# Instructions for Completing the BCDC Permit Application Form

for Major and Administrative Permits

*Updated July 1, 2026*

# Following These Instructions Should Help Reduce the Time it Takes to Process Your Application

An application that is missing information or other required materials cannot be deemed complete and processed by the BCDC staff. You can save considerable time by submitting all the necessary information at the outset, and by making sure your application is clear and accurate. These instructions guide you through the application form step-by-step.

# BCDC Staff Are Available to Help

You are encouraged to contact the BCDC staff for any assistance you need in completing an application, or in determining what category of permit is applicable to your project. Email info@bcdc.ca.gov with any questions.

# These Instructions Are Not Regulations

These instructions are intended to provide suggestive guidance to permit applicants to identify the necessary information to submit a permit application which would be accepted by BCDC staff as complete for further processing. Use and reliance on this guidance is not mandated by any of BCDC's laws, regulations, or policies. Nor should permit applicants construe these instructions as binding or precedential in any sense upon staff or the Commission.

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# Introduction

## How to Use These Instructions

### Instructions for Major and Administrative Permit Applications

These instructions are intended to provide detailed guidance for preparing a complete permit application to BCDC. The instructions are for the **BCDC Permit Application Form for Major and Administrative Permits**.

For projects that qualify for processing under a **Regionwide Permit**, a separate application form is available on BCDC's website.

### Some Terms Have Precise Definitions

These instructions use many terms that have specific intended definitions. When one of these terms appears, a hyperlink is used to link you to the meaning of the term. You can also find these meanings in the Definitions section at the end of these instructions.

### Also Refer to BCDC's Laws, Plans, and Regulations

In some cases, you may want to refer directly to the laws, plans, and regulations which the Commission administers to understand the actual legal requirements for submittal of a permit application to BCDC for consideration. Where the instructions are based on specific legal requirements, bracketed [ ] citations are included.

While these instructions are provided for your convenience, the laws, plans, and regulations provide the actual legal requirements regarding the processes and concepts outlined here.

### Using the Application Form to Apply for Permit Amendments

If your application is to amend an issued BCDC permit, write the number of the permit you are seeking to amend in **Box 2(e)** of the application form. Clearly indicate on the application form itself that the request is for an amendment, and/or provide an accompanying cover letter describing the request to amend your BCDC permit. Alternatively, an amendment request can be made by letter. [California Code of Regulations sections 10820, 10811, 10820, 10824]

## Using the Application Form for Federal Projects

These instructions and the accompanying application form can be used to request Commission concurrence under the "federal consistency" requirements of the federal Coastal Zone Management Act. To provide the Commission with the information needed to determine whether a federal project is consistent to the maximum extent practicable with the enforceable state policies of the Coastal Management Program for San Francisco Bay, a federal agency can either complete the relevant portions of the application form or submit a separate document that contains all of the necessary project details, data and other material required for the Commission to make its consistency determination.

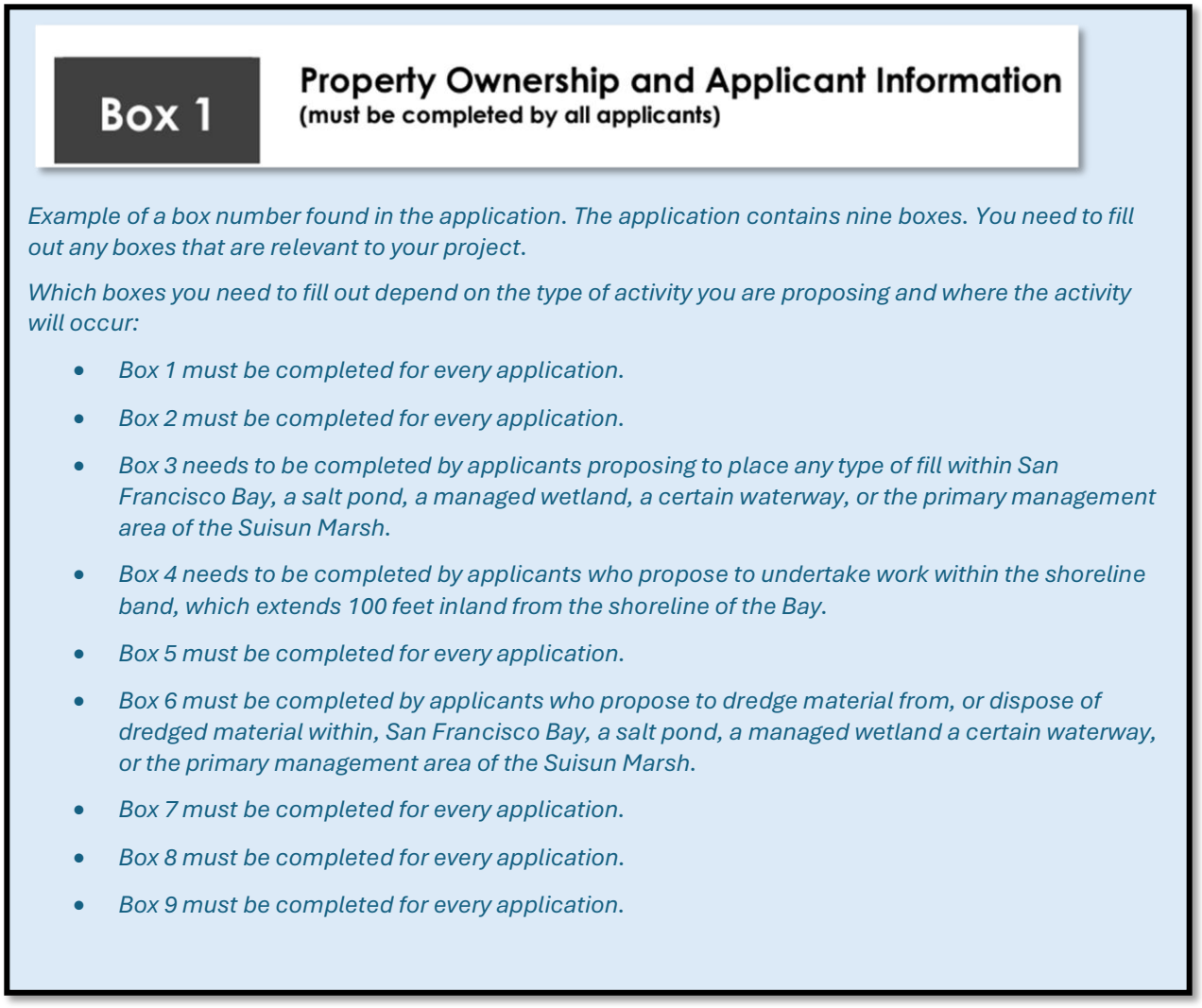
If the form is to serve as a federal consistency certification, indicate the type of federal license, permit or financial assistance being sought, the federal agency which administers the federal regulatory or financial assistance program, and the name and citation for the federal statute under which the license, permit or financial assistance is granted.

