APPENDIX E

CONSULTATION AND COORDINATION

FEIS
Appendices

APPENDIX E
CONSULTATION AND COORDINATION

This environmental document was prepared in consultation and coordination with various federal, state, and local agencies, organizations, and individuals of Bay Area communities. Agency consultation and public participation have been accomplished through a variety of formal and informal methods, including scoping meetings, a series of informal community open houses, responses to website letters requesting information, responses to e-mails, meetings with individual public agencies and interest groups, public hearings, and a series of informational newsletters. This section summarizes these activities.

PROJECT ORGANIZATION AND COMMITTEES

The Federal Highway Administration (FHWA) and the California Department of Transportation (Caltrans) are serving as joint lead agencies to prepare this Environmental Impact Statement/Statutory Exemption. The U.S. Coast Guard is a Cooperating Agency.

Project Development Team

A Project Development Team (PDT) was assembled by Caltrans to serve as a technical advisory committee to Caltrans' decision-makers. The PDT consists of representatives from affected agencies and meets periodically to address project issues requiring technical direction or resolution. Twelve PDT meetings have been held, the first on November 4, 1997, the most recent on March 1, 2001.

The following agencies and organizations have participated in the PDT:

Alameda -Contra Costa County (AC) Transit District	City of Oakland - Landmarks Preservation Advisory Board	City and County of San Francisco - Office of the Mayor	Public Utilities Commission - Treasure Island
Contra Costa Congestion Management Agency	Port of Oakland	City and County of San Francisco - Mayor's Office, TI Project Office	American Institute of Architects
East Bay Regional Park District	Port of San Francisco	City and County of San Francisco - Planning Department	California Highway Patrol
East Bay Municipal Utility District	San Francisco Bay Trail Project	Bay Area Council	Federal Highway Administration
Oakland Base Reuse Authority	San Francisco Bay Conservation and Development Commission	Bay Area Rapid Transit District	National Park Service
City of Oakland - Planning Department	San Francisco Transportation Authority	RIDES for Bay Area Commuters	U.S. Army
City of Oakland - Office of the Mayor	City and County of San Francisco - Department of Parking and Traffic	Regional Bicycle Advisory Committee	U.S. Coast Guard
City of Oakland - Public Works Agency	City and County of San Francisco - Department of Public Works	Metropolitan Transportation Commission	U.S Navy

Metropolitan Transportation Commission (MTC) Bay Bridge Design Task Force

Following the January 1997 recommendation from the Business, Transportation and Housing Agency to Governor Pete Wilson that consideration be given to replacement of the East Span, Bay Area legislators recommended that MTC coordinate local deliberations for the location, design, and funding strategies for amenities on a replacement structure. In February 1997, MTC formed the Bay Bridge Design Task Force to assist MTC in developing recommendations for bridge design options and amenities. The Task Force is comprised of seven MTC Commissioners.

The Task Force conducted a series of public meetings in April and May 1997 at which recommendations related to replacement alternatives were presented. The Task Force, with advice from its Engineering and Design Advisory Panel (see description following) and citizen and agency input, has adopted recommendations for the design and alignment of a replacement alternative. The Task Force adopted seventeen EDAP recommendations on July 23, 1997. These recommendations are:

1. The Commission should support a two-year extension of tolls and establish a priority for use of the estimated $230 million as follows: first, for the additional costs for a cable-supported structure; second, for a portion of the cost of the Transbay Transit Terminal; and third, a bicycle and pedestrian facility on the East Span of the bridge should continue to be evaluated through the 30% design stage.
2. Caltrans should select two design teams to develop the two cable-supported alternatives to approximately 30% design stage, so that reliable information as to seismic performance, cost, visual design, and other issues can be obtained before a final recommendation is made.
3. The EDAP and the Bay Bridge Design Task Force should remain in place through the 30% design stage of the project to make final recommendation on bridge design type and thereafter to provide continuous review of final design and engineering details.
4. The existing eastern span of the Bay Bridge should not be retrofitted, but replaced with a new structure.
5. The new eastern span and existing western span retrofit should be designed to provide post-earthquake "lifeline" service.
6. The new eastern span should have ten traffic lanes, five in each direction, with two standard 10' shoulders in each direction as part of its base cost.
7. The new eastern span does not require a dedicated bus/carpool lane. Caltrans' design should minimize weaving conflicts between high occupancy and other vehicles at the transition from the dedicated HOV approach lanes to the bridge itself.
8. The new eastern span should be designed in accordance with Caltrans' proposed design loading which will accommodate the possibility of future rail service.
9. The Yerba Buena Island ramps are an inherent part of the bridge, and Caltrans has the responsibility to replace the ramps in order to assure safe traffic flow on the bridge.
10. The new eastern span should be built in the northern adjacent alignment.
11. The new eastern span should have a cable-supported main span with a single vertical tower with single or multiple legs in the transverse direction and single or multiple places of supporting cables.

12. The new eastern span should not be double-decked. It should have two parallel separated decks on the causeway section and either parallel separated decks or a single deck on the cable-supported span.
13. The structural elements of the new eastern span should be visually consistent throughout.
14. The causeway section should have long, equal span lengths, although closer span lengths might be necessary just adjacent to the Oakland shore.
15. For the causeway section, particular attention should be paid to the design of the supporting pier as it enters the water, including the possibility of submerging the pile cap below water.
16. The cable or suspension tower on the eastern span should be no taller than the suspension towers on the existing western span.
17. The "diamond" shape for the tower base should not be employed in any cable or suspension tower on the eastern span.

On June 22, 1998, the MTC Task Force adopted four additional recommendations that either were new or replaced some of the original recommendations. These recommendations were needed to account for engineering feasibility information that had become available after the original recommendations were adopted in June 1997.

18. For the causeway section, the pile cap should be above the water.
19. The cable-supported portion of the new east spans of the Bay Bridge should be a single-tower self-anchored suspension span.
20. A constant-depth steel and variable-depth concrete skyway with at least 160-meter (525-foot) spans should be carried to bid.
21. One 4.7-meter (15.5-foot) bicycle/pedestrian path on the south side of the new bridge should be constructed as part of this project.

Caltrans has provided technical support to the MTC Task Force and its EDAP. MTC Bay Bridge Task Force recommendations have been considered in the development of alternatives for the East Span Seismic Safety Project. Replacement Alternative N-6 Self-Anchored Suspension Design Option with a bicycle/pedestrian path reflects the Task Force's recommendation.

MTC Bay Bridge Design Task Force Engineering and Design Advisory Panel (EDAP)

The MTC Bay Bridge Design Task Force assembled 36 technical experts in structural and civil engineering and architecture to form the EDAP. Panel members include academic and consulting industry professionals. Organizations represented on the EDAP include:

- American Institute of Architects;
- American Society of Civil Engineers;
- San Francisco Bay Conservation and Development Commission Design Review Board;
- San Francisco Bay Conservation and Development Commission Engineering Criteria Review Board;
- Caltrans Peer Review Panel;

- Caltrans San Francisco-Oakland Bay Bridge Review Panel;
- Caltrans Seismic Advisory Board; and
- Structural Engineers Association of Northern California.

The role of the EDAP is to provide expert technical analysis to the Task Force. In fulfilling this role, the EDAP has also conducted a series of public meetings at which bridge design concepts were reviewed. The Task Force recommendations (see previous section) were developed through EDAP deliberations.

Bicycle/Pedestrian Advisory Committee and the Elderly/Disabled Advisory Committee

When Governor Wilson announced that Caltrans would evaluate replacement of the East Span as a retrofit strategy, bicycle enthusiasts became active in the East Span Seismic Safety Project advocating installation of a bicycle/pedestrian lane or path in replacement alternatives. Over the ensuing months, several more bicycle, alternative transit, and public access groups began to advocate non-vehicular access on the East Span. Caltrans initially met with several of the approximately 40 participating groups. Several individuals from these groups formed a Bicycle/Pedestrian Advisory Committee (BPAC) to represent the interest of the numerous groups. During the course of this project, ten meetings have been held with the BPAC. Caltrans will continue to work with BPAC to address path design refinements such as signage, striping, and path furnishings.

The Elderly/Disabled Advisory Committee provides guidance to MTC and the bridge designers regarding accessibility and safety of a bicycle and pedestrian path for elderly and disabled path users. This group participates in the BPAC meetings and decision-making.

Oakland Gateway Planning Group

The Oakland Gateway Planning Group was established to coordinate actions in the Oakland Touchdown area. The group was formed following a request from the East Bay Regional Park District (EBRPD) to the San Francisco Bay Conservation and Development Commission (BCDC) that efforts to establish a shoreline park in the Oakland Touchdown area be coordinated with East Span Seismic Safety Project alternatives. The overall goal of the Planning Group is to have a master plan agreement that includes funding and designation of the agency which will be ultimately responsible for the proposed park.

Caltrans, as initial host of a series of planning meetings, invited the participation of representatives of BCDC, EBRPD, Port of Oakland, City of Oakland, Oakland Landmarks Preservation Advisory Board, Oakland Army Base Reuse Authority, National Park Service, and the Association of Bay Area Governments/Bay Trail.

As part of the planning efforts, East Span Project alternatives' development has included identification of planning constraints and investigation of gateway concepts at the Oakland Touchdown area to create a visually memorable East Bay arrival point when exiting the East Span. Gateway design concepts developed in coordination with the East Span Project have evolved in response to recommendations from planning

group members to expand the gateway concept to include land design concepts at the touchdown currently owned by Caltrans, Port of Oakland, and Oakland Army Base. EBRPD has taken the leadership role in hosting the planning meetings. In order for Caltrans land to become part of the park, it would need to be declared no longer needed for transportation purposes by Caltrans. Once this occurs, the land would revert to the Port of Oakland. Once under Port control, the Port could decide to transfer the land to EBRPD. Caltrans will continue to participate in planning efforts to create a gateway park.

AGENCIES CONTACTED

Agencies formally or informally consulted during the preparation of this environmental document include the following:

Advisory Council on Historic Preservation
Federal Transit Administration
National Marine Fisheries Service
National Park Service
U.S. Army
U.S. Army Corps of Engineers
U.S. Coast Guard
U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service
U.S. Department of the Interior
U.S. Navy
Dredged Material Management Office
California Department of Fish and Game
California Highway Patrol
Native American Heritage Commission
San Francisco Bay Conservation and Development Commission
State Historic Preservation Office
State Lands Commission
Association of Bay Area Governments
East Bay Municipal Utility District
East Bay Regional Park District
Metropolitan Transportation Commission
Pacific Gas and Electric
Regional Water Quality Control Board - San Francisco Region
City of Oakland
City and County of San Francisco
Port of Oakland
Port of San Francisco

An extensive list of federal, state, and local agencies, organizations, and others received the Notice of Intent to prepare an EIS and the Draft EIS for review. This list has been revised for FEIS distribution and can be found in Appendix C.

KEY AGENCY MEETINGS

NEPA/404 Integration Memorandum of Understanding (MOU) Process

Caltrans and the Federal Highway Administration (FHWA) began consultation with federal agencies participating in the NEPA/404 MOU process in August 1997 (see Appendix F for explanation of the NEPA/404 MOU process). Under the MOU process, the U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), U. S. Army Corps of Engineers (ACOE), U.S. Environmental Protection Agency (EPA), and the Federal Transit Administration (FTA) are asked to concur on the project purpose and need statement, criteria for alternative selection and range of alternatives to be considered. In addition, concurrence on the jurisdictional delineation of wetlands and compliance with Section 404(b)(1) is obtained. The EPA and ACOE concur on the Least Environmentally Damaging Practicable Alternative (LEDPA) and provide preliminary agreement on the conceptual mitigation for special aquatic sites; USFWS provides preliminary agreement on mitigation.

Several meetings regarding the project purpose and need were conducted. At the first three meetings, participants considered the seismic safety project's purpose and need statement, the range of alternatives proposed for evaluation, and the selection criteria. Following the meetings, written concurrence was received from each agency (see Appendix F).

Consistent with the NEPA/404 Integration MOU, Caltrans and FHWA have identified a Preferred Alternative (Replacement Alternative N-6); ACOE and EPA have identified that the Preferred Alternative is the Least Environmentally Damaging Practicable Alternative (LEDPA) pursuant to Section 404(b)(1) of the federal Clean Water Act. Subsequent actions under the NEPA/404 Integration MOU are the publication of this Final EIS by Caltrans and FHWA and notification and issuance of the Section 404 Individual Permit by the ACOE.

Other federal, state, and regional agencies with regulatory and permitting obligations for the East Span Project were invited to participate in the NEPA/404 MOU meetings. Participants included:

- U.S. Coast Guard;
- San Francisco Regional Water Quality Control Board;
- San Francisco Bay Conservation and Development Commission;
- California Department of Fish and Game; and
- Metropolitan Transportation Commission.

Consultation Pursuant to Section 106 of the National Historic Preservation Act

Background. In April 1997, several organizations were invited to submit comments on the East Span Project with respect to historic properties. These organizations included:

- American Society of Civil Engineers, History & Heritage Committee
- Berkeley Architectural Heritage Association
- California Preservation Foundation
- Foundation for San Francisco's Architectural Heritage
- National Trust for Historic Preservation, Western Regional Office
- Oakland Heritage Alliance
- Oakland Landmarks Preservation Advisory Board
- San Francisco Landmarks Preservation Advisory Board

In July 1997, Caltrans gave a presentation on the East Span Project to representatives of the Oakland Landmarks Preservation Advisory Board, Oakland Heritage Alliance, California Preservation Foundation, and San Francisco Landmarks Preservation Advisory Board. The Oakland Landmarks Preservation Advisory Board responded by letter on January 14, 1998, advocating that consideration be given to retrofitting of the existing bridge rather than replacing it, and suggesting several mitigation measures if a replacement alternative was selected.

On December 10, 1998, Caltrans held a meeting to which historic preservation organizations and local governments were invited, to discuss possible measures to mitigate project effects on historic properties. Representatives from the City of Oakland and its Landmarks Preservation Advisory Board, the Oakland Heritage Alliance, and the Port of Oakland attended.

On February 1, 1999, a representative from the Advisory Council on Historic Preservation (ACHP) toured the project area and the historic properties with representatives from Caltrans, FHWA, the Navy, the USCG, CCSF, and the SHPO. The following day, two meetings were held with invited historic preservation organizations and local governments, to further discuss project effects on historic properties and mitigation measures. The first meeting was attended by representatives of the City and County of San Francisco, California Preservation Foundation, National Park Service, Navy, USCG, FHWA, SHPO, and ACHP. This meeting included discussion of the replacement alternatives and their differing effects on Navy and Coast Guard facilities on Yerba Buena Island, as well as proposed measures to mitigate project effects on historic properties. The second meeting continued the discussion of measures to mitigate for the loss of the East Span of the Bay Bridge under the replacement alternatives, and was attended by representatives from the City of Oakland's Landmarks Board and Public Works Department, Port of Oakland, FHWA, SHPO, and ACHP.

An Addendum Finding of Adverse Effect Report and Consideration of Proposed Mitigation Measures were sent to the SHPO, ACHP, Navy, USCG, local governments, and other interested parties in October 1999. A draft Memorandum of Agreement (MOA) was also distributed for review and comment. Based on comments received, the MOA was revised and executed in May 2000, and circulated for concurring parties' signatures in May and June, 2000.

There are no federally recognized tribes in the vicinity of the project area; Caltrans therefore contacted the California Native American Heritage Commission to obtain a list of potentially interested Native American individuals and groups. In November 1997, Caltrans sent letters to the 14 individuals on this list, inviting their participation and comments concerning archaeological site CA-SFr-04/H on Yerba Buena Island. Mr. Tony Cerda responded by letter, asking to participate in the consultation concerning the treatment of this archaeological site. In addition, Ms. Jakki Kehl responded to Caltrans by phone with concerns about the Native American Graves Protection and Repatriation Act (NAGPRA) as it potentially relates to the treatment of this site.

The Archaeological Survey Report for CA-SFr-04/H was sent to the Native American Heritage Commission and the Native American monitor who was present during previous site excavations. Caltrans will submit a treatment plan for CA-SFr-04/H to all parties to the MOA and interested Native Americans for review, with the goal of soliciting early input on its development.

Chronology:

June 24, 1998	Copies of the Historic Property Survey Report (HPSR), including an Historic Architecture Survey Report and an Archaeological Survey Report were sent by Caltrans to the City and County of San Francisco, the Navy, and the USCG.
Aug. 13, 1998	SHPO review of the HPSR and response to FHWA: SHPO concurs with some of the document's conclusions and requests additional information.
Aug. 19, 1998	Caltrans letter to the SHPO, providing additional information requested in the SHPO's letter of August 13, 1998.
Aug. 21, 1998	SHPO response to Caltrans' letter of August 19, 1998, concurring with the conclusions of the HPSR.
Sept. 10, 1998	SHPO review of the Finding of Effect reports and response to FHWA: SHPO concurs that the undertaking will adversely affect historic properties.
Dec. 10, 1998	Meeting with Caltrans, City of Oakland, Port of Oakland, National Park Service and Oakland Heritage Alliance to discuss effects on historic properties and mitigation measures.
Jan. 19, 1999	Caltrans, FHWA, and SHPO staff met to discuss the proposed MOA.
Feb. 1, 1999	ACHP staff toured the project area and the historic properties, and discussed the project with Caltrans, FHWA, SHPO, the Navy, and the USCG.
Feb. 2, 1999	Meetings with Caltrans, FHWA, Navy, Coast Guard, SHPO, ACHP, City and County of San Francisco, City of Oakland, and California Preservation Foundation to discuss effects on historic properties and mitigation measures.
May 7, 1999	Caltrans sent letters to 14 individuals on a list provided by the Native American Heritage Commission, inviting their comment on the treatment of archaeological site CA-SFr-04/H on Yerba Buena Island.
May 14, 1999	Mr. Tony Cerda, Chairman of the Costanoan Rumsen Carmel Tribe, responded to Caltrans' letter of May 7, 1999. Mr. Cerda requested to participate in consultation concerning the treatment of the archaeological site on Yerba Buena Island. In addition, Ms. Jakki Kehl responded to Caltrans by telephone with concerns about the treatment of the site.
Oct. 14, 1999	"Addendum Finding of Adverse Effect" and "Consideration of Proposed Mitigation Measures" transmitted by Caltrans to the City and County of San Francisco, the City of Oakland, and Bay Area historic preservation groups.

Oct. 20-21, 1999	"Addendum Finding of Adverse Effect," "Consideration of Proposed Mitigation Measures" and proposed MOA transmitted by FHWA to the SHPO.
	"Finding of Adverse Effect," "Addendum Finding of Adverse Effect," "Consideration of Proposed Mitigation Measures," and proposed MOA transmitted by FHWA to ACHP, with copies to the Navy and USCG.
Oct. 27, 1999	"Phase I Archaeological Survey Report – Maritime Archaeology" for the Pile Installation Demonstration Project transmitted by FHWA to the SHPO.
Nov. 19, 1999	SHPO review of the Addendum Finding of Adverse Effect and response to FHWA: SHPO affirms earlier determination that all build alternatives will adversely affect historic properties.
Nov. 19, 1999	USCG response to FHWA requesting revisions to the MOA to make it clear that archaeological work will be carried out and funded by Caltrans.
Dec. 1, 1999	SHPO review of the maritime archaeology report for the Pile Installation Demonstration Project and response to FHWA: SHPO concurs that there are no maritime archaeological resources eligible for the NRHP in APE.
May 26, 2000	ACHP, FHWA, SHPO, and USCG execute MOA; Caltrans signs as concurring party.
June, 2000	The MOA was sent to the following parties for concurring signatures: U.S. Navy, City of Oakland, CCSF, and Native Americans.
June 6, 2000	The SHPO concurred with the Addendum Archaeological Survey Report's findings that there are no underwater historic properties in the Area of Potential Effect eligible for the NRHP.

Meetings with the City of Oakland and City and County of San Francisco

Meetings with the City of Oakland and the City and County of San Francisco have been held with agency directors, planning officials and others to discuss potential benefits and impacts of the project to each of the municipalities.

City of Oakland. Numerous meetings have been held with the Mayor's Office and staff from Planning, Economic Development, Landmarks Preservation Advisory Board, and Public Works divisions. City representatives have made presentations and comments at other public meetings, such as the MTC Bay Bridge Design Task Force EDAP. The City's key concerns are the aesthetic design of the East Span and the Oakland Touchdown area, mitigation for impacts to the historic existing East Span and

the potential for community involvement and employment during the construction phase.

City and County San Francisco. Numerous meetings have been held with various staff members, including the Mayor's Treasure Island Project Office, Planning, Traffic and Parking, and Public Works staff. The key concerns are alignment alternatives, land use, access impacts at Yerba Buena Island and Treasure Island, and detours and ramps on Yerba Buena Island.

NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE

For projects that have the potential to substantially impact the environment, NEPA requires that an appropriate level of public involvement and environmental analysis take place. Major milestones in the NEPA process that were conducted or will be completed for the East Span Project include:

- A Notice of Intend (NOI) was published in the Federal Register on April 21, 1997. The NOI provided a description of the alternatives being considered and indicated that an EIS would be prepared;

- Scoping meetings were conducted in four Bay Area Counties (Alameda, Contra Costa, San Francisco, and Solano) in April and May 1997. These meetings allowed interested agencies, organizations, and individuals to help identify the environmental issues to be addressed in the DEIS;

- The DEIS was released for public circulation on September 24, 1998;

- The public review and comment period was 60 days and ended on November 23, 1998. Four public hearings were held in October 1998 during the review period, (see Chronology of Consultation and Coordination on page E-12), and written and verbal comments were received from agencies and the general public;

- Following consideration of all public and agency comments on the DEIS, Caltrans identified Replacement Alternative N-6 as the Preferred Alternative on December 28, 1998. FHWA identified Replacement Alternative N-6 as the Preferred Alterative in October 2000;

- This FEIS builds on the analyses reported in the DEIS by responding to comments received during the formal review period, updating the analyses, and defining plans to mitigate the project's adverse impacts; and

- The Record of Decision (ROD) will complete the NEPA environmental review process. The purpose of the ROD is to explain the reasons for the project decision, summarize any mitigation measures to be incorporated in the project, and document any required Section 4(f) approval.

PUBLIC INVOLVEMENT

In addition to the scoping process, public open houses, and public hearings, a variety of public participation activities have been conducted over the course of the engineering and environmental studies. The public has been encouraged to participate in the process by asking questions and making comments. Meetings were held with the general public and special interest groups. Public involvement activities are listed below followed by a brief description.

Scoping Meetings

MTC Bay Bridge Design Task Force meetings held in April and May 1997 allowed agencies and the general public the opportunity to provide input on alternatives and issues to be evaluated in the EIS. Meetings were held in Alameda, Contra Costa, San Francisco, and Solano counties. Three of the four meetings were publicly announced after publication of the Notice of Intent. Caltrans and FHWA used these three public meetings as scoping meetings pursuant to NEPA.

Environmental Organizations Meeting

In October 1997, Caltrans held a meeting with environmental interest groups in collaboration with the BCDC and the MTC. At the meeting, those present reviewed the project purpose and need, alternatives, and the environmental process and construction schedules. In addition, information was mailed out to several of the groups that did not attend.

Open Houses

A series of four public information open houses was provided to enable interested Bay Area residents to view the preliminary design concepts and obtain more information about the project. The open houses were held in Alameda, Contra Costa, and San Francisco Counties in December 1997, and in Solano County in March 1998, with approximately 300 people attending.

Public Hearings

Following distribution of the DEIS, Caltrans and FHWA held four public hearings to give the public an opportunity to learn more about the project and to discuss the project with Caltrans staff. A copy of the Draft EIS was available for viewing at each meeting. The hearings also provided opportunities for the public to submit formal comments on the project by providing written comments or by giving oral comments to a court reporter. These hearings were held in Alameda, Contra Costa, San Francisco, and Solano counties in October 1998. Approximately 174 people signed in as attending the hearings. Other people attended, but did not sign the attendance sheets.

Presentations

In addition to the meetings formally presented in this Appendix, presentations about the project have been made to various organized groups. These groups include:

Alameda County Congestion Management Agency
Alameda-Contra Costa Transit District
American Institute of Architects
American Public Works Association
American Society of Public Administrators
American Society of Civil Engineers
Association of Environmental Professionals
Association of General Contractors
Bank of America

Bay Area Municipal Forum
Bike the Bridge Coalition
Building Futures Council
California Land Surveyors Association
California League of Conservation Voters
California Preservation Foundation
California Retired Engineers
California Transportation Commission
Californians for Better Transportation
Consulting Engineers and Land Surveyors of California
Contra Costa County Council
Diablo Valley Lions Club
Emeryville City Council
Golden Gate Breakfast Club
Hercules Rotary Club
Institute of Electrical and Electronics Engineers
Institute of Transportation Engineers
International Right-of-Way Association
Joint Congestion Management Agency
Kiwanis Club of Walnut Creek
League of California Cities
Masonic Club
Oakland Chamber of Commerce
Oakland City Council
Oakland Landmarks Preservation Advisory Board
Oakland Rotary Club
Napa Engineers
North Bay Engineers Club
Peninsula Association of Contractors
Perry Street Residents
Piedmont City Council
Portland Concrete Cement Association
Retired Teachers Association
Rossmoor Engineers Club
San Francisco Chamber of Commerce
San Francisco Clock Tower Group
San Pablo Rotary Club
San Francisco Planning and Urban Research
Society of Professional Engineers
Sons in Retirement
South Bay Engineers
St. Paul's Towers
Structural Mechanics Association
West County Business and Professional Association
West Oakland Commerce Association
Western Council of Construction Consumers
Vacaville Rotary Club

Mailing List

A mailing list of interested parties has been compiled and contains approximately 3,500 names and addresses, including federal, state, and local agencies; elected and appointed officials; city and county staff persons; special interest groups; and the general public.

Newsletters

Four newsletters have been produced and distributed to the entire mailing list. These have described the study alternatives, process and schedule, announced the public meetings, and provided information about study progress and activities. Newsletters will continue to be produced and distributed periodically.

CHRONOLOGY OF CONSULTATION AND COORDINATION

Following is a chronology of key consultation and coordination events over the course of the studies leading to this document.

March 27, 1997, First MTC Bay Bridge Design Task Force meeting.

April 16, 1997, Opportunity for Scoping provided for interested agency staff and the general public at the MTC Bay Bridge Design Task Force meeting in Contra Costa County.

April 21,1997, A Notice of Intent was published in the Federal Register to announce the intent to prepare an EIS and provide a description of the alternatives being considered.

April 22, 1997, Opportunity for Scoping provided for interested agency staff and the general public at the MTC Bay Bridge Design Task Force meeting in Alameda County.

April 23, 1997, Opportunity for Scoping provided for interested agency staff and the general public at the MTC Bay Bridge Design Task Force meeting in Solano County.

May 8, 1997, Opportunity for Scoping provided for interested agency staff and the general public at the MTC Bay Bridge Design Task Force meeting in San Francisco County.

June 24, 1997, Second MTC Bay Bridge Design Task Force Meeting.

July 16, 1997, Third MTC Bay Bridge Design Task Force Meeting.

July 23, 1997, Fourth MTC Bay Bridge Design Task Force Meeting.

August 18, 1997, Formal letter request for listing of rare or endangered species to U.S. Fish and Wildlife Service; response dated on August 29, 1997.

September 9, 1997, First NEPA/404 integration meeting to discuss project purpose and need.

October 3, 1997, Environmental Organizations meeting.

October 7, 1997, Tour of Oakland Army Base property with the East Bay Regional Park District and Oakland Gateway Planning Group.

October 8, 1997, Fifth MTC Bay Bridge Design Task Force meeting.

October 23, 1997, Second NEPA/404 integration meeting to discuss project purpose and need.

October 24, 1997, First coordination meeting with the City of Oakland.

October 28, 1997, First coordination meeting with the City and County of San Francisco to discuss the Treasure Island Redevelopment Plan.

October 28, 1997, First meeting with the Bicycle/Pedestrian Advisory Committee.

October 30, 1997, Second meeting with the Oakland Gateway Planning Group.

November 4, 1997, First Project Development Team meeting.

November 12, 1997, Sixth MTC Bay Bridge Design Task Force meeting.

November 13, 1997, Third NEPA/404 integration meeting to discuss alternatives.

November 18, 1997, Third meeting with the Oakland Gateway Planning Group.

November 20, 1997, Second coordination meeting with the City and County of San Francisco.

December 8, 1997, Open House in Alameda County (Lake Merritt Sailboat House, Oakland).

December 9, 1997, Open House in Contra Costa County (JFK University Law School Auditorium, Walnut Creek).

December 11, 1997, Open House in San Francisco County (One Market Plaza, San Francisco).

December 16, 1997, Second meeting with the Bicycle/Pedestrian Advisory Committee.

January 14, 1998, Seventh MTC Bay Bridge Design Task Force meeting.

January 22, 1998, Third meeting with the Bicycle/Pedestrian Advisory Committee.

February 11, 1998, Eighth MTC Bay Bridge Design Task Force meeting.

February 17, 1998, Fourth meeting with the Bicycle/Pedestrian Advisory Committee.

February 18, 1998, Fourth meeting with the Oakland Gateway Planning Group.

February 18, 1998, Second coordination meeting with the City of Oakland.

March 4, 1998, Fifth meeting with the Bicycle/Pedestrian Advisory Committee.

March 25, 1998, Open House in Solano County (Solano Mall, Fairfield).

March 30, 1998, Third coordination meeting with City and County of San Francisco.

April 7, 1998, Second Project Development Team meeting.

April 8, 1998, Ninth MTC Bay Bridge Design Task Force meeting.

April 17, 1998, First coordination meeting with the U.S. Navy.

April 27, 1998, Fourth meeting with the City and County of San Francisco.

May 7, 1998, Third coordination meeting with the City of Oakland.

May 13, 1998, Tenth MTC Bay Bridge Design Task Force meeting.

May 20, 1998, Fifth meeting with the Oakland Gateway Planning Group.

June 8, 1999, Second coordination meeting with the U.S. Navy.

June 10, 1998, Eleventh MTC Bay Bridge Design Task Force meeting. Public hearing to review design alternatives and EDAP recommendations.

June 16, 1998, Fourth coordination meeting with the City of Oakland.

June 18, 1998, San Francisco Bay Conservation and Development Commission hearing and vote on policy issues of concern related to the Bay Bridge Project.

June 22, 1998, Twelfth MTC Bay Bridge Design Task Force meeting.

June 24, 1998, MTC adopted recommendations on bridge design and amenities and act on toll surcharge extension.

July 6, 1998, Third Project Development Team meeting.

July 7, 1998, Meeting with the City of Oakland to discuss mitigation measures for historic properties.

July 8, 1998, First meeting with the Dredged Material Management Office.

July 21, 1998, Tour of historic properties at the Oakland Touchdown area with the City of Oakland.

July 21, 1998, Third coordination meeting with the U.S. Navy.

July 22, 1998, Sixth meeting with the Oakland Gateway Planning Group.

July 23, 1998, Fifth coordination meeting with the City of Oakland.

August 3, 1998, First meeting with the U.S. Coast Guard.

August 19, 1998, Sixth meeting with the Bicycle/Pedestrian Advisory Committee.

August 25, 1998, Fourth coordination meeting with the U.S. Navy.

August 26, 1998, Meeting with the National Marine Fisheries regarding marine impacts.

September 24, 1998, DEIS distributed

September 29, 1998, Fourth Project Development Team meeting.

September 29, 1998, Sixth coordination meeting with the City of Oakland.

October 14, 1998, Thirteenth MTC Bay Bridge Design Task Force meeting.

October 14, 1998, Public Hearing in Alameda County (MTC, Oakland).

October 15, 1998, Public Hearing in San Francisco County (One Market Plaza, San Francisco).

October 20, 1998, Public Hearing in Contra Costa County (Contra Costa Christian High School, Walnut Creek).

October 22, 1998, Public Hearing in Solano County (John F. Kennedy Library, Vallejo).

November 13, 1998, Fifth meeting with the City and County of San Francisco.

December 2, 1998, Fifth Project Development Team meeting.

December 2, 1998, Seventh meeting with the Oakland Gateway Planning Group.

December 10, 1998, First Historic Resource Agency Consultation meeting.

December 22, 1998, Second meeting with the Dredged Material Management Office.

January 11, 1999, Second meeting with the National Marine Fisheries Service.

January 12, 1999, First meeting with the East Bay Municipal Utility District.

January 13, 1999, Fourteenth MTC Bay Bridge Design Task Force meeting.

January 20, 1999, Third meeting with the Dredged Material Management Office.

January 22, 1999, Second meeting with the U.S. Coast Guard.

January 22, 1999, Second meeting with the East Bay Municipal Utility District.

January 27, 1999, Eighth meeting with the Oakland Gateway Planning Group.

February 1, 1999, Coordination meeting and field review with Advisory Council on Historic Preservation.

February 2, 1999, Agency consultation meeting on historic resources.

February 10, 1999, Ninth meeting with the Oakland Gateway Planning Group.

February 23, 1999, Meeting with Golden Gate Audubon Society and California Department of Fish and Game about cormorant colony on existing bridge.

February 24, 1999, Fifteenth MTC Bay Bridge Design Task Force meeting.

March 16, 1999, Third meeting with the National Marine Fisheries Service.

March 22, 1999, Sixth meeting with the City and County of San Francisco.

March 24, 1999, Fourth meeting with the Dredged Material Management Office.

March 31, 1999, Meeting with the U.S. Environmental Protection Agency regarding dredged materials.

April 2, 1999, Seventh meeting with the Bicycle/Pedestrian Advisory Committee.

April 8, 1999, Sixth Project Development Team meeting.

April 29, 1999, Fourth meeting with the National Marine Fisheries Service.

April 30, 1999, Meeting with the San Francisco Fire Department.

May 12, 1999, Tenth meeting with the Oakland Gateway Planning Group.

June 10, 1999, Eight meeting with the Bicycle/Pedestrian Advisory Committee.

July 14, 1999, Sixteenth MTC Bay Bridge Design Task Force meeting.

July 21, 1999, Third meeting with the U.S. Coast Guard.

September 8, 1999, Seventeenth MTC Bay Bridge Design Task Force meeting.

September 16, 1999, Seventh Project Development Team meeting.

September 17, 1999, Meeting between MTC and East Bay Regional Park District regarding the Oakland Touchdown Park.

November 4, 1999, BCDC public meeting on solid fill at the Oakland Touchdown Area; advisory vote.

November 11, 1999, Meeting with FHWA, U.S. Army Corps of Engineers, and East Bay Municipal Utility District.

December 9, 1999, Ninth meeting with the Bicycle/Pedestrian Advisory Committee.

December 13, 1999, Meeting with FHWA and Navy regarding land use.

January 7, 2000, Meeting with FHWA and Navy regarding the EBMUD sewer outfall.

January 13, 2000, Eighth Project Development Team meeting.

January 19, 2000, Fifth meeting with the National Marine Fisheries Service.

March 1, 2000, Meeting with FHWA and Navy regarding Section 106 issues.

March 29, 2000, Seventh coordination meeting with the City of Oakland.

April 13, 2000, Ninth Project Development Team meeting.

May 10, 2000, First interagency meeting on special aquatic sites.

June 5, 2000, Tenth meeting with the Bicycle/Pedestrian Advisory Committee.

June 6, 2000, San Francisco Bay Conservation and Development Commission Engineering Criteria Review Board meeting.

June 26, 2000, Meeting with the East Bay Regional Park District regarding special aquatic sites.

July 10, 2000, San Francisco Bay Conservation and Development Commission Design Review Board meeting.

July 12, 2000, Second interagency meeting on special aquatic sites.

July 24, 2000, Meeting with San Francisco Bay Conservation and Development Commission staff.

August 7, 2000, San Francisco Bay Conservation and Development Commission Design Review Board.

August 9, 2000, Third interagency meeting on special aquatic sites.

August 30, 2000, Meeting with Oakland Base Reuse Authority regarding land use.

August 31, 2000, Tenth Project Development Team Meeting.

September 11, 2000, Meeting with San Francisco Bay Conservation and Development staff about the bicycle pedestrian pathway.

September 22, 2000, ACOE presentation of interim results of its study of retrofit versus replacement.

October 4, 2000, Meeting with EPA regarding project overview.

October 10, 2000, Meeting with the ACOE, EPA, FHWA, and Caltrans on the LEDPA.

