

5090
Ser 1142E/ALAMEDA/NAS

20 OCT 1987

California Regional Water Quality
Control Board
San Francisco Bay Region
Attn: Ken Theisen
1111 Jackson Street, Room 6040
Oakland, CA 94607

Dear Mr. Theisen:

As discussed in a phone conversation between you and Ms. Louise Lew of my staff on September 28, 1987, the Navy has been approached by a private firm regarding the possibility of placement of approximately 14,000 cubic yards of Oyster Point West Basin dredge spoils at the Naval Air Station, Alameda, West Beach Landfill. A copy of permeability and chemical test results is provided in enclosure (1). Chemical testing was performed as requested by Ms. Joanne Cox of your staff and the sampling locations are shown in enclosure (2). A copy of the Department of the Army, San Francisco District, Corps of Engineers permit and the San Francisco Bay Conservation and Development Commission Permit issued to the San Mateo County Harbor District are also provided as enclosures (3) and (4).

Please provide any comments or requirements you may have regarding the use of these clamshell dredge materials to supplement the existing partial clay cover at the West Beach Landfill to us as soon as possible. Should you have any questions regarding this matter, the point of contact is Commander, Western Division, Naval Facilities Engineering Command (Attn: Ms. Chloe Jue, Code 1142C, (415) 877-7494 or Mr. Marcelo Pascua, Code 09A2A.13, (415) 877-7212).

Sincerely,

Raymond E. Ramos
Head, West Central Environmental Section

Encl:

- (1) Dutra/Ghilotti letter dated September 30, 1987
- (2) Woodward-Clyde Consultants transmittal dated October 2, 1985
- (3) Department of the Army, San Francisco District, Corps of Engineers, Modification of Permit No. 11501-49B dated April 6, 1987
- (4) San Francisco Bay Conservation and Development Commission Permit No. 1-77 (issued on April 27, 1977, as amended through September 17, 1987), Amendment No. 8

Blind copy to:

NAS Alameda (GL-1)

ROICC San Francisco Bay Region

09A2A.13, 051, 102, 203, 243,

PWC San Francisco Bay (1013)

405, 1142, 1142E, 1142C, 1142P1

WRITER: C. Jue/1142C/7494

TYPIST: B. Palmer/19 Oct 87/Ser 2537S

FILE: ALAMEDA/NAS

DUTRA/GHILOTTI

A JOINT VENTURE
PO BOX 1982
85 HARBORMASTER RD.
S. SAN FRANCISCO, CA 94083-1982
(415) 873-1444
LICENSE NO. 506601

September 30, 1987

Marcello Pasqual
U.S. Navy, Bldg. 206
Western Division Naval
Facilities Engineering
San Bruno, CA 94066

Re: Test Results- Dated September 29, 1987
Oyster Pt. West Basin Dredge Spoils

Gentlemen:

Enclosed please find the test results for the material we propose to stockpile at Naval Air Station at Alameda.

If you have any questions, please contact the undersigned.

Very truly yours,

DUTRA/ GHILOTTI
A joint venture



Neil D. Williams
Project Manager

cc: Gen. Corres. file
Chrono file
Ali Yazdi-Ghilotti Bros.

Enclosure (1)

September 29, 1987

Project: 14145M

San Mateo County Harbor District
1 Johnson Pier
Half Moon Bay, California 94019

Attention: Mr. Don Guluzzy

Gentlemen:

TRANSMITTAL OF PERMEABILITY
AND CHEMICAL TESTING RESULTS
OYSTER POINT WEST BASIN DREDGE SPOILS
OYSTER POINT MARINA/PARK
South San Francisco, California

As requested, we are transmitting to you the subject test results which were performed as authorized by the San Mateo County Harbor District. These results were not presented in our soil report since it was not required by the Regional Water Quality Control Board (RWQCB) in the permitting process. We understand, however, that in the Contractor's efforts to dispose of the excess dredge spoils, it has become necessary for him to have the results of the permeability and chemical testing done to-date. We are therefore transmitting this information to you with a copy to the Contractor for his use. This information is being transmitted to the Contractor in accordance with your authorization.

Since the enclosed information was obtained in accordance with our agreement and understandings with the San Mateo County Harbor District, the results of these tests were solely for the use of the San Mateo county Harbor District. Any reliance on these test results by third parties shall be at such parties sole risk.



San Mateo County Harbor District
Project: 14145M
September 29, 1987
Page 2

Two samples of the dredge materials were recovered by Woodward-Clyde Consultants (WCC) personnel within the proposed dredged depths in two locations selected by WCC in the dredge area. These samples were tested for permeability using the falling head permeameter apparatus, and were tested for metals, pesticides, coliform and other pollutants as requested by Ms. Joanne Cox with the RWQCB. The results of the falling head permeability tests are as follows:

Sample No. OPW $k = 2.4 \times 10^{-7}$ cm/sec

Sample No. OPE $k = 1.9 \times 10^{-7}$ cm/sec

The samples were taken in the field and stored as necessary to protect the samples from loss of pollutants during recovery and transit. They were then delivered to Brown and Caldwell in Emeryville, California for testing. The results of the tests on Sample Nos. OPW and OPE are contained in the Appendix.

It has been a pleasure to provide these test results. If you, the Contractor, or the regulatory agencies have any questions concerning the sampling procedures or the tests or test results, do not hesitate to call us.

Sincerely,



Ted Splitter
Senior Project Engineer

eg

cc: Mr. Neil Williams
Mr. Bill Caryl

APPENDIX



LOG NO: E86-07-117

Received: 08 JUL 86
Reported: 28 JUL 86

Mr. Ted Splitter
Woodward Clyde Consultants
180 Grand Avenue, Suite 1050
Oakland, California 94612

Project: 14145L

REPORT OF ANALYTICAL RESULTS

LOG NO	SAMPLE DESCRIPTION , SOIL SAMPLES	DATE SAMPLED
07-117-1	OPW, Total	07 JUL 86
PARAMETER	07-117-1	
Beryllium, mg/kg	0.4	
Cadmium, mg/kg	0.6	
Chromium, mg/kg	36	
Copper, mg/kg	34	
Lead, mg/kg	33	
Nickel, mg/kg	40	
Silver, mg/kg	<1	
Thallium, mg/kg	<2	
Zinc, mg/kg	83	
Antimony, mg/kg	<10	
Arsenic, mg/kg	3.0	
Selenium, mg/kg	<0.2	
Mercury, mg/kg	0.20	
Iron, mg/kg	3000	
Nitric Acid Digestion, Date	07.14.86	
Fecal Coliform, MPN/0.1L	<2	
Total Coliform, MPN/0.1L	<2	



LOG NO: E86-07-117

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Mr. Ted Splitter
 Woodward Clyde Consultants
 180 Grand Avenue, Suite 1050
 Oakland, California 94612

Project: 14145L

REPORT OF ANALYTICAL RESULTS

LOG NO	SAMPLE DESCRIPTION , SOIL SAMPLES	DATE SAMPLED
07-117-1	OPW, Total	07 JUL 86
PARAMETER	07-117-1	
B/N,A Ext. Priority Pollutants		
Extraction	07.16.86	
Date Analyzed	07.25.86	
2,4-Dinitrophenol, mg/kg	<3	
2-Methyl-4,6-dinitrophenol, mg/kg	<5	
4-Nitrophenol, mg/kg	<3	
Bis(2-ethylhexyl)phthalate, mg/kg	<4	
Benzidine, mg/kg	<4	
Di-n-octylphthalate, mg/kg	<10	
Dibutylphthalate, mg/kg	<5	
Dimethylphthalate, mg/kg	<3	
N-Nitrosodi-n-propylamine, mg/kg	<4	
N-Nitrosodimethylamine, mg/kg	<8	
Other B/N,A Ext. Priority Pollutants,	<0.1	



LOG NO: E86-07-117

Received: 08 JUL 86

Reported: 28 JUL 86

Mr. Ted Splitter
 Woodward Clyde Consultants
 180 Grand Avenue, Suite 1050
 Oakland, California 94612

Project: 14145L

REPORT OF ANALYTICAL RESULTS

LOG NO	SAMPLE DESCRIPTION , CALIFORNIA WASTE EXTRACT SAMP	DATE SAMPLED
07-117-2	OPW, Soluble	07 JUL 86
PARAMETER	07-117-2	
Beryllium, mg/L	0.03	
Cadmium, mg/L	0.02	
Chromium, mg/L	0.85	
Copper, mg/L	0.04	
Lead, mg/L	0.8	
Nickel, mg/L	0.42	
Silver, mg/L	0.03	
Thallium, mg/L	<0.1	
Zinc, mg/L	2.3	
Antimony, mg/L	<0.1	
Arsenic, mg/L	0.02	
Selenium, mg/L	<0.01	
Mercury, mg/L	<0.001	
CAM WET Extraction	07.16.86	
Iron, mg/L	70	

James Hatfield, Laboratory Director



LOG NO: E86-07-092

Received: 07 JUL 86

Reported: 28 JUL 86

Mr. Ted Splitter
 Woodward Clyde Consultants
 180 Grand Avenue, Suite 1050
 Oakland, California 94612

Project: 14145L

REPORT OF ANALYTICAL RESULTS

LOG NO	SAMPLE DESCRIPTION , SOIL SAMPLES	DATE SAMPLED
07-092-1	OPE, Total	03 JUL 86
PARAMETER	07-092-1	
Beryllium, mg/kg	0.4	
Cadmium, mg/kg	0.6	
Chromium, mg/kg	38	
Copper, mg/kg	38	
Lead, mg/kg	32	
Nickel, mg/kg	42	
Silver, mg/kg	<1	
Thallium, mg/kg	<2	
Zinc, mg/kg	74	
Antimony, mg/kg	<10	
Arsenic, mg/kg	2.4	
Selenium, mg/kg	<0.2	
Mercury, mg/kg	0.16	
Iron, mg/kg	17000	
Nitric Acid Digestion, Date	07.14.86	
Fecal Coliform, MPN/0.1L	<2	
Total Coliform, MPN/0.1L	50	