# Overview of the BCDC Permit Application Form

## Structure of the Application Form

There are a total of nine sections in the application form, each identified by a box number. The boxes are arranged by subject to solicit all the information needed to process an application.

Which boxes you need to fill out depends on the type of activities that are involved in your project, and where the project will be located. See the step-by-step instructions for each box below to determine if it is applicable to your project.




*Example of a box number found in the application. The application contains nine boxes. You need to fill out any boxes that are relevant to your project.*

*Which boxes you need to fill out depend on the type of activity you are proposing and where the activity will occur:*

- *Box 1 must be completed for every application.*
- *Box 2 must be completed for every application.*
- *Box 3 needs to be completed by applicants proposing to place any type of fill within San Francisco Bay, a salt pond, a managed wetland, a certain waterway, or the primary management area of the Suisun Marsh.*
- *Box 4 needs to be completed by applicants who propose to undertake work within the shoreline band, which extends 100 feet inland from the shoreline of the Bay.*
- *Box 5 must be completed for every application.*
- *Box 6 must be completed by applicants who propose to dredge material from, or dispose of dredged material within, San Francisco Bay, a salt pond, a managed wetland a certain waterway, or the primary management area of the Suisun Marsh.*
- *Box 7 must be completed for every application.*
- *Box 8 must be completed for every application.*
- *Box 9 must be completed for every application.*

## What to Fill Out in the Application Form

If a given box is relevant to your project, make sure you answer each of the questions within the box clearly and completely. Each question is described in detail in the instructions below.

If additional space is needed for any information required to complete the application form, provide the information in an attachment labeled according to the corresponding box and subsection number.

## Materials You Need to Submit Along with the Application Form

The materials that must be provided in addition to the completed application form (e.g., project plans, other government approvals, application processing fees) are summarized in the **Checklist of Application Requirements** that appears on the cover of the application form.

Please note the required materials differ somewhat depending on which category of permit you are applying for. The checklist identifies separate requirements for exhibits required of Major Permits and Administrative Permits.

Also note that if you are submitting your application digitally, you only need to include one copy of each document referenced in the checklist, whereas paper submittals often require you to submit multiple copies of certain documents.

# Step-by-Step Application Instructions

This section includes step-by-step instructions, organized by the individual boxes and questions found in the application form.

- Each section starts with a description of which applicants needs to fill out a given box. While most boxes should be completed by all applicants, several only need to be filled out if your project is located within a certain area of the Commission's jurisdiction (e.g., within the shoreline band) or if you are engaging in a certain activity (e.g., dredging or disposal of dredged material).
- Each section includes line-by-line descriptions with additional detail on the information required. Specific lines in the application are referenced in **bold.**
- Several callout boxes are provided with "Special Instructions" on aspects of the application form where additional detail may be helpful.

# Box 1: Applicant Information

***Box 1 must be completed for every application.***

- **Sections (a)** and **(c)** seek information about the property owner, lessee, homeowner's association, or other entity associated with the site on which the project will be located.
    - If there isn't a long-term lease or a similar long-term property interest secured in place, the permit applicant should request that the underlying property owner be a co-applicant. This ensures that the owner agrees with the details provided in the application and is willing to ensure that the obligations committed to by the applicant will be fulfilled, given that the property owner ultimately controls the property.
    - If there is more than one property owner, the information indicated in Box 1 must be provided for each legal or equity interest holder in the property.
    - In providing information about the project applicant (the individual, corporation, government agency, or other legal entity seeking the permit), indicate whether the applicant is an individual, legal entity (corporation, partnership, etc.), government agency or a non-profit organization. See Special Instructions: Applicants that are Legal Entities below.
- If there are any co-applicants, information about them needs to be provided in **section (b)**. Sometimes there is more than one co-applicant. If more space is needed, provide the information in an attachment labeled "Box 1(b)/Co-Applicants."
- Sometimes an applicant, property owner or co-applicant is represented by another person (such as a consultant) who handles the details of submitting a permit application. If this is the case, provide information about these representatives in **Box 1 (a), (b),** and/or **(c)**. Indicate the representative's role in a project (e.g., architect, engineer, consultant, applicant's employee, city manager, attorney, etc.). If the applicant, property owner or co-applicant is represented by someone else, the appropriate space must be completed and signed to provide the representative with legal authorization to act on behalf of the permit applicant. If there are no representatives, check "None."
- It is necessary for the applicant or the property owner to have adequate legal interest in the underlying property to carry out the project and comply with any conditions that may be a part of any Commission approval. The Special Instructions: Proof of Legal Interest below describe in detail the types of property interest documentation which may be acceptable as part of an application. **Section (d)** states this legal interest must be one of the following:
    - A **fee interest** that allows the proposed activity (e.g., grant deed).
    - A sufficient **easement** that allows the proposed activity.