October 27, 2000, ACOE presentation of final results of its study of retrofit versus replacement.

November 6, 2000, Interagency meeting on special aquatic sites.

November 6, 2000, San Francisco Bay Conservation and Development Commission Design Review Board.

November 8, 2000, Fourth interagency meeting on special aquatic sites.

November 27, 2000, Meeting with the ACOE, BCDC, and EPA on special aquatic sites.

November 30, 2000, Eleventh Project Development Team Meeting.

December 6, 2000, Meeting with the Regional Water Quality Control Board on special aquatic sites.

December 7, 2000, Meeting with the Engineering and Design Advisory Panel.

December 11, 2000, Meeting with USCG and CHP regarding property issues on YBI.

December 14, 2000, Meeting with Port of Oakland regarding right-of-way issues.

December 18, 2000, Meeting with Regional Water Quality Control Board on storm water management.

January 18, 2000, Meeting with Navy and CCSF regarding land conveyance issues on YBI.

January 24, 2001, Meeting with Navy and CCSF regarding utility issues.

February 2, 2001, Meeting with Oakland Base Reuse Authority regarding right-of-way issues.

February 6, 2001, Meeting with Port of Oakland regarding right-of-way issues.

February 15, 2001, Meeting with Port of Oakland regarding right-of-way issues.

February 21, 2001, FHWA met with Navy and EPA regarding land conveyance issues on YBI.

February 26, 2001, Meeting with EBMUD regarding issues affecting its outfall pipeline.

February 28, 2001, Meeting with Oakland Base Reuse Authority and Port of Oakland regarding right-of-way issues.

March 1, 2001, Twelfth Project Development Team Meeting.

March 14, 2001, Meeting with BCDC regarding permit coordination.

March 15, 2001, Meeting with FHWA, Navy, EPA, USCG, CCSF, DTSC and RWQCB regarding land conveyance issues on YBI.

March 16, 2001, Meeting with Port of Oakland regarding right-of-way issues.

PERMITS AND APPROVALS

The following permits and/or approvals are required from the respective agencies:

Agency	Approval or Permit
U.S. Army Corps of Engineers	• Grant permit pursuant to Section 404 of the Clean Water Act. • Permit discharge of dredged material in San Francisco Bay under Section 10 of the Rivers and Harbors Act of 1899, as amended. • Participate in the NEPA/404 Integration Process. • Grant permit pursuant to Section 102 of the Marine Protection, Research, and Sanctuaries Act for deep ocean disposal
U.S. Coast Guard	• Signatory to the Memorandum of Understanding pursuant to Section 106 of the National Historic Preservation Act. • Approve the location and placement of bridges under Section 9 of the 1899 Rivers and Harbors Act, as amended. • Approve bridge construction under the General Bridge Act of 1946.
U.S. Environmental Protection Agency	• Participate in the NEPA/404 Integration Process. • Participate in the process to regulate disposal of dredged material in ocean/bay waters • Review and comment on BCDC and ACOE permits. • Grant permit pursuant to Section 102 of the Marine Protection, Research, and Sanctuaries Act for deep ocean disposal
U.S. Fish and Wildlife Service	• Engage in consultation regarding potential impacts to sensitive species in accordance with Section 7 of the federal Endangered Species Act. • Review and comment on BCDC and ACOE permits. • Participate in the NEPA/404 Integration Process.
National Marine Fisheries Service	• Marine Mammal Protection Act authorizations. • Engage in consultation regarding potential impacts to sensitive species in accordance with Section 7 of the federal Endangered Species Act. • Engage in consultation regarding essential fish habitat. • Review and comment on BCDC and ACOE permits. • Participate in the NEPA/404 Integration Process.
Advisory Council on Historic Preservation	• Signatory to the Memorandum of Understanding pursuant to Section 106 of the National Historic Preservation Act.
Bay Conservation and Development Commission	• Approve a permit to place fill, extract materials or change the use of any land, water, or structure within its jurisdiction pursuant to the McAteer-Petris Act. • Participate in the process to regulate disposal of dredged material in ocean/bay waters. • Review and comment on ACOE permit. • Make a Finding of Consistency with the federal Coastal Zone Management Act.
California Department of Fish and Game	• Engage in consultation regarding sensitive species in accordance with the California Endangered Species Act. • Review and comment on BCDC and ACOE permits.
Port of Oakland and Port of San Francisco	• Grant drilling permits and property rights
Regional Water Quality Control Board	• Grant or waive a Water Quality Certificate pursuant to Section 401 of the Clean Water Act. • Verify that the Storm Water Pollution Prevention Plan demonstrates compliance with the existing National Pollutant Discharge Elimination System Permit. • Participate in the process to regulate disposal of dredged material in ocean/bay waters. • Review and comment on BCDC and ACOE permits.
State Historic Preservation Officer	• Signatory to the Memorandum of Understanding pursuant to Section 106 of the National Historic Preservation Act.
Dredged Material Management Office (DMMO) (consisting of the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the San Francisco Bay Conservation and Development Commission, the Regional Water Quality Board, and the State Lands Commission)	• Determine the suitability of dredged materials for unconfined aquatic disposal; recommended appropriate disposal site(s) to its member agencies.

APPENDIX F

NEPA/404 INTEGRATION PROCESS

APPENDIX F

NEPA/404 INTEGRATION PROCESS

In May 1992, the U.S. Department of Transportation, the U.S. Department of Army-Civil Works, and the U.S. Environmental Protection Agency (EPA) adopted an agency policy to improve interagency coordination and to integrate National Environmental Policy Act (NEPA) and Clean Water Act Section 404 procedures. A Memorandum of Understanding (MOU) was developed for Arizona, California, and Nevada that specifies how these states will implement the agency policy. The Western States MOU applies to all projects needing both Federal Highway Administration (FHWA)/Federal Transit Administration (FTA) action under NEPA and a U.S. Army Corps of Engineers (ACOE) individual permit under Section 404 of the Clean Water Act.

Under the MOU process, U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), Federal transit Administration (FTA), ACOE and EPA are asked to concur on the project purpose and need statement, criteria for alternative selection and range of alternatives to be considered. ACOE also verifies the delineation of jurisdictional wetlands. The MOU process also incorporates analysis of the project pursuant to 404(b)(1) of the Clean Water Act. Prior to release of the Final Environmental Impact Statement (FEIS), ACOE, EPA and USFWS are asked to provide preliminary agreement on conceptual mitigation for unavoidable impacts to special aquatic sites. ACOE and EPA are also asked to provide preliminary agreement on the Least Environmentally Damaging Practicable Alternative (LEDPA) pursuant to the Clean Water Act.

The goal of the MOU is to have regulatory agencies participate in the project early in its planning and to have decisions made once for each stage of the process in order to expedite matters. Regulatory agencies are to provide comments in a timely manner and are to provide written concurrence that information to date is adequate for a particular stage and that the project may proceed to the next stage. Agencies do not revisit previous concurrences unless there is significant new information or a significant change to the project, the environment, or laws and regulations. Agencies agree to attempt to resolve issues causing nonconcurrence and to try to do so informally before entering formal dispute resolution.

Consultation was initiated for the East Span Project with the ACOE, EPA, FTA, USFWS, and NMFS in accordance with the Western States MOU. A project overview and a preliminary project Purpose and Need Statement were presented to the federal agencies at the September 9, 1997 NEPA/404 Kick-off Meeting. A second Integration meeting was held on October 23, 1997. At this meeting, Purpose and Need Statement discussions continued, and an overview of the conceptual range of alternatives and design variations was presented. A third meeting was conducted on November 13, 1997, to continue the NEPA/404 Integration MOU process and finalize the criteria for alternative selection and range of alternatives.

Comments on the Purpose and Need Statement were received, and the statement was revised accordingly. Additional meetings with the ACOE and the EPA were held to gain

a greater understanding of the agencies' comments. After the revisions were made, letters of concurrence were received from the federal agencies. The agencies also provided written concurrence (letters follow) with the criteria for alternative selection and the range of alternatives being included in the Environmental Impact Statement for the East Span Project. Consistent with the NEPA/404 Integration MOU, Caltrans and FHWA have identified a Preferred Alternative (Replacement Alternative N-6), and the EPA and ACOE have identified the Least Environmentally Damaging Practicable Alternative (LEDPA) as Replacement Alternative N-6.

The East Span Project requires a separate permit under Section 404 of the Clean Water Act for the discharge of fill and dredged materials into Waters of the U.S. According to Section 404 guidelines, projects involving several alternatives require an analysis of the alternatives to determine which is the LEDPA. Generally, this is the practicable alternative that either avoids Waters of the U.S. or impacts the smallest areas of waters, but exceptions can occur as a result of the alternatives analysis process. When conducting the process, The EPA and ACOE are to consider a wider range of environmental factors, such as Section 4(f) and Section 106 resources to determine which alternative would result in the least overall environmental harm.

A meeting was held on October 10, 2000 with ACOE, EPA, and USCG in which FHWA and Caltrans made a presentation to ACOE and EPA about the LEDPA. ACOE and EPA asked Caltrans to respond to several technical questions regarding environmental impacts and project design. Caltrans subsequently provided the agencies with responses to the questions that had been raised. In February and March 2001, ACOE identified Replacement Alternative N-6 as the LEDPA. The EPA identified Replacement Alternative N-6 as the LEDPA in March 2001.

Subsequent actions under the NEPA/404 Integration MOU will be the publication of this Final EIS by Caltrans and FHWA and notification and issuance of the Section 404 Individual Permit by the ACOE.

Other federal, state, and regional agencies with regulatory and permitting obligations for the East Span Seismic Safety Project were also invited to participate in the NEPA/404 MOU meetings. Participants included:

- U.S. Coast Guard;
- San Francisco Regional Water Quality Control Board;
- San Francisco Bay Conservation and Development Commission;
- California Department of Fish and Game; and
- Metropolitan Transportation Commission.

List of Letters

Date	From	To	Subject
9/12/1997	San Francisco Bay Conservation and Development Commissions	Caltrans	Purpose and Need Statement
9/18/1997	Caltrans	San Francisco Bay Conservation and Development Commission	Purpose and Need Statement
9/26/1997	Caltrans	NEPA/404 Participants	Purpose and Need Statement
10/9/1997	San Francisco Bay Conservation and Development Commission	Caltrans	Purpose and Need Statement
10/23/1997	U.S. Coast Guard	Caltrans	Purpose and Need Statement
11/26/1997	U.S. EPA	Caltrans	Purpose and Need Statement
12/17/1997	U.S. Fish and Wildlife Service	Caltrans	Purpose and Need Statement
12/23/1997	Caltrans	U.S. EPA	Purpose and Need Statement
1/21/1998	Federal Transit Administration	Caltrans	Purpose and Need Statement
1/26/1998	Caltrans	U.S. Army Corps of Engineers	Purpose and Need Statement
1/26/1998	National Marine Fisheries Service	Caltrans	Purpose and Need Statement
1/29/1998	U.S. Environmental Protection Agency	Caltrans	Purpose and Need Statement
2/13/1998	U.S. Army Corps of Engineers	Caltrans	Purpose and Need Statement
2/17/1998	Caltrans	NEPA/404 Participant	Range of alternatives; selection criteria
3/17/1998	U.S. Fish and Wildlife Service	Caltrans	Range of alternatives; selection criteria
4/2/1998	National Marine Fisheries Service	Caltrans	Range of alternatives; selection criteria
4/6/1998	U.S. Environmental Protection Agency	Caltrans	Range of alternatives; selection criteria
5/15/1998	Federal Transit Administration	Caltrans	Range of alternatives; selection criteria
5/22/1998	Caltrans	U.S. Army Corps of Engineers	Illustration of alignment alternatives
6/4/1998	U.S. Army Corps of Engineers	Caltrans	Range of alternatives; selection criteria

Date	From	To	Subject
8/7/1998	Caltrans	U.S. Coast Guard	Replacement alternatives and ADEIS
8/7/1998	Caltrans	U.S. Fish and Wildlife Service	Replacement alternatives and ADEIS
8/20/1998	U.S. Army Corps of Engineers	Caltrans	Review of new alternatives
8/27/1998	Caltrans	U.S. Army Corps of Engineers	Review of new alternatives
9/1/1998	U.S. Fish and Wildlife Service	Caltrans	ADEIS review
9/3/1998	U.S. Army Corps of Engineers	Caltrans	Review of new alternatives
9/1998	U.S. Army Corps of Engineers	Caltrans	Corps of Engineers jurisdiction
1/22/2001	U.S. Fish and Wildlife Service	Caltrans	Conceptual Mitigation Plan for Special Aquatic Sites
2/12/2001	U.S. Army Corps of Engineers	Caltrans	LEDPA and Conceptual Mitigation Plan for Special Aquatic Sites
3/15/2001	U.S. Environmental Protection Agency	Caltrans	Preliminary agreement on LEDPA and Conceptual Mitigation Plan for Special Aquatic Sites.

STATE OF CALIFORNIA

PETE WILSON, Governor

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

THIRTY VAN NESS AVENUE, SUITE 2011
SAN FRANCISCO, CALIFORNIA 94102-6080
PHONE: (415) 557-3686

Post-it™ brand fax transmittal memo 7671	# of pages ▸ 1
To Mike Davis	From Mara Melandry
Co. P.B.Q + D, Inc	Co. Caltrans D4
Dept.	Phone # 510-286-5582
Fax # 415-243-9501	Fax # 510-286-6374

September 12, 1997

California Department of Transportation
P.O. Box 23660
Oakland, California 94623-0660

ATTENTION: Ms. Mara Melandry, Environmental Manager

SUBJECT: **Review of the NEPA/404 Need and Purpose Statements for the San Francisco-Oakland Bay Bridge Replacement Project**

Ladies and Gentlemen:

I was unable to attend the NEPA/404 kick-off meeting, but would like to comment on the *Proposed Need and Purpose Statements* you submitted for our review. We concur with the Proposed Need Statement, but would like to recommend that the Proposed Purpose Statement be revised to remove the word "vehicular" from the first sentence of the statement.

It is our understanding that an alternative which includes the construction of a bicycle/pedestrian lane across the west crossing of the Bay Bridge will be evaluated in detail in the Environmental Impact Statement. We are concerned that this alternative may not be given full consideration simply because it would not meet your proposed purpose statement.

If you have any questions or would like to discuss this issue, please call me at (415) 557-8767.

Sincerely,

STEVEN A. McADAM
Deputy Director

SAM/CF/ra

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

September 18, 1997

Steve McAdam, Deputy Director
San Francisco Bay Conservation & Development Commission
30 Van Ness, Suite 2011
San Francisco, CA 94102-6080

Dear Mr. McAdam:

Thank you for your letter of September 12, 1997 regarding the purpose and need statement for the East Span Seismic Safety Project on the SFOBB. We will consider them in completing the purpose and need statement. Please note that the inclusion of the word vehicular in the statement does not preclude consideration of a bike/pedestrian lane across the bridge.

You also commented that you understood an alternative which includes a bike/pedestrian lane on the west span of the Bay Bridge will be evaluated in the EIS. We assume you meant the east span. A bike/pedestrian lane on the east span will not be evaluated as a separate alternative in the EIS for the East Span Seismic Safety Project. However, a bike/pedestrian lane on the east span will be discussed in the modal analysis portion of the EIS. A bike/pedestrian lane on the west span of the Bay Bridge could become a separate project in the future if there is legislative and public support for such an undertaking.

I hope this information clarifies the status of the bike/pedestrian lane.

If you have any questions, please call Mara Melandry, Environmental Manager for the Bay Bridge, at 510-286-5582.

Sincerely,

HARRY Y. YAHATA
District Director

By Denis Mulligan

DENIS J. MULLIGAN
District Division Chief
Toll Bridge Program

STATE OF CALIFORNIA—BUSINESS, TRANSPORTA. .N AND HOUSING AGENCY PETE WILSON, *Governor*

DEPARTMENT OF TRANSPORTATION
BO[illegible] 23660
[illegible]AND, CA 94623-0660
[illegible] 286-4444
TDD (510) 286-4454

COPY

September 26, 1997

Ala/SF 80
01200K

Dear NEPA/404 Agency Participant:

Thank you for participating in the September 9, 1997 NEPA/404 MOU Integration meeting for the SFOBB East Span Seismic Safety Project. Your comments concerning the draft project Purpose and Need Statement are greatly appreciated. The draft chapter of the environmental impact statement (EIS) on Purpose and Need will be submitted to you in advance of document circulation for your review and comment.

The enclosed summary of the Purpose and Need Statement has been edited in response to comments received at the September 9, 1997 meeting. Each comment received has been carefully considered. Please note two issues which were raised that require further discussion by NEPA/404 MOU participants.

1. The Draft Purpose Statement includes a reference to a "vehicular" connection between Yerba Buena Island and the SFOBB Toll Plaza in Oakland. It was suggested that the term "vehicular" be eliminated. The intention of this revision was understood in the context of not limiting how the bridge would be used in the recovery period following a maximum credible earthquake (MCE). However, in the larger context of seismic safety during a MCE and emergency response following a major event, Caltrans recommends that the intention to replace a 10-lane vehicular structure with a like facility be clearly stated in the project purpose statement. Various planning agencies in the Bay Area have prepared emergency response scenarios and plans; all have indicated that the bridge would operate as a vehicular connection in the aftermath of a major seismic event. For this reason, Caltrans believes that "vehicular" needs to be retained in the statement.

The EIS will provide supporting discussion of the vehicular connection and will also address the feasibility and effectiveness of multi-modal usage of the bridge.

Therefore, we request your concurrence in retaining the use of the word "vehicular" in the statement. Additional clarification of how the project would be used in the recovery period following a MCE and identification of multi-modal opportunities created by retrofit or replacement of the existing East Span will be provided in the EIS Purpose and Need Chapter.

2. It was suggested that the discussion of FHWA requirements concerning current traffic operations and safety design standards for the bridge replacement alternatives was inferred and need not be included in the summary Purpose statement. As will become clear to

participants in our upcoming discussion of the range of alternatives under consideration for the project, attaining current design standards may influence alignment and project footprint. Additionally, operational and safety standards are an inherent part of purpose and need for any project involving new construction. The project Purpose Statement should clearly support the need to meet the current safety and operational standards, even at the cost of potential impacts that might be avoided by relaxing current standards.

Your concurrence is requested in retaining a reference to operational and safety standards in the Project purpose statement.

Additional recommendations discussed at the meeting are documented in the meeting minutes that will be distributed to you under separate cover.

The enclosed matrix is provided in response to a request at the September 9 meeting. The matrix summarizes regulatory and permitting requirements that apply to the SFOBB East Span Seismic Safety Project.

Thank you for your continuing, active participation in the East Span Seismic Safety Project NEPA/404 Integration MOU process. I will be contacting you to discuss the proposed revisions to the Purpose and Need Statement and discuss the schedule for obtaining your agency's written concurrence. If you have questions or need additional information, please contact Mara Melandry, Environmental Manager for the East Span Seismic Retrofit Project, at 510/286-5582.

Sincerely,

HARRY Y. YAHATA
District Director

by

DENIS J. MULLIGAN
District Division Chief
Toll Bridge Program

c: Congressman George Miller
c/o Kathy Hoffman

Enclosures

STATE OF CALIFORNIA PETE WILSON, Governor

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
THIRTY VAN NESS AVENUE, SUITE 2011
SAN FRANCISCO, CALIFORNIA 94102-6080
PHONE: (415) 557-3686

OCT 10 1997

EXECUTIVE OFFICE
97 OCT 10 AM 10:35

October 9, 1997

California Department of Transportation
P.O. Box 23660
Oakland, California 94623-0660

DJM

ATTENTION: Mr. Denis J. Mulligan, District Division Chief

SUBJECT: **Review of the NEPA/404 Need and Purpose Statements for the San Francisco-Oakland Bay Bridge Replacement Project**

Ladies and Gentlemen:

Thank you for your letter dated September 26, 1997 requesting our concurrence in retaining the use of the word "vehicular" and a reference to operational and safety standards in the Project Purpose Statement.

As previously stated in my letter dated September 12, 1997 addressed to Ms. Mara Melandry, we request that the proposed Purpose Statement be revised to remove the word "vehicular" from the first sentence of the statement. We have reviewed the Purpose and Need Statements for the Carquinez and the Benicia Martinez Bridges and neither statement includes the word "vehicular." We have also consulted a documented titled "Guidance Papers to facilitate the Implementation of the Memorandum of Understanding for the NEPA and Section 404 Integration Process", which states, in part, that the Purpose and Need Statement "...provides the basis for selecting reasonable and practicable alternatives for consideration; analyzing those alternatives in depth; and is an important factor in selecting the preferred alternative." Our concern is that the inclusion of the word "vehicular" could be construed as a predisposition to exclude or not adequately consider the potential for other transportation modes. In accordance with the Guidance Papers, we believe that the purpose of the project should be "broad enough to allow consideration of a full range of alternative ways to meet the defined need."

We do concur, however, in retaining the reference to the operational and safety standards in the Project Purpose Statement.

If you have any questions or would like to discuss this issue, please call me at (415) 557-8767.

Sincerely,

STEVEN A. McADAM
Deputy Director

RECEIVED
OCT 10 1997
B. QU

SAM/CF/ra

U.S. Department of Transportation
United States Coast Guard

Commander (Pow-2)
Eleventh Coast Guard District

Bldg. 50-6
Coast Guard Island
Alameda, CA 94501-5100
Phone: (510)437-3514
FAX: (510)437-5836

16591
Ser: Pow 543-97
San Francisco Bay (8.9)
October 23, 1997

Mr. Denis Mulligan
District Division Chief, Toll Bridge Program
California Department of Transportation, District 04
Box 23660
Oakland, CA 94623-0660

Dear Mr. Mulligan:

Thank you for your letter of September 26, 1997 requesting Coast Guard concurrence with the draft project Purpose and Need Statement. As cooperating agency with the Federal Highway Administration for the new East San Francisco-Oakland Bay Bridge, the Coast Guard concurs with your purpose and need statement, and with retention of the word "vehicular" therein. We also concur with retaining reference to operational and safety standards in the Project purpose statement. We caution, however, that if pier placement is influenced by alignment changes necessary to satisfy these operational and safety standards, the piers be aligned to "mirror" the existing east San Francisco Oakland Bay Bridge span piers. Our request that the new piers mirror the existing piers was stated at the September 9 NEPA/404 Kick-Off Meeting, and was referenced in the CalTrans' minutes to the meeting received in our office on October 14, 1997.

The minutes also confirmed that a Coast Guard Section 9 bridge permit under the 1899 Rivers and Harbors Act, as amended, would be required. CalTrans had indicated in the minutes that retrofitting these piers for alternative uses does not seem feasible; the Coast Guard bridge permit will accordingly require that they be removed to the mud line, or to a level requested by the U.S. Army Corps of Engineers. Despite the environmental and engineering challenges involved with their removal, the requested removal is also consistent with BCDC policies, and is a standard consideration in Coast Guard Section 9 bridge permits.

I endorse Mr. Jerry Olmes' suggestion at the kickoff meeting that, in consideration with the Section 9 permit, the Coast Guard would coordinate issuance of a joint Section 404 public notice with the U.S. Army Corps of Engineers. I also agree with his expectation that no marine operations study would be needed to address marine impacts during construction of the new bridge, or removal of the existing bridge since most large commercial vessel traffic passes beneath the west Bay Bridge span. In addition, our Marine Safety Office San Francisco (MSO) would prepare a pre-construction checklist to address information the Coast Guard will need to advise marine interests of in our Local Notice to Mariners when the bridge is built. Our development of the checklist would not occur, however, until after the Section 9 permit is issued.

Our Coast Guard Vessel Traffic Service (VTS) has confirmed that the tower constructed as part of the new single-tower cable-stayed bridge or single-tower self-anchored suspension bridge will not adversely affect operation of their radar systems.

16591
October 23, 1997

Please do not hesitate to contact Jerry or me at (510) 437-3514 if we may offer any comments or answer any questions.

Sincerely,

W.R. TILL
Chief, Bridge Section
U.S. Coast Guard
By direction of the District Commander

Copy: FHWA
BCDC
U.S. Army Corps of Engineers
Coast Guard MSO San Francisco
Coast Guard VTS San Francisco

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

November 26, 1997

Denis J. Mulligan
District Division Chief
Toll Bridge Program
California Department of Transportation
P.O. Box 23660
Oakland, CA 94623-0660

Dear Mr. Mulligan:

We are writing this letter to request additional information necessary for EPA to concur on the Purpose and Need Statement for the San Francisco-Oakland Bay Bridge (SFOBB) Retrofit project. Pursuant to the NEPA/404 Memorandum of Understanding (MOU), FHWA sent us a letter requesting concurrence on the purpose and need statement (statement dated October 30, 1997). As you know, our staff has been regularly attending the NEPA-404 meetings discussing the SFOBB Retrofit project. We have requested this additional information from the Caltrans staff at the last two meetings (10/23/97 and 11/13/97) and have yet to receive a response to our requests. At this point, we still do not feel that EPA has sufficient information to make a determination about whether to concur on the proposed Purpose & Need statement. Below is a specific description of the information we will need to make a determination about Purpose & Need.

Our major concern with the proposed Purpose and Need statement is that the specific definition of, and objectives for, maintaining a "life line connection" is unclear. Is the intent of a lifeline connection to allow the SFOBB to operate at existing LOS after an earthquake until other necessary repairs to the infrastructure are completed, estimated at 6 months to five years, and how would FHWA accomplish this? The overall intent of the life line connection should, we believe, correspond to the regional needs expected after a major earthquake occurs. The expected time frame for the SFOBB to maintain a reasonable connection as a "life line connection" as well as the regional needs of the SFOBB after a major earthquake should be incorporated, and/or explained as part of the definition of this term.

more policy definition than technical engineering criteria/definition

We also requested information on whether the San Francisco/East Bay Ferry Service and/or the BART trains are can provide or are being retrofitted to provide a lifeline connection after a Maximum Credible Earthquake (MCE). While we realize that Caltrans and FHWA are not responsible for ensuring that those facilities can withstand an MCE, we are concerned that if those systems are not operational after a MCE then the SFOBB will become an even more essential component for allowing movement of people across the Bay. Therefore, if BART and the Ferry Services are NOT expected to be operational after a MCE, we would expect that the Bay Bridge would be seriously affected in its level of service and fail to serve as a functional transportation

also see next page →

Printed on Recycled Paper

corridor, similarly as it was during the recent BART strike. If, on the other hand, one or both of those services are to be operational, we would anticipate a reduced and more manageable demand on the Bay Bridge. Therefore, information on these two key components of the regional transportation network is crucial to determining the definition of a "lifeline connection" and subsequent alternatives for meeting that standard.

Finally, as requested in earlier meetings, we will need to see a draft of the actual text for the Purpose and Need statement (with subsequent clarification of a "lifeline connection") before we can make a determination about the purpose and need statement. We feel that the overhead bullets provided and discussed at the interagency are useful in fostering discussion about the pertinent issues but are not sufficient for our needs as a concurring agency. We look forward to reviewing the full text of the proposed Purpose & Need statement.

Please refer to the October 23, 1997 meeting minutes for further clarification on the issues that we have raised. Also, since we have yet to receive this information that had been previously requested, we ask that Caltrans and FHWA allow us to provide our response and/or concurrence one month after receipt of the requested material. Should you have any questions about this issue you may contact me at (415) 744-1577.

Sincerely,

David J. Carlson
Life Scientist, Federal Activities Office

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
3310 El Camino Avenue, Suite 130
Sacramento, California 95821-6340

IN REPLY REFER TO:

DEC 31 1997
RECEIVED
DEC 31 1997
B. QUAN

PPN 2419

December 17, 1997

DJM

Denis J. Mulligan
District Division Chief
State of California Department of Transportation
Box 23660
Oakland, Ca 94623-0660

Subject: San Francisco-Oakland Bay Bridge East Span Seismic Safety Project, NEPA/404 Integration, San Francisco Bay, City of Oakland, San Francisco and Alameda Counties, California

Dear Mr. Mulligan:

This letter is in response to a October 30, 1997, California Department of Transportation (Caltrans) request for the U.S. Fish and Wildlife Service's (Service) concurrence with the Purpose and Need Statement of the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. Our response is made pursuant to the 1994 Memorandum of Understanding on Integration of the National Environmental Policy Act and Clean Water Act Section 404 Procedures for Surface Transportation Projects and is not intended to take the place of any formal comments that may be required under the Fish and Wildlife Coordination Act or the Endangered Species Act of 1973 as amended.

The Service has reviewed information provided by Caltrans concerning this project and concurs with the Purpose and Need for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project.

If you have any questions concerning the Service's comments on this project, please contact Mark Littlefield (Wetlands Branch) at (916) 979-2113.

Sincerely,

Wayne S. White
Field Supervisor

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
P.O. BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

December 23, 1997

File: 04-SF-80-7.6/8.9
04-Ala-80-0.00/1.3
SFOBB
East Span Seismic Safety Project

David Carlson
Federal Activities Office
United States Environmental Protection Agency
Region IX
75 Hawthorne Street
San Francisco, California 94105-3901

Dear Mr. Carlson:

As you requested in your letter of November 26, 1997, we are providing the draft purpose and need statement regarding the East Span Seismic Safety Project. As you further requested, Dan Harris and Bill Wong of FHWA have reviewed the draft statement; it reflects their comments.

The goal of providing the draft statement is to give you the background information in order for you to concur on purpose and need as set forth in the NEPA/404 MOU. The NEPA/404 MOU requires EPA to concur on purpose and need and does not require EPA to review and concur with the draft statement. The statement includes the definition and objectives of maintaining a lifeline vehicular connection and will answer your questions about this issue. As explained in the draft purpose and need statement, the bridge (after retrofitting to lifeline standards) will be immediately serviceable in the event of a maximum credible earthquake (MCE). We believe that the definition of lifeline is clear and needs no further discussion for your concurrence beyond what is provided by the draft purpose and need statement.

The information in the attachment addresses your request for information on BART and ferries after an MCE. Although BART and the ferries' emergency preparedness are a regional planning matter, outside the purview of both Caltrans and EPA, we trust the information will be useful to you in concurring with the purpose and need of the project. You will note that both these transportation modes are prepared to carry people to and from their jobs or other destinations following an MCE. There will be additional information in the environmental document about the Bay Area's overall response to an MCE and the responsibilities of the numerous public agencies that would be involved in responding to such an event.

In your letter you indicated EPA believed that the bridge was not functional during the recent BART strike because of increased demand, thus leading to your conclusion that it might not function if BART were inoperable after an MCE. It is Caltrans' estimation that the level of service (LOS) after an MCE would be low if BART and the ferries were not operating, which will not be the case; however, the bridge would indeed still allow movement of freight, goods and people across the Bay. In other words, it would still function.

We agree that you have 30 days to concur with the purpose and need of the project. We strongly believe that we have provided all the necessary information for EPA to do so within the 30-day time frame.

If you have any questions, please call Mara Melandry at (510) 286-5582.

Sincerely,

HARRY Y. YAHATA
District Director

by Denis Mulligan

DENIS J. MULLIGAN
District Division Chief
Toll Bridge Program

Enclosures

c: Vicki Alvarez (U. S. Army Corps of Engineers)
Becky Tuden (U. S. Environmental Protection Agency)
Donna Turci (Federal Transit Administration)
Mark Littlefield (U. S. Fish and Wildlife Service)
Jerry Olmes (U. S. Coast Guard)
Chris Mobley (National Marine Fisheries Service)
Becky Ota (California Department of Fish and Game)
Congressman George Miller

bc: JSchultz/BWong (FHWA – Calif. Division, Sacramento)
DHarris (FHWA – Region IX, San Francisco)
DMulligan
BMaroney
TAnziano (Caltrans Legal – SF)
SHulsebus/PChongchaikit
MMelandry/MMortenson
CAdams (HQ Envir. Division)
[redacted]
File

U.S. Department
of Transportation
Federal Transit
Administration

REGION IX
Arizona, California,
Hawaii, Nevada, Guam

201 Mission Street
Suite 2210
San Francisco, CA 94105
415-744-3133
415-744-2726 (fax)

JAN 21 1998

Mr. Dennis J. Mulligan
District Division Chief
Toll Bridge Program
California Department of Transportation
Box 23660
Oakland, CA 92623-0660

Re: Draft Purpose and Need Statement (CONCURRANCE)
East Span Seismic Safety Project

Dear Mr. Mulligan:

The Federal Transit Administration (FTA) has received your letter of December 23, 1997, transmitting the draft purpose and need statement for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. FTA has reviewed it and concurs with the draft statement.

If you should have any questions, please call Mrs. Donna Turchie, Transportation Representative, at (415) 744-3115.

Sincerely,

Robert Hom, Director
Office of Planning & Program Development

cc: Mara Melandry
Environmental Planning-D4
California Department of Transportation
Box 23660
Oakland, CA 92623-0660

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
BOX 23660
OAKLAND, CA 94623-0660
286-4444
TDD (510) 286-4454

January 26, 1998

Ms. Victoria Alvarez
Caltrans Liaison
Regulatory Branch
United States Army Corps of Engineers
333 Market Street
San Francisco, California 94105-2197

File: 04-SF-80-7.6/8.9
04-ALA-80-0.00/1.3
04228-01200K
SFOBB
East Span Seismic Safety Project

Dear Ms. Alvarez:

Subject: SFOBB East Span Seismic Safety Project – NEPA/404 Concurrence

Enclosed is the draft purpose and need statement for the East Span Seismic Safety Project. It was previously sent to the Environmental Protection Agency on December 23, 1997, with copies sent to the Army Corps of Engineers and each of the other NEPA/404 MOU signatories.

Per your request, we are addressing this request directly to the Army Corps of Engineers to enable you to respond. Please review the enclosed materials as necessary and provide your final concurrence on purpose and need as set forth in the NEPA/404 MOU concurrence. In keeping with the decision of the NEPA/404 signatories in our meetings, we appreciate your willingness to concur on purpose and need before we request concurrence on alternatives and criteria for alternative selection. We appreciate your expeditious efforts in this matter.

If you have any questions. please call Mara Melandry at (510) 286-5582.

Sincerely,

HARRY Y. YAHATA
District Director

by

Mara Melandry

for DENIS J. MULLIGAN
District Division Chief
Toll Bridge Program

c: Becky Tuden (U. S. Environmental Protection Agency), Dave Carlson (U. S. Environmental Protection Agency), Donna Turci (Federal Transit Administration), Mark Littlefield (U. S. Fish and Wildlife Service), Chris Mobley (National Marine Fisheries Service), Jerry Olmes (U. S. Coast Guard), Becky Ota (California Department of Fish and Game), Congressman George Miller

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
777 Sonoma Avenue, Room 325
Santa Rosa, California 95404-6528

January 26, 1998 F/SW022:CTM

Ms. Mara Melandry
Senior Environmental Planner
CalTrans District 4
111 Grand Avenue
P.O. Box 23660
Oakland, California 94623-0660

Dear Ms. Malandry:

Thank you for the opportunity to comment on the December 19, 1997, draft project purpose and need statements for the *San Francisco-Oakland Bay Bridge East Span Seismic Safety Project*. I do not have any objections to these purpose and need statements.

I look forward to reviewing future National Environmental Policy Act/ California Environmental Quality Act documents related to this project.

Sincerely,

James R. Bybee
Environmental Coordinator
Northern Area

TOTAL P.02

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

DJM

January 29, 1998

RECEIVED
FEB 5 - 1998
B. QUAN

Denis J. Mulligan
District Division Chief
Toll Bridge Program
California Department of Transportation
P.O. Box 23660
Oakland, CA 94623-0660

Dear Mr. Mulligan:

The Environmental Protection Agency has reviewed the information provided in your letter of December 23, concerning the proposed Purpose and Need Statement for the San Francisco-Oakland Bay Bridge (SFOBB) Retrofit project, Alameda County. Pursuant to the NEPA/404 Memorandum of Understanding (MOU), FHWA sent us a letter requesting concurrence on the purpose and need statement (statement dated October 30, 1997). We have been attending NEPA-404 meetings discussing the SFOBB Retrofit project since then to discuss the issues related to Purpose and Need.

We appreciate the documentation answering our questions and concerns. The Purpose and Need is far more extensive and detailed than what we had previously been given. Therefore, we are pleased to offer our concurrence on the Purpose and Need statement as it is presented. We believe that the NEPA-404 MOU process has worked well in this case; the documentation has greatly improved, clearly defining the issues and laying out the scope of the project. The overall project should benefit from these clarifications.

