hyde Street Pier in San Francisco was closed in 2021 after a leak was discovered, requiring environmental remediation. Since its closure, diesel has been supplied at the Hyde Street Pier via a temporary truck, and private boats have been excluded. The nearest fuel dock supplying gasoline, or open to the public, is at the Clipper Yacht Harbor in Sausalito, which is approximately 5.7 miles from the San Francisco Marina. Members of the local mariner community, including recreational boaters, the San Francisco Bar Pilots Association, the Harbor Safety Committee, and the Sea Scouts have expressed concern over the removal of the fuel dock at East Harbor, commenting that the loss of the fuel dock would deprive emergency response vessels and commercial and recreational boats of a safe and convenient fueling location, and the emergency vessels of an extraction point at East Harbor. The use of the East Harbor fuel dock as an extraction point is unofficial. An official extraction point exists at the entrance to West Harbor.

During project planning, the SFRPD coordinated with San Francisco emergency services to ensure the project would not impact public safety. On October 9, 2026, the San Francisco Fire Department, San Francisco Police Department, and the SFRPD sent BCDC a joint statement stating that the project will not impact the existing official extraction point at West Harbor, and the City is working to improve emergency vehicle loading from this location. The letter additionally stated that the City will establish a long-term fueling location at Hyde Street Harbor for operation with minimal service interruption after the closure of the East Harbor fuel dock, and that any gap in service would be mitigated by a contingency plan to ensure emergency vessels can reliably access fuel.

The permittees investigated options for replacing the fuel dock at the San Francisco Marina by constructing it in the same location or by relocating it to another location in East or West Harbors. As depths are between -5 and -7 ft MLLW at the current fuel dock location, rebuilding the fuel dock in the same location would require dredging of that area to at least -10 ft MLLW (based on California Division of Boating & Waterways guidelines). Capping would then be required to contain any contaminated sediments in the area. A preliminary analysis provided by permittees found that this effort would

require 5 months of work and cost approximately $24 million. Additionally, the existence of the fuel dock directly adjacent to the SWRB would conflict with the purpose of the SWRB by reducing the size of the SWRB and bringing large vessels into close proximity with paddleboarders, kayak polo players, and other small boat recreation. Further, the project as designed would intentionally prevent larger boats from entering the SWRB with the visitor dock and a floating barrier. The permittee additionally analyzed other locations for the fuel dock in the Marina, preliminarily settling on a location off the Scott Street Mole in West Harbor as most feasible. However, that location was found to be undesirable (based on public feedback of fuel dock and marina users) based on the small turning radius area, high vessel traffic, and conflicts with youth sailors, and therefore the rebuilding of the fuel dock was excluded from the plan.

On October 20, 2026, the San Francisco Port Commission approves a resolution to approve a lease with Pilot Thomas to reestablish full diesel fuel service and install the required infrastructure to provide gasoline service for emergency, recreational, and commercial boats at the Hyde Street Pier. The project is planned for completion by the date the East Harbor fuel dock will be taken offline for the remediation project. The Hyde Street Pier fuel dock is located approximately 1.4 miles from the San Francisco Marina by boat.

Additionally, public commenters stated the fuel dock is used by recreational boaters (notably the Sea Scouts) as a “touch-and-go” dock for loading and unloading passengers from Marina Green. Representatives from the Sea Scouts have explained to BCDC how they use the East Harbor fuel dock as a touch-and-go dock for Sea Scout boats to load and unload passengers from the Marina Green parking lot. However, the fuel dock was an imperfect location for touch-and-go. As touch-and-go was an informal use at the fuel dock (which was desirable to some users), that use was insecure and could be removed at any point. Additionally, the touch-and-go users would conflict with fuel dock customers in the limited space. Although this project removes the fuel dock and consequently the unofficial touch-and-go use, the visitor dock will replace this function by providing 13 berths at East Harbor for short-term reservation. While this will impose a fee on touch-and-go uses, the new visitor dock has distinct benefits compared to the previous fuel dock, including: electrical and water hookups; more berths; no conflict with vessels fueling at the dock; modern, accessible ramps for embarkation; and deeper water. Finally, this project and permit formalizes the use of the visitor dock, guaranteeing the SFRPD maintain the use, unless BCDC amends the permit, and allows BCDC oversight of the visitor dock operation and rules (Special Condition II.E.1).

