



Making San Francisco Bay Better

August 11, 2014

Mr. Bill Dunbar, General Manager
BAE Systems San Francisco Ship Repair, Inc.
Pier 70
San Francisco, California 94107

ATTENTION: Mr. Shaun Halvax, Environmental Manager

SUBJECT: Maintenance Dredging Episode Approval; BCDC Permit No. M1993.013.08

Dear Mr. Dunbar,

Thank you for your episode approval request received on August 8, 2014 for maintenance dredging at Pier 4 East, Dry Dock 2, and part of the Central Basin Area in the city and county of San Francisco. This episode includes maintenance dredging of up to 112,000 cubic yards (cy) of sediment as shown on the pre-dredge survey July 3, 2014 to the authorized project depths of minus 60 feet Mean Low Lower Water (MLLW) beneath Dry Dock 2 (Dredge Units 1 and 2), and minus 32 feet MLLW in the Pier 4 East and Central Basin Dredge Units, plus 2 feet of over-depth allowance. The dredged material shall be disposed of at the Alcatraz Disposal Site (SF-11) and the Montezuma Wetlands Restoration Project, with no more than 22,400 cy being placed at SF-11, as specified in the authorization section of this permit. No further dredging is authorized.

We have reviewed BAE System's permit file, its Integrated Alternatives Analysis of disposal options for the dredged material, and the Environmental Work Windows affecting this project. Dredging must be completed by November 30th to comply with the work windows for Pacific herring, steelhead trout and Chinook salmon, or if an extension of time is needed, consultation with NOAA Fisheries Service and CDFW will be required. If consultation is required, please provide the results of the consultation to BCDC for review and approval of dredging beyond the designated work window for this area.

Further, as the pre-dredge survey for the area under Dry Dock 2 is unavailable until the dry dock can be removed, please forward us the pre-dredge survey for that area to us as soon as it becomes available for compliance with the permit conditions.

Your project can proceed as proposed and as specified in the authorization section of your permit. In addition, please be advised that you should submit a post-dredge report to us within 30-days of completion of this dredging episode as required by the special conditions. If you have any questions or changes to your project, please contact me at 415/352-3622 or via email at rosas@bcdc.ca.gov.

Sincerely,

ROSA SCHNEIDER
Sea Grant Fellow

RS/go

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cc: Debra O'Leary, U.S. Army Corps of Engineers
Jason Brush, U.S. Environmental Protection Agency
Beth Christian, SF Bay Regional Water Quality Control Board
Donn Oetzel, State Lands Commission
Vicky Frey, California Department of Fish and Wildlife
Gary Stern, NOAA Fisheries
Ryan Olah, U.S. Fish and Wildlife Service
Katie Chamberlin, Anchor QEA



Making San Francisco Bay Better

Permittee's Copy

PERMIT NO. M1993.013.08
(Issued on February 21, 1995, as
Amended Through July 24, 2014)
AMENDMENT NO. EIGHT

Mr. Bill Dunbar, General Manager
BAE Systems San Francisco Ship Repair, Inc.
Pier 70
San Francisco, California 94107

ATTENTION: Mr. Shaun Halvax, Environmental Manager

Ladies and Gentlemen:

I. Authorization

A. Subject to the conditions stated below, the permittee, BAE Systems San Francisco Ship Repair, Inc., is hereby authorized to do the following:

Location: In the Bay, in the City and County of San Francisco, (1) at BAE Systems San Francisco Ship Repair, Inc. at Pier No. 3, east and west sides; and Pier No. 4, east side only (Exhibits A through J); and under and adjacent to Drydocks #1 and #2 (Exhibits F, G and H); and in the Port of San Francisco's Central Basin east of Pier No. 4 (Exhibit K); and (2) at the state- and federally-designated Alcatraz disposal site (SF-11) (Amendment No. Seven); and (3) at Montezuma Wetland Restoration Project (Montezuma)(Amendment No. Eight).

Description:

1. In a single episode, maintenance dredge approximately 91,066 cubic yards of material under and adjacent to San Francisco Drydock # 2, (completed) (Amendment No. One).
2. Maintenance dredge an additional 98,280 cubic yards of sediment at the facility's berthing areas to a depth of 34 feet mean lower low water (MLLW), (completed) (Amendment No. Two).
3. Maintenance dredge approximately 78,400 cubic yards of material from under and adjacent to Drydock #1 to a depth of 51 feet MLLW and approximately 144,500 cubic yards of material from under and adjacent to Drydock #2 to a depth of 64.5 feet MLLW, (completed) (Amendment No. Three).
4. Maintenance dredge approximately 228,000 cubic yards from Drydock #2, including all areas under and around Drydock #2 except for Area C shown on Exhibit H, to a depth of -62.5 feet MLLW plus two feet allowable overdepth. (completed) (Amendment No. Four).

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5. Maintenance dredge up to approximately 49,000 cy of material, approximately 25,000 cy from area C1, on the east side of Pier 3, to a depth of minus 32 feet MLLW, and approximate 23,500 cy of material from area D on the east side of Pier 4, to a depth of minus 34 feet MLLW, with an over dredge depth allowance of two feet, as shown in Exhibit I (completed).
6. Maintenance dredge up to approximately 650,000 cy of material:
(1) approximately 127,000 cy from Drydock #1, including all areas under and around Drydock #1, to a depth of minus 45 feet MLLW with an overdredge depth allowance of two feet as shown in Exhibit J;
(2) approximately 438,000 cy from Drydock #2, including all areas under and around Drydock #2, to a depth of minus 62.5 feet MLLW with an overdredge depth allowance of two feet as shown in exhibit G; and (3) approximately 85,000 cy from Pier 3 East and West and Pier 4 East to a depth of minus 32 feet MLLW with an overdredge depth allowance of two feet and shown in exhibit B (completed).

Episode 1 of Amendment No. Six shall only remove 67,000 cy of material from Drydock #1 to a depth of minus 45 feet MLLW with one foot of overdredge depth allowance; the remainder of the authorized dredging for Drydocks #1 and #2 and for Piers 3 East and West and Pier 4 East in this amendment, will require episode approval prior to dredging and disposal (completed) (Amendment No. Six).

7. Conduct new work dredging of up to 1,573 cy from the Pier 4 East depression area, an 80 square foot area, to a depth of minus 35 feet MLLW with an overdredge depth allowance of two feet and shown on Exhibit J. Once the new work dredging is complete, the new maintenance design depth is minus 35 feet MLLW with two feet of over depth allowance (completed)(Amendment No. Seven).
8. Maintenance dredge up to 112,000 cy of material as shown in Exhibit K as follows:
 - (a) dredge approximately 68,000 cy from Drydock #2, including all areas under and around Drydock #2, to a depth of minus 60 feet MLLW with an overdredge depth allowance of two feet. The approximately 39,000 cy from Dredge Unit 1 (the northern portion of the Drydock) will be disposed of at Montezuma and used as cover material and at SF-11, with no more than 22,400 cy total from this dredging episode being disposed at SF-11 and the approximately 29,000 cy from Dredge Unit 2 (the southern, landward portion of the Drydock) will be disposed of at Montezuma as foundation material;

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(b) dredge approximately 40,000 cy from Pier 4 East to a depth of minus 32 feet MLLW with an overdredge depth allowance of two feet. This material will be disposed of at SF-11 and beneficially reused at Montezuma Wetlands as cover material, with no more than 22,400 cy total from this dredging episode being disposed at SF-11 ;

(c) dredge approximately 4,000 cy from the Port of San Francisco's Central Basin to a depth of minus 32 feet MLLW with an overdredge depth allowance of two feet. This material shall be disposed of at Montezuma as foundation material; and

~~98.~~ Dispose of the dredged material at the state and federally authorized Alcatraz disposal site (SF-11), San Pablo Bay disposal site (SF-10), San Francisco Deep Ocean disposal site (SF-DODS), Montezuma Wetlands Restoration Project or at a location outside the Commission's jurisdiction. No dredging is authorized in the area on the west side of Pier 3 unless the material is disposed of at an upland location outside of the Commission's jurisdiction (Amendment No Five and Six).

B. This amended authority is generally pursuant to and limited by your application dated March 25, 1993, your letter dated May 1, 1995, requesting Amendment No. One, and your applications received in our office on April 29, 1995, June 2, 1998, February 7, 2003, April 6, 2004, October 4, 2006, ~~and~~ August 5, 2011, and March 26, 2014 requesting Amendment Nos. Two, Three, Four, Five, Six, ~~and~~ Seven, and Eight, respectively, including all accompanying exhibits, subsequent submissions, and all conditions of this amended permit.

C. Work authorized by Amendment No. Two must commence prior to October 31, 1997, and must be completed within 30 months of commencement, or by December 1, 1999, whichever is earlier, unless an extension of time is granted by amendment of the permit.

Work authorized by Amendment No. Three must commence prior to September 1, 1998 and must be completed within one year of commencement, or by September 1, 1999, whichever is earlier, unless an extension of time is granted by amendment of the permit.

Work authorized by Amendment No. Four must commence prior to December 1, 2003, or this amended permit will lapse and become null and void. Such work authorized in Amendment No. Four must be completed by December 1, 2004, unless an extension of time is granted by further amendment to this amended permit.

Work authorized by Amendment No. Five must commence prior to December 31, 2004, or this amended permit will lapse and become null and void. Such work authorized by Amendment No. Five must be completed by December 31, 2005, unless an extension of time is granted by further amendment to this amended permit.

Work authorized by Amendment No. Six must commence prior to June 30, 2008 and be completed by May 9, 2012 or this permit will become null and void, unless an extension of time is granted by further amendment to this amended permit.

Work authorized by Amendment No. Seven must commence prior to November 1, 2011 and be completed by May 9, 2012 or this permit will become null and void, unless an extension of time is granted by further amendment to this amended permit (Amendment No. Seven).