However, we want to clarify a point made in your December 23, letter. You state that you believe that the NEPA-404 MOU only requires EPA to concur on Purpose and Need and not on the draft statement of Purpose and Need. We are unclear about the distinction you are trying to make. We assume that if we grant concurrence on a Purpose and Need statement, at the Draft Environmental Impact Statement (DEIS) development stage, that "text" would be the same statement provided in the DEIS. Please review the Guidance papers of the NEPA-404 MOU, which state that at the project development stage, the need for a project must be ***very specific***. Information gathered during the earlier transportation planning and project planning stages should ensure that the project need is well defined at the project development stage. The Guidance papers go further to declare: "It is critical that the process which identified and quantified this specific need be explained clearly and concisely within the NEPA environmental document." If, as in this case, we don't review or concur on any documentation prior to what is presented in the project development stage, we must assume that all previous project and planning issues will be brought forward in a well developed Purpose and Need statement, as outlined in the MOU.

The NEPA-404 MOU asks that FHWA and Caltrans provide as much information, as clearly as possible, to the resource agencies so that we may understand the foundations for proposing a project. This enables us to offer suggestions and, if needed, guidance on alternatives, which in turn should improve the project and environmental documentation, moving it forward expeditiously. Therefore, we disagree with your interpretation of what our concurrence responsibilities are. Instead we would say that EPA's concurrence, at this stage, is on the **NEPA** Purpose and Need statement/404 basic and overall project purpose, not an outline of a purpose and need for a project. The documentation previously offered was more appropriate for addressing issues at the pre-scoping stage. The documents you provided on December 23, contained the appropriate level of detail for our concurrence at the Draft EIS development stage.

Thank you again for providing the information. Should you have any questions, or would like to discuss these issues further, please contact me at (415) 744-1577.

Sincerely,

David J. Carlson
Life Scientist, Federal Activities Office

cc: M. Littlefield (U.S. F&WS)
V. Alvarez (U.S. ACE)
D. Turci (FTA)
D.Harris (FHWA)
B.Wong(FHWA)

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
BOX 23660
KLAND, CA 94623-0660
0) 286-4444
TDD (510) 286-4454

February 4, 1998

Ala/SF 80
02100K

Mr. William T. Hogarth, Ph.D.
Acting Regional Administrator
National Marine Fisheries Services
Southwest Region
501 West Ocean Blvd., Suite 4200
Long Beach, CA 90802-4213

Dear Dr. Hogarth:

By this letter, we request concurrence that our proposed drilling work in San Francisco Bay will have no adverse effect to the endangered winter run Chinook salmon, the threatened west coast steelhead trout and the proposed threatened central valley steelhead trout. The drilling is necessary to assess bedrock and soil conditions for the East Span Seismic Safety Project. The drilling will consist of 12 borings in the Bay, and will be located north of the existing bridge. The drill equipment will be transported on two barges. The drill hole will be advanced inside a 24" diameter drill casing; the drill tools are inside the casing. All drilling fluids will be recirculated and collected on the barge. The drill fluids and cuttings will be tested and disposed of appropriately at designated disposal sites. No significant increase in turbidity due to barge drilling operations is anticipated.

This request is being made under the informal consultation provision of section 7 of the Endangered Species Act of 1973, as amended. The Federal Highway Administration has delegated Caltrans as their non-federal representative for section 7 consultations. We appreciate your assistance in this matter.

If you have any questions or need additional information, please call Sid Shadle, 510-286-6220.

Sincerely,

HARRY Y. YAHATA
District Director

By Mara Melandry
for DENIS J. MULLIGAN
District Division Chief
Toll Bridge Program

cc: Chris Mobley (National Marine Fisheries
John Schultz (FHWA)

bc: MMelandry/MMortenson, SHulsebus/PC
Sid Shadle ~~Mike Davis (Parsons)~~

DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

FEB 1 1998

REPLY TO
ATTENTION OF:

Regulatory Branch

RECEIVED
FEB 17 1998
B. QUAN

SUBJECT: File Number 23013S

Mr. Dennis Mulligan
California Department of Transportation
111 Grand Avenue
Oakland, California 94623--0660

Dear Mr. Mulligan:

Thank you for your letter dated January 26, 1998, requesting final concurrence on the purpose and need statement and supporting documentation for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project pursuant to the NEPA/404 Integration Process Memorandum of Understanding (MOU). The Corps issued preliminary concurrence on the draft purpose and need statement for this project on November 5, 1997, based on your draft submittal sent on October 30, 1997. The final documentation contained in your January 26, 1998 submittal includes sufficient documentation on the project purpose and need to satisfy this step in the NEPA/404 Integration Process.

This letter serves as the Corps' final concurrence with the purpose and need statement, as provided in your January 26, 1998, submittal (attached). We look forward to continuing the NEPA/404 Integration Process for this project. It is our understanding that our next discussion and concurrence point is the review of criteria for alternative selection and project alternatives to be evaluated in the draft Environmental Impact Statement.

If you have any questions, please contact Victoria Alvarez, of my staff at 415-977-8472. If you wish to write, please address all correspondence to the District Engineer, Attention: Regulatory Branch, and refer to the file number at the head of this letter.

Sincerely,

Calvin C. Fong
Chief, Regulatory Branch

Enclosure

STATE OF CALIFORNIA—BUSINESS, TRANSPORTA AND HOUSING AGENCY PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

February 17, 1998

Dear NEPA/404 Participant:

Thank you for your continuing participation in the NEPA/404 Integration MOU process for the San Francisco-Oakland Bay Bridge (SFOBB) East Span Seismic Safety Project. Written concurrence in the project Purpose & Need has been received from all NEPA/404 Integration MOU participants and other participating agencies.

We now request your agency's written concurrence in 1) the criteria for alternatives selection and 2) the range of alternatives to be included in the SFOBB East Span Seismic Safety Project Draft Environmental Impact Statement. A general overview of the conceptual range of alternatives and design variations was presented at the October 23, 1997 NEPA/404 Integration meeting at Caltrans offices (see attached presentation materials). At the November 17, 1997 meeting, the selection criteria Caltrans and the FHWA propose to use to establish the range of alternatives were presented. The NEPA/404 participants made some excellent suggestions, which we have added.

The criteria and range of alternatives presented for your concurrence are summarized in the following paragraphs.

Selection Criteria for Range of Alternatives

- Meets Caltrans criteria for designation as a lifeline route
- Meets current standards for operations and safety to the greatest extent possible
- Maintains the existing number of traffic lanes during peak hours and after construction
- Does not preclude a pedestrian/bicycle path
- Does not preclude future improvements to Yerba Buena Island (YBI) access ramps
- Minimizes impacts to environmental resources
- Provides a high level of visual quality
- Is a cost effective solution

Conceptual Range of Alternatives

The attached "San Francisco-Oakland Bay Bridge East Span Seismic Safety Project Alternatives Description Matrix" provides a summary of the alternatives.

Alternatives:

- No-Build
- Retrofit Existing Bridge
- N-1 (northernmost replacement alignment)
- N-2 (replacement alignment nearest to the north of the existing SFOBB East Span)
- S-1 (replacement alignment nearest to the south of the existing SFOBB East Span)
- S-2 (southernmost replacement alignment)

Design Variations:
- Single tower cable-stayed bridge
- Single tower self-anchored suspension bridge
- Skyway entire length

Profile Variations:
- Level approach grade
- Constant grade
- Elevated grade

Pedestrian/Bicycle Path Variations:
- With
- Without

Alternatives Considered and Withdrawn from Further Consideration

Caltrans has conducted a preliminary screening of alternatives based on the proposed criteria for defining the range of alternatives. Results of this screening were presented to NEPA/404 Integration MOU participants at the October and November 1997 meetings. Alternatives recommended for withdrawal from consideration include:

- Double deck structure - inability to provide open views toward the East Bay to eastbound travelers and increased cost of structural supports (visual quality and cost effectiveness)
- Northern Extended Alignment - potential siting of bridge piers on unstable geologic foundations (cost effectiveness of complex piers and footings)
- Southern Alignments - southern alignments that would completely displace the East Bay Municipal Utility District sewer outfall or could not be built due to construction staging impacts adjacent to the YBI tunnel east portal (cost effectiveness and environmental effects of dredging for replacement outfall)
- Northern Alignment - providing a straight alignment westbound from the SFOBB Toll Plaza due to impacts to Radio Point Beach (potential environmental impacts)

Based on the information summarized here, meeting presentations and discussions and the minutes documenting the two meetings, we anticipate you will be able to provide your written concurrence in the criteria for defining alternatives and the range of alternatives to be considered. Your letter of concurrence is requested within 45 days or less from receipt of this letter. A signature block has been provided below should you wish to document your concurrence by signing and returning this letter to Mara Melandry, Environmental Manager for the SFOBB East Span Seismic Safety Project.

If you have questions or comments or need additional information to expedite written concurrence, please contact Mara Melandry at 510/286-5582.

Sincerely,

HARRY Y. YAHATA
District Director

by

Mara Melandry

for DENIS J. MULLIGAN
District Division Chief
Toll Bridge Program

I concur with the SFOBB East Span Seismic Safety Project alternatives selection criteria and range of alternatives proposed for study by Caltrans.

_____ _____
Signed Date

_____
Representing

Enclosure

Distribution list (NEPA/404 signatories)
Dave Carlson (USEPA)
Mark Littlefield (USFWS)
Calvin Fong/Victoria Alvarez (USACOE)
Robert Horn/Donna Turci (FTA)
Dan Harris (Region IX (FHWA)
John Schultz (Calif. Division, FHWA)
James R. Bybee/ Chris Mobley (NMFS)

c: Congressman George Miller
Becky Ota (CF&G)
Steve Heminger (MTC)
Greg Walker/Andrea Gaut (RWQCB)
Christine Ferraz (BCDC)
Jerry Olmes (USCG)

bc: TAnziano, SHulsebus, MMelandry/MMortenson, CAdams, MDavis (PB)

04-SF-80-7.6/8.9
04-ALA-80-0.0/1.3
01200K
East Span Seismic Safety Project

Post-it™ brand transmittal memo 7671	# of pages ▸ 1
To [redacted]	From Marilee Mathusen
Co. [redacted]	Co.
Dept.	Phone # 510-286-6212
Fax #	Fax #

United States Departm

FISH AND WILDLIF
Sacramento Fish and W
3310 El Camino Avenu
Sacramento, California 95821-6340

IN REPLY REFER TO:
PPN 2419

March 17, 1998

Denis J. Mulligan
District Division Chief
State of California Department of Transportation
Box 23660
Oakland, California 94623-0660

Subject: San Francisco-Oakland Bay Bridge East Span Seismic Safety Project, NEPA/404 Integration, San Francisco Bay, City of Oakland, San Francisco and Alameda Counties, California

Dear Mr. Mulligan:

This letter is in response to a February 17, 1998, California Department of Transportation (Caltrans) request for the U.S. Fish and Wildlife Service's (Service) concurrence with the criteria for alternative selection and the range of alternatives to be included in the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project (SFOBB). Our response is made pursuant to the 1994 Memorandum of Understanding on Integration of the National Environmental Policy Act and Clean Water Act Section 404 Procedures for Surface Transportation Projects and is not intended to take the place of any formal comments that may be required under the Fish and Wildlife Coordination Act or the Endangered Species Act of 1973, as amended.

The Service has reviewed the information provided by Caltrans concerning this project and concurs with the criteria for alternative selection and the range of alternatives to be included in the SFOBB Draft Environmental Impact Statement.

If you have any questions concerning the Service's comments on this project, please contact Mark Littlefield (Wetlands Branch) at (916) 979-2113.

Sincerely,

for Wayne S. White
Field Supervisor

cc: ARD-KCE, FWS, Portland, OR
EPA, San Francisco, CA (Attn: M. Monroe)
Corps of Engineers, San Francisco, CA
CDFG, Yountville, CA (Attn: F. Botti)

If you have questions or comments or need additional information to expedite written concurrence, please contact Mara Melandry at 510/286-5582.

Sincerely,

HARRY Y. YAHATA
District Director

by

Mara Melandry
for DENIS J. MULLIGAN
District Division Chief
Toll Bridge Program

I concur with the SFOBB East Span Seismic Safety Project alternatives selection criteria and range of alternatives proposed for study by Caltrans.

James Pagel
Signed

30 MARCH 1998
Date

Natl Marine Fisheries Serv.
Representing

Enclosure

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Habitat Conservation Division
777 Sonoma Avenue, Room 325
Santa Rosa, California 95404

APR 03 1998

April 2, 1998 F/SWO:DWC

Mr. Harry Yahata
Cal Dept. Of Transportation
Box 23660
Oakland CA 94623-0660

EXECUTIVE OFFICE
98 APR -3 PM 2:44

Dear Mr. Yahata:

Enclosed is our agency's concurrence to the 1) criteria for alternatives selection and 2) range of alternatives to be included in the SFOBB East Span Seismic Safety Project Draft Environmental Impact Statement.

Sincerely,

Dan Cheng, LT, NOAA

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

April 6, 1998

Denis J. Mulligan
District Director
Caltrans District 4
P.O. Box 23660
Oakland, CA 94623-0660
Attn: Mara Melandry, Environmental Manager

Dear Mr. Mulligan:

The Environmental Protection Agency has reviewed the information provided in your letter dated February 17, concerning the proposed San Francisco-Oakland Bay Bridge (SFOBB) East Span Seismic Safety Project. In your letter you requested our concurrence on both the criteria for alternatives selection and the range of alternatives to be considered within the Draft Environmental Impact Statement/Report. Pursuant to the NEPA/404 Memorandum of Understanding (MOU), we are pleased to offer our initial concurrence on 1) the criteria for alternatives selection and 2) the range of alternatives to be included within the SFOBB East Span Seismic Safety Project Draft Environmental Impact Statement/Report.

We appreciate your efforts in providing information in keeping with the NEPA/404 MOU. I look forward to reviewing the Draft Environmental Impact Statement/Report. Should you have any questions, please contact me at (415) 744-1522. If you have any questions regarding Section 404 issues, you may contact Rebecca Tuden in our Clean Water Act Compliance Office at (415) 744-1987.

Sincerely,

Mark H. Bartholomew

Mark H. Bartholomew
Life Scientist

cc: FHWA (Dan Harris)

sfobbmou.ltr #003062

Printed on Recycled Paper

cc: Mara

If you have questions or comments or need additional information to expedite written concurrence, please contact Mara Melandry at 510/286-5582.

Sincerely,

HARRY Y. YAHATA
District Director

by

Mara Melandry
for DENIS J. MULLIGAN
District Division Chief
Toll Bridge Program

RECEIVED
MAY 18 1998
B. QUAN

I concur with the SFOBB East Span Seismic Safety Project alternatives selection criteria and range of alternatives proposed for study by Caltrans.

Donna Turchie
Signed

5-15-98
Date

FTA.
Representing

Enclosure

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
23660
LAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

May 22, 1998

Ms. Victoria Alvarez
Caltrans Liaison
Regulatory Branch
United States Army Corps of Engineers
333 Market Street
San Francisco, California 94105-2197

File: 04-SF-80-7.6/8.9
04-ALA-80-0.00/1.3
04228-01200K
SFOBB
East Span Seismic Safety Project

Dear Ms. Alvarez:

Subject: SFOBB East Span Seismic Safety Project – Illustration of Alignment Alternatives

Enclosed is an illustration of the various alignment alternatives for the East Span Seismic Safety Project, including alignments considered and withdrawn. This illustration is provided per your request, to assist you in preparing your concurrence on the criteria for alternative selection and the range of alternatives.

The illustration reflects changes in the alternatives since our initial request for concurrence on February 17, 1998. These include one new alignment alternative (N6) and several alignments which have been recently withdrawn from consideration (N1, N3 through N5, and S1). The new alignment alternative, N6, is similar to the alignment alternatives you have already evaluated. It is between N1 and N2, and it results in differences in the roadway geometry and the foundation geology. As a result, although a new alternative is being considered at this time, the overall range of alternatives has not changed: the range of alternatives continues to include the no-build alternative, retrofit of the existing structure, and replacement alternatives to the north and south of the existing bridge.

We look forward to receiving your concurrence. Thank you for your assistance with this important seismic safety project. If you have any questions, please call Marilee Mortenson at (510) 286-6212.

Sincerely,

HARRY Y. YAHATA
District Director

by

Mara Melandry

MARA MELANDRY
SFOBB Environmental Manager
Toll Bridge Program

bc: SHulsebus/PChongchaikit,
MMelandry/MMortenson,
MDavis (Parsons), File

DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

REPLY TO
ATTENTION OF:

JUN 04 1998

Regulatory Branch

RECEIVED
JUN 8 1998
B. QUAN

SUBJECT: File No. 23013S

DJM

Mr. Dennis Mulligan
California Department of Transportation
111 Grand Avenue
Oakland, California 94623-0660

Dear Mr. Mulligan:

Thank you for your letter dated February 17, 1998, requesting concurrence on the criteria for alternatives selection and range of alternatives to be included in the San Francisco-Oakland Bay Bridge (SFOBB) Seismic Safety Project Draft Environmental Statement (DEIS).

This letter serves as the Corps' concurrence with the criteria for alternative selection and the range of alternatives to be included in the SFOBB Seismic Safety Project Draft DEIS (Attached). We look forward to reviewing a copy of the DEIS when it becomes available.

If you have any questions, please contact Victoria Alvarez, of my staff at 415-977-8472. If you wish to write, please address all correspondence to the District Engineer, Attention: Regulatory Branch, and refer to the file number at the head of this letter.

Sincerely,

Victoria Alvarez
for

Calvin C. Fong
Chief, Regulatory Branch

Enclosures

JUN 18 1998

U.S. Department of Transportation
United States Coast Guard

Commander
Maintenance & Logistics
Command Pacific

Coast Guard Island, Bldg 54D
Alameda, CA 94501-5100
Staff Symbol: sr
Phone: (510) 437-5900
FAX: (510) 437-5753

11011
June 15, 1998

DJM

Mr. Denis Mulligan
Toll Bridge Program Manager
State of California
Department of Transportation
P.O. Box 23660
Oakland, California 94623-0660

RECEIVED JUN 18 1998 B. QUAN

Dear Mr. Mulligan:

In a meeting we had with representatives of your office on June 3rd, 1998, regarding the new eastern span of the San Francisco - Oakland Bay Bridge we were informed that some alternatives for the location of the temporary ramps on Yerba Buena Island would impact the access to our adjacent Coast Guard facilities. I want you to be aware that any location of these temporary ramps, or other portions of your project, that would limit our safe access to these facilities is unacceptable to the Coast Guard. In any acceptable scenario, our Yerba Buena Island facilities require unrestricted, 24-hour, vehicular access from both San Francisco and Oakland. The Coast Guard's ability to perform its critical missions in the San Francisco Bay Area (search & rescue, vessel traffic control, communications, etc.) must remain unhindered.

If you have any questions regarding this matter please contact me at the address above or (510) 437-5900.

Sincerely,

Robert B. Van de Loo

ROBERT B. VAN DE LOO
Realty Specialist
Maintenance & Logistics Command Pacific
By direction of the Commander

Copy: CG GROUP San Francisco
CG VTS San Francisco
CG Aids to Navigation Team San Francisco
CG MLCPAC (se), (sp)
CG CEU Oakland

EXECUTIVE 98 JUN 19

TOTAL P.01

U.S. Department of Transportation
United States Coast Guard

Commander (Pow-2)
Eleventh Coast Guard District

Coast Guard Island
Alameda, CA 94501-5100
Staff Symbol: (Pow-2)
Phone: (510) 437-3514
FAX: (510) 437-5836

16591
San Francisco Bay (8.9)
Ser: 432-98
July 8, 1998

John Schultz
Chief, District Operations
Federal Highway Administration
California Division
980 9th St. Suite 400
Sacramento, CA 95814-2724

Dear Mr. Schultz:

The Coast Guard met with your agency and CalTrans on March 25, 1997 to discuss your letter of March 11, 1998, (encl. 1) in which you agreed to CalTrans request that you assume the role of lead agency status for the San Francisco-Oakland Bay Bridge East Span Replacement Project Project.

Our letters of June 23, 1997, June 24, 1997 and July 15 1997 (encls. 2, 3 and 4) stated that we would be willing to serve as cooperating agency for the replacement. Our letters did not address the contingency, however, that we be listed as cooperating agency if the ultimate decision was to retrofit the bridge. After we commented to CalTrans on July 6, 1998 that we had not been listed as a cooperating agency on the Administrative Draft document for the Seismic Safety project (encl. 5), Ms. Melandry asked us to identify our role for not only the replacement but also the possible retrofit alternatives.

Accordingly, the Coast Guard would be pleased to serve as cooperating agency for East Span Seismic Safety Project in accordance with 40 CFR 1501.6. We must issue a formal bridge permit under Section 9 of the 1899 Rivers and Harbors Act, as amended, for either the replacement or retrofit alternatives being considered. The Coast Guard bridge permit is the federal approval of the location and clearances of a bridge. Our primary consideration is whether the bridge provides safe passage for existing and prospective vessels operating on the waterway. In addition to the permit, we will be involved in the coordination of work evolutions that utilize waterborne equipment or otherwise affect navigational clearances–to minimize impacts navigation.

Our office will also serve as the main point of contact for Coast Guard cooperating agency responsibilities. In that context, we forwarded concerns of our Maintenance and Logistics Command planning and environmental concerns, along with those of our Coast Guard Group San Francisco on Yerba Buena Island as part of our July 6, 1998 letter (encl. 5).

16591
July 8, 1998

If we may be of any assistance, please do not hesitate to contact Mr. Jerry Olmes or me at (510) 437-3514.

Sincerely,

W.R. TILL
Chief, Bridge Section
U. S. Coast Guard
By direction of the District Commander

Encl: (1) Federal Highway Administration letter dated March 11, 1997
(2) My letter dated June 23, 1997
(3) My letter dated June 24, 1997
(4) My letter dated July 15, 1997
(5) My letter dated July 6, 1998

Copy: CalTrans District 04, ATTN Ms. Mara Melandry w/encls

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
BOX 23660
LAND, CA 94623-0660
) 286-4444
TDD (510) 286-4454

August 7, 1998

Wayne Till, Chief
Bridge Section
Eleventh Coast Guard district
Building 50-6, Coast Guard Island
Alameda, Ca 94501-5100

File: 04-SF-80-7.6/8.9
04-ALA-80-0.00/1.3
04228-01200K
SFOBB
East Span Seismic Safety Project

Dear Mr. Till:

Subject: East Span Seismic Safety Project –Replacement Alternatives and ADEIS Review

We are writing you and members of the other NEPA/404 MOU signatory agencies to provide an update on the changes to the replacement alternatives for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. There have been changes to the proposed replacement alternatives as well as the replacement alternatives considered and withdrawn since the time that we received your concurrence on the range of alternatives.

We are also writing to inform you that we will soon send for your information and comment a copy of the Administrative Draft Environmental Impact Statement (ADEIS).

Alternatives:

There have been some changes to the replacement alternatives since most of the NEPA/404 signatories provided concurrence on the range of alternatives. There is one new northern alignment alternative (N6) and one new southern alignment alternative (S4). There are now also several replacement alignments, which have been withdrawn from consideration (N1, N3 through N5, and S1 through S3).

Although two new replacement alternatives have been developed and some previous replacement alternatives have been withdrawn since most of the NEPA/404 signatories provided concurrence on the range of alternatives, the overall range of alternatives has not changed: it continues to include the no-build alternative, retrofit of the existing structure, and replacement alternatives to the north and south of the existing bridge. None of the new replacement alternatives precludes addition of a bicycle-pedestrian path.

The new replacement alternatives, N6 and S4, are similar to the alignment alternatives you have already evaluated. Alternative N6 is between N1 and N2, and it results in improvements in the roadway geometry and the foundation geology. Alternative S4 is similar to S2, and it results in improvements in the roadway geometry as well as shorter temporary detour structures which reduce temporary fill in San Francisco Bay. An enclosure illustrates the alignments.

Administrative Draft Environmental Impact Statement (ADEIS)

We are now preparing the Administrative Draft Environmental Impact Statement (ADEIS). It is targeted for internal distribution beginning August 17, 1998, with public circulation of the Draft Environmental Impact Statement (DEIS) targeted for September. During internal distribution we will send you a copy for your information.

Thank you for your assistance with this important seismic safety project. If you have any questions, please call me at (510) 286-6682.

Sincerely,

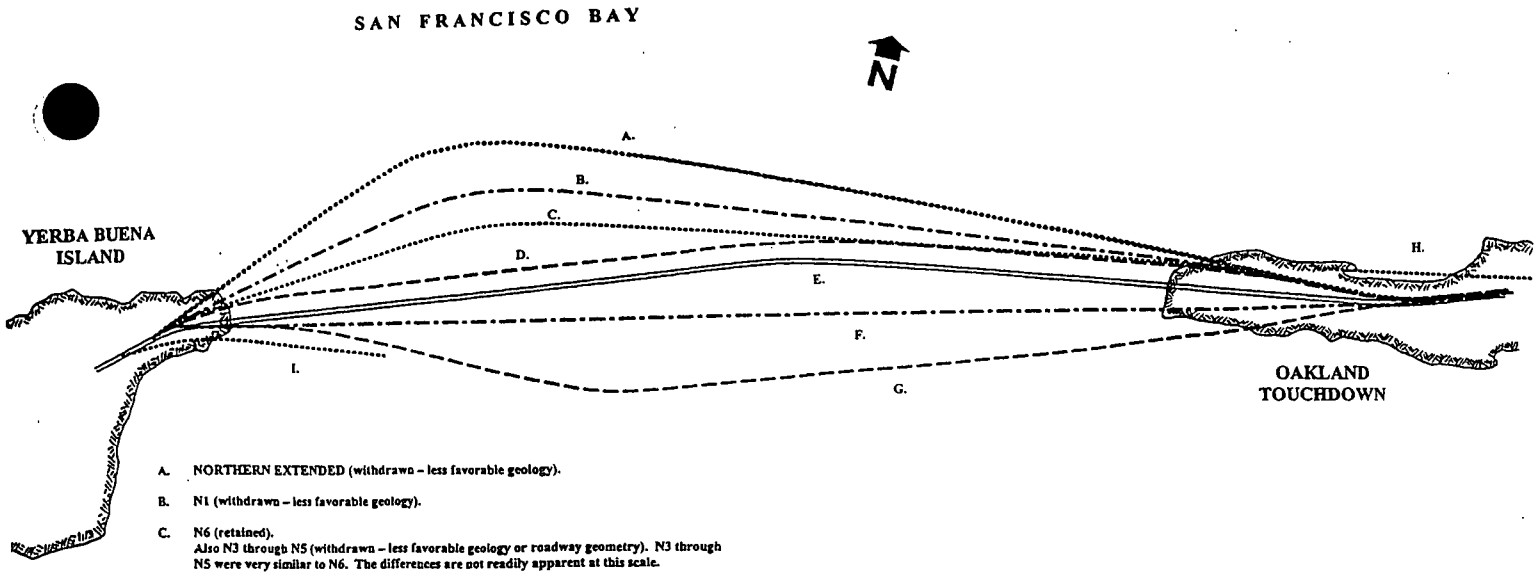
HARRY Y. YAHATA
District Director

by
Mara Melandry

MARA MELANDRY
SFOBB Environmental Manager
Toll Bridge Program

Enclosure

c: Victoria Alvarez (ACOE), Mark Bartholomew (EPA), Donna Turci (FTA), Chris Mobley (NMFS), Jeff Bielfeldt (USFWS), Bill Wong (FHWA), Dan Harris (FHWA)



A. NORTHERN EXTENDED (withdrawn – less favorable geology).

B. N1 (withdrawn – less favorable geology).

C. N6 (retained).
Also N3 through N5 (withdrawn – less favorable geology or roadway geometry). N3 through N5 were very similar to N6. The differences are not readily apparent at this scale.

D. N2 (retained).

E. EXISTING ALIGNMENT: NO-BUILD AND RETROFIT ALTERNATIVES (retained).

F. S1 (withdrawn – conflicts with East Bay Municipal Utility district's sewer outfall).

G. S2 (withdrawn – less favorable roadway geometry and more temporary fill).
S4 (very similar to S3, difference not apparent at this scale).

H. NORTHERN ALIGNMENT THROUGH RADIO POINT BEACH (withdrawn – impacts to Radio Point Beach). This is not a complete alignment per se. It is a detail variation of the northern alignments.

I SOUTHERN ALIGNMENTS ADJACENT TO TUNNEL EAST POETAL (withdrawn – construction difficulties). These are not complete alignments per se. They are detail variations of the southern alignments.

BAY BRIDGE EAST SPAN PROJECT

Caltrans

SFOBB EAST SPAN SEISMIC SAFETY PROJECT
ALIGNMENT ALTERNATIVES,
INCLUDING ALIGNMENTS
CONSIDERED AND WITHDRAWN

NOT TO SCALE

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

August 7, 1998

Mr. Jerry Bielfedlt
U.S. Fish and Wildlife Service
3310 El Camino Way, Suite 130
Sacramento, CA 95821

File: 04-SF-80
04-ALA-80-0.00/1.3
04228-01200K
SFOBB
East Span Seismic Safety Project

Dear Mr. Bielfedlt:

Subject: East Span Seismic Safety Project – Replacement Alternatives and ADEIS

We are writing you and members of the other NEPA/404 MOU signatory agencies to provide an update of the changes to the replacement alternatives for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. There have been changes to the proposed replacement alternatives as well as the replacement alternatives considered and withdrawn since the time that we received your concurrence on the range of alternatives.

We are also writing to inform you that we will soon send for your information a copy of the Administrative Draft Environmental Impact Statement (ADEIS) to you and the other NEPA/404 signatories.

Alternatives:

There have been some changes to the replacement alternatives since most of the NEPA/404 signatories provided concurrence on the range of alternatives. There is one new northern alignment alternative (N6) and one new southern alignment alternative (S4). There are now also several replacement alignments, which have been withdrawn from consideration (N1, N3 through N5, and S1 through S3).

Although two new replacement alternatives have been developed and some previous replacement alternatives have been withdrawn since most of the NEPA/404 signatories provided concurrence on the range of alternatives, the overall range of alternatives has not changed: it continues to include the no-build alternative, retrofit of the existing structure, and replacement alternatives to the north and south of the existing bridge. None of the new replacement alternatives precludes addition of a bicycle-pedestrian path.

The new replacement alternatives, N6 and S4, are similar to the alignment alternatives you have already evaluated. Alternative N6 is between N1 and N2, and it results in improvements in the roadway geometry and the foundation geology. Alternative S4 is similar to S2, and it results in improvements in the roadway geometry as well as shorter temporary detour structures which reduce temporary fill in San Francisco Bay. An enclosure illustrates the

Administrative Draft Environmental Impact Statement (ADEIS)

We are now preparing the Administrative Draft Environmental Impact Statement (ADEIS). It is targeted for internal distribution beginning August 17, 1998, with public circulation of the Draft Environmental Impact Statement (DEIS) targeted for September. During internal distribution we will send you a copy for your information.

Thank you for your assistance with this important seismic safety project. If you have any questions, please call me at (510) 286-6682.

Sincerely,

HARRY Y. YAHATA
District Director

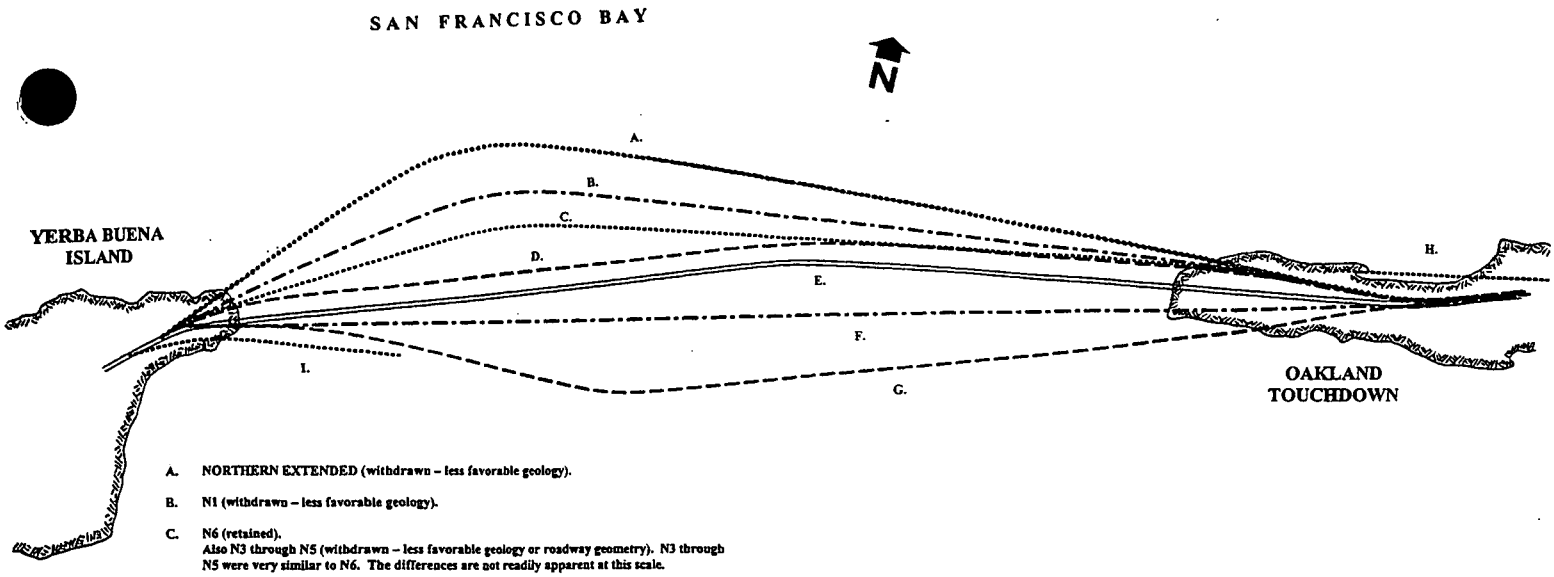
by

Mara Melandry

MARA MELANDRY
SFOBB Environmental Manager
Toll Bridge Program

Enclosure

c: Victoria Alvarez (ACOE), Mark Bartholomew (EPA), Donna Turci (FTA), Chris Mobley (NMFS), Jeff Bielfeldt (USFWS), Bill Wong (FHWA), Dan Harris (FHWA)



A. NORTHERN EXTENDED (withdrawn – less favorable geology).

B. N1 (withdrawn – less favorable geology).

C. N6 (retained).
Also N3 through N5 (withdrawn – less favorable geology or roadway geometry). N3 through N5 were very similar to N6. The differences are not readily apparent at this scale.

D. N2 (retained).

E. EXISTING ALIGNMENT; NO-BUILD AND RETROFIT ALTERNATIVES (retained).

F. S1 (withdrawn – conflicts with East Bay Municipal Utility district's sewer outfall).

G. S2 (withdrawn – less favorable roadway geometry and more temporary fill).
S4 (very similar to S3, difference not apparent at this scale).

H. NORTHERN ALIGNMENT THROUGH RADIO POINT BEACH (withdrawn – impacts to Radio Point Beach). This is not a complete alignment per se. It is a detail variation of the northern alignments.

I SOUTHERN ALIGNMENTS ADJACENT TO TUNNEL EAST PORTAL (withdrawn – construction difficulties). These are not complete alignments per se. They are detail variations of the southern alignments.

BAY BRIDGE EAST SPAN PROJECT

Caltrans

SFOBB EAST SPAN SEISMIC SAFETY PROJECT
ALIGNMENT ALTERNATIVES, INCLUDING ALIGNMENTS CONSIDERED AND WITHDRAWN

NOT TO SCALE

AUG 24 1998

DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

REPLY TO
ATTENTION OF:

AUG 20 1998

Regulatory Branch

SUBJECT: File Number 23013S

RECEIVED
AUG 24 1998
B. QUAN

Mr. Dennis Mulligan
California Department of Transportation
111 Grand Avenue
Oakland, California 94623-0660

Dear Mr. Mulligan:

Thank you for your letter dated August 7, 1998, regarding the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project (east span replacement). Your letter indicates that there have been changes to the proposed replacement alternatives and several alternatives have been withdrawn from consideration since the Corps transmitted the concurrence letter regarding the range of alternatives pursuant to the Memorandum of Understanding on the National Environmental Policy Act and the Clean Water Act Section 404 Integration Process of 1993 (NEPA/404 Integration Process). Specifically, your letter indicates that two new replacement alternatives (N6 and S4) have been added and that these alternatives are similar to alternatives that the Corps has already evaluated. Your letter also indicates that previous replacement alternatives (N1, N3 through N5 and S1 through S3) have been withdrawn from consideration.

