

# SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

50 California Street • Suite 2600 • San Francisco, California 94111 • (415) 352-3600 • Fax: (415) 352-3606 • www.bcdc.ca.gov

October 25, 2013

## Application Summary

(For Commission consideration on November 7, 2013)

**Number:** BCDC Permit Application No. 2011.002.00  
**Date Filed:** September 6, 2013  
**90th Day:** December 5, 2013  
**Staff Assigned:** Michelle Burt Levenson (415/352-3618,  
michellel@bcdc.ca.gov)

### Summary

- Applicant:** Water Emergency Transportation Authority (WETA)
- Location:** Along the Mare Island Strait, on Mare Island, bayward of Waterfront Avenue (between 6<sup>th</sup> and 7<sup>th</sup> Streets) and Building 165, in the City of Vallejo, Solano County (Exhibit A).
- Project:** The proposed project involves relocation and intensification of a facility for ferry mooring, storage, maintenance and fueling for the San Francisco Bay Ferry system (previously Vallejo-Baylink Ferry). The current facility is located approximately one-half mile north of the project site, bayward of Building 477 on Mare Island. The existing facility does not meet the current and future operational needs of the San Francisco Bay Ferry system. Improvements proposed in the Bay (Mare Island Strait) include installing five new floats and relocating two existing floats from Building 477 to the project site. Landside improvements include constructing a utility shed and pump facility, and installing utilities within a wharf. A portion of the landside improvements (e.g., construction of a utility shed, relocation of utilities, etc.), as well as the relocation of one of the existing floats, was previously authorized by the Commission under BCDC Permit No. M2006.002.00. Additional project-related improvements located outside of the Commission's jurisdiction include demolishing Building 855, constructing a new warehouse and rehabilitating



*Making San Francisco Bay Better*

Building 165 for ancillary ferry services (e.g., administration, parts and equipment storage, workshops, etc.) (Exhibits A through D). The floats would be fixed in position by approximately 40 steel and plastic piles, ranging in size from 12- to 42-inches in diameter.

The applicant proposes to mitigate for the fill impacts associated with the project by removing 114 creosote-treated piles from three locations along the Mare Island Strait, removing a 1,550-square-foot deteriorated pile-supported pier, and removing miscellaneous debris and trash from several shoreline locations near the project site. Hydro-acoustic impacts to fish as a result of construction activities would be mitigated by purchasing a 0.50-acre of mitigation credit from the Liberty Island Conservation Bank, located on the southern Yolo bypass within the Sacramento/San Joaquin Delta (Exhibit E).

Public access proposed with the project consists of extending the existing public access promenade approximately 465 feet along the wharf's edge within a 50-foot-wide corridor. Promenade improvements would include pavement resurfacing and installing lights, railings, seating and trash receptacles. A 2,000-square-foot ferry passenger waiting area and a 400-square foot public access area would also be provided (Exhibits F and G).

**Issues  
Raised:**

The staff believes that the application raises four primary issues: (1) whether the project is consistent with the Commission's laws and policies on fill in the Bay; (2) whether the project is consistent with the Bay Plan policies on climate change and sea level rise; (3) whether the project is consistent with the Commission's public access policies; and (4) whether the project is consistent with the Bay Plan policies on natural resources, including fish, other aquatic organisms and wildlife, and water quality.

### Background

The Vallejo ferry service is owned by the Water Emergency Transportation Authority (WETA) and operated by the Blue and Gold Fleet. The ferry service primarily uses a fleet of four vessels that serves routes between the Vallejo Ferry Terminal and the City of San Francisco's Ferry Plaza and Fisherman's Wharf. The existing ferry maintenance facility is located on the west side of Mare Island Strait at Building 477 on Mare Island and is used for crewing, repairs, fueling, maintenance, vessel moorage and storage functions related to ferry operations. (Exhibit A) Three ferry vessels, as well as a maintenance barge and loading barge, currently moor along the quay wall immediately east of Building 477.

The proposed project involves relocating the existing maintenance facility approximately one-half-mile south, bayward of Building 165. Two floats currently in place at the existing maintenance facility would be relocated to the project site and an additional five floats would be added to accommodate the new facility. The 3,600-square-foot passenger float and 4,080-square-foot service float currently in place at the existing facility have been previously authorized by the Commission under BCDC Permit Nos. 1986.002.00 and M2006.022.02, respectively. In addition to the ferry maintenance and fueling activities currently taking place at the existing facility, the applicant would provide ferry service from the site on Mare Island to the Vallejo Ferry Terminal, located across the strait, for regularly scheduled trips bound for San Francisco.

The project includes both waterside and landside improvements. The waterside improvements consist of pile installation and float placement. The waterside portion of the site is owned by the Department of the Navy (Navy). WETA is currently in the process of negotiating a lease with the Navy to construct and use this portion of the project. Landside improvements consist of constructing a fueling facility (e.g., truck pad, above ground storage tanks and pipelines) and two small utility structures, demolishing an existing building (Building 855) and replacing it with a new 4,500-square-foot warehouse, rehabilitating Building 165 and improving the existing parking lot (e.g., striping, resurfacing) to accommodate 233 parking spaces. In addition, public access improvements would be installed along the wharf and two public access areas would be provided. The majority of the landside improvements are located outside of the Commission's jurisdiction. The landside portion of the site is owned by Lennar Mare Island (LMI). WETA has entered into a lease agreement with LMI for the landside portion of the project to accommodate the maintenance facility operations. The proposed 50-foot-wide public access corridor along the wharf is controlled by LMI. The public access improvements and parking lot improvements would be authorized under a separate BCDC permit amendment as discussed in the section entitled, "A. Issues Raised, 2. Public Access", below.

### Project Description

**Project**

**Details:** The applicant, the Water Emergency Transportation Authority (WETA), describes the project as follows:

**1. In the Bay:**

- a. Install, use, and maintain a total of up to 40 pilings that will range in diameter from 12- to 42-inches, occupying 428 cubic yards of Bay volume and covering 210 square feet of the Bay floor that would support a total of seven floats including a total of two, 1,178-square-foot finger floats totaling 2,356 square feet, one 1,056-square-foot landing float, one 1,900-square-foot maintenance float, and one, 104-square-foot working float; and
- b. Relocate (from the existing maintenance facility), use, and maintain one 4,080-square-foot service float, and one 3,600-square-foot passenger float.

**2. Within the 100-foot Shoreline Band:**

- a. Install, use, and maintain a 13-foot-tall, 19-foot-wide ferry portal with associated guardrails.

**Bay Fill:**

Work proposed in the Bay consists of installing 40 steel and plastic piles, ranging in diameter from 12- to 42-inches and occupying a total of 428 cubic yards of Bay volume and covering 210 square feet (0.048 acre) of the Bay floor. In addition a total of five new floats totaling approximately 5,416 square feet would be secured to the pilings. Two existing floats totaling 7,680 square feet would be relocated to the project site from the existing facility located at Building 477 (Exhibit B).

To mitigate for the impacts of the fill, the applicant proposes to remove a total of 114 existing, creosote treated piles at three different locations (e.g., the North Dolphin Site, the Pier Site and the project site) along the Mare Island Strait. Removal of these creosote-treated piles would have water quality benefits and would uncover 90 square feet of the Bay floor and would provide an increase of 109 cubic yards of Bay volume. In addition to pile removal, the applicant proposes to remove an existing 1,550-square-foot dilapidated pier at the Pier Site and remove miscellaneous debris and trash from several locations along the Mare Island Strait. Debris and trash removal efforts would uncover approximately 36 square feet of the Bay floor.

**Table 1. Fill Areas for the Project (in square feet)**

Type of Fill (sf)	Removed (sf)-Pile-supported	Removed (sf)-Solid	Floating (sf)	New (sf)-Solid	Total Net Fill (sf)
Floats			13,096		13,096
Pilings		90		210	120
Pier	1,550				(1,550)
Debris and Trash		36			(36)
<b>Total</b>	(1,550)	(126)	13,096	210	11,630

**Public Access:**

Public access proposed with the project consists of extending the existing wharf promenade (provided as a condition of approval of BCDC Permit No. 2009.003.00) by 465 feet within a 50-foot-wide corridor. Improvements would consist of applying new asphalt to the wharf surface, installing lights, trash receptacles, seating and a wharf railing consistent with the existing railing along the waterside edge. In addition, an approximately 1,961-square-foot ferry waiting area would be provided adjacent to Building 165 and the maintenance facility parking lot. This area would contain seating, bicycle racks and trash receptacles. An additional 862-square-foot public access area would also be provided at the eastern end of the site. This area may contain an artifact from the Naval shipyard as well as lights, benches and trash receptacles. In total, the project would provide 23,240 square feet of public access along the promenade and 2,823 square feet of public access within the two other public access areas.

**Table 2. Public Access Areas (Approximate)**

Type of Public Access	Square feet	Acres	Linear Feet
Promenade	23,240	0.53	465
Waiting Area	1,961	0.05	
Artifact Area	862	0.02	
<b>Total</b>	26,063	0.60	465

**Schedule and Cost:**

Construction of the waterside improvements is anticipated to commence by July 1, 2014, and be completed by April 30, 2015. Construction of the landside improvements is anticipated to commence by January 31, 2014, and be completed by November 30, 2014. The total project cost for the waterside improvements is estimated at \$10.1 million. The cost for the public access improvements is estimated at approximately \$258,357.

