

SAN FRANCISCO BAY CONSERVATION
AND DEVELOPMENT COMMISSION
30 Van Ness Avenue, Suite 2011
San Francisco, California 94102
Telephone: (415) 368-1989

SAN FRANCISCO BAY CONSERVATION
& DEVELOPMENT COMMISSION

TO BE FILLED IN BY BCDC:

1. Application Number: M89-80(M)
2. Date Application Filed with BCDC: _____
3. 90th Day After Filing: _____
4. Date Fee Posted: _____ Amount: _____
5. Receipt Number: _____
6. Amendment Fee Posted: _____ Amount: _____
7. Amendment Fee Receipt Number: _____

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APPLICATION FOR MARSH DEVELOPMENT PERMIT FROM
SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

This form is for use in applying for a permit for a development within the primary management area of the Suisun Marsh, Solano County and within any tidelands, submerged lands, or other trust lands within the secondary management area of the Suisun Marsh, which is the jurisdiction of the San Francisco Bay Conservation and Development Commission. The application will be reviewed and analyzed for the proposed development project's conformity with the Suisun Marsh Preservation Act (Cal. Pub. Res. Code Sections 29000 through 29612), the Suisun Marsh Protection Plan, the San Francisco Bay Plan, the Commission's certified Suisun Marsh Local Protection Program, and the Commission's regulations located at 14 California Administrative Code Division 5. Copies of the Act, the Plans, and the Commission's regulations are available at the Commission's office. Copies of the Local Protection Program are available at the applicable local agency. An applicant should also consult the Commission's information booklet entitled Applying for Permits. The Commission staff can also help explain these documents as they affect any particular project.

COMMISSIONER POLICY REGARDING CONTACT BETWEEN COMMISSIONERS AND APPLICANTS:

Commissioners should avoid to the greatest possible extent discussion of permit application matters with individuals or groups on any side when such discussions are not part of the public hearing process. Non-voting Federal Commissioners may discuss applications with applicants. Commissioners may discuss applications with one another and with the staff outside of the public hearing. The Executive Director shall inform applicants of this policy at the time applications are provided.

TO THE APPLICANT:

The applicant must completely answer all questions and must attach to the application all required supporting materials. Until the needed information and materials are supplied, the Commission will be unable to file or act on the application. The applicant may also attach any additional materials (statements, drawings, maps, etc.) that may help the Commission in processing the application.

APPLICANT AND REPRESENTATIVES:

- | | |
|---|---|
| 1. Site Owner's Name: <u>JAMES F. TAYLOR</u> | Owner's Representative ^{1/}
(if any): <u>NONE</u> |
| Address: <u>700 PARKER AVE</u> | Address: _____ |
| <u>RODEO, CA. 94572</u> | _____ |
| Telephone No.: <u>415-758-2095</u> | Telephone No.: _____ |
| 2. Applicant's Name (if different from
Owner): <u>SAME</u> | Applicant's Representative ^{1/}
(if any): _____ |
| Address: <u>SAME</u> | Address: _____ |
| _____ | _____ |
| Telephone No.: <u>SAME</u> | Telephone No.: _____ |

PROJECT:

3. Project name (if any): LEVY REPAIRS-BUCKLER PT
4. Give a one-sentence description of the proposed development: TO TAKE
DREDGE MTLs FROM PORT OF OAKLAND PLACE ON LEVYS TO IMPROVE WATER CONTROL
ENABLING US TO INCREASE WILDLIFE HABITAT
- It is expected that all necessary approvals will be obtained and work will commence by AS SOON AS POSSIBLE (date)
- Work is expected to be completed on UNKNOWN (date)
5. Total Project Cost^{2/}: UNKNOWN Application Fee: _____

1/ See Item No. 31 of this application form for certification.

2/ "Total Project Cost" means all expenditures, including for planning, engineering, architectural, and other services, made or to be made for designing the project plus the estimated cost of construction for all aspects of the project within and without the Commission's jurisdiction. If the amount stated does not appear to accurately reflect the total project or all costs associated with designing and building the project, the application will be returned unfiled.

