

San Francisco Bay Conservation and Development Commission

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NOTICE OF ADDITIONAL 15-DAY PUBLIC REVIEW PERIOD PROPOSED AMENDMENTS TO COMMISSION REGULATIONS

On September 25, 2025, the San Francisco Bay Conservation and Development Commission (Commission) issued a Notice of Proposed Rulemaking, Initial Statement of Reasons, and proposed amendments to the Commission’s permitting regulations that are codified at Title 14 of the California Code of Regulations, Division 5. The public review and comment period on the proposed amendments commenced on September 25, 2025, and ran through November 21, 2025. The Commission held a public hearing on the proposed amendments on November 20, 2025.

Based on certain public comments and further review of the proposed amendments and the existing regulations, staff has made additional changes to the following sections of the proposed amendments:

1. Subsection 10125(b)(4).

Subsection 10125(b)(4), which as proposed stated “construction, reconstruction, replacement, or alteration of a structure” is deleted. In conjunction with the deletion of this subsection, the word “or” is deleted at the end of subsection 10125(b)(3) and the word “or” has been retained rather than deleted at the end of subsection 10125(b)(2).

2. Section 10300.

The following is added as the first sentence of this section:

A Commission permit is required to place fill, extract materials, or make any substantial change in use of any water, land, or structure within an area of the Commission’s jurisdiction under the McAteer-Petris Act or to perform or undertake any development within an area of the Commission’s jurisdiction under the Suisun Marsh Preservation Act.

3. Section 10301.

This section is revised to read:

A major permit is ~~a~~ any Commission permit issued by the Commission to place fill, extract materials, or make any substantial change in use of any water, land, or structure within an area of the Commission’s jurisdiction under the McAteer-Petris Act or to perform or undertake any development within an area of the Commission’s jurisdiction under the Suisun Marsh Preservation Act, other than a permit for minor repairs or improvements as authorized by an administrative permit or a regionwide permit or for emergency work as authorized by an emergency permit.



4. Subsection 10307(b)(2).

The words “of use” are deleted after the word “intensity” to correct a typographical error. As revised, the last clause of this subsection reads: “...provided such structures do not change the type or intensity of use of the use...”

5. Subsection 10307(b)(3).

This subsection is revised to read:

Renovation, remodeling, or alteration of an existing structure that: (i) has an estimated cost of less than ~~\$500,000~~ \$2 million; and (ii) does not increase the building footprint; and (iii) will not result in a substantial change in use as defined in subsection 10125(c).

6. Subsection 10601(b)(1).

In this subsection, the words “or possible future” are deleted after the words “does not have a significant adverse effect on existing.” As amended, the subject clause reads: “does not have a significant adverse effect on existing ~~or possible future~~ public access...”

7. Subsection 10601(b)(2).

In this subsection, the words “or shoreline” are deleted after the word “Bay.” As revised, the last clause of this subsection reads: “...or views of the Bay from the nearest public road or other publicly accessible locations;”.

All of these changes made after issuance of the Notice of Proposed Rulemaking are shown in the revised proposed amendments accompanying this notice.

Any person or organization may submit written comments on the revised proposed amendments to the Commission’s regulations. **The written comment period closes on February 4, 2026.** Any comments should address the revisions to the proposed amendments.

Please submit written comments to: publiccomment@bcdcd.ca.gov

Inquiries concerning the proposed regulatory action may be directed to:

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