Since there have been changes to the replacement alternatives since the Corps provided concurrence pursuant to the NEPA/404 Integration Process, we would like the opportunity to review and evaluate the range of alternatives now under consideration. The alternative alignment descriptions and mapping provided in your August 7, 1998, letter do not sufficiently describe or depict the new alignment alternatives. A description of the new alternatives along with a graphic showing the location of the alternatives currently under consideration should be provided to our office at your earliest convenience.

Your submittal should describe the configuration of all alternatives currently under consideration. Where replacement alternatives are being considered (replacement alternatives N6 and S4), information on how the new alternatives differ from those previously under consideration should be provided. As noted above, the descriptions should be accompanied by a graphic showing the location of all alternatives currently under consideration. Following our review of your submittal, if there are no additional questions or issues to be discussed, the Corps will provide a revised concurrence letter for the range of alternatives now under consideration in accordance with the NEPA/404 Integration Process.

If you have any questions, please call Victoria Alvarez of our Regulatory Branch at telephone 415-977-8472. Please address all correspondence to the District Engineer, Attention: Regulatory Branch, and refer to the file number at the head of this letter.

Sincerely,

Edward A. Wyle

for Calvin C. Fong
Chief, Regulatory Branch

Copies Furnished:

U.S. EPA, San Francisco (Mark Bartholomew)
U.S. FWS, Sacramento (Mark Littlefield)
U.S. FHWA, San Francisco (Dan Harris)
U.S. FHWA, Sacramento (Bill Wong)
U.S. NMFS, Santa Rosa (Chris Mobely)
U.S. FTA San Francisco (Donna Turci)

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
P. O. BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

August 27, 1998

Mr. Calvin C. Fong, Chief
Regulatory Branch
United States Army Corps of Engineers
333 Market Street
San Francisco, California 94105-2197

File: 04-SF-80-7.6/8.9
04-ALA-80-0.00/1.3
04228-012000
SFOBB
East Span Seismic Safety Project

Dear Mr. Fong:

Subject: SFOBB East Span Seismic Safety Project –Alignment Alternatives

We received your letter of August 20 requesting an opportunity to review and evaluate the range of alternatives now under consideration for the East Span Seismic Safety Project. To facilitate this, you requested a description of the new alternatives along with a graphic showing the location of the alternatives currently under consideration.

Below is the information that you requested. Additional information may also be found in the Administrative Draft Environmental Impact Statement (ADEIS) for the SFOBB East Span Seismic Safety Project, a copy of which was provided to Ms. Vicki Alvarez, Caltrans Liaison to the Regulatory Branch, on August 17, 1998.

The alignment refinement process has been ongoing since the initial NEPA/404 MOU consultations concerning range of alternatives to be considered. As more engineering information was developed, new alignment alternatives were studied and some alignment alternatives were withdrawn. The alternatives still include a no-build alternative, a retrofit alternative and replacement alternatives. All replacement alternatives under consideration are within the geographic range presented at the initial NEPA/404 meeting, to the north and south of the existing bridge. As agreed to by the NEPA/404 signatories in the concurrence on Purpose and Need, none of the new replacement alternatives precludes addition of a bicycle-pedestrian path. There is no new alternative that proposes a new corridor, a new mode choice, or an expansion of capacity. As with the initial replacement alternative alignments, all new alternatives would consist of two parallel bridge structures.

Along with the discussion below, please see the enclosed Figure 2-3 and Figure 2-10, taken from the ADEIS, which show the proposed replacement alternatives and the replacement alternatives that have been considered and withdrawn.

Proposed Replacement Alternatives

Alternative N-2 is one of the initial replacement alternatives; it is being carried forward. The new replacement alternatives under consideration, N-6 and S-4, are partial refinements of the specific alignment alternatives originally presented to NEPA/404 MOU participants. (See the enclosed Figure 2-3 taken from the ADEIS.)

- **Replacement Alternative N-2** would construct a 3,585-meter (11,759-foot) long new bridge north of the existing East Span and dismantle the existing structure. The N-2 alignment parallels the existing bridge and maintains minimal clearance between the old and new structures to accommodate constructing the new bridge and dismantling the existing structure.

- **Replacement Alternative N-6** would construct a 3,620-meter (11,877-foot) long new bridge north of the existing East Span and dismantle the existing structure. The N-6 alignment represents a continuation of design refinements to Alternative N-1 to maximize panoramic vistas of the San Francisco and East Bay hills, avoid unstable Bay bottom geologic conditions, and set an alignment placing a signature span tower as close to Yerba Buena Island (YBI) as possible.

  The Alternative N-6 alignment differs from other northern alignments only slightly, being located south of the N-1 alignment and north of the N-2 alignment. The modification to the alignment resulted from 1) positioning the alignment and signature span tower location to take advantage of relatively shallow depths to bedrock and 2) application of a 900-meter (3,000–foot) radius horizontal curve between the YBI viaduct and the tangent section in which a signature span would be located. Application of this reduced curve radius allows for an alignment that provides somewhat lessened but still dramatic scenic views and minimizes intrusion into areas of deep Bay muds to the north of the existing bridge. This alignment modification was informed by results of detailed in-Bay geotechnical studies that provided more detailed mapping of Bay bottom conditions than when Alternative N-1 was defined.

  As with all northern alignment considered, the skyway portion of the alignments would be similar and would reach the Oakland Touchdown area at approximately the same location.

- **Replacement Alternative S-4** would construct a 3,550-meter (11,644-foot) bridge south of the existing East Span and dismantle the existing structure. The S-4 alignment was developed to minimize bridge length and to avoid use of flat land to the north of the existing East Span on YBI while attempting to avoid conflicts with the alignment of the EBMUD sewer outfall south of the existing East Span. The S-4 alignment uses the same horizontal curve radius between the YBI East Viaduct and the signature span applied to the N-6 alignment. As a result, Alternative S-4 would allow for the placement of a signature span tower closer to YBI than possible with Alternative S-2 and eliminate the need to construct long temporary detour structures over Bay waters.

  The skyway portion of the S-4 alignment is the same as the skyway portion of the S-2 alignment and reaches the Oakland Touchdown area at the same location.

Replacement Alternatives Considered and Withdrawn

Alternatives N-1, N-3 through N-5 and S-1 through S-3 referenced in your letter dated August 20, 1998 are alignment alternatives developed in response to new, detailed geologic data. These alignment alternatives also were defined to test engineering designs attempting to respond to seismic safety and traffic operational issues referenced in the project Purpose and Need statement. (See the enclosed Figure 2-10 taken from the ADEIS).

The rationale for withdrawal of alignment alternatives is presented in the summary below:

- Alternative N-1 – Based on results of geologic studies, it was determined that approximately one-half of the N-1 alignment would fall within areas of deep young Bay mud, which would potentially decrease seismic performance of the structure and increase construction cost. Given considerations of construction complexity, schedule, construction cost and reduced seismic performance, it was recommended for withdrawal.
- Alternative N-3 – This alignment study looked at placing the signature span tower near the YBI shore to take advantage of shallow depths to bedrock. However, the requirement for a tangent, or straight, section for a signature span would have forced curves between the YBI East Viaduct and the signature span that would not meet American Association of State Highway and Transportation Officials (AASHTO) standards. A mandatory design exception from FHWA would have been required. This alignment was dropped from consideration.
- Alternative N-4, a refinement of Alternative N-3, presented a trade-off between signature span location and roadway geometric design. The alignment would not require design exceptions, but the tower location would have been forced into deep water locations within the navigation channel, where tower construction would be more complex. Based on increased complexity of tower construction, Alternative N-4 was withdrawn from further consideration.
- Alternative N-5 was an additional alignment refinement seeking to define an acceptable trade-off between roadway geometrics and signature span tower location. The N-5 alignment provided a large radius curve that would avoid sight distance issues but would not allow for a tangent roadway section approaching the YBI tunnel. Tower location would remain in deep water. Based on less than optimal location of the tower and the roadway geometrics, Alignment N-5 was withdrawn from further consideration in favor of Alternative N-6.
- Alternative S-1 was originally defined as the most direct replacement alignment between YBI and the Oakland Touchdown area. However, the alignment would require an in-Bay crossing of the East Bay Municipal Utility District (EBMUD) sewer outfall. EBMUD determined that an underwater transverse crossing of the outfall was not feasible. This alignment would require relocation of the sewer outfall. Cost to relocate the outfall was estimated to be in excess of $100 million and would require its own environmental review separate from the East Span Project. Based on these considerations, Alternative S-1 was withdrawn from further consideration.

File: 04-SF-80-7.6/8.9
04-ALA-80-0.00/1.3
04228-012000
SFOBB
East Span Seismic Safety Project

- Alternative S-2 was originally defined as an alignment that would avoid the EMBUD sewer outfall and provide a roadway alignment that would not require FHWA design exceptions. However, geometric constraints of the tunnel and YBI East Viaduct approach forced the signature span tower location into deep water. Temporary detour structures required at YBI to transition traffic from the existing span to the replacement bridge would need to extend into the Bay. Further engineering evaluation of these detour structures raised concerns for the structural integrity of the existing East Span cantilever section. Therefore, Alternative S-2 was withdrawn from further consideration.
- Alternative S-3 represents a continuation of south alignment design refinements. It is a refinement of Alternative S-1 at Yerba Buena Island. Like S-1, it has an in-Bay crossing of the EBMUD sewer outfall. The S-3 alignment studied modifications of roadway geometrics approaching the YBI tunnel. However, the resulting design would have required a deep water tower location and the use of temporary detour structures connecting to the existing cantilever section. Based on concerns for the structural integrity of the existing bridge and the need for a transverse crossing of the EBMUD outfall, Alternative S-3 was withdrawn from consideration in favor of Alternative S-4.

This summarizes the proposed replacement alternatives and the alternatives considered and withdrawn. We appreciate any efforts your agency can make to review this information and provide a revised concurrence letter at your earliest convenience. Caltrans' target date for circulation of the Draft Environmental Impact Statement is September 17, 1998.

If you need additional information or have any questions, please call Marilee Mortenson at (510) 286-6212 immediately, and she will provide what you need to complete your review and evaluation.

Sincerely,

HARRY Y. YAHATA
District Director

by

Mara Melandry

for DENIS J. MULLIGAN
District Division Chief
Toll Bridge Program

United States Department of the Interior
FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
3310 El Camino Avenue, Suite 130
Sacramento, California 95821-6340

IN REPLY REFER TO:
PPN 2419

September 1, 1998

Mara Melandry - Environmental Manager
Caltrans District 4
111 Grand Avenue,
Oakland, California 94623-0660

Subject: Administrative Draft Environmental Impact Report/Statutory Exemption for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project

Dear Ms. Melandry:

The U.S. Fish and Wildlife Service (Service) has reviewed the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project (SFOBB) Administrative Draft Environmental Impact Report/Statutory Exemption (ADEIS), dated August 17, 1998, regarding a proposal to upgrade the existing East Span of the San Francisco-Oakland Bay Bridge. Our comments are provided pursuant to the 1994 Memorandum of Understanding on Integration of the National Environmental Policy Act and Clean Water Act Section 404 Procedures for Surface Transportation Projects and are intended to assist you in your review of the proposed project. These comments will not take the place of any formal comments that may be required at a later date pursuant to the Fish and Wildlife Coordination Act (FWCA) or the Endangered Species Act of 1973, as amended (Act).

GENERAL COMMENTS

The ADEIS evaluates Caltrans proposal to upgrade the existing East Span of the San Francisco-Oakland Bay Bridge. Under provisions of the FWCA, the Service advises the U.S. Army Corps of Engineers (Corps) on projects involving dredging and fill activities in "waters of the United States," and special aquatic sites, which include wetlands such as those found on the proposed project site. Since the proposed project will require a Corps permit, pursuant to Section 404 of the Clean Water Act, the Service will provide comments to the Corps under FWCA authority. When reviewing public notices, the objectives of the Service are: "Ensuring that all authorized works, structures, and activities are (1) judged to be the least ecologically damaging alternative or combination of alternatives (e.g., all appropriate means have been adopted to minimize environmental losses and degradations) and (2) in the public's interest in safeguarding the environment from loss and degradation." (Federal Register, Vol. 40, No. 231, December 1, 1975).

When projects impacting waterways or wetlands are deemed acceptable to the Service, we recommend full mitigation for any impacts to fish and wildlife. The Council on Environmental Quality regulations for implementing the National Environmental Policy Act define mitigation to

include: 1) avoiding the impact; 2) minimizing the impact; 3) rectifying the impact; 4) reducing or eliminating the impact over time; and 5) compensating for impacts. The Service supports and adopts this definition of mitigation and considers the specific elements to represent the desirable sequence of steps in the mitigation planning process.

Because of their high value to migratory birds, and their ever-increasing scarcity in California, our mitigation goal for wetlands (including mudflats and eelgrass beds) is no net loss of in-kind habitat value or acreage (whichever is greater)

The proposed alternatives will have relatively minor impacts to wetland resources. Impacts range from no loss of acreage associated with the No-Action and Retrofit alternatives; to losses of 0.07 acre of wetlands, 0.15 acre of mudflats, and 0.075 acre of eelgrass beds associated with the southern alternative (Alternative S-4). While the quantities are small, the Service's mitigation goal for wetlands, as stated above, is no net loss of in-kind habitat value or acreage.

The Service advises Caltrans to examine compensatory mitigation sites in the vicinity of impact sites. Mitigation areas constructed adjacent to impact sites will benefit local wildlife and/or fisheries resources. We encourage Caltrans to examine the potential of providing compensatory mitigation in the areas of the Oakland touch down (Oakland side of the SFOBB proposal), or the Port of Oakland because of their potential to augment the high value wildlife habitat of the Emeryville Crescent. The Oakland touch down and Port of Oakland areas also have the potential for continued success without extensive management.

To adequately compensate for any loss of habitat function or value due to temporal losses, we recommend a mitigation ratio of 3:1 for losses associated with wetlands and special aquatic sites. This recommendation is based on habitat evaluations conducted for similar projects within the Bay Area.

We appreciate Caltrans' coordination efforts and the opportunity to provide input during this stage of planning. If you have any questions regarding our comments, or require further information, please contact Jerry Bielfeldt in the Wetlands Branch at (916) 979-2113.

Sincerely,

Dale A. Pierce

for Wayne S. White
Field Supervisor
U.S. Department of the
Interior Coordinator

cc: AES, Portland, OR

DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

REPLY TO
ATTENTION OF:

SEP 03 1998

RECEIVED
SEP 4 - 1998
B. QUAN

Regulatory Branch

SUBJECT: File Number 23013S

DJM

Mr. Dennis Mulligan
California Department of Transportation
111 Grand Avenue
Oakland, California 94623-0660

Dear Mr. Mulligan:

Thank you for your letter dated August 27, 1998, providing updated information on the range of alternatives currently under consideration for the San Francisco-Oakland Bay Bridge (SFOBB) East Span Seismic Safety Project pursuant to the NEPA/404 Integration Process Memorandum of Understanding (MOU). The Corps provided concurrence on the range of alternatives by letter dated June 8, 1998. In an August 7, 1998 letter, you informed the Corps that two new replacement alternatives (N6 and S4) were added and that several alternatives (N1, N3 through N5 and S1 through S3) were withdrawn from consideration. By letter dated August 20, 1998, the Corps requested that Caltrans provide information describing all alternatives currently under consideration as well as a graphic showing the location of these alternatives. The requested information was provided as an attachment to your August 27, 1998 letter.

The Corps has reviewed the information provided in your August 27, 1998 letter. The information adequately describes and depicts the project alternatives currently under consideration. Therefore, this letter serves as the Corps' concurrence on the revised range of alternatives pursuant to the NEPA/404 Integration Process MOU (Attachment 1). It is the Corps' understanding that the alternatives described will be further described in the project Draft Environmental Impact Statement (DEIS).

We look forward to continuing the NEPA/404 Integration Process for this project. It is the Corps' understanding that our next decision/discussion points will include verification of the jurisdictional determination and identification of the final EIS NEPA preferred/section 404 least environmentally damaging practicable alternative.

If you have any questions, please contact Victoria Alvarez, of our Regulatory Branch at 415-977-8472. If you wish to write, please address all correspondence to the District Engineer, Attention: Regulatory Branch, and refer to the file number at the head of this letter.

Sincerely,

Calvin C. Fong
Chief, Regulatory Branch

Enclosures

Copies Furnished:

U.S. EPA, San Francisco CA (Mark Bartholomew)
U.S. FWS, Sacramento, CA (Mark Littlefield)
U.S. FHWA, San Francisco, CA (Dan Harris)
U.S. NMFS, Santa Rosa, CA (Chris Mobely)
U.S. CG, Oakland, CA (Jerry Olmes)
U.S. FTA, San Francisco, CA (Donna Turci)

DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

REPLY TO
ATTENTION OF:

Regulatory Branch

SUBJECT: File Number 23013S

Mr. Dennis Mulligan
California Department of Transportation
111 Grand Avenue
Oakland, California 94623-0660

Dear Mr. Mulligan:

Thank you for your submittal of August 17, 1998, requesting confirmation of the extent of Corps of Engineers jurisdiction at within the project boundary of the San Francisco-Oakland East Span Seismic Safety Project located in San Francisco and Alameda Counties, California. Victoria Alvarez, of my staff, met with Jennifer O'Connell of Woodward-Clyde Consultants and Beverly McIntosh of the California Department of Transportation (Caltrans) on August 27, 1998, to review the delineation. A second field inspection was performed on September 3, 1998 to review previously undelineated wetland areas on the eastern end of the project.

Enclosed is a map showing the extent and location of Corps of Engineers jurisdiction within the project boundary. We have based this jurisdictional delineation on the current conditions of the site. A change in those conditions may also change the extent of our jurisdiction. This jurisdictional delineation will expire in five years from the date of this letter. However, if there has been a change in circumstances which effects the extent of Corps jurisdiction, a revision may be done before that date.

All proposed work and/or structures extending bayward or seaward of the line on shore reached by: (1) mean high water (MHW) in tidal waters, or (2) ordinary high water in non-tidal waters designated as navigable waters of the United States, must be authorized by the Corps of Engineers pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). Additionally, all work and structures proposed in unfilled portions of the interior of diked areas below former MHW must be authorized under Section 10 of the same statute.

All proposed discharges of dredged or fill material into waters of the United States must be authorized by the Corps of Engineers pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344). Waters of the United States generally include tidal waters, lakes, ponds, rivers, streams (including intermittent streams), and wetlands.

Your proposed work appears to be within our jurisdiction and a permit is required. Application for Corps authorization should be made to this office using the application form in the enclosed pamphlet. To avoid delays it is essential that you enter the file number at the top of this letter into Item No. 1. The application must include plans showing the location, extent and character of the proposed activity, prepared in accordance with the requirements contained in this pamphlet. You should note, in planning your work, that upon receipt of a properly completed application and plans, it may be necessary to advertise the proposed work by issuing a public notice for a period of 30 days.

Since an individual permit is required, it will be necessary for you to demonstrate to the Corps that your proposed fill is necessary because there are no practicable alternatives, as outlined in the U.S. Environmental Protection Agency's Section 404(b)(1) Guidelines. A copy is enclosed to aid you in preparation of this alternative analysis.

If you have any questions, please call Victoria Alvarez of our Regulatory Branch at telephone 415-977-8472. Please address correspondence to the District Engineer, Attention: Regulatory Branch, and refer to the file number at the head of this letter.

Sincerely,

Calvin C. Fong
Chief, Regulatory Branch

Enclosure

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825

IN REPLY REFER TO:
PPN 2419

January 22, 2001

Ms. Mara Melandry
Environmental Manager, SFOBB
California Department of Transportation
Post Office Box 23660
Oakland, California 94623-0660

Dear Ms. Melandry:

The U.S. Fish and Wildlife Service has reviewed the November 2000 *Conceptual Mitigation Plan for Special Aquatic Sites* and concurs with the determination that the plan adequately addresses impacts associated with the replacement of the East Span of the San Francisco - Oakland Bay Bridge. While the plan is adequate, we request that you continue to identify additional means of avoiding and minimizing project associated impacts.

This concurrence is provided pursuant to the 1994 Memorandum of Understanding on Integration of the National Environmental Policy Act and Clean Water Act Section 404 Procedures for Surface Transportation Projects. These comments will not take the place of any formal comments that may be required at a later date pursuant to the Fish and Wildlife Coordination Act or the Endangered Species Act of 1973, as amended.

If you have any questions, please contact Jerry Bielfeldt (Wetlands Branch) at (916) 414-6584.

Sincerely,

Dale A. Pierce
Acting Field Supervisor

cc: ARD (ES)-Portland, OR
EPA, San Francisco, CA (Attn: Liz Varnhagen)
NMFS, Sacramento, CA (Attn: Kelly Finn)
FHWA, Sacramento, CA
ACOE, San Francisco, CA

DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

REPLY TO
ATTENTION OF:

FEB 12 2001

Regulatory Branch

SUBJECT: File Number 23013S: San Francisco-Oalkand Bay Bridge Seismic Safety Project

Ms. Mara Melandry
California Department of Transportation
111 Grand Avenue
Oakland, California 94623-0660

Dear Ms. Melandry:

This letter is in response to your submittals of January 22 and January 27, 2001 regarding the San Francisco-Oakland Bay Bridge Seismic Safety Project. The January 22, 2001 submittal requests the Corps' agreement with the conceptual mitigation plan that is included in that submittal. The submittal of January 27, 2001 is for the Corps' agreement that the N-6 alternative, for a new east span of the Bay Bridge, is the least environmentally damaging practicable alternative (LEDPA) based on the 404(b)(1) alternatives analysis that is included with the submittal.

After reviewing the above information, the Corps agrees with the conceptual mitigation and agrees that the N-6 alternative is the LEDPA. Please be advised that the Corps will not issue a public notice for the proposed project until a detailed mitigation plan is submitted to and approved by the Corps. A discussion of the mitigation will be included in the public notice.

Should you have any questions please call Mr. Rob Lawrence of our Regulatory Branch at (415) 977-8447. If you wish to write, please address all correspondence to Mr. Rob Lawrence, Regulatory Branch and refer to the file number at the head of this letter.

Sincerely,

Calvin C. Fong
Chief, Regulatory Branch

Copy Furnished:

US F&WS, Sacramento, CA Attn: Jerry Bielfeldt
US EPA, San Francisco, CA Attn: Mike Monroe
US NMFS, Santa Rosa, CA Attn: Brian Mulvey
BCDC, San Francisco, CA Attn: Bob Batha
CA F&G, Menlo Park, CA Attn: Becky Ota
CA F&G, Yountville, CA Attn: Scott Wilson
CA RWQCB, Oakland, CA Attn: Keith Lichten
CA SLC, Sacramento, CA Attn: Mary Howe

cc: Denis Mulligan
Steve Hulsebus
Brian Maroney
Cindy Adams (HQ)
Bill Wong (FHWA)
Ivy Edmonds-Hess (Parson Brinkerhoff)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

EXECUTIVE OFFICE
01 MAR 05 AM 10: 12

MAR 15 2001

Mr. Harry Y. Yahata
District Director
Caltrans – District 4
111 Grand Avenue
P.O. Box 23660
Oakland, CA 94623

Dear Mr. Yahata:

This letter responds to your letter of January 17, 2001, in which you requested our concurrence, under the NEPA/Clean Water Act Section 404 Integration Process MOU (NEPA/404 MOU), on the least environmentally damaging practicable alternative (LEDPA) for the **San Francisco Bay Bridge East Span Seismic Safety Project**. It also responds to your letter of January 22, 2001, which requested our views regarding the adequacy of the conceptual mitigation plan for the subject project.

In response to your request regarding the LEDPA, we have reviewed your January 2001 document entitled "Alternatives Analysis and Compliance with Section 404(b)(1) Guidelines." That document describes and analyzes a broad range of alternatives and concludes that Replacement Alternative N-6 is the least environmentally damaging practicable alternative . Based on our review of your analysis, and conversations with your staff and representatives of the Army Corps of Engineers and the U. S. Fish and Wildlife Service, we concur that Replacement Alternative N-6 is the LEDPA. We believe Alternative N-6 would enable Caltrans to meet the project's basic purpose while reducing adverse project impacts to aquatic resources to an acceptable level.

We have reviewed your conceptual mitigation plan of November 2000. We also have discussed this conceptual plan with your staff on several occasions. Based on this review and these discussions, we believe the conceptual mitigation plan identifies appropriate measures, both on-site and off-site, to reduce and offset unavoidable project impacts to non-tidal wetlands, inter-tidal sand flats, and eelgrass. We are particularly interested in the off-site mitigation feature that Caltrans proposes to undertake at the Bruener property. According to your January 22, 2001 letter, this mitigation will consist of creating 64.35 acres of tidal marsh ecosystem. We believe this proposal is sound and should be pursued, although many details will need to be resolved during the development of the final mitigation plan. If, for any reason, it is not possible to implement the off-site mitigation plan at the Bruener property, Caltrans should undertake mitigation of a similar nature and size at the Liquid Gold site or at some other suitable

site. We are available to work with your staff to ensure that the final mitigation plan satisfies these commitments and addresses all pertinent issues.

If you have questions regarding these comments, please contact Michael Monroe of our Wetlands Regulatory Office at (415) 744-1963, or Nova Blazej of my staff at (415) 744-2089.

Sincerely,

Lisa B. Hanf, Manager
Federal Activities Office

cc: B. Batha, BCDC, San Francisco
C. Fong, USACE, San Francisco
M. Littlefield, USFWS, Sacramento
J. West, SFBRWQCB, Oakland
C. Wilcox, CDFG, Yountville

APPENDIX G

AGENCY CONSULTATION LETTERS

APPENDIX G

Agency Consultation Letters

All pertinent agency letters received are not in this appendix. Agency letters commenting on the DEIS and responses to these letters are in Volume II, NEPA/404 consultation letters are in Appendix F.

List of Letters

Date	From	To	Subject
12/16/1996	U.S. Army Corps of Engineers	Caltrans	Aquatic disposal of dredged materials
3/11/1997	Federal Highway Administration	Caltrans	Lead federal agency
4/8/1997	Caltrans	CCSF, City of Oakland, others	Historic properties
4/29/1997	Federal Highway Administration	Caltrans	Lead agency status
5/19/1997	Coast Guard	Office of Historic Preservation	MOA for interim retrofit
6/12/1997	Mayor of San Francisco	MTC Bay Bridge Design Task Force	Future of the Bridge, connectivity, and impact on San Francisco
6/24/1997	U.S. Coast Guard	Office of Historic Preservation	Lead agency status
6/24/1997	U.S. Fish and Wildlife Service	U.S. Coast Guard	Section 7 Consultation
7/18/1997	Caltrans	City of Oakland	City of Oakland role in Section 106 process
7/21/1997	Mayor of San Francisco	MTC Bay Bridge Design Task Force	Transbay Terminal
8/13/1997	Office of Historic Preservation	Federal Highway Administration	Eligibility of historic properties
8/18/1997	Caltrans	National Marine Fisheries Service	Special status species list
8/18/1997	Caltrans	U.S. Fish and Wildlife Service	Special status species list
8/26/1997	National Marine Fisheries Service	Caltrans	Threatened/endangered species
8/29/1997	U.S. Fish and Wildlife Service	Caltrans	Threatened/endangered species
9/5/1997	Mayor of San Francisco	Governor, State of California	Treasure Island Development Authority

Date	From	To	Subject
9/5/1997	Mayor of San Francisco	Caltrans	Conveyance of Yerba Buena Island
11/1997	Mayor of San Francisco	Caltrans	Treasure Island/Yerba Buena Island ramps
11/21/1997	Navy for Caltrans	Native Americans	Request information on archaeological sites
12/17/1997	Caltrans	Mayor of San Francisco	Treasure Island/Yerba Buena Island ramps
1/14/1998	Oakland Landmarks Preservation Advisory Board	Caltrans	Historic properties
2/4/1998	Caltrans	National Marine Fisheries Service	Drilling impacts to endangered and threatened marine life
2/11/1998	Caltrans	Oakland Landmarks Preservation Advisory Board	Mitigation measures for historic properties
2/12/1998	Caltrans	City and County of San Francisco Planning Department	Disposal and reuse of Naval Station Treasure Island
5/13/1998	Mayor of San Francisco	MTC Bay Bridge Design Task Force	Transbay Transit Terminal replacement
6/11/1998	U.S. House of Representatives (Bay Area Members)	Metropolitan Transportation Commission	Bicycle lanes
6/12/1998	Caltrans	San Francisco Bay Conservation and Development Commission	Park at the Oakland Touchdown
6/15/1998	Caltrans	NAHC and Native American Monitor	Native American coordination
6/15/1998	U.S. Coast Guard	Caltrans	Temporary ramps on Yerba Buena Island
6/22/1998	Mayor of San Francisco	MTC Bay Bridge Design Task Force	Future development of Treasure Island and Yerba Buena Island
6/24/1998	Caltrans	CCSF	Historic studies
6/26/1998	Caltrans	Coast Guard	Historic studies
7/8/1998	U.S. Coast Guard	Caltrans	Cooperating agency status
7/16/1998	U.S. Navy	Caltrans	Drilling license for Yerba Buena Island
7/17/1998	Caltrans	Treasure Island Reuse Project	Water and sewer lines

Date	From	To	Subject
8/4/1998	Caltrans	CCSF, Navy	Effect evaluations for historic properties
8/10/1998	Port of Oakland	Bay Relations, Inc.	Southern alignment potential impacts
8/10/1998	State Senator Quentin Kopp	Metropolitan Transportation Commission	Rail service on the Bay Bridge
8/12/1998	U.S. Coast Guard	Caltrans	Coast Guard bridge removal policy
8/13/1998	Office of Historic Preservation	Federal Highway Administration	Historic properties
8/17/1998	Metropolitan Transportation Commission	State Senator Quentin Kopp	Rail service on the Bay Bridge
8/18/1998	Federal Highway Administration	Caltrans	Historic properties
8/19/1998	Caltrans	Office of Historic Preservation	Historic properties
8/21/1998	Office of Historic Preservation	Caltrans	Historic properties
9/1/1998	Caltrans	National Marine Fisheries Service	Potential for blasting during construction
9/10/1998	Office of Historic Preservation	Federal Highway Administration	Effects on historic properties
9/30/1998	Caltrans	City of Oakland	Systems to be installed on new East Span structure
10/23/1998	Caltrans	Bay Bridge Bicycle/ Pedestrian Advisory Committee	Interest group meeting #6
12/1/1998	Caltrans	Public agencies; preservation groups	Mitigation measures for historic properties
12/16/1998	Metropolitan Transportation Commission	Mayor of San Francisco	Legislative parameters for eastern span
12/28/1998	Caltrans	Local Mayors	Rail service on the Bay Bridge
12/30/1998	Caltrans Seismic Advisory Board	Senator Barbara Boxer	Soil explorations
1/20/1999	Caltrans	City of Oakland, CCSF, Navy, others	Mitigation measures for historic properties

Date	From	To	Subject
1/20/1999	National Marine Fisheries Service	Caltrans	Comments on Biological Assessment
1/21/1999	Caltrans	City of Oakland	SFOBB retrofit project performance comparison
1/26/1999	Congress of the United States	Jose Medina, Caltrans Director	Consensus on alignment
1/27/1999	Caltrans	Navy	Alternative-neutral MOA
2/16/1999	Coast Guard	Federal Highway Administration	MOA
2/18/1999	Navy	Caltrans	MOA
2/21/1999	CCSF's Treasure Island Project	U.S. Coast Guard	Coast Guard Station impacts
2/23/1999	U.S. Coast Guard	CCSF's Treasure Island Project	Impacts to Coast Guard facilities on YBI
3/1/1999	San Francisco Bay Conservation and Development Commission	CCSF's Treasure Island Project	Yerba Buena Island Reuse Plan
3/4/1999	CCSF's Treasure Island Project	San Francisco Bay Conservation and Development Commission	The Bay Plan
3/5/1999	Caltrans	Save San Francisco Bay Association	Replacement vs. retrofit
3/10/1999	Caltrans	Oakland Base Reuse Authority	Oakland Touchdown park
3/11/1999	San Francisco Bay Conservation and Development Commission	CCSF's Treasure Island Project	BCDC Staff Recommendations
4/1/1999	Port of Oakland	Caltrans	Radio Point Beach
5/7/1999	Caltrans	Native Americans	Native American coordination
5/10/1999	Mayor of San Francisco	Secretary Rodney Slater	Alexandria Historic Restoration and Preservation Commission v. USDOT
5/20/1999	FHWA	CCSF's Treasure Island Project	Report to the Council of Environmental Quality

Date	From	To	Subject
6/3/1999	U.S. Navy	Governor Gray Davis	Northern alignment concerns
6/10/1999	City of Oakland Council President	Supervisor Mary King, MTC	Oakland's desired features for the replacement bridge
6/22/1999	U.S. Coast Guard	Federal Highway Administration	Impacts to Coast Guard operations on Yerba Buena Island
6/23/1999	Supervisor Mary King, MTC	City of Oakland Council President	Oakland's desired features for the replacement bridge
7/13/1999	CCSF's Treasure Island Project	Secretary Contreras-Sweet	Legal and environmental issues associated with the northern alignment
8/26/1999	U.S. Coast Guard	U.S. Army Corps of Engineers	Access dredging
8/31/1999	U.S. Fish and Wildlife Service	Federal Highway Administration	Peregrine falcon
9/14/1999	CCSF's Treasure Island Project	Caltrans	Quarters 1-7 and the Naval Station Treasure Island Draft Reuse Plan
9/16/1999	Secretary Rodney Slater	Mayor of San Francisco	Alexandria Historic Restoration and Preservation Commission v. USDOT
9/23/1999	National Marine Fisheries Service	Federal Highway Administration	Living marine resources and habitats consultation
10/14/1999	Caltrans	CCSF and City of Oakland	Effects evaluations and mitigation measures for historic properties
10/20/1999 10/21/1999	Federal Highway Administration	Office of Historic Preservation, ACHP, Navy, Coast Guard	Effects evaluations and mitigation measures for historic properties
10/28/1999	East Bay Municipal Utility District	Caltrans	Maintenance issues for EBMUD outfall
11/8/1999	Senator Dianne Feinstein	Governor Gray Davis	Interim retrofit, accommodation of rail, and increasing trans-bay crossing capacity.
11/19/1999	Office of Historic Preservation	Federal Highway Administration	Effect evaluations for historic properties

Date	From	To	Subject
2/3/2000	Office of Historic Preservation	Federal Highway Administration	MOA
2/4/2000	San Francisco Bay Conservation and Development Commission	Caltrans	Consistency Determination
2/18/2000	Navy	Federal Highway Administration	Role of CCSF in MOA
2/29/2000	Federal Highway Administration	U.S. Navy	Role of CCSF in MOA
2/29/2000	California Transportation Commission	U.S. Navy	Navy cooperation
3/21/2000	U.S. Navy	California Transportation Commission	CCSF's exclusion from the East Span Safety Project
3/28/2000	U.S. Navy	Federal Highway Administration	Role of CCSF in MOA
4/19/2000	ACHP	Federal Highway Administration	MOA
5/19/2000	Federal Highway Administration	Navy	MOA and land transfer
5/26/2000	Federal Highway Administration	Office of State Historic Preservation	Maritime archaeology
6/6/2000	Office Of Historic Preservation	Federal Highway Administration	Maritime archaeology
6/13/2000	Federal Highway Administration	Caltrans	Maritime archaeology
6/23/2000	Federal Highway Administration	Navy, CCSF, City of Oakland, Native Americans	Requests concurring party signatures on MOA
7/26/2000	City of Oakland	Federal Highway Administration	Objections to MOA
8/4/2000	U.S. Navy	Federal Highway Administration	MOA
8/8/2000	Department of Fish and Game	Caltrans	Review of the Biological Assessment
9/25/2000	Federal Highway Administration	City of Oakland	MOA

Date	From	To	Subject
10/31/2000	Department of the Army	Caltrans	Sediment test results
12/7/2000	Ad Hoc Committee on Seismic Ground Motion	Joseph Nicoletti, Chairman of EDAP	Review of U.S. Army Corps of Engineers Final Report
12/21/2000	BCDC	Caltrans	Bridge railing height on bicycle-pedestrian path
1/22/2001	Caltrans	Army Corps of Engineers and Environmental Protection Agency	Conceptual Mitigation Plan for Special Aquatic Sites
2/14/2001	Caltrans	Army Corps of Engineers	Transmit Administrative FEIS and responses to Corps' comments on DEIS
2/14/2001	Caltrans	Environmental Protection Agency	Transmit Administrative FEIS and responses to EPA's comments on DEIS
2/14/2001	Caltrans	United States Coast Guard	Transmit Administrative FEIS and responses to USCG's comments on DEIS
2/27/2001	Caltrans	Navy	Transmit responses to Navy's comments on DEIS
3/22/2001	NMFS	Caltrans	Response to request for updated endangered species list
3/26/2001	USFWS	Caltrans	Response to request for updated endangered species list

EXHIBIT L

DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

DEC 16 1996

REPLY TO
ATTENTION OF:

Regulatory Branch

SUBJECT: File Number 22138S

Mr. Kenneth Terpstra
Project Manager
California Department of Transportation
P.O. Box 23660
Oakland, California 94623-0660

Dear Mr. Terpstra:

The U.S. Environmental Protection Agency, San Francisco Bay Conservation and Development Commission, San Francisco Bay Regional Water Quality Control Board, and the Corps of Engineers, have completed their review of the sediment test results for the approximately 262,000 cubic yards of sediments proposed to be dredged for the San Francisco-Oakland Bay Bridge Seismic Retrofit Project in San Francisco and Alameda Counties, California as presented in the report prepared by Clayton Environmental Consultants entitled "Sediment Sampling and Results, San Francisco-Oakland Bay Bridge, East span, Seismic Retrofit Project" dated November 1996.

