

San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415.352.3600. fax;  
888.348.5190 State of California | Gavin Newsom – Governor | info@bcdc.ca.gov

**Questions and Answers**

**Modernizing RWP and Programmatic Permitting Approach Study**

**April 30, 2026**

**Question #1**

Will a new Commissioner working group be formed to facilitate Commission input or will this effort rely on existing Commissioner working groups, such as the Rising Sea Level Working Group?

**Response #1**

We do not anticipate forming a working group around this project. Should we decide any aspect of this project warrants discussion in front of an existing working group such as the Rising Sea Level Working Group, BCDC staff would lead the presentation, with the Consultant acting as support and possibly assisting in the preparation of materials for the presentation.

**Question #2**

Will there be a conflict of interest if the winning consultant firm is actively engaging with BCDC on project permit requests that involve the types of permits and projects on which RFP is focused?

**Response #2**

There is no conflict of interest in this situation. It is our understanding that the rules pertaining to “conflicts of interest,” as they apply to BCDC, govern state officials and employees, and therefore do not apply to a consultant hired under this RFP.

Additionally, even if the consultant also works for third parties seeking BCDC permits, serving as a consultant to BCDC on a public process of general applicability and benefit, such as modernizing the Regionwide Permit program, is qualitatively distinct from advising a permit applicant. We do not believe there is any particular problem or issue with the consultant appearing before BCDC in both capacities. In both cases, the Commission remains the ultimate, independent decisionmaker, so there is no basis for disqualifying the consultant from participating in both roles, even simultaneously.