Notwithstanding all of the concerns regarding removal of the fuel dock discussed above, the decision by San Francisco Recreation and Parks Department to remove the fuel dock does not implicate any particular Bay fill or public access policies that would *mandate* its

retention. By contrast, the visitor dock furthers relevant Bay Plan public access policies, as discussed in Section III.E.2 of this permit.

K. Coastal Zone Management Act

The Commission further finds, declares, and certifies that the activity or activities authorized herein are consistent with the Commission's Amended Management Program for San Francisco Bay, as approved by the Department of Commerce under the Federal Coastal Zone Management Act of 1972, as amended.

L. Environmental Review

Pursuant to the California Environmental Quality Act (CEQA), the San Francisco Planning Commission, acting as the lead agency, certified a final environmental impact report (FEIR) for the project which included renovations of selected marina facilities in both the West and East Harbors of the San Francisco Marina (State Clearinghouse No. 2003122131). Since certification of the FEIR, the permittees proposed minor changes to the project, which the Planning Department determined would not result in new significant environmental impacts, nor a substantial increase in the severity of impacts previously disclosed in the FEIR. Such findings were documented in addenda to the FEIR - a 2010 addendum evaluated minor modifications to the West Harbor; a second addendum in 2013 evaluated the reuse of the Degaussing Station as a restaurant (as opposed to the Harbor Office analyzed in the FEIR); and a third addendum in 2026 evaluated minor changes to the remediation methods, the marina configuration, revetment design and shoreline park design. Since certification of the FEIR and subsequent addenda, several components of the approved project have been constructed (primarily components located at West Harbor).

M. Public Trust Uses

The activities authorized herein are located on filled former tidelands subject to the public trust. The project is consistent with public trust needs for the area, as it provides recreation and open space improvements.

N. Enforcement Program and Civil Penalties

The Commission has an enforcement program that reviews its permits for compliance. The Commission may issue cease and desist and civil penalty orders if violations are discovered. The McAteer-Petris Act provides for the imposition of administrative civil penalties ranging from $10 to $2,000 per day up to a maximum of $30,000 per violation. The Act also provides for the imposition of court-imposed civil penalties of up to $30,000 in addition to any other penalties, penalties for negligent violations of between $50 and $5,000 per day, knowing and intentional penalties of between $100 and $10,000 per day, and exemplary penalties, which are supplemental penalties, in an amount necessary to deter future violations. In addition, anyone who places fill, extracts

materials, or makes any substantial change in use of any water, land or structure within the area of the Commission's jurisdiction without securing a permit from the Commission is guilty of a misdemeanor.

IV. Standard Conditions

A. Permit Execution

This permit shall not take effect unless the permittees execute the original of this permit and return it to the Commission within ten days after the date of the issuance of the permit. No work shall be done until the acknowledgment is duly executed and returned to the Commission.

B. Notice of Completion

The attached Notice of Completion and Declaration of Compliance form shall be returned to the Commission within 30 days following completion of the work.

C. Permit Assignment

The rights, interests, and obligations contained in this permit are assignable in full or in part. This permit shall be assigned within thirty (30) days whenever: (a) the permittee transfers any interest in any real property on which an activity is authorized by a permit to occur; or (b) reassignment is necessary to achieve full compliance with one or more conditions of a permit**.** To assign this permit, the permittee-assignor and the assignee shall execute and submit for review and approval by Commission counsel a permit assignment document executed and dated by the assignor and assignee or their authorized representatives that contains all of the information specified in section 10830(a) of the Commission's regulations (14 C.C.R. § 10830(a)) and that also complies with sections 10830(b) or 10830(c), if applicable.

D. Permit Runs with the Land

Unless otherwise provided in this permit, the terms and conditions of this permit shall bind all future owners and future possessors of any legal interest in the land and shall run with the land.

E. Other Government Approvals

All required permissions from governmental bodies must be obtained before the commencement of work; these bodies include, but are not limited to, the U. S. Army Corps of Engineers, the State Lands Commission, the Regional Water Quality Control Board, and the city or county in which the work is to be performed, whenever any of these may be required. This permit does not relieve the permittees of any obligations imposed by State or Federal law, either statutory or otherwise.

F. **Built Project must be Consistent with Application**

Work must be performed in the precise manner and at the precise locations indicated in your application, as such may have been modified by the terms of the permit and any plans approved in writing by or on behalf of the Commission.

G. **Life of Authorization**

Unless otherwise provided in this permit, all the terms and conditions of this permit shall remain effective for so long as the permit remains in effect or for so long as any use or construction authorized by this permit exists, whichever is longer.