The members of the above inter-agency group are recommending to their respective agency's management that the material proposed for dredging from all piers EXCEPT Pier E-23, as characterized in the above report, is suitable for aquatic disposal at the Alcatraz Dredge Material Disposal Site (SF-11). The test results show that the material from Pier-23 contains elevated levels of some metals, particularly lead. The inter-agency group suggests that this material be removed to an approved upland disposal site or that additional tests be conducted on the archived material from Pier-23. Should you choose to conduct additional tests, please contact Mr. Rob Lawrence of the Corps of Engineers at (415) 977-8447 to discuss the details of additional tests.

Please be advised that this letter does not constitute an authorization to proceed with your dredge project. You must first obtain Federal, State and local permits as appropriate.

Should you have any questions please call Mr. Rob Lawrence. If you wish to write, please address all correspondence to the District Engineer, Attention: Mr. David Dwinell Construction-

Operations Division, and refer to the file number at the head of this letter.

Sincerely,

Max R. Blodgett
Chief, Construction-Operations
Division

Copies Furnished:

US EPA, San Francisco, CA, Attn: Hoffman
CA BCDC, San Francisco, CA, Attn: Goldbeck
CA RWQCB, Oakland, CA, Attn: Gandesbery
CA SLC, Sacramento, CA, Attn: Howe
CA F&G, Menlo Park, CA, Attn: Tasto
US NMFS, Santa Rosa, CA, Attn: Butler

U.S. Department of Transportation
Federal Highway Administration

Office of the Administrator
400 Seventh St., S.W.
Washington, D.C. 20590

March 11, 1997
Refer to: HPD-1

Mr. James W. van Loben Sels
Director, California Department
of Transportation
P.O. Box 942873
Sacramento, CA 94273-0001

Dear Mr. ~~van~~ Jim Loben Sels:

Thank you for your February 20 letter to Secretary of Transportation Rodney E. Slater regarding the lead Federal Agency for replacement of the eastern span of the San Francisco-Oakland Bay Bridge.

Recognizing the importance of designating the appropriate lead Federal Agency, Mr. Eugene W. Cleckley of my office and Mr. Nick Mpras of the United States Coast Guard (USCG) have discussed your recommendation. On the Secretary's behalf, I am pleased to let you know that based on these discussions, the FHWA will be the lead Federal Agency.

We have informed FHWA Division Administrator David H. Densmore of this decision. He and his staff will work closely with you to ensure the project is developed in accordance with Federal requirements, including those under the jurisdiction of the USCG.

Sincerely yours,

Anthony R. Kane
Executive Director

ARTMENT OF TRANSPORTATION
660
ID, CA 94623-0660
86-4444
) 286-4454

April 8, 1997

Bay Bridge Seismic Retrofit
04-SF-80, P.M. 4.9 / 8.9
04-Ala-80, P.M. 0.0 / 1.3

Mr. Bill Coburn, Director
Oakland Heritage Alliance
P. O. Box 12425
Oakland, California 94612

Dear Mr. Coburn:

As you are probably aware, the California Department of Transportation (Caltrans) is planning seismic retrofit work on the San Francisco - Oakland Bay Bridge, a civil engineering landmark that is eligible for listing on the National Register of Historic Places. One of the options being considered is the construction of an entirely new East Bay span, between Oakland and Yerba Buena Island. Several alternative bridge designs have been proposed for this new structure. The Federal Highway Administration (FHWA) will be the lead federal agency for this undertaking, which is subject to review by the State Historic Preservation Officer (SHPO) pursuant to Section 106 of the National Historic Preservation Act.

We invite your comments on this undertaking and its effect on the historic bridge, in accordance with the "public participation" provisions of the regulations implementing Section 106 [36 CFR 800.1(c), et. al.] We are particularly interested in your ideas and suggestions for practical and appropriate mitigation measures, specifically related to impacts to the historic bridge, if the decision is made to replace the existing East Bay spans with a new structure. Caltrans has already committed to photographic recordation of the bridge to Historic American Engineering Record (HAER) standards. Copies of all comments received will be forwarded to the SHPO for her consideration in the review of this project.

We are also enclosing a schedule of public meetings for your information. If you have any questions or would like more information, please contact Mara Melandry at (510) 286-5582.

Sincerely,

HARRY Y. YAHATA
District Director

By

Mara Melandry

for ROBERT GROSS
District Office Chief
Office of Environmental Planning, South

cc: Hans Kreutzberg, Office of Historic Preservation
Lee Keating, Advisory Council on Historic Preservation

Historic Preservation Groups
to receive letter from Caltrans on the possible new east span of the San Francisco - Oakland Bay Bridge

1. Mr. Charles Cavanagh, Chair
   American Society of Civil Engineers,
   History and Heritage Committee
   708 Carolan Avenue
   Burlingame, California 94010

2. Mr. Anthony Bruce
   Berkeley Architectural Heritage Association
   2318 Durant Avenue
   Berkeley, California 94701

3. Mr. Jeff Eichenfeld, Director
   California Preservation Foundation
   405 Fourteenth Street, Suite 1010
   Oakland, California 94612

4. Mr. David Bahlman, Executive Director
   Foundation for San Francisco's Architectural Heritage
   2007 Franklin Street
   San Francisco, California 94109

5. Ms. Denise LaPointe, President
   Landmarks Preservation Advisory Board
   c/o Planning Department
   City and County of San Francisco
   1660 Mission Street, 5th Floor
   San Francisco, California 94103 - 2414

6. Ms. Kathryn A. Byrnes, Director
   National Trust for Historic Preservation
   Western Regional Office
   1 Sutter Street, Suite 707
   San Francisco, California 94104

7. Mr. Gary Knecht, Coordinator
   Oakland Cultural Heritage Survey
   City of Oakland, Planning Department
   1330 Broadway, Suite 310
   Oakland, California 94612

8. Mr. Bill Coburn, Director
   Oakland Heritage Alliance
   P.O. Box 12425
   Oakland, California 94612

MAY 1 1997

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
REGION NINE
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

ARIZONA
CALIFORNIA
NEVADA
HAWAI'I
GUAM
AMERICAN SAMOA
N. MARIANA IS.

April 29, 1997

IN REPLY REFER TO
HA-CA
File #:04-SF-Ala-80
Document #: P11061

EXECUTIVE OFFICE
APR 31 PM 2: 04

Mr. Harry Yahata, District Director
Caltrans, District 4
P.O. Box 23660
Oakland, CA 94623-0660

Attention: Denis Mulligan

Dear Mr. Yahata:

SUBJECT: CONFIRMATION OF AGREEMENT AS LEAD AGENCY FOR SFOBB

This is in response to your April 14, 1997, letter to confirm the agreements reached regarding seismic work on the San Francisco-Oakland Bay Bridge (SFOBB). In general, the FHWA agreed to be the lead federal agency for NEPA purposes if there is a federal action required. However, if no federal action is anticipated, Caltrans is to clear the project under the State laws. Our understanding for the FHWA involvement is as follows:

The East Span retrofit (new structure) will require a Federal action. Accordingly, we agreed to be the lead federal agency for the project.

The West Bay Span, if there is a federal action. We will work with your staff to determine the level of NEPA documentation.

The West Bay Approach from 5th Street to the San Francisco anchorage, as you have indicated, has no federal involvement. We concur and we encourage you to proceed on that basis.

We are looking forward to working with you and your staff on the SFOBB projects. If you have any questions, please contact Mr. John Schultz, Chief, District Operations North or Bill Wong, Senior Transportation Engineer at (916) 498-5041/5042.

Sincerely,

John R Schultz

For
David H. Densmore
Division Administrator

RECEIVED
MAY 8 - 1997
B. QUAN

DEPARTMENT OF THE NAVY
ENGINEERING FIELD ACTIVITY, WEST
NAVAL FACILITIES ENGINEERING COMMAND
900 COMMODORE DRIVE
SAN BRUNO, CALIFORNIA 94066-2402

IN REPLY REFER TO:

5090.1B
185LW/EP-1282

MAY 19 1997

Mr. Wayne R. Till
Chief, Bridge Section
Eleventh Coast Guard District
Bldg. 50-6
Coast Guard Island
Alameda, CA 94501-5100

Dear Mr. Till:

We appreciate the briefing you arranged on April 3, 1997 with the California Department of Transportation (CALTRANS) on our behalf to explain the interim seismic modifications required by the east section of the San Francisco-Oakland Bay Bridge until a replacement bridge can be designed and constructed connecting Oakland to Yerba Buena Island. Mr. Louis Wall, who represented the Navy at that meeting has briefed me on the revised modifications as currently planned and has informed us that the Federal Highway Administration (FHWA) will be the lead agency in preparing the Environmental Impact Statement for the proposed replacement bridge project. He also has advised that Mr. John Schultz, District Engineer, California Division, FHWA, who also was in attendance, stated that the concerns raised by the Navy in our previous correspondence with respect to the impacts of noise, construction and traffic generated, vibrations and restrictions to the continued use of the historic properties on Yerba Buena and Treasure Island would be fully addressed in the EIS, and that FHWA would initiate a separate review pursuant to Section 106 of the National Historic Preservation Act for the bridge replacement project.

From the information provided at the briefing it appears that the interim seismic retrofit project should not adversely affect Quarters 1 or any of the other historic properties on Yerba Buena Island. Nor should they affect the continued use of the historic buildings on Treasure Island. Nevertheless, we are reluctant to sign the Memorandum of Agreement (MOA) prepared pursuant to the regulations implementing Section 106 of the National Historic Preservation Act, forwarded to us by your letter of January 10, 1997. That MOA accepted the adverse effects of the seismic retrofit project as then designed on these historic properties and required actions to mitigate anticipated adverse effects which for the most part are no longer appropriate.

We are not adverse to participating in this process and are willing to sign a MOA revised to address the currently proposed retrofit project. This would require changing the first "WHEREAS" clause to make it clear that the undertaking is the permanent retrofit of that portion of the bridge between San Francisco and Yerba Buena Island, and only an interim retrofit of that portion of the bridge that spans the Bay from Oakland to Yerba Buena Island. The second "WHEREAS" requires editing as well, because it appears that as revised the undertaking will not affect Quarters 1. It is also suggested that the phrase ", and the Navy has consulted in accordance with applicable

provisions of Section 110 of the same Act (16 U.S.C. 470h-2)" in this "WHEREAS" be deleted because we have not. With respect to the "STIPULATIONS," number "II" should be deleted as it is no longer applicable. Stipulation III. B. requires reworking to delete reference to those modifications no longer planned for the eastern side on Yerba Buena Island. Stipulation IV.D. refers to "Stipulation IX" and this number should change when Stipulation II is deleted. The instruction to "promptly notify the Navy" in Stipulation IV.D. is overly vague and should be made more specific. Should such unanticipated discoveries be found, CALTRANS should contact the "Officer In Charge in the Caretaker Site Office, Naval Station Treasure Island and the Environmental Planning Branch, Engineering Field Activity, West, San Bruno." Lastly, we noted a typo at the end of the third line of Stipulation VII. where "in" should read "is".

Enclosed is the original MOA forwarded with your January 10 letter. If you have any questions about the proposed revisions, please call Mr. Wall at (415) 244-3015. We look forward to receiving the revised MOA.

Sincerely,

KENN Y. PARSONS
Base Conversion Manager
Naval Station Treasure Island

Enclosure

Copy to:
John R. Schultz, FHWA, Sacramento
Steven L. Hulsebus, Caltrans, Oakland
Mara Melandry, Caltrans, Oakland

ATTACHMENT #3

OFFICE OF THE MAYOR
SAN FRANCISCO

WILLIE LEWIS BROWN, JR.

June 12, 1997

Honorable Mary King
Chairperson
Bay Bridge Design Task Force
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607-4700

Dear Supervisor King:

Thank you for serving as Chair for the Bay Bridge Design Task Force. I appreciate the effort that MTC and Caltrans have put into this aggressive review and study period. I am taking the liberty of writing the Task Force with my thoughts regarding the future of the Bridge, its connectivity to the region and its impact on San Francisco.

As you know, San Francisco views the Bay Bridge in its totality, not just the eastern span. Efforts should be made to support the retrofit of the western approach ramps, redesign of the access to Yerba Buena Island and Treasure Island, as well as the incorporation of the new regional terminal which will help relieve future congestion on the new span and the transbay corridor.

Last month City staff presented to your Committee information regarding the replacement of the state-owned Transbay Transit Terminal, which is historically linked to the Bay Bridge. The Terminal has been part of the Bridge since its inception, toll revenues paid for its construction, and continue to pay for its operation and maintenance. Caltrans, faced with seismic and life safety concerns regarding the future of the terminal, came to the City for assistance in planning a replacement facility. The City of San Francisco, working with the regional transit operators, MTC and Caltrans has developed a replacement terminal proposal. This proposal was endorsed by the San Francisco Board of Supervisors last month and is moving into project design and environmental review. I am attaching a copy of a letter I sent to the President of AC Transit's Board of Directors outlining the history of this project.

The primary user of the Transbay Transit Terminal is AC Transit, which enjoys exclusive ramp access from the Bridge to the Terminal. This dedicated access allows for efficient, convenient transbay access from the East Bay. This exclusive access will continue as part of the replacement terminal to be located between Main and Beale Streets at Howard Street.

401 VAN NESS AVENUE, ROOM 336, SAN FRANCISCO, CALIFORNIA 94102
(415) 554-6141
RECYCLED PAPER

Access to and from the Bridge should also be considered in your final analysis on the Bridge. I know there are efforts to retrofit and or replace the western approach ramps, which include the terminal ramps, leading to and from the Bridge in San Francisco. The coordination of this project as it relates to the rebuilding of the Terminal Separator Structure should be encouraged. However, I believe the greatest deficiency is related to the auto ramps linking the Bridge with Treasure Island and Yerba Buena Island (TI/YBI). From an operational and life safety standpoint, I assume these ramps are sub-standard. One cannot in good conscience allow the bridge to be retrofitted and do nothing to improve how vehicles get on and off the Island. The Task Force should support the additional costs required to assure safe and convenient traffic movement between the Bridge and TI/YBI.

The alignment of the eastern span onto Yerba Buena Island is also critical to us as we take possession of the Island from the Navy this fall. The proposed Northern alignment precludes development of most of the flat, developable land on Yerba Buena Island. Reuse of existing buildings and redevelopment of this area is critical to providing revenue to fund redevelopment of Treasure Island, where seismic safety issues and Tideland Trust restrictions impose higher costs for redevelopment. For this reason, along with the increased cost for the replacement span, I am against the Northern alignment. The Southern alignment preserves these immediately developable opportunities, reduces negative visual and noise impacts from the existing Bridge, and costs less.

I hope that you find this information helpful in your deliberations regarding the new Bay Bridge design. I offer my good offices to assist you in obtaining additional funding for those proposals endorsed by your Task Force. Thank you for allowing me the forum to comment.

Sincerely,

Willie L. Brown, Jr.
Mayor

WLB/s2

U.S. Department of Transportation
United States Coast Guard

Commander (Pow-2)
Eleventh Coast Guard District

Coast Guard Island
Alameda, CA 94501-5100
Staff Symbol: (Pow-2)
Phone: (510) 437-3514
FAX: (510) 437-5836

16591
San Francisco Bay (8.9)
Ser: 318-97
Date June 24, 1997

Hans Kreutzberg
Deputy State Historic Preservation Officer
P.O. Box 2390
Sacramento, CA

Dear Mr. Kruetzberg:

This is to notify you of a change in the nature of activities involved in the seismic retrofit efforts at the San Francisco-Oakland Bay Bridge (SFOBB), and a change in responsible federal agency.

First, as you know, the Governor of California has decided to replace rather than retrofit the east bay portion of the SFOBB. Although some minor retrofit activities will be conducted at the east bay spans, the retrofit work there should have no significant effect on the historic character of the bridge or properties in the historic district on Treasure Island. Accordingly, the MOA which we submitted on November 29, 1996 needs to be revised to reflect the change in the scope of work.

Second, the Coast Guard has determined that a bridge permit will not be required for the seismic retrofit work, thus there remains no Coast Guard undertaking with this project, and it is no longer appropriate for us to serve as the federal coordinator.

In accordance with our agreement with the Federal Highway Administration, they will serve as lead federal agency for both the seismic retrofit and the east bay span replacement project.

Since the east bay span replacement project will require a Coast Guard bridge permit, we will serve as a cooperating agency in the environmental review processes.

If you have any questions concerning this letter, please call me at (510) 437-3516.

Sincerely,

W. R. TILL
Chief, Bridge Section
U. S. Coast Guard
By direction of the District Commander

Copy: FHWA, USN, ACHP, Caltrans 04

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Sacramento Field Office
3310 El Camino Avenue, Suite 130
Sacramento, California 95821-6340

IN REPLY REFER TO:

1-1-97-F-107

June 24, 1997

Mr. W.R. Till
Chief, Bridge Section
U.S. Coast Guard
Bldg. 50-6 Coast Guard Island
Alameda, CA 94501-5100

Subject: Formal Section 7 Consultation on the Oakland Bay Bridge Seismic Retrofit, San Francisco and Alameda Counties, California

Dear Mr. Till:

This document transmits the U.S. Fish and Wildlife Service's (Service) biological opinion based on the Service's review of the proposed Oakland Bay Bridge (Bridge) seismic retrofit and related activities, and its effects on the endangered American peregrine falcon (*Falco peregrinus anatum*) in accordance with section 7 of the Endangered Species Act of 1973, as amended (Act). Your request for formal consultation was received on January 3, 1997.

This biological opinion is based on information provided in the November 7, 1996, biological assessment (BA) prepared by Caltrans (1996), personal communications with Brian Walton of the Santa Cruz Predatory Bird Research Group (SCPBRG), the final rule listing the peregrine falcon (35 CFR 16047), the proposed rule to delist the species (50 CFR 34406), and the Recovery Plan for the Peregrine Falcon (USFWS 1982). A complete administrative record of this consultation is on file in this office.

BIOLOGICAL OPINION

Description of the Proposed Action

The U.S. Coast Guard proposes to authorize the California Department of Transportation (Caltrans) to proceed with a seismic retrofit of the Oakland Bay Bridge. The seismic retrofit will occur through 21 individual projects, as described in the biological assessment. The projects are grouped into units: east bay, west bay, and the west bay approach. Project 1, at the east bay approach, is currently under construction. Project 11 is at the west bay approach and is completed. Project 21 has been included in Project 3. This biological opinion addresses the remaining 18 projects. In summary, the remaining projects that may affect the peregrine falcon involve foundation work on the footings of several piers and work on the superstructures, road beds and footings of over-water portions of the bridge. For a complete description of project activities, refer to the biological assessment (Caltrans 1996).

Project impacts will be minimized by implementing a construction restraint from February through mid-June. In addition, any peregrine falcon chicks will

be removed by the SCPBRG. Chicks will be reared and released elsewhere. Activities will avoid a 300 foot distance from the actual nest locations.

Species Account and Environmental Baseline

The American peregrine falcon was federally listed as endangered in 1970 (35 FR 16047). The following is a discussion of peregrine falcon biology, population status and trends. For further information refer to the *Pacific Coast Recovery Plan for the American Peregrine Falcon* (USDI 1982)

As stated in the *Pacific Coast Recovery Plan for American Peregrine Falcon* (USDI 1982), American peregrine falcons nest almost exclusively on cliffs, usually near water. Preferable sites are sheer cliffs 150 feet or more in height. The cliff usually has a small cave or overhung ledge large enough to contain three or four full-grown nestlings. Several holes or ledges that can be used in alternate years are apparently not an absolute requirement, but probably increase the suitability of the cliff. Peregrines have nested from sea level to over 11,000 feet, anywhere suitable cliffs are found, except in the desert.

Bridges and tall buildings have become surrogate cliffs and are utilized by peregrine pairs for nesting, roosting and foraging (Hickey and Anderson 1969). Peregrines' use of bridges includes (1) year round occupation, with the bridges used as hunting perches, night roosts, perches to escape inclement weather, or other perching, (2) nesting by pairs from 1 February through 31 July, and (3) irregular occupation by immature peregrines, "floating" adults seeking vacant territories, or wintering migrants from northern populations (Walton 1997). In the case of nesting pairs, no nest is built by the falcons; eggs are laid in debris on ledges or in cavities (Walton 1997). Nest sites are almost invariably below the roadway, and often on the portion of the bridge that is highest above the water. These latter "sites" can be repeated many times on any one bridge. Typically, only one pair will occupy a bridge (Walton 1997).

Peregrines compete with other raptors and ecologically similar birds for cliff nests. For example, golden eagles (*Aquila chrysaetos*), red-tailed hawks (*Buteo jamaicensis*), prairie falcon (*Falco mexicanus*), turkey vultures (*Cathartes aura*), and ravens (*Corvus corax*) all nest in similar situations and may even use abandoned peregrine eyries. Peregrines defend the nesting territory vigorously against intrusion by some of these species. It is not clear, however, if this is a response to nest-site competition or is a response of perceived threats to adults or young.

Availability of nest sites may be a limiting factor in some areas. For example, peregrines historically nested all along the coast in southern California. Today, houses and other buildings are located on the tops of these sea cliffs, and recreation abounds in their vicinity to such an extent that few suitable nesting areas remain. Partly as a result of this, peregrine falcons currently do not nest along the coast from near Santa Barbara south to the Mexican border. Further loss of historical peregrine nest sites could limit recovery of the species in some areas.

Foraging areas are associated with each nest territory. This generally includes wooded areas, marshes, open grasslands, coastal strands and bodies of water. The peregrine falcon is a diurnal raptor that feeds almost entirely on small birds. Wooded areas near water attract a diverse avifauna, and bodies of water provide open areas where prey cannot easily escape attack. Marshes, savannas, and shorelines are also common foraging areas. Loss of foraging

areas through modification of habitat may be a problem. In many areas human encroachment has caused nests to be abandoned, but it is difficult to separate the effects of habitat loss from the effects of disturbances to the birds themselves.

The species suffered a dramatic population crash in the 1960s correlated with the introduction and use of organo-chlorine pesticides in the middle and late 1940s. About 220 historical eyries were known in California. By 1970, only four nesting locations in California were active. By the mid 1970s, the remaining core population in the State was estimated to be 20 to 30 pairs in the inner north coastal ranges, with 5 to 10 pairs distributed throughout the rest of the State.

A Recovery Plan for the species was adopted in 1982. Under the plan, the first phase allowed various techniques to be used to increase the peregrine falcon populations. In the San Francisco Bay Area, researchers from the SCPBRG coordinated egg removals, fostering, cross fostering and captive breeding efforts. American peregrine falcons in the western United States have re-expanded in recent decades. In 1992, 113 pairs were known in California, most of which occurred in the northwestern portion of the State. On June 30, 1995, the Service published an advance notice of a proposal to remove the American peregrine falcon from the list of Endangered and Threatened wildlife (50 FR 34406); according to this notice, the current total for the Pacific population stands at approximately 224 pairs.

There are currently several pairs of peregrine falcons within the vicinity of the Oakland Bay Bridge. The Dumbarten Bridge supports nesting peregrine falcons (B. Walton, pers. comm., 1997), peregrines have been observed utilizing the Hayward-San Mateo Bridge for perching and foraging, and nesting attempts have been documented at the Richmond-San Rafael Bridge (Caltrans 1997). The Oakland Bay Bridge has two pairs of nesting peregrine falcons; one pair nests on the west bay spans and another pair nests on the east bay side. The biological assessment provides nest histories of both pairs from the 1980s through the 1996 breeding season (Caltrans 1996).

Effects of the Action

A review of the literature indicates that disturbance can negatively affect avian productivity. Specifically, studies on waterfowl, colonial seabirds and raptors have shown that disturbance can cause nest abandonment, egg mortality due to exposure from flushing, increased predation of eggs and hatchlings, depressed feeding rates, increased adult energy demands, or avoidance of otherwise suitable habitat (Anderson and Keith 1980, Burger 1981, Pierce and Simons 1986, Knight and Skagen 1988, Henson and Grant 1991). Recurring disturbance, such as annual events, may cause a shift in breeding activity over time. Individuals that succeed in their reproductive efforts in spite of noise disturbance may not return to the same successful location the following year due to anticipated disturbance.

The use of motorized equipment during the breeding season within one half mile of suitable nesting habitat has the potential to disrupt essential breeding behaviors by: (1) causing abandonment of the breeding effort by failure to initiate nesting; (2) copulation disturbances resulting in infertile eggs; (3) causing abandonment of the breeding effort by failure to complete incubation; (4) egg breakage or death; (5) death of young in the nest because of inability to thermoregulate; (6) disrupting nesting activities such as feeding young; (7) causing premature fledging and dispersal of juveniles;

(8) stress to adults resulting in less hunting and starvation of young; and
(9) various other impacts.

The effects of disturbances on peregrine falcons vary with the timing of the disturbance and the proximity to the eyrie. The peregrine falcon is particularly sensitive to disturbance near the nest cliff during the breeding season. In early spring during courtship, disturbed birds are particularly liable to desert an area. Part of the male's courtship ritual involves ledge displays to attract a female to a particular ledge for use as a nest site (Nelson 1970). The female will accept or reject the ledge, and it is believed that this is based largely on the protection from predators the ledge offers. If disturbance occurs near the ledge, the female will often reject the ledge and search for a better one. If human activities are centered generally throughout the nesting area, the entire territory may be abandoned, and the pair may not nest (Hickey 1942, Bond 1946, Fyfe and Olendorff 1976). Peregrines have abandoned their nest ledges after a single short visit by a human before or during egg laying (Fyfe and Olendorff 1976).

After the eggs are laid, the parents are less likely to abandon their nest, but many still do so. After the eggs hatch, but before the young fledge, the parents are most likely to "sit tight" and defend the nest vigorously rather than abandon it. Another critical period occurs just prior to fledgling by the young. Disturbance at the nest may cause the nestlings to fledge prematurely, which may result in injury or death, or expose them to predators.

The birds utilizing San Francisco Bay area bridges, such as the Oakland Bay Bridge, may be accustomed to higher levels of noise disturbances than other birds nesting within the range. However, the construction activities are expected to increase noise levels and visual distractions to a higher degree than that associated with typical road and boat traffic. Disturbances to peregrine falcons on the Oakland Bay Bridge have been documented in association with past bridge repair work. The pairs on the bridge have defended their nest areas, during their reproductive period, by mobbing intruders and vocalizing. Disturbances other than retrofit activities, such as bridge inspections, maintenance and painting are continuous and therefore, represent a high degree of disturbance to the birds. Other retrofit construction projects (i.e., Richmond-San Rafael Bridge, Hayward-San Mateo Bridge) occurring simultaneously within the San Francisco Bay area may increase the cumulative effects on peregrine falcons.

Peregrines rarely return to their own nest to breed with their parents or siblings, instead most move 10 to 250 miles and breed with unrelated birds (Walton 1997). Thus, falcons coming to California bridges in the future are unlikely to be offspring fledged from nests on the bridge being impacted. This means that the productivity of an individual bridge is not critical to continued occupancy of that specific territory or bridge. Hence, bridges have remained occupied now for many years despite higher than normal mortality of fledglings that occurs because of drowning and car collisions. For this reason, moving broods to hack sites has been suggested by some biologists as a way to salvage young peregrines and allow them to fledge under safer conditions.

Hacking of peregrine falcons, as committed to by Caltrans via their contract with the SCPBRG, will greatly enhance peregrine productivity and re-occupancy of many areas of historic range in California. According to Walton (pers. comm. 1997), almost all birds on buildings and bridges initially came from these releases, although currently most falcons come from wild nests. In

addition to hacking of young birds, the limited operating period and 300 foot avoidance zone will further minimize the effects of incidental take.

Cumulative Effects

Cumulative effects include the effects of future State, Tribal, local or private actions that are reasonably certain to occur within the action area considered in this biological opinion. Future Federal actions that are unrelated to the proposed action are not considered in this section because they require separate consultation pursuant to section 7 of the Act.

Conclusion

After reviewing the current status of the American peregrine falcon, the environmental baseline, the effects of the proposed action and the cumulative effects, it is the Service's biological opinion that the seismic retrofit of the Bridge, as proposed, is not likely to jeopardize the continued existence of the peregrine falcon. This determination is based on implementation of the conservation measures to minimize harm that are outlined in your biological assessment.

INCIDENTAL TAKE STATEMENT

Section 9 of the Act and Federal regulation pursuant to section 4(d) of the Act prohibit take of endangered and threatened species, respectively, without special exemption. Take is defined as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Harm is further defined to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns, including breeding, feeding, or sheltering. Harass is defined as actions that create the likelihood of injury to listed species to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding or sheltering. Incidental take is defined as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Under the terms of section 7(b)(4) and section 7(o)(2), taking that is incidental to and not intended as part of the agency action is not considered to be prohibited taking under the Act provided that such taking is in compliance with this Incidental Take Statement.

Amount or Extent of Take

The Service has determined that incidental take of reproduction associated with the peregrine falcon territories within the vicinity of the Bridge is likely to occur throughout the project duration (3 years). The Service estimates that all progeny from one nesting pair of peregrine falcons will be subject to take in the form of harm, harassment, or capture for a period of three years.

Effect of the Take

In the accompanying biological opinion, the Service determined that this level of anticipated take is not likely to result in jeopardy to the American peregrine falcon or a reduction of opportunity for recovery of the species.

Reasonable and Prudent Measures

The Service determines that no reasonable and prudent measures are necessary to minimize the impact of incidental take of peregrine falcons. The Coast Guard, however, has a continuing duty to regulate the activity covered by this incidental take statement. If the Coast Guard fails to require the applicant to adhere to the measures proposed in the project description, the protective coverage of section 7(o)(2) may lapse.

Reporting Requirements

The Service has an established protocol for the handling and analysis of dead, sick or injured listed species. Any dead or injured peregrine falcons must be reported to the Service's Law Enforcement Division (916/979-2986) within 24 hours, and turned over as soon as possible to the Law Enforcement Division or to a game warden or biologist of the California Department of Fish and Game for care or analysis. The Service is to be notified in writing within three working days of the accidental death of, or injury to, any peregrine falcon, or of the finding of any dead or injured peregrine falcon during construction operations. Notification must include the date, time, and location of the incident or discovery of a dead or injured peregrine falcon, as well as any pertinent information on circumstances surrounding the incident or discovery. The Service contact for this written information is the Field Supervisor (916/979-2710).

REINITIATION - CLOSING STATEMENT

This concludes formal consultation on the actions as outlined in the U.S. Coast Guard's December 26, 1996, request. The incidental take permitted in accordance with this project is authorized through the breeding season of 2000. Any maintenance activities anticipated after will require reinitiation of consultation on this project. As provided in 50 CFR §402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: (1) the amount or extent of incidental take is exceeded; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; (3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered in this opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action. In instances where the amount or extent of incidental take is exceeded, any operations causing such take must cease pending reinitiation.

If you have questions regarding this response, please contact Ms. Ina Pisani at (916)979-2725.

Sincerely,

Ina A. Pisani

for Wayne S. White
Field Supervisor

cc: AES-Portland, OR (Div. of Consultation & Conservation Planning)
Caltrans, Oakland, CA ATTN: Chuck Morton

Literature Cited

Anderson, D. W., and J. O. Keith. 1980. The human influence on seabird nesting success: conservation implications. Bill. Conserve. 18:65-80.

Bond, R.M.S. 1946. The peregrine population of western North America. Condor 48:101-116.

Burger, J. 1981. The effect of human activity on birds at a coastal bay. Bill. Conserve. 21:231-241.

California Department of Transportation. 1996. Final Natural Environment Study/Biological Assessment for the Richmond-San Rafael Bridge Seismic Retrofit.

_____. 1996b. Biological assessment for San Francisco/Oakland Bay Bridge Seismic Retrofit.

Fyfe, R.W. and R.R. Olendorff. 1976. Minimizing the dangers of nesting studies to raptors and other sensitive species. Canadian Wildl. Serv. Occas. Paper No. 23. Ottawa. 16 pp.

Henson, P., and T. A. Grant. 1991. The effects of human disturbance on trumpeter swan breeding behavior. Wildl. Soc. Bull. 19:248-257.

Hickey, J.J. 1942. Eastern population of the duck hawk. Auk 59:176-204.

Hickey, J.J. and D.W. Anderson, ed. 1969. The peregrine falcon life history and population literature. University of Wisconsin Press.

Knight, R. L., and S. K. Knight Skagen. 1988. Effects of recreational disturbance on birds of prey: a review. Pages 355-359 in R. L. Glinski et al., eds. Proceedings of the Southwest Raptor Management Symposium and Workshop. Natl. Wildl. Fed., Washington, D.C.

Nelson, R.W. 1970. Some aspects of the breeding behavior of Peregrine Falcons on Langara Island, B.C. Univ. Calgary. (Unpub. Masters Thesis). 305 pp.

Pierce, D. J. and T. R. Simons. 1986. The Influence of Human Disturbance on Tufted Puffin Breeding Success. Auk 103:214-216.

USDI. Fish and Wildlife Service. 1982. Pacific Coast Recovery Plan for the American Peregrine Falcon. Portland, OR: U.S. Department of Interior, Fish and Wildlife Service. 87 pp.

USDI. 1970. Final Rule for the determination of endangered status for the American Peregrine Falcon. 35 Federal Register 16047, October 13, 1970.

USDI. 1995. Advance Notice of a Proposal to Remove the American Peregrine Falcon From the List of Endangered and Threatened Wildlife. 50 Federal Register 34406, June 30, 1995.

ARTMENT OF TRANSPORTATION
560
ID, CA 94623-0660
4444
286-4454

July 18, 1997

Helaine Kaplan-Prentice, Secretary
Landmarks Preservation Advisory Board
One City Hall Plaza
Oakland, Ca 94612

Dear Ms. Prentice:

Thank you for the opportunity to present information about the proposed new East Bay span of the San Francisco-Oakland Bay Bridge at the Board's meeting on July 14, 1997.

The purpose of this letter is to clarify the role of the Board in the compliance process with the National Historic Preservation Act. While Caltrans welcomes comments at any time during the environmental process, in the Section 106 process there are specific times at which the Board may comment and certain times by which the Board would need to comment. In general, the Board would need to comment within 30 days after receiving a report or a request to comment from Caltrans.

