

Proposed amendments to BCDC permitting regulations

March 5, 2026

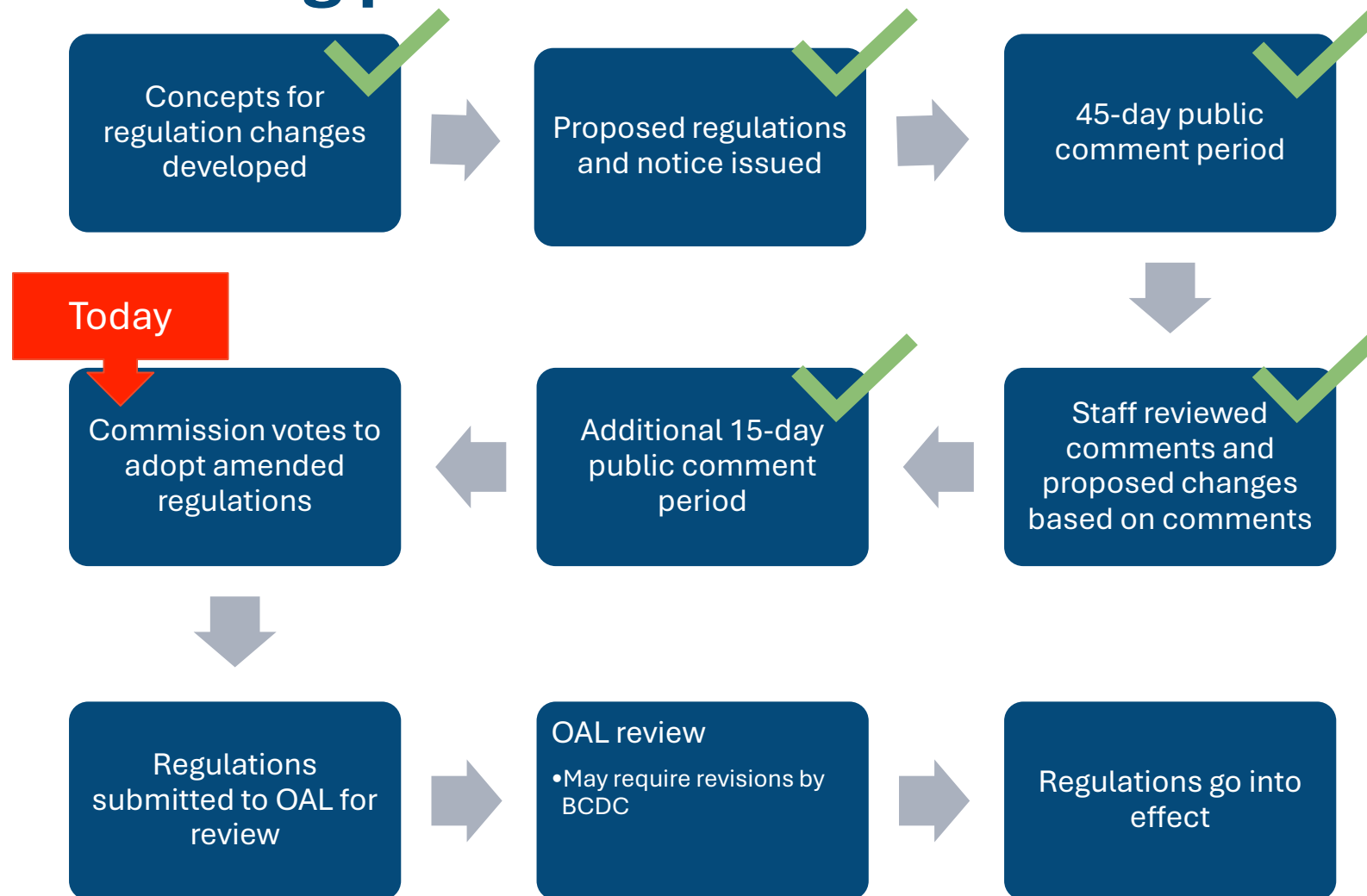
Ethan Lavine, Assistant Regulatory Director for Climate Adaptation

Marc Zeppetello, Retired Annuitant Staff Counsel

What are regulations?

- Rules and standards adopted by an agency to implement, interpret, or make specific the laws it administers
- The Commission has adopted a set of regulations that are codified at Title 14, Division 5 of the California Code of Regulations
- The Commission's permitting regulations cover a range of topics including:
 - Major permit procedures
 - Administrative and emergency permits
 - Amendments to permits
 - Regionwide permits and abbreviated regionwide permits
- Regulations are changed through a process called rulemaking

Rulemaking process



Overview of proposed amendments

1. Streamline and improve the regionwide permit program

2. Reduce permitting burdens for straightforward and routine activities

3. Make other targeted updates to clarify and improve permitting regulations

Public comment period

- During 45-day comment period:
 - 8 written comments and 2 presented at in-person hearing
- During 15-day comment period:
 - 1 additional written comment
- Common themes:
 - Support for streamlining and overall approach
 - Concerns around specific proposed changes
 - Support for making more restoration projects qualify for administrative permits
 - Suggestions for further improvements beyond the scope of the proposed regulation package
- Staff response to comments presented in Section III of staff report

Key changes to proposed regulations

- ✓ Increased \$ threshold for certain renovation and remodeling projects that qualify for permit exemptions
- ✓ Deleted language that unintentionally expanded definition of “substantial change” in salt ponds and managed wetlands
- ✓ Changes to increase clarity and internal consistency
- ✓ Technical corrections

Staff recommendation

- Staff recommends the Commission adopt proposed amendments
- If adopted, staff will move forward with review by Office of Administrative Law