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Work authorized by Amendment No. Eight must commence prior to October 1, 2015 and completed by July 21, 2019 or this permit will become null and void, unless an extension of time is granted by further amendment to this amended permit (Amendment No. Eight).

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. Water Quality. At least 45 days prior to the commencement of any dredging episode authorized herein, the permittee shall submit to the Executive Director water quality certification, waste discharge requirements, or any other required approvals from the California Regional Water Quality Control Board, San Francisco Bay Region. Failure to obtain such certification prior to the commencement of any dredging episode shall terminate the Commission's authorization for that episode. The Executive Director may, upon review of the Regional Board approval, either: (1) approve the dredging episode consistent with this authorization; or (2) amend this authorization, as necessary, related to water quality issues. Unless the permittee agrees to amend this authorization in a manner specified by or on behalf of the Commission, this permit shall become null and void (Amendment No. Seven).

B. Five Year Permit for Dredging. The approximately 112,000 ~~650,000~~ cy or less of maintenance dredging authorized by Amendment No. Eight Six ~~and up to 1,573 cy of new work dredging authorized by Amendment No. Seven of this amended permit shall be completed by July 21, 2019~~ May 9, 2012. No further dredging is authorized by this amended permit (Amendment No. ~~Eight Seven~~).

C. Limits on Dredging. This amended permit authorizes maintenance ~~and new work dredging only~~. Amendment No. Eight Six ~~authorizes dredging within area(s) as shown on Exhibit K Exhibits A through J to a depth of -60 feet MLLW plus 2 feet overdredge depth in Dry Dock 2 and Dredge Units 1 and 2, and -32 feet MLLW plus 2 feet overdredge depth in Pier 4 East and Central Basin Dredge Units. I and Amendment No. Seven authorizes dredging within the Pier 4 East depression as shown on Exhibit J. No dredging in other areas is authorized. Episode 1 of Amendment No. Six shall only remove 67,000 cy of material from Drydock #1 to a depth of minus 45 feet MLLW with one foot of overdredge depth allowance; the remainder of the authorized dredging for Drydocks #1 and #2 and for Piers 3 East and West and Pier 4 East in this amendment, will require further review and additional episode approval(s) prior to dredging and disposal.~~ (Amendment No. Seven).

D. Dredged Material Disposal. As described in BAE Systems' Integrated Alternatives Analysis, no more than 22,400 cubic yards of the material dredged in 2014 and authorized by Amendment No. Eight may be placed at SF-11.

ED. Dredging and Disposal Activity

1. **Pre-Dredging and Disposal Report and Notice.** At least 45 days before the commencement of any dredging and disposal episode authorized herein, the permittee shall submit to the Commission's Executive Director:
 - a. a bathymetric map showing the location of all areas authorized to be dredged, the authorized depth including over-dredge depth based on MLLW, the volume of material proposed to be dredged, and the approximate date of project commencement. At least two (2) weeks prior to the scheduled date of commencement of any dredging episode, the permittee shall notify the Commission staff by telephone or in writing or, if the date of commencement changes, provide an updated schedule.
 - b. a written statement to the Executive Director that contains: (1) the proposed disposal site and quantity of material to be disposed, and dates within which the disposal episode is proposed; (2) if applicable, a discussion as to how the volume proposed for disposal is consistent with in-Bay disposal allocations and disposal site limits; (3) the results of chemical and biological testing of sediment proposed for disposal; and (4) an alternatives analysis to explain why ocean disposal, upland disposal or beneficial reuse of dredged material is infeasible.
2. **Authorization of Disposal.** The authorization for the proposed in-Bay disposal shall become effective only if the Executive Director: (1) informs the permittee in writing that the episode is consistent with the authorization provided herein, alternative disposal and beneficial reuse options are infeasible, the volume proposed for disposal is consistent with both in-Bay disposal allocations, if applicable, and the disposal site limits, and the material is suitable for in-Bay disposal; or (2) does not respond to the permittee's pre-disposal report within 30 days of its receipt. If the Executive Director determines that: (a) ocean disposal, upland disposal, or beneficial reuse of the material is feasible; (b) the material proposed for disposal is unsuitable for the Bay; or (c) the proposed disposal is inconsistent with in-Bay allocations and disposal site limits, the Commission's authorization for in-Bay disposal shall be terminated.
3. **Post-Dredging Requirements**
 - a. Within (30) days of completion of each dredging episode authorized by this permit, the permittee shall submit to the Commission a bathymetric map showing the actual area(s) and depths dredged including over-dredge depth based on MLLW, any dredging that occurred outside the area or below the depths authorized herein, and a written statement indicating the total volume of material dredged from each berth and disposed and the disposal location.
 - b. If a dredging episode stops for longer than six consecutive months, the permittee must submit, before the dredging episode has resumed, notification to the Commission that dredging will begin again. If a dredging episode is suspended for more than six months, the Commission may require the permittee to complete: (1) new sediment characterization, (2) a re-survey of the dredge area, and/or (3) a revised alternative disposal option analysis.

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- c. If the dredging episode continues longer than one year, whether dredging is continual throughout the year or is fragmented within the episode, the permittee must provide the Commission with the following dredging report: (1) the actual areas and the depth dredged based on MLLW, and any dredging that occurred outside the area dredged; (2) the actual volume of the material dredged; and (3) the volume and location of the material disposed. The dredging report must be submitted no later than one year after the commencement of the episode, and must be submitted every six months thereafter throughout the life of the permit or until the episode is complete. The Commission may require additional sediment characterization, bathymetric surveys, and/or alternative disposal analyses at the commencement of the next episode. Within 30 days of the completion of the episode, the permittee must submit a dredging report as described in Special Condition 3a.

FF. Seasonal Limitations. All dredging and disposal activities shall be confined to the work window, between June 1st and November 30th of any year, to minimize disturbance to the following special status species:

Species of Concern	Work Window Period	Consulting Agency
Pacific Herring	March 1-November 30	CDFW
<u>Chinook Salmon and Steelhead Trout</u>	June 1 – November 30	NOAA, CDFW

California Department of Fish and ~~Wildlife Game~~, NOAA Fisheries Service.

This work window between June 1st and November 30th is consistent with the Tables F-1 and F-2 of Appendix F, "In-Bay Disposal and Dredging" to the Long-Term Management Strategy (LTMS) Management Plan as modified by the May 28, 2004 Amended U.S. Fish and Wildlife Service's (USFWS) biological opinion (Amendment No. Seven). No work inconsistent with the time and location limits contained in these tables may be conducted without the approval of the Executive Director, provided that such approval may only be issued (1) after consultation has occurred between BAE Systems, Inc., and NOAA Fisheries and the California Department of Fish and ~~Wildlife (CDFW) Game~~; (2) the outcome of that consultation has been provided to the Commission staff; and (3) the Executive Director has determined that dredging and disposal outside of the work window will be consistent with the Commission's laws and policies.

To protect the herring fishery, no dredging shall occur between December 1st and February 28th of any year without the written approval of the Executive Director, provided that such approval may only be issued: (1) after BAE Systems' representative requests from CDFW that they be allowed to dredge outside of the work window, discussions between the BAE Systems representative and the CDFW have occurred and the outcome of those discussions has been provided to the Commission staff; and (2) the Executive Director has determined in writing that dredging and disposal outside of the work window would be consistent with the Commission's laws and policies (Amendment No. Eight).

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G. Longfin Smelt. If, at any time during the life of this permit, any new laws, policies or regulations require measures to protect longfin smelt from potential adverse impacts of dredging, dredged material disposal, and/or beneficial reuse of dredged material, this permit shall become null and void unless the permittee agrees to amend this authorization to comply with the new laws, policies, or regulations in a manner specified by or on behalf of the Commission. For example, if CDFWG requires an incidental take permit under the California Endangered Species Act, the permittee must obtain the CDFWG take permit, provide the take permit to the Commission and amend the Commission's permit or the Commission's permit will become null and void (Amendment No. Seven).

H. Debris Removal. All construction debris shall be removed to a location outside the jurisdiction of the Commission. In the event that any such 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.

I. Barge Overflow Sampling and Testing. Results of any effluent water quality or other testing required by the California Regional Water Quality Control Board, San Francisco Bay Region shall be submitted in writing to Commission staff at the same time such testing is submitted to the Regional Board.

J. Monitoring and Enforcement. The permittee shall allow the Commission staff or representatives of other state or federal agencies to come aboard the dredge or barge associated with any dredging or disposal episode and observe the operation(s) to ensure that these activities are consistent with pre-dredging reports required herein and other terms and conditions of this permit. Further, the Commission reserves the right to have post-dredging reports inspected by a reliable third party familiar with bathymetric mapping in order to verify the contents of these reports. If a third party selected by or on behalf of the Commission indicates that a post-dredging report is inaccurate, the Commission reserves the right to require the permittee to submit a revised report that meets the conditions of this permit. If the Commission determines that the post-dredging report indicates that work has occurred beyond that authorized by this permit such violation may result in the initiation of enforcement action by or on behalf of the Commission.

K. Long-Term Management Strategy Program. If, at any time during the effective life of this permit, the Commission's laws, Bay Plan policies, or regulations are changed and are in effect regarding dredging, dredged material disposal, and beneficial reuse, pursuant to the findings and policies developed through the multi-agency Long-Term Management Strategy Program (LTMS), this permit shall become null and void unless the permittee agrees to amend this authorization to meet the new laws, policies, or regulations in a manner specified by or on behalf of the Commission.