LOG NO: E86-07-092

Received: 07 JUL 86

Reported: 28 JUL 86

Mr. Ted Splitter
 Woodward Clyde Consultants
 180 Grand Avenue, Suite 1050
 Oakland, California 94612

Project: 14145L

REPORT OF ANALYTICAL RESULTS

LOG NO	SAMPLE DESCRIPTION , SOIL SAMPLES	DATE SAMPLED
07-092-1	OPE, Total	03 JUL 86
PARAMETER	07-092-1	
B/N,A Ext. Priority Pollutants		
Extraction	07.16.86	
Date Analyzed	07.25.86	
2,4-Dinitrophenol, mg/kg	<3	
2-Methyl-4,6-dinitrophenol, mg/kg	<5	
4-Nitrophenol, mg/kg	<3	
Bis(2-ethylhexyl)phthalate, mg/kg	<4	
Benzidine, mg/kg	<4	
Benzo(a)pyrene, mg/kg	0.1	
Benzo(b)fluoranthene, mg/kg	0.1	
Benzo(k)Fluoranthene, mg/kg	0.1	
Di-n-octylphthalate, mg/kg	<10	
Dibutylphthalate, mg/kg	<5	
Dimethylphthalate, mg/kg	<3	
Fluoranthene, mg/kg	0.1	
N-Nitrosodi-n-propylamine, mg/kg	<4	
N-Nitrosodimethylamine, mg/kg	<8	
Other B/N,A Ext. Priority Pollutants,	<0.1	
Semi-Quantified Results **		
C15-C35 Hydrocarbon Matrix, mg/kg	700	
S8 Molecular Sulfur, mg/kg	300	

** Quantification based upon comparison of total ion count of the compound with that of the nearest internal standard.



LOG NO: E86-07-092

Received: 07 JUL 86

Reported: 28 JUL 86

Mr. Ted Splitter
 Woodward Clyde Consultants
 180 Grand Avenue, Suite 1050
 Oakland, California 94612

Project: 14145L

REPORT OF ANALYTICAL RESULTS

LOG NO	SAMPLE DESCRIPTION , CALIFORNIA WASTE EXTRACT SAMP	DATE SAMPLED
07-092-2	OPE, Soluble	03 JUL 86
PARAMETER	07-092-2	
Beryllium, mg/L	0.02	
Cadmium, mg/L	0.02	
Chromium, mg/L	0.87	
Copper, mg/L	0.02	
Lead, mg/L	0.7	
Nickel, mg/L	0.55	
Silver, mg/L	0.03	
Thallium, mg/L	0.1	
Zinc, mg/L	2.4	
Antimony, mg/L	<0.1	
Arsenic, mg/L	0.04	
Selenium, mg/L	<0.01	
Mercury, mg/L	<0.001	
CAM WET Extraction	07.16.86	
Iron, mg/L	360	

James Hatfield, Laboratory Director

180 Grand Avenue, Suite 505
Oakland, California 94612
(415) 444-1256

Woodward-Clyde Consultants

Job No.: 14145M

October 2, 1987

To: U.S. Navy
P.O. Box 727
San Bruno, California 94066

Attention: Ms. Louise Lew
Code 1142

SUBJECT: SAMPLING LOCATION PLAN
OYSTER POINT WEST BASIN
South San Francisco, California

Transmitted herewith, please find one (1) copy of the
subject plan for your use.

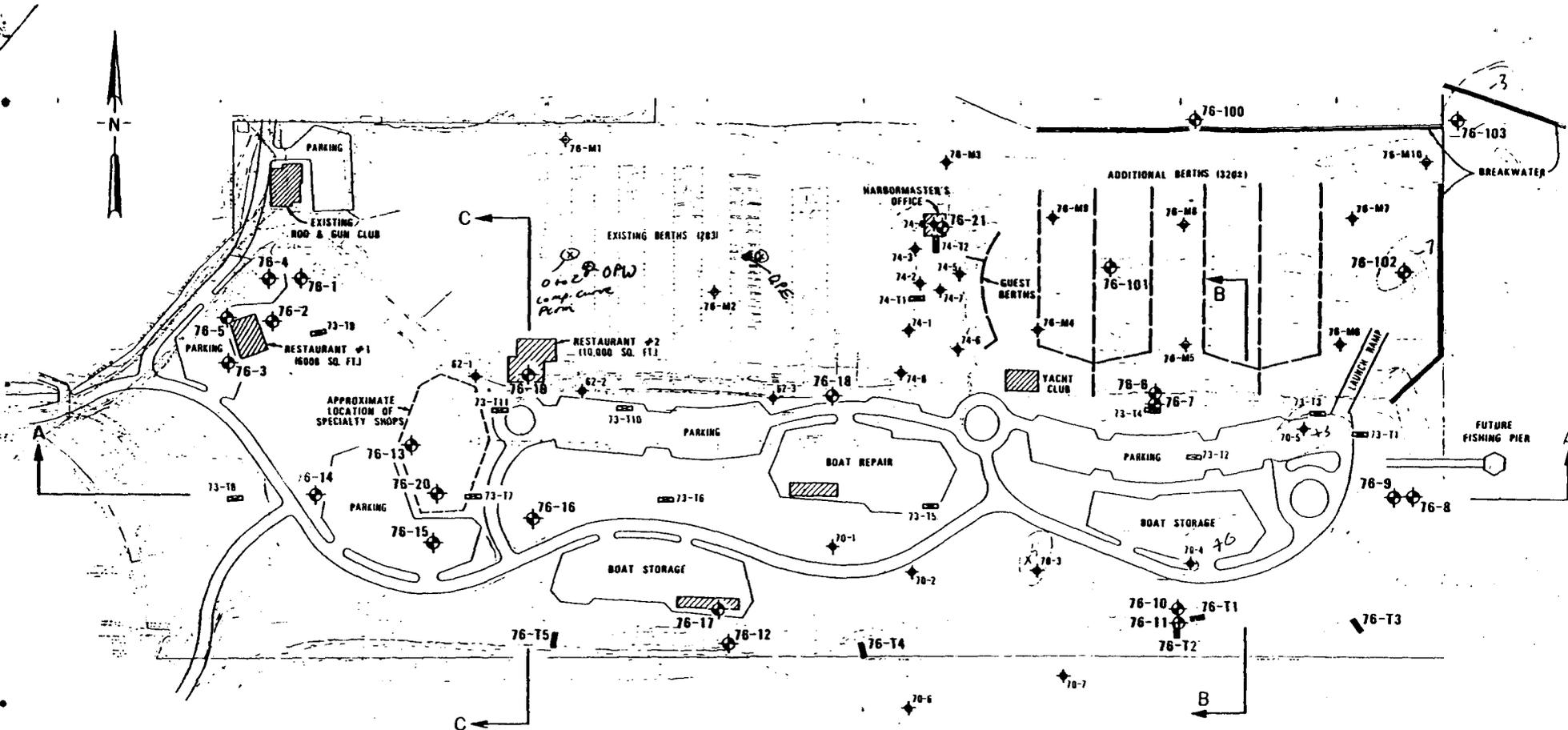
Sincerely yours,

WOODWARD-CLYDE CONSULTANTS

By 
Ted Splitter
Senior Project Engineer

cc: Mr. Neil Williams
Mr. Don Guluzzy





NOTES:

1) BASE MAP REDUCED FROM 'HYDROGRAPHIC/TOPOGRAPHIC MAP OF OYSTER POINT MARINA' PREPARED BY TOWILL, INC. FOR BRIAN-KANGAS-FOULK & ASSOCIATES DATED MARCH 11, 1976

2) SITE DEVELOPMENT PLANS TAKEN FROM 'PRELIMINARY MASTER PLAN - OYSTER POINT MARINA' BY ROYSTON, HANAMOTO, BECK, & ABEY DATED JUNE 15, 1976

LEGEND:

- ◆ 76-1 1976 BORINGS BY WOODWARD-CLYDE CONSULTANTS FOR PRESENT STUDY (25)
- ▼ 76-T1 1976 TEST TRENCHES BY WOODWARD-CLYDE CONSULTANTS FOR PRESENT STUDY (5)
- ◆ 76-M1 1976 MUDLINE SAMPLES BY WOODWARD-CLYDE CONSULTANTS FOR PRESENT STUDY (10)
- ◆ 74-1 1974 BORINGS BY MARLAN ENGINEERS
- ◆ 70-1 1970 BORINGS BY GIBALDO, JONES & ASSOCIATES
- ◆ 62-1 1962 BORINGS BY JOHN A. BLUME & ASSOCIATES, ENGINEERS
- ▼ 74-11 1974 TEST TRENCHES BY MARLAN ENGINEERS
- ▼ 73-11 1973 TEST TRENCHES BY BERLOGAR, LONG & ASSOCIATES
- OPW; 1986 Dredge Mud Sampling Locations



SITE EXPLORATION PLAN AND PROPOSED DEVELOPMENT	
OYSTER POINT MARINA South San Francisco, California	
Project No 13609A	Figure 1
WOODWARD-CLYDE CONSULTANTS	



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
211 MAIN STREET
SAN FRANCISCO, CALIFORNIA 94105 - 1905

Regulatory Branch
No. 11501-49B

08 APR 1987

M O D I F I C A T I O N O F P E R M I T

Mr. Donald F. Guluzzy
General Manager
San Mateo County Harbor District
1 Johnson Pier
Half Moon Bay, California 94109

APR 13 1987
RECEIVED

Dear Mr. Guluzzy:

Reference is made to your written request dated February 13, 1987, informing us that the work on the East Basin Marina is complete, and requesting a modification of Department of the Army (DA) Permit No. 11501-49 issued by this on May 11, 1977, authorizing you to dredge and rehabilitate the East and West Basin Marinas at the Oyster Point Marina, in the city of South San Francisco, San Mateo County, California.