H. **Commission Jurisdiction**

Any area subject to the jurisdiction of the San Francisco Bay Conservation and Development Commission under either the McAteer-Petris Act or the Suisun Marsh Preservation Act at the time the permit is granted or thereafter shall remain subject to that jurisdiction notwithstanding the placement of any fill or the implementation of any substantial change in use authorized by this permit. Any area not subject to the jurisdiction of the San Francisco Bay Conservation and Development Commission that becomes, as a result of any work or project authorized in this permit, subject to tidal action shall become subject to the Commission's "Bay" jurisdiction.

I. **Changes to the Commission's Jurisdiction as a Result of Natural Processes**

This permit reflects the location of the shoreline of San Francisco Bay when the permit was issued. Over time, erosion, avulsion, accretion, subsidence, relative sea level change, and other factors may change the location of the shoreline, which may, in turn, change the extent of the Commission's regulatory jurisdiction. Therefore, the issuance of this permit does not guarantee that the Commission's jurisdiction will not change in the future.

J. **Violation of Permit May Lead to Permit Revocation**

Except as otherwise noted, violation of any of the terms of this permit shall be grounds for revocation of the permit. The Commission may revoke the permit for such violation after a public hearing held on reasonable notice to the permittees or their assignees if the permit has been effectively assigned. If the permit is revoked, the Commission may determine, if it deems appropriate, that all or part of any fill or structure placed pursuant to this permit shall be removed by the permittees or their assignees if the permit has been assigned.

K. **Should Permit Conditions be Found to be Illegal or Unenforceable**

Unless the Commission directs otherwise, this permit shall become null and void if any term, standard condition, or special condition of this permit shall be found illegal or unenforceable through the application of statute, administrative ruling, or court

determination. If this permit becomes null and void, any fill or structures placed in reliance on this permit shall be subject to removal by the permittees or their assignees if the permit has been assigned to the extent that the Commission determines that such removal is appropriate. Any uses authorized shall be terminated to the extent that the Commission determines that such uses should be terminated.

L. Indemnification by Applicants and Liability for Costs and Attorneys Fees

By acceptance of this permit, the permittee agrees to reimburse BCDC in full for all: (1) reasonable BCDC staff time, calculated using reasonable hourly rates; and (2) BCDC costs and attorneys fees - including (a) those charged by the Office of the Attorney General, and (b) any court costs and attorneys fees that BCDC may be required by a court to pay - that BCDC incurs in connection with the defense of any action brought by a party other than the permittee against BCDC or any of its officers or employees challenging the approval or issuance of this permit. As part of any request for reimbursement, BCDC will provide an itemized accounting of the reasonable BCDC staff time and BCDC costs and attorneys fees for which BCDC is requesting reimbursement, and permittee shall make payment within 30 days of receiving a reimbursement request. BCDC retains complete authority to conduct and direct the defense of any legal action initiated against the agency.

M. Permission to Conduct Site Visit

The permittees shall grant permission to any member of the Commission's staff to conduct a site visit at the subject property during and after construction to verify that the project is being and has been constructed in compliance with the authorization and conditions contained herein. Site visits may occur during business hours without prior notice and after business hours with 24-hour notice.

N. Abandonment

If, at any time, the Commission determines that the improvements in the Bay authorized herein have been abandoned for a period of two years or more, or have deteriorated to the point that public health, safety or welfare is adversely affected, the Commission may require that the improvements be removed by the permittees, their assignees or successors in interest, or by the owner of the improvements, within 60 days or such other reasonable time as the Commission may direct.

O. Best Management Practices

1. Debris Removal

   All construction debris shall be removed to an authorized location outside the jurisdiction of the Commission. In the event that any such material is placed in any area within the Commission's jurisdiction, the permittees, their assignees, or successors in interest, or the owner of the improvements, shall remove such

material, at their expense, within ten days after they have been notified by the Executive Director of such placement.

2. Construction Operations
   All construction operations shall be performed to prevent construction materials from falling, washing or blowing into the Bay. In the event that such material escapes or is placed in an area subject to tidal action of the Bay, the permittees shall immediately retrieve and remove such material at their expense.

P. In-Kind Repairs and Maintenance

Any in-kind repair and maintenance work authorized herein shall not result in an enlargement of the authorized structural footprint and shall only involve construction materials approved for use in San Francisco Bay. Work shall occur during periods designated to avoid impacts to fish and wildlife. The permittees shall contact Commission staff to confirm current restricted periods for construction.