LOCATION:

6. Description of project location (street address, city or county, nearest roads, sloughs, island, bay, etc.) BUCKLER PT. IN SUISUN MARSH, SOLANO COUNTY
BETWEEN GRIZZLY BAY & SUISUN CUT OFF

7. Assessor's parcel number or other brief legal description if no assessor's parcel number is available (attach a drawing showing property boundaries):

90 020 01

8. Duck Club Number, if applicable: 801

9. The names, addresses, and phone numbers of all property owners,^{3/} tenants, and residents whose property is located within 100 feet from any boundary of the project are:

NORTH: _____

SOUTH: _____

EAST: _____

WEST: RICH ISLAND (218 BONITA AVE PIEDMENT, CA. 94611)

10. Total number of linear feet of shoreline within the project site: APPROX 5,500

11. Has a marsh development permit been issued previously for any activity on this property? Yes X No _____. If so, state the identification number of any permit(s) issued previously: MAY 18, 1982

13932F58

PROPOSED PROJECT:

Any "development" in the primary management area of the Suisun Marsh requires a marsh development permit from the San Francisco Bay Conservation and Development Commission. A "development" includes on land, or in or under water, the

3/ If you use the local tax assessor's roll to determine the identity of the adjacent property owners, be sure to check the updates to the annual roll to reflect any recent transfers.

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

12. State the volume (cubic yards) and area (acres or square feet) affected by the following:

a. Dredging in open waters, sloughs, creeks, or tidal marshes:

Location of Proposed Spoil Disposal: ON LEVY-APRCX 50,000 CU. YDS.

b. Dredging in other wetlands:

Location of Proposed Spoil Disposal: ON LEVY

c. Fill^{4/} in, over, or on any portion of the primary management area: JUST LEVYS

Fill in open waters, sloughs, creeks, or tidal marshes (in square feet and cubic yards): _____

Fill in other wetlands, including seasonal marshes (in square feet and cubic yards): _____

Type of materials to be used: _____

Area of structure footprint (in square feet): _____

Area of hard ground surfaces, such as parking, driveways, and pathways (in square feet): 0

Height of tallest portion of structures (in feet): 0

Number of stories in each structure: 0

Area of landscaping (in square feet): .0

Number of parking spaces: 0

LOCAL APPROVAL:

13. State the approving local agencies (e.g., city, county, special district, etc.), types and dates of each approval that is required and has been obtained or has been applied for, including but not limited to rezoning,

4/ "Fill" includes Bay fill, such as earth or any other material including pilings; any water coverage whether on pilings or by cantilever; floating structures moored for extended periods of time, such as houseboats and floating docks; and any material, including structures, paving, and landscaping placed on land.

subdivision, PUD, engineering, utilities and/or review by planning commissions, or departments, port authorities, special committees, boards of supervisors or city councils, or regional bodies. Indicate the name of the local person knowledgeable about the approval.

Approving Agency	Type of Approval	Date of Approval	Knowledgeable Person and Phone Number
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

OTHER APPROVALS:

14. Other governmental approvals that are required and have been obtained include:

	Required		Date Applied For	Date Approval Expected	Knowledgeable Person and Phone Number
	Yes	No	For	On	
a. State Lands Commission (indicate letter, permit, or lease)	_____	_____	_____	_____	_____
b. Regional Water Quality Control Board (indicate whether an order establishing requirements or certification or both will be required)	_____	_____	_____	_____	_____
c. U. S. Army Corps of Engineers (indicate Public Notice number, if any _____)	_____	_____	_____	_____	_____
d. Department of Fish and Game	_____	_____	_____	_____	_____
e. Other _____	_____	_____	_____	_____	_____

ENVIRONMENTAL DOCUMENTATION, AS REQUIRED UNDER
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT:

15. If a local government having jurisdiction is acting as the lead agency for the project, the applicant should first consult the local government and should then fill out whichever of the following applies:

a. Categorically exempt: _____ Class: _____ Item: _____

Describe exemption status and date granted: _____

b. Date final Negative Declaration adopted: _____

c. Date final Environmental Impact Report Certified (attach copy): _____

If no local government is acting as the lead agency for the project or the Commission staff believes that the Commission should act as the lead agency, a Commission staff statement that the project is either statutorily exempt, categorically exempt, will have no substantial adverse environmental impact, or an environmental assessment completed pursuant to Chapter 15 of the Commission's regulations. The applicant should contact the Commission staff and consult Chapter 15 of the Commission's regulations for further information.

