

# 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@bcdcc.ca.gov](mailto:info@bcdcc.ca.gov) | [www.bcdcc.ca.gov](http://www.bcdcc.ca.gov)

September 3, 2025

Mr. Wade Crowfoot  
Secretary for Natural Resources  
California Natural Resources Agency  
715 P Street, 20th Floor  
Sacramento, CA 95814

**SUBJECT: Notice of Decision of the San Francisco Bay Conservation and Development Commission to Adopt San Francisco Bay Plan Amendment No. 3-17 Amending the *San Francisco Bay Plan* by Amending the *San Francisco Waterfront Special Area Plan***

Dear Secretary Crowfoot:

Pursuant to the requirements of Public Resources Code section 21080.5(d)(2)(E) and Title 14 of the California Code of Regulations (“CCR”) section 11007(a), we hereby file notice with your office concurrently with the Governor’s Office of Planning and Research’s (“OPR”) CEQANet web portal that on August 21, 2025, the San Francisco Bay Conservation and Development Commission (“BCDC” or “the Commission”) voted 20-0-0 to adopt Bay Plan Amendment (“BPA”) No. 3-17 to its *San Francisco Bay Plan* (“*Bay Plan*”) via Resolution No. 2025.01 (attached).

BPA No. 3-17 makes the following changes to the *Bay Plan*:

- Amending the *San Francisco Waterfront Special Area Plan*, incorporated by reference into the *Bay Plan* as a plan addressing special needs pursuant to Government Code section 66651.

The Commission prepared a Draft and a Final Environmental Assessment (“EA”)<sup>1</sup> for BPA No. 3-17 in accordance with its certified regulatory program for purposes of the California

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<sup>1</sup> The Draft EA prepared for the July 17, 2025 public hearing on BPA No. 3-17 can be found here: <https://www.bcdcc.ca.gov/wp-content/uploads/sites/354/2025/05/BPA-3-17-Staff-Report-and-Preliminary-Recommendation.pdf> at pp. 21-22. There were no changes from the Draft EA to the Final EA, which was prepared for the August 21, 2025 Commission meeting at which the Commission adopted BPA No. 3-17. The Draft EA is incorporated by reference in the Final EA, which can be found here: <https://www.bcdcc.ca.gov/wp-content/uploads/sites/354/2025/08/Item-8-BPA-3-17-Final-Staff-Recommendation-August-21-2025.pdf> at p. 7. Physical copies of these documents are available upon request at BCDC’s physical office at 375 Beale Street, Suite 510, San Francisco, CA 94105.

Environmental Quality Act (“CEQA”) for its planning program under the McAteer-Petris Act<sup>2</sup> and determined that BPA No. 3-17 would not have any direct or indirect significant adverse environmental impacts. In addition to filing this notice with your office and with OPR on CEQANet, public notice of the Commission’s action on BPA No. 3-17 will further be given to all known interested parties pursuant to Public Resources Code section 21080.5(d)(2)(F) and 14 CCR section 11007(b), as well as posted on BCDC’s website.<sup>3</sup>

BPA No. 3-17 will not have an effect on fish or wildlife. The Commission adopted the *San Francisco Waterfront Special Area Plan* as a plan addressing special needs incorporated by reference into the *Bay Plan*. Updating the *San Francisco Waterfront Special Area Plan* would only alter planning requirements – permit applicants would still submit all future projects that fall under BCDC jurisdiction for review and approval for consistency with the *San Francisco Waterfront Special Area Plan*, *Bay Plan*, McAteer-Petris Act, and relevant BCDC regulations, at which time of BCDC permit application submittal any such specific proposal will be evaluated by the Commission to determine whether the proposed project will have any impacts on fish and wildlife. Because BPA No. 3-17 will not have any effect on fish or wildlife, no fee is required pursuant to Fish and Game Code section 711.4(c)(2)(A) or (d)(4).

Commission action on BPA No. 3-17 at its August 21, 2025 meeting is more fully described in the enclosed Resolution No. 2025.01. Inquiries concerning the Commission’s action should be directed to Staff Attorney Amanda Boyd at 415-352-3643 or [amanda.boyd@bcdc.ca.gov](mailto:amanda.boyd@bcdc.ca.gov).