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III. Findings and Declarations

On behalf of the Commission, I find and declare that:

A. Minor Repair and Improvement.

1. **Original Authorization and Amendments One Through Five.** The project authorized by the original authorization and subsequent amendments involves maintenance dredging, in multiple episodes, up to 650,000 cubic yards of material from Piers 3 and 4, and Drydocks #1 and #2, and up to 1,573 cy of new work dredging from Pier 4 East, and disposal of the total volume of material at the federally-designated sites near Alcatraz Island, in San Pablo Bay, at the Deep Ocean Disposal Site, or an upland or beneficial reuse site which are activities described in Regulation Section 10601(f), 10602(a), 10602(b), 10602(e)(1), 10602(e)(2)(A) and 10602(e)(2)(B), and thus is a "minor repair or improvement" for which the Executive Director may issue (1) a permit, pursuant to Government Code Section 66632(f) and Regulation Section 10622(a), and (2) an amendment to a permit, pursuant to Regulation Section 10812.
2. **Amendment No. Six.** Work authorized in Amendment No. Six included the temporary relocation of the San Francisco Drydocks to a location adjacent to the project site on BAE Systems San Francisco Ship Repair, Inc.'s property while dredging occurs under the Drydocks' footprints, an activity defined under Regulation Section 10601(e)(1).
3. **Amendment No. Eight.** Work authorized in Amendment No. Eight includes a single episode of maintenance dredging, in a single episode, of up to 112,000 cy of material from Drydock #2, Pier 4 East, and the Port of San Francisco's Central Basin to varying depths, and disposing of dredged material at SF-11 and Montezuma. These are activities involving routine maintenance dredging, as defined in Regulatory Sections 10602(a), disposal of dredged material at a site listed in Regulatory Section 10713.5, as defined in Regulatory Section 10602(e)(1), and disposal of any amount of material in the Suisun Marsh, as defined by Regulatory Section 10602(g), and thus constitutes a "minor repair or improvement" for which the Executive Director may issue (1) a permit, pursuant to Government Code Section 66632(f) and Regulatory Section 10622(a), and (2) an amendment to a permit, pursuant to Regulatory Section 10812.

B. Permit History. The approximately 91,066 cubic yards or less of maintenance dredging authorized by the original permit and by Amendment No. One has been completed. The approximately 98,280 cubic yards or less of maintenance dredging authorized by Amendment No. Three of this amended permit has been completed. The approximately 228,000 cubic yards or less of maintenance dredging authorized by Amendment No. Four of this amended permit has been completed. The approximately 49,000 cy or less of maintenance dredging authorized by Amendment No. Five has been completed.

In 2007, approximately 36,631 cy of the 127,000 cy or less of maintenance dredging authorized by Amendment No. Six at Dry Dock #1 was dredged. In 2008, approximately 93,832 cy of the 438,000 cy or less of maintenance dredging authorized by Amendment No. Six at Dry Dock #2 was dredged. In 2010, approximately 17,067 cy of the 85,000 cy or less of maintenance

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dredging authorized by Amendment No. Six at Pier 3 East and Pier 4 East was dredged and disposed of at SF-DODS. Therefore, approximately 502,470 cy remains available on this permit (Amendment No Seven).

Amendment No. Seven includes deepening an 80-square foot section, considered new work dredging, of the Pier 4 East dredging footprint to accommodate equipment attached to the hull of ships that will be docking at Pier 4 East (Amendment No. Seven).

Amendment No. Eight authorizes maintenance dredging of up to 112,000 cy of material, including approximately 68,000 cy from Drydock #2, approximately 40,000 cy from Pier 4 East, and approximately 4,000 cy from the Port of San Francisco's Central Basin with disposal at three locations, including placement at Montezuma Wetlands Restoration Project as foundation material due to elevated levels of contaminants in the sediment from Dry Dock 2.

C. The project authorized by this amended permit 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 it is consistent with the Commission's laws and policies regarding dredging activities because: (1) the proposed activity serves a water-oriented use; (2) the proposed activity meets the San Francisco Bay Regional Water Quality Control Board's requirements; (3) the Special Conditions contained herein will minimize potential adverse impacts to fish and wildlife resources as much as possible by conducting dredging and disposal during environmental work windows; (4) the applicant has prepared an Integrated Alternatives Analysis which proposes to dispose of approximately 80% of the material dredged between 2013 and 2017 out-of-Bay at Montezuma or SF-DODS and the remaining 20% in-Bay at SF-11 (Amendment No. Eight); 60% of the material dredged during 2010, 2011 and 2012 at SF DODS. ~~The remainder 40% will be disposed of at the Alcatraz Disposal Site (SF 11) or another suitable in-Bay disposal site~~ (5) the dredged material will be placed at state and federally-designated the LTMS approved disposal sites; and (6) dredging and disposal must be consistent with the LTMS work windows or further consultation with the resource agencies is required.

Furthermore, the Special Conditions have been included to ensure that the project minimizes potential adverse impact to native, endangered, and/or special status species, and Bay water quality. The project also adheres to the Bay Plan's dredging policies in that clean dredged material disposal will cause impacts to water quality or the ecology of the Bay. Regarding the state-listed longfin smelt, CDFW has advised the Commission staff that dredging using a mechanical dredge will not result in take of this species (Amendment No. Eight). ~~the permittee, as directed by CDFG, has determined that longfin smelt will not be taken as part of this project. ("Take" under the California Endangered Species Act means to "hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture, or kill.") Commission staff has requested the concurrence or objection to this determination. CDFG has not responded to the Commission staff request (Amendment No Seven).~~

D. 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.

E. Pursuant to Regulation Section 11501 and Article 19, Section 15304(g) of the California Environmental Quality Act (CEQA), the project authorized by this amended permit is categorically exempt from the requirement to prepare an environmental impact report ~~unless the project will result in take of a listed species that is not covered by the LTMS Policy~~

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~~Environmental Impact Statement/Programmatic Environmental Impact Report and will require a take permit. If a take permit is required, additional CEQA documentation will be required (Amendment No. Eight Seven).~~

F. Pursuant to Regulation Section 10620, the original project was listed with the Commission on February 16, 1995.

IV. Standard Conditions

A. **Permit Execution.** This amended permit shall not take effect unless the permittee executes the original of this amended permit 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.

B. **Notice of Completion.** 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. **Permit Assignment.** The rights, duties, and obligations contained in this amended permit are assignable. When the permittee transfers any interest in any property either on which the authorized activity will occur or which is necessary to the full compliance of one or more conditions to this amended permit, the permittee/transferor and the transferee shall execute and submit to the Commission a permit assignment form acceptable to the Executive Director (*call for a copy of the form or download it from our website*). An assignment shall not be effective until the assignee executes and the Executive Director receives an acknowledgment that the assignee has read and understands the amended permit 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 and conditions of the amended permit.

D. **Permit Runs With the Land.** Unless otherwise provided in this amended permit, 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.

E. **Permit Time Limits.** Unless otherwise provided in this amended permit, 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 the amended permit, or, if no date is specified, within three years from the date of the amended permit, the amended permit shall become null and void. If an 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.

F. **Other Government Approvals.** 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 amended permit does not relieve the permittee of any obligations imposed by State or Federal law, either statutory or otherwise.

G. **Built Project must be Consistent with Application.** Work must be performed in the precise manner and at the precise locations indicated in your application, as such may have been modified by the terms of the amended permit and any plans approved in writing by or on behalf of the Commission.

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H. Life of Authorization. Unless otherwise provided in this amended permit, 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.

I. Commission Jurisdiction. 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. 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.

J. Changes to the Commission's Jurisdiction as a Result of Natural Processes. This amended permit reflects the location of the shoreline of San Francisco Bay when the amended permit was issued. Over time, erosion, avulsion, accretion, subsidence, relative sea level change, and other factors may change the location of the shoreline, which may, in turn, change the extent of the Commission's regulatory jurisdiction. Therefore, the issuance of this amended permit does not guarantee that the Commission's jurisdiction will not change in the future.

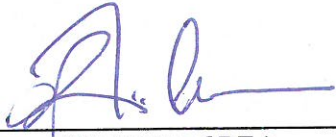
K. Violation of Permit May Lead to Permit Revocation. Except as otherwise noted, violation of any of the terms of this amended permit shall be grounds for revocation. The Commission may revoke any amended permit for such violation after a public hearing held on reasonable notice to the permittee or its assignee if the amended permit has been effectively assigned. If the 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.

L. Should Permit Conditions Be Found to be Illegal or Unenforceable. Unless the Commission directs otherwise, this amended permit 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.

M. Permission to Conduct Site Visit. The permittee shall grant permission to any member of the Commission's staff to conduct a site visit at the subject property during and after construction to verify that the project is being and has been constructed in compliance with the authorization and conditions contained herein. Site visits may occur during business hours without prior notice and after business hours with 24-hour notice (Amendment No. Seven).