### Staff Analysis

- A. **Issues Raised:** The staff believes that the application raises four primary issues: (1) whether the project is consistent with the Commission's laws and policies on fill in the Bay; (2) whether the project is consistent with the Bay Plan policies on climate change and sea level rise; (3) whether the project is consistent with the Commission's public access policies; and (4) whether the project is consistent with the Bay Plan policies on natural resources, including fish, other aquatic organisms and wildlife, and water quality.
1. **Fill.** The Commission may allow fill only when it meets the requirements identified in Section 66605 of the McAteer-Petris Act, which states, in part, that: (a) fill "should be limited to water-oriented uses" or "minor fill for improving shoreline appearance and public access"; (b) fill in the Bay should be approved only when "no alternative upland location" is available; (c) fill should be "the minimum amount necessary to achieve the purpose of the fill"; (d) "the nature, location, and extent of any fill should be such that it will minimize harmful effects to the Bay area, such as the reduction or impairment of the volume, surface area or circulation of water, water quality, fertility of marshes or fish or wildlife resources, or other conditions impacting the environment..."; and (e) "fill should be authorized when the applicant has such valid title to the properties in question that he or she may fill them in the manner and for the uses to be approved."
    - a. **Fill for a Water-Oriented Use.** The project proposal includes installing pilings and floats associated with a ferry maintenance facility. Ferry facilities are considered water oriented uses. In addition, the Bay Plan contains findings promulgating ferry use around the Bay. The Bay Plan findings on Transportation state, "[t]he Bay represents an important resource for ferry transportation..." The applicant states that ferry service contributes beneficially to the public welfare of the Bay Area by reducing the environmental impacts associated with single-occupant vehicle use. The Vallejo Ferry system carries up to 600 passengers each round-trip, and provides approximately 15 round trips per day. The applicant contends that a new maintenance facility is necessary to increase efficiency and accommodate future demand for ferry service at the Vallejo Ferry Terminal.
    - b. **Alternative Upland Location.** The applicant states that an alternative upland location for the maintenance facility is not feasible because the floats would be essential to fueling and maintaining the ferry vessels that are in the water. The applicant states that removing the vessels from the water for routine maintenance activities would be extremely costly and inefficient.
    - c. **Minimum Amount Necessary.** The project would result in the placement of 13,096 square feet of floating fill and 210 square feet of solid fill. The fill footprint for the project has been reduced since the applicant's original proposal. When the original application was submitted, a larger, 12-berth facility was envisioned, resulting in approximately 34,000 square feet of fill. Since the original submittal, the applicant has further evaluated the needs of the project. Refinement of the project has reduced the amount of floating fill by 20,904 square feet and the number of pilings from 54 to 40. The applicant states that the fill proposed with the project is the minimum necessary to service the current Vallejo fleet safely and efficiently.

- d. **Effects on Bay Resources** As discussed more fully in the “**Natural Resources Policies**” section below, best management practices have been incorporated into the project to minimize the impacts of the proposed new fill in the Bay. On April 10, 2012, the NOAA’s National Marine Fisheries Service (NMFS) determined that, with mitigation measures incorporated into the project, the project was “not likely to jeopardize the continued existence” of the threatened Central Coast steelhead, the threatened Central Valley steelhead, the threatened Central Valley spring-run Chinook salmon, the endangered Sacramento River winter-run Chinook salmon, the threatened southern distinct population segment of North American green sturgeon, and would not adversely modify the designated critical habitat for green sturgeon, Central Coast steelhead and winter-run Chinook Salmon. However, NMFS stated that take of the green sturgeon was anticipated with the pile-driving activities associated with the project. Specific measures to reduce impacts to the green sturgeon and other special-status aquatic species are described in more detail below.

On August 20, 2013, the Regional Water Quality Control Board (RWQCB) issued a water quality certification for the project.

- e. **Valid Title.** As described above, the water area associated with the project site is currently owned by the Department of the Navy. The Navy has stated that they will issue a lease to the applicant once BCDC has granted approval of the project (Exhibit H).
2. **Safety of Fills / Climate Change / Sea Level Rise.** Policy 4 of the Bay Plan policies on Safety of Fills states, in part, that “adequate measures should be provided to prevent damage from sea level rise and storm activity that may occur on fill or near the shoreline over the expected life of a project,” that “new projects on fill or near the shoreline should either be set back from the edge of the shore so that the project will not be subject to dynamic wave energy, be built so the bottom floor level of structures will be above a 100-year flood elevation that takes future sea level rise into account for the expected life of the project, be specifically designed to tolerate periodic flooding, or employ other effective means of addressing the impacts of future sea level rise and storm activity.”

Policy 3 requires all projects, “other than repairs of existing facilities, small projects that do not increase risks to public safety, interim projects and infill projects within existing urbanized areas,” to be “designed to be resilient to a mid-century sea level rise projection”.

The applicant’s consultant provided a letter, dated September 5, 2013, prepared by Coast and Harbor Engineering, that analyzed design water levels and projected sea level rise and its impacts on the proposed floats and public access.

According to the applicant, the project structure has a design life of approximately 50 years or until 2064.

The following table includes the tidal elevations provided by the applicant for the site based on the U.S. Army Corps of Engineers (Corps) 1984 study that accounted for the contributions of astronomical tides and meteorological effects on measured water levels at the Presidio of San Francisco tidal station. Based on an extreme event analysis and allowing for appropriate tidal elevation differences from the Golden Gate to the project site, the Corps’ report estimated the 100-year flood elevation at the site to be 9.0 feet MLLW.

**Table 3. Tidal Elevations (feet)**

Tidal Height	Elevation Based on MLLW datum (feet)
Mean High Water (MHW)	5.30
Mean Higher High Water (MHHW)	5.86
100-Year Flood Elevation	9.0

In addition to the 100-year flood elevation, the applicant analyzed the contribution of Napa River flows to the projected water levels at the site. Based on a literature review, (Neary, et. al. 2001), Napa River discharge was estimated at 29,325 cubic feet per second (cfs) for a 55-year event. The contribution of river flows at the project site was determined using numerical modeling over a two-week period that included the highest tides during the present tidal epoch, both with and without the 55-year Napa River flows. The maximum contribution of river flow at the site was calculated to be 0.37 feet.

Current estimates of the future sea level rise vary widely, from the historic measured trend over the last century of about 8 inches per century, to as much as 55 inches per century. According to the October 2010 "State of California Sea Level Rise Interim Guidance Document" sea level rise is expected to rise at a high estimate of 1.4 feet (16 inches) by 2050.

**Table 4. Contributions to Tidal Elevations (feet)**

Contributing Factors to Projected Tidal Elevations	Elevation (feet)
100-year Flood (MLLW)	9.0
Napa River Discharge	0.37
CA Interim SLR Guidance	1.4
<b>TOTAL</b>	10.77

The quay wall elevation at the site is +12.0 feet (MLLW) (Exhibit I). The recommended extreme water level design criterion for the project site is estimated at approximately 10.77 feet (MLLW) given the factors discussed above, which is more than one foot below the top of the quay wall elevation.

The berths are floating and would therefore rise and fall with the tide. The pilings placed with the project would be cut at an elevation based on the above sea level rise projections. All pilings would have cut off elevations that are 6 to 9 feet higher than the quay wall. Thus, due to the sea level rise projections and other contributing factors for future tidal elevations at the site, and the elevation of the existing wharf and the cut-off elevations of the existing and proposed pilings, the applicant states that the project would not be impacted by sea level rise.

The Commission should determine whether the project is consistent with its law and policies regarding Bay fill, safety of fills, climate change and sea level rise.

3. **Public Access.** Section 66602 of the McAteer-Petris Act states, "...maximum feasible public access, consistent with a proposed project, should be provided." Policy 1 and Policy 6 of the Bay Plan policies on Public Access state, "a proposed fill project should increase public access to the Bay to the maximum extent feasible" and that the public

access improvements “should be designed and built to encourage diverse Bay-related activities and movement to and along the shoreline, should permit barrier free access for the physically handicapped to the maximum extent feasible, should include an ongoing maintenance program, and should be identified with appropriate signs.” Policy 8 states, “access to and along the waterfront should be provided by walkways, trails, or other appropriate means to connect the nearest public thoroughfare where convenient parking or public transportation may be available.” In addition, Policy 5 states, “public access should be sited, designed, managed and maintained to avoid significant adverse impacts from sea level rise and flooding....”

The public access proposed with the project consists of extending public access improvements along the existing wharf for approximately 465 feet. This extension would connect existing access required under BCDC Permit No. 2009.003.00 and would provide a connection to future development along Mare Island. The Mare Island Reuse Plan, approved in 1996, envisions the construction of a public promenade extending from the Vallejo causeway south to the Mare Island’s Historic Core Plaza. Construction of the proposed public access would complete an important segment of this promenade. Promenade improvements would consist of applying new asphalt to the wharf surface, installing a wharf railing consistent with the existing railing along the waterside edge, lights, trash receptacles and seating. In addition, an approximately 1,961-square-foot ferry waiting area would be provided adjacent to Building 165 and the maintenance facility parking lot. This area would contain seating, two bicycle racks and trash receptacles. An additional 862-square-foot public access area would also be provided at the eastern end of the site. This area may contain an artifact from the Naval shipyard as well as lights, benches and trash receptacles. In total, the project would provide 23,240 square feet of public access promenade improvements and 2,823 square feet of public access within the two other public access areas (Exhibits F and G).

As discussed above, the applicant does not possess property rights to the area on which the public access improvements would be constructed. In order to provide the public access improvements proposed with the project, WETA has entered into an agreement with Lennar Mare Island (LMI) such that LMI would request and receive Commission approval for construction of the improvements under BCDC Permit No. M2006.022.02, and construct and maintain the improvements. If, within 6 months of completion of all wharf-related project improvements (e.g., utilities, etc.), LMI has not commenced construction of the public access improvements, WETA would either obtain the necessary approvals and construct the wharf improvements or receive Commission approval for alternate improvements, with similar value to the improvements proposed.

In determining whether a project provides maximum feasible public access, consistent with the project, the Commission and its staff use several variables in evaluating the adequacy of the public access. These variables include site constraints and opportunities, the expected level of use of the public access areas, existing access in the area, past experience with public access provided by other similar projects, project cost, and possible impacts to adjoining wildlife and habitat. The Commission has approved several similar facilities over the years, including the following:

- (1) **BCDC Permit No. 1986.020.00, City of Vallejo Redevelopment Agency, Ferry Terminal.** The Vallejo Ferry Terminal project resulted in the placement of a 4,670-square-foot dock and gangway connecting the dock to the shore, and dredging to provide the necessary depth for ferry vessels, at the City of Vallejo’s Ferry Terminal Site, Solano County. The project cost was estimated at \$1.5 million. Public access provided with the Vallejo Ferry Terminal consisted of enhancement of an existing 15,500-square-foot shoreline promenade (e.g., benches, lights, and landscaping) and 10,856 square feet of new public access consisting of a new walkway and landscaped area.

- (2) **BCDC Permit No. 2008.001.00, San Francisco Bay Area Water Transportation Authority (WETA) and San Mateo County Harbor District.** The South San Francisco Ferry Terminal project resulted in the installation of 13,980 square feet of a mixture of solid, floating and pile-supported fill, dredging to provide the necessary depth for ferry vessels and parking lot improvements all associated with the construction of a new ferry terminal, in the City of South San Francisco, San Mateo County. The cost for this project was estimated at \$30 million. Public access provided with this project included a 3,000-square-foot public access terrace, a 2,300-square-foot section of an existing pier that would be available from 6 a.m. to 8 p.m., repaving and widening of an existing pathway and public access amenities (e.g., bicycle lockers, landscaping, etc.)