Sincerely,

Signed by:  
  
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Amanda Boyd  
For Larry Goldzband, Executive Director

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<sup>2</sup> For authority on BCDC’s certified regulatory program under CEQA, reference Public Resources Code section 21080.5 and 14 CCR 15251(h). For the EA process under BCDC’s certified regulatory program for its planning program, reference 14 CCR sections 11003(b)(6), 11005(b)(2), and 11521-25.

<sup>3</sup> A State Clearinghouse (“SCH”) number for this notice cannot be generated through CEQANet (<https://ceqanet.opr.ca.gov/>) until this document has been successfully submitted through CEQANet. However, once submitted this notice should be search-accessible on CEQANet using the key phrase “Bay Plan Amendment No. 3-17” and by searching for “San Francisco Bay Conservation and Development Commission.” The notice will also be posted on BCDC’s website at <https://www.bcdc.ca.gov/wp-content/uploads/sites/354/2025/09/Notice-of-Decision-BPA-No.-3-17.pdf> and linked from the project webpage for BPA No. 3-17 on BCDC’s website at <https://www.bcdc.ca.gov/san-francisco-waterfront-special-area-plan-update-bpa-3-17/>.

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375 Beale Street, Suite 510  
San Francisco, California 94105

Enclosure:

1. Resolution No. 2025.01

# San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600

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## Resolution No. 2025-01

### Adoption of Bay Plan Amendment 3-17 San Francisco Waterfront Special Area Plan Update

**Whereas**, in 1965, the McAteer-Petris Act established the San Francisco Bay Conservation and Development Commission (“BCDC” or “the Commission”) as a temporary State agency, designated the San Francisco Bay as a State-protected resource, and charged the Commission with preparing a plan for the long-term of the Bay and regulating development in and around the Bay while the plan was being prepared;

**Whereas**, the initial San Francisco Bay Plan (Bay Plan) was approved in 1968, BCDC was made permanent one year later, and BCDC updates the Bay Plan regularly to ensure that the Bay and its shoreline are developed and conserved responsibly and to address new issues as the Bay Area changes;

**Whereas**, the Commission, in collaboration with the Port of San Francisco, adopted the San Francisco Waterfront Special Area Plan in 1975 as a more specific application of the San Francisco Bay Plan, to guide planning and permitting along the San Francisco Waterfront. The San Francisco Waterfront Special Area Plan was comprehensively updated in 2000, with subsequent minor amendments related to specific projects along the waterfront, including an amendment in 2009 to accommodate the relocation of the Exploratorium to Piers 15-17;

**Whereas**, Government Code Section 66652 states that “the Commission at any time may amend, or repeal and adopt a new form of, all or any part of the San Francisco Bay Plan but such changes shall be consistent with the findings and declaration of policy” contained in the McAteer-Petris Act;

**Whereas**, the Legislature directed the Commission to keep the Bay Plan up to date so that it reflects the latest scientific research on the Bay and addresses emerging issues that could impact the Bay in the future. To accomplish this, the Legislature empowered the Commission to amend the Bay Plan if it pertains to a policy or standard contained in the Bay Plan or defines a water oriented use referred to in Government Code Sections 66602 or 66605 upon two-thirds (18) of the 27 members of the Commission voting for the amendment, after providing an opportunity for public review of the proposed amendment and after holding a public hearing on the amendment. Over its history, the Commission has made numerous amendments to the Bay Plan, ranging from changing a boundary of a Bay Plan map designation to addressing policy issues, such as climate change and environmental justice;

**Whereas**, the Commission received and filed an application from the Port of San Francisco (Applicant) to modify the *San Francisco Waterfront Special Area Plan* (SFWSAP) by revising the geographic-specific policies of the Fisherman’s Wharf vicinity to align with the Northeastern



Waterfront vicinity, establishing a Sea Level Rise Public Education Initiative as a public benefit in place of a Bay fill removal public benefit, postponing the dates for outstanding SFWSAP public benefits requirements of public access improvements associated with Piers 19, 19.5, 23, 29.5, the Bayside History Walk at Pier 29 and removal of the end of Pier 23, amending the Bay? Plan maps and notes in accordance with the amendments to the SFWSAP policies, and minor changes to terminology and findings.