Under the provisions of 33 CFR 325.7(b), your request for an extension of time to June 30, 1989, to complete the construction and rehabilitation of the West Basin Marina, and to use the necessary dredged material to adequately seal/cap the old sanitary landfill site, to comply with the San Francisco Superior Court Order #633084, is hereby granted; in accordance with the attached drawings marked: "WEST BASIN REHABILITATION, IN: SAN FRANCISCO BAY, AT: OYSTER POINT, COUNTY OF: SAN MATEO, APPLICATION BY: SAN MATEO COUNTY HARBOR DISTRICT" in 2 sheets dated 2-12-87.

The permittee shall submit a Solid Debris Management Plan for the areas of planned dredging or construction/maintenance operations to Chief, Construction-Operations Division, US Army, Corps of Engineers, Attn: Regulatory Branch, 211 Main St., San Francisco, California 94105-1905, for review at least 15 working days prior to the commencement of the proposed activity. The plan shall provide measures to ensure that no solid debris which may be recovered during dredging or any authorized construction/demolition operation is disposed of at the approved aquatic disposal site or other waters under our jurisdiction. At a minimum, the plan shall include the source and expected type of debris, the disposal method and site, the schedule of the operation, and the project site containment method to be used if floatable debris is involved. The District Engineer may require additional information as necessary subject to the specific permitted operation.

Enclosure (3)

If the work authorized by DA Permit No. 11501-49 is not completed on or before June 30, 1989, this authorization if not previously revoked or specifically extended, shall automatically expire. Except for the above modification all conditions of the original permit remain in full force and effect.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:


For Andrew M. Perkins, Jr.

Lieutenant Colonel, Corps of Engineers
District Engineer

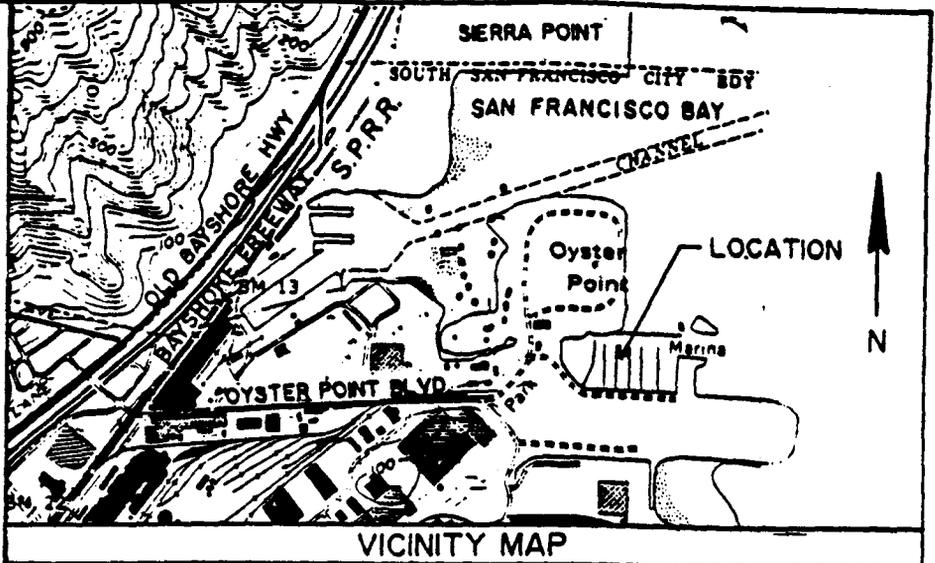
Enclosure

Copy Furnished:

US F&WS, Sacramento, CA
US EPA, San Francisco, CA
US NOAA, Santa Rosa, CA
CA BCDC, San Francisco, CA

NOTES:

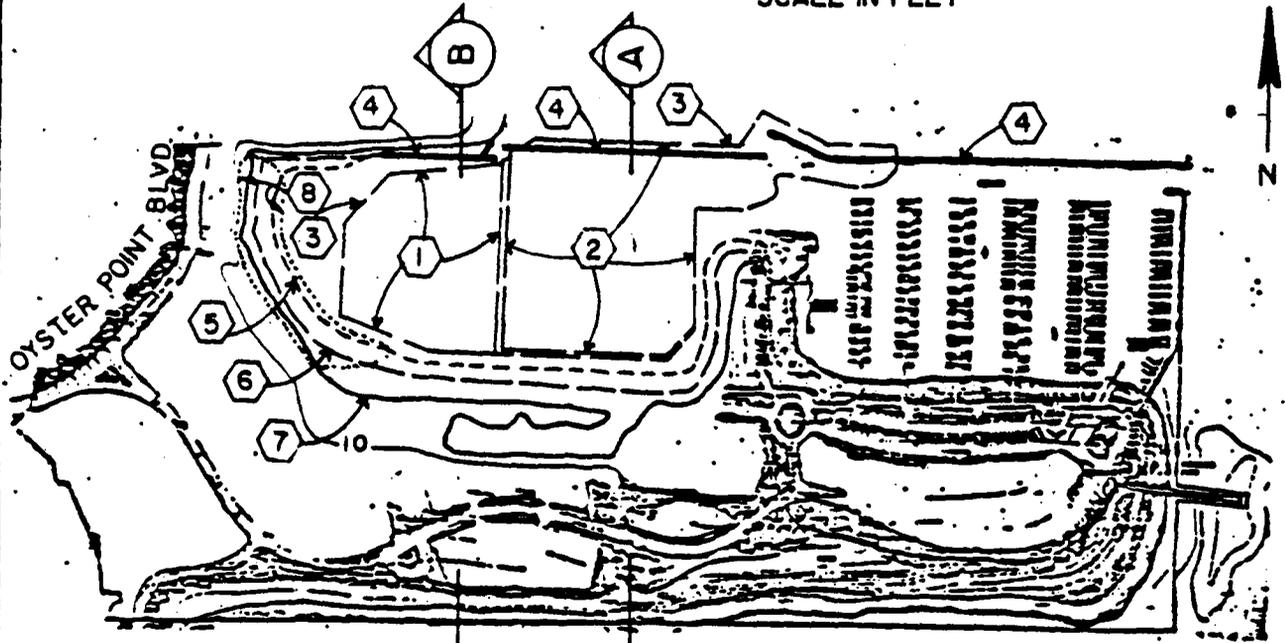
- ① DREDGE TO EL. -9.4
- ② DREDGE TO EL. -11.4
- ③ LIMIT OF DREDGING
- ④ EXISTING BREAKWATER
- ⑤ EL. -2.3 MLW
- ⑥ EL. 2.9 MHW
- ⑦ EL. 6J MAX. HW
- ⑧ REPLENISH BEACH SAND FROM EL. -4.10 TO EL. 9.0
APPROX. QTY. = 3,500 TONS



VICINITY MAP

0 1000 2000 3000 4000

SCALE IN FEET



APPROXIMATE QUANTITIES:

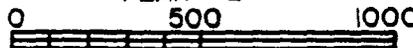
DREDGING EXCAVATION	35,000 C.Y.
TYPE I SOIL (FILL)	21,000 C.Y.
DISPOSE OFF SITE	14,000 C.Y.

PURPOSE: REHABILITATION OF EXISTING MARINA, WEST BASIN.