Both of the projects discussed above resulted in the construction of designated passenger ferry facilities that attract hundreds of individuals daily, thus creating a greater demand on present and future public access at the site and in the vicinity. Designated ferry trips from Mare Island to San Francisco are not anticipated at this facility. The proposed project would provide ferry service to the Vallejo Ferry Terminal that would coincide with scheduled trips to San Francisco. The applicant believes that 30 individuals daily would use the ferry service between Mare Island and Vallejo upon project completion. The applicant projects that 87 individuals would use the Mare Island ferry service daily at 50 percent build-out of the Mare Island Specific Plan, and that 174 individuals would use the Mare Island ferry service daily at 100 percent build-out. In addition, the applicant states that approximately 9 to 10 maintenance and administration staff would be employed at the relocated facility. In addition, 8 to 12 captains and 24 full time deckhands would be based out of the facility. An increase in employment needs over that which are currently occurring at the existing facility are not anticipated. As discussed above, the cost for the proposed project is estimated at \$10.1 million. Approximately \$250,000 would be spent on public access improvements along the wharf and adjacent to Building 165.

The Commission should determine whether the applicant's proposed public access improvements are consistent with its policies on Public Access.

4. **Natural Resources Policies.** Policy 1 of the Bay Plan policies on Water Surface Area and Volume state, in part: "the surface area of the Bay and the total volume of water should be kept as large as possible in order to maximize active oxygen interchange, vigorous circulation, and effective tidal action." Policy 2 of the Bay Plan policies on Fish, Other Aquatic Organisms, and Wildlife states, in part: "specific habitats that are needed to conserve, increase, or prevent the extinction of any native species, species threatened or endangered...should be protected..." Policy 4 states that the Commission should "...consult with the California Department of Fish and Wildlife [CDFW] and the U.S. Fish and Wildlife Service or [NMFS] whenever a proposed project may adversely affect an endangered or threatened...species" and "...give appropriate consideration to the recommendations of the [state and federal resource agencies] in order to avoid possible adverse effects of a proposed project on fish, other aquatic organisms and wildlife habitat." Policy 1 of the Bay Plan policies on Water Quality states, "bay water pollution should be prevented to the greatest extent feasible..." and policy 2 states that, "...the policies, recommendations, decisions, advice and authority of the State Water Resources Control Board and the Regional Board, should be the basis for carrying out the Commission's water quality responsibilities." Policy 2 of the Bay Plan Policies on Tidal Marsh and Tidal Flats states, "any proposed filling...should be thoroughly evaluated to determine the effect of the project on tidal marshes and tidal flats, and designed to minimize, and if feasible, avoid any harmful effects..."

On April 10, 2012, the U.S. Army Corps of Engineers requested consultation with NOAA's National Marine Fisheries Service (NMFS) pursuant to section 7 of the Endangered Species Act of 1973 (as amended), and the Essential Fish Habitat (EFH) provisions of the Magnuson Stevens Fishery Conservation and Management Act for the proposed project. Special-status species potentially affected by the project consist of the threatened Central Coast (CCC) steelhead, the threatened Central Valley steelhead, the threatened Central Valley spring-run Chinook salmon, the endangered Sacramento River winter-run Chinook salmon, and the threatened southern distinct population segment (DPS) of the North American green sturgeon. In addition, the project site is designated as critical habitat for the green sturgeon, Central Coast steelhead and winter-run Chinook salmon.

The Biological Opinion (BO) issued by NMFS for the project states that the underwater noise during pile-driving activities and the degradation of water quality due to construction would temporarily affect the threatened green sturgeon. The BO further states that operation of the facility would affect listed anadromous salmonids and green sturgeon due to the noise and turbidity associated with the operation of ferry vessels. In addition, the BO states that critical habitat for CCC steelhead, Sacramento River winter-run Chinook salmon and the southern DPS of the green sturgeon would potentially be impacted due to shading from the floats and turbidity of ferry vessel activities.

The BO concludes that the impacts of shading from the floats would be insignificant because the new berths would be located 50 feet from the quay wall where depths range from -15 to -40 feet MLLW. At these depths, it is unlikely that aquatic vegetation that is particularly valuable to fish, such as eelgrass, would occur. Other species of submerged aquatic vegetation are also limited by high baseline turbidity levels and frequent boat traffic that is unrelated to ferry operations. Additionally, the BO states that the project footprint (approximately 13,000 square feet (0.30 acre)) is small in proportion to the 57,600 acres of estuarine habitat that is available in the adjacent San Pablo Bay.

The BO requires, and the applicant proposes, several measures to offset the impacts of the project on special-status species. The applicant would implement a pile-driving program that would restrict in-water pile-driving activities to July 1 through October 30. Pile installation would occur for 10 days within a three-week period within the work window. The smallest size pile hammer would be used given the size of the pile and a bubble curtain would be implemented around the pile driving area during hammering activities. A hydroacoustic monitoring program would be employed during pile driving activities and results of the monitoring would be reported.

The BO concluded that based on the best available data, the proposed project was not likely to jeopardize the continued existence of threatened CCC and CV steelhead, threatened CV spring-run Chinook salmon, endangered Sacramento River winter-run Chinook salmon and threatened southern DPS green sturgeon. The BO further concluded that the project was not likely to affect critical habitat for the CCC steelhead, Sacramento River winter-run Chinook salmon or southern DPS green sturgeon. However, the BO concluded that take of DPS green sturgeon was anticipated during construction activities.

In addition to those measures discussed above, the applicant proposes to mitigate for fill placement by removing 114 creosote-treated piles, a 1,550-square-foot pile-supported pier located within the Mare Island Strait and 36 square feet of solid fill associated with the removal of debris and trash. In assessing whether the fill mitigation proposed with the project adequately offsets the impacts of its placement, the Commission and its staff look to similar projects with comparable amounts and types of fill. Two similar projects are discussed below.

- (1) **BCDC Permit No. 1994.013.08, Bay Ship and Yacht Company and Alameda Gateway, Ltd.** The Bay Ship and Yacht project resulted in the mooring and operation of a 32,770-square-foot dry dock in the City of Alameda, Alameda County. The fill mitigation proposed with this project consisted of the contribution of \$75,000 to CalRecycle for the removal of an abandoned dock, two vessels and marine debris within the Oakland Estuary. Approximately 6,100 square feet of solid, floating and pile-supported fill was removed as a result of fill mitigation efforts proposed with the Bay Ship and Yacht project.
- (2) **BCDC Permit No. 2008.001.00, San Francisco Bay Area Water Transportation Authority (WETA) and San Mateo County Harbor District.** As discussed above, this project involved the installation of improvements associated with a ferry terminal in the City of South San Francisco, San Mateo County. The project resulted in the placement of 13,980 square feet of a combination of solid, floating, pile-supported and cantilevered fill. Fill mitigation for the project consisted of the removal of a total 18,880 square feet of fill, much of which needed to be removed to accommodate build-out of the project.

While most of the proposed project would result in the placement of floating fill, the mitigation proposal would result in the removal of solid fill (in the form of piles, trash and debris) and pile-supported fill. The pile and debris removal would provide additional Bay surface area as well as an increase in the volume of the Bay. In addition, there are water quality benefits to removing the creosote-treated pilings as creosote is known to have deleterious effects on Bay fish and wildlife. All of the fill removal activities are located in close proximity to the project site, in the Mare Island Strait.

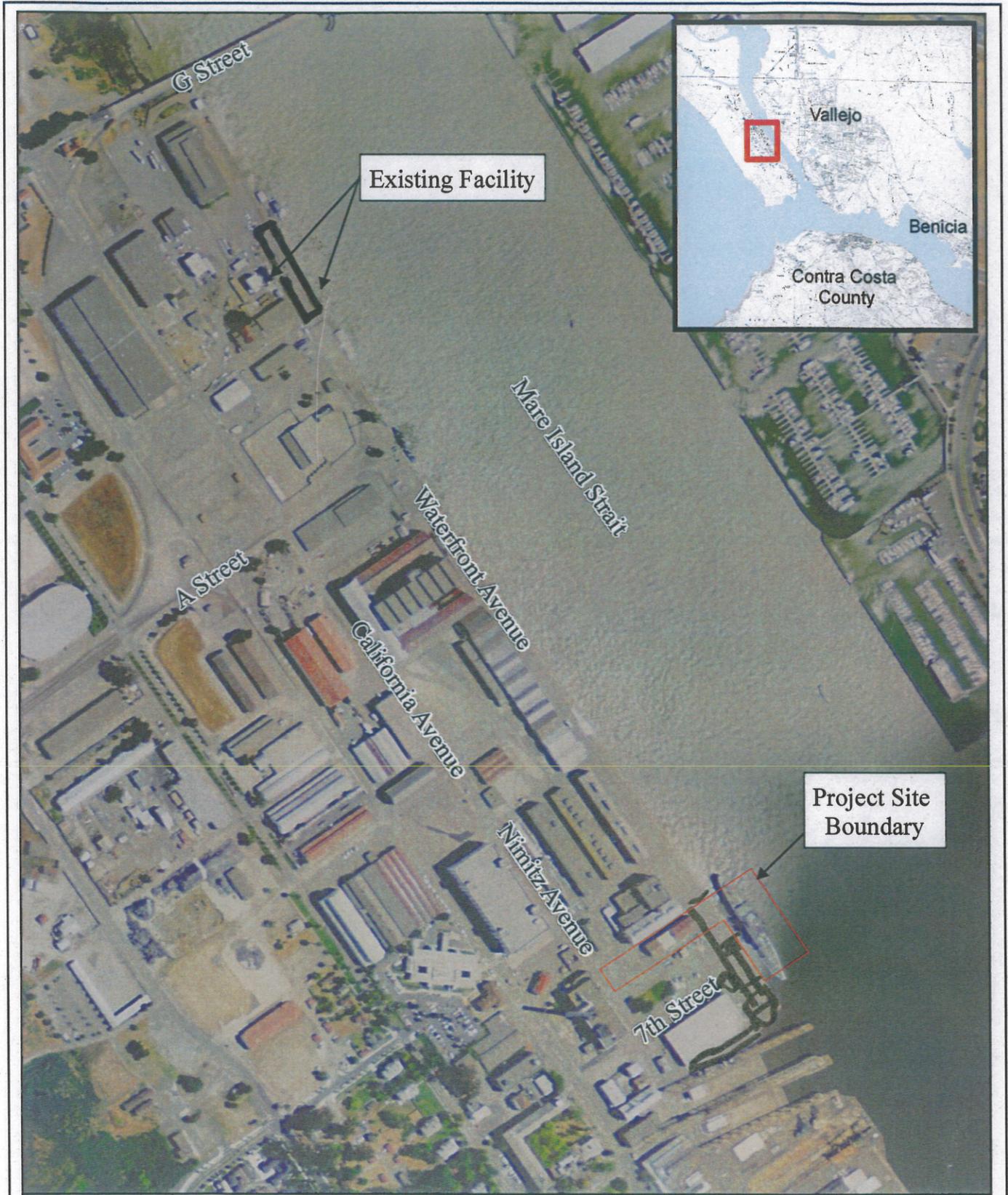
To offset hydro-acoustic impacts to the State-threatened Delta and longfin smelt(s) during pile-driving activities, the applicant proposes to purchase 0.50-acre of mitigation credit from the Liberty Island Conservation Bank, located on the southern Yolo Bypass within the Sacramento/San Joaquin Delta.

