



Marsh Development Permit – Frequently Asked Questions

What is a Marsh Development Permit?

A Marsh Development Permit is unique to the Suisun Marsh, the largest contiguous brackish wetland in the western United States and protected by the Suisun Marsh Preservation Act of 1977. Development within the Suisun Marsh is evaluated for potential impacts to natural and biological resources within the marsh. Projects are analyzed for consistency with the [Suisun Marsh Local Protection Program](#). Land use types allowed by right are required to obtain Marsh Development Permit approval. Conditionally allowed land use types are required to obtain approval of a Use Permit and Marsh Development Permit.

Within the Suisun Marsh there are Primary and Secondary Management Areas. Development within the Secondary Management Area requires issuance of a Marsh Development Permit from Solano County. Development in the Primary Marsh Management Area requires issuance of a Marsh Development Permit from the [San Francisco Bay Conservation & Development Commission](#) (BCDC).

What is the process?

Pre-Application Consultation. Potential applicants are encouraged to discuss the development proposal with Planning staff prior to filing. More complex projects may warrant filing a pre-application request to identify key issues early on, prior to filing a formal entitlement application.

Step 1 – Completeness. Staff will perform an initial review of your project once a complete application is filed with the Planning Services Division. Refer to the [Marsh Development Permit Submittal Requirements Checklist](#) for a comprehensive range of information and documents necessary to file a complete application. Within 30 days of filing you will be notified if your application is deemed complete or whether additional information is necessary for evaluation and processing. If an application is deemed incomplete, you will receive a letter detailing the additional information necessary to continue processing.

Step 2 - Environmental review: Marsh Development Permits are subject to the discretion of a hearing body and therefore, the California Environmental Quality Act (CEQA) process. CEQA requires the County to evaluate a development proposal to determine whether or not a project has the potential to generate significant effects on the environment. Biological, air quality, noise, and traffic are examples of environmental resources that may be analyzed. The Planning Services Division will determine the appropriate level of environmental review for your project. Reference the Planning Services Division [Environmental Review brochure](#) for additional information regarding the CEQA process.

Supplemental application fees may be required depending on the level of environmental review required for your project. In addition, staff may request that the applicant provide professionally prepared site-specific studies such as a biological assessment, acoustical analysis, traffic study, or wetland delineation report to assist in the preparation of the environmental document. The cost of special studies is not included in the Planning Services fee schedule and is the obligation of the applicant.

Step 3 – Public Hearing. At least one public hearing before the Zoning Administrator or the Solano County Planning Commission is required on any Marsh Development Permit. Public notice of the project is mailed out to nearby property owners and anyone requesting notice at least 15 days in advance of the hearing. Prior to the hearing, staff will provide the applicant a report which describes project specifics, details conditions of approval, and makes a recommendation to the hearing authority.

Once a decision is made by the hearing authority, there is a ten (10) day appeal period where any person or party aggrieved or affected by the decision may file an appeal. Decisions made by the Zoning Administrator may be appealed to the Planning Commission and decisions made by the Planning Commission may be appealed to the Board of Supervisors. If an appeal is filed, a subsequent noticed public hearing to the higher-level hearing authority will occur, typically within 30 to 60 days. During an appeal period, no permits can be issued related to the project.

My Marsh Development Permit is approved. What next?

After a decision is made, the Planning Services Division will refer the application to the San Francisco Bay Conservation and Development Commission (BCDC). There is a twenty (20) working day appeal period where any person may file an appeal to the San Francisco Bay Conservation and Development Commission (BCDC). During this period, no permits may be issued.

Granting of a Marsh Development Permit does not authorize approval, application, or fees for other potential land development requirements, such as grading, building, encroachment, sewage disposal, or water supply. Development proposals often require a separate building permit. Please contact the Building and Safety Division at (707) 784-6765 to discuss building permit requirements. Before additional permits can be obtained, the permittee may be asked to verify compliance with their Marsh Development Permit conditions of approval.

How long does the process take?

The process typically takes three to four months from the time the application is deemed complete. More complex projects and those subject to higher levels of environmental review may increase processing time.

My operations have changed or expanded, what is necessary to continue operating?

Once a Marsh Development Permit becomes effective, the land use may be developed and operated in substantial compliance with the terms and conditions of the granted permit. Any development or operation that is not in substantial conformance with the terms of the permit shall not be initiated until a revision or amendment to the Marsh Development Permit is approved. In this case, the property owner or operator should file a Minor Revision or Amendment to authorize changes to the approved Marsh Development Permit. Minor Revisions are considered by the Zoning Administrator and significant changes are considered by the Planning Commission.

The term of my Land Use Permit is 5 years. What can I do?

Most Marsh Development Permits are subject to periodic renewal every five years, or other such period as granted by the hearing authority. If a Marsh Development Permit requires renewal, the Planning Services Division will notify the permittee in writing within 60 days of the Marsh Development Permit expiration date. Timely filing of the renewal application is required to continue operations.

How do I apply for a Marsh Development Permit?

Reference the [Planning Application Submittal Guide](#) for specific details regarding contact information, office hours, and application filing.

This application packet includes:

- Marsh Development Permit - Submittal Requirements Checklist**
- Land Use - Application**
- Project Description**
- Environmental Evaluation Questionnaire**
- Application Processing Agreement**