  - A **leasehold** whose remaining period of occupancy is long enough to provide a reasonable amortization period for the proposed project and whose terms allow construction and use of the proposed project.
  - An enforceable **option** if the property owner is a co-applicant.
  - The authority and commitment to acquire the property by **eminent domain**.
- **Section (e)** must be completed by all applicants and representatives of the applicant. The box provides space to disclose campaign contributions of $250 or more made to a Commissioner or alternate Commissioner within the past year. If additional space is needed to list all such campaign contributions, provide this information in an attachment identified as "Box 1(e)/Disclosure of Campaign Contributions." If no campaign contributions have been made to Commissioners or their alternates, indicate this. (A list of the current Commissioners and their alternates is available on the BCDC website.) This information must be provided to comply with state law. [California Government Code section 84308] In addition, state law prohibits an applicant and his or her agent from contributing $250 or more to the campaign of any Commissioner or alternate while the application is pending or during a period of three months after the vote on the application.
- **Section (f)** certifies the accuracy of the information provided in the application form, and must be signed by every applicant, co-applicant or representative who has been legally authorized to act on behalf of the applicant, co-applicant or property owner in **Box 1**. If additional space is needed for the signatures of all of the co-applicants, provide these signatures in an attachment identified as "Box 1(f)/Certification of Accuracy of Information and Authorization to Inspect."

## Special Instructions: Applicants that are Legal Entities

If the applicant is a public agency, corporation, partnership or other legal entity, evidence must be provided to ensure that the person who signs the application is empowered to represent and make commitments on behalf of the organization submitting the application. To accomplish this, such applications must include either a resolution authorizing the person who signs the application to represent and bind the applicant or bylaws that establish that the person who signs the application holds a position that is empowered to act on behalf of the legal entity. Corporate resolutions must be from the corporation's board of directors. Public agency resolutions must be from the city council, board of supervisors or similar highest policy body which governs the organization.

## Special Instructions: Proof of Legal Interest

To establish that the applicant, co-applicant or property owner has adequate legal interest in the property on which the project is to be built, it is necessary for the application to include a **property map** and either a recently issued **title report**, a copy of a **grant deed** (both of which must include a map and a metes and bounds description) or other information of similar accuracy and reliability to show that either the applicant, co-applicant or property owner holds the interest in the project site. An applicant for a project that involves the placement of fill in San Francisco Bay or a certain waterway must provide a title report or other acceptable documentation.

The **property map** (or maps) must either be a copy of an official parcel map obtained from a county assessor's office annotated as follows, or a specially prepared map showing the following:

- Metes and bounds descriptions for all property lines and easement lines.
- All property lines, easement lines, and current assessor parcel numbers for the property on which the project will occur.
- A north arrow, graphic scale, project name, the shoreline, an identification of the exhibit as a property map, the date of the plan's preparation, and the name, address, and telephone of the person who prepared or annotated the map.

[California Code of Regulations, 14 CA ADC Div. 5 App. F]

# Box 2: Total Project and Site Information

***Box 2 must be completed for every application.***

- Indicate the project location in **sections (a)** through **(d)**. If the project is in a rural area and has no street address, provide a description of the project location by indicating the name of the community or other general area, where the project will be located as well as its relationship to the nearest road, slough, island, bay or other feature. If there is no assessor's parcel number, write "None" and provide brief legal description of the property.
- In **section (e)**, if any BCDC permits have previously been issued to authorize work on the project site, even if the permits have expired or the work was never carried out, provide the permit numbers. Check "None" if no such permits have been issued.
- In **sections (f)** and **(g)** provide the project name and a one-sentence description of the project which indicates the major purposes that the project will serve (e.g., commercial, flood control, marina berths, residence, etc.)
- In section **(h)**, taking into account an estimate of how long it will take to get all the necessary approvals, secure financing, and undertake other preliminary work, indicate when the work, if authorized, would be anticipated to begin. In addition, based on a realistic construction schedule, indicate when the work would be anticipated to be completed.
- In **section (i)**, indicate the total project cost of all aspects of the project both inside and outside the Commission's jurisdiction. [See legal definition at California Code of Regulations, 14 CA ADC Div. 5 App. F.] If the application is for a permit amendment, this figure should be the cost of the portion of the project that is the subject of the permit amendment request.
    - The total project cost is used to calculate the permit application fee (see Special Instructions: Processing Fees below). A check in the correct amount made payable to BCDC must be submitted as part of the application.
- In **sections (j)** and **(k)**, indicate the length of shoreline at the project site and at adjacent site(s) if owned or controlled by applicant.
- In **sections (l), (m),** and **(n)**, indicate the area of the project site located within BCDC's shoreline band, Bay, managed wetland or salt pond jurisdictions. [Reference the specific legal definitions of these jurisdiction types at California Government Code section 66610.]
- Applications for projects in the Suisun Marsh require analogous information as required for Bay projects. In **section (o)**, indicate the size of the site in the Suisun Marsh. In **section (t)** provide the requested information on duck club numbers and

club name, if applicable. [Reference the specific legal definitions of Suisun Marsh at California Public Resources Code section 29101.]