**Whereas**, the Commission: (1) on September 19, 2019, approved a Descriptive Notice on the proposed Bay Plan Amendment and set a public hearing date for December 3, 2020; (2) on September 20, 2019, mailed the Descriptive Notice to all agencies, organizations and individuals interested in the proposed amendment; (3) on November 20, 2020, mailed a Notice of Revised Date of Public Hearing and set a new public hearing date for September 16, 2021; (4) on September 3, 2021, mailed a Notice of Revised Date of Public Hearing and set a new public hearing date for October 20, 2022; (5) on October 7, 2022, mailed a Notice of Revised Date of Public Hearing and set a new public hearing date for July 20, 2023; (6) on July 7, 2023, mailed a Notice of Revised Date of Public Hearing and set a new public hearing date for May 16, 2024; (7) on May 3, 2024, mailed a Notice of Revised Date of Public Hearing and set a new public hearing date for September 5, 2024; (8) on August 23, 2024, mailed a Notice of Revised Date of Public Hearing and set a new public hearing date for November 7, 2024; (9) at the public hearing on November 7, 2024, the Commission voted to reinstate BPA 3-17; (10) on November 8, 2024, mailed a Descriptive Notice and set the next public hearing date for February 20, 2025; (11) on February 7, 2025, mailed a Notice of Revised Date of Public Hearing and set a new public hearing date for June 5, 2025; (12) on May 23, 2025, mailed a Notice of Revised Date of Public Hearing and set a new public hearing date for July 17, 2025; (13) on May 2, 2025, mailed the Staff Report, Preliminary Recommendation and Environmental Assessment to all agencies, organizations and individuals interested in the proposed amendment; (14) on July 17, 2025, held a public hearing to receive public comments on the proposed amendment, Preliminary Recommendation and Environmental Assessment; (15) on August 8, 2025, mailed the Final Staff Recommendation and Final Environmental Assessment to all agencies, organizations, and individuals who received the Staff Planning Report and who are known to be interested in the proposed amendment; (16) on August 21, 2025, voted on the staff's Final Recommendation, all in accord with the requirements and procedures set out in Government Code Section 66652 and Title 14 of the California Code of Regulations, Sections 11000-06 and 11521-24;

**Whereas**, the Commission has considered all oral comments presented at the July 17, 2025 public hearing, as well as all written comments received, and staff has responded to those comments in the Final Staff Recommendation;

**Whereas**, the Commission has prepared a Final Environmental Assessment for the proposed Bay Plan amendment in accordance with the Commission's regulations implementing CEQA, incorporated by reference as included in the May 2, 2025 Staff Report and Preliminary Recommendation without changes as described in the August 8, 2025 Final Recommendation. As concluded in the Environmental Assessment, BPA No. 3-17 would not result in any direct or indirect significant adverse environmental impacts for which alternatives or mitigation measures are required;



**Now, therefore, be it resolved that**, the San Francisco Bay Conservation and Development Commission hereby adopts the following Bay Plan Amendment:

Bay Plan Amendment No. 3-17, a request by the Port of San Francisco to amend the San Francisco Bay Plan (Bay Plan) to update the San Francisco Waterfront Special Area Plan.

**Be it further resolved that**, the above Bay Plan Amendment conforms to all relevant findings and declarations of policy at Government Code sections 66000 through 66661 as more fully discussed in the Preliminary Staff Planning Report and the Final Staff Planning Recommendation, which are hereby incorporated by reference. Findings regarding consistency of BPA No. 3-17 with the findings and declarations of policy of the McAteer-Petris Act are more specifically contained on pages 19 to 20 of the Preliminary Staff Planning Recommendation.

**Be it further resolved that**, the Commission finds that, based on the Final Environmental Assessment which is hereby incorporated by reference, there will be no substantial adverse impacts on the environment directly or indirectly created by or resulting from amending the San Francisco Bay Plan for which minimization or mitigation measures are required.

**Be it further resolved that**, the San Francisco Bay Conservation and Development Commission authorizes the Executive Director to make minor, non-substantive editorial and formatting changes to this resolution in executing the resolution.

We certify that this resolution was adopted by a vote of 20 "yes" votes, 0 "no" votes and 0 abstentions at the Commission meeting held August 21, 2025, in San Francisco, California.

Executed on this 2nd day of September, 2025 in San Francisco, California.

DocuSigned by:  
*R. Zachary Wasserman*  
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R. ZACHARY WASSERMAN Chair

Executed on this 2nd day of September, 2025 in San Francisco, California.

DocuSigned by:  
*Larry Goldzband*  
FD166FE908010417  
LAWRENCE J. GOLDZBAND Executive Director