The Commission should determine if the proposed project, as mitigated, is consistent with the Bay Plan policies regarding fish, other aquatic organisms, and wildlife, and water quality. The Commission should also determine whether the fill mitigation would adequately offset impacts to Bay resources.

- B. **Review Boards.** The project was not reviewed by the Design Review Board or the Engineering Criteria Review Board.
- C. **Environmental Review.** The City of Vallejo, the California Environmental Quality Act (CEQA) Lead Agency for the project, prepared and distributed an Initial Study/Mitigated Negative Declaration for the project. On May 24, 2011, the City of Vallejo City Council adopted the Initial Study/Mitigated Negative Declaration for the project, which determined that the project would not have a significant effect on the environment due to the project design and implementation of mitigation measures.
- D. **Relevant Portions of the McAteer-Petris Act**
  1. Section 66605
  2. Section 66602
- E. **Relevant Portions of the San Francisco Bay Plan**
  1. Bay Plan Policies on Fish, Other Aquatic Organisms, and Wildlife (page 16)
  2. Bay Plan Policies on Water Quality (page 19)
  3. Bay Plan Policies on Water Surface Area and Volume (page 20)
  4. Bay Plan Policies on Climate Change (pages 36-39)
  5. Bay Plan Policies on Public Access (pages 67-69)

**Exhibits**

- A. **Location**
- B. **Ferry Facility Plan**
- C. **Rendering**
- D. **Site Photos**
- E. **Location of Mitigation Sites**
- F. **Public Access Improvements-Promenade**
- G. **Public Access Improvements-Ferry Waiting and Artifact Area**
- H. **Department of the Navy Correspondence**
- I. **Sea Level Rise Data**
- J. **Initial Study/Mitigated Negative Declaration/Mitigation and Monitoring Program**



**FIGURE 1**  
**LOCATION MAP**

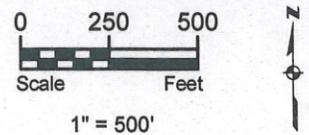






EXHIBIT C

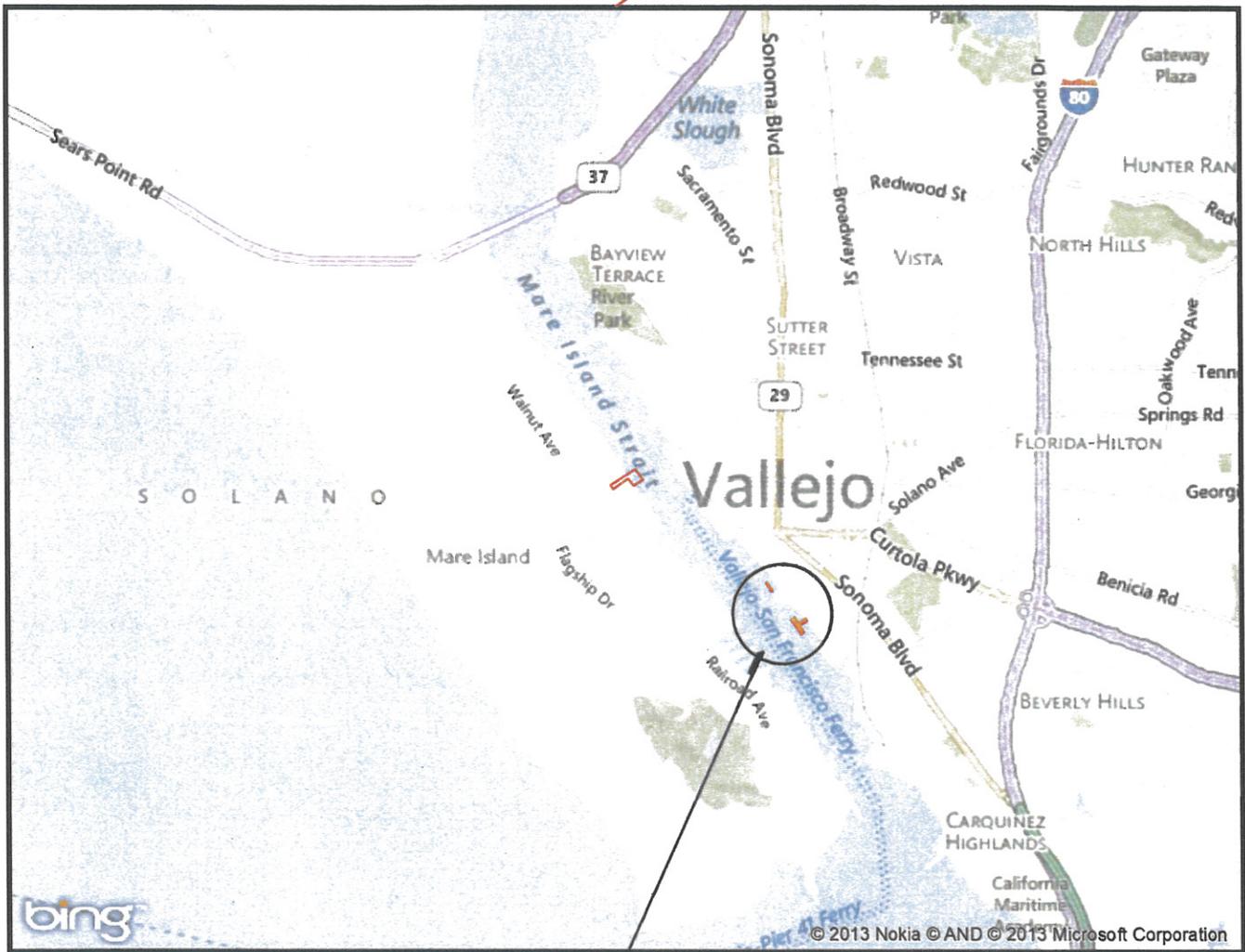
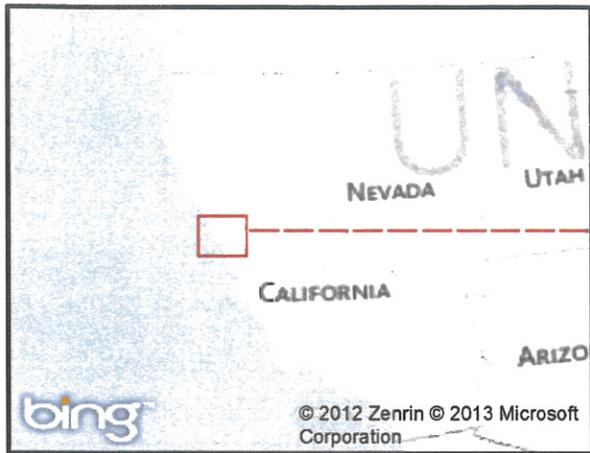
**FIGURE 4 SITE PHOTOGRAPHS**



**View from Project Site across Mare Island Strait**



**Looking westerly along quay wall within project area**



- LEGEND**
- Proposed Ferry Maintenance Facility Site
  - Mitigation Sites

Paper Size 8.5" x 11" (ANSI A)  
 0 3,000 6,000  
 Feet  
 Map Projection: Lambert Conformal Conic  
 Horizontal Datum: North American 1983  
 Grid: NAD 1983 StatePlane California II FIPS 0402 Feet