DATUM: MSL

ADJACENT PROPERTY OWNERS:
R. DIODATI

PLAN VIEW

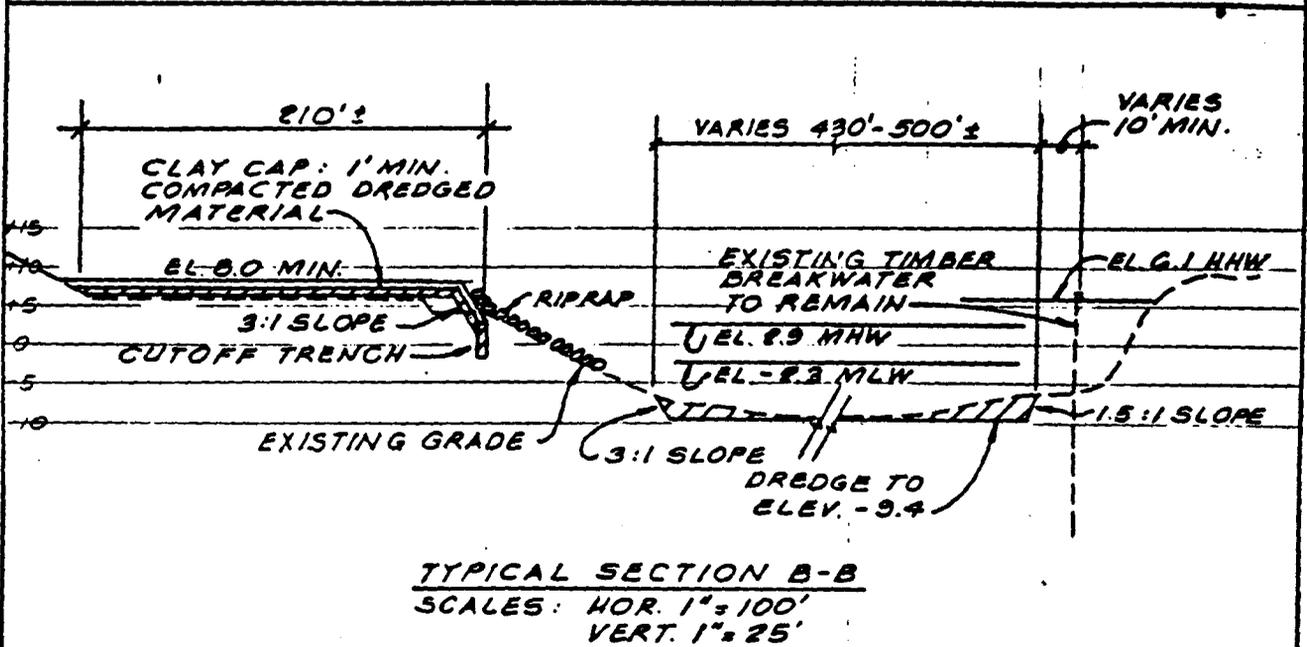
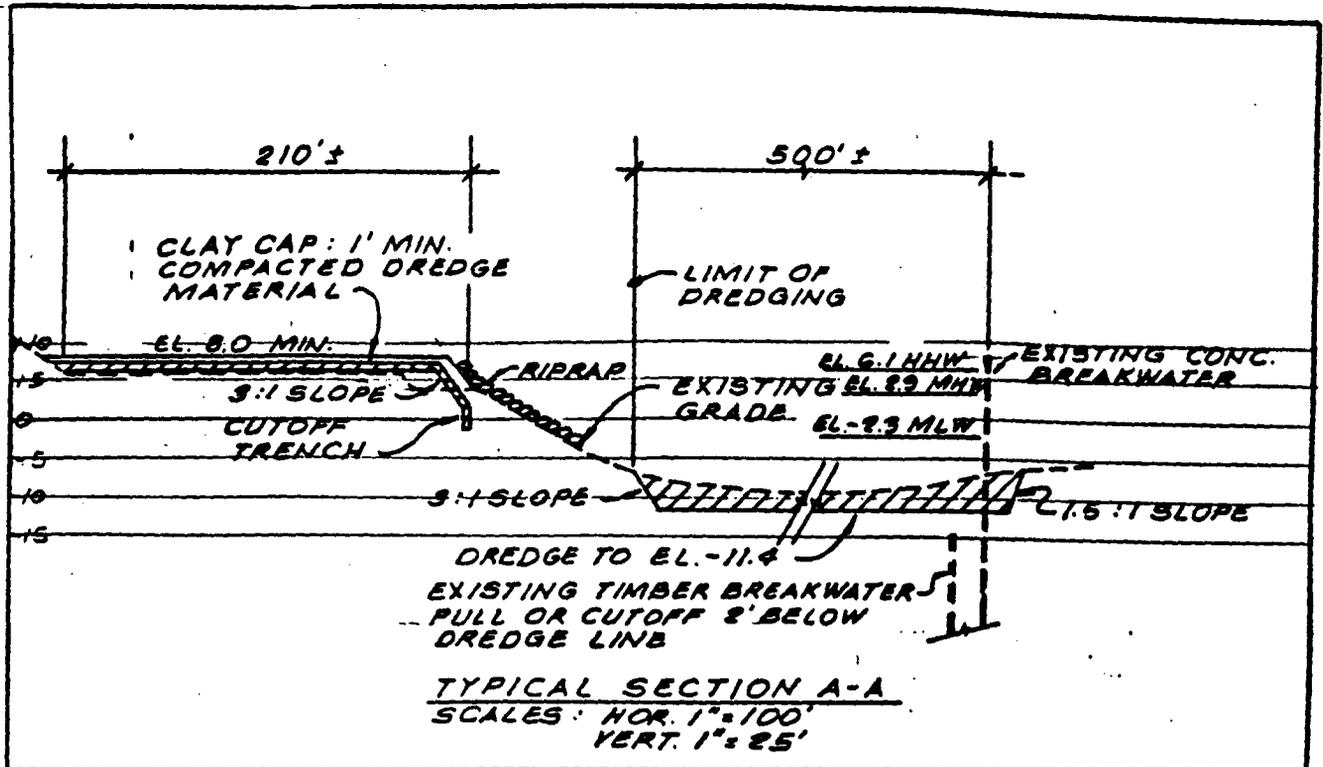


1" = 500'

CARROLL RESOURCES ENGINEERING AND MANAGEMENT
310 N. BAYSHORE BLVD.
SAN MATEO, CA. 94401

WEST BASIN REHABILITATION
IN: SAN FRANCISCO BAY
AT: OYSTER POINT

COUNTY OF: SAN MATEO
APPLICATION BY: SAN MATEO
COUNTY HARBOR DISTRICT
SHEET 1 OF 2 DATE: 2-12-87



<p>PURPOSE: REHABILITATION OF EXISTING MARINA, WEST BASIN</p> <p>DATUM: MSL</p> <p>ADJACENT PROPERTY OWNERS: R. DIODATI</p>	<p>SECTION VIEWS</p> <p>CARROLL RESOURCES ENGINEERING AND MANAGEMENT 310 N. BAYSHORE BLVD. SAN MATEO, CA. 94401</p>	<p>WEST BASIN REHABILITATION IN: SAN FRANCISCO BAY AT: OYSTER POINT COUNTY OF: SAN MATEO APPLICATION BY: SAN MATEO COUNTY HARBOR DISTRICT</p> <p>SHEET 2 OF 2 DATE: 2-2-87</p>
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Application No. 11501-49
Name of Applicant City of South San Francisco
Effective Date 11 MAY 1977
Expiration Date (if applicable) _____

U. S. ARMY ENGR. DIST., SAN FRANCISCO
CORPS OF ENGINEERS
211 MAIN STREET
SAN FRANCISCO, CALIFORNIA 94105

DEPARTMENT OF THE ARMY
PERMIT

Referring to written request dated 6 January 1977 for a permit to:

() Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);

() Discharge dredged or fill material into navigable waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (86 Stat. 816, P.L. 92-500);

() Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052; P.L. 92-532);

City of South San Francisco
P.O. Box 711
South San Francisco, California 94080

◀ (Here insert the full name and address of the permittee)

is hereby authorized by the Secretary of the Army:

to repair the existing timber breakwater (1195 feet), construct three new concrete sheetpile breakwaters (1850 feet), remove deteriorated berths, mooring piles, and piers in the West Basin and replace with approximately 294 concrete berths, construct about 275 new concrete berths in the East Basin, implement leachate and erosion control measures, dredge by clamshell a total of about 80,600 cubic yards of bay sediments and dispose on adjacent upland areas and construct marina related facilities requiring docks and piers in San Francisco Bay (South) at Oyster Point Marina, South San Francisco, San Mateo County, California

◀ (Here describe the proposed structure or activity, and its intended use. In the case of an application for a fill permit, describe the structures, if any, proposed to be erected on the fill. In the case of an application for the discharge of dredged or fill material into navigable waters or the transportation for discharge in ocean waters of dredged material, describe the type and quantity of material to be discharged.)

◀ (Here to be named the ocean, river, harbor, or waterway concerned.)

◀ (Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

In accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings: give file number or other definite identification marks): "Proposed Marina Expansion, In City of South San Francisco, Near Oyster Point, County Of San Mateo, State of California, Application By City of South San Francisco", dated 3 January 1977, in 3 sheets.

subject to the following conditions:

I. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions j or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

b. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to Sections 301, 302, 306 and 307 of the Federal Water Pollution Control Act of 1972 (P.L. 92-500; 66 Stat. 816), or pursuant to applicable State and local law.

c. That when the activity authorized herein involves a discharge or deposit of dredged or fill material into navigable waters, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementation plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the permittee agrees to make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife and natural environmental values.

e. That the permittee agrees to prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

f. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

g. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

h. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

i. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether his permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.

k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and the conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit; or (2) within the aforesaid 30-day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.

l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.

n. That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.

o. That if the activity authorized herein is not ^{attempted} started on or before 1st day of APRIL, 19 78 (one year from the date of issuance of this permit unless otherwise specified) and is not completed on or before 1st day of APRIL, 19 81 (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.

p. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

q. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

r. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

s. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition v hereof, he must restore the area to a condition satisfactory to the District Engineer.

t. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

u. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

v. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and condition of this permit or by the transferee subscribing to this permit in the space provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

The following Special Conditions will be applicable when appropriate:

STRUCTURES FOR SMALL BOATS: That permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

DISCHARGE OF DREDGED MATERIAL INTO OCEAN WATERS: That the permittee shall place a copy of this permit in a conspicuous place in the vessel to be used for the transportation and/or dumping of the dredged material as authorized herein.

ERECTION OF STRUCTURE IN OR OVER NAVIGABLE WATERS: That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

MAINTENANCE DREDGING: (1) when the work authorized herein includes periodic maintenance dredging, it may be performed under this permit for 4 years from the date of issuance of this permit (4 years unless otherwise indicated); and (2) That the permittee will advise the District Engineer in writing at least two weeks before he intends to undertake any maintenance dredging.

II. Special Conditions (Here list conditions relating specifically to the proposed structure or work authorized by this permit):

1. That sewage pumpout facilities be installed, operable and connected to the local sewage disposal system, that automatic fuel disconnection apparatus be utilized at the fueling facilities and also that bilge and oily waste facilities be provided in a manner acceptable to the District Engineer as per the agreements made with the U.S. Environmental Protection Agency and the U.S. Coast Guard as soon as practicable but not later than 18 April 1980.
2. That all existing piles to be removed shall either be completely removed or cut off at least two feet below the mud line.
3. That the permittee shall take all precautions to insure that no debris enters the waterway during construction.