- **Sections (p)** and **(q)** require information about the total project site, not just the portion within BCDC's permitting jurisdiction.
- **Sections (r)** and **(s)** ask for the area of the project site which will be used for non-public and public access.
    - For proposed projects with a public access, open space, or view corridor component, applicants should provide an exhibit that accurately depicts such areas, and includes property boundaries and any proposed structures. Since this exhibit may ultimately be used for recording and legal purposes, it must be legible.
- **Section (u)** must be completed by all applicants. The statistical information provided in this box must be consistent with the graphic information provided on the project site plan. Because forms do not lend themselves to portraying the details of projects, the most important source of this information is the plans and maps which must be included to complete the application. The Special Instructions: Plans and Maps below describe the graphic material that must be submitted to complete an application.
- **Section (v)**, which must be completed by all applicants, requires additional information that must be provided in an attachment. This information should be properly identified as "Box 2(v)(1) through (10)." The response to this box is particularly important because the information may be directly quoted in the summary prepared of the application for consideration by the Commission. Therefore, it is in the applicant's interest to provide a complete and detailed response to this section.
    - **Section (v)(1)** requires the preparation of a narrative description of the proposed project. The appropriate length of this description depends on the project scope. Large-scale and complex projects will typically require a longer description, while small-scale projects can often be described in a few paragraphs.
    - **Section (v)(2)** and **(v)(3)** regarding existing site conditions can usually be described in a narrative form complemented by site photographs.
    - **Section (v)(3)** also requires a description of how the proposed project would influence existing bathymetric features and hydrological processes at the project site.
    - **Section (v)(4)** requires the applicant to identify state or federal listed or candidate species or those that provide a substantial public benefit at the project site or vicinity.
        - For projects requiring a biological opinion or take authorization, applicants must submit these documents in order for a submitted permit application to be deemed complete.
    - **Section (v)(5)** requires that all site plans identify subtidal—below Mean Low Tide—areas at the project site.

- **Section (v)(6)** states that applicants must describe how projects with the potential for pollutant release into the Bay will be designed, constructed, and maintained to avoid or minimize potential discharge. Also, applicants should provide stormwater pollution prevention or management plans and proposed best management practice plans to address erosion or runoff into the Bay.
- **Section (v)(7)** requires the applicant to identify contaminated sites at or in the proximity of the project site and provide additional information about the subject pollutants to help understand potential impacts on humans and natural resources and measures for controlling or cleaning up these areas.
- A water quality certification from the San Francisco Bay Regional Water Quality Control Board (RWQCB) and approvals from the Department of Toxic Substances Control, as applicable and as indicated in **Section (v)(8)**, should be provided in order for BCDC staff to deem the permit application complete; if waste discharge requirements are issued by the RWQCB, applicants should also submit this information.
- **Section (v)(9)** asks the applicant to provide a narrative description as to whether the proposed project is consistent with the Commission's laws and policies. Relevant documents are found on BCDC's website; alternatively, Commission staff can provide further guidance regarding this section upon request.
- **Section (v)(10)** asks for project plans, additional detail on which are found in Special Instructions: Plans and Maps below.

## Special Instructions: Processing Fees

Fees are charged to cover the cost of processing an application.

- The amount of the fee is based on the total project cost and the type of authorization required. The current fee schedule can be found on the BCDC website.
- Fees for projects that fall into two or more categories are based on the fee for the highest category, not the total of all categories.
- Fees for emergency permits are the same as fees for ordinary projects.
- Fees for material amendments are the same as the fees for new major projects.
- Fees for applications arising from enforcement investigations are double the cost of normal fees.
- None of the fees can be waived for any reason. Refunds of a portion of a permit fee can be made if an application is withdrawn. The amount of the refund depends on the type of authorization applied for and when the application is withdrawn.
- If the Commission serves as the "lead agency" under the provisions of the California Environmental Quality Act, an additional fee is charged for the Commission's full cost of preparing, processing and distributing environmental documents.

If there is any question about the amount of the fee that must be paid to process an application, please contact the Commission's staff. An application cannot be officially filed until the proper processing fee is received by the Commission. [California Code of Regulations, 14 CCR Div. 5 App. M and section 11540 et seq]

## Special Instructions: Plans and Maps

Every application must include a **vicinity map** and a **project site plan**.

- The **vicinity map** must be either a portion of a United States Geological Survey topographical map (7.5 minute series) or a similar map which shows the project site in relation to the shoreline, major roadways, and other landmarks.
- The **project site plan** must be at a scale which allows the details of the proposed project to be adequately illustrated. The plan (or set of plans if all the information cannot be shown on one drawing) must show exactly the nature, scope and location of the proposed work and clearly distinguish between existing and proposed conditions. The plan must include all of the following specific elements:
    - The shoreline.
    - A line 100 feet inland from the shoreline (the 100-foot shoreline band).
    - Property lines.
    - Any salt ponds, managed wetlands, marshes or mudflats on the project property.
    - A north arrow, graphic scale, project name, an identification of the exhibit as a project site plan, the date of the plan's preparation, and the name, address and telephone number of the person who prepared the plan.
    - Location and names of nearby roads, streets or highways.
    - Existing control points, important geographic, topographic or physical features, and all major fixed objects and structures on the project site.
    - Existing and proposed building elevations.
    - Existing and proposed topography, including especially the existing and proposed top and toe of the bank if solid fill, excavation or dredging is proposed in the application.
    - Existing and proposed structures and improvements.
    - All major utilities.
    - Existing and proposed public access areas, including any areas that will be reserved for public access as part of the project development and any improvements that are proposed to be made in the public access area, such as parking, landscaping, pathways, benches, etc.