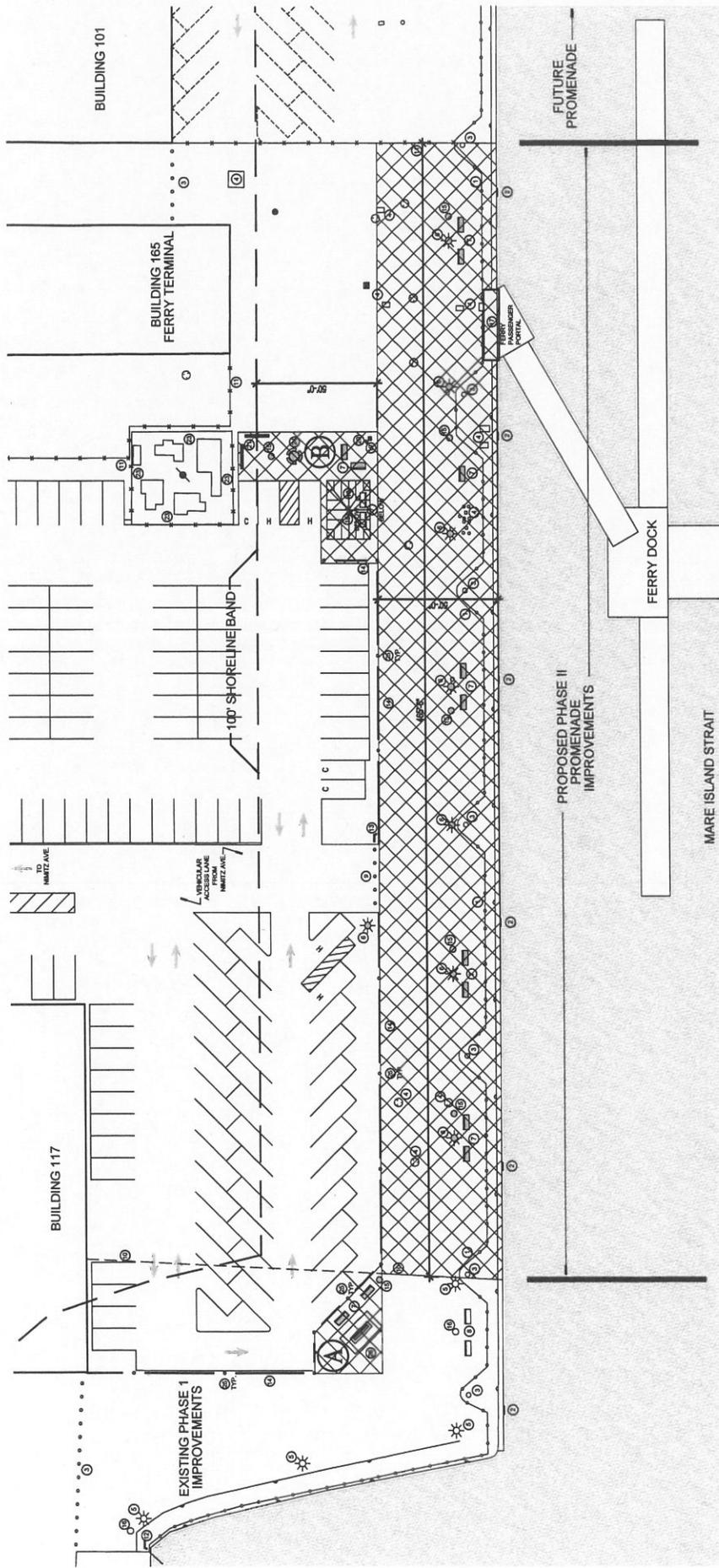


Water Emergency Transportation Authority  
 Vallejo Ferry Maintenance Facility

Job Number 8410386  
 Revision 1  
 Date 11 Oct 2013

Vicinity Map **Figure 1**

417 Montgomery Street Suite 700 San Francisco CA 94104 USA T 415 283 4970 F 415 283 4980 E sanfrancisco@ghd.com W www.ghd.com  
 © 2012. While every care has been taken to prepare this map, GHD (and DATA CUSTODIAN) make no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and cannot accept liability and responsibility of any kind (whether in contract, tort or otherwise) for any expenses, losses, damages and/or costs (including indirect or consequential damage) which are or may be incurred by any party as a result of the map being inaccurate, incomplete or unsuitable in any way and for any reason.  
 Data source: Data Custodian, Data Set Name/Title, Version/Date. Created by:kross



PROPOSED PUBLIC ACCESS  
TO BE RECORDED 26,063 SQUARE FEET



KEYNOTES

- (A) AFFRUIT LOCATION
- (B) PUBLIC SPACE - FERRY WAITING AREA
- (C) PROPOSED STAMPED AND STAINED ASPHALT
- (D) PROPOSED PIPE RAIL FENCE SET BACK 4' FROM WATER'S EDGE
- (E) EMERGENCY ESCAPE LADDERS @ 10' INTERVALS
- (F) EXISTING BOLLARD
- (G) EXISTING WORKING WATERFRONT EQUIPMENT
- (H) EXISTING LAMP POST
- (I) PROPOSED LAMP POST @ APPROX. 6' INTERVALS
- (J) PROPOSED WROUGHT IRON BENCH GROUPING
- (K) EXISTING W/ BENCH & TRASH BIN GROUPING
- (L) EXISTING W/ BENCH & TRASH BIN GROUPING
- (M) EXISTING W/ BENCH & TRASH BIN GROUPING
- (N) EXISTING CHAIN LINK FENCE TO BE REMOVED
- (O) CHAIN LINK FENCE
- (P) WATERFRONT ACCESS SIGNAGE
- (Q) PROPOSED WATERFRONT ACCESS SIGNAGE
- (R) PROPOSED SIGNAGE TO IDENTIFY FERRY DOCK
- (S) PROPOSED WROUGHT IRON TRASH BIN
- (T) EXISTING WROUGHT IRON TRASH BIN
- (U) FERRY PASSENGER PORTAL
- (V) PROPOSED RANGE STRUCTURE WITH BRANCHES AND TRASH CAN UNDER
- (W) PROPOSED FLAG POLE
- (X) PROPOSED MONUMENT SIGN
- (Y) PROPOSED BIKE RACK
- (Z) PROPOSED STAMPED AND STAINED ASPHALT
- (AA) PROPOSED SCREEN FENCE
- (AB) PROPOSED TABLE W/ INTERNAL SEATING
- (AC) PROVIDE 4' CLEARANCE
- (AD) EXISTING BOLLARD
- (AE) TERRACE LAYOUT

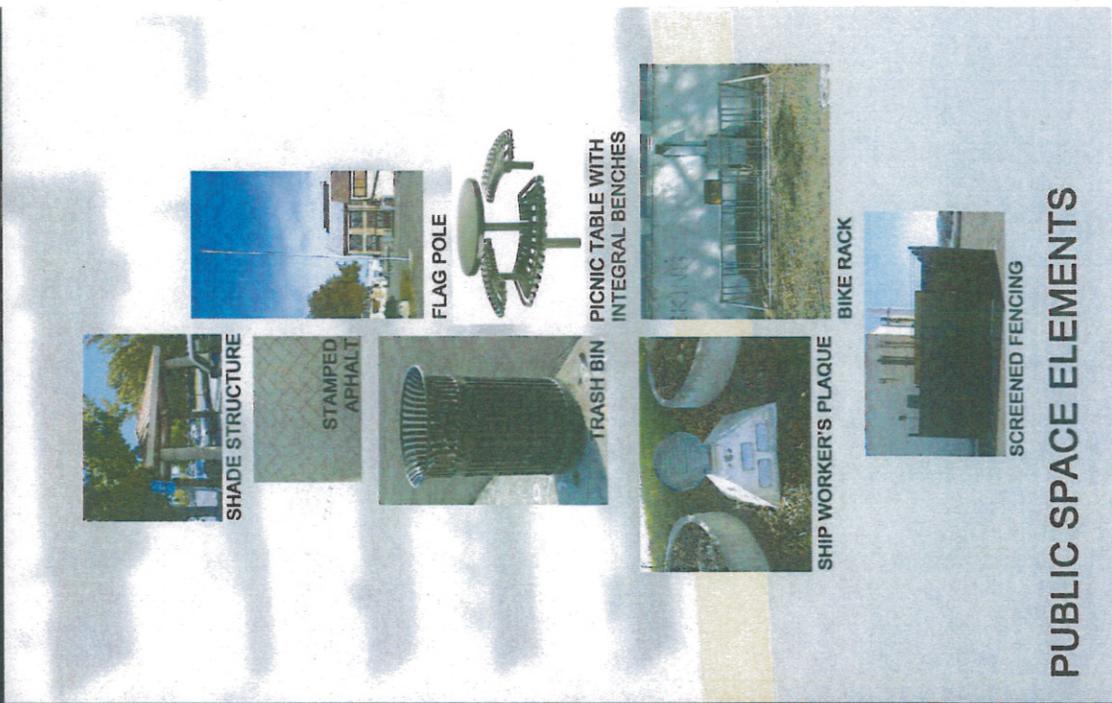
Waterfront Promenade Continuation - Phase II  
Mare Island, Vallejo, CA  
October 22, 2013

PROPOSED IMPROVEMENTS

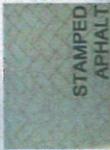
SDG Architecture + Engineering  
3301 Walnut Street, Suite 100, Berkeley, CA 94710  
925.864.1700  
www.sdga.com

# Waterfront Parking / Promenade

JUNE 28, 2013



SHADE STRUCTURE



STAMPED ASPHALT



TRASH BIN



FLAG POLE



PICNIC TABLE WITH INTEGRAL BENCHES



SHIP WORKER'S PLAQUE

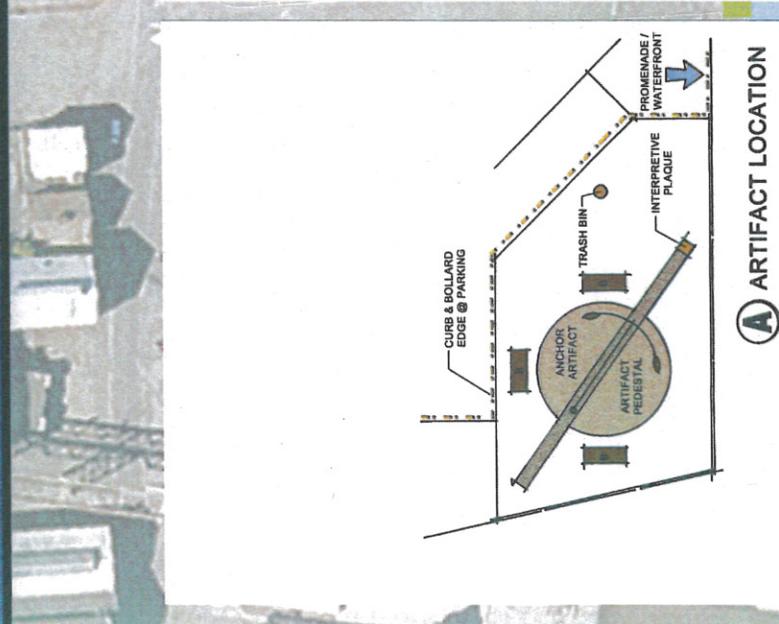
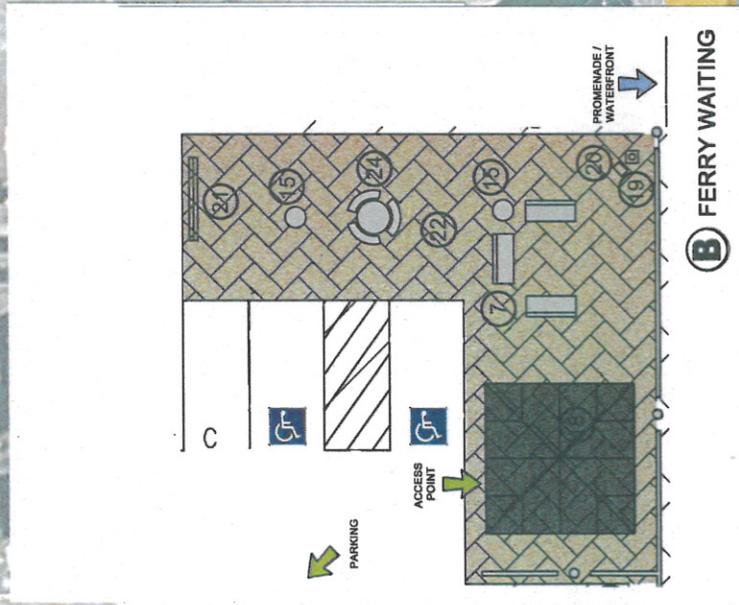


BIKE RACK



SCREENED FENCING

## PUBLIC SPACE ELEMENTS



- KEYNOTES**
- (A) PUBLIC SPACE - POTENTIAL ARTIFACT LOCATION
  - (B) PUBLIC SPACE - FERRY WAITING AREA
  - (C) PUBLIC SPACE - TRAMPOLINE AREA
  - (1) PROPOSED BIKE RACK
  - (2) PROPOSED BIKE RACK
  - (3) PROPOSED BIKE RACK
  - (4) PROPOSED BIKE RACK
  - (5) PROPOSED BIKE RACK
  - (6) PROPOSED BIKE RACK
  - (7) PROPOSED BIKE RACK
  - (8) PROPOSED BIKE RACK
  - (9) PROPOSED BIKE RACK
  - (10) PROPOSED BIKE RACK
  - (11) PROPOSED BIKE RACK
  - (12) PROPOSED BIKE RACK
  - (13) PROPOSED BIKE RACK
  - (14) PROPOSED BIKE RACK
  - (15) PROPOSED BIKE RACK
  - (16) PROPOSED BIKE RACK
  - (17) PROPOSED BIKE RACK
  - (18) PROPOSED BIKE RACK
  - (19) PROPOSED BIKE RACK
  - (20) PROPOSED BIKE RACK
  - (21) PROPOSED BIKE RACK
  - (22) PROPOSED BIKE RACK
  - (23) PROPOSED BIKE RACK
  - (24) PROPOSED BIKE RACK
  - (25) PROPOSED BIKE RACK
  - (26) PROPOSED BIKE RACK
  - (27) PROPOSED BIKE RACK
  - (28) PROPOSED BIKE RACK
  - (29) PROPOSED BIKE RACK
  - (30) PROPOSED BIKE RACK
  - (31) PROPOSED BIKE RACK
  - (32) PROPOSED BIKE RACK
  - (33) PROPOSED BIKE RACK
  - (34) PROPOSED BIKE RACK
  - (35) PROPOSED BIKE RACK
  - (36) PROPOSED BIKE RACK
  - (37) PROPOSED BIKE RACK
  - (38) PROPOSED BIKE RACK
  - (39) PROPOSED BIKE RACK
  - (40) PROPOSED BIKE RACK
  - (41) PROPOSED BIKE RACK
  - (42) PROPOSED BIKE RACK
  - (43) PROPOSED BIKE RACK
  - (44) PROPOSED BIKE RACK
  - (45) PROPOSED BIKE RACK
  - (46) PROPOSED BIKE RACK
  - (47) PROPOSED BIKE RACK
  - (48) PROPOSED BIKE RACK
  - (49) PROPOSED BIKE RACK
  - (50) PROPOSED BIKE RACK
  - (51) PROPOSED BIKE RACK
  - (52) PROPOSED BIKE RACK
  - (53) PROPOSED BIKE RACK
  - (54) PROPOSED BIKE RACK
  - (55) PROPOSED BIKE RACK
  - (56) PROPOSED BIKE RACK
  - (57) PROPOSED BIKE RACK
  - (58) PROPOSED BIKE RACK
  - (59) PROPOSED BIKE RACK
  - (60) PROPOSED BIKE RACK
  - (61) PROPOSED BIKE RACK
  - (62) PROPOSED BIKE RACK
  - (63) PROPOSED BIKE RACK
  - (64) PROPOSED BIKE RACK
  - (65) PROPOSED BIKE RACK
  - (66) PROPOSED BIKE RACK
  - (67) PROPOSED BIKE RACK
  - (68) PROPOSED BIKE RACK
  - (69) PROPOSED BIKE RACK
  - (70) PROPOSED BIKE RACK
  - (71) PROPOSED BIKE RACK
  - (72) PROPOSED BIKE RACK
  - (73) PROPOSED BIKE RACK
  - (74) PROPOSED BIKE RACK
  - (75) PROPOSED BIKE RACK
  - (76) PROPOSED BIKE RACK
  - (77) PROPOSED BIKE RACK
  - (78) PROPOSED BIKE RACK
  - (79) PROPOSED BIKE RACK
  - (80) PROPOSED BIKE RACK
  - (81) PROPOSED BIKE RACK
  - (82) PROPOSED BIKE RACK
  - (83) PROPOSED BIKE RACK
  - (84) PROPOSED BIKE RACK
  - (85) PROPOSED BIKE RACK
  - (86) PROPOSED BIKE RACK
  - (87) PROPOSED BIKE RACK
  - (88) PROPOSED BIKE RACK
  - (89) PROPOSED BIKE RACK
  - (90) PROPOSED BIKE RACK
  - (91) PROPOSED BIKE RACK
  - (92) PROPOSED BIKE RACK
  - (93) PROPOSED BIKE RACK
  - (94) PROPOSED BIKE RACK
  - (95) PROPOSED BIKE RACK
  - (96) PROPOSED BIKE RACK
  - (97) PROPOSED BIKE RACK
  - (98) PROPOSED BIKE RACK
  - (99) PROPOSED BIKE RACK
  - (100) PROPOSED BIKE RACK

## PUBLIC SPACE CONCEPTS



DEPARTMENT OF THE NAVY  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
1455 FRAZEE RD, SUITE 900  
SAN DIEGO, CA 92108-4310

5090

Ser BPMOW.ajh/0409

JUL 11 2012

Nina Rannells  
Executive Director  
San Francisco Bay Area Water Emergency Transportation Authority  
The Embarcadero Pier 9, Suite 111  
San Francisco CA 94111

Karen Weiss  
San Francisco Bay Conservation and Development Commission  
50 California Street, Suite 2600  
San Francisco, CA 94111-6080

Dear Ms. Rannells and Ms. Weiss:

SUBJECT: CONSTRUCTION OF A NEW NORTH BAY FERRY MAINTENANCE  
FACILITY AT THE FORMER MARE ISLAND NAVAL SHIPYARD,  
VALLEJO, CALIFORNIA

The Department of the Navy (Navy) is the owner of approximately 420 acres of submerged lands at the former Mare Island Naval Shipyard (MINS), located in Vallejo, California. A portion of the submerged lands are a designated Navy Installation Restoration (IR) Site and subject to ongoing Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) cleanup actions. Please also be advised that in accordance with the Defense Base Closure and Realignment Act of 1990, as amended, these submerged lands will revert to the State of California upon completion of the Navy's CERCLA actions and regulatory agency closure of the IR site, which is currently anticipated to occur in 2019.

The San Francisco Bay Area Water Emergency Transportation Authority (WETA) has formally requested approval to utilize a portion of the Navy-owned submerged lands for the construction and operation of a new North Bay ferry maintenance facility for the WETA San Francisco Bay Ferry system. This letter is provided to inform you that the Navy intends to grant WETA a lease for this purpose, subsequent to the completion of an Environmental Assessment in compliance with the National Environmental Policy Act and the Navy's completion of a Finding of Suitability to Lease document. Due to the ongoing CERCLA actions, the Navy must also obtain approval to lease the



**CITY OF VALLEJO**  
**NOTICE OF DETERMINATION**

**TO:** Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812-3044

**FROM:** City of Vallejo Planning Division  
555 Santa Clara Street, 2<sup>nd</sup> Floor  
Vallejo, CA 94590

FILED

MAY 27 2011

Clerk to the Board of Supervisors  
675 Texas Street, 6<sup>th</sup> Floor  
Fairfield, CA 94533

Birgitta E. Corsello, Clerk of  
the Board of Supervisors of  
the County of Solano, State  
of California

**SUBJECT:** Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code

**Project Title:** Vallejo-Baylink Ferry Maintenance Facility  
**State Clearinghouse #:** 2011022039  
**Contact Person:** David Kleinschmidt      **Phone Number:** (707) 648-4301  
**Project Location:** Building 165, Waterfront Avenue, Mare Island, Vallejo, CA 94592, Solano County.

**Project Description:**

The Vallejo-Baylink Ferry Maintenance Facility Project (Project) would replace the existing maintenance facility at a location approximately half a mile downstream from the existing maintenance facility. The Project includes landside improvements as well as waterside improvements. Phase 1 of the landside improvements include relocation of the temporary administration offices at Building 477 to the Project site, installation of fencing and security system, utility improvements, and installation of a fueling facility. The waterside improvements would cover approximately 16,000 square feet of water surface, of which approximately 11,000 square feet would be new facilities. The improvements include four new full-service berths and two mooring-only berths for the ferry vessels.

Phase 1 and 2 will start construction in June 2011 and end in February 2012. Although overall construction is expected to last for 20 months, the waterside improvements would only take 2 to 3 months. At this time it is not known when Phase 3 of the Project would be implemented.

This is to advise that the City Council of the City of Vallejo approved the above-described Project on May 24, 2011 and made the following determination regarding the project:

1. The project will not have a significant effect on the environment.
2. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were adopted for this project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was not adopted for this project.
6. Findings were made pursuant to the provisions of the CEQA.

This is to certify that the Initial Study/Mitigated Negative Declaration and record of project approval is available at the Planning Division and the Office of the City Clerk, located at City Hall, 555 Santa Clara Street, Vallejo, CA 94590.

Signature Michelle Hightower  
Michelle Hightower

Title: Acting Planning Manager  
Date: May 25, 2011

This document posted from  
5-27-11 to \_\_\_\_\_

\_\_\_\_\_  
Deputy Clerk of the Board

2011022039

**Initial Study/  
Subsequent Mitigated Negative Declaration**

Vallejo-Baylink Ferry Maintenance Facility  
Mare Island, City of Vallejo, California

**RECEIVED**  
FEB 11 2010

SAN FRANCISCO BAY CONSERVATION  
& DEVELOPMENT COMMISSION

**Prepared for:**

City of Vallejo  
555 Santa Clara Street  
Vallejo, California 94590

**February 11, 2010**

**Prepared by:**



**WINZLER & KELLY**

2235 Mercury Way, Suite 150  
Santa Rosa, CA 95407  
707.523.1010

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<b>IV. BIOLOGICAL RESOURCES</b>					
<p><b>Mitigation Measure BIO-1. Protection of Pallid Bat</b></p> <p>Two weeks prior to demolition of Building 855, or rehabilitation of Building 165, the City shall have a qualified biologist survey the building to determine whether or not it is occupied by roosting bats or native birds (e.g., barn owl, <i>Tyto alba</i>). If roosting bats or native nesting birds are found Fish &amp; Game shall be contacted to determine the next action. The City may also opt to survey the building during the winter, verify the building is unoccupied, remove any bats or birds if the building is occupied and then board the windows and other openings to prevent bats and birds from entering and nesting between February and August.</p>	Conduct surveys.	City of Vallejo	Report of findings submitted to City.	Construction cannot begin.	
<p><b>Mitigation Measure BIO-2. Minimize Impacts to Salmonids and Sensitive Aquatic Species during Construction</b></p> <p>The City shall incorporate the following into the construction documents: Identify the minimum amount of piles that would require an impact hammer based on the results of the Geotechnical Investigation. The smallest size hammer, and the fewest strikes necessary, shall be used for installation (it could be that piles are initially driven with a vibratory hammer and then the final strikes are completed with an impact hammer during the final seating of the pile). A weighted block net shall be used to exclude most fish from the immediate work area. The block net shall be</p>	<p>Incorporate into Construction Documents.</p> <p>Ongoing During Construction</p>	City of Vallejo  Construction Manager	<p>Verify included in Construction Documents.</p> <p>Monitoring during construction.</p>	<p>Do not bid.</p> <p>Stop work until compliance.</p>	

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>shifted as the work area shifts. Alternatively, a bubble curtain may be used if water depth or currents make a block not infeasible. Construction within Mare Island Strait shall be limited to the period from July 15 to November 30.</p>					
<p><b>V. CULTURAL RESOURCES</b></p>					
<p><b>Mitigation Measure CR-1. Preserve all Distinctive Historic Materials, Features, Finishes and Examples of Craftsmanship</b></p> <p>Deteriorated historic features must be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature must match the old in design, color, texture, and where possible materials. Specifically:</p> <ol style="list-style-type: none"> <li>1) Color samples of Baylink Blue and Baylink Green shall be submitted to the Secretary of the AHCL for review and approval.</li> <li>2) All original windows removed for this project shall be stockpiled within the historic building for possible future use.</li> <li>3) The Secretary of the AHCL shall approve the detailed landscaped plans and light fixtures for the future parking lot.</li> <li>4) Light fixtures on the front of the building shall be restored. If restoration is unachievable, replacement lights shall be approved by the Secretary of the AHCL.</li> </ol>	<p>Review and approval of submittals/plans.</p>	<p>Planning Department</p>	<p>Prior to issuance of building permit.</p>	<p>Deny issuance of building permit.</p>	

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p><b>Mitigation Measure CR-2. Ensure that any Project Changes are in Compliance with Secretary of the Interior's Standards for the Mare Island Historic District Design Guidelines.</b></p> <p>To ensure that the final project design is in accordance with the <i>Project Guidelines</i>, any changes to the design of the project made subsequent to the November 18, 2010 review and decision by the AHCL shall be reviewed by City Staff for consistency with <i>Secretary of the Interior's Standards for the Treatment of Historic Properties</i> and the <i>Mare Island Historic District Design Guidelines</i>. If determined by staff to be necessary, the changes shall be approved by the AHCL under the Certificate of Appropriateness process.</p>	<p>Review and approval of submittals/plans.</p>	<p>Planning Department</p>	<p>Prior to issuance of building permit.</p>	<p>Deny issuance of building permit.</p>	
<p><b>Mitigation Measure CR-3. Treatment of Archaeological Resources Discovered during Construction</b></p> <p>If historic features or prehistoric archaeological materials are encountered during project construction, the procedures outlined in the <i>Archaeological Treatment Plan for Mare Island</i> (PAR Environmental Services 2000b) shall be followed: specifically the steps outlined in the following treatment measure TM-9 New Discovery.</p> <p>Prior to construction an archaeologist should attend a tailgate meeting with the construction foreman and crew to discuss characteristics of potentially significant deposits. If archaeological</p>	<p>On-site observation.</p>	<p>City of Vallejo</p>	<p>During construction.</p>	<p>Stop work.</p>	

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>properties (e.g., trash pits, brick foundations, dark soil containing shell, bone and stone) are encountered during construction, then ground disturbing activities in the immediate vicinity of the find shall be halted until the discovery has been examined by a qualified archaeologist. If the deposit or features appear to meet CEQA or National Register of Historic Places criteria as a legally significant deposit, then archaeological date recovery (TM-4 and TM-5) shall be implemented expeditiously so that construction work can continue with minimal delay.</p>					
<p><b>Mitigation Measure CR-4. Protection and Preservation of Significant Paleontological Resources</b></p> <p>If concentrations of paleontological resources (e.g. plant and animal fossil specimens and fossil-bearing rock units) are encountered during construction, the City shall halt ground-disturbing work in the vicinity of the find. Work near such finds shall not be resumed until a qualified paleontologist has evaluated the materials and offered recommendations for further action.</p>	<p>On-site observation.</p>	<p>City of Vallejo</p>	<p>During construction.</p>	<p>Stop work.</p>	
<p><b>Mitigation CR-5. Treatment of Human Remains, Associated Grave Goods, or Items of Cultural Patrimony</b></p> <p>If human remains are encountered during construction activities, there shall be no further excavation or disturbance of the remains, or nearby area until the Solano County Coroner has made the necessary findings as to origin, in accordance with</p>	<p>On-site observation.</p>	<p>City of Vallejo</p>	<p>During construction.</p>	<p>Stop work.</p>	

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>Health and Safety Code 7050.5. In accordance with Public Resources Code 5097.98 if the coroner believes the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours the Native American Heritage Commission. The Native American Heritage Commission shall immediately notify the most likely descendent (MLD). The descendent shall inspect the site of the discovery and may recommend the means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The remains shall not be damaged or disturbed by further development until the County has discussed and conferred with the MLD regarding their recommendations.</p>					

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<b>VI. GEOLOGY &amp; SOILS</b>					
<p><b>Mitigation Measure GEO-1. Design Level Geotechnical Investigation</b></p> <p>Design and construction shall address the recommendations made in site specific design-level geotechnical reports prepared for the Project. The geotechnical recommendations shall be incorporated into the final plans and specifications for the project and implemented during construction. Recommendations from the Draft 2011 Geotechnical Report for the project include, but are not limited to, the following:</p>	<p>Incorporate into construction documents.</p>	<p>City of Vallejo</p>	<p>Verify incorporation into construction documents prior to advertising the bid for construction.</p>	<p>Can not advertise for bid.</p>	
<p><b>Seismic Design.</b> In accordance with the 2010 California Building Code, the seismic site classification shall be based on average soil properties in the upper 100 feet. For analyses in accordance with the 2010 CBC, the site shall be classified as Site Class C. Recommended ground motion parameters for the site are provided in the Draft 2011 Geotechnical Report.</p>					
<p><b>Expansive Soils.</b> Risks associated with expansive soils shall be addressed by modifying or improving the subgrade soils and deepening foundations. Typical alternatives may include removing the upper 12 inches of expansive soil below proposed buildings and replacing them with imported "non-expansive" fill, or overexcavating, moisture conditioning and recompacting the native soils to a depth of approximately 18 inches under strict quality control guidelines. The zone of "non-expansive" fill or moisture conditioned native soils</p>					

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>should extend at least 5 feet outside the perimeter of the proposed buildings and at least 3 feet outside the perimeter of the proposed pavement areas. Additional recommendations are provided in the Draft 2011 Geotechnical Report.</p> <p><i>Underground Vaults.</i> Vault design shall take into account buoyancy. For design purposes, a depth to groundwater of 6 feet below the existing ground elevation at the vault location shall be used, and the vault design shall consider hydrostatic pressures on the vault walls.</p> <p><i>Below Grade Structures.</i> Below-grade vaults shall be designed to resist the lateral earth pressures exerted by the retained, compacted backfill plus any additional lateral force that will be applied to the wall due to surface loads placed at or near the wall. Wall backfill should be free draining and provisions should be made to collect and dispose of excess water that may accumulate behind earth retaining structures. Additional recommendations are provided in the Draft 2011 Geotechnical Report and shall be implemented during construction.</p> <p><i>Grading.</i> After removal of existing pavements, the exposed soil beneath the proposed new pavements and structural areas shall be removed to a depth of three feet below the proposed subgrade elevation and screened to remove oversized, objectionable, or deleterious materials before it is replaced as engineered fill. Following site stripping and any required grubbing and/or overexcavation, all areas to receive engineered fill or to be used for the future support of structures or concrete slabs</p>					

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>supported-on-grade shall be scarified to a depth of 8 inches, uniformly moisture-conditioned to between 2 and 5 percent above the optimum moisture content, and compacted to between 88 and 92 percent of the maximum dry density as determined by ASTM (American Society for Testing and Materials) Test Method D 1557. The upper 12 inches of pavement subgrade should be scarified, moisture conditioned, and compacted to at least 95 percent relative compaction.</p> <p><i>Shallow Foundations.</i> Foundations for the proposed warehouse building shall be constructed of reinforced concrete, and founded on the shale and siltstone bedrock encountered in the borings. For these structures, footings should be a minimum of 18 inches wide and embedded a minimum of 36 inches below the lowest final adjacent subgrades. Additional recommendations, including allowable bearing pressures using the above minimum dimensions, are presented in the Draft 2011 Geotechnical Report and shall be implemented during construction.</p> <p><i>Dock Pile Foundations.</i> Single dock and fender piles shall require bracing to reduce deflections and the potential for unrecoverable ground deformations at the pile sockets. Dock pile foundations shall be constructed in accordance with the engineering analysis to be performed for the project.</p>					

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<b>VII. HAZARDS AND HAZARDOUS MATERIALS</b>					
<p><b>Mitigation Measure HAZ-1. Contaminated Materials Handling and Disposal</b></p> <p>Planned subsurface disturbances shall follow specific procedures and protocols outlined in the SGWMP prepared for the Eastern Early Transfer Parcel of the Lennar Mare Island site (CH2MHILL 2001). The SGWMP identifies protocols that must be followed to ensure that soil disturbance activities, and groundwater-related activities such as dewatering, are conducted in a manner that is protective of human health and the environment and in a manner that does not interfere with investigation or remediation of the site.</p> <p>Soils shall be stockpiled and characterized to determine suitability for re-use at the site or to determine appropriate methods of disposal off-site. Groundwater shall be contained for chemical analysis, and depending on analytical results, shall be discharged to the sewage collection system or an approved offsite facility for treatment. If discharged to the sanitary sewer, an Industrial Waste discharge permit shall be obtained from the Vallejo Sanitation and Flood Control District, and the discharge shall be managed in accordance with permit conditions, including flow rates, discharge hours, and concentrations limits for hydrocarbons, sediment, and other potential constituents.</p> <p>The City shall require the Contractor to submit a site-specific Work Plan providing details of how</p>	<p>Incorporate into construction documents.</p>	<p>City of Vallejo</p>	<p>Verify incorporation into construction documents prior to advertising the bid for construction.</p>	<p>Can not advertise for bid.</p>	

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>soil and groundwater will be managed. The Work Plan shall conform to the SGWMP for Lennar Mare Island. The Work Plan shall be submitted to the City and the Department of Toxic Substances Control for approval, prior to excavating. The Work Plan shall include, but not be limited to:</p> <ul style="list-style-type: none"> <li>• Schedule for the work.</li> <li>• Description of subsurface disturbance equipment and method.</li> <li>• Field sampling and laboratory analysis plan addressing sampling during implementation.</li> <li>• Transportation plan identifying routes of travel and final destination of wastes generated and disposed.</li> <li>• Site-specific Health and Safety Plan.</li> <li>• Identification of any necessary permits, notifications, and agreements.</li> <li>• Future reporting and documentation.</li> </ul>					

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p><b>Mitigation Measure HAZ-2. Lead Abatement</b></p> <p>The abatement and clean up of lead and heavy metals includes removing loose lead paint on building structural and architectural components and finishes to remain and then stabilizing them by surface preparation, priming, and finish coat painting. As many of these are historical surfaces, this shall be accomplished in accordance to a specification prepared and/or approved by the historical architect and applied by lead qualified painters.</p> <p>Contract documents shall ensure that the renovation and demolition processes shall be conducted in a manner that creates the minimum amount of hazardous waste and leaves the site free of lead contamination exceeding regulatory levels. All construction activities impacting lead based paint and LCP must be performed in compliance with the most recent edition of all applicable Federal, State, and local regulations, standards, and codes governing abatement, transport, and disposal of lead containing/contaminated materials. The disturbance of these components during demolition and renovation activities will require use of personnel trained in lead hazards for construction and will require compliance with applicable Cal/OSHA regulation (Title 8, CCR, Section 1532.1) and Cal/EPA regulations for disposal of lead hazardous waste (22 CCR Division 4.5 Environmental Health Standards for Management of Hazardous Wastes).</p> <ul style="list-style-type: none"> <li>All untested paints and coatings should be considered lead based paint or lead-based coatings</li> </ul>	<p>Incorporate into construction documents.</p>	<p>City of Vallejo</p>	<p>Verify incorporation into construction documents prior to advertising the bid for construction.</p>	<p>Can not advertise for bid.</p>	

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>in the absence of exhaustive sampling and laboratory analysis.</p> <ul style="list-style-type: none"> <li>• Loose lead paint should be removed prior to general demolition of the building to minimize airborne dispersal of lead and site contamination.</li> <li>• Prior to any hot work (such as torch cutting) on painted metal surfaces, the paint either needs to be removed or supplied air respirators worn during welding or torch cutting operation.</li> <li>• All surface preparation and paint removal wastes must be considered hazardous wastes due to the likelihood of paint chip lead levels exceeding 1,000 total lead or 5 ppm soluble lead. All paint containing waste streams should be considered potentially lead hazardous pending waste testing.</li> <li>• Clean the exposed surfaces of all structural/non-structural building components, fixtures and equipment.</li> <li>• Remove and dispose of all non-permeable fixtures when cleaned as general construction debris.</li> <li>• Remove and dispose of all permeable fixtures and smelting equipment as Class 1 hazardous materials</li> <li>• Remove and dispose of all non-structural permeable building components as Class 1 or 2 hazardous materials (wood ceiling, second floor plywood flooring, non-structural walls and partitions and non-structural wood components).</li> <li>• Remove all utilities as general construction debris.</li> </ul>					

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<ul style="list-style-type: none"> <li>Remove loose and peeling lead-based paint at building exterior.</li> <li>Lockdown all remaining surfaces with a coating of paint. This includes all brick walls, wood structural framing, steel framing and roofing.</li> </ul> <p>Remove elements in the structure that are non-structural and clean the remaining structural elements to remove any lead that has seeped into the porous surfaces. This process will address the interior perimeter brick walls and the wood structural framing for the second floor.</p>					
<p><b>Mitigation Measure HAZ-3. Asbestos Abatement</b></p> <p>Prior to demolition construction activities, known or assumed ACMs that are likely to be disturbed by those activities, must be removed and disposed of in accordance all applicable regulations including the federal National Emissions Standard for Hazardous Air Pollutants (NESHAPS), the local designated enforcement authority for NESHAPS, the Bay Area Air Quality Management District (BAAQMD), and Cal/OSHA regulations. A Cal-OSHA registered and State licensed, registered asbestos contractor (abatement/demolition/roofing) is required for removal of ACM prior to general demolition and renovation.</p> <p>At minimum, the contractor's abatement sub-contractor should remove all EPA category I &amp; II non-friable ACM in a manner that does not produce friable ACM under Cal/OSHA Class II removal requirements and dispose of removed</p>	<p>Incorporate into construction documents.</p>	<p>City of Vallejo</p>	<p>Verify incorporation into construction documents prior to advertising the bid for construction.</p>	<p>Can not advertise for bid.</p>	

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>materials as non-hazardous asbestos waste at a landfill permitted for asbestos waste disposal. The following additional requirements should be adhered to for any maintenance, renovation, or demolition projects requiring asbestos disturbance and/or removal:</p> <ul style="list-style-type: none"> <li>All asbestos-containing wastes shall be manifested as either hazardous or nonhazardous based on asbestos content, friability, and actual waste stream classification. For this project, all waste should be non-friable, non-hazardous asbestos waste if properly removed.</li> <li>All asbestos removal should be overseen by a qualified independent third party retained by the building owner or manager of the site to ensure proper removal, clean up, work area clearance, and review waste shipping and disposal documentation.</li> <li>Contractor should perform all work in compliance with contract documents and the most recent edition of all applicable Federal, State, and local regulations, standards, and codes governing abatement, transport, and disposal of asbestos.</li> </ul>	<p>Incorporate into construction documents.</p>	<p>City of Vallejo</p>	<p>Verify incorporation into construction documents prior to advertising the bid for construction.</p>	<p>Can not advertise for bid.</p>	
<p><b>Mitigation Measure HAZ-4. Disposal of Universal Wastes</b></p> <p>All suspect and identified non-incandescent lamps, mercury lighting tubes and other universal wastes should be removed and recycled or disposed of in accordance with the guidelines established by the California Department of Toxic Substance Control Universal Waste Rule, as stated in 22 CCR Sections 66261.9 and 66273.1 thru 66273.90.</p>					

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<p>Suspect PCB ballasts must be inspected for labeling and properly packaged for disposal as PCB ballasts unless marked as "No PCB's" or "PCB Free." Accumulations of avian fecal wastes and other biological wastes should be sanitized prior to general building demolition.</p>					
<p><b>Mitigation Measure HAZ-5. Building 165 Lease Restriction Revision Form</b></p> <p>Prior to occupancy, the notifications and restrictions itemized in the Finding of Suitability to Lease Technical Memorandum of January 31, 2001 shall be addressed. These include:</p> <ul style="list-style-type: none"> <li>• Lessee notification regarding pending PCB survey/sampling/remediation – building not suitable for occupancy until complete.</li> <li>• PCB Free-Release required;</li> <li>• Lessee notification regarding access to IR sites;</li> <li>• Significant lessee notifications and restrictions regarding access, modifications, and usage of the building – requires permission of Navy prior to any action;</li> <li>• Lessee notification regarding additional notifications / restrictions upon completion of the environmental surveys which may delay occupancy approval;</li> <li>• Lessee notification regarding corrective action to be taken as result of Backflow Protection and Cross Connection Survey – lessee to perform these actions at own expense; and</li> </ul>	<p>Review environmental surveys and documentation.</p>	<p>City of Vallejo</p>	<p>Prior to issuance of Certificate of Occupancy.</p>	<p>Deny Certificate of Occupancy.</p>	

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<ul style="list-style-type: none"> <li>Building Closed, parcel release required for sublease ingress / egress;</li> </ul> <p>Once the necessary environmental surveys and outstanding issues have been completed, a Lease Restriction Revision Form shall be completed and approved by the Navy and Regulatory Agencies. The Lease Restriction Revision Form will modify the above mentioned notifications and restrictions.</p>					

**VIII. HYDROLOGICAL AND WATER QUALITY**

<p><b>Mitigation Measure IYD-1. Industrial Storm Water Pollution Prevention Plan</b></p> <p>The City shall obtain coverage under State Water Resources Control Board Order No. 97-03-DWQ, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities. This shall include submittal of a notice of intent to obtain permit coverage, and preparation, retention on site, and implementation of a Storm Water Pollution Prevention Plan. The Plan shall identify the sources of pollution that affect the quality of industrial storm water discharges and authorized non-storm water discharges, and describe and ensure the implementation of best management practices to reduce or prevent pollutants in industrial storm water discharges. The Plan shall also include a monitoring program and other requirements contained in Order No. 97-03. Implementation of the SWPPP shall include the necessary inspections, monitoring, and overall</p>	Prepare SWPPP.	City of Vallejo	<p>Verify incorporation into construction documents prior to advertising the bid for construction.</p> <p>Submit NOI to State Water Resources Control Board 30 days prior to the start of construction.</p>	<p>Can not advertise for bid.</p> <p>Cannot start construction.</p>	
--	----------------	-----------------	---	---	--

**VALLEJO FERRY MAINTENANCE FACILITY PROJECT  
MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
compliance.					