Specific times when Caltrans will solicit formal comments are the following:

1. Identification of historic properties to be described in a report entitled Historic Property Survey Report (Due January 1998).
2. Evaluation of project effects on historic properties to be described in a report entitled Finding of Effect Report (Due January 1998). Prior to this time, Caltrans would appreciate suggestions on mitigation measures.
3. Draft environmental impact statement (Due November 1998).
4. In addition, any ideas the Board can provide on measures to mitigate adverse effects on historic properties will be appreciated, with the understanding that the actual mitigation measures finally adopted need to be financially feasible, tied to the specific impacts on the specific significant historic resources, and agreed to by the State Office of Historic Preservation, the Advisory Council on Historic Reservation, Caltrans, and Federal Highways Administration.

We hope that to meet with you again in the future, after Caltrans has assessed project effects.

Again, we appreciated the opportunity to meet with the Board. If you have any questions, please call me at 510-286-5582.

Sincerely,

HARRY Y. YAHATA
District Director

By Mara Melandry
MARA MELANDRY
Office of Environmental Planning, South

Cc: California Preservation Foundation (Jeff Eichenfeld)

OFFICE OF THE MAYOR
SAN FRANCISCO

WILLIE LEWIS BROWN, JR.

July 21, 1997

The Honorable Mary V. King
Chair, MTC Bay Bridge Design Task Force
101 Eighth Street
Oakland, CA 94607-4700

Dear Supervisor King:

Thank you for allowing me this opportunity to provide additional information to the Task Force as its completes its deliberative process to develop the region's recommendation to the State Legislature on the future of the Bay Bridge.

The proposed replacement of the Transbay Terminal at the west end for the Bay Bridge is, in my judgment, a critical and integral element of the future of the Bay Bridge since it will insure that future AC Transit transbay service can be sustained and expanded, thus diminishing the level of automobile trips on the Bridge. San Francisco is at this time advancing the new terminal project to the engineering and design phase, based on a preliminary concept for the new terminal which has been accepted by all parties involved in the planning.

The current cost estimate for the new regional transit terminal is $125 million, a figure which is exclusive of the ramp work which will link the terminal to the Bridge. In order to meet this financial requirement, San Francisco and its funding partners will examine a wide range of funding sources, but it is very apparent that the most important potential source is the Bridge toll increase revenues. I believe that we need a minimum of $80 million from this source in order to assure a viable financing package for the new terminal.

Beyond this principal funding source, we will examine a variety of federal, state and local resources to meet the total funding needed. Sources we are currently examining include Caltrans seismic funds (for demolition), NEXTEA and STIP financing, as well as San Francisco Redevelopment tax increment funds. We will be working with Caltrans and the MTC in developing this financing package, but it is apparent that a modern new regional terminal must secure substantial Bridge toll revenues if it is to be realized without significant disruptions to the capital financing plans of regional transit operators.

I also believe that the concept of building a new span and retrofitting the Bridge will be totally lost if we do not improve the safety situation leading to and from Treasure and Yerba Buena Islands. These ramps have to be considered an operational safety hazard and we would be remiss in our duties as elected, or appointed, officials if we allowed the

401 VAN NESS AVENUE, ROOM 336, SAN FRANCISCO, CALIFORNIA 94102
(415) 554-6141
RECYCLED PAPER

Bridge to be improved, but did nothing to improve the access. If you do not want to use the toll increase to pay for the improved ramp system, it is incumbent upon the MTC to develop an acceptable solution prior to submitting the region's preference to Sacramento.

As for the alignment and design of the Bridge, I feel that we have an incredible opportunity to make a defining statement with the eastern span. The arguments of a southern alignment versus a northern alignment have to be weighed with the impact each alignment has on either Yerba Buena Island or the Port of Oakland. It is my feeling that the economic development opportunities to the Port of Oakland outweigh the economic opportunities to San Francisco at Yerba Buena Island. Even though it will cost more money to build a signature Bridge, I am willing to support the efforts of the majority of this task force to support the northern alignment.

I hope that you take this all under careful consideration as you advance your recommendation to MTC and to Sacramento.

Thank you for allowing me another opportunity to comment.

Sincerely,

Willie L. Brown, Jr.
Mayor

WLB/s2

: OF CALIFORNIA — THE RESOURCES AGENCY
ICE OF HISTORIC PRESERVATION
ARTMENT OF PARKS AND RECREATION
OX 942896
ENTO 94296-0001
-6624
(916) 653-9824

PETE WILSON, Governor

8-541-6374
Mark Melandry

August 13, 1997

Reply To: FHWA970801A

Bradley Keazer
Acting Division Administrator
California Division
Federal Highway Administration
980 Ninth Street, Suite 400
Sacramento CA 95814-2724

Substations on SF side + YBI exactly same as Substation on Oakland TD

Re: Addendum HASR/FAE and MOA for Proposed Seismic Retrofit of the San Francisco - Oakland Bay Bridge

Dear Mr. Keazer:

In accordance with 36 CFR 800, regulations implementing Section 106 of the National Historic Preservation Act, you have asked for my comments on the following findings made by FHWA for the undertaking cited above:

I. National Register Status of Certain Properties Within the Undertaking's Area of Potential Effects

A. that the Sterling Street Substation, the YBI Electrical Substation, and the Caltrans Garage on YBI are National Register eligible because they are contributors to the National Register eligible Bay Bridge as a whole.

B. that 461 Second Street, 64 Clementina Street, 246 First Street in San Francisco and portions of the San Francisco Sea Wall that are verifiably located within the APE are still National Register eligible.

C. that fragments of the Belt Line Railway within the APE at the waterfront continue to be ineligible owing to integrity loss.

D. that Piers 26 and 28 in San Francisco, together with the two bulkhead buildings flanking Pier 26 are National Register eligible as a district. The reasons for and the areas of significance as well as the configuration of the district boundary and its justification are set forth on page 2 of the district primary record included in the Addendum HASR.

FHWA970801A

.ey Keazer
-st 13, 1997
Two

that Pier 24 is not National Register eligible owing to a loss
integrity.

. that Building 262 of Naval Station Treasure Island is eligible
nclusion in the National Register.

I. Effects of the Undertaking on Historic Properties

. that the undertaking affects the Bay Bridge, 461 Second
treet, San Francisco, Building 262 NSTI and may affect
otentially National Register eligible archeological resources and
ortions of the San Francisco Sea Wall located within the APE.

3. that the undertaking does not affect Quarters 1 on YBC, 246
irst Street, 64 Clementina Street or the Piers 26/28 historic
istrict in San Francisco.

I concur in all of the foregoing determinations made by FHWA with
ect to this undertaking.

FHWA has provided for my consideration a Memorandum of Agreement the terms of which specify how the undertaking's effects on historic properties will be taken into account. I have raviewed the agreement and find it to be acceptable as the means for both affording the Advisory Council an opportunity to comment on the undertaking and for taking the undertaking's effects on historic properties into account. I have therefore executed the agreement and it is enclosed for FHWA's execution and transmital to the Council.

FHWA's consideration of historic properties in the planning for this highly prominent and important undertaking is appreciated. If you have any questions, please call Hans Kreutzberg at 653-9107.

Sincerely,

for Cherilyn Widell
State Historic Preservation Officer

losure

TE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

PARTMENT OF TRANSPORTATION
3660
ND, CA 94623-0660
286-4444
(510) 286-4454

August 18, 1997

Ala/SF 80
01200K

Mr. James Bybee
National Marine Fisheries Service
777 Sonoma Avenue, Room 325
San Ramon, CA 95405

Dear Mr. Bybee:

Special Status Species List for Construction of a New Eastern Span - San Francisco-Oakland Bay Bridge

The California Department of Transportation (Caltrans) is requesting a list of endangered, threatened, and candidate species that may be present in the vicinity of the San Francisco-Oakland Bay Bridge (SFOBB) East Span Seismic Retrofit Project, pursuant to Section 7 of the Endangered Species Act, as amended. Caltrans has previously evaluated the seismic retrofit of the existing structure. Due to the cost associated with that project, the alternative of replacing the existing structure with a new span is also being considered. Alternatives that will be evaluated potentially include different parallel alignments to the north and south, and various structural designs. The new span would be constructed from east of the Toll Plaza in Alameda County to Yerba Buena Island in San Francisco County. The project is located entirely within the USGS Oakland East 7.5 minute quadrangle. Construction will require work within the Bay waters as well as at the bridge abutments and approaches.

If you have any questions regarding this request, please call Mara Melandry at (510) 286-5582. Thank you.

Sincerely,

HARRY Y. YAHATA
District Director

By
Mara Melandry
ROBERT GROSS

for Office Chief
Office of Environmental Planning South

ATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

EPARTMENT OF TRANSPORTATION
660
AND, CA 94623-0660
10) 286-4444
D (510) 286-4454

August 18, 1997

Ala/SF 80
01200K

Mr. Joel Medlin
Field Supervisor
U.S. Fish and Wildlife Service
Sacramento Field Office
3310 El Camino Avenue, Suite 130
Sacramento, CA 95821-6340

Dear Mr. Medlin:

Special Status Species List for Construction of a New Eastern Span - San Francisco-Oakland Bay Bridge

The California Department of Transportation (Caltrans) is requesting a list of endangered, threatened, and candidate species that may be present in the vicinity of the San Francisco-Oakland Bay Bridge (SFOBB) East Span Seismic Retrofit Project, pursuant to Section 7 of the Endangered Species Act, as amended. Caltrans has previously evaluated the seismic retrofit of the existing structure. Due to the cost associated with that project, the alternative of replacing the existing structure with a new span is also being considered. Alternatives that will be evaluated potentially include different parallel alignments to the north and south, and various structural designs. The new span would be constructed from east of the Toll Plaza in Alameda County to Yerba Buena Island in San Francisco County. The project is located entirely within the USGS Oakland East 7.5 minute quadrangle. Construction will require work within the Bay waters as well as at the bridge abutments and approaches.

If you have any questions regarding this request, please call Mara Melandry at (510) 286-5582. Thank you.

Sincerely,

HARRY Y. YAHATA
District Director

By

ROBERT GROSS

Mara Melandry

for Office Chief
Office of Environmental Planning South

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
777 Sonoma Ave. Rm 325
Santa Rosa, CA 95404

August 26, 1997 F/SW03:DWC

Mr. Harry Yahata
Cal Dept of Transportation
Box 23660
Oakland CA 94623-0660

Dear Mr Yahata:

Thank you for your letter of August 18, 1997 regarding the presence of Federally listed (or proposed for listing) threatened or endangered species or critical habitat that may be affected by construction of a new eastern span of the San Francisco - Oakland Bay Bridge .

Available information indicates that the following species may occur in the project area:

Sacramento River winter-run chinook salmon (Oncorhynchus tshawytscha)- endangered
steelhead (Oncorhynchus mykiss) - Central California Coast ESU - threatened
steelhead (Oncorhynchus mykiss) - Central Valley ESU - proposed as endangered

The site is also located within the designated critical habitat for winter-run chinook salmon (58 FR 33212).

In addition, chinook salmon may occur in the project area and NMFS is currently conducting a status review pursuant to the Endangered Species Act for this species throughout its range in California, Oregon, Idaho, and Washington.

The U.S. Fish and Wildlife Service (USFWS) may also have listed species or critical habitat under its jurisdiction in the project area. Please contact Mr. Joel Medlin, Field Supervisor, USFWS, at 3310 El Camino Avenue, Room 130, Sacramento, California 95821, or (916) 979-2710, regarding the presence of listed species or critical habitat under USFWS jurisdiction that may be affected by your project.

If you have questions concerning these comments, please contact Dan Cheng of my staff at (707) 575-6069.

Sincerely,

James R. Byrne
Northern Area
Environmental Coordinator

cc: J. Slawson, NMFS Long Beach

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office
3310 El Camino Avenue, Suite 130
Sacramento, California 95821-6340

RECEIVED
SEP 1 1997
Office of Environmental Planning, South

IN REPLY REFER TO:
1-1-97-SP-2027

August 29, 1997

Robert Gross, Office Chief
Office of Environmental Planning South
(Attn: Mara Melandry)
Department of Transportation
Box 23660
Oakland, California 94623-0660

Subject: Species Lists for San Francisco-Oakland Bay Bridge East Span Seismic Retrofit Project, San Francisco County, CA

Dear Mr. Gross:

As requested by letter from your agency dated August 18, 1997, you will find enclosed lists of sensitive species that may be present in *or may be affected by* projects in the subject project area (see Enclosure A). These lists fulfill the requirement of the Fish and Wildlife Service (Service) to provide species lists pursuant to section 7(c) of the Endangered Species Act of 1973, as amended (Act).

The animal species on the Enclosure A quad list are those species we believe may occur within, *or be affected by projects within*, the USGS Oakland East Quad, where your project is planned.

Any plants on the Enclosure A quad list are those *that have actually been observed* in the project quad. Plants on the county list may also occur in the quad where your project is planned.

Some of the species listed in Enclosure A may not be affected by the proposed action. A trained biologist or botanist, familiar with the habitat requirements of the listed species, should determine whether these species or habitats suitable for these species may be affected by the proposed action. For plant surveys, the Service recommends using the enclosed Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Species (Enclosure C).

Some pertinent information concerning the distribution, life history, habitat requirements, and published references for the listed species is available upon request. This information may be helpful in preparing the biological assessment for this project, if one is required. Please see Enclosure B for a discussion of the responsibilities Federal agencies have under section 7(c) of the Act and the conditions under which a biological assessment must be prepared by the lead Federal agency or its designated non-Federal representative.

Formal consultation, pursuant to 50 CFR § 402.14, should be initiated if you determine that a listed species may be affected by the proposed project. If you determine that a proposed species may be adversely affected, you should consider requesting a conference with our office pursuant to 50 CFR § 402.10. Informal consultation may be utilized prior to a written request for formal consultation to exchange information and resolve conflicts with respect to a listed species. If a biological assessment is required, and it is not initiated within 90 days of your receipt of this letter, you should informally verify the accuracy of this list with our office.

Candidate species are currently being reviewed by the Service and are under consideration for possible listing as endangered or threatened. Candidate species have no protection under the Endangered Species Act, but are included for your consideration as it is possible that one or more of these candidates could be proposed and listed before the subject project is completed. Should the biological assessment reveal that candidate species may be adversely affected, you may wish to contact our office for technical assistance. One of the potential benefits from such technical assistance is that by exploring alternatives early in the planning process, it may be possible to avoid conflicts that could otherwise develop, should a candidate species become listed before the project is completed.

In the Federal Register of February 28, 1996, the Service changed its policy on candidate species. The term *candidate* now strictly refers to species for which the Service has on file enough information to propose listing as endangered or threatened. Former *category 2 candidate* species - species for which listing is possibly appropriate but for which the Service lacks sufficient information to support a listing proposal - are now called *species of concern*. They are no longer monitored by the Service. However we have retained them on the enclosed list for general information. We encourage consideration of them in project planning, as they may become candidate species in the future.

If the proposed project will impact wetlands, riparian habitat, or other jurisdictional waters as defined by the U.S. Army Corps of Engineers (Corps), a Corps permit will be required, pursuant to section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act. Impacts to wetland habitats require site specific mitigation and monitoring. You may request a copy of the Service's General Mitigation and Monitoring Guidelines or submit a detailed description of the proposed impacts for specific comments and recommendations. If you have any questions regarding wetlands, contact Mark Littlefield at (916) 979-2113.

Please contact Mr. Michael Thabault at (916) 979-2752 if you have any questions regarding the attached list or your responsibilities under the Endangered Species Act. For the fastest response to species list requests, address them to the attention of the section 7 office assistant at this address.

Sincerely,

Patricia Lemarie

for Wayne S. White
Field Supervisor

Enclosures

ENCLOSURE A

Endangered and Threatened Species that May Occur in or be Affected by Projects in the Area of the Following California County or Counties

August 29, 1997

SAN FRANCISCO COUNTY

Listed Species

Mammals

salt marsh harvest mouse, *Reithrodontomys raviventris* (E)

Steller (=northern) sea-lion, *Eumetopias jubatus* (T)

Birds

American peregrine falcon, *Falco peregrinus anatum* (E)

California brown pelican, *Pelecanus occidentalis californicus* (E)

California clapper rail, *Rallus longirostris obsoletus* (E)

western snowy plover, *Charadrius alexandrinus nivosus* (T)

bald eagle, *Haliaeetus leucocephalus* (T)

Reptiles

leatherback turtle, *Dermochelys coriacea* (E)

loggerhead turtle, *Caretta caretta* (T)

green turtle, *Chelonia mydas (incl. agassizi)* (T)

olive (=Pacific) ridley sea turtle, *Lepidochelys olivacea* (T)

Amphibians

California red-legged frog, *Rana aurora draytonii* (T)

Fish

tidewater goby, *Eucyclogobius newberryi* (E)

winter-run chinook salmon, *Oncorhynchus tshawytscha* (E)

winter-run chinook salmon critical habitat, *Oncorhynchus tshawytscha* (E)

delta smelt, *Hypomesus transpacificus* (T)

Central California steelhead, *Oncorhynchus mykiss* (T)

Invertebrates

mission blue butterfly, *Icaricia icarioides missionensis* (E)

San Bruno elfin butterfly, *Incisalia mossii bayensis* (E)

Plants

Presidio manzanita, *Arctostaphylos hookeri ssp. ravenii* (E)

SAN FRANCISCO COUNTY

Listed Species

Plants

Presidio clarkia, *Clarkia franciscana* (E)

Marin dwarf-flax, *Hesperolinon congestum* (T)

marsh sandwort, *Arenaria paludicola* (E)

beach layia, *Layia carnosa* (E)

Proposed Species

Fish

Sacramento splittail, *Pogonichthys macrolepidotus* (PT)

Plants

San Francisco lessingia, *Lessingia germanorum* (PE)

Candidate Species

Amphibians

California tiger salamander, *Ambystoma californiense* (C)

Species of Concern

Mammals

greater western mastiff-bat, *Eumops perotis californicus* (SC)

long-eared myotis bat, *Myotis evotis* (SC)

fringed myotis bat, *Myotis thysanodes* (SC)

long-legged myotis bat, *Myotis volans* (SC)

Yuma myotis bat, *Myotis yumanensis* (SC)

San Francisco dusky-footed woodrat, *Neotoma fuscipes annectens* (SC)

Pacific western big-eared bat, *Plecotus townsendii townsendii* (SC)

salt marsh vagrant shrew, *Sorex vagrans halicoetes* (SC)

Birds

tricolored blackbird, *Agelaius tricolor* (SC)

Bell's sage sparrow, *Amphispiza belli belli* (SC)

ferruginous hawk, *Buteo regalis* (SC)

little willow flycatcher, *Empidonax traillii brewsteri* (SC)

saltmarsh common yellowthroat, *Geothlypis trichas sinuosa* (SC)

SAN FRANCISCO COUNTY

Species of Concern

Birds

black rail, *Laterallus jamaicensis* (SC)

Alameda (South Bay) song sparrow, *Melospiza melodia pusillula* (SC)

Reptiles

northwestern pond turtle, *Clemmys marmorata marmorata* (SC)

southwestern pond turtle, *Clemmys marmorata pallida* (SC)

California horned lizard, *Phrynosoma coronatum frontale* (SC)

Amphibians

foothill yellow-legged frog, *Rana boylii* (SC)

Fish

green sturgeon, *Acipenser medirostris* (SC)

river lamprey, *Lampetra ayresi* (SC)

Pacific lamprey, *Lampetra tridentata* (SC)

longfin smelt, *Spirinchus thaleichthys* (SC)

Invertebrates

Opler's longhorn moth, *Adela oplerella* (SC)

sandy beach tiger beetle, *Cicindela hirticollis gravida* (SC)

globose dune beetle, *Coelus globosus* (SC)

Ricksecker's water scavenger beetle, *Hydrochara ricksecker*i (SC)

bumblebee scarab beetle, *Lichnanthe ursina* (SC)

Plants

San Francisco Bay spineflower, *Chorizanthe cuspidata var. cuspidata* (SC)

San Francisco wallflower, *Erysimum franciscanum* (SC)

fragrant fritillary, *Fritillaria liliacea* (SC)

San Francisco gumplant, *Grindelia hirsutula var. maritima* (SC)

Marin checkermallow, *Sidalcea hickmanii ssp. viridis* (SC)

Mission Delores campion, *Silene verecunda ssp. verecunda* (SC)

San Francisco owl's-clover, *Triphysaria floribunda* (SC)

San Francisco manzanita, *Arctostaphylos hookeri ssp. franciscana* (SC)

alkali milk-vetch, *Astragalus tener var. tener* (SC)

compact cobweb thistle, *Cirsium occidentale var. compactum* (SC)

Diablo rock-rose, *Helianthella castanea* (SC)

SAN FRANCISCO COUNTY

Species of Concern

Plants

Kellogg's (wedge-leaved) horkelia, *Horkelia cuneata ssp. sericea* (SC)

San Francisco popcornflower, *Plagiobothrys diffusus* (SC)

adobe sanicle, *Sanicula maritima* (SC)

coast lily, *Lilium maritimum* (SC)

KEY:

(E)	*Endangered*	Listed (in the Federal Register) as being in danger of extinction.
(T)	*Threatened*	Listed as likely to become endangered within the foreseeable future.
(P)	*Proposed*	Officially proposed (in the Federal Register) for listing as endangered or threatened.
(C)	*Candidate*	Candidate to become a *proposed* species.
(SC)	*Species of Concern*	May be endangered or threatened. Not enough biological information has been gathered to support listing at this time.
(*)	Possibly extinct.	
	Critical Habitat	Area essential to the conservation of a species.

ENCLOSURE A

Endangered and Threatened Species that May Occur in or be Affected by Projects in the Following Selected Quads

August 29, 1997

QUAD : 465C OAKLAND EAST

Listed Species

Mammals

salt marsh harvest mouse, *Reithrodontomys raviventris* (E)

Birds

American peregrine falcon, *Falco peregrinus anatum* (E)

California brown pelican, *Pelecanus occidentalis californicus* (E)

California clapper rail, *Rallus longirostris obsoletus* (E)

bald eagle, *Haliaeetus leucocephalus* (T)

Amphibians

California red-legged frog, *Rana aurora draytonii* (T)

Fish

tidewater goby, *Eucyclogobius newberryi* (E)

Central California steelhead, *Oncorhynchus mykiss* (T)

Invertebrates

vernal pool fairy shrimp, *Branchinecta lynchi* (T)

Plants

robust spineflower, *Chorizanthe robusta* (E)

Presidio clarkia, *Clarkia franciscana* (E)

Proposed Species

Reptiles

Alameda whipsnake, *Masticophis lateralis euryxanthus* (PE)

Fish

Sacramento splittail, *Pogonichthys macrolepidotus* (PT)

Invertebrates

callippe silverspot butterfly, *Speyeria callippe callippe* (PE)

Plants

pallid manzanita (Alameda manzanita), *Arctostaphylos pallida* (PE)

QUAD : 465C . OAKLAND EAST

Candidate Species

Mammals

San Joaquin Valley woodrat, *Neotoma fuscipes riparia* (C)

Amphibians

California tiger salamander, *Ambystoma californiense* (C)

Species of Concern

Mammals

greater western mastiff-bat, *Eumops perotis californicus* (SC)

long-eared myotis bat, *Myotis evotis* (SC)

fringed myotis bat, *Myotis thysanodes* (SC)

long-legged myotis bat, *Myotis volans* (SC)

Yuma myotis bat, *Myotis yumanensis* (SC)

San Francisco dusky-footed woodrat, *Neotoma fuscipes annectens* (SC)

San Joaquin pocket mouse, *Perognathus inornatus* (SC)

Pacific western big-eared bat, *Plecotus townsendii townsendii* (SC)

Alameda Island mole, *Scapanus latimanus parvus* (SC)

Birds

tricolored blackbird, *Agelaius tricolor* (SC)

Bell's sage sparrow, *Amphispiza belli belli* (SC)

ferruginous hawk, *Buteo regalis* (SC)

little willow flycatcher, *Empidonax traillii brewsteri* (SC)

saltmarsh common yellowthroat, *Geothlypis trichas sinuosa* (SC)

black rail, *Laterallus jamaicensis* (SC)

Alameda (South Bay) song sparrow, *Melospiza melodia pusillula* (SC)

Reptiles

northwestern pond turtle, *Clemmys marmorata marmorata* (SC)

southwestern pond turtle, *Clemmys marmorata pallida* (SC)

California horned lizard, *Phrynosoma coronatum frontale* (SC)

QUAD : 46SC OAKLAND EAST

Species of Concern

Amphibians

foothill yellow-legged frog, *Rana boylii* (SC)

western spadefoot toad, *Scaphiopus hammondii* (SC)

Invertebrates

Ricksecker's water scavenger beetle, *Hydrochara ricksecker*i (SC)

San Francisco lacewing, *Nothochrysa californica* (SC)

Plants

alkali milk-vetch, *Astragalus tener var. tener* (SC)

fragrant fritillary, *Fritillaria liliacea* (SC)

Diablo rock-rose, *Helianthella castanea* (SC)

Kellogg's (wedge-leaved) horkelia, *Horkelia cuneata ssp. sericea* (SC)

most beautiful (uncommon) jewelflower, *Streptanthus albidus ssp. peramoenus* (SC)

KEY:

(E)	*Endangered*	Listed (in the Federal Register) as being in danger of extinction.
(T)	*Threatened*	Listed as likely to become endangered within the foreseeable future.
(P)	*Proposed*	Officially proposed (in the Federal Register) for listing as endangered or threatened.
(C)	*Candidate*	Candidate to become a *proposed* species.
(SC)	*Species of Concern*	May be endangered or threatened. Not enough biological information has been gathered to support listing at this time.
(*)		Possibly extinct.
	Critical Habitat	Area essential to the conservation of a species.

Enclosure B

FEDERAL AGENCIES' RESPONSIBILITIES UNDER SECTIONS 7(a) and (c) OF THE ENDANGERED SPECIES ACT

SECTION 7(a) Consultation/Conference

Requires: (1) federal agencies to utilize their authorities to carry out programs to conserve endangered and threatened species; (2) Consultation with FWS when a federal action may affect a listed endangered or threatened species to insure that any action authorized, funded, or carried out by a federal agency is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat. The process is initiated by the federal agency after determining the action may affect a listed species; and (3) Conference with FWS when a Federal action is likely to jeopardize the continued existence of a proposed species or result in destruction or adverse modification of proposed critical habitat.

SECTION 7(c) Biological Assessment-Major Construction Activity[1]

Requires federal agencies or their designees to prepare a Biological Assessment (BA) for major construction activities. The BA analyzes the effects of the action[2] on listed and proposed species. The process begins with a Federal agency requesting from FWS a list of proposed and listed threatened and endangered species. The BA should be completed within 180 days after its initiation (or within such a time period as is mutually agreeable). If the BA is not initiated within 90 days of receipt of the list, the accuracy of the species list should be informally verified with our Service. No irreversible commitment of resources is to be made during the BA process which would foreclose reasonable and prudent alternatives to protect endangered species. Planning, design, and administrative actions may proceed; however, no construction may begin.

We recommend the following for inclusion in the BA: an on-site inspection of the area affected by the proposal which may include a detailed survey of the area to determine if the species or suitable habitat is present; a review of literature and scientific data to determine species' distribution, habitat needs, and other biological requirement; interviews with experts, including those within FWS, State conservation departments, universities and others who may have data not yet published in scientific literature; an analysis of the effects of the proposal on the species in terms of individuals and populations, including consideration of indirect effects of the proposal on the species and its habitat; an analysis of alternative actions considered. The BA should document the results, including a discussion of study methods used, and problems encountered, and other relevant information. The BA should conclude whether or not a listed or proposed species will be affected. Upon completion, the BA should be forwarded to our office.

---

[1] A construction project (or other undertaking having similar physical impacts) which is a major federal action significantly affecting the quality of the human environment as referred to in NEPA (42 U.S.C. 4332(2)C).

[2] "Effects of the action" refers to the direct and indirect effects of an action on the species or critical habitat, together with the effects of other activities that are interrelated or interdependent with that action.

Enclosure C

Guidelines For Conducting And Reporting Botanical Inventories For Federally Listed, Proposed And Candidate Plants

(September 23, 1996)

These guidelines describe protocols for conducting botanical inventories for federally listed, proposed and candidate plants, and describe minimum standards for reporting results. The Service will use, in part, the information outlined below in determining whether the project under consideration may affect any listed, proposed or candidate plants, and in determining the direct, indirect, and cumulative effects.

Field inventories should be conducted in a manner that will locate listed, proposed, or candidate species (target species) that may be present. The entire project area requires a botanical inventory, except developed agricultural lands. The field investigator(s) should:

1. Conduct inventories at the appropriate times of year when target species are present and identifiable. Inventories will include all potential habitats. Multiple site visits during a field season may be necessary to make observations during the appropriate phenological stage of all target species.

2. If available, use a regional or local reference population to obtain a visual image of the target species and associated habitat(s). If access to reference populations(s) is not available, investigators should study specimens from local herbaria.

3. List every species observed and compile a comprehensive list of vascular plants for the entire project site. Vascular plants need to be identified to a taxonomic level which allows rarity to be determined.

4. Report results of botanical field inventories that include:

   a. a description of the biological setting, including plant community, topography, soils, potential habitat of target species, and an evaluation of environmental conditions, such as timing or quantity of rainfall, which may influence the performance and expression of target species

   b. a map of project location showing scale, orientation, project boundaries, parcel size, and map quadrangle name

   c. survey dates and survey methodology(ies)

   d. if a reference population is available, provide a written narrative describing the target species reference population(s) used, and date(s) when observations were made

   e. a comprehensive list of all vascular plants occurring on the project site for each habitat type

   f. current and historic land uses of the habitat(s) and degree of site alteration

   g. presence of target species off-site on adjacent parcels, if known

   h. an assessment of the biological significance or ecological quality of the project site in a local and regional context

5. If target species is(are) found, report results that additionally include:

a. a map showing federally listed, proposed and candidate species distribution as they relate to the proposed project

b. if target species is (are) associated with wetlands, a description of the direction and integrity of flow of surface hydrology. If target species is (are) affected by adjacent off-site hydrological influences, describe these factors.

c. the target species phenology and microhabitat, an estimate of the number of individuals of each target species per unit area; identify areas of high, medium and low density of target species over the project site, and provide acres of occupied habitat of target species. Investigators could provide color slides, photos or color copies of photos of target species or representative habitats to support information or descriptions contained in reports.

d. the degree of impact(s), if any, of the proposed project as it relates to the potential unoccupied habitat of target habitat.

6. Document findings of target species by completing California Native Species Field Survey Form(s) and submit form(s) to the Natural Diversity Data Base. Documentation of determinations and/or voucher specimens may be useful in cases of taxonomic ambiguities, habitat or range extensions.

7. Report as an addendum to the original survey, any change in abundance and distribution of target plants in subsequent years. Project sites with inventories older than 3 years from the current date of project proposal submission will likely need additional survey. Investigators need to assess whether an additional survey(s) is (are) needed.

8. Adverse conditions may prevent investigator(s) from determining presence or identifying some target species in potential habitat(s) of target species. Disease, drought, predation, or herbivory may preclude the presence or identification of target species in any year. An additional botanical inventory(ies) in a subsequent year(s) may be required if adverse conditions occur in a potential habitat(s). Investigator(s) may need to discuss such conditions.

9. Guidance from California Department of Fish and Game (CDFG) regarding plant and plant community surveys can be found in Guidelines for Assessing the Effects of Proposed Developments on Rare and Endangered Plants and Plant Communities, 1984. Please contact the CDFG Regional Office for questions regarding the CDFG guidelines and for assistance in determining any applicable State regulatory requirements.

c:JVLS, HYY, KJT, SH, BHM, MM, SHEMINGER

From: Denis Mulligan

OFFICE OF THE MAYOR
SAN FRANCISCO

WILLIE LEWIS BROWN, JR.

TREASURE ISLAND PROJECT
410 PALM AVENUE
BUILDING 1, ROOM 237
TREASURE ISLAND
SAN FRANCISCO, CA 94130
(415) 274-0660
FAX (415) 274-0299

LARRY FLORIN, DIRECTOR
WENDY LINKA, DIRECTOR OF MARKETING
CHRISTINE TEJADA, DIRECTOR OF DEVELOPMENT

September 5, 1997

Honorable Pete Wilson
Governor, State of California
State Capital
Sacramento, CA 95814

Dear Governor Wilson:

I am writing to urge your signature on AB-699, the bill that would create the Treasure Island Development Authority. The creation of this Authority will allow us to consolidate a duplicate and redundant decision-making process into one entity. Eliminating this redundancy will allow us to expedite the reuse of Treasure Island, a project that will benefit all Californians. I have spoken with Jim Van Loben Sels regarding his concerns about access to the existing and proposed new eastern span of the San Francisco-Oakland Bay Bridge. I am enclosing a letter that I have sent to Mr. Van Loben Sels that addresses his concerns.

Thank you in advance.

Sincerely,

Willie L. Brown Jr.
Mayor

enclosure

RECYCLED PAPER

OFFICE OF THE MAYOR
SAN FRANCISCO

WILLIE LEWIS BROWN, JR.

TREASURE ISLAND PROJECT
410 PALM AVENUE
BUILDING 1, ROOM 237
TREASURE ISLAND
SAN FRANCISCO, CA 94130
(415) 274-0660
FAX (415) 274-0299

LARRY FLORIN, DIRECTOR
WENDY LINKA, DIRECTOR OF MARKETING
CHRISTINE TEJADA, DIRECTOR OF DEVELOPMENT

September 5, 1997

James W. van Loben Sels
Director
California Department of Transportation
1120 "N" Street
Sacramento, CA 95814

Dear Jim:

Based on our recent conversation, I understand that Caltrans is concerned about access to the eastern span of the Bay Bridge. As you know, the City, acting as the Local Reuse Authority for Treasure Island, is beginning its negotiations with the Navy over the conveyance of Treasure and Yerba Buena Islands to the City from the Navy. If we should be successful in these negotiations, we are prepared to make the following offer to Caltrans to help facilitate uninterrupted access:

1. The City shall grant, without cost, an easement for the use, operation, maintenance, repair, construction, reconstruction, and retrofit of the existing San Francisco-Oakland Bay Bridge and associated transportation facilities under, over, and across Yerba Buena Island. This easement shall extend 39 meters northwesterly and 39 meters southwesterly from each edge of the existing San Francisco-Oakland Bay Bridge and Tunnel structures. Furthermore, we will agree that no non-transportation uses will be allowed within that easement area without written approval of Caltrans, on the condition that Caltrans will not unreasonably withhold its approval for such projects.

2. The City shall execute a similar agreement for the proposed San Francisco-Oakland Bay Bridge and Tunnel new eastern span at the appropriate time.

3. The City will also grant Caltrans appropriate easements for ingress and egress across existing and future roads on Yerba Buena Island.

Larry Florin of my staff is prepared to work out the details of this agreement.

I look forward to continuing to work together on this important project.

Sincerely,

Willie L. Brown Jr.
Mayor

cc: Governor Pete Wilson

RECYCLED PAPER

OFFICE OF THE MAYOR
SAN FRANCISCO

TREASURE ISLAND PROJECT
410 PALM AVENUE
BUILDING 1, ROOM 237
TREASURE ISLAND
SAN FRANCISCO, CA 94130
(415) 274-0660
FAX (415) 274-0299

WILLIE LEWIS BROWN, JR.

LARRY FLORIN, DIRECTOR
WENDY LINKA, DIRECTOR OF MARKETING
CHRISTINE TEJADA, DIRECTOR OF DEVELOPMENT

RECEIVED
DEC 1 1997
B. QUAN

EXECUTIVE OFFICE

Harry Yahata
Regional Director
California Department of Transportation
Box 23660
Oakland, Ca. 94623-0660

Dear Harry,

I am writing to express my concern regarding the environmental impact report being prepared for the East span of the Bay Bridge replacement project. I understand that the EIR does not currently include a discussion of a proposed improvement for the TI/YBI ramps. I urge you to amend the project scope to include this alternative in your project.

As you know the existing ramp system is substandard having been designed for traffic and speeds of the 1930's. It is important to have the ramps brought up to current standards in order to make reuse of Treasure Island feasible. As you know we are actively pursuing funding alternatives that will allow this to be included in the reconstruction project.

We understand that the reason that you are not including the ramp reconstruction in the EIR is that the ramp project is not currently funded. It is my understanding that you are including an alternative that would include a bicycle lane on the new East span a project that is not currently funded. I would urge you to apply the same standard to the proposed access ramp improvement project. As you are aware including the proposal in the EIR at this stage will certainly help to expedite the overall project once we are successful in securing funding.