PROJECT DETAILS:

(NOTE: The following questions must be answered on a separate sheet(s) of paper attached to the application. Be sure to number your answers corresponding to the number of the question. If any question is not relevant to your application, write "Not Applicable." However, an omission or incomplete answer to any question which is found relevant may result in the application being returned unfiled.)

16. Describe the existing project site, including existing vegetation and uses:

17. Describe land uses and existing vegetation on the surrounding areas.

18. Describe fully the project area (square feet or acres). If part of a larger parcel, give the total area of project site and of entire parcel (square feet or acres).

19. List and fully describe all facilities and uses that now exist at or immediately adjacent to the project site. Also, fully describe all the facilities and uses proposed as part of the project. Give the dimensions and construction materials of all existing and proposed facilities.

20. If the project includes dredging, explain (a) what is the purpose of the dredging, (b) how much future maintenance dredging will be required, (c) what type of investigations regarding dredge spoil conditions have been or will be carried out, and (d) where the spoils will be deposited, and if not in the ocean, why the spoils cannot be deposited inland out of the Commission's jurisdiction.
21. If fill (defined on page 4) in or over a tidal or marsh area is proposed as part of the project, explain clearly (a) why the fill is the minimum amount necessary, (b) why there is no alternative upland location, (c) how much tidal or marsh area is to be covered by each use, and (d) what types of fill are to be utilized.
22. Explain in detail (a) what public access now exists at the site or nearby, (b) what type and amount (indicate both linear feet along the water frontage and the total area) of public access to the Bay and its shoreline is proposed in conjunction with this project, (c) why greater public access cannot be provided, (d) what alternative public access sites are proposed if access is not appropriate, (e) how public access will be permanently guaranteed, (e.g., dedication, restriction, etc.), (f) what parking for public access now exists and is proposed, (g) what facilities for handicapped persons are proposed, (h) what connection between any proposed public access and the nearest public road or public off-site path now exists or is proposed, and (i) if public access is not proposed, why access is not feasible in this project. (NOTE: Please refer to Public Access Design Guidelines for public access design criteria. The Guidelines are available from the Commission.)
23. Describe steps taken to assure that any project involving Bay fill will afford reasonable protection to persons and property against hazards of unstable geologic or soil conditions or of flood or storm waters. Include the names of any licensed geologist, engineer, or architect who can provide technical details and certify the safety of the project.
24. Explain how the public, not private, benefits of the project exceed the public detriment from the loss of any water or marsh area and from any other adverse environmental effects related to the project. Any mitigation proposed as part of the project should be fully described.
25. Indicate all public improvements and public utility facilities, e.g., electricity, gas, sewer or septic tank, water, etc., necessary or incidental to the proposed project. Please include the names and addresses of the public agencies or public utilities who will have ownership or control over such public improvements or public utility facilities.

EXHIBITS:

(NOTE: The following information MUST be attached as exhibits to the application. Failure to include all the requested information will result in the application being returned unfiled. Please label exhibits "A", "B", etc. and reference them to the number indicated below.)

26. SITE PLAN. A plan or set of plans that shows exactly the nature, scope, and location of the proposed work, clearly shows and distinguishes between existing and proposed improvements, existing and proposed topography, existing and proposed public access areas, shows all building elevations, shows the line of mean sea level (sea level datum 1929 (NGVD)), the line of highest tidal action, the line 100 feet inland from the line of highest tidal action, salt ponds, managed wetlands, property lines, names of adjacent or nearby roads, streets, or highways, all existing control points, all major fixed objects, and structures, all major utilities, if solid fill or dredging is proposed, all existing topographic conditions with appropriate elevations and all proposed topographic changes with appropriate elevations, including the top and the toe of the bank, and other important geographic, topographic, and physical features, including mudflats and marshes. The site plan must have a north arrow, a graphic scale, project title name and an identification of the exhibit as the project site plan, and the name, address, and telephone number of the person(s) who prepared the site plan, and the date of the plan's preparation. It is advisable that additional plans, elevations, and/or sections of the project also be included if they help to depict the relationship of the project to the Bay.

In addition to one set of site plans at a convenient scale, the applicant shall also provide a master of the set of plans that is no larger than 8-1/2 by 11 inches in size and suitable for reproduction. Two hundred (200) copies of exhibits of another size may be furnished in lieu of a reproducible master copy; applicant should consult with the BCDC staff prior to submitting the 200 copies.

27. VICINITY MAP. The vicinity map shall consist of a United States Geological Survey Map Topographical Map (7.5 minute series) on which the project site is outlined.
28. LOCAL REPORT. Prior to the filing of this application, the applicant must apply for all required discretionary approvals, including but not limited to an excavation permit, a tentative or final subdivision map approval, a fill permit, a conditional use permit, a variance, a zoning change, an annexation approval, a master plan approval, and a planned-unit development approval, to each local government from which a discretionary approval is required for this project and either 90 days must have passed since the local government filed the application or the applicant must submit a local report as part of this application.

The local report shall be made either by the city council, the county board of supervisors, or by any person or agency to whom the council or board has delegated the authority to prepare such a report. If the Executive Director believes that the person who prepared or signed the local report does not have the authority to do so, the Executive Director shall not accept the local report until the applicant has submitted a letter signed by the head of the council or board attesting to the authority of the signer of the local report to represent the council or board.

Local reports shall be in writing, shall describe the project being considered by the local government, and shall constitute either a final approval, with or without conditions, or a final disapproval of the application and the reasons for the final action, or for projects for which the only remaining local approval(s) are ministerial or for subdivisions or other land divisions that require a Commission permit for which final local approval has not been granted, a statement that the local government either favors the project, with or without conditions, or does not favor the project.

- 29. LEGAL PROPERTY INTEREST. Attach proof that the applicant possesses either (1) a fee interest that does not prohibit the proposed activity or an easement that permits the proposed activity, (2) a leasehold whose remaining period of occupancy is long enough to provide a reasonable amortization period for the project and whose terms allow construction and use of the proposed project, (3) an enforceable option, or (4) the authority to acquire the property by eminent domain.

Such proof shall consist of either a title report, including a metes and bounds description, or other information of similar accuracy and reliability to show that the applicant holds the interest. In case of an application for an administrative permit that involves the placement of fill in San Francisco Bay for purposes other than shoreline protection or the repair of existing structures and in the case of an application for a major permit, the title report or other similar proof should be no more than one year old.

- 30. APPLICANT DISCLOSURE FORM AND STATEMENT. The State Legislature recently amended the Political Reform Act of 1974 through Assembly Bill No. 1040. Assembly Bill No. 1040 requires in part that an applicant for a BCDC permit must provide as part of the application a statement that discloses each and every federal, state, and local campaign contribution of \$250 or more made by the applicant or his or her agent to any Commissioner or Alternate within twelve months preceding the application. Therefore, please provide in the space below the approximate date of each such contribution and the person to whom the contribution was made. You may use additional sheets of paper if necessary. For your information, a list of all Commissioners and Alternates is attached. In addition, Assembly Bill No. 1040 also prohibits an applicant and his or her agent from contributing \$250 or more to any Commissioner or Alternate during the pendency of the application or during a period of three months after the vote on the application. Violations of these provisions may be punished as a misdemeanor and may, in addition, subject the violator to a fine of up to \$10,000. Other penalties may also apply for the violation of these provisions.

<u>Date of Contribution</u>	<u>Commissioner or Alternate To Whom Contribution Made</u>

31. CERTIFICATION

Signature of Applicant (or Representative)

I hereby certify under penalty of perjury that to the best of my knowledge the information in this application and all attached exhibits is full, complete, and correct, and I understand that any misstatement or omission of the requested information or of any information subsequently requested shall be grounds for denying the permit, for suspending or revoking a permit issued on the basis of these or subsequent representations, or for the seeking of such other and further relief as may seem proper to the Commission.

Date: 9-15-89 _____
(Signature of Applicant(s) or Agent)

If the signer of the application is the representative of an individual applicant, please complete the following form to bind the applicant legally in all matters concerning this application.

Authorization of Representative by Individual:

I hereby authorize _____ to act as my representative and bind me in all matters concerning this application.

Date: _____
(Signature of Applicant(s))

If the applicant is a corporation, please attach written evidence, such as a resolution of the board of directors, that the agent or representative has the legal authority to bind the corporation.

If the applicant is a governmental entity, please attach written evidence, such as a resolution of the appropriate body, that the agent or representative has the legal authority to bind the governmental entity.

If the applicant does not own the property that is the subject of the application, attach a written authorization by the property owner that the applicant is authorized to apply for the permit.

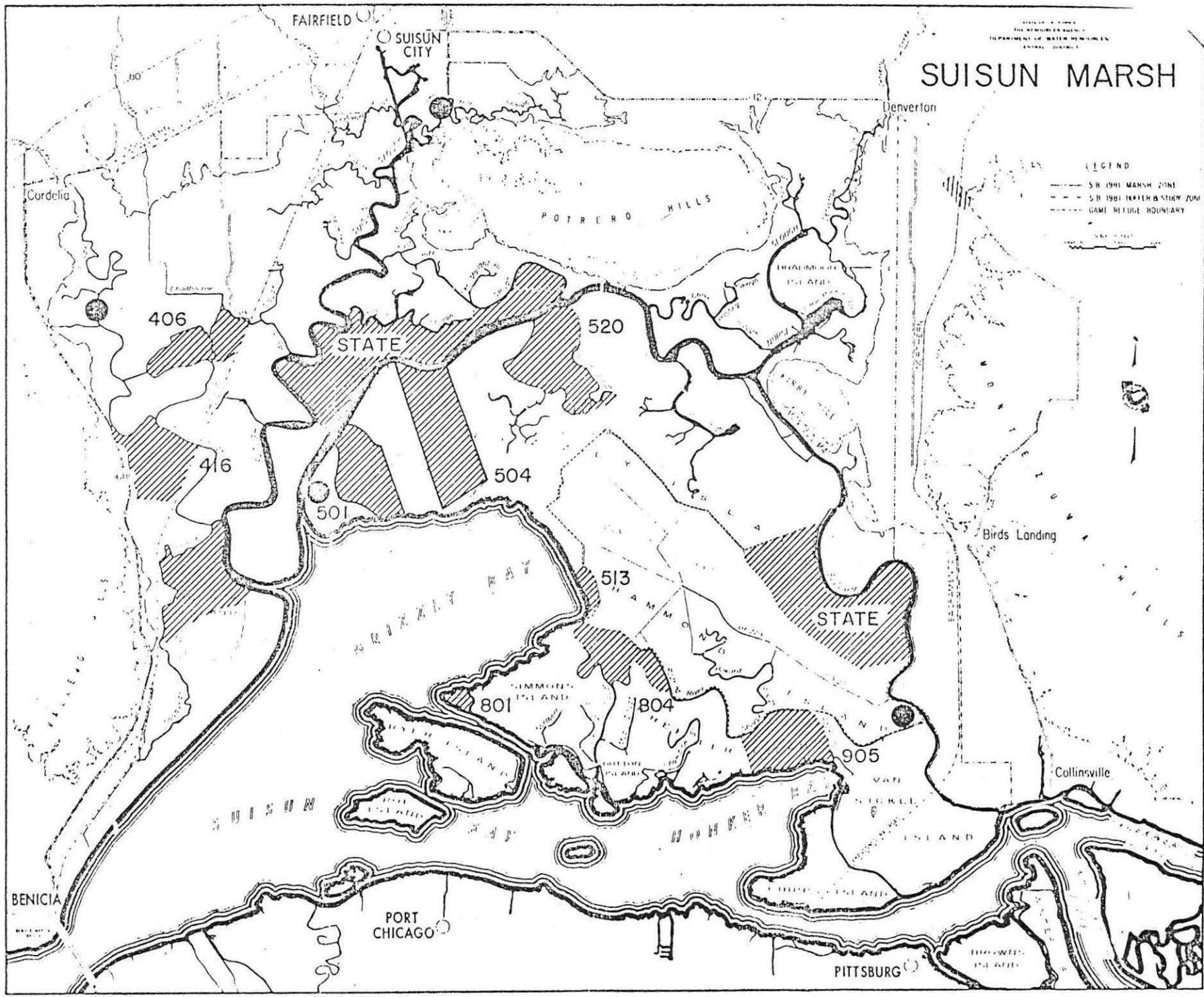
SUISUN MARSH

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
GENERAL DIVISION

LEGEND

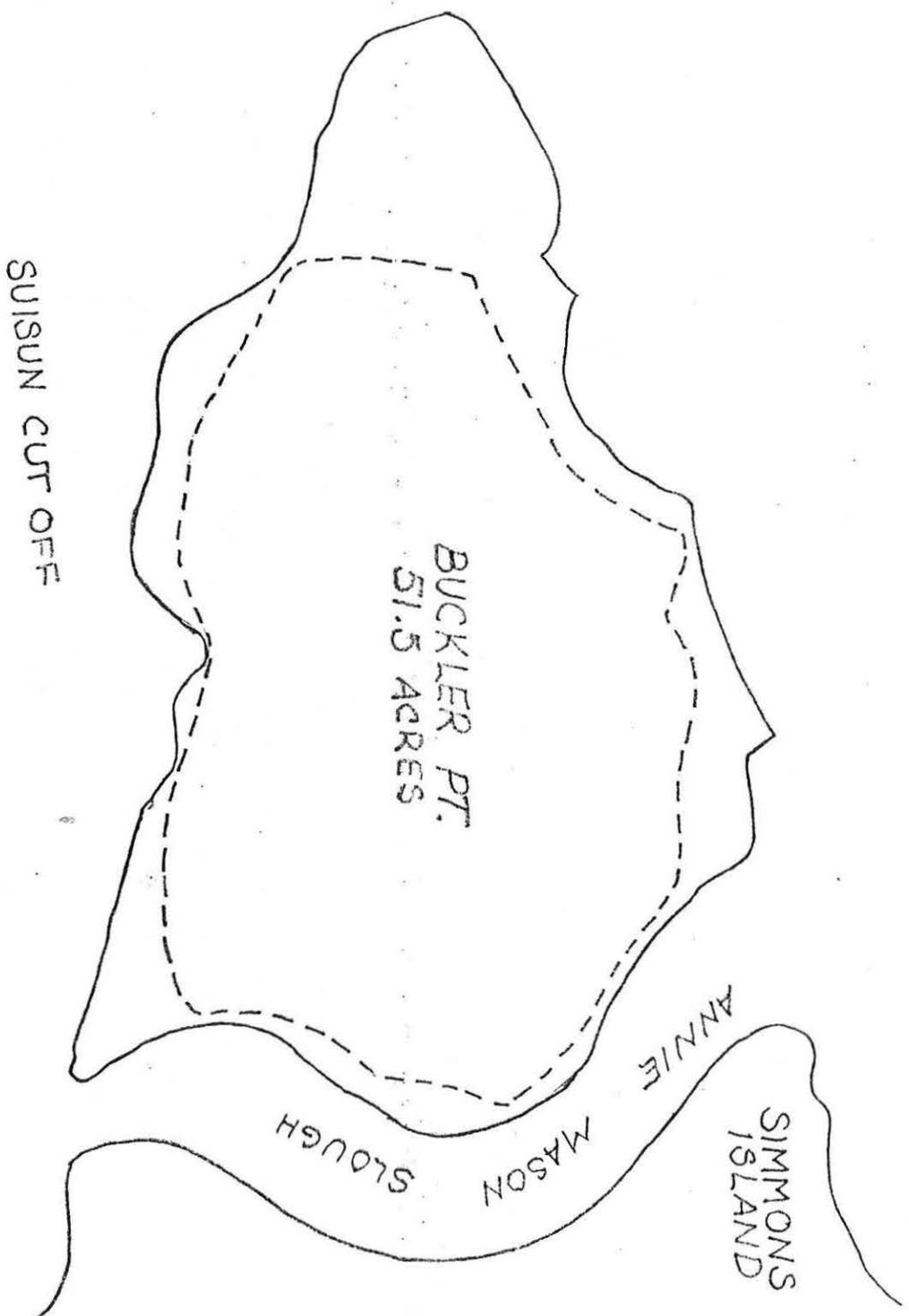
- SB 1981 MARSH ZONE
- - - SB 1981 TRAFFIC STUDY ZONE
- GAME REFUGE BOUNDARY

SCALE: 1" = 1 MILE





GRIZZLY BAY



----- Existing Levee
—— Outer perimeter of Island

Scale
1" = 314'