PERMIT NO. M1993.013.08
BAE Systems San Francisco Ship Repair, Inc.
(Issued on February 21, 1995, as
Amended Through July 24, 2014)
AMENDMENT NO. EIGHT
Page 12

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



BRAD McCREA
Regulatory Program Director
for

LAWRENCE J. GOLDZBAND
Executive Director
San Francisco Bay Conservation and
Development Commission

BM/RS/go


cc: U. S. Army Corps of Engineers, Attn: Debra O'Leary
San Francisco Bay Regional Water Quality Control Board, Attn: Beth Christian
Environmental Protection Agency, Attn: Jason Brush
State Lands Commission, Attn: Donn Oeztel
California Department of Fish and Game, Attn: Vicki Frey
NOAA Fisheries, Attn: Gary Stern
U.S. Fish and Wildlife Service, Attn: Ryan Olah
Anchor QEA, Attn: Katie Chamberlin

* * * * *

Receipt acknowledged, contents understood and agreed to:

Executed at San Francisco

On July 29, 2014

BAE Systems
San Francisco Ship Repair
Applicant
By: 

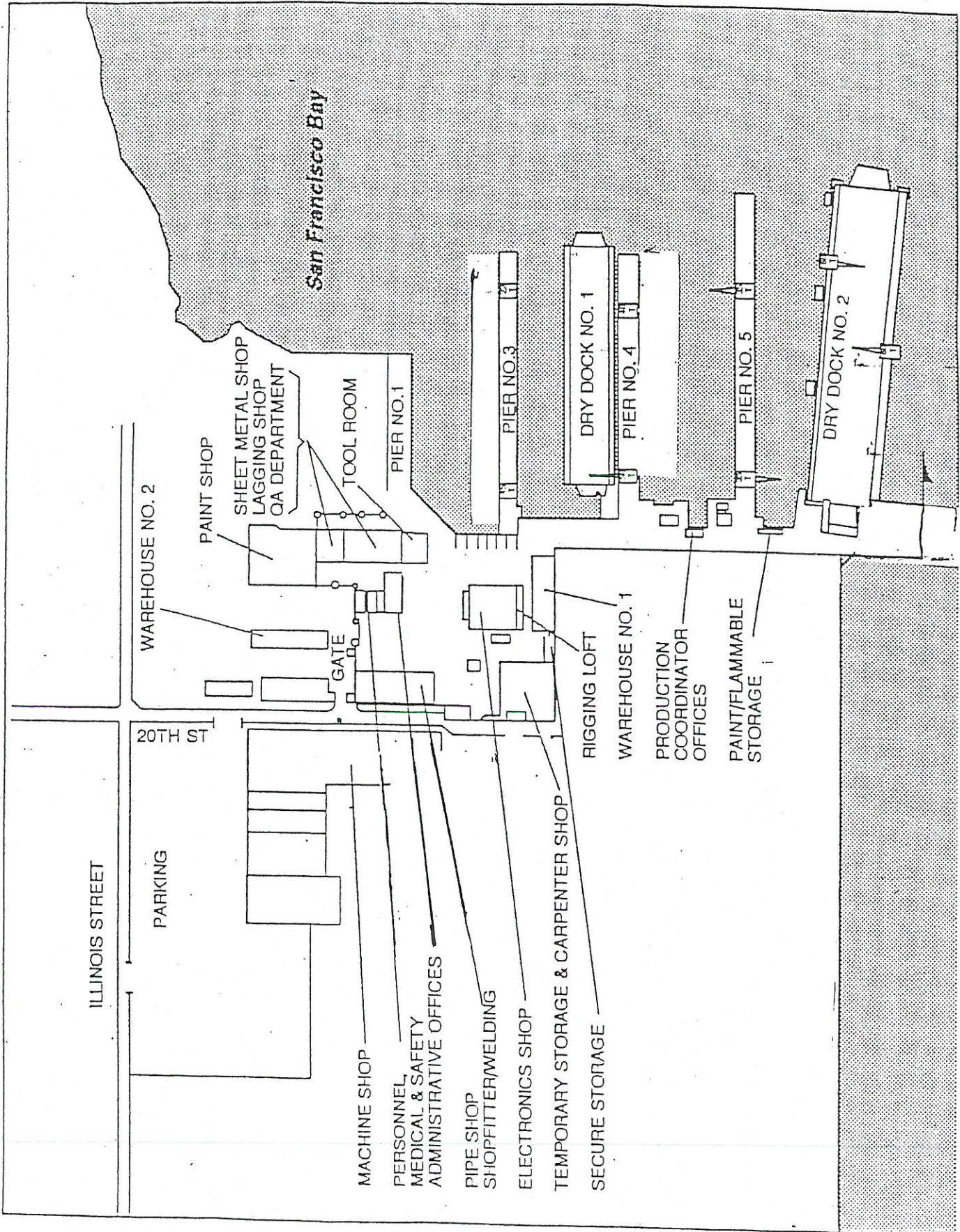
William Dunbar
General Manager

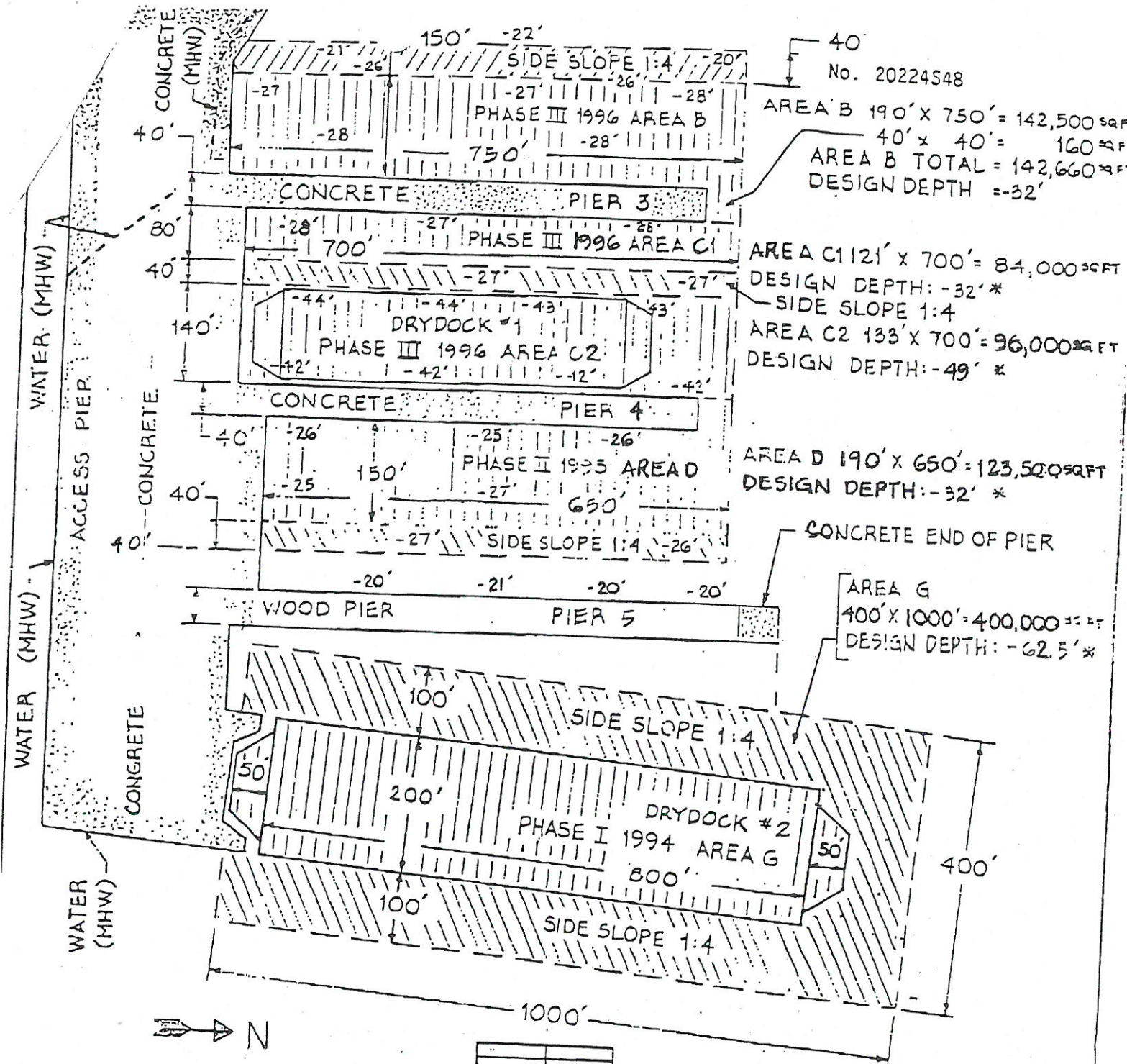
Title

Figure 1 Vicinity Map



San Francisco Drydock Facility





TOTAL SQ. FT ALL AREAS
G-D-C1-C2-B = 843,160 SQ FT

0 100' 200'
SCALE: 1" = 200'

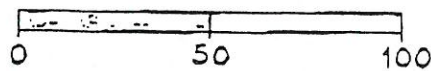
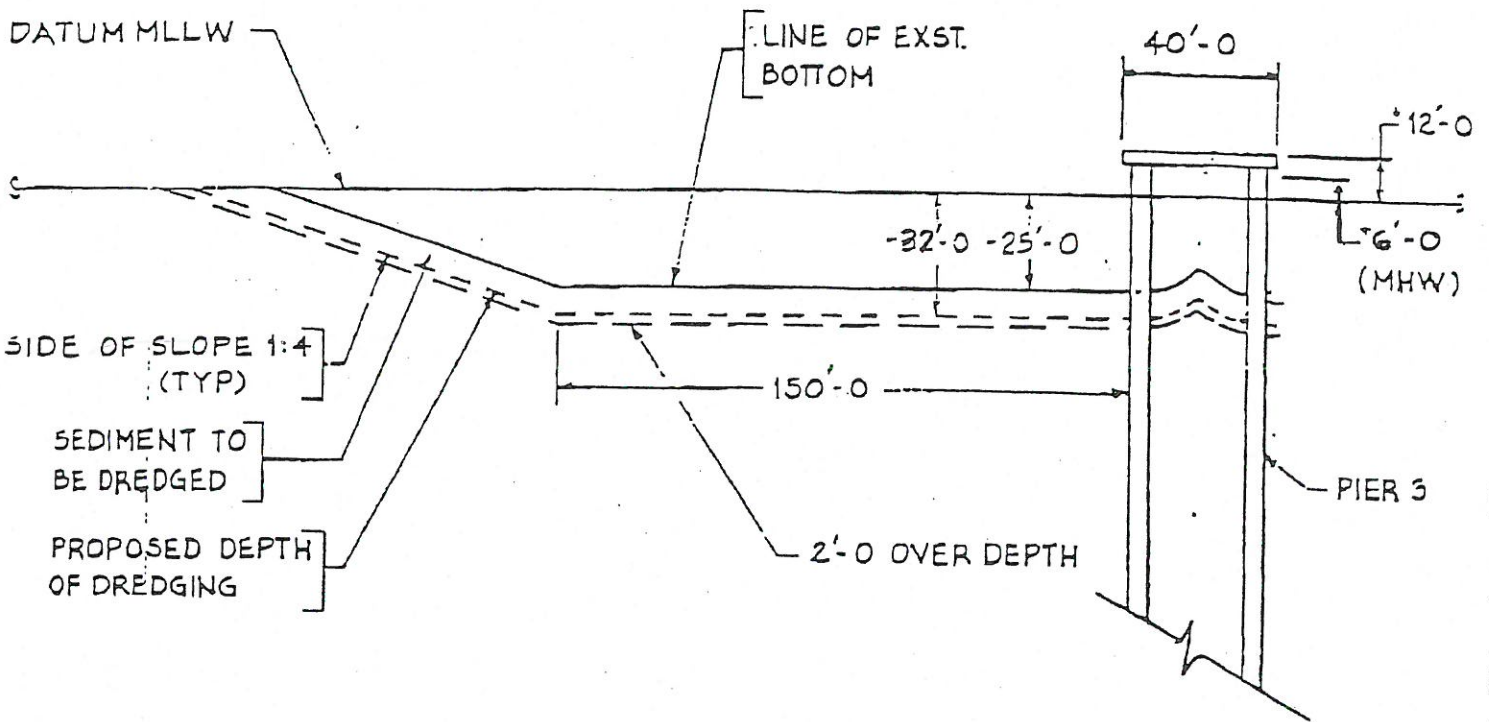
* 2'-0" ALLOWABLE OVER DEPTH IN EACH OF THE ABOVE AREAS.

Purpose: Maintenance dredging to provide safe Navigational waters
Datum: MLLW
Adjacent Property Owners: Port of San Francisco

PROJECT SITE

Exhibit B

Proposed - Dredging next to piers and under two (2) floating drydocks.
IN: San Francisco Bay
AT: San Francisco Drydock Inc.
County of: San Francisco



SCALE: 1" = 50'

Purpose: Maintenance dredging to provide safe Navigational waters

Datum: MLLW
 Adjacent Property Owners
 Part of San Francisco

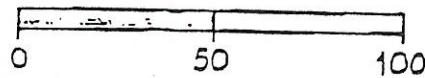
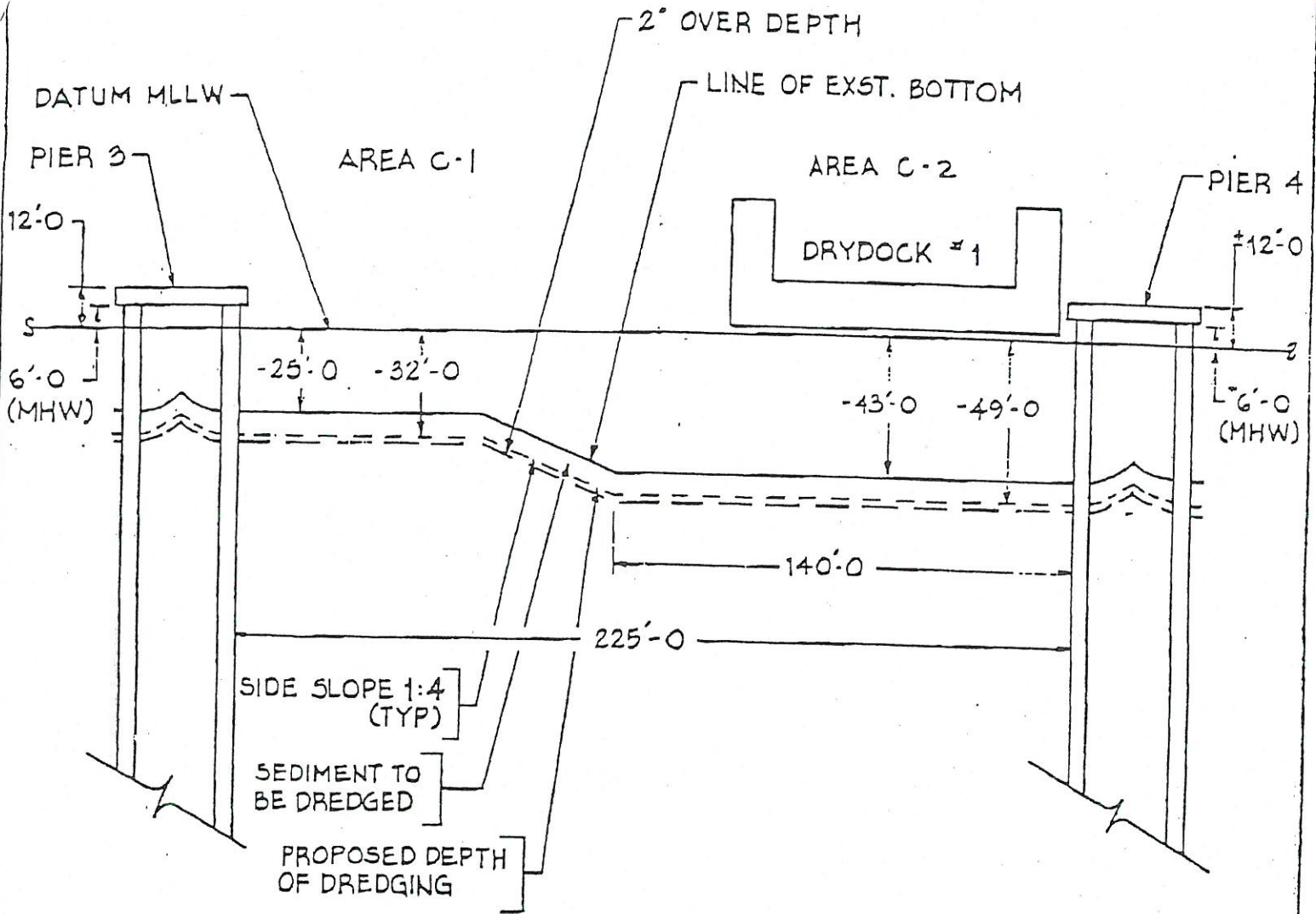
SECTION VIEW

Area B, Pier 3 West

Exhibit C

Proposed - Dredging next to piers and under two (2) floating drydocks.

IN: San Francisco Bay
 AT: San Francisco Drydock Inc.
 County of San Francisco



SCALE: 1" = 50'

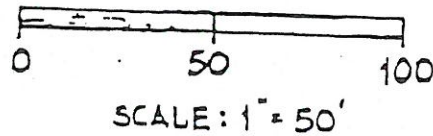
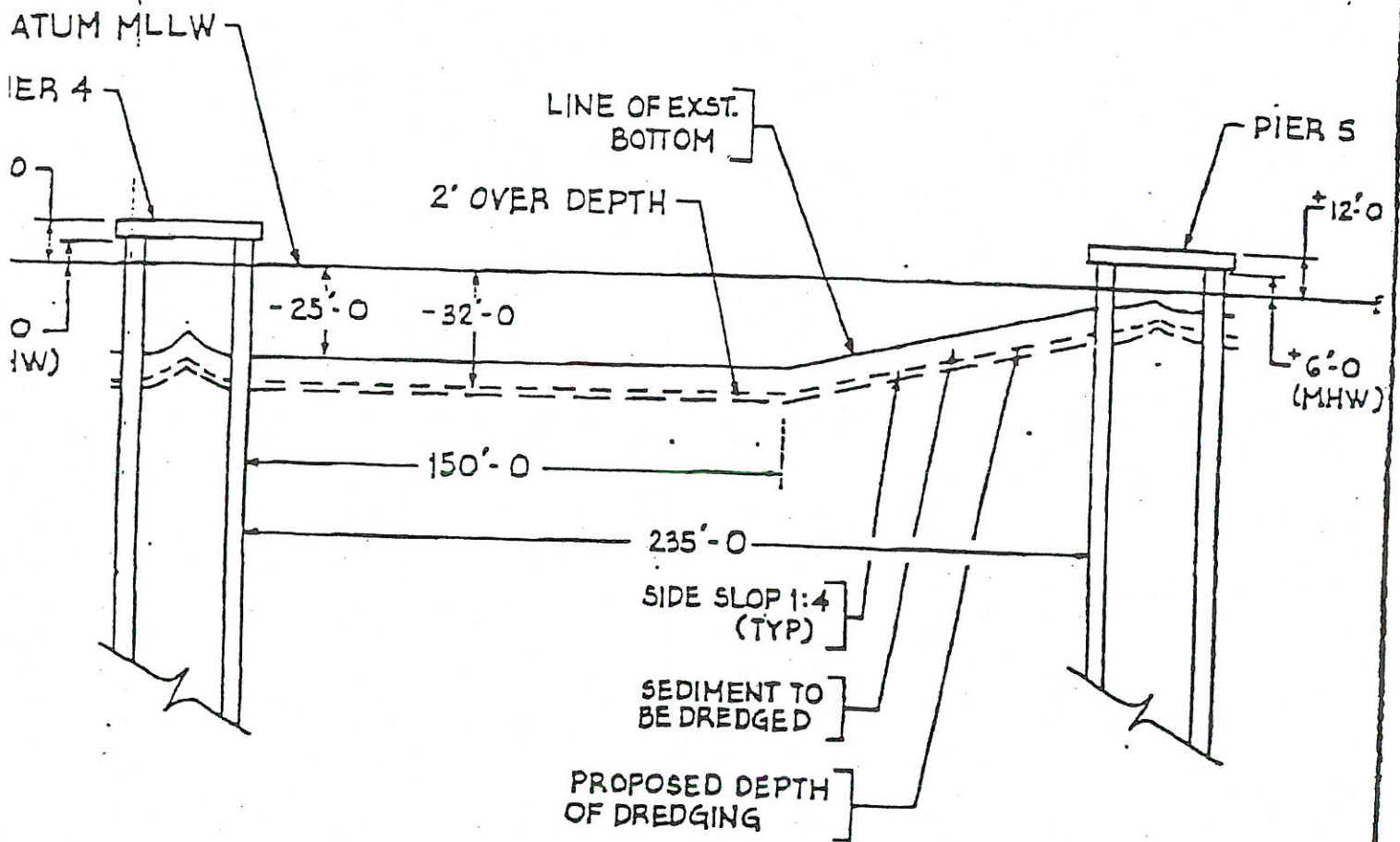
Purpose: Maintenance dredging to provide safe Navigational waters
 Datum: MLLW
 Adjacent Property Owners
 Port of San Francisco

SECTION VIEW
 Area C1 and C2

Exhibit D

Date 04/18/93

Proposed - Dredging next to piers and under two (2) floating drydocks
 IN: San Francisco Bay
 AT: San Francisco Drydock Inc.
 County of: San Francisco
 State: California



Purpose: Maintenance dredging
to provide safe
Navigational waters
Datum: MLLW
Adjacent Property Owners
Part of San Francisco

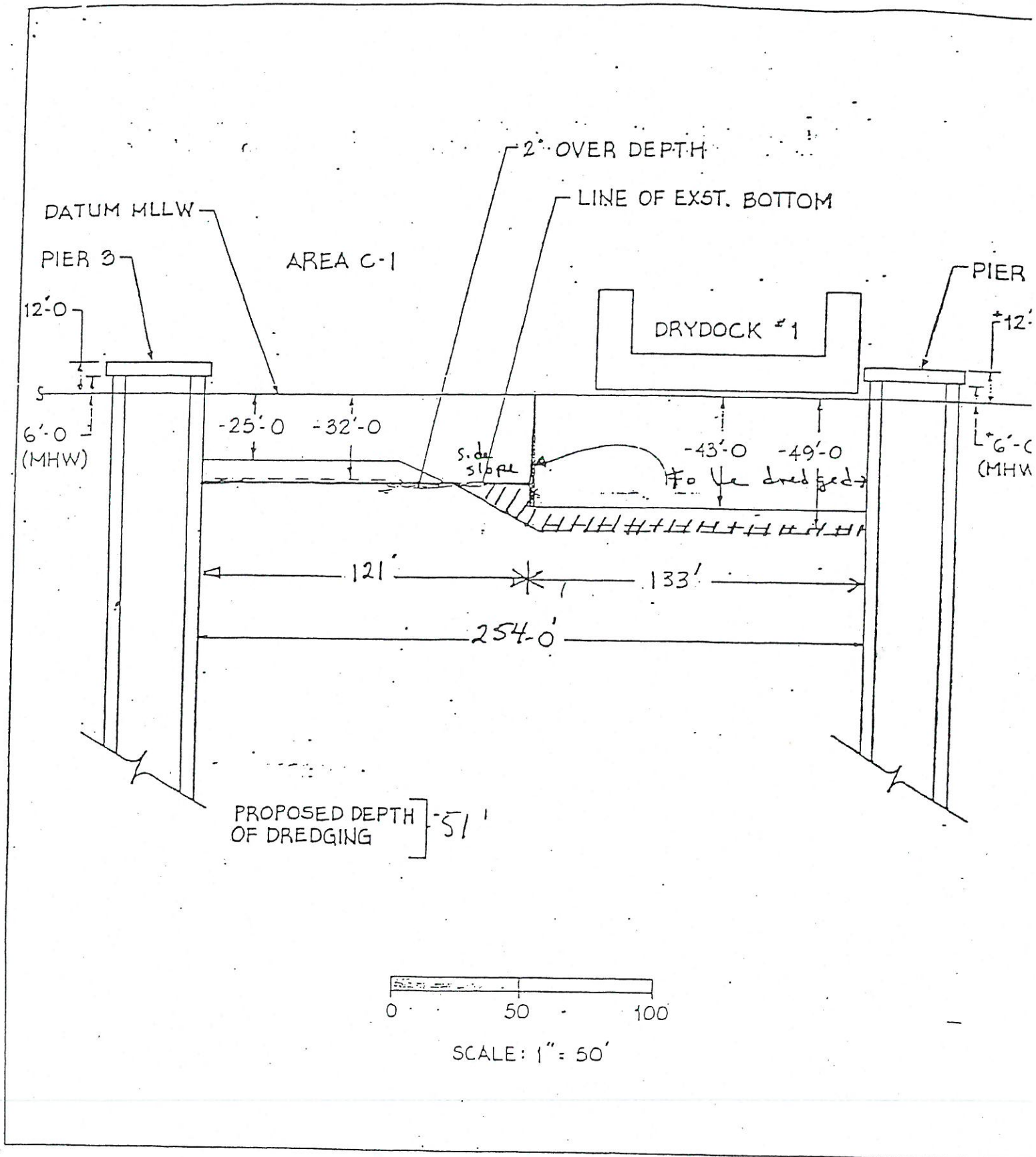
SECTION VIEW

Area D, Pier 4 East

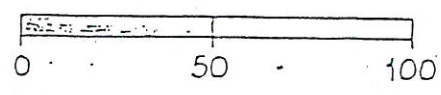
Exhibit E

Proposed - Dredging next to
piers and under two (2) floating
drydocks.

IN: San Francisco Bay
AT: San Francisco Drydock Inc.
County of: San Francisco
State: California

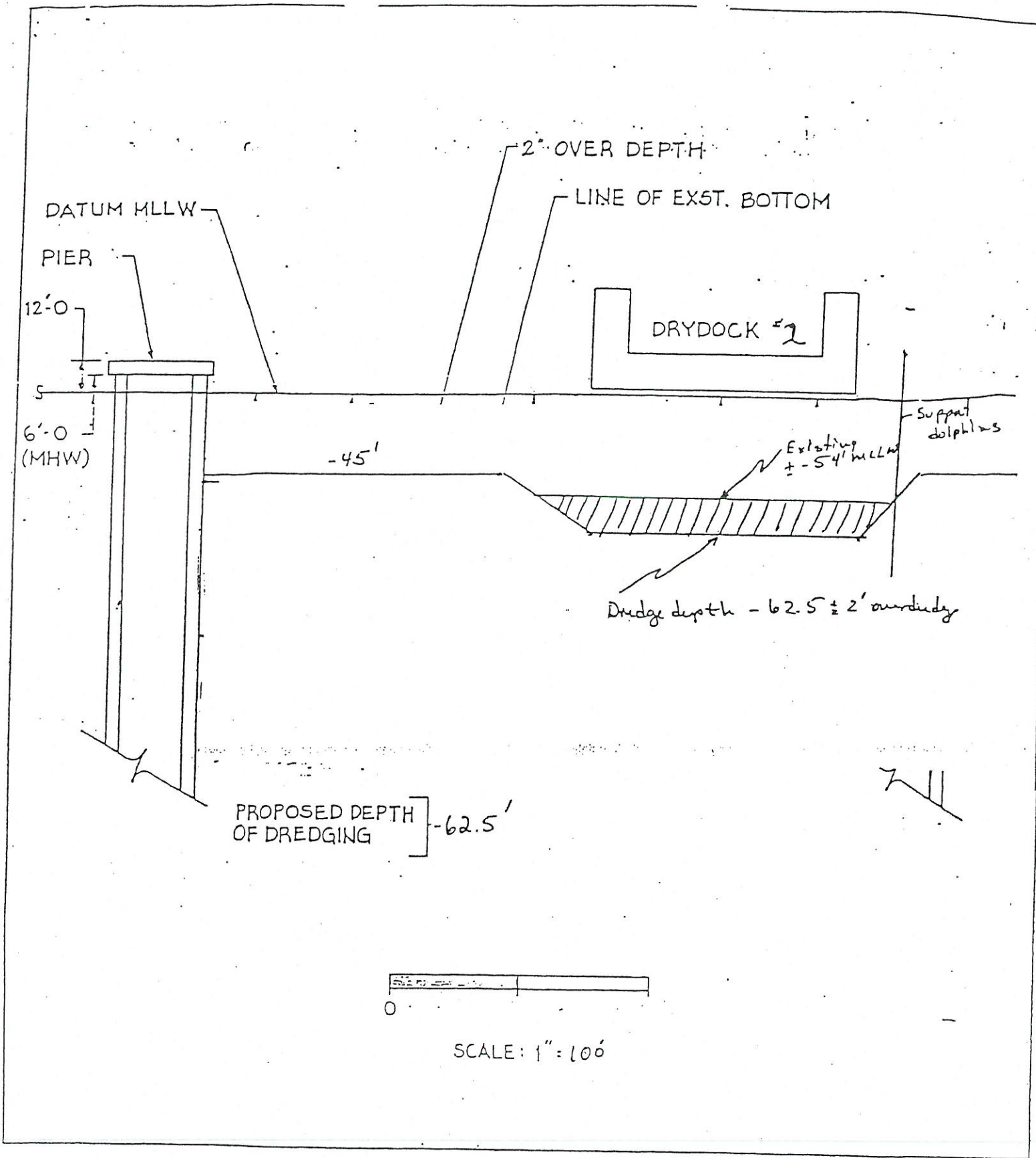


PROPOSED DEPTH OF DREDGING } 51'