My staff would be happy to work with you to provide whatever information your staff may need to have this included in the EIR.

Thank you for your consideration of this request.

Sincerely,

Willie L. Brown Jr.
Mayor

DEPARTMENT OF THE NAVY
ENGINEERING FIELD ACTIVITY, WEST
NAVAL FACILITIES ENGINEERING COMMAND
900 COMMODORE DRIVE
SAN BRUNO, CALIFORNIA 94066-5006

IN REPLY REFER TO:

5090.1B
Ser 7031PD/EP-1395
November 21, 1997

Mr. Alex Ramirez
520 South Van Ness Ave.
San Francisco, California 94110

Dear: Mr. Ramirez:

The Navy is preparing to issue a permit to Caltrans for archeological investigations on Yerba Buena Island pursuant to the *Archaeological Resources Protection Act* and implementing regulations *43 CFR Part 7*. Yerba Buena Island is part of the former Naval Station, Treasure Island. A recorded archeological site, CA-SFr-4, is located underneath the Oakland Bay Bridge. The site has been highly disturbed, first by construction of the Naval Training Station in ~~the~~ 1898 and again, in 1934, by construction of the Oakland-Bay Bridge.

Caltrans is gathering information for preparation of a Draft Environmental Impact Statement in conjunction with planning for the East Span Seismic Safety project on the San Francisco-Oakland Bay Bridge. Accordingly, the Navy is requesting any information you might have regarding places that may be important to Native Americans within the project area (see attached ~~Map 1~~) for consideration in project planning.

Caltrans is planning a subsurface archeological test of CA-SFr-4 to determine the presence or absence of archeological materials within the project area. The fieldwork should take place in late 1997 or early 1998. Any concerns or information you may have regarding this location will be especially important and greatly appreciated. Caltrans will make arrangements to provide for a Native American monitor during the excavation, which is anticipated to take 3 or 4 days.

Subj: CALTRANS TEST OF SITE ON YERBA BUENA ISLAND

This request has been prepared in compliance with the *National Historic Preservation Act* and with the *Archaeological Resources Protection Act*. Because there are no federally recognized tribes associated with this site, the *Native American Graves Protection and Repatriation Act* does not apply. Should any human remains be found during the proposed archeological testing, Caltrans will follow *California Public Resources Code 5097* and the Native American Heritage Commission will designate a Most Likely Descendant to make recommendations regarding burial treatment. If you have any questions or wish to respond, please call Patricia Duff at (650) 244-3019 or write to her at the letterhead address.

Sincerely,

Louis S. Wall
Cultural Resources Program Manager
Environmental Planning Branch

Attachment

Copy to:
Larry Meyers, Native American Heritage Commission
Mara Melandry, Caltrans District 4
Danielle Huey, SOUTHWEST NAVFACENGCOM

MODE = MEMORY TRANSMISSION START=OCT-22 16:07 END=OCT-22 16:09

FILE NO.= 195

NO.	COM	ABBR/NTWK	STATION NAME/ TELEPHONE NO.	PAGES	FRG.NO.	PROGRAM NAME
001	OK	E	914152443205	001/001		

-ENV. PLNG. SOUTH D4 -

********** -ENV. PLNG. SOUTH- ***** - 510 286 6374- *********

NATIVE AMERICAN CONTACTS

San Francisco County
October 22, 1997

Alex Ramirez
520 South Van Ness Ave
San Francisco, CA 94110
(415) 554-0992

Ohlone/Costanoan

Indian Canyon Mutsun Band of Costanoan
Ann Marie Sayer, Chairperson
P.O. Box 28
Hollister, CA 95024-0
(408) 637-4238

Ohlone/Costanoan

Jakki Kehl
5461 Beaver Lane
Byron, CA 94514
(510) 516-1670

Ohlone/Costanoan

Muwekma Indian Tribe
Rosemary Cambra, Chairperson
225 Airport Parkway, Suite 630
San Jose, CA 95112
(408) 441-5473
(408) 441-1841 FAX

Ohlone/Costanoan

Jenny Mousseaux (Mcleod)
P.O. Box 610548
San Jose, CA 95161
(408) 249-6049 Home
(408) 321-4853 Work

Ohlone/Costanoan
Chumash
Salinan

The Ohlone Indian Tribe
Andrew Galvan
PO Box 3152
Mission San Jose, CA 94539
(510) 656-0777 Home

Ohlone/Costanoan

Katherine Erolinda Perez
1234 Luna Lane
Stockton, CA 95206
209 462-6548 home
209 941-1900 work

Ohlone/Costanoan
Northern Valley Yokut
Bay Miwok

Kenneth Marquis
4659 Bolero Drive
San Jose, CA 95111
(408) 229-8262

Ohlone/Costanoan

Linda G. Yamane
1195 B Rousch Ave
Seaside, CA 93955
(408) 946-5345
(408) 394-5915

Ohlone/Costanoan

Post-It™ brand fax transmittal memo 7671 | # of pages ▸ 1
To MARA McLANDE | From D. TREADWAY
Co. | Co.
Dept. CALTRANS | Phone # 916 653-4038
Fax # 510 286-6374 | Fax #

Patrick Orozco
110 Dick Phelps Road
Watsonville, CA 95076
(408) 728-8471

Ohlone/Costanoan

Amah Tribal Band
Irene Zwierlein, Chairperson
789 Canada Road
Woodside, CA 94062
(415) 851-7747

Ohlone/Costanoan

Post-It™ brand fax transmittal memo 7671 | # of pages ▸
To PAT DUFF | From MARA
Co. NAVY | Co.
Dept. | Phone #
Fax # 415-244-3206 | Fax #

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code.

TOTAL P.02

Alameda County
October 7, 1997

umirez 6 C:A 95927 92	Ohlone/Costanoan	Indian Canyon Mutsun Band of Costanoan Ann Marie Sayer, Chairperson P.O. Box 28 Hollister, CA 95024-0 (408) 637-4238	Ohlone/Costanoan
:ehl eaver Lane , CA 94514 ;16-1670	Ohlone/Costanoan	Muwekma Indian Tribe Rosemary Cambra, Chairperson 226 Airport Parkway, Suite 630 San Jose, CA 95112 (408) 441-6473 (408) 441-1841 FAX	Ohlone/Costanoan
Mousseaux (Mcleod) 3ox 610546 ose, CA 95161 249-6049 Home 321-4853 Work	Ohlone/Costanoan Chumash Salinan	The Ohlone Indian Tribe Andrew Galvan PO Box 3152 Mission San Jose, CA 94539 (510) 656-0777 Home	Ohlone/Costanoan
erine Erolinda Perez Luna Lane kton, CA 95206 462-6548 home 941-1900 work	Ohlone/Costanoan Northern Valley Yokut Bay Miwok		
neth Marquis 9 Bolero Drive , CA 95111 3, 9-8262	Ohlone/Costanoan		
da G. Yamane 35 B Rousch Ave aside, CA 93955 18) 946-5345)8) 394-5915	Ohlone/Costanoan		
trick Grozco 0 Dick Phelps Road atsonville, CA 95076 08) 728-8471	Ohlone/Costanoan		
mah Tribal Band ene Zwierlein, Chairperson 89 Canada Road Woodside, CA 94062 415) 851-7747	Ohlone/Costanoan		

ais list is current only as of the date of this document.

tribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, ction 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regards to the cultural assement for Yerba Buena Island, Alameda County.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTA... AND HOUSING AGENCY

PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
...X 23660
...KLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

December 17, 1997

The Honorable Willie Brown, Jr.
Treasure Island Project
410 Palm Avenue
Building 1, Room 237
Treasure Island
San Francisco, CA 94130

Dear Mayor Brown:

Thank you for your letter regarding the ramps of Yerba Buena Island. We received your letter on November 26, 1997.

We agree that ramps on the Island are important element to the success of the Treasure Island Reuse plan and that the ramps are substandard. As you are aware, the replacement of the ramps is not currently funded. Caltrans looks forward to working with you and the Metropolitan Transportation Commission (MTC) to secure funding for the ramps. When funding is secured, a separate environmental document can be prepared. If the funding issue is resolved shortly, the new ramps and the seismic safety project on the East Span could be constructed at the same time. Caltrans agrees that it is desirable to construct both projects at the same time.

Replacement of the ramps is not related to the purpose and need of the East Span Seismic Safety Project. Furthermore, the ramps are outside our jurisdiction since they are owned by the Navy. To include replacement of the ramps in the East Span Seismic Safety Project environmental document would be to expand the scope beyond the intent of seismic safety. Caltrans, accordingly, cannot amend the project scope to include ramp reconstruction in the East Span Seismic Safety Project. At the same time, it appears that with any of the replacement alternatives for the East Span project, the eastbound on-ramp must be demolished and replaced; this on-ramp conflicts with all the replacement alternatives. Accordingly, this will be addressed as part of the East Span Seismic Safety Project.

We would like to clarify the status of the pedestrian/bicycle path on the east span. It is not an alternative to be evaluated in the Environmental Impact Statement (EIS); it is rather a design variation for each replacement alternative. Further, while such a facility is not yet funded, legislation has been passed which will allow MTC to decide whether to continue the $1.00 toll surcharge for an additional two years to fund amenities such as a path. A funding mechanism is therefore in place for the pedestrian/bicycle path, should MTC decide to fund it. Should MTC decide not to fund the pedestrian/bicycle path, the seismic safety project can continue to move forward with the design variations that do not include it. This is very important because federal law prohibits approval of a project that is not fully funded.

Caltrans looks forward to working with San Francisco and the Metropolitan Transportation Commission in securing the necessary funding for this important transportation improvement. Please contact me at (510) 286-5900 to discuss this matter further.

Sincerely,

for HARRY Y. YAHATA
District Director

c: Larry Dahms (Metropolitan Transportation Commission)
Kenn Parsons (Department of the Navy)
Hilary Gitelman (City and County of San Francisco, Planning Department)

File Reg.
Ha/SF 80
012000

CITY OF OAKLAND

CITY HALL • ONE CITY HALL PLAZA • OAKLAND, CALIFORNIA 94612

Landmarks Preservation
Advisory Board

TTY 839-6451

January 14, 1998

Mr. Harry Y. Yahata, District Director
State of California Department of Transportation
P.O. Box 23660
Oakland, CA 94623-0660

Dear Mr. Yahata:

This is in response to your request for comments under the Federal Section 106 process on the proposed seismic improvement project at the San Francisco-Oakland Bay Bridge, a civil engineering landmark that is eligible for listing on the National Register of Historic Places.

In July, 1997 CalTrans environmental planner Mara Malandry made a presentation to the Oakland Landmarks Preservation Advisory Board and showed the CD-ROM that introduces the option of an entirely new East Bay Span between Oakland and Yerba Buena Island. The Board discussed preservation issues associated with removal of the historic East Bay Span, and heard speakers. The Board's discussion continued at the September 13, 1997 Landmarks Board meeting. Our concerns and recommendations are outlined below. It is our understanding that participation in this manner will not limit or preclude further comment in the design or environmental review process. We expect that at such time as the significance of the Bay Bridge East Bay span is fully documented, additional mitigation measures will merit discussion and consideration.

1. **Examine retrofit of the existing, historic East Bay span as an option.**

   Retrofit is generally the most preservation-sensitive approach for the continued use of older structures determined to fall short of modern standards. Has the case been made that retrofit of the East Bay span is not a feasible alternative? From news reports it appears to be the least expensive option in terms of construction costs. (Do the costs represented for a new East Bay span include modification of access during construction, traffic delays and disruption, energy costs, impacts on landfill from demolition debris, etc.?) Retrofit should be examined as an alternative to replacement, including the impact, if any, of the retrofit design on the appearance of the East Bay span.

2. **Examine a combination of demolition and retrofit to retain the most significant part of the East Bay span.**

Another preservation-sensitive alternative would be to keep and retrofit the original cantilevered section of the East Bay span--which is where the engineering significance resides--but build a new improved viaduct leading up to it.

3. **Mitigation to demolition**

If demolition and replacement are chosen, the history and significance of the East Bay span of the Bay Bridge suggest certain areas for mitigation:

a. Engineering accomplishments: largest cantilever in United States; deepest pier support in the world.
- Consult engineering professionals to see whether any useful information might be derived from stress tests (or the like) prior to demolition, from analysis of how well the bridge and its parts have held up over sixty years of use, and from professional observation of the demolition process. Undertake the engineers' recommendations, and record the results in a manner accessible to professionals and the interested public.
- Prepare a professional monograph on the engineering methods applied in the design and construction of the Bay Bridge, with an emphasis on unique achievements or approaches.
- Construct a model of the Bay Bridge to illustrate engineering considerations (depth of San Francisco Bay, etc.) and design solutions. (See #3f below.) The lightness of the structure, and the grace of the pylons as seen from the water, are among the characteristics that should be conveyed.
- Document the experience of driving across the cantilever section in various types of motor vehicles, and of travelling underneath it in various types of boat.

b. Hoover-Young Commission policy "Not only will it be the largest bridge in the world...but it also must be the most beautiful..."
-This founding philosophy should pertain equally to the replacement structure. The sheer size of the bridge will make it a visual marker for the region; it should be pleasing in appearance, a memorable experience for visitors, and an asset to daily life for residents.
-The character of the Bay Bridge is important in the

context of San Francisco Bay as a whole. Each of the four bridges on the bay has its own distinct character. Of the three proposals for replacement of the East Span, one strongly resembles the San Mateo Bridge. To pursue that design would deny Oakland the positive identity a bridge can confer, and would deprive the Bay Area of its distinguished collection of four differentiated bridge structures. A rule-of-thumb the Landmarks Board often uses is that to justify demolition, the proposed replacement should be at least as good as the historic structure.

-The replacement design should include a gateway feature on the Oakland side to signal and celebrate arrival in Oakland. The existing two-level bridge has long deprived Oakland of the drama of an upper-level entrance; a new bridge at last affords Oakland equal consideration, but the proposals thus far position the "landmark" feature next to Yerba Buena Island instead of the East Bay. In the west bound direction, the gateway would celebrate at the Oakland terminus the threshold at which one leaves land and begins to cross San Francisco Bay. Landscape elements could also be part of a gateway feature.

-(Although the history says the Hoover Commission policy was developed to protect the views of San Francisco, arguably the change in the relative importance of San Francisco and Alameda/Contra Costa counties would dictate that the East Span should now also be of very high design quality.)

-To preserve the quality of personal connection and association between Bay Area residents and this important landmark, commission from a well-regarded artist a large scale painting (in the tradition of California landscape painting) that portrays the East Span of the Bay Bridge in the context of the Oakland shoreline in the year 2000, for display at a prominent, publicly accessible location.

c. Design criteria. The design requirements which drove the original Bay Bridge design should be acknowledged in the new design; a deep channel was needed on the Oakland side, hence the cantilever solution. Isn't the shipping channel still necessary? The viaduct proposal does not appear to express the importance of shipping to Oakland, or to take ship traffic into consideration. The new East Span design should have some visual relation to the historic cantilever and to contemporary Oakland as a major Pacific port. The bridge design must accommodate and facilitate ship traffic to and from the Port of Oakland.

d. Human aspect of the bridge construction. Compile the story of the construction of the Bay Bridge. The history suggests that in addition to the stories of the steel workers, those of the engineers who helped to build the bridge are worth documenting.

e. Role of the bridge in regional development and importance of the eastern channel to the regional economy. This is a large enough topic to support a documentary video, oral history, etc. covering population shifts, land use changes, transportation history, the two ports, international commerce, and other socio-economic aspects.

f. Create a permanent interpretive center. Combine the above historical aspects (as well as material developed for Bay Bridge 50th Anniversary) into interpretive programs for the public, school curriculum, etc. Create a permanent study center to house histories, videos, artifacts, a scale model of the Bay Bridge (like the Bay Model), Peter Stackpole photographs, paintings and drawings, computer simulations, etc. Include an exhibit which compares the design of the original Bay Bridge and the replacement, and, equally important, compares the design process then and now.

A building in downtown Oakland, constructed in the same period as the Bay Bridge, could be devoted to such an interpretive center about the Bay Bridge and associated transportation themes. This would preserve and expand understanding and appreciation of the Bay Bridge, would create a visitors' destination in Oakland, and return a historic building to permanent active use.

- In association with Bay Area newspapers, issue a Souvenir Edition upon the re-opening of the East Bay Span, in the manner of the November 12, 1936 San Francisco Examiner "Bridge Souvenir Edition." Include a replica of the 1936 souvenir edition, along with historic narrative and illustrations.

4. Historic rail component.

To preserve the historic rail aspect, include light rail on the bridge or design it to support conversion to light rail in the future.

5. Reuse of materials

- Salvage instructive artifacts for display at the interpretive center, or other educational facilities.

-Reuse components of the East Span for other purposes. Maintain a roster of locations where parts of the bridge have been recycled for other uses, or in other forms.
- Consider using components of the original bridge to create a large public art project located at the Oakland terminus, such as the gateway feature to Oakland and the East Bay discussed above.

In conclusion, the HABS/HAER documentation, and the more complete history prepared during environmental review, may well suggest additional mitigation measures to perpetuate the cultural, architectural and technical significance of the Bay Bridge.

Thank you very much for the opportunity to comment on this extremely important project. We look forward to reviewing the documentation which elaborates on the full significance of the East Bay span.

Please continue to keep us informed by way of the Secretary to the Landmarks Preservation Advisory Board, Helaine Kaplan Prentice, at Community & Economic Development Agency, 1330 Broadway, 2nd Floor, Oakland, CA 94612, phone (510) 238-2978.

Sincerely yours,

Andrew Carpentier HKP

ANDREW CARPENTIER, Chair

cc: Robert Gross, District Office Chief
✓Mara Malandry, Office of Environmental Planning, South
Landmarks Preservation Advisory Board members: Annalee Allen, Janet Benson, Andrew Carpentier, Carolyn Douthat, Rene Dymond, Norman Hooks, George I. Lythcott
Marina Carlson, Office of Mayor Elihu Harris
Chris Pattillo, Pattillo & Garrett Landscape Architects
Jeff Eichenfeld, California Preservation Foundation
Oakland Heritage Alliance
Andrew Altmam, CEDA, Chief of Planning
Charles Bryant, CEDA, Zoning Division
Willie Yee, CEDA, Zoning Division
Terry Roberts, Director, PWA

F-LM267 3Yahata.Hkp

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
BOX 23660
KLAND, CA 94623-0660
.0) 286-4444
TDD (510) 286-4454

February 4, 1998

Ala/SF 80
02100K

Mr. William T. Hogarth, Ph.D.
Acting Regional Administrator
National Marine Fisheries Services
Southwest Region
501 West Ocean Blvd., Suite 4200
Long Beach, CA 90802-4213

Dear Dr. Hogarth:

By this letter, we request concurrence that our proposed drilling work in San Francisco Bay will have no adverse effect to the endangered winter run Chinook salmon, the threatened west coast steelhead trout and the proposed threatened central valley steelhead trout. The drilling is necessary to assess bedrock and soil conditions for the East Span Seismic Safety Project. The drilling will consist of 12 borings in the Bay, and will be located north of the existing bridge. The drill equipment will be transported on two barges. The drill hole will be advanced inside a 24" diameter drill casing; the drill tools are inside the casing. All drilling fluids will be recirculated and collected on the barge. The drill fluids and cuttings will be tested and disposed of appropriately at designated disposal sites. No significant increase in turbidity due to barge drilling operations is anticipated.

This request is being made under the informal consultation provision of section 7 of the Endangered Species Act of 1973, as amended. The Federal Highway Administration has delegated Caltrans as their non-federal representative for section 7 consultations. We appreciate your assistance in this matter.

If you have any questions or need additional information, please call Sid Shadle, 510-286-6220.

Sincerely,

HARRY Y. YAHATA
District Director

By Marc Melandry
for DENIS J. MULLIGAN
District Division Chief
Toll Bridge Program

cc: Chris Mobley (National Marine Fisheries
John Schultz (FHWA)

bc: MMelandry/MMortenson, SHulsebus/PC
Sid Shadle ~~Mike Davis (Parsons)~~

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
BOX 23660
AKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

February 11, 1998

Andrew Carpentier, Chair
Landmarks Preservation Advisory Board
One City Hall Plaza
Oakland, California 94612

Dear Mr. Carpentier:

Thank you for your letter of January 14 concerning the proposed seismic improvement of the East Bay spans of the San Francisco – Oakland Bay Bridge. Your suggestions for measures to mitigate adverse effects of the possible demolition of the existing East Bay spans were helpful, and we appreciate your time and thoughtfulness in developing them. If a replacement alternative is chosen for this project, we will carefully consider all of your suggested mitigation measures and will discuss them with you and the State Historic Preservation Officer (SHPO) as part of our compliance with the National Historic Preservation Act.

In addition, we have the following responses to your comments on the design of a new bridge:

- **Consider retrofit of the existing East Bay span as an option**

Although the Governor and the Metropolitan Transportation Commission's Bay Bridge Task Force have recommended that the bridge be replaced, retrofit of the existing structure will be studied as an alternative through the Environmental Impact Statement (EIS) process. When the cost of a retrofit is 50% or more of the cost of new construction, it is Caltrans' policy to consider reconstruction. You may be interested in the following quote from a summary statement of an economic analysis comparing the costs of a retrofit versus a new bridge:

> "The construction costs of a new bridge will be about $25 million <u>more</u> than that of the retrofit option. However, considering the life-cycle cost of the bridge including maintenance costs, deck rehabilitation costs, probable earthquake damage repairs, and the salvage value of the existing bridge, the new bridge will cost some $281 million <u>less</u> than retrofitting the existing bridge. When user costs are also incorporated into the total cost of the new bridge (including the cost of safety risks associated with the existing bridge while the new bridge is being built), as noted above, the new bridge alternative would cost $625 million less than the retrofit option."

In addition to the economic advantages of a new bridge, there are seismic advantages as well. A retrofitted existing bridge would not perform as well as a new bridge in the event of a severe earthquake.

- **Consider a combination of demolition and retrofit to retain the cantilever portion of the East Bay span.**

The cantilever section of the East Bay span could be retrofitted at a comparable initial construction cost to constructing either the cable-stayed or suspension designs. However, the retrofit would provide a low level of serviceability in the event of a major earthquake. It would not collapse, but would likely sustain major damage, require closure to traffic and would then need to be replaced. This would have a profound impact on the Bay Area economy. A new bridge would remain fully serviceable after a maximum credible earthquake. The life span of a retrofitted cantilever section would be 50 years, compared to a 100 to 150 year life span for a new bridge. In addition, constructing a new viaduct from the Oakland shore to the existing cantilever section and on Yerba Buena Island would require that the bridge be shut down for a minimum of six months.

- **Aesthetics of a replacement bridge**

The Bay Bridge Engineering and Design Advisory Panel (EDAP), which advised the MTC Bay Bridge Task Force, recommended that a new bridge be visually memorable and convey a sense of gateway to Oakland and that views from the bridge in the eastbound direction should consider Oakland's central business district and waterfront. The Bay Conservation and Development Commission's (BCDC) Design Review Board also supports the "gateway" concept. A permit from BCDC will be required for a new bridge. One of the design recommendations approved by MTC was that a new east span should not be double-decked, but rather have a single deck or parallel separated decks. This would provide eastbound traffic with significantly improved views of Oakland and the East Bay.

Six alternatives are being studied for the Draft Environmental Impact Statement, prior to selection of a final design: the no-build alternative, retrofit of the existing structure, and a new structure on four possible alignments (two north of the existing bridge and two south of the existing bridge). The new bridge alternatives have three design variations, including a skyway design and two "signature" designs – a single-tower, cable-stayed design and a single-tower, self-anchored suspension design. Once the 30% design studies are completed this spring for the cable-stayed and suspension designs, the true costs of both "signature" bridges will be known and MTC will make a design recommendation to Caltrans. MTC has the authority for funding such an amenity by extending the $1.00 toll increase for an additional two years beyond the current eight years. You may wish to express your view on this issue to MTC.

- **Preserve the East Bay Shipping Channel**

A new bridge would provide for continued shipping access to and from the Port of Oakland on the east side of Yerba Buena Island. This was recommended by the EDAP and will be required by the United States Coast Guard as a condition of the permit they would issue for a new bridge. Retrofit of the existing bridge would require new piers under the cantilever section, which would reduce the width of the shipping channel. For all project alternatives, the shipping channel will be maintained with a minimum width of 153 meters (500 feet) and a vertical clearance of 42 meters (138 feet).

- **Allow for future light rail transit on a new bridge**

A new bridge will be designed to allow for the loads of possible future rail service, as recommended by MTC. Introduction of light rail transit on a new bridge would be a future decision, consistent with Regional Transportation Planning, and would require public and legislative support.

We appreciate your comments on this important project, and we will keep the Oakland Landmarks Preservation Advisory Board informed as the Section 106 compliance process continues. If you have any additional comments or questions regarding the Section 106 process or mitigation measures, please contact Jared Goldfine, District Branch Chief for San Francisco and Architectural History Studies, Office of Environmental Planning, South (510-286-6203). For questions about the environmental process, please contact Mara Melandry, Environmental Manager for the SFOBB (510-286-5582).

Sincerely,

HARRY Y. YAHATA
District Director

By

DENIS J. MULLIGAN
District Division Chief
Toll Bridge Program

cc: Marina Carlson, Office of Mayor Elihu Harris
Jeff Eichenfeld, California Preservation Foundation
Oakland Heritage Alliance
Andrew Altman, CEDA, Chief of Planning
Charles Bryant , CEDA, Zoning Division
Willie Yee, CEDA, Zoning Division
Terry Roberts, Director, PWA
John Schultz, FHWA
Cherilyn Widell, SHPO

'ATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

)EPARTMENT OF TRANSPORTATION
)X 23660
'LAND, CA 94623-0660
) 286-4444
)D (510) 286-4454

February 12, 1998

Ms. Hillary E. Gitelman
Environmental Review Officer
City and County of San Francisco
Planning Department
1660 Mission Street, 5th Floor
San Francisco, CA 94103

Dear Ms. Gitelman:

This is in response to your January 10, 1998 notice regarding establishment of baseline conditions for the disposal and reuse of Naval Station Treasure Island. Caltrans and the Federal Highway Administration (FHWA) are preparing an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA) for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project (East Span Seismic Safety Project). A Notice of Intent to prepare the EIS was published in the Federal Register on April 21, 1997.

We request that the baseline conditions established for the Treasure Island Reuse Joint EIR/EIS include the East Span Seismic Safety Project. As you are aware from our coordination meetings which began on October 28, 1997, the East Span Seismic Safety Project EIS will evaluate six alternatives, including:

- No-Build
- Retrofit Existing East Span Structure
- Replacement Alignment Alternative N-1
- Replacement Alignment Alternative N-2
- Replacement Alignment Alternative S-1
- Replacement Alignment Alternative S-2

Caltrans has provided your agency with the conceptual plans for the replacement alternatives.

Caltrans and the FHWA are currently consulting with federal agencies under the NEPA/Section 404 Integration Memorandum of Understanding concerning the range of alternatives to be analyzed in the EIS. Additional alignment alternatives could be identified for review based on this ongoing consultation and in-progress environmental and engineering technical studies.

East Span Seismic Safety Project alternatives, particularly replacement alignment alternatives, may affect redevelopment scenarios on Yerba Buena Island (YBI). Also, as referenced in correspondence from District Director Harry Yahata to Mayor Willie Brown dated December 17, 1997, the East Span Seismic Safety Project EIS will not include the Navy-owned ramps on YBI that are not demolished by East Span Seismic Safety Project alternatives. When funding is secured for the replacement of those ramps which are not affected by the East Span Seismic Safety Project, the replacement project would be the subject of a separate environmental document.

Caltrans will continue to coordinate with the City and County of San Francisco concerning the environmental review of East Span Seismic Safety Project alternatives. We request your inclusion of potential bridge retrofit and replacement alternatives in your EIS/EIR baseline conditions assessment to ensure ongoing coordination of the base reuse and bridge seismic safety projects.

If you have questions concerning this request, please contact Mara Melandry, Environmental Manager, at 510/286-5582.

Sincerely,

HARRY Y. YAHATA
District Director

By

Mara Melandry

for DENIS J. MULLIGAN
District Division Chief
Toll Bridge Program

OFFICE OF THE MAYOR
SAN FRANCISCO

WILLIE LEWIS BROWN, JR.

May 13, 1998

The Honorable Mary V. King
Chair, MTC Bay Bridge Design Task Force
101 Eighth Street
Oakland, CA 94607-4700

Dear Supervisor King,

I am writing at this time in regard to your pending decision on funding of Bay Bridge project elements, and specifically, to clarify San Francisco's position and intentions with respect to a very important element, the Transbay Transit Terminal replacement.

As you may recall, in late 1997, San Francisco's on-going environmental work on a replacement terminal and the future of land use and development in the Transbay area were suspended due to my concerns about the level of support for the proposed new terminal. Although formally endorsed by the San Francisco Board of Supervisors, the lack of clear support on the part of Caltrans and MTC for San Francisco's work on this important regional transportation project led me to question the value of our endeavor.

Recently, both MTC and Caltrans officials have assured me that they support San Francisco's policy to replace the oversized, unfriendly, and unsound Transbay Transit Terminal with a modern, efficient facility which will welcome increasing numbers of riders for decades to come. Given that assurance, San Francisco has decided to move forward once again with this project and will reinitiate the planning and environmental efforts to build a new terminal at the selected site of Howard and Main and Beale Streets. We will continue to work closely with all responsible agencies and parties to bring this important project to fruition.

Solid land use and transportation planning considerations led San Francisco, working for more than a year through an inter-agency effort, to site the new terminal at the selected location. One of the most important of these considerations is the ability to minimize the impact of building a new terminal on AC Transit's daily operations. Construction of a new terminal at the Howard Street site, coupled with Caltrans' plans to modify the existing terminal for interim operations, will mean that AC Transit's operations will continue to provide quality service to and from San Francisco with little or no operational difficulties. When the new terminal is completed and is linked to the new Terminal Separator Replacement and Bay Bridge via exclusive bus lanes, AC Transit will be able to relocate its operations from the dreary environment of the existing terminal to a bright and hospitable new terminal.

401 VAN NESS AVENUE, ROOM 336, SAN FRANCISCO, CALIFORNIA 94102
(415) 554-6141
RECYCLED PAPER

OFFICE OF THE MAYOR
SAN FRANCISCO

WILLIE LEWIS BROWN, JR.

As you know, the Transbay Transit Terminal replacement is on the list of Bay Bridge project elements to be funded with surplus toll revenue. San Francisco needs the assistance and support of your Task Force to assure that a substantial commitment of funds for a new terminal are provided. The City, working closely with AC Transit, MTC, Caltrans, and other regional transit providers, will now continue to move forward to develop a financing plan, appropriate environmental documentation, and an operating proposal for the new terminal.

With your help, I am confident that we can replace the Transbay Transit Terminal with a new facility which the region will point to with pride. Those who ride transit across the Bay, and to and from other regional locations, certainly deserve a better terminal. I am prepared to work with you and other East Bay leaders to make a new terminal a reality. Thank you for your regional leadership on the critical Bay Bridge needs and for your consideration of San Francisco's views regarding the Transbay Transit Terminal element.

Sincerely,

Willie L. Brown, Jr.
Mayor

401 VAN NESS AVENUE, ROOM 336, SAN FRANCISCO, CALIFORNIA 94102
(415) 554-6141

RECYCLED PAPER

DREYNOLDS, CSTREETER, TMcDONNELL, JMcCRANK

From: Denis J. Mulligan

Congress of the United States
Washington, DC 20515

June 11, 1998

Jim Spering
Chairman
Metropolitan Transportation Commission
Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700

Dear Mr. Spering,

We are writing to encourage the Metropolitan Transportation Commission to follow the recommendation of its architectural advisory panel to incorporate bicycle-access lanes into designs of the replacement east span of the Bay Bridge during its meeting this month. We believe it will be a progressive decision that will benefit generations of Bay Area residents.

Bicycle lanes on the new east span will be the first step toward linking the East Bay and San Francisco by popular alternative transportation, while providing an exciting new recreation for visitors and weekend travelers. In a recent informal San Francisco Chronicle poll, respondents voted at a seven to one margin in support of bicycle and pedestrian access to the bridge. The Golden Gate Bridge is already a popular conduit for bicyclists, who often number more than 3,000 on weekends. The East Shore bicycle path from Albany to the Bay Bridge is currently under construction. The eventual possibility of biking from Oakland into The City will take some drivers off of our congested freeways, encourage the development of recreational open space on Treasure Island, and afford the public views of the entire region from the middle of the Bay that are not possible by car today.

While the west span and approach of the Bay Bridge are being retrofitted without bicycle lanes, bikes on the east span encourage that option — a decision MTC alone can make. While Mayor Willie Brown has discouraged public access to Yerba Buena and Treasure islands, bicycle lanes on the bridge will encourage The City's redevelopment authority to preserve open spaces and make them available to the public.

Bicycles on the new bridge will constitute one enormous step toward connecting the Bay Area as never before. The advisory panel voted 13 to 1 for a bicycle and pedestrian lane. We earnestly hope you will choose their counsel as you meet this month.

Sincerely,

GEORGE MILLER, M.C. NANCY PELOSI, M.C. ANNA ESHOO, M.C.

June 11, 1998
page two

BARBARA LEE, M.C.

TOM LANTOS, M.C.

LYNN WOOLSEY, M.C.

PETE STARK, M.C.

ELLEN TAUSCHER, M.C.

TOM CAMPBELL, M.C.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
23660
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

June 12, 1998

Mr. Steve McAdam
Bay Conservation and Development Commission
30 Van Ness Avenue, Room 2011
San Francisco, California 94102

Ala/SF 80
EA 012000
East Span Seismic
Safety Project

Dear Mr. McAdam,

Thank you for participating in our meeting on June 2, 1998 regarding the co-ordination of the potential development of a park in the vicinity of the east approach to the San Francisco Oakland Bay Bridge. We appreciate your ideas and contributions to making the area a future recreational and visual resource for Bay Area residents.

We noted the opinions you expressed regarding the need for construction of good roadway access to such a park and that roadway access to such a park would be considered a public access improvement by BCDC staff. We certainly concur.

If you have any questions, please call Mara Melandry, Environmental Manager for the San Francisco-Oakland Bay Bridge at 510-286-5582.

Sincerely,

HARRY Y. YAHATA
DISTRICT DIRECTOR

By Denis Mulligan

DENIS J. MULLIGAN
DISTRICT DIVISION
TOLL BRIDGE PROGRAM

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
FAX (510) 286-4454

June 15, 1998

Mr. Larry Myers
Native American Heritage Commission
1400 10th Street
Sacramento, CA 95814

Dear Mr. Myers:

Enclosed for your files for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project is a copy of the combined Positive Archaeological Survey Report, Extended Phase I Report for Investigations at CA-SFr-04/H, Evaluation for Historic Archaeological Resources, and Request for Determination of Eligibility for Prehistoric Component of CA-SFr-04/H. One previously recorded site, CA-SFr-04/H, is situated within the Yerba Buena Island portion of the Area of Potential Effects. The prehistoric component of CA-SFr-04/H is considered to be eligible for the National Register of Historic Places under Criterion D. No other prehistoric resources have been identified within the Area of Potential Effects.

Once an alternative is selected and if it affects CA-SFr-04/H, a treatment plan will be prepared and approved by SHPO in order to mitigate the site. Of course we will continue our coordination with NAHC in the review process of a subsequent treatment plan. Data recovery will occur prior to construction activities.

If you have any questions concerning this report, please contact Janet Pape, Environmental Planner, Archaeologist, at 510-286-5616.

Sincerely,

HARRY Y. YAHATA
District Director

By Mara Melandry

MARA MELANDRY
Environmental Manager
SFOBB

Enclosure

c: Andrew A. Galvan

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
OX 23660
AKLAND, CA 94623-0660
) 286-4444
D (510) 286-4454

June 15, 1998

Mr. Andrew A. Galvan
The Ohlone Indian Tribe
P.O. Box 3152
Mission San Jose, CA 94539

Dear Mr. Galvan:

Enclosed for your files for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project is a copy of the combined Positive Archaeological Survey Report, Extended Phase I Report for Investigations at CA-SFr-04/H, Evaluation for Historic Archaeological Resources, and Request for Determination of Eligibility for Prehistoric Component of CA-SFr-04/H. One previously recorded site, CA-SFr-04/H, is situated within the Yerba Buena Island portion of the Area of Potential Effects. The prehistoric component of CA-SFr-04/H is considered to be eligible for the National Register of Historic Places under Criterion D. No other prehistoric resources have been identified within the Area of Potential Effects.

