

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

455 Golden Gate Avenue, Suite 10600 • San Francisco, California 94102 (415) 352-3600 • Fax: (415) 352-3606 • www.bcdc.ca.gov

September 19, 2014

TO: Commissioners and Alternates

FROM: Lawrence J. Goldzband, Executive Director (415/352-3653, lgoldzband@bcdc.ca.gov)
Bob Batha, Chief of Permits (415/352-3612, bobb@bcdc.ca.gov)

SUBJECT: Listing of Pending Administrative Matters
(For Commission consideration on October 2, 2014)

This report lists the administrative permit applications, federal consistency actions, marsh development permits in the Secondary Management Area of the Suisun Marsh, regionwide permit actions, minor amendments to the Suisun Marsh Local Protection Program, and emergency permits that are pending with the Commission. The staff members to whom the matters have been assigned are indicated at the end of the projects' description. Inquiries should be directed to the assigned staff member prior to the Commission meeting.

Administrative Permits and Federal Consistency Actions

The following administrative permit application has been filed and is presently pending with the Commission. The Executive Director will take the action indicated on the matter unless the Commission determines that it is necessary to hold a public hearing.

Applicant: Oro Loma Sanitary District
2655 Grant Ave.
San Lorenzo, CA 94580

BCDC Permit Application No. M2013.019.00

Filed: 07/30/14
90th Day: 10/28/14

Location: Within the 100-foot shoreline band, at 2655 Grant Avenue, in the City of San Lorenzo, Alameda County.

Description: Within the 100-foot Shoreline Band:

Construct a wet weather equalization facility, treatment wetland, and ecotone demonstration project to temporarily store peak wastewater flows and lower nutrient and contaminant discharges by:

(1) creating approximately 1,600 square feet of muted tidal wetlands by excavating approximately 50 cubic yards of material, placing approximately five cubic yards of material, and planting the area with native species; (2) creating an approximately 1,300-square-foot portion of an ecotone slope for testing nitrate removal by excavating approximately five cubic yards of material, placing and grading approximately 120 cubic yards of material, and planting the slope with



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native species; (3) replacing a tide gate; and (4) installing temporary silt and exclusion fencing to protect sensitive species and Bay water from disturbance and construction-displaced soils. In addition to accommodating peak wet-weather flows, the project provides an opportunity to pilot adaptation strategies related to sea level rise, water quality protection, and protection of infrastructure.

Tentative Staff Position: Recommend Approval. (Rosa Schneider, 415-352-3622 or rosas@bcdcc.ca.gov)

Permits in the Secondary Management Area of the Suisun Marsh

Solano County has issued the following marsh development permit since the last listing.

Applicant: AT&T
2100 Goodyear Road
City of Benicia, Solano County

**Marsh Development Permit No. MD-99-03-EX3 and
Land Use Permit Application No. U-99-06**

Received: 09/15/14
20th Working Day: 10/13/14

Description: On August 21, 2014, Solano County approved Use Permit No. U-99-06 for the extension of time to operate a wireless communication facility located at 2100 Goodyear Road, approximately one mile north of the City of Benicia, in the "A-SM-160" Suisun Marsh Agricultural Zoning District (APN 0090-270-460), Solano County. Because the site is located in the Secondary Management Area of the Suisun Marsh, the County also extended the time for Marsh Development Permit No. MD-99-03 for the project. The County grants time extensions if operations and use comply with permit conditions.

The project was originally granted a Use Permit and Marsh Development Permit by Solano County on April 15, 1999. This is the third time extension for that permit. The project as originally permitted was found by the County to be consistent with the Solano County Local Protection Program for the Suisun Marsh. The Solano County staff states that the facility is currently in compliance with Use Permit U-99-06 based upon review of the renewal application, County permit conditions of approval, and the absence of code compliance cases on file. Pursuant to current County Zoning Regulations which require fixed dates for wireless communications facilities, Extension No. 3 to Use Permit U-99-06 expires on December 31, 2022. After that date, the permittee may file for a new use permit. Other conditions imposed by the County include the use be established in accord with the plans and project description submitted with Marsh Development Permit No. MD-99-03-EX3.

Final Notice of County approval of the project was received at the Commission's office on September 15, 2014. Anyone who wishes to file an appeal with BCDC of the County decision must do so by 5:00 p.m. on October 13, 2014, at the Commission's office.

(Erik Buehmann) [415-352-3645; erikb@bcdcc.ca.gov]

Regionwide Permits

The Executive Director has issued the following regionwide permit since the last listing.

Applicant: Kinder-Morgan
1100 W. Town and Country Road
Orange, California 92868

BCDC Regionwide Permit No. NOI2014.011.00

Filed: 08/21/14

14th Day: 09/04/14

Permit Issued: 08/29/14

Location: Within the 100-foot shoreline band, along the railroad tracks at Line Section 72 of a Kinder Morgan pipeline near the City of Martinez, Contra Costa County.

Description: Excavate two ten-foot-wide, ten-foot-deep trenches, one 20 feet long and the other 50 feet long, investigate, repair and replace a 45-foot-long section of petroleum pipeline and cover the pipeline with the excavated material to existing grade and condition.

(Erik Buehmann) [415-352-3645; erikb@bcdcc.ca.gov]