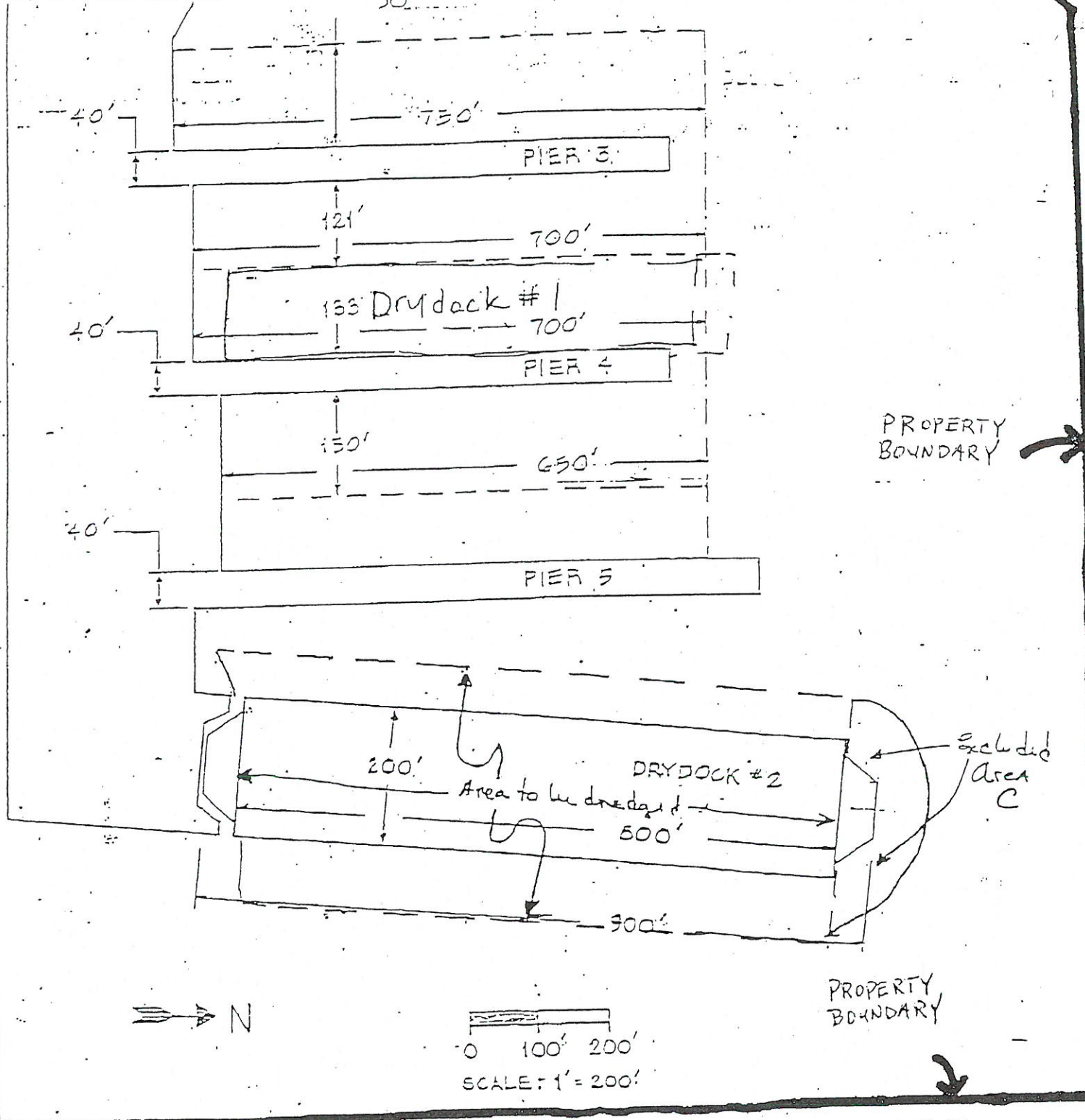


SCALE: 1" = 50'

<p>Purpose: Maintenance dredging to provide safe Navigational waters</p>	<p>SECTION VIEW Exhibit F</p>	<p>Proposed - Dredging next to piers.</p>
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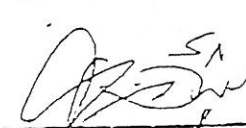


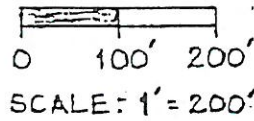
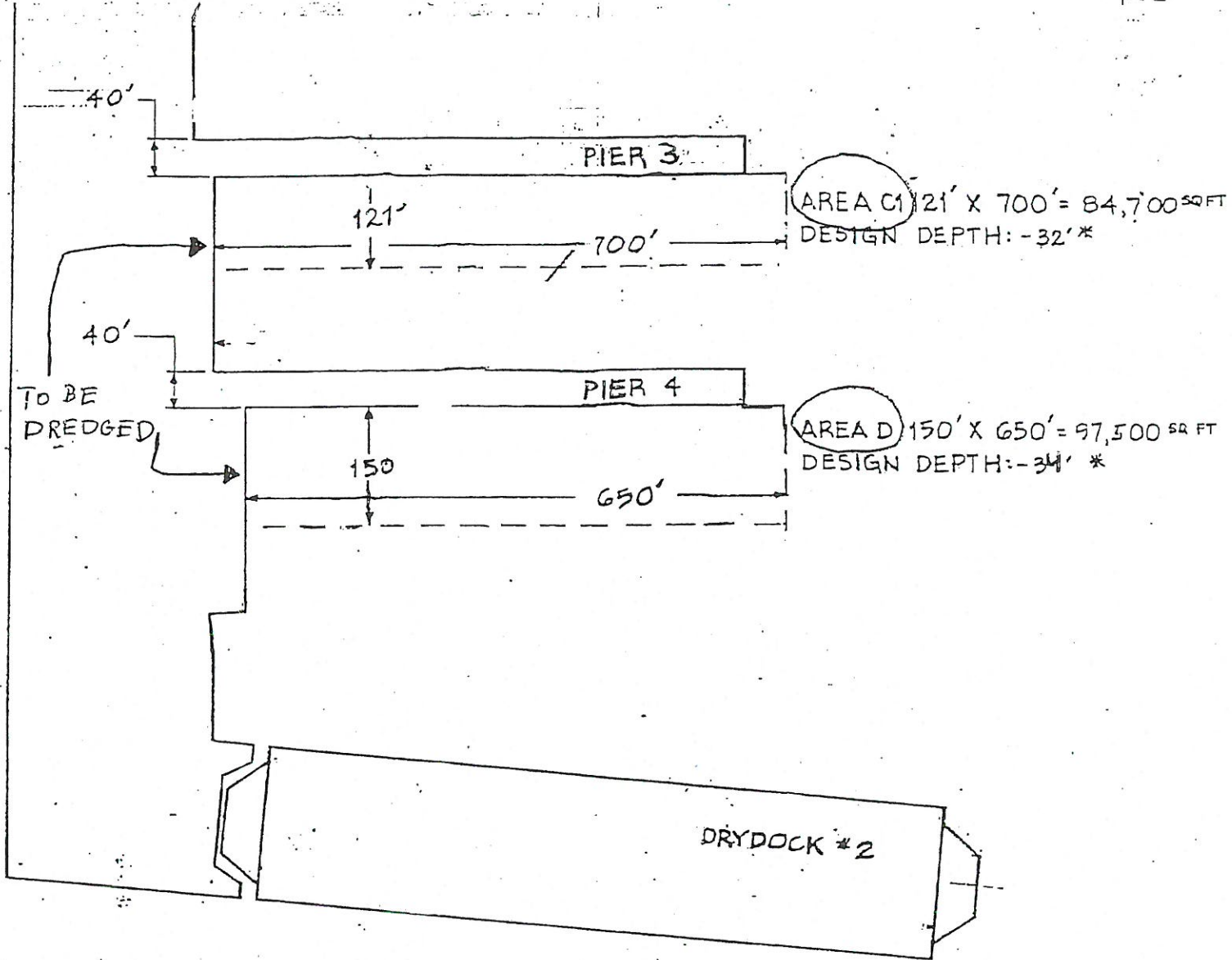
<p>Purpose: Maintenance dredging to provide safe Navigational waters</p> <p>Datum: MLLW</p> <p>Adjacent Property Owners</p>	<h2>SECTION VIEW</h2> <p>Exhibit G</p>	<p>Proposed - Dredging next to piers.</p> <p>LN: San Francisco Bay</p>
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* 2'-0 ALLOWABLE OVER DEPTH IN THE ABOVE AREA'S.


EXHIBIT H Amendment No. Four

<p>Purpose: Maintenance dredging to provide safe Navigational waters</p> <p>Datum: MLLW</p> <p>Adjacent Property Owners: Port of San Francisco</p>	<p>PROJECT SITE: Drydock # 2</p> 	<p>Proposed - Dredging next to pier</p> <p>IN: San Francisco Bay</p> <p>AT: San Francisco Drydock Inc</p> <p>County of: San Francisco</p>
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* 2'-0" ALLOWABLE OVER DEPTH IN EACH OF THE ABOVE AREAS.

EXHIBIT I Amendment No. Five

Purpose: Maintenance dredging to provide safe Navigational waters Datum: MLLW Adjacent Property Owners Port of San Francisco	PROJECT SITE  Date: 4/28/04	Proposed - Dredging next to piers IN: San Francisco Bay AT: San Francisco Drydock Inc. County of: San Francisco State: California
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SAN FRANCISCO SHIP REPAIR
 AUGUST 2011
SAN FRANCISCO SHIP REPAIR INC.
 PORT OF SAN FRANCISCO
 SAN FRANCISCO, CA 94107
 (415) 557-7447

PIER 4 EAST SUMP

SCALE	1" = 50'
DATE	8/11/11



W 122-22-58
 W 122-22-56
 W 122-22-54
 W 122-22-52
 W 122-22-50
 W 122-22-48

NOTES

1. This plan shows the location of the Pier 4 East Sump Depression relative to the existing Pier 4 structure and the Central Basin. The depression is located approximately 80 feet east of the Pier 4 structure.

2. The depression is 80 feet wide and 80 feet long, with a depth of 35 feet below Mean Lower Low Water (MLLW) and 2 feet below the existing ground surface (OD).

3. The plan also shows the location of the Pier 4 structure, Dry Dock 1, Dry Dock 2, and Pier (Ruins). The Pier 4 structure is located between the Central Basin and the Pier (Ruins). Dry Dock 1 and Dry Dock 2 are located east of the Pier 4 structure. Pier (Ruins) is located east of Dry Dock 2.

4. The plan also shows the location of the SFSR Property Boundary, which is located east of the Pier 4 structure and Dry Dock 1.

SOUNDINGS ARE IN FEET BELOW MEAN LOWER LOW WATER (MLLW)

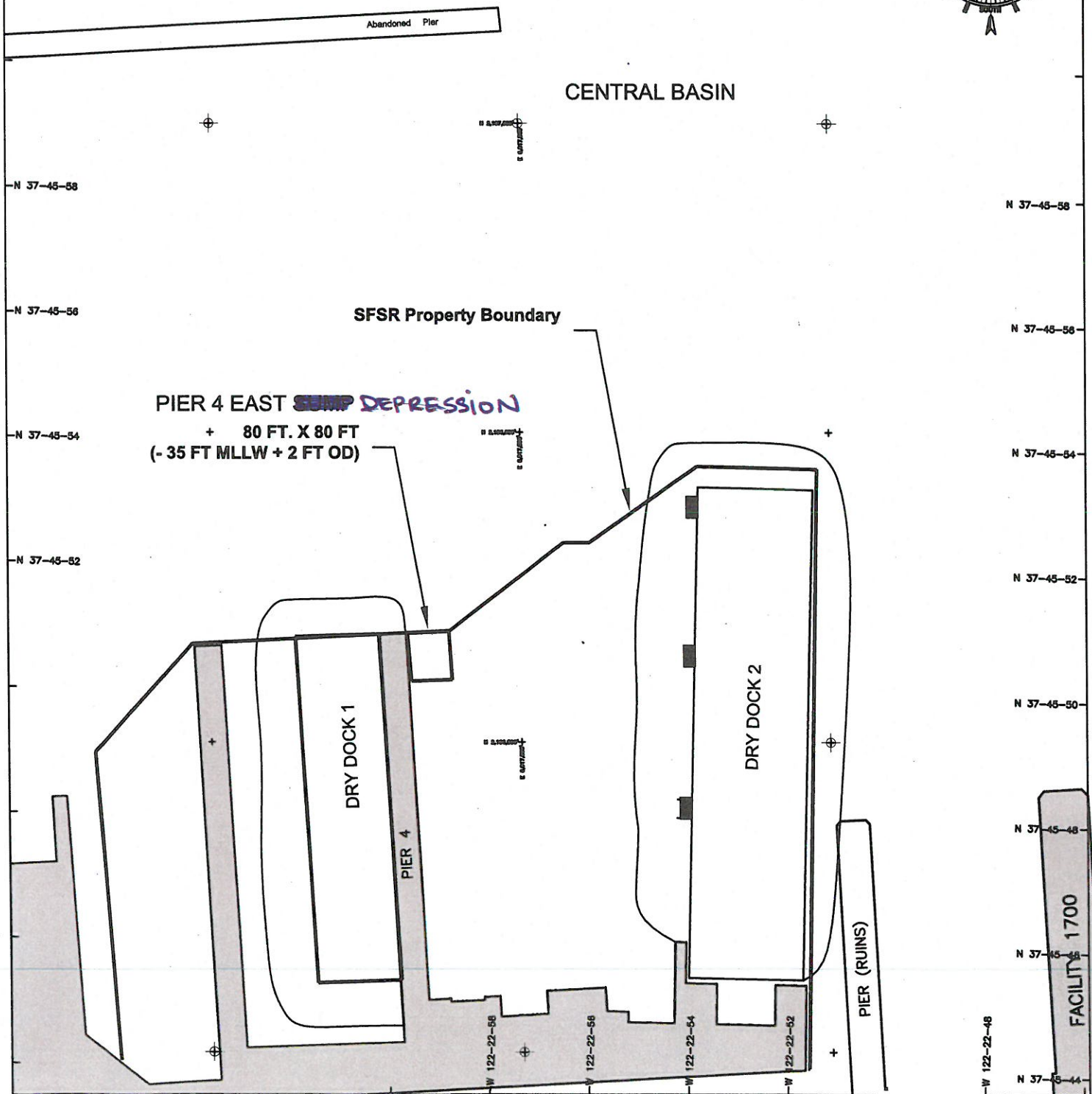
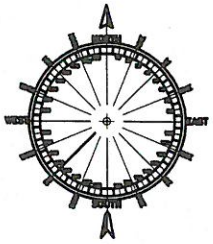
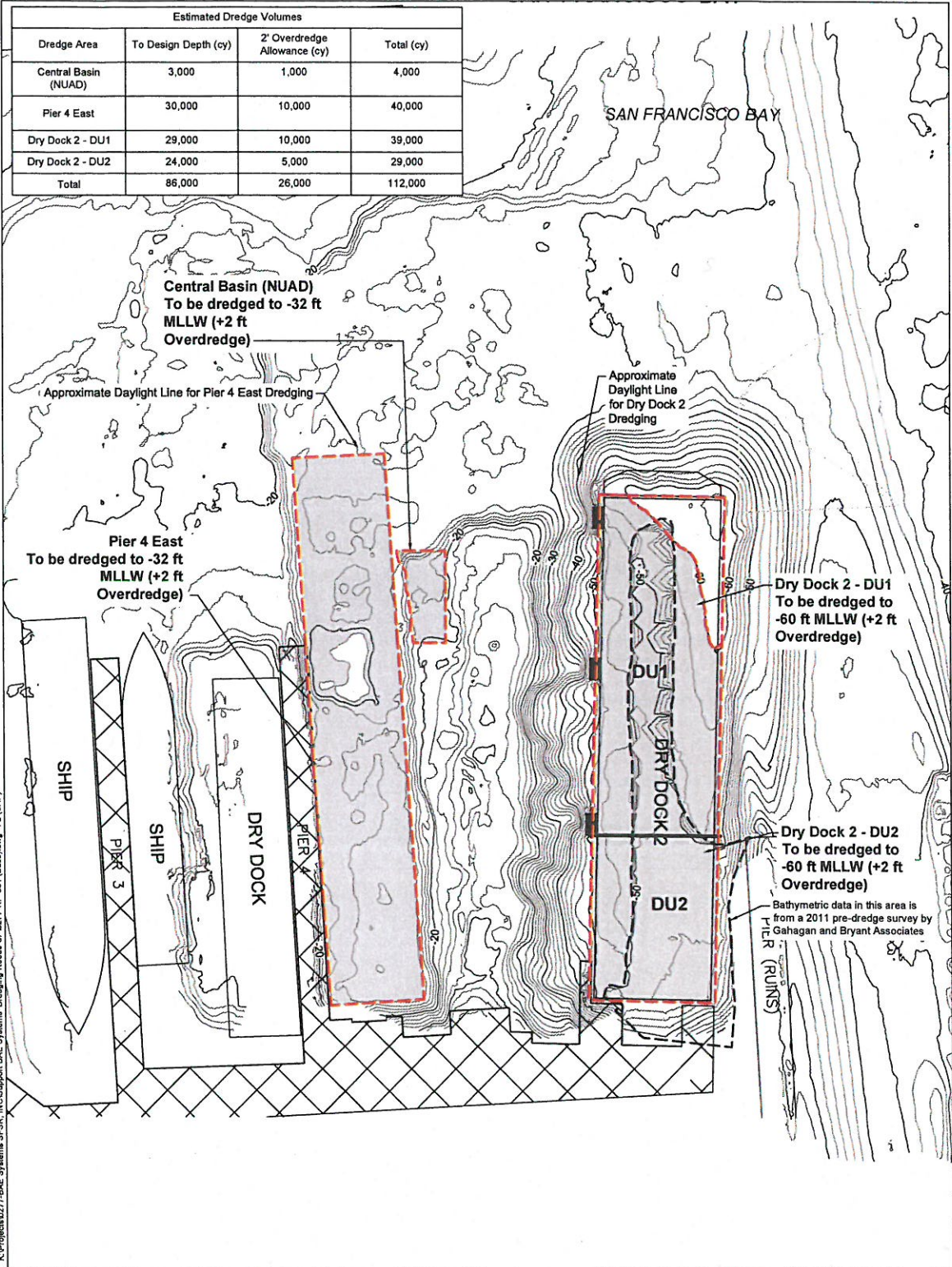


EXHIBIT J



SOURCE: Bathymetry from Gahagan and Bryant Associates, Inc., dated September 27, 2011 and January 8, 2014.

HORIZONTAL DATUM: California State Plane Zone 3, NAD83, U.S. Feet.

VERTICAL DATUM: Mean Lower Low Water (MLLW).

LEGEND:

- 40 Contours (2' and 10' Interval)
- Area at Elevation Greater than Design Dredging Depth
- Dredge Boundary/Toe of slope

Scale in Feet: 0 to 150

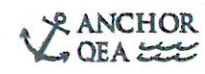


Exhibit K

Figure 2
Existing Bathymetry and Dredge Plan
BAE San Francisco Ship Repair 2014 Dredging Program Sediment Characterization
BAE Systems