Once an alternative is selected and if it affects CA-SFr-04/H, a treatment plan will be prepared and approved by SHPO in order to mitigate impacts to the site. Data recovery will occur prior to construction of the project.

Thank you, again, for monitoring the extended phase I investigations for CA-SFr-04H. We look forward to working with you in the future if archaeological mitigation is required for this project.

If you have any questions concerning this report, please contact Janet Pape, Associate Environmental Planner, Archaeologist, at 510-286-5615.

Sincerely,

HARRY Y. YAHATA
District Director

By Mara Melandry

MARA MELANDRY
Environmental Manager
SFOBB

Enclosure

c: Larry Myers, Native American Heritage Commission

JUN 18 1998

U.S. Department of Transportation
United States Coast Guard

Commander
Maintenance & Logistics
Command Pacific

Coast Guard Island, Bldg 54D
Alameda, CA 94501-5100
Staff Symbol: sr
Phone: (510) 437-5900
FAX: (510) 437-5753

DJM

11011
June 15, 1998

Mr. Denis Mulligan
Toll Bridge Program Manager
State of California
Department of Transportation
P.O. Box 23660
Oakland, California 94623-0660

RECEIVED JUN 18 1998 B. QUAN

Dear Mr. Mulligan:

In a meeting we had with representatives of your office on June 3rd, 1998, regarding the new eastern span of the San Francisco - Oakland Bay Bridge we were informed that some alternatives for the location of the temporary ramps on Yerba Buena Island would impact the access to our adjacent Coast Guard facilities. I want you to be aware that any location of these temporary ramps, or other portions of your project, that would limit our safe access to these facilities is unacceptable to the Coast Guard. In any acceptable scenario, our Yerba Buena Island facilities require unrestricted, 24-hour, vehicular access from both San Francisco and Oakland. The Coast Guard's ability to perform its critical missions in the San Francisco Bay Area (search & rescue, vessel traffic control, communications, etc.) must remain unhindered.

If you have any questions regarding this matter please contact me at the address above or (510) 437-5900.

Sincerely,

Robert B. Van de Loo

ROBERT B. VAN DE LOO
Realty Specialist
Maintenance & Logistics Command Pacific
By direction of the Commander

Copy: CG GROUP San Francisco
CG VTS San Francisco
CG Aids to Navigation Team San Francisco
CG MLCPAC (se), (sp)
CG CEU Oakland

EXECU 09 JUN 1 9

OFFICE OF THE MAYOR
SAN FRANCISCO

WILLIE LEWIS BROWN, JR.

June 22, 1998

The Honorable Mary King
Chair, MTC Bay Bridge Design Task Force
101 Eighth Street
Oakland, CA 94607-4700

Dear Supervisor King:

I am writing at this time to support a request by my East Bay colleagues to postpone the vote on the Bay Bridge replacement project pending further discussion and review. There is no need to rush into a final decision as the current East Span is presently in the process of being retrofitted prior to its replacement. Careful and thoughtful consideration should be given by the region in order to build a new Bay Bridge that will accommodate the needs of the citizenry well into the 22nd century. With an estimated cost of $1.5 billion, the job must be done right the first time and must take into account the concerns of the region as a whole.

Specifically, I am concerned about the future development of Treasure Island and Yerba Buena Island and the impact the currently proposed design will have on the Treasure Island reuse plan adopted in July of 1996. The most recent plans presented by Caltrans significantly impact San Francisco's ability to make the Treasure Island Project financially self-sustaining and have adverse environmental and historic preservation consequences. In addition to these concerns, I also believe that further studies should be done with respect to rail and bike and pedestrian access.

Accordingly, I ask that we defer the decision on the Bay Bridge replacement project as well as issues such as the Transbay Terminal until regional consensus is reached. Let us work together on the most important regional transportation undertaking of the century and build a bridge that will meet the needs of the entire region and be cherished for generations to come.

Thank you for your leadership and for your consideration of San Francisco's tremendous concerns regarding the Bay Bridge replacement project.

Sincerely,

Willie L. Brown, Jr.
Mayor

401 VAN NESS AVENUE, ROOM 336, SAN FRANCISCO, CALIFORNIA 94102
(415) 554-6141
RECYCLED PAPER

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
BOX 23660
AKLAND, CA 94623-0660
10) 286-4444
TDD (510) 286-4454

June 24, 1998

Annemarie Conroy
Mayor's TI Project Office
City and County of San Francisco
410 Palm Avenue, Building #1, Room 229
Treasure Island, San Francisco, CA 94130

Dear Ms. Conroy:

Enclosed for your information for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project is a copy of the Historic Property Survey Report containing an Historic Architecture Survey Report and a combined Positive Archaeological Survey Report, Extended Phase I Report for Investigations at CA-SFr-04/H, Evaluation for Historic Archaeological Resources, and Request for Determination of Eligibility for Prehistoric Component of CA-SFr-04/H.

If you have any questions on the above, please contact Janet Pape, Archaeologist, at 510/286-5615 regarding archaeology and Jared Goldfine, Senior Environmental Planner, at 510/286-6203 for the built environment. Please note that the Archaeological Survey Report contains confidential information and is not for public distribution.

Sincerely,

HARRY Y. YAHATA
District Director

By Mara Melandry
MARA MELANDRY
Environmental Manager
SFOBB

Enclosure

cc: Lou Wall (Department of the Navy)
Susanna Montana (City and County of San Francisco)
Cherilynn Widell (SHPO)
Lieutenant Commander Jon Milkey (USCG)

bc: MMelandry/MMortenson/JPape
JGoldfine/AHope
MBuss, CAdams
Mike Davis, PB

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

June 26, 1998

Lieutenant Commander Jon Milkey
United States Coast Guard
Group San Francisco
Yerba Buena Island
San Francisco, CA 94130

Dear Lieutenant Commander Milkey:

Enclosed for your information for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project is a copy of the Historic Property Survey Report containing an Historic Architecture Survey Report and a combined Positive Archaeological Survey Report, Extended Phase I Report for Investigations at CA-SFr-04/H, Evaluation for Historic Archaeological Resources, and Request for Determination of Eligibility for Prehistoric Component of CA-SFr-04/H.

If you have any questions on the above, please contact Janet Pape, Archaeologist, at 510/286-5615 regarding archaeology and Jared Goldfine, Senior Environmental Planner, at 510/286-6203 for the built environment. Please note that the Archaeological Survey Report contains confidential information and is not for public distribution.

Sincerely,

HARRY Y. YAHATA
District Director

By Mara Melandry
MARA MELANDRY
Environmental Manager
SFOBB

Enclosure

cc: Susanna Montana (City and County of San Francisco)
Annemarie Conroy (City and County of San Francisco)
Lou Wall (Department of the Navy)
Cherilynn Widell (SHPO)

bc: MMelandry/MMortenson/JPap
JGoldfine/AHope
MBuss, CAdams
Mike Davis, PB

U.S. Department of Transportation
United States Coast Guard

Commander (Pow-2)
Eleventh Coast Guard District

Coast Guard Island
Alameda, CA 94501-5100
Staff Symbol: (Pow-2)
Phone: (510) 437-3514
FAX: (510) 437-5836

16591
San Francisco Bay (8.9)
Ser: 432-98
July 8, 1998

John Schultz
Chief, District Operations
Federal Highway Administration
California Division
980 9th St. Suite 400
Sacramento, CA 95814-2724

Dear Mr. Schultz:

The Coast Guard met with your agency and CalTrans on March 25, 1997 to discuss your letter of March 11, 1998, (encl. 1) in which you agreed to CalTrans request that you assume the role of lead agency status for the San Francisco-Oakland Bay Bridge East Span Replacement Project Project.

Our letters of June 23, 1997, June 24, 1997 and July 15 1997 (encls. 2, 3 and 4) stated that we would be willing to serve as cooperating agency for the replacement. Our letters did not address the contingency, however, that we be listed as cooperating agency if the ultimate decision was to retrofit the bridge. After we commented to CalTrans on July 6, 1998 that we had not been listed as a cooperating agency on the Administrative Draft document for the Seismic Safety project (encl. 5), Ms. Melandry asked us to identify our role for not only the replacement but also the possible retrofit alternatives.

Accordingly, the Coast Guard would be pleased to serve as cooperating agency for East Span Seismic Safety Project in accordance with 40 CFR 1501.6. We must issue a formal bridge permit under Section 9 of the 1899 Rivers and Harbors Act, as amended, for either the replacement or retrofit alternatives being considered. The Coast Guard bridge permit is the federal approval of the location and clearances of a bridge. Our primary consideration is whether the bridge provides safe passage for existing and prospective vessels operating on the waterway. In addition to the permit, we will be involved in the coordination of work evolutions that utilize waterborne equipment or otherwise affect navigational clearances–to minimize impacts navigation.

Our office will also serve as the main point of contact for Coast Guard cooperating agency responsibilities. In that context, we forwarded concerns of our Maintenance and Logistics Command planning and environmental concerns, along with those of our Coast Guard Group San Francisco on Yerba Buena Island as part of our July 6, 1998 letter (encl. 5).

16591
July 8, 1998

If we may be of any assistance, please do not hesitate to contact Mr. Jerry Olmes or me at (510) 437-3514.

Sincerely,

W.R. TILL
Chief, Bridge Section
U. S. Coast Guard
By direction of the District Commander

Encl: (1) Federal Highway Administration letter dated March 11, 1997
(2) My letter dated June 23, 1997
(3) My letter dated June 24, 1997
(4) My letter dated July 15, 1997
(5) My letter dated July 6, 1998

Copy: CalTrans District 04, ATTN Ms. Mara Melandry w/encls

DEPARTMENT OF THE NAVY
ENGINEERING FIELD ACTIVITY, WEST
NAVAL FACILITIES ENGINEERING COMMAND
900 COMMODORE DRIVE
SAN BRUNO, CALIFORNIA 94066-2402

IN REPLY REFER TO:

11011
Ser 62B/L8197-2
Yerba Buena Island
Former NAVSTA TI
16 July 1998

Mr. Nick Fiorentinos
Right of Way Agent
State of California
Department of Transportation
Box 23440
Oakland, CA 94623-0440

Dear Mr. Fiorentinos:

This letter is in response to your correspondence of July 1, 1998 in which you request the Navy to issue a license for access to Yerba Buena Island to perform drilling for geologic investigations for your proposed N6 alignment and two possible detour routes for the new east span of the San Francisco Bay/Oakland Bay Bridge starting 01 August 1998.

Based on the environmental checklist you provided to us in your letter, there is insufficient documentation for us to be able to adequately evaluate the environmental effect of the proposed action or accept your conclusions from an environmental compliance perspective. As I discussed with you in our telephone call on 14 July 1998, in order for us to approve the proposed action, the Navy must first document compliance with applicable environmental laws and regulations. To expedite this process, we propose that you work with our environmental planning staff to prepare such documentation to appropriate standards.

The principal requirement is for a completed National Environmental Policy Act (NEPA) document. The NEPA document should demonstrate and justify a lack of significant resulting impacts to historical and archeological resources, noise, traffic and access, visual/aesthetics, air quality, water quality, grading, erosion, runoff, landscaping, hazardous materials management, the Navy's Installation Restoration hazardous wastes cleanup program, groundwater and aquifers, land use, and biological resources including endangered species.

The NEPA document needs to demonstrate parallel interagency coordination and completed compliance with (a) Section 106 of the National Historic Preservation Act (NHPA) for the highly sensitive historical and archeological resources that could be adversely affected by the drilling program; (b) the Endangered Species Act to assure no rare, threatened or endangered species would be affected; (c) the Clean Water Act

including such possible permits as Section 404, Section 401, NPDES, and Stormwater Management; (d) the Clean Air Act including Conformity calculations; (e) the Coastal Zone Management Act for coastal zone concerns if any; and (f) Executive Order 12898 on Environmental Justice. It also needs to demonstrate parallel interagency coordination with our ongoing Installation Restoration Program at the base.

Our preliminary review finds that the proposed action is likely to have an adverse effect on cultural resources, that our Installation Restoration Program will be significantly impacted and that the proposed action may potentially be controversial. Therefore, we anticipate that an Environmental Assessment (EA) will be necessary for environmental planning and documentation purposes.

If you have completed California Environmental Quality Act documentation for this proposed action, such documentation would be useful in preparing the NEPA documentation. I would estimate that EA preparation may be completed in about one month, but the consultation requirements under the NHPA may take longer.

As we also agreed in our telephone conversation, a meeting of our offices should be scheduled as soon as possible to facilitate completion of this effort. Based on the availability of Navy staff, I propose we meet on 21 July 1998 at 1:00 PM in our San Bruno offices. If this is inconvenient, we can schedule another date. I may be reached at (650) 244-3004. My pager number is (650) 869-7945.

Sincerely,

Kenn Parsons
Base Conversion Manager
Former Naval Station Treasure Island

Distribution:
Mara Melandry, CALTRANS
Annemarie Conroy, City of San Francisco

STATE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY

PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION

BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

July 17, 1998

Ms. Annemarie Conroy
Executive Director
Mayor's Treasure Island Project Office
410 Palm Avenue
Building 1, Room 229
San Francisco Treasure Island, CA 94130

Dear Ms Conroy:

Caltrans is moving forward aggressively with the San Francisco-Oakland Bay Bridge (SFOBB) East Span Seismic Safety Project. At this current juncture, it is necessary to account for foreseeable future loading on the proposed structures.

Previously, Mr. Mark Primeau had contacted Caltrans regarding attaching a 12-inch sanitary sewer line on the west spans of the SFOBB. A copy of the 1996 correspondence is attached. The west spans of the SFOBB cannot accommodate the then-proposed sewer line; however, the East Span Seismic Safety Project offers San Francisco an opportunity to revisit pumping offsite raw wastewater generated on Treasure Island and Yerba Buena Island for ultimate treatment and disposal.

Likewise, we have had previous discussions with the City regarding the 12-inch secondary water supply line on the existing east span which is currently owned by the Navy. We would like to know if the City intends on reconstructing this line on the new east span.

In order to move this crucial public safety project forward, we need to reach resolution on these as well as other Yerba Buena Island issues.

Caltrans looks forward to working with San Francisco and the Department of the Navy on the successful conversion of this former Naval facility. Please contact me at your earliest convenience to discuss this further. My phone number is (510) 286-6293.

Sincerely,

HARRY Y. YAHATA
District Director

By Denis Mulligan

DENIS J. MULLIGAN
Program Manager
Toll Bridge Program

HYY, HPH, RJMacpherson,
BMARONEY, SHULSELBUS,
MMELANDRY, ADE, KTERPSTRA,
DAN MURPHY, DJMulligan, K. Greve
cc: Steve Heminger

Attachment

cc: Mark A. Primeau, CCSF Director of Public Works
Maria Ayerdi, CCSF Special Assistant to the Mayor

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
(510) 286-4454

June 28, 1996

Mr. Mark A. Primeau
Director of Public Works
City and County of San Francisco
875 Stevenson Street, Suite 410
San Francisco, CA 94103-0934

Dear Mr. Primeau:

Your proposal to install a 12" diameter sewer line on the San Francisco-Oakland Bay Bridge has been reviewed by our staff and found incompatible for the following reasons:

1. There is no suitable location for this pipe. The area under the north upper deck sidewalk is taken by an existing 10-inch diameter water pipe. The area under the south upper deck sidewalk must be kept clear to provide access to the many electrical conduits located there. Placing the pipe under the lower deck would present structural problems (if the pipe went through the floor beams) or would prevent the operation of the existing upper deck traveling scaffolds (if the pipe went <u>under</u> the floor beams). If the pipe were placed outside of the truss structure it would prevent the operation of the existing truss web scaffolds.

2. The pipe would place an additional dead load on the structure, which is already at the limit of capacity.

3. The pipe would interfere with the painting and normal maintenance of the bridge by Caltrans forces.

4. The design of expansion joints to handle temperature and seismic movement (up to six feet of seismic longitudinal movement) may prove difficult. We are concerned about the possibility of failure and leakage from the pipe. Failure or leakage would present a severe health hazard to the traveling public and result in contamination of the Bay.

5. The proposed installation does not appear to meet the conditions for permits as shown in the attached Section 600 Utilities Permits.

If you need additional information on this matter, please call Mr. Robert J. Guinn, Office Chief of Maintenance and Toll Bridge Engineering, at (510) 286-4500.

Sincerely,

JOE BROWNE
District Director

Attachment

RJG/ls

cc: JBrowne, HYahata, PHensley, DOdell, GBehm, RMurphy, GBattaglini, RGuinn, CBianchini, KTerpstra, JGallippi

Department of Public Works

Office of the Director

EXECUTIVE OFFICE
96 JUN -7 AM 9:50

June 5, 1996

Subject: Treasure Island Reuse Plan

Mr. Joe Browne, District Director
Dept. of Transportation, District 04
P.O. Box 23660
Oakland, CA 94623-0660

Dear Mr. Browne:

The Navy is expected to close their facilities and end operations on Treasure Island (TI), and Yerba Buena Islands (YBI) in San Francisco Bay by September 1997. The City and County of San Francisco is planning to take over and reuse TI and YBI.

Part of the City's responsibilities will include providing sewerage and wastewater treatment services for the tenants of TI and YBI. One option we would like to consider is pumping the raw wastewater generated on the islands to San Francisco for ultimate treatment and disposal. This would require hanging a 12" diameter ductile iron pipe on the Bay Bridge. Is this possible? If not, can the seismic upgrading of the Bay Bridge include provisions for adding a pipe in the future?

If you need more information on this matter, please call Mr. Vitaly B. Troyan, Deputy Director for Public Services, at 554-5803.

Sincerely,

Mark A. Primeau
Director of Public Works

415) 554-6920 Fax (415) 554-6944 875 Stevenson Street, Room 410 San Francisco 94103-0934

OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

PETE WILSON, *Governor*

ARTMENT OF TRANSPORTATION
3660
, CA 94623-0660
1444
) 286-4454

August 4, 1998

Lou Wall, Cultural Resource Manager
Department of the Navy
Engineering Field Activity, West
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno, CA 94066-2402

Dear Mr. Wall:

Enclosed for your information is one copy each of the Finding of Effect reports for archaeological and historic properties for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project in San Francisco and Alameda counties. These reports were sent to FHWA on August 3, 1998 and FHWA will send them to SHPO. We have requested to receive SHPO's review on effects by September 1, 1998.

If you have any questions concerning archaeology, please contact Mara Melandry at 510/286-5582 and for the built environment, contact Jared Goldfine at 510/286-6203.

Sincerely yours,

HARRY Y. YAHATA
District Director

by: Mara Melandry
MARA MELANDRY
SFOBB Environmental Manager

Enclosures

c: Kenn Parsons, Dept. of the Navy
Patricia Duff, Dept. of the Navy
SHPO - Ref. #FHWA980717A
Annemarie Conroy, TI, SF
Danielle Huey, Naval Facilities Engineering Command (enc.)

Dahms / Hein / Hemingway for response

SACRAMENTO ADDRESS
STATE CAPITOL, ROOM 2057
SACRAMENTO, CA 95814
(916) 445-0503

EMAIL: SENATOR.KOPP@SEN.CA.GOV

DISTRICT OFFICE
1 JUNIPERO SERRA BLVD.,
SUITE 530
DALY CITY, CA 94014-1980
(650) 301-1721

California State Senate

STATE SENATOR
QUENTIN L. KOPP
EIGHTH SENATORIAL DISTRICT
REPRESENTING SAN FRANCISCO AND SAN MATEO COUNTIES

STANDING COMMITTEES:
TRANSPORTATION - CHAIRMAN
AGRICULTURE & WATER RESOURCES
BUDGET AND FISCAL REVIEW
FINANCE, INVESTMENT & INTERNATIONAL TRADE
HOUSING AND LAND USE
LOCAL GOVERNMENT
PUBLIC SAFETY
REVENUE AND TAXATION

SELECT COMMITTEES
PROCUREMENT, EXPENDITURES AND INFORMATION TECHNOLOGY - CHAIRMAN
ALAMEDA CORRIDOR
GENETICS & PUBLIC POLICY
HIGHER EDUCATION
PRISON MANAGEMENT
TECHNOLOGICAL CRIME AND THE CONSUMER
REDEVELOPMENT

SUBCOMMITTEES
BUDGET SUBCOMMITTEE NO. 2 ON RESOURCES, ENVIRONMENTAL PROTECTION, JUDICIARY AND TRANSPORTATION - CHAIRMAN
FINANCE SUBCOMMITTEE ON CALIFORNIA-EUROPEAN TRADE DEVELOPMENT - CHAIRMAN

JOINT COMMITTEES
JOINT COMMITTEE ON LEGISLATIVE AUDIT
JOINT COMMITTEE ON RULES

August 10, 1998

Mr. Larry Dahms
Executive Director
Metropolitan Transportation Commission
101 Eight Street
Oakland, CA 94607

Dear Larry:

As you know, the mayors of San Francisco, Oakland, Berkeley and Emeryville are attempting to delay the Bay Bridge seismic safety replacement project by requesting a redesign of the bridge to include light or heavy rail tracks in lieu of several traffic lanes. I would appreciate estimates on the following factors related to such proposal:

1. The time delay and related safety risk associated with a redesign of the currently accepted Bay Bridge replacement project, including time for necessary reviews, public hearings, and reengineering.
2. The estimated cost associated with building a light or heavy rail line on the Bay Bridge and the corresponding connector lines to ensure a viable transit service.
3. The source of funds for the costs noted above and the impact of the use of such funds on other transportation projects slated for the Bay Area.
4. The impact on transbay congestion of eliminating two traffic lanes for the provision of light or heavy rail tracks during peak hours, off-peak hours and weekends.
5. The ridership estimates for new riders who would use a light or heavy rail service across the Bay Bridge to San Francisco in the west and the Union Pacific railway tracks to Sacramento in the east, or any other currently proposed transit juncture in the East Bay, as well as an estimate of the ridership reduction on existing transit service.

Thank you for your time and attention.

Sincerely yours,

Quentin L. Kopp

QUENTIN L. KOPP

QLK:jkl

U.S. Department of Transportation
United States Coast Guard

Commander (Pow-2)
Eleventh Coast Guard District

Bldg. 50-6
Coast Guard Island
Alameda, CA 94501-5100
Phone: (510)437-3514
FAX: (510)437-5836

16591
San Francisco Bay (8.9)
Ser: Pow 541-98
August 12, 1998

CalTrans District 04, ATTN: Ms. Mara Melandry
District Branch Chief, Environmental Review Alameda I
Box 23660
Oakland, CA 94623-0660

Dear Ms. Melandry:

Please reference your e-mails of August 11 and 12, 1998 to Mr. Jerry Olmes of my staff regarding Coast Guard policy concerning bridge removal. The Coast Guard Bridge Administration Manual, Commandant Instruction M16590.5A, requires that temporary structures (e.g. falsework, work trestles) be removed in their entirety. It also requires that any part of bridges which are replaced (except those parts incorporated in the new bridge) be removed down to the natural bottom of the waterway, or such elevation as may be required by the U.S. Army Corps of Engineers (to prevent interference with navigation improvement or flood control projects), or to an elevation deemed appropriate by the District Commander.

I recommend you ask the U.S. Army Corps of Engineers San Francisco District if they plan any projects to deepen any part of the area beneath the existing East San Francisco–Oakland Bay Bridge. Absent any additional requirements for navigation or flood control imposed by the U.S. Army Corps of Engineers, we would require removal of the existing East Bay Bridge piers to the mudline. More extensive removal in some areas could adversely impact BART's Transbay Tube.

Please do not hesitate to contact Jerry or me if we may answer any other questions. We can be reached at (510) 437-3514.

Sincerely,

W.R. TILL
Chief, Bridge Section
U.S. Coast Guard
By direction of the District Commander

Copy: U.S. Army Corps of Engineers; ATTN: Ms. Victoria Alvarez, Regulatory Branch
Coast Guard Group San Francisco, MSO San Francisco, MLCPAC(s)

STATE OF CALIFORNIA — THE RESOURCES AGENCY PETE WILSON, Governor

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
P.O. BOX 942896
SACRAMENTO 94296-0001
(916) 653-6624
FAX: (916) 653-8624

August 13, 1998
REPLY TO: FHWA980717A

Jeffrey A. Lindley, Division Administrator
Federal Highway Administration
980 9th Street, Suite 400
SACRAMENTO CA 95814-2724

Re: Bay Bridge East Span Seismic Safety Project, San Francisco and Alameda Counties.

Dear Mr. Lindley:

Thank you for submitting to our office your July 14, 1998 letter and supporting Historic Property Survey Report (HPSR), Historic Architecture Survey Report (HASR), and Positive Archeological Survey Report (PASR) for the Bay Bridge East Span Seismic Safety Project located in San Francisco and Alameda Counties. Three alternatives are being considered by Caltrans for this project. They include:

- A no-build alternative that would maintain the structure in its current condition with no seismic strengthening;
- Retrofitting the existing structure to meet existing seismic standards;
- Replacement of the existing structure with a new bridge on a new alignment. Details of the options involving this new structure are outlined in the Project Description of the HPSR.

You are seeking our comments on your determination of the eligibility of eight pre-1948 structures and one archeological site (CA-SFr-04/H) located within the project Area of Potential Effects (APE) for inclusion on the National Register of Historic Places (NRHP) in accordance with 36 CFR 800, regulations implementing Section 106 of the National Historic Preservation Act. Our review of the submitted HPSR, HASR, and PASR leads us to concur with your determination that the following properties are eligible for inclusion on the NRHP under the following criteria as defined by 36 CFR 60.4:

- Navy Quarters 10 - Criterion C at the local level of significance.
- Navy Building 267 - Criterion C as a contributor to the Navy Quarters 10 property.

- Bay Bridge Oakland Substation - Criterion A as a contributor to the San Francisco - Oakland Bay Bridge.

- Key Pier Substation Oakland - Criterion A as a contributor to the San Francisco - Oakland Bay Bridge.

The aforementioned buildings have strong associations with the earliest historical period of significance for the San Francisco - Oakland Bay Bridge (1936-1948) and have retained the integrity of design and materials associated with this period.

We also concur provisionally with your determination that the remaining four pre-1948 structures listed and evaluated in the HPSR are not eligible for inclusion on the NRHP under any of the criteria established by 36 CFR 60.4. We will provide you with our final response on this issue pending receipt of information evidencing that FHWA solicited the comments of the Navy and Coast Guard on the eligibility determination made for these properties.

With regard to CA-SFr-04/H, we agree that the prehistoric component of this site may contribute to its potential eligibility under Criterion D. However, in that the site has yielded and may again yield human remains, its potential significance may extend beyond Criterion D. This should be noted in your reports and correspondence. In addition, we agree first that the historic component of the site associated with the Naval Training Station may have severely compromised integrity and secondly, that further research may be needed to address the status of the component which may be associated with the Army Post and Depot.

We would not classify the prehistoric component of this site to be potentially eligible nor characterize the Naval Training Station portion of the historic component to be ineligible. A more appropriate description would deem these components to be either contributing or non-contributing to the potential eligibilty of the site as a whole. We request that your documents reflect this characterization.

Thank you again for seeking our comments on your project. If you have any questions, please contact staff historian Clarence Caesar at (916) 653-8902.

Sincerely,

for

Daniel Abeyta
Deputy State Historic Preservation Officer

METROPOLITAN
TRANSPORTATION
COMMISSION

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
Tel.: 510.464.7700
TTY/TDD: 510.464.7769
Fax: 510.464.7848
e-mail: info@mtc.ca.gov
Web site: www.mtc.ca.gov

James P. Spering, Chair
Solano County and Cities

James T. Beall Jr., Vice Chair
Santa Clara County

Keith Axtell
U.S. Department of Housing and Urban Development

Jane Baker
Cities of San Mateo County

Sharon J. Brown
Cities of Contra Costa County

Mark DeSaulnier
Contra Costa County

Dorene M. Giacopini
U.S. Department of Transportation

Mary Griffin
San Mateo County

Elihu Harris
Cities of Alameda County

Tom Hsieh
City and County of San Francisco

Mary V. King
Alameda County

Steve Kinsey
Marin County and Cities

Jean McCown
Cities of Santa Clara County

Charlotte B. Powers
Association of Bay Area Governments

Jon Rubin
San Francisco Mayor's Appointee

Angelo J. Siracusa
San Francisco Bay Conservation and Development Commission

Kathryn Winter
Napa County and Cities

Sharon Wright
Sonoma County and Cities

Harry Yahata
State Business, Transportation and Housing Agency

Lawrence D. Dahms
Executive Director

William F. Hein
Deputy Executive Director

August 17, 1998

The Honorable Quentin L. Kopp
California State Senate
State Capitol, Room 2057
Sacramento, CA 95814

Dear Senator Kopp:

In reply to your letter of August 10, 1998 requesting MTC "estimates" on the impact of instituting rail service on the Bay Bridge, most of the questions you pose are difficult to answer definitively without performing a detailed planning and engineering analysis. However, based on the information available to us at present, let me respond to your questions in the order you raised them.

1. The time delay and related safety risk associated with a redesign of the currently accepted Bay Bridge replacement project, including time for necessary reviews, public hearings, and reengineering.

Caltrans' current schedule calls for completion of design by July 1999, beginning construction in March 2000, and completing construction in 2004. Assuming that funds could be made available to finance any redesign of the new eastern span and existing western span to include rail service, the delays caused by additional environmental review, design work, and public hearings for incorporating light rail service on both spans of the bridge could be 18-24 months. Incorporating heavy rail service would not only entail additional environmental and public review but conceivably a different bridge type selection for the new eastern span due to the much heavier loadings. Thus, redesigning for heavy rail service could result in delays of 30-36 months.

2. The estimated cost associated with building a light or heavy rail line on the Bay bridge and the corresponding connector lines to ensure a viable transit service.

Light and heavy rail are two very different options. The existing bridge was designed to accommodate essentially what we could call light rail today. The new east span is being designed to accommodate similar loadings. Adding light rail to the bridge would require taking one traffic lane and one shoulder in each direction of the new span, and at least one traffic lane -- but quite possibly two traffic lanes -- in each direction through the existing tunnel and west suspension span.

According to Harre Demoro's two-volume history of the Key System trains (The Key Route: Transbay Commuting by Train and Ferry, Interurban Press, Glendale, CA, 1985), the old Key trains operated on 66 miles of track on the bridge and throughout numerous East Bay cities. At current per mile costs of building comparable light rail systems ($40-45 million per mile), the cost to

replicate the Key System would be $2.6-3.0 billion -- exclusive of modifications to the tunnel, the western span, and access facilities in San Francisco from the bridge to the Transbay Terminal (which would be substantial) and operating subsidies.

It is worth elaborating on the extensive access modifications that are not included in the above cost estimate. Access at both ends of the bridge would present a unique engineering challenge. In San Francisco, the existing highway ramps would have to be modified to carry the rail system into the Transbay Terminal. In Oakland, access would have to cross land currently designated for port use and a proposed park at the touchdown of the new eastern span.

Heavy rail is a totally different proposition. Although there is no historical precedent for heavy rail service on the bridge, the cost of instituting such service could exceed the $3 billion estimate for light rail for the following reasons. As noted above, the eastern span replacement would have to be redesigned. Two traffic lanes in each direction in the tunnel and on the existing suspension span would be required for rail service, unless the tunnel and western span were reconfigured to their pre-1958 state with rail on the lower deck and autos on the top deck -- which would restrict the auto capacity of the bridge even further.

Moreover, since the suspension span originally was designed to accommodate light rail service, it is likely that the western half of the bridge would require further strengthening to carry heavy rail loads. In the alternative, a new tunnel and bridge could be built from the island to San Francisco. Access for heavy rail in San Francisco also would be much more complicated than for light rail, and would probably require the demolition and replacement of a number of highway structures as well as substantial modifications to the Transbay Terminal itself.

3. The source of funds for the costs noted above and the impact of the use of such funds on other transportation projects slated for the Bay Area.

Current transportation funding sources identified in MTC's Regional Transportation Plan are not only fully subscribed for the next 20 years, but will be unable to cover $6.5 billion in costs just to operate and maintain the existing transportation system over that period. Thus, instituting rail service on the bridge would require new taxes or fees. The most likely funding source would be a further increase in bridge tolls.

The $1 seismic retrofit surcharge on all seven Bay Area state-owned toll bridges is expected to generate approximately $115 million per year; of this amount, $45 million will be generated on the Bay Bridge alone. The revenue generated by any further toll increases to finance rail service on the bridge could be reduced significantly by two factors: (1) diversion of motorists to other bridges or travel modes due to higher congestion levels caused by removing traffic lanes for rail on the Bay Bridge; and (2) the elasticity associated with higher toll levels. Ignoring these impacts for the moment,

however, we estimate that tolls would have to be raised by at least $2 on all state-owned bridges -- or by about $6 if the project were to be financed by Bay Bridge tolls alone -- to finance a $3 billion bond issue for reinstating light rail service on the bridge. The heavy rail option could entail even higher costs and higher toll levels.

4. The impact on transbay congestion of eliminating two traffic lanes for the provision of light or heavy rail tracks during peak hours, off-peak hours, and weekends.

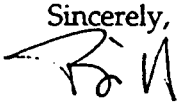
As the question implies, instituting rail service on the Bay Bridge would require the removal of 2-4 traffic lanes on the existing western span of the bridge. This would reduce the vehicular carrying capacity of the bridge (including for buses and other high occupancy vehicles) by 20-40%. Since traffic congestion bears more of a geometric than linear relationship to capacity (i.e. small reductions in capacity can result in large increases in delay), traffic congestion would be expected to increase by considerably more than 20-40%. The increased delay could be mitigated somewhat by diversion of commuters to the new rail service or other transit alternatives in the corridor. Congestion would be worse during peak hours than during off-peak hours or weekends.

5. The ridership estimates for new riders who would use a light or heavy rail service across the Bay Bridge to San Francisco in the west and the Union Pacific railway tracks to Sacramento in the east, or any other proposed transit juncture in the East Bay, as well as an estimate of the ridership reduction on existing transit service.

We would expect modest peak period ridership on any heavy rail service that connected to the Capitols intercity service since 92% of westbound Bay Bridge auto work trips originate in Alameda and Contra Costa counties, which are served by BART and AC Transit transbay service. The Capitols primarily serve Solano, Yolo, and Sacramento county intercity trips, which comprise a tiny fraction of Bay Bridge peak traffic. If, on the other hand, the proposal were to reinstitute light rail service in the old Key System service area, such service would overlap significantly with existing BART and AC Transit service -- indeed, many AC Transit transbay routes still bear the letter designations of old Key routes. In that case, Bay Bridge rail service might attract more peak period patrons, but many would likely be at the expense of BART or AC Transit.

I hope this information is responsive to your inquiry. If you need further assistance, please contact Steve Heminger of my staff at (510) 464-7810.

Sincerely,



William F. Hein
Deputy Executive Director

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
REGION NINE
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

ARIZONA
CALIFORNIA
NEVADA
HAWAII
GUAM
AMERICAN SAMOA
N. MARIANA IS.

August 18, 1998

IN REPLY REFER TO
HA-CA
File #:04-ALA/SF-80
Document #: P19369

Mr. Harry Yahata, District Director
Caltrans, District 4
P.O. Box 23660
Oakland, CA 94623-0660

Attention: Mara Melandry

Dear Mr. Yahata:

SUBJECT: CONCURRENCE FROM SHPO ON HPSR, HASR, AND PASR FOR SFOBB

Enclosed for your use is a copy of the State Historic Preservation Officer's (SHPO) August 13, 1998, letter regarding the Historic Property Survey Report (HPSR), Historic Architecture Survey Report (HASR), and Positive Archeological Survey Report (PASR) for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project located in San Francisco and Alameda Counties.

The SHPO concurs that the following properties are eligible for inclusion on the National Register of Historic Places (NRHP) under the criteria as defined by 36 CFR 60.4: Navy Quarters 10, Navy Building 267, Bay Bridge Oakland Substation, and Key Pier Substation Oakland.

With regard to Archaeological Site (CA-SFr-04/H), the SHPO believes that the site may again yield human remains, its potential significance may extend beyond the current eligibility Criterion D. Further research may be needