



SAN FRANCISCO BAY AREA

JOINT AQUATIC RESOURCE PERMIT APPLICATION

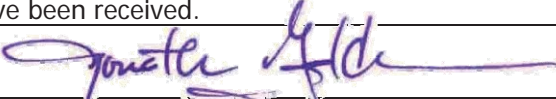
This form is for use in San Francisco, Contra Costa, Alameda Counties, Marin County (except Estero San Antonio watershed), San Mateo County (except Gazos Creek Watershed), and the portions of the following counties that drain to San Francisco Bay: Sonoma, Napa, Solano, Santa Clara

Please consult JARPA Instructions before completing the form

Copies of this form are being submitted to the following agencies:					
Agency	Contact	Phone	Type of Application	Application/ Permit #	Status
<input checked="" type="checkbox"/> San Francisco Bay Regional Water Quality Control Board (RWQCB)	Xavier Fernandez	510-622-5685	CWA Section 401 Permit and/or Waste Discharge Requirements		In Review
<input checked="" type="checkbox"/> US Army Corps of Engineers (Corps)	Holly Costa	415-503-6780	Section 10 Nationwide		In Review
<input type="checkbox"/> CA Dept of Fish and Game (DFG)			Select One		Select One
<input type="checkbox"/> US Environmental Protection Agency (EPA)			CWA 404 Individual		Select One
<input type="checkbox"/> US Fish and Wildlife Service (FWS)			As suggested by US EPA for Sec. 7 consultation		Select One
<input type="checkbox"/> National Marine Fisheries Service (NMFS)			As suggested by US EPA for Sec. 7 consultation		Select One
<input type="checkbox"/> US Coast Guard			Section 9 Bridge		Select One
<input checked="" type="checkbox"/> San Francisco Bay Conservation and Development Commission (BCDC)	Jaime Michaels	415-352-3613	Administrative Permit		In Review
<input type="checkbox"/> CA Lands Commission			Select One		Select One
<input type="checkbox"/> Federal Funding Agency					Select One
<input type="checkbox"/> Lead Local Agency			CEQA		Select One
<input type="checkbox"/> Other Local Agency			Local Permit		Select One
<input type="checkbox"/> Other Local Agency			Local Permit		Select One

SECTION ONE – TO BE COMPLETED BY ALL APPLICANTS

Attach additional sheets, if needed

Box 1 Project Name Dunphy Park Improvement		Applicant Name Jonathon Goldman	
Business/Agency City of Sausalito			
Mailing Address 420 Litho Street, Sausalito, CA 94965-1933			
Work Phone (415) 289-4176	Home Phone	Fax # (415) 339-2256	E-mail Address JGoldman@ci.sausalito.ca.us
Relationship of applicant to property: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Purchaser <input type="checkbox"/> Lessee <input type="checkbox"/> Other _____			
Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed, in-progress or completed work. I agree to start work <u>only</u> after all necessary permits have been received.			
Signature of applicant 			Date 14AUG17

Box 2 Authorized Agent/Operator Name and Signature (If an agent is acting for the applicant during the permit process) Laura Saunders, Prunuske Chatham, Inc.			
Mailing Address 400 MORRIS STREET, SUITE G			
E-mail Address laura@pcz.com			
Work Phone (707) 824-4601 x116	Home Phone (707) 888-6423	Fax # (707) 824-6854	Cell Phone # (707) 837-6222
I hereby designate the above named authorized agent to act as my agent in matters related to this application for permit(s). I understand that I am bound by the actions of my agent and I understand that if a federal or state permit is issued, I, or my agent, must sign the permit.			
Signature of applicant 			Date 14AUG17
I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate.			
Signature of authorized agent			Date mo/date/year

Box 3 Name of property owner(s), if other than applicant.			
Mailing Address			
E-mail Address			
Work Phone	Home Phone	Fax #	Cell Phone #
I understand I am bound by actions of authorized agent and/or the applicant.			
Signature of property owner (except public entity landowners)			Date mo/date/year

This page must be signed by the applicant, property owner and agent to be considered complete.

Box 4 Location, including street address, city, county, zip code where proposed activity will occur 1601 BRIDGEWAY, SAUSALITO, CA 94965 (SEE ATTACHMENT 1 – PROJECT PLANS, SHEET L0.0)	
Waterbody (if known):Richardson Bay	
Tributary to: San Francisco Bay	
Latitude & longitude if known: 37.861, -122.488	Zoning Designation: Public Parks
Assessor's parcel number: 064-084-01, 064-084-02, 064-087-06	Section, Township, Range, USGS Quadrangle Map: Saucelito Land Grant, Equiv. to T1N, R6W, S11; USGS San Francisco North 7.5" Quad

Box 5 Existing site conditions: Describe the existing condition of the site, including wetlands, channels, streams, ponds, seeps and ditches, and other jurisdictional features. Include information on elevations, vegetation, property use, and structures. Use additional pages if necessary. **If any portion of the proposed activity has already been initiated or completed on this property, indicate type of activity and month and year of completion, if applicable:**

Dunphy Park is a waterfront park in Sausalito. It provides a wide expanse of grass, a sand volleyball pit, two bocce ball courts, access to a very small beach, and a gazebo available for rent for weddings and other gatherings. The edge of the park nearest to Bridgeway is still a raised berm from the old railroad. Parking is provided in an informal gravel lot at the north and west edges of the park for Dunphy Park, the Cruising Club, and Cass Gidley Marina. See Attachment 1 – Project Description for detailed discussion.

From approximately 1945 to 1970, the main park area was used as a burn dump. CalRecycle is currently investigating the property to affirm that grading would not cause any hazardous materials issues.

Box 6 Proposed project starting date: September/2017

Estimated duration of activity: 10 months Estimated completion date: _____

Will the project be constructed in stages? Yes No

Describe any anticipated activities that will take place during the rainy season (October to April)? Some above ground site and building improvements may take place during the rainy season, however no earth moving will take place. The project will have a Construction Stormwater Pollution Prevention Plan and follow those BMPs.

Box 7 Description of the proposed project: Use as many pages as necessary to describe the project as completely as possible. Describe the area within the project site that will be used each for development features and open space. Include construction plans pertaining to the project. For additional guidance on what to include, refer to the instructions.

See Attachment 1 – Project Description and Attachment 2 – Project Plans.

Specify the equipment and machinery to be used to complete the project

Grader. dozer. loader, backhoe

Will water be present in the waterbody during the proposed work period?
 Yes No

Will the proposed project require work in the wetted portion of the channel?
 Yes (enclose a plan to divert water around the worksite) No

Purpose of the proposed project:

Dunphy Park is being improved in order to bring park facilities and infrastructure (including parking, storm drainage, electrical, wastewater, lighting and pedestrian facilities) into compliance with current codes and standards of practice, provide permanent restroom facilities, rearrange the active and passive areas of the park to better suit users and neighbors, and provide additional protection of the park from coastal flooding and sea level rise. The design is based upon a schematic design for feature placement developed by the Friends of Dunphy Park (a community group) and accepted by the Sausalito City Council.

Environmental Documents (non-CEQA): List any environmental studies, surveys, etc. that have been prepared for the project and/or the project site. Provide the date of the document and the name of the individual, firm, or agency that prepared it. Attach additional pages as needed. See instructions.

Prunuske Chatham, Inc. 2016. Biological Resources Assessment, Dunphy Park Improvement Project, Sausalito, Marin County, March 2016

RGH Consultants. 1993. Geotechnical Study Report, Dunphy Park Improvements, Bridgeway Boulevard & Napa Street, Sausalito, California

See special section of the instructions on drawings. figures and photographs. Attach figures, maps, and directions to the project site. One set of original or good quality reproducible drawings must be attached to applications to each agency. Applicants are encouraged to submit photographs of the project site, but these do not substitute for drawings. BCDC, the Corps Of Engineers and Coast Guard require at least one set of drawings on 8-1/2 x 11 inch sheets.

Box 8A Placement of Structures And/Or Fill Material in Waters under Army Corps Jurisdiction

- ◆ Will fill be placed below the ordinary high water line for fresh waters? Yes No
- ◆ Will rock, fill, bulkhead, pilings, structures or other material be placed waterward of the mean high water line for tidal waters? Yes No
- ◆ Will fill be placed below the high tideline in tidal waters? Yes No

If applicable, number of linear feet of impact _____ feet

Amount of **total** fill – 6,647 cubic yards, _____ square feet, 4.49 acreage

Amount of fill **below the ordinary high water mark or high tide line** 17 cubic yards 0.004 acreage

Type of fill See Attachment 3 – Project Quantities

Material source Soil will be on-site soil; other materials will be purchased.

Box 8B Waterway Impacts: Placement of Structures and/or Fill in Waters of the State

Will the project or activity involve work in the bed, bank or channel of a river, stream (including seasonal streams), or lake? No Yes

If yes, describe both temporary and permanent impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

Waterway Impacts - use additional pages if needed

Will the project affect any vegetation? No Yes. If yes, complete Box 17-FG11

Box 9 Impacts on Wetlands

◆ Will the proposed project have temporary or permanent impacts to wetlands, including isolated wetlands, seasonal wetlands, managed wetlands or on tide or submerged lands (i.e. fill, flooding, draining)? Yes
 No

If yes, please describe the wetlands, using additional pages as necessary. Provide one or more photographs of the existing conditions.

Wetlands description - use additional pages if needed

- ◆ If a wetlands delineation has been completed, please submit it with application. Yes, Attached No
- ◆ If a geology or soils report has been prepared, please submit with application. Yes, Attached No

Box 10 Potential for Impacts to Threatened and Endangered Species

Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site? Yes No Unknown

If yes, list here

Point Reyes Salty Bird's Beak, CNPS List 1B.2, potentially present in the salt marsh area; no disruption will occur.

Chinook Salmon, Delta smelt, green sturgeon, longfin smelt, Pacific herring, and steelhead are likely present in Richardson Bay. Precautionary measures should be in place prior to work in the water.

Several bird species are unlikely, but possible in the marsh area. The project does not include direct impacts to the marsh. Precautionary measures for indirect impacts should be in place for construction during nesting season.

Monarch butterfly, currently under review by the US Fish & Wildlife Service to see if it warrants listing under the Endangered Species Act, migrates through the area. There are no host plants present, but during migration season, precautions should be in place.

Identify the source(s) of information that supports a "yes" or "no" answer above:

Prunuske Chatham, Inc. 2016. Biological Resources Assessment, Dunphy Park Improvement Project, Sausalito, Marin County, March 2016 (Attachment 4)

Have surveys, using US Fish and Wildlife Service protocols, for possible listed species been conducted?
 Yes, Attached No

If a federal or state listed species is being impacted, a biological assessment or study may be required to evaluate potential project impacts on biological resources. Has such a study been completed?. Yes, Attached No (See Attachment 4 – Biological Resources Assessment)

Has a hydrological study been completed for the project or project site? Yes, Attached No

See Attachment 5.

Note: A hydrological study or other information on site hydraulics (e.g., flows, channel characteristics, and/or flood recurrence intervals) may be required to evaluate potential project impacts on hydrology.

Box 11 Avoidance of Impacts

Provide a full, technically accurate description of the entire activity and associated environmental impacts, including areas outside of jurisdictional waters. (90 percent of applications to the Regional Board require an Alternatives Analysis.) See instructions.

See Attachment 6 – Avoidance of Impacts

Box 12 Mitigation

Describe the size, type, location, function, and values of the proposed mitigation and a time line for implementation. Describe success criteria, monitoring, and long-term funding, management, and protection of the mitigation site. Attach A Mitigation Plan, if needed. Attach additional pages as needed. See instructions and contact APPROPRIATE AGENCY staff for additional assistance.

No sensitive habitat or species are likely to be affected by construction; overall habitat and water quality will be enhanced. No mitigation is anticipated.

Box 13 Excavation And/Or Dredging

For Non-Navigational Dredging Projects (construction, flood control, remediation, etc.) that do not propose disposal or reuse of dredged materials in aquatic environments [Navigational Dredging Projects or Dredging Projects that Propose Aquatic Placement of Dredged Material for which Testing may be Needed should be completed through the Dredged Material Management Office (DMMO)].

Will excavation or dredging be required in water or wetlands? Yes No

If dredging or excavation:

- ◆ Volume: 30 (cubic yards)/area 0.004 (acres)/ _____ (linear feet of channel)
- ◆ Composition of material to be removed: soil
- ◆ Disposal location for excavated material: reuse in project
- ◆ Method of dredging: long-arm excavator
- ◆ Purpose of the dredging: create stable spot for replacement outfall pipe
- ◆ Estimated future maintenance dredging required annually: 0 cubic yards
- ◆ Additional information to be provided in an attachment Yes No

Box 14 Environmental Impact Documentation

Has a draft or final document been prepared for the project pursuant to the California Environmental Quality Act (CEQA), National Environmental Protection Act (NEPA), California Endangered Species Act (CESA) and/or federal Endangered Species Act (ESA)?

- Yes (Check the box for each CEQA, NEPA, CESA, and ESA document that has been prepared and enclose a copy of each)
- No (Check the box for each CEQA, NEPA, CESA, and ESA document listed below that will be or is being prepared)

- Notice of Exemption Mitigated Negative Declaration NEPA document (type): _____
See Attachment 7: Notice of Exemption
- Initial Study Environmental Impact Report CESA document (type): _____
- Negative Declaration Notice of Determination (Enclose) ESA document (type): _____
- THP/ NTMP Mitigation, Monitoring, Reporting Plan

State Clearinghouse Number (if applicable)

Has a CEQA lead agency been determined? Yes No
 If yes, CEQA Lead Agency City of Sausalito
 Contact Person Jonathon Goldman
 Telephone Number (415) 289-4176

If the project described is part of a larger project or plan, briefly describe the larger project or plan.

The larger project is the project described in the application. For BCDC permitting, the project to be permitted is the outfall replacement and park improvements within the shoreline band. For Corps and Water Board permitting, the project is the outfall replacement and new gangway to Cass Gidley Marina. Total project quantities for permitting are shown in Attachment 8.

Box 15 Public Notice Has a federal agency or the applicant provided public notice of this application for water quality certification?

Federal Agency Yes If yes, date, , and No

Applicant Yes If yes, date: May 10, 2017, and Jul 25, 2017 No

Other Yes If yes, date, , and No

If public notice has not been made, please provide the names, addresses and telephone numbers of adjoining property owners, lessees, etc. *(Note that local governments may require additional notice – consult your local government agency.)*

Name	Address	Phone number

Box 16 Site Inspection

In the event that public agencies determines that a site inspection is necessary, I hereby authorize public agency representatives to enter the property where the project described in this application will take place at any reasonable time, and hereby certify that I am authorized to grant public agency representatives such entry.

I request agencies first contact *(insert name)* Laura Saunders at *(insert telephone number)* (707) 824-4601 x116 to schedule a date and time to enter the property where the project described in this application will take place. I understand that this may delay the issuance of project permits.

End of Section One

Box 17 Department of Fish and Game

Section Two – Agency Specific Requirements for Project Permitting

Box 17 Department of Fish and Game – Projects Adjacent to Creeks, Streams, Lakes, and the Bay



This project does not involve this agency (no additional questions completed)

End of BOX 17

**Box 18 Bay Conservation and Development Commission –
Projects on the Shore of the San Francisco Bay or Other BCDC Areas of Jurisdiction**

This project does not involve this agency (no additional questions completed)

Does the project involve development within the primary management area of the Suisun Marsh? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes", provide any relevant Duck Club number(s): _____	Does the project involve development within the 100-foot shoreline band around San Francisco Bay? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No San Francisco Bay Plan Shoreline Designation: Marine Facilities
Length of shoreline on the project site, in feet: 1,197	Length of shoreline of any adjacent property owned by the owner of the project site, in feet:
Area reserved for non-public access uses: 173 Sq. Feet	Area reserved for public access: 195,777 Sq. Feet
Total size of underwater and tidal areas of the project site: 173 Sq. Feet	ID Number(s) of previous BCDC permit(s) issued for work on this site: M1992.053.01 and E1995.112.00

Total cost of project. (This means the fair market value of the project, including materials, labor, machine rentals, etc.) **\$ 2,360,000** **Processing Fee \$4,270**

Bay Fill Information - Fill means earth or any other substance or material, including pilings or structures placed on pilings, and structures floating at some or all times and moored for extended periods such as houseboats and floating docks.

- Total Volume of solid fill to be placed in water or marsh areas: **17** cubic feet
- Area to be covered with solid fill: **173** square feet
- Area to be covered with floating fill: **0** sq feet
- Area to be covered with pile-supported fill: **0** sq feet
- Area to be covered with cantilevered fill: **0** sq feet
- Salt pond area to be filled: **0** sq feet
- Managed wetland area in the primary management
- Area of the Suisun Marsh to be filled: **0** sq feet
- Area on new fill to be reserved for private, commercial, or other uses: **0** sq feet
- Area on new fill to be reserved for public access: **0** sq feet
- What is the basic purpose of the new fill in the Bay, salt pond, managed wetland, or certain waterway?

Information on Fill is provided Attachment 8 - Bay Fill and Shoreline Band Use Quantities and

Explanation

- Please specify the area of fill, in square feet, proposed to be covered in structures; used for roads; used for parking; used for pathways and sidewalks; covered with landscaping; used for piers, docks, and other maritime related purposes; placed for shoreline protection; and used for other purposes (specify uses).
- Please provide dimensions of portions of all structures to be built on new fill, including length, width, area, height and number of stories.
- Please provide one or more photographs of existing shoreline conditions.

Provide the following information to justify the proposed fill in an attachment:

BCDC can approve new fill for only five purposes: (1) accommodating a water-oriented use; (2) improving shoreline appearance; (3) providing new public access to the Bay; (4) accommodating a project that is necessary to the health, safety, or welfare of the public in the entire Bay Area; and (5) accommodating a project that is consistent with either: (1) the Suisun Marsh Preservation Act and the Suisun Marsh Protection Plan; or (2) the Suisun Marsh Local Protection Program. Please explain how the project is consistent with one or more of these purposes.

- If the fill is to be used for improving shoreline appearance or providing new public access to the Bay, please explain why it is physically impossible or economically infeasible to accomplish these goals without filling the Bay.
- Please explain how the fill will result in a stable and permanent shoreline.
- Please explain the steps that will be taken to assure that the project will provide reasonable protection to persons and property against hazards of unstable geologic or soil conditions or of flood or storm waters.
- Please provide the names, addresses, and telephone numbers of any licensed geologists, engineers, or architects involved in the project design who can provide technical information and certify to the safety of the project.

- Please explain:
 1. What possible effects the proposed fill would have on the Bay Area, such as (1) any impact on the volume of Bay waters, on Bay surface area, or on the circulation of Bay water; (2) any impact on water quality; (3) any impact on the fertility of marshes or fish and wildlife resources; and (4) any impact on other physical conditions that exist within the area which would be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, or objects of historic or aesthetic significance; and
 2. How the nature, location, and extent of the proposed fill would minimize any possible harmful conditions or effects.
- Please explain how the public benefits of the project would exceed the public detriment from the loss of water or marshlands.
- For marina projects, please indicate how many berths, if any, are to be made available for live-aboard boats and explain how these live-aboard boats will contribute to public trust purposes.
- Please identify any other specific policies of the McAteer-Petris Act (California Government Code Title 7.2, especially Section 66605), the Suisun Marsh Preservation Act (California Public Resources Code Sections 29000-29612), the San Francisco Bay Plan and the Suisun Marsh Preservation Plan, and BCDC's regulations regarding minor fill for improving public access and shoreline appearance, that are relevant to and offer support for the project and explain how the project is consistent with these policies.

Shoreline Band Information - Shoreline band means the land area lying between the bay shoreline and a line drawn parallel to and 100 feet from the bay shoreline. The bay shoreline is the mean high water line, or five feet above mean sea level in marshlands.

- Types of activities to be undertaken or materials to be placed within the shoreline band
- Will the project be located within a water-oriented priority use area that is designated in the San Francisco Bay Plan?
 - Yes No If "yes", please attach an explanation of how the project can be approved despite this inconsistency. If no, complete the questions below:
 - Total shoreline band area within project site: 92,183 sq feet
 - Area within shoreline band to be reserved for non-public uses: 0 sq feet
 - Area within shoreline band to be reserved for public access: 92,183 sq feet
- Information about the shoreline work to be provided in an attachment:

See Attachment 7 – Bay Fill and Shoreline Band Use Quantities and Explanation

- Please describe the area, in square feet, to be covered by structures; used for roads; used for parking; used for pathways and sidewalks; covered with landscaping; used for shoreline protection; and used for other purposes (specify uses).
- Please identify the total number of parking spaces in the project and within the shoreline band.
- Please provide dimensions of portions of all structures to be built within the shoreline band, including length, width, area, height, and number of stories.

Environmental Impact Documentation

- Is the project statutorily exempt from the need for environmental documentation? Yes No If "yes", please attach a statement supporting this exemption.
 - Is the project categorically exempt from the need for environmental documentation? Yes No If "yes", please attach a statement supporting this exemption. **See Attachment 6.**
 - Has a government agency other than the lead agency certified a "negative declaration" on the project? Yes
 No If "yes", please attach a copy of the certified negative declaration. If "no", please provide sufficient information to allow agencies to make the necessary findings regarding all applicable policies.
- Has a government agency other than the lead agency, certified an environmental impact document on the project? Yes
 No If "yes", please attach copies of the certification and the document. also, please provide a summary of the document if it is longer than 10 pages. If "no", please provide sufficient information to allow agencies to make the necessary findings regarding all applicable policies. the certified document must be submitted prior to action on the permit.

Public Access Information

- Does public access to the shoreline or views to the bay presently exist on the site of a property contiguous to the project? Yes No

If "yes", please attach a description of the public access. If "no", explain what is preventing public access to the shoreline.

- Will the project block public views of the bay or adversely impact present or future public access to the shoreline? Yes No

Please describe why the project will or will not affect public views or public access to the shoreline. For most large projects, identify: (1) the existing number of people or employees using the site; and (2) the existing number of cars, bicycles, and pedestrians visiting the site and the level of service of all nearby roads leading to the site. Please describe how the project will change these factors. Please describe the impact the project is expected to have on the existing use of the site and on existing public views or physical public access at the site. Please describe the impact the project is expected to have on the public's use of existing nearby parks, public access, public parking and other recreational areas on the shoreline and the roads leading to the site.

- Do public safety considerations or significant use conflicts make it infeasible to provide new public access to the shoreline on the project site? Yes No

If "yes", please attach a description of the public safety considerations or significant use conflicts which make it infeasible to provide public access at the project site and either (1) identify an offsite area where public access to the shoreline is to be provided as part of the project and describe the proposed public access at a specified offsite location, or (2) provide an explanation as to why no offsite public access is proposed as part of the project.

- Summarize the public access to be provided as part of the total project:

- Total amount of public access 92.183 sq feet
- Length of waterfront public access area 1,197 feet
- Number of parking spaces for public access area 70
- Area and width reserved for view corridor (s) NA sq feet

Detailed information about public access to be provided in an attachment: Please describe, in square feet, length and width, when appropriate, the existing and proposed public access areas and improvements, including areas used for decks, piers, pathways, sidewalks, landscaping, parking, and other public features. Please describe how the public access area facilities would be accessible to handicapped persons. Please describe the connections to existing public streets or offsite public pathways. Specify how the public access will be permanently guaranteed (e.g. dedication, deed restriction, etc.).

Disclosure Of Campaign Contributions

The following contributions of \$250 or more were made by the applicant or applicant's agent to a BCDC commissioner or commissioner's alternate in the preceding twelve months to support the commissioner's or alternate's campaign for election to a local, state or federal office:

Contribution made to: _____ Contribution made by: _____ Date of contribution: _____

- No such contributions have been made

END OF FORM