This permit shall become effective on the date of the District Engineer's signature.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

C. Walter B. Sela

PERMITTEE

City Manager, City of South San Francisco

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

5/4/77

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 4th DAY OF May 1977

Joseph N. Figueiredo
NOTARY PUBLIC

DATE

H. A. FLERTZHEIM, JR.

Colonel, CE
DISTRICT ENGINEER,
U.S. ARMY, CORPS OF ENGINEERS

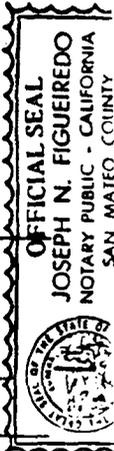
Karl F. Schmid

LTC, CE
Deputy District Engineer

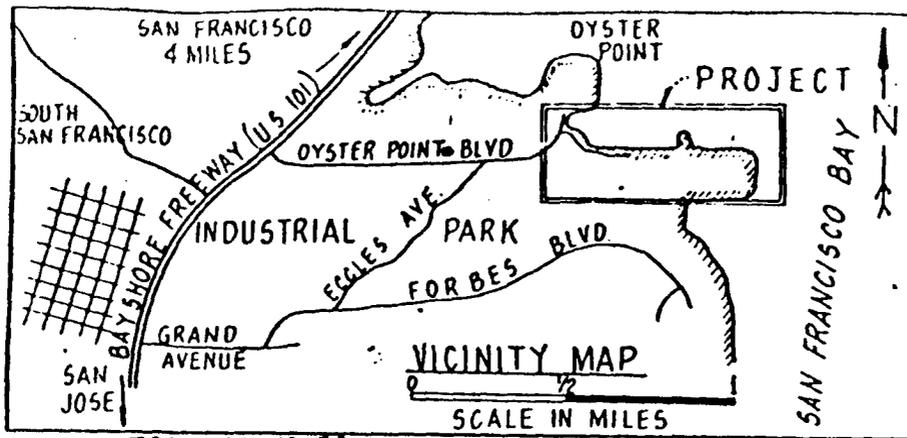
Transferee hereby agrees to comply with the terms and conditions of this permit.

TRANSFEREE

DATE

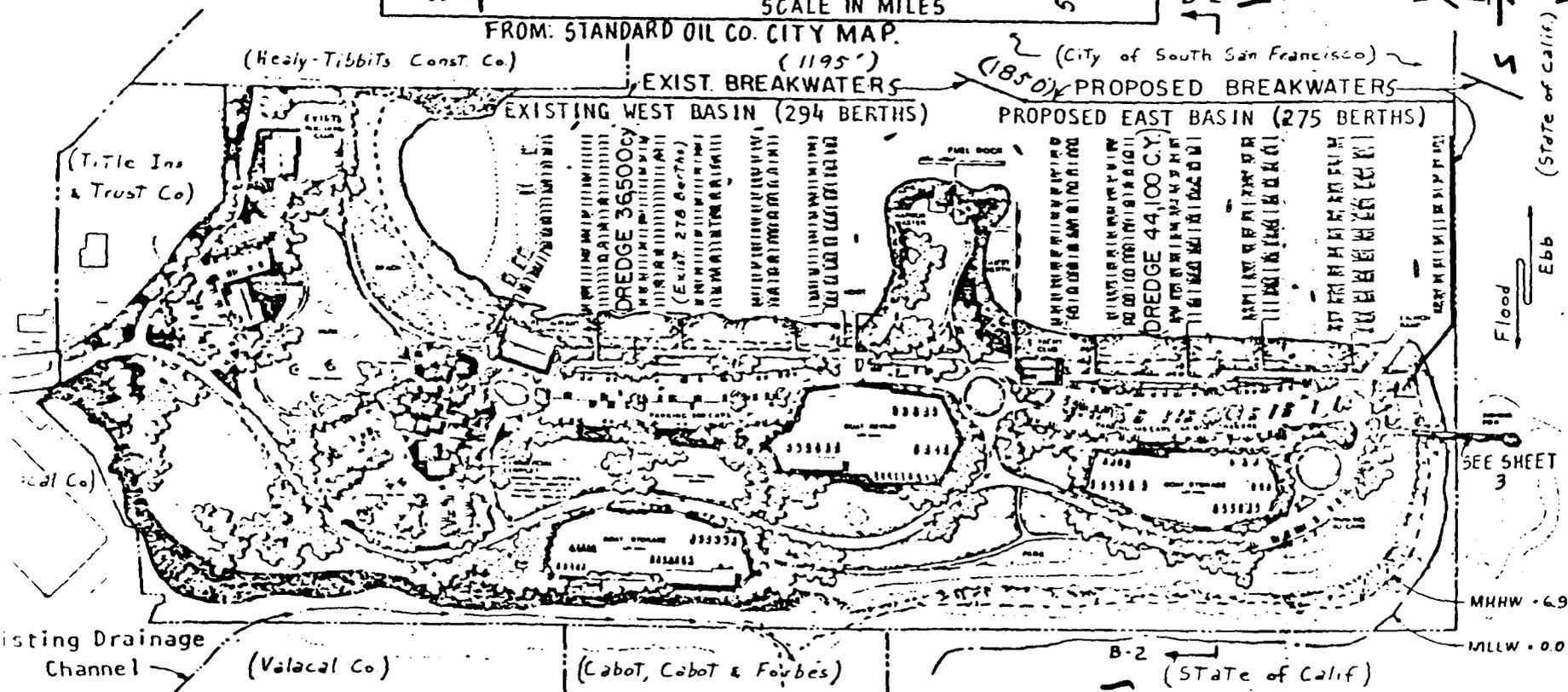
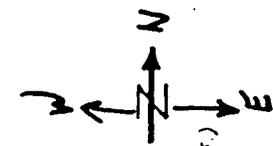


PN 11501-49



NOTES

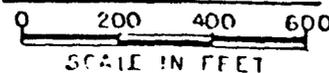
1. Total dredging (80,600 CY) to be clamshelled to El. -8.0 and deposited on the site where it will be spread and conditioned to form a clay cap.



PURPOSE: Small Craft Berthing,
Sanitary Landfill Leachate
Control, Public Recreation

datum: MLLW = 0

SITE PLAN



PROPOSED: Marina Expansion
IN: City of South San Francisco
NEAR: Oyster Point
COUNTY OF: San Mateo STATE: Calif.
APPLICATION BY: City of South San Francisco

SEE SHEET 3

MHHW - 6.9
MLLW - 0.0

B-2 (STATE of Calif)

(State of Calif)

(City of South San Francisco)

(Healy-Tibbitts Const. Co)

(1195')

(1850')

FROM: STANDARD OIL CO. CITY MAP.

B-2

SCALE IN MILES

(Title Ins & Trust Co)

(al Co)

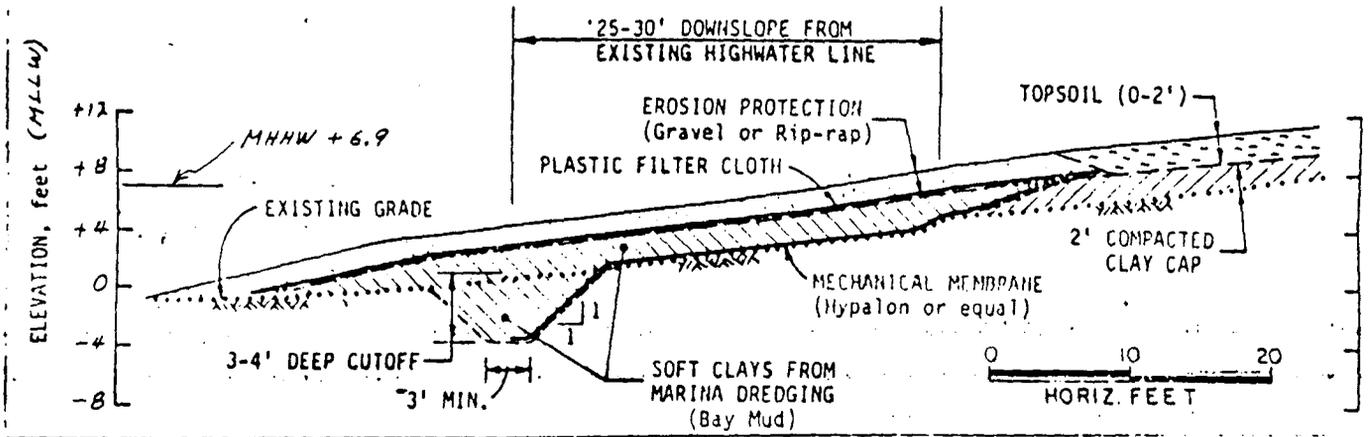
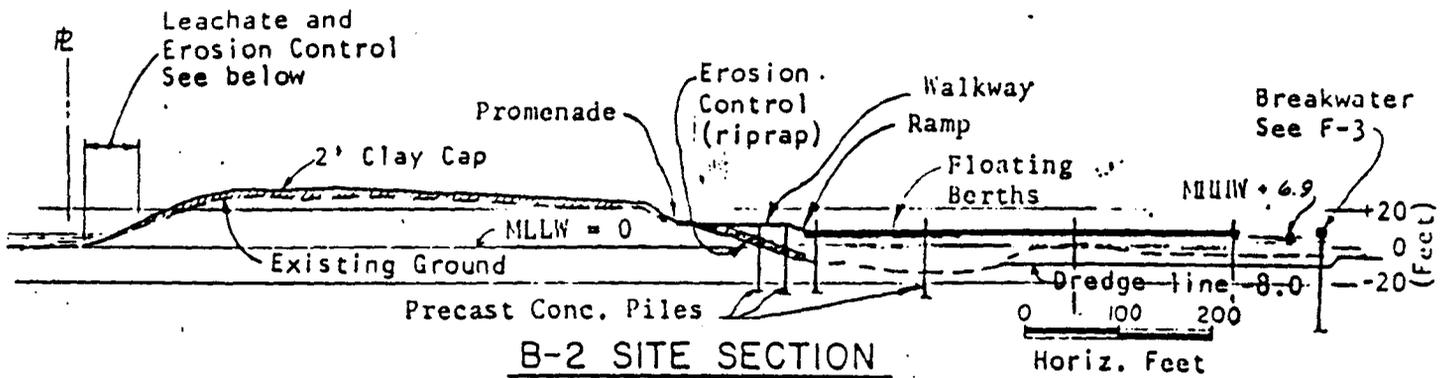
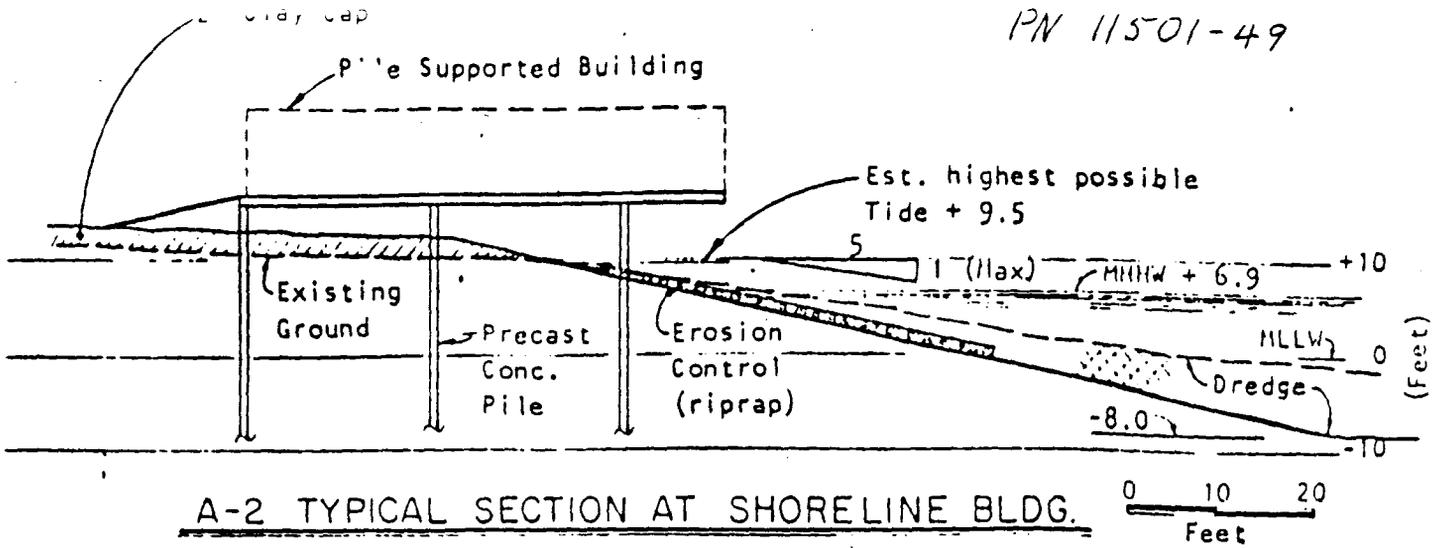
isting Drainage Channel

(Valacal Co)

(Cabot, Cabot & Forbes)

Ebb

Flood

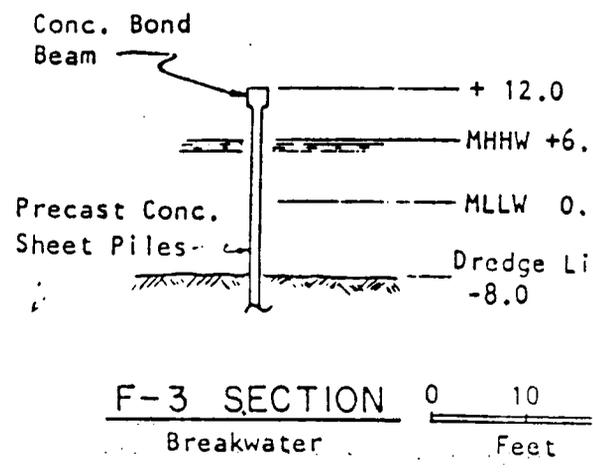
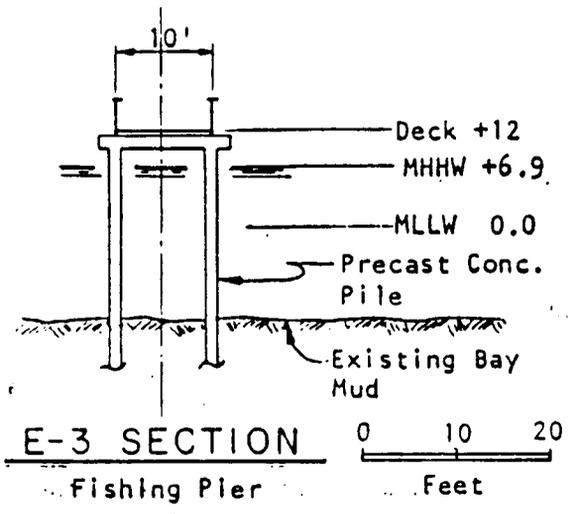
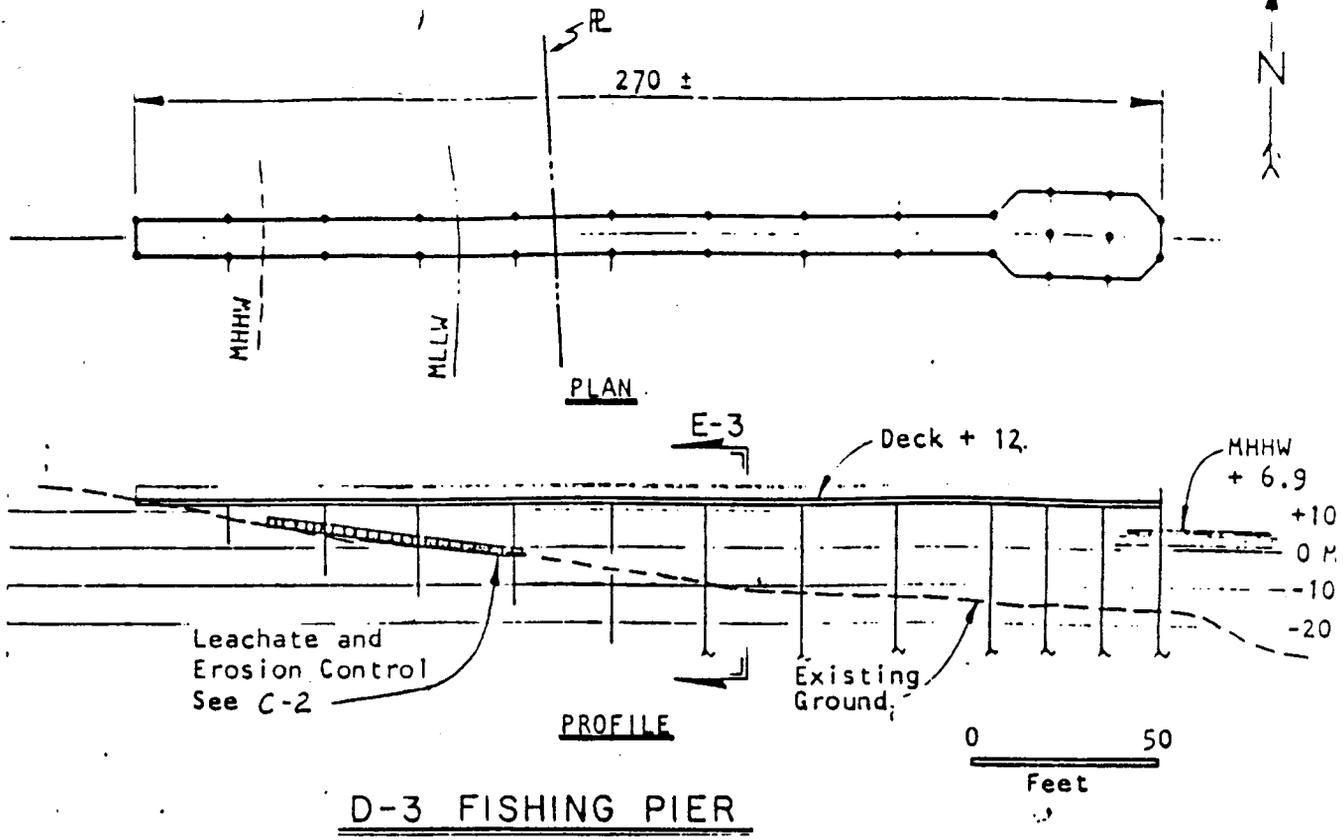


PURPOSE: Small Craft Berthing,
Sanitary Landfill Leachate
Control, Public Recreation

DATUM: MLLW = 0

PROPOSED: Marina Expansion
IN: City of South San Francisco
NEAR: Oyster Point
COUNTY OF: San Mateo **STATE:** Calif.
APPLICATION BY: City of South San Francisco

Date JAN. 3, 1977 Sheet 2 of 3



PURPOSE: Small Craft Berthing,
Sanitary Landfill Leachate
Control, Public Recreation

DATUM: MLLW = 0

PROPOSED: Marina Expansion
IN: City of South San Francisco
NEAR: Oyster Point
COUNTY OF: San Mateo **STATE:** Calif.
APPLICATION BY: City of South San Franc

DATE JAN. 3, 1977 Sheet 3 of 3

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

THIRTY VAN NESS AVENUE, SUITE 2011

SAN FRANCISCO, CA 94102-6080

PHONE: (415) 557-3686

**Original**

PERMIT NO. 1-77

(Issued on April 27, 1977, As
Amended Through September 17, 1987)

AMENDMENT NO. EIGHT

San Mateo County Harbor District
1 Johnson Pier
Half Moon Bay, California 94019

ATTENTION: Donald F. Guluzzy
General Manager

Gentlemen:

On April 4, 1979, the San Francisco Bay Conservation and Development Commission, by a vote of 17 affirmative, 0 negative, approved the resolution⁸ - pursuant to which this permit had been issued. Moreover, on October 13, 1977, March 27, 1978, July 24, 1978, December 28, 1979, December 4, 1984, ~~and~~ May 14, 1987, and September 17, 1987, pursuant to Commission Regulation Section ~~10722~~ 10822, the Executive Director approved the amendment requests to which this amended permit is hereby issued:

I. Authorization

A. Subject to the conditions stated below, the permittee is granted permission to expand and improve the existing Oyster Point Marina, at the foot of Oyster Point Boulevard, in the City of South San Francisco, San Mateo County, including the following:

1. In the Bay

- a. Dredge approximately 80,600 cubic yards of material from the East and West Basins and place the spoils on the existing peninsula;
- b. Construct and place an approximately 2,000-foot-long sheet pile breakwater north and east of the East Basin, covering approximately 2,000 square feet of Bay surface;
- c. Repair and/or replace as necessary, an existing 1,200-lineal-foot breakwater north of the West Basin;

Enclosure (4)

PERMIT NO. 1-77

(Issued on April 27, 1977, As
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AMENDMENT NO. EIGHT

San Mateo County Harbor District

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- d. Place no more than 900 cubic yards of rock ballast fill over a 16,000-square-foot area on the north side of the West Basin for slope stabilization;
- e. Construct and place piles and floats in the East Basin, covering approximately 73,238 square feet of Bay surface and use the structures for berthing not more than 300 small boats;
- f. Replace the existing 311 berths in the West Basin by constructing and placing piles and floats covering approximately 61,000 square feet of Bay surface;
- g. Construct and place a public fishing pier at the east end of the peninsula covering approximately 5,700 square feet of Bay surface;
- h. Construct a commercial restaurant in the vicinity of the West Basin, of which not more than 1,500 square feet would be over the Bay;
- i. Place and maintain in-kind rock revetment riprap along approximately 5,000 lineal feet of the peninsula shoreline;
- j. Place a maximum of 12,000 cubic yards of sand for maintenance and improvement of the existing beach;
- k. Construct a boat launching ramp covering approximately 450 square feet of Bay surface on the leeward side of the breakwater;
- l. Refurbish a portion of an existing launch ramp and construct a 3,000-square-foot pier and ancillary facilities; and

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(Issued on April 27, 1977, As
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San Mateo County Harbor District

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- m. Maintenance dredge up to 5,000 cubic yards per year and 25,000 cubic yards over a five-year period, and dispose of the dredge spoils at the federally-approved Alcatraz disposal site.

2. Within the 100-foot Shoreline Band

- a. Place the dredge spoils from I-A-1a above and a clay cap seal over approximately 12 acres of shoreline band area in accordance with an order from San Francisco Bay Regional Water Quality Control Board; and
- b. Construct, use, and maintain the remainder of the 10,000-square-foot restaurant, a harbormaster's office, a portion of a commercial-retail complex, a portion of a boat repair yard, several public restrooms, an existing beach, parking for approximately 170 cars, a public promenade around the shoreline, and landscaping.

B. This amended authority is generally pursuant to and limited by the application filed January 20, 1977, and your letters requesting amendments dated September 29, 1977, March 16, 1978, May 22, 1978, July 31, 1979, November 13, 1984, ~~and~~ February 16, 1987, and May 18, 1987 and July 20, 1987, including all attached exhibits, but subject to modifications required by conditions hereto.

C. Work authorized herein must commence prior to April 1, 1980, or this permit, as amended, will lapse and become null and void. Such work must also be diligently prosecuted to completion and must be completed by June 30, 1992, unless a further extension of time is granted by amendment of this amended permit.

D. The project will result in approximately 4.6 acres of new Bay fill small boats and approximately 5,000 lineal feet of improved shoreline public access.

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(Issued on April 27, 1977, As
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AMENDMENT NO. EIGHT
San Mateo County Harbor District
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II. Special Conditions

The amended authorization made herein shall be subject to the following special conditions, in addition to the standard conditions in Part IV:

A. Specific Plans and Plan Review

1. Plan Review. No work whatsoever shall be performed at any location pursuant to this permit, as amended, until final precise site, engineering, grading, architectural, and landscaping plans for that portion of the work have been submitted to, reviewed, and approved by or on behalf of the Commission. In each instance, plan review shall be based upon conformity with the permit, as amended, and upon a determination by or on behalf of the Commission that the proposed construction will be in accordance with (a) the information presented to and the recommendations of or on behalf of the Engineering Criteria Review Board for engineering plans; and (b) the information presented to and the recommendations of or on behalf of the Design Review Board for grading, site, architectural, and landscaping plans.
2. Conformity with Precise Plans. All finished structures shall conform to the final plans approved by or on behalf of the Commission and no noticeable exterior changes shall be made thereafter to any final plans or to any constructed structure without first obtaining written approval of the change by or on behalf of the Commission. Final plans required to be submitted to any other governmental agency shall conform to the final plans approved by or on behalf of the Commission.

B. Water Quality

1. Construction Operations. All construction shall be performed to minimize roiling of the water and to

prevent timbers, floats, or other construction materials from drifting and presenting either a pollution or navigation hazard.

2. Bilge Water and Oily Wastes. Depositing bilge water or other oily wastes in the marina basin and Bay is strictly prohibited. Prior to the use of any of the facilities authorized herein, the permittee shall install a suitable facility for receiving and disposing of bilge water and oily wastes. The facility shall conform to all applicable codes and regulations including, but not limited to approval by the Regional Water Quality Control Board, the U. S. Coast Guard, and the Environmental Protection Agency, as appropriate.
3. Sewage Facilities. The permittee shall install and maintain a convenience facility for the pumping out of boat holding tanks and the disposal of sewage from portable toilets into shoreside sewers.
4. Use of Marine Toilets
 - a. The permittee shall make it a requirement of the use or occupancy of any boat slip that any boat berthed, if equipped with a marine toilet (head), shall contain an adequate holding tank, incinerator recirculation device, or other equivalent device approved by or on behalf of the Environmental Protection Agency and the U. S. Coast Guard that would receive and retain sewage from the boat's head to preclude discharge of sewage or chemicals into the waters of the marina; or have the marine toilet rendered inoperable while any such boat is moored in the marina. The permittee shall require that marine toilets of boats without holding tanks or equivalent devices are, in fact, rendered inoperable at all times when the boats are moored in the marina.

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(Issued on April 27, 1977, As
Amended Through September 17, 1987)
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San Mateo County Harbor District
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- b. The permittee shall make it a requirement of the use and occupancy of any boat slip in the marina that any dumping of solid or liquid waste into that portion of San Francisco Bay within the mooring area is forbidden and any such dumping shall be cause for immediate cancellation of the right of such use or occupancy and shall be reported to all appropriate authorities.
- c. The permittee shall submit to the Commission a copy of the berthing agreement which includes the requirements of Special Conditions II-B-4a and II-B-4b.
- d. The permittee shall provide, in the marina, adequate restrooms for boat owners and users, and guests.
- e. The permittee shall permanently and adequately enforce, through appropriate policing, the rules and requirements adopted pursuant to this condition. The permittee shall submit to the Commission's staff the name, address and telephone number of the person who is responsible at the marina for requiring that the rules and regulations adopted pursuant to this condition are enforced.
- f. The Commission specifically reserves the right, in the event of repeated or serious problems with dumping of sewage from boats into the Bay within the marina, to require in addition to the above that individual shoreside sewer connections be provided at the expense of the permittee for each boat mooring in the marina. In this event, the permittee shall require each boat in the marina to be connected to such shoreside sewer whenever moored in the marina.

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(Issued on April 27, 1977, As
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C. Public Access

1. Until this permit, as amended, is revoked, amended further, or otherwise modified by or on behalf of the Commission, the permittee shall hold and maintain the entire area of the improvements, excepting the marina floats, open to the public for access to San Francisco Bay for walking, bicycling, viewing, boating, fishing, picnicking, sitting, and related purposes.
2. Prior to the occupancy or operation of any of the new facilities authorized herein, the permittee shall have made the following improvements within the areas reserved for public access:
 - a. Clean up and remove all debris;
 - b. Landscape areas within the Commission's jurisdiction in accordance with the recommendations of the Design Review Board and landscape plans approved pursuant to Special Condition II-A;
 - c. Provide adequate benches, trash containers, lighting, and other appropriate facilities, located and approved in accordance with Special Condition II-A; and
 - d. Install and maintain no less than six (6) signs identifying the public access areas. The locations, size, and design of the signs shall be reviewed and approved in accordance with Special Condition II-A.

D. Horizontal Control Points. No work whatsoever shall be performed at any location pursuant to this permit, as amended, until the permittee installs a minimum of two (2) permanent horizontal control points of a type and at locations approved by or on behalf of the Commission. These control points shall be placed under the supervision of a registered engineer or land surveyor, and shall be accurately located and mapped in relation to each other,

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to the closest known existing control point or other acceptable fixed point in the project area, and to the limits of any proposed fill in the Bay. These control points shall be located so as to facilitate field checking, with simple equipment, of the limits of the fill authorized pursuant to this permit, as amended. Said fill limits shall be dimensioned from these control points, or, if the scale of the drawing is adequate, it shall carry a note stating that field dimensions may be scaled from the drawing and the accuracy of such scaling, e.g., "Field dimensions to an accuracy of $\pm 1'$ may be scaled from this drawing." These control point locations shall be clearly shown on all plans submitted pursuant to Special Condition II-A.

E. Engineering Certification. Prior to the commencement of any work authorized in paragraph I-A-2b, the permittee shall submit a letter from the soils engineer of record stating that (1) he has inspected the work and reviewed the engineering plans and based on his professional knowledge, that the completed earth work does comply with the order of the Regional Water Quality Control Board and remedial measures employed represent the state of the ~~the~~ practice and will substantially control the leachate from entering the Bay; and (2) that the soils are sufficiently stable to support the structures and improvements authorized in paragraph I-A-2b such that risk to persons and property due to a seismic event has been ~~minimized~~ reduced to the maximum feasible extent.

F. Commission Jurisdiction Over Fill Area. Notice is hereby given that, under the McAteer-Petris Act, the area of the approved project that is within the Commission's jurisdiction under Section 66610(a) remains within that jurisdiction even after fill or substantial change in use, authorized by the Commission, may have changed the character of the area; so that the permittee or the permittee's successors in interest will require further permit action by or on behalf of the Commission prior to any future changes of use or work within areas filled pursuant to this permit, as amended.

G. Abandonment. If, at any time, the Commission determines that the improvements in the Bay authorized herein, have been abandoned for a period of two (2) years or more, or have deteriorated to the point that public health, safety or welfare is adversely affected, the Commission may require that the improvements be removed by the permittee, its assigns or successors in interest, or by the owner of the improvements, within 60 days or such other reasonable time as the Commission may direct.

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H. Riprap Placement. Riprap material shall be placed so that a permanent shoreline with a minimum amount of fill is established by means of an engineered slope not steeper than two (horizontal) to one (vertical). The slope shall be created by the placement of a filter layer protected by riprap material of sufficient size to withstand wind and wave generated forces at the site.

I. Riprap Material. Riprap material shall be either quarry rock or concrete pieces conforming to quality requirements for specific gravity, absorption, and durability specified by the California Department of Transportation or the U. S. Army Corps of Engineers. The size of material shall be limited to ~~two~~ three feet measured in any dimension. The overall thickness of the slope protection shall be no more than ~~three~~ four and one-half feet measured perpendicular to the slope. Use of dirt, small concrete rubble, exposed rebar, large and odd shaped pieces of concrete, and asphalt concrete as riprap is prohibited.

J. Debris Removal. All debris shall be removed to a location outside the jurisdiction of the Commission. In the event that any material is placed in any area within the Commission's jurisdiction, the permittee, its assigns or successors in interest, or the owner of the improvements, shall remove such material, at its expense, within ten days after it has been notified by the Executive Director of such placement.

III. Findings and Declarations

This permit, as amended, is issued on the basis of the Commission's findings and declarations that the work authorized herein is consistent with the McAteer-Petris Act, the San Francisco Bay Plan, the California Environmental Quality Act, the Federal Coastal Zone Management Act, and Commission Regulation Section ~~10772~~ 10822, for the following reasons:

A. Use. The proposed improvements and expansion of a maximum of 600 berths of the existing marina is consistent with Bay Plan Map No. 9 (as amended January 16, 1975) which reserves the entire project site as Waterfront Park-Beach priority area and notes that some fill may be needed to expand the marina and develop the shoreline park.

B. Fill. The net increase of approximately 4.6 acres for a breakwater, new floats, and rock ballasting is the minimum amount necessary

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(Issued on April 27, 1977, As
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for a water-oriented recreational use for which fill may be permitted in accordance with Government Code Sections 66605(a) and 66605(c), and the Bay Plan Policies on Fill (page 36).

C. Public Access. The proposed project, subject to Special Condition II-C, will continue to provide maximum feasible public access to the Bay shoreline, consistent with the project.

D. Environmental Impact. The City of South San Francisco, the permittee and lead agency, certified the Final Environmental Impact Report on June 10, 1975. The Environmental Impact Report, in part, found that the public benefit from the project substantially outweighed the public detriment due to the loss of water surface area from the fill and other unavoidable adverse impacts on the environment. Moreover, pursuant to Regulation Section ~~10990~~ 11501, the amendments to the permit are categorically exempt from the requirement to prepare an environmental impact report.

F. Surface Mining and Reclamation Act. The Surface Mining and Reclamation Act of 1972, as amended, exempts from coverage all navigational dredging pursuant to 14 California Administrative Code Section 3502 and California Public Resources Code Section 2714A. The project authorized herein is, therefore, exempt from the Surface Mining and Reclamation Act.

G. Dredging. The project authorized by this permit, as amended, is consistent with the McAteer-Petris Act and with the San Francisco Bay Plan in that it will not adversely affect the Bay nor public access to and enjoyment of the Bay, and in that the project involves routine maintenance dredging and the spoils will be deposited in a designated part of the Bay where the maximum possible amount will be carried out the Golden Gate on the ebb tide.

H. Management Act. The Commission further finds, declares, and certifies that the activity or activities authorized herein are consistent with the Commission's Amended Management Program for San Francisco Bay, as approved by the Department of Commerce under the Federal Coastal Zone Management Act of 1972, as amended.

I. Non-Material Amendments. Pursuant to Commission Regulation Section ~~10772~~ 10822, the Executive Director finds and declares that amendments made herein are consistent with the San Francisco Bay Plan and are not material alterations of the project.

PERMIT NO. 1-77
(Issued on April 27, 1977, As
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San Mateo County Harbor District
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IV. Standard Conditions

A. All required permissions from governmental bodies must be obtained before the commencement of work; these bodies include, but are not limited to, the U. S. Army Corps of Engineers, the State Lands Commission, the Regional Water Quality Control Board, and the city and/or county in which the work is to be performed, whenever any of these may be required. This permit, as amended, does not relieve the permittee of any obligations imposed by State or Federal law, either statutory or otherwise.

B. The attached Notice of Completion and Declaration of Compliance form shall be returned to the Commission within 30 days following completion of the work.

C. Work must be performed in the precise manner and at the precise locations indicated in your application and amendment requests, as such may have been modified by the terms of this amended permit and any plans approved in writing by or on behalf of the Commission.

D. Work must be performed in a manner so as to minimize muddying of waters, and if diking is involved, dikes shall be waterproof. If any seepage returns to the Bay, the permittee will be subject to the regulations of the Regional Water Quality Control Board in that region.

E. The rights derived from this permit, as amended, are assignable as provided herein. An assignment shall not be effective until the assignee shall have executed and the Commission shall have received an acknowledgment that the assignee has read and understood the application and amendment requests for this amended permit and the permit, as amended, itself, and agrees to be bound by the terms and conditions of the amended permit, and the assignee is accepted by the Executive Director as being reasonably capable of complying with the terms of this amended permit.

F. Unless otherwise provided in this permit, as amended, all the terms and conditions of this amended permit shall remain effective for so long as the amended permit remains in effect or for so long as any use or construction authorized by this amended permit exists, whichever is longer.

G. Unless otherwise provided in this permit, as amended, the terms and conditions of this amended permit shall bind all future owners and future possessors of any legal interest in the land and shall run with the land.

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H. Unless otherwise provided in this permit, as amended, any work authorized herein shall be completed within the time limits specified in this amended permit, or, if no time limits are specified in the amended permit, within three years. If the work is not completed by the date specified in this amended permit, or, if no date is specified, within three years from the date of this amended permit, this amended permit shall become null and void. If this amended permit becomes null and void for a failure to comply with these time limitations, any fill placed in reliance on this amended permit shall be removed by the permittee or its assignee upon receiving written notification by or on behalf of the Commission to remove the fill.

I. Except as otherwise noted, violation of any of the terms of this permit, as amended, shall be grounds for revocation. The Commission may revoke any permit, or amended permit, for such violation after a public hearing held on reasonable notice to the permittee or its assignee if the permit or amended permit has been effectively assigned. If this amended permit is revoked, the Commission may determine, if it deems appropriate, that all or part of any fill or structure placed pursuant to this amended permit shall be removed by the permittee or its assignee if the amended permit has been assigned.

J. This permit, as amended, shall not take effect unless the permittee executes the original of this permit, as amended, and returns it to the Commission within ten days after the date of the issuance of the amended permit. No work shall be done until the acknowledgment is duly executed and returned to the Commission.

K. Any area subject to the jurisdiction of the San Francisco Bay Conservation and Development Commission under either the McAteer-Petris Act or the Suisun Marsh Preservation Act at the time the amended permit is granted or thereafter shall remain subject to that jurisdiction notwithstanding the placement of any fill or the implementation of any substantial change in use authorized by this amended permit.

L. Any area not subject to the jurisdiction of the San Francisco Bay Conservation and Development Commission that becomes, as a result of any work or project authorized in this amended permit, subject to tidal action shall become subject to the Commission's "bay" jurisdiction up to the line of highest tidal action.

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M. Unless the Commission directs otherwise, this permit, as amended, shall become null and void if any term, standard condition, or special condition of this amended permit shall be found illegal or unenforceable through the application of statute, administrative ruling, or court determination. If this amended permit becomes null and void, any fill or structures placed in reliance on this amended permit shall be subject to removal by the permittee or its assignee if the amended permit has been assigned to the extent that the Commission determines that such removal is appropriate. Any uses authorized shall be terminated to the extent that the Commission determines that such uses should be terminated.

Executed at San Francisco, California, on behalf of the San Francisco Bay Conservation and Development Commission on the date first above written.


ALAN R. PENDLETON
Executive Director

Enc.

ARP/JLL/mm

cc: U. S. Army Corps of Engineers, Attn: Regulatory Functions Branch
San Francisco Bay Regional Water Quality Control Board,
Attn: Certification Section
Environmental Protection Agency, Attn: Tom Yokum, P-5
City of South San Francisco, Attn: Dike Milkobich
Callander Associates, Attn: William Harris
Woodward-Clyde Consultants, Attn: Ted Splitter

* * * * *

Receipt acknowledged, contents understood and agreed to:

Executed at Pillar Point Harbor San Mateo County Harbor District
H M Bay CD Applicant

On Sept. 28, 1987 By: Donald F. Guluzzo
General Manager
Title