[California Code of Regulations, 14 CA ADC Div. 5 App. F]

# Box 3: Bay Fill Information

***Box 3 needs to be completed by applicants proposing to place any type of fill within San Francisco Bay, a salt pond, a managed wetland, a certain waterway, or the primary management area of the Suisun Marsh.***

***This box does not apply to fill that would be placed in the shoreline band.***

- **Sections (a)** through **(g)** require information about the project as it will appear after any proposed fill is placed. The information provided must be consistent with the graphic information provided on the project site plan. Provide a number in each blank space sections **(b)** through **(f)**. If one of the sections does not apply to the project, enter "-0-". Be certain that the figure in **section (c)** is entered in cubic yards and the figures in **sections (b)** and **(d)** through **(f)** are in square feet. In **section (d)** indicate the types of fill that are proposed to be used in the project, and in **sections (e)** indicate the types of areas that will be covered with fill. In **section (f)** identify the area to be used for public access and other uses.
- **Section (g)** asks a number of detailed questions regarding the proposed fill, requesting precise dimensions, photographs and explanations of how the fill is consistent with the Commission's law and policies, and identifies specific requirements for additional information that must be provided in an attachment. This information should be properly identified as "Box 3(g)(1), (2), (3)," etc. The responses to this section are important because they may be directly quoted in the summary prepared of the application for consideration by the Commission. Therefore, it is in the applicant's interest to provide a complete and detailed response to this section.
    - In **section (g)(1)**, provide dimensions of all structures on fill. This should correspond to the project site plan.
    - Per **section (g)(2)**, provide photographs of the existing shoreline.
    - In **section (g)(3)**, indicate the basic purpose of the new fill (for example, accommodating part of a building, a port terminal, a marina, etc.)
    - **Section (g)(4)** provides the applicant with an opportunity to present a narrative describing the impacts and benefits of the proposed fill.
    - **Section (g)(5)** requires applicants to identify valuable subtidal areas at the project site and public benefits associated with the proposed project, and any feasible alternatives.

- **Section (g)(6)** requires applicants to explain whether the proposed fill is the minimum necessary to achieve the project purpose and whether an upland alternative location exists for the project.
- For proposals involving fill to improve shoreline appearance or to provide public access, **section (g)(7)** requires applicants to explain whether it is physically or economically infeasible to implement the project without filling the Bay.
- **Section (g)(8)** requires applicants to explain how proposed fill would result in a stable and permanent shoreline.
- **Section (g)(9)** and **(10)** requires applicants to explain how a project involving fill will provide protection against hazardous conditions, including sea level rise and storm or flood events, and provide contact information for professionals certifying the safety of the proposed project.
- **Section (g)(11)** requires information about mitigation. To establish whether mitigation is needed, the attachment which responds to this section should clearly state how much and what kinds of tideland habitats (such as high elevation salt marsh, pickle-weed marsh, cordgrass marsh, intertidal mudflats, and subtidal lands) will be lost or disturbed in constructing the project, and how the project will affect such resources as Bay tidal prism, surface area, and water circulation. Also, describe any public benefits associated with proposed fill that would exceed the loss of open water areas.
- For marina projects, **section (g)(12)** requires applicants to identify the number of live-aboard berths and explain their consistency with the public trust, e.g., commerce, navigation, fisheries, habitat protection, and water-oriented recreation.
- For habitat restoration projects, **section (g)(13)** requires applicants to provide specific information about project design to assure the successful implementation, monitoring, and management of such projects.

# Box 4: Shoreline Band Information

***Box 4 needs to be completed by applicants who propose to undertake work within the shoreline band, which extends 100 feet inland from the shoreline of the Bay.***

- The information provided in this box must be consistent with the graphic information provided on the project site plan.
- In **section (a)**, indicate whether project will be located within the shoreline band.
- In **section (b)**, describe the basic activities or materials to be placed in the shoreline band.
- In **section (c)**, indicate whether the project will be located within a priority use area designated by the Commission. If so, indicate which of the following priority uses the area is reserved for: port, water-related industry, airport, wildlife area or waterfront park or beach, and whether the proposed use would be consistent with this designation.
- In **section (d)**, indicate the total area of the project site within the shoreline band, and distinguish the areas to be reserved for private and public uses.
- In **section (e)**, provide additional information about the proposed shoreline band work. This should correspond to the site plan. Photographs of the 100-foot shoreline band area should also be provided.

# Box 5: Public Access Information

## *Box 5 must be completed for every application.*

Box 5 requires the information needed to determine whether public access must be provided as part of a project.

California law requires that "maximum feasible public access [to the shoreline and water of San Francisco Bay], consistent with a proposed project, should be provided" in every project authorized by the Commission. [California Government Code sections 66602 and 66632.4] Box 5 describes the information needed to address this legal requirement.

To achieve this mandate, in past cases the Commission has included public access conditions in its permits when justified. In past permits, the public access warranted for a small project has been as minimal as a shoreline path or viewing area, while the access warranted for a large project has been as extensive as plazas, sidewalks, landscaping, parking, and other amenities, all required as conditions of permit approval.

Public access is most effective when it is integrated into the design of a project. Applicants are encouraged to refer to the "Public Access Design Guidelines" available on the BCDC website. The guidelines assist applicants in designing effective and attractive public access proposals which the Commission may find consistent with BCDC's laws and policies.

In areas where it is unsafe, impossible, or infeasible to provide public access on a project site, but where the requirement for public access is otherwise warranted for the project, the Commission's Bay Plan policies call for "in lieu" public access to be provided by the project sponsor at an offsite location.

- **Section (a) (1)** through **(5)** asks for information that is important in determining what public access exists at or near the site, what impacts the project may have on present or future public access, and whether public access and/or view corridors should be provided as part of the project. This section also addresses existing views of the Bay at or to the site and potential impacts of the project on such views.
- The information provided in **section (a)(6)** about the public access proposed as part of the project must be consistent with the graphic information provided on the project site plan. The information provided in this section should apply to the total project, not just that portion within the Commission's jurisdiction.
- In **section (b)**, provide additional information about the proposed public access, including any improvements and connections to other public areas, and how the public access will be permanently guaranteed and maintained and how access may affect wildlife at or adjacent to the site.

# Box 6: Dredging and Sand Mining Information

***Box 6 must be completed by applicants who propose to dredge material from, or dispose of dredged material within, San Francisco Bay, a salt pond, a managed wetland a certain waterway, or the primary management area of the Suisun Marsh.***

- In **section (a)**, applicants should indicate within which areas of the Commission's jurisdiction the dredging or disposal of dredged material will occur.
- In **Section (b)**, applicants should indicate if a separate application has or will be submitted to the Dredged Material Management Office (DMMO).
- In **sections (c)** and **(d)**, indicate the type of and the method of dredging (for example, clamshell, hydraulic, etc.)
- **Section (e)** requires information about the volume and size of the dredging. Provide a figure in each blank space. If one of the sections does not apply to the project, enter "-0-". Be certain that the figures are entered in cubic yards and in square feet.
- **Section (f)** refers to knockdown dredging and specifics about such operations.
- **Section (g)** requires identification of proposed dredged material or sand disposal or deposition areas.
- **Section (h)** requires applicants to identify total volume (in cubic yards) of material proposed for disposal or beneficial reuse, e.g., for wetland restoration, levee maintenance, landfill cover, etc.
- In **section (i)**, indicate the amount of maintenance dredging that is estimated to be needed each year to maintain the water depth that will be achieved by the proposed dredging project.
- **Section (j)** requires applicants to identify proposed dredging and over-dredge depths (Mean Lower Low Water), and number of planned episodes (i.e., if dredging is not a single-episode occurrence).
- **Section (k)** relates to the annual dredging average of the proposed project.
- **Section (l)** identifies three specific requirements for additional information that must be provided in an attachment. This information should be properly identified as "Box 6(l)(1), (2), (3), (4) and (5)." The responses are particularly important because the information may be directly quoted in the summary prepared of the application for consideration by the Commission. Therefore, it is in the applicant's interest to provide a complete and detailed response to this section.
    - **Section (l)(2)** requires testing results of material proposed for dredging.
    - **Section (l)(3)** requires water quality documentation from the San Francisco Bay Regional Water Quality Control Board.

# Box 7: Government Approvals

## *Box 7 must be completed for every application.*

In most cases, projects requiring Commission approval typically also require the approval of other agencies. It is the applicant's responsibility to secure all other the necessary permits. Of particular importance is the approval of the local city or county with jurisdiction over a project for activities such as excavation, property subdivision, fill, conditional use, variances, zoning changes, annexation, and master plan or planned unit development approval. BCDC's law requires that permit applicants first obtain all necessary local discretionary approvals before obtaining a BCDC permit. [California Government Code section 66632(b)]

- **Box 7** includes space to provide information about local discretionary approvals. Indicate the name of the approving agency (e.g., city, county, special district), the type of discretionary approval that was approved (e.g., conditional use permit). Indicate the date that each approval has been obtained or is expected, and provide the name, e-mail and phone number of a person on the local government staff who is knowledgeable about the approval. A copy of each final discretionary approval must be included in the application. If no discretionary local approvals are required for the project, check "None" and provide a report or letter from the local government confirming this.
    - The Special Instructions: Local Government Approval below provide additional guidance on local approvals.
- Permits from other agencies may also be required before work on a project can begin. **Box 7** includes space for information about the other governmental approvals most often required by BCDC applicants.
    - Indicate whether approvals from the agencies listed are required. If an approval is required provide the date of each application and the date that each approval has been obtained or is expected. Finally, provide the name and phone number of a person on the agency staff who is knowledgeable about the approval.
    - If more approvals are required than are identified in Box 7, they should be described in an attachment and labeled as "Box 7/Information on Government Approvals."
    - Any necessary leases from the State Lands Commission must be obtained in order to have adequate legal interest in State-owned property in order for BCDC staff to accept the application as complete. Therefore, title questions with the State Lands Commission should also be resolved prior to submitting an application to BCDC.

- Applicants for any project requiring a Regional Board Water Quality Certification or a resource agency biological opinion and/or take authorization should also provide these documents as a part of the application process in order for staff to accept the application as complete.

## Special Instructions: Local Government Approval

If any discretionary local permit (i.e., other than a ministerial permit, commonly such as a building permit) is required, such permits must be received before the Commission can accept the application as complete. [Government Code sections 66632(b) and (d)]

Although BCDC staff cannot accept an application as complete until the local government has approved all local discretionary entitlements for the project, an applicant should not wait for local approval before contacting the Commission about their project proposal. By consulting with the Commission's staff during the local government's consideration of a project ("pre-application consultation"), the project design can be refined to proactively address issues and concerns which may arise if and when the Commission considers a permit application for the project. This early consultation can avoid the need to return to a local government to amend any locally-approved entitlement to conform to any requirements or conditions imposed by the Commission as part of its permit which may differ from the requirements and conditions of the local government's entitlement(s).

# Box 8: Environmental Impact Documentation

***Box 8 must be completed for every application.***

The information provided here will establish what kind of environmental documentation must be submitted as part of the application.

- **Box 8** contains two questions, each of which must be answered by checking either "Yes" or "No."
    - If any local discretionary approval for the project is required, at least one of the questions must be answered "Yes." See the Special Instructions: Environmental Documentation below for additional information.

## Special Instructions: Environmental Documentation

The California Environmental Quality Act (CEQA) requires that the environmental impacts of a proposed development be assessed before any permit is granted for the project. Because a local government is usually the "lead agency" under CEQA, the environmental review requirements typically should be completed before the Commission receives a permit application (unless the Commission will act in the role of CEQA lead agency). Under CEQA, the lead agency makes an "environmental determination" whether a project:

1. is statutorily or categorically exempt from CEQA;
2. qualifies for a negative declaration, including a mitigated negative determination; or
3. requires an environmental impact report.

CEQA includes specific exemptions for activities that have been deemed to result only in insignificant environmental impacts. Furthermore, other activities fall within categories that do not require the preparation of any environmental impact documentation. If the project is covered by one of these exemptions check "Yes" in **Box 8, section (a)** and attach a brief statement documenting this statutory or categorical exemption, citing the statutory or regulatory provision exempting the project. If available, provide the environmental determination by the lead agency.

If another government agency has certified a negative declaration, mitigated negative declaration, or environmental impact report, check "Yes" in **Box 8, section (b)** and include a copy of the document certified by the lead agency. The negative determination must be submitted to the Commission before a permit application can be accepted for filing. If "No" is checked, consult with the Commission staff to determine the appropriate course of action.

As explained in the Special Instructions: Processing Fees above, an additional fee is required when the Commission serves as the lead agency on a project.

# Box 9: Public Notice Information

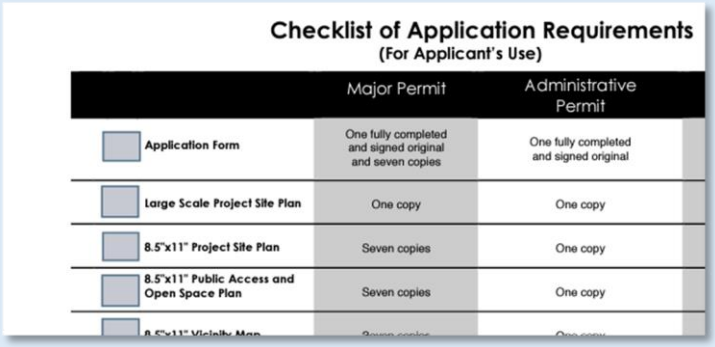
***Box 9 must be completed for every application.***

- The information provided will be used to notify neighbors and other interested persons about the application. If additional space is needed to provide a complete listing of all such persons, provide this information in an attachment identified as "Box 9/Public Notice Information."
    - If the local tax assessor's roll is used to determine the identity of the adjacent property owners, be sure to check the updates to the annual roll to find any recent property transfers.

# A Final Checklist

Following the instructions above should help to produce a complete and accurate application that can be accepted as complete by BCDC staff for further processing. Use **the Checklist of Application Requirements** found at the beginning of the application form to ensure that all the required materials and exhibits have been included.

Remember that the Commission's staff cannot determine an application to be complete and begin processing it until all the required information and material specified on the permit application has been provided.



**Checklist of Application Requirements**
(For Applicant's Use)

| | Major Permit | Administrative Permit |
|---|---|---|
| ☐ Application Form | One fully completed and signed original and seven copies | One fully completed and signed original |
| ☐ Large Scale Project Site Plan | One copy | One copy |
| ☐ 8.5"x11" Project Site Plan | Seven copies | One copy |
| ☐ 8.5"x11" Public Access and Open Space Plan | Seven copies | One copy |
| ☐ 8.5"x11" Vicinity Map | | |

*The **Checklist of Application Requirements** is provided on the first page of the application form. Note that the submittal requirements are different depending on the type of permit being sought. Please contact BCDC staff if you need help determining what type of permit application your project requires.*

# Definitions

## Bay

See San Francisco Bay.

## Certain Waterways

- Plummer Creek in Alameda County, to the eastern limit of the salt ponds;
- Coyote Creek and its branches in Alameda and Santa Clara Counties, to the easternmost point of Newby Island;
- Redwood Creek in San Mateo County, to its confluence with Smith Slough;
- Tolay Creek in Sonoma County, the northerly line of Highway 37;
- Petaluma River in Marin and Sonoma Counties, to its confluence with Adobe Creek, and San Antonio Creek to the easterly line of the Northwestern Pacific Railroad right-of-way;
- Napa River, to the northernmost point of Bull Island;
- Sonoma Creek, to its confluence with Second Napa Slough; and
- Corte Madera Creek in Marin County to the downstream end of the concrete flood control channel.

[Government Code section 66610(e)]

## Coastal Management Program for San Francisco Bay

The coastal management program documents for the San Francisco Bay segment of the California coastal zone approved by the federal government under the provisions of the federal Coastal Zone Management Act of 1972, as amended. The management program includes a narrative portion that describes the Bay segment of the California Coastal Management Program and BCDC compliance with the requirements established by section 306 of the Coastal Zone Management Act. It also includes all relevant statutes, plans, and regulations. [California Code of Regulations, section 10124]

## Development (within the Bay or Shoreline Band)

Placement of fill, extraction of materials, or making any substantial change in use of any water, land or structure within the area of the Commission's jurisdiction. "Fill" means earth or any other substance or material, including pilings or structures placed on pilings, and structures floating at some or all times and moored for extended periods, such as houseboats and floating docks. "Materials" means items exceeding twenty ($20) in value. [Government Code section 66632]

## Development (within the Suisun Marsh)

On land or under water, the placement or the erection of any solid material or structure; the discharge or disposal of any dredged material or of any gaseous, liquid, solid or thermal waste; grading, removing, dredging, mining, or extracting any materials; change in the density or intensity of use of land, including subdivision pursuant to the Subdivision Map Act and any other division of land including lot splits; change in the intensity of use of water or in access thereto; construction, demolition, or alteration of the size or dimension of any structure, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation for other than for agricultural purposes. [Public Resources Code section 29114]

## Discretionary Approval

A project which requires the exercise of judgment or deliberation when the public agency or body decides to approve or disapprove a particular activity, as distinguished from situations where the public agency or body merely has to determine whether there has been conformity with applicable statutes, ordinances, regulations, or other fixed standards. The key question is whether the public agency can use its subjective judgment to decide whether and how to carry out or approve a project. [14 California Code of Regulations section 15357]

Common examples of local discretionary approvals often include, but are not limited to, lot line adjustments, subdivision approvals, rezonings, conditional use permits, planned unit development approvals, engineering review, and other actions taken by planning commissions or departments, port authorities, special committees, boards of supervisors or city councils, and regional bodies. The planner for your local government can clarify which, if any, discretionary approvals are required for a given project.

## Dredging

“Dredging” means the extraction of sand, mud, or other materials from San Francisco Bay, its tributaries, the delta, or coastal state waters. [Government Code section 66664.4]

## Emergency

A sudden, unexpected situation that poses an immediate danger to life, health, property, or essential public services and that demands action by the Commission more quickly than the Commission's normal permit procedures would allow. A sudden, unexpected situation that poses an immediate danger to life, health, property, or essential public services may include, for example, an accident, sabotage, vandalism, fire, flood, earthquake, or soil or geologic movements. [California Code of Regulations, section 10120]

## Exclusion of Extraction of Materials

It is not necessary to obtain a BCDC permit for the following activities: (1) extraction of materials whose worth does not exceed $20.00; and (2) the extraction of material or materials for environmental or seismic testing purposes only. [California Code of Regulations, section 10130]

## Fill

Earth or any other substance or material, including pilings or structures placed on pilings, and structures floating at some or all times and moored for extended periods, such as houseboats and floating docks. “Materials” means items exceeding twenty dollars ($20) in value. [Government Code section 66632]

## Houseboat

A boat that is used for residential or other non-water oriented uses and that is not capable of being used for active navigation. [California Code of Regulations, section 10127]

## Live-aboard Boat

A boat that is not a transient boat, that is capable of being used for active self-propelled navigation, and that is occupied as a residence as that term is defined in California Government Code section 244. [California Code of Regulations, section 10128]

## Managed Wetland

Any area adjacent to the Bay which was diked off from the Bay as of November 11, 1966, and used for a duck hunting preserve, game refuge or agriculture. [Government Code section 66610(d)]

## Primary Management Area of Suisun Marsh

Water-covered areas, tidal marsh, diked-off wetlands, seasonal marsh, and lowland grassland specified on the map identified in Section 16 of that chapter of the Statutes of the 1977-78 Regular Session of the Legislature. [Public Resources Code section 29102]

## Priority Use Area

An area along the shoreline of San Francisco Bay whose boundaries have been established by resolution and which is illustrated in the San Francisco Bay Plan as being reserved for port, water-related industry, airport, wildlife refuge, water-related recreation use, and other defined uses. [California Government Code Sections 66602 and 66611]

## Salt Pond

Any area adjacent to the Bay which was diked off from the Bay as of November 11, 1966, and used for the solar evaporation of Bay water in the course of salt production. [Government Code section 66610(c)]

## San Francisco Bay

All areas that are subject to tidal action from the south end of the bay to the Golden Gate (Point Bonita-Point Lobos) and to the Sacramento River line (a line between Stake Point and Simmons Point, extended northeasterly to the mouth of Marshall Cut), including all sloughs, and specifically, the marshlands lying between mean high tide and five feet above mean sea level; tidelands (land lying between mean high tide and mean low tide); and submerged lands (land lying below mean low tide).[Government Code sections 66610(a)]

## Secondary Management Area of Suisun Marsh

The upland grasslands, cultivated lands, and low-lying areas adjacent to the primary management area specified on the map identified in Section 16 of that chapter of the Statutes of the 1977-78 Regular Session of the Legislature. [Public Resources Code section 29103]

## Shoreline

The mean high tide line in areas where no tidal marsh is present. If tidal marsh is present, the upland edge of the marsh up to five feet above mean sea level. [14 California Code of Regulations section 10121(a)]

## Shoreline Band

All territory located between the shoreline of San Francisco Bay and a line 100 feet landward of and parallel with that line, but excluding any portions of such territory which are included in San Francisco Bay, saltponds, or managed wetlands under the McAteer-Petris Act. The shoreline shall be defined as being located at mean high water in those areas other than tidal marsh and in areas of tidal marsh at the upland edge of such areas up to five feet above mean sea level. [Government Code section 66610(b) and California Code of Regulations section 10121(a)]

## Suisun Marsh

Water-covered areas, tidal marsh, diked-off wetlands, seasonal marshes, lowland grasslands, upland grasslands, and cultivated lands specified on the map identified in Section 16 of that chapter of the Statutes of the 1977-78 Regular Session enacting this division. It includes both the primary and secondary management areas as shown on the Suisun Marsh Protection Plan Map and includes the entire right-of-way of any state highway that is designated as a portion of the boundary of the marsh. [Public Resources Code sections 29101]

## Total Project Cost

All expenditures, including the cost for planning, engineering, architectural, and other services, made or to be made for designing the project plus the estimated cost of construction of all aspects of the project both inside and outside the Commission's jurisdiction. [14 California Code of Regulations, Division 5, Appendix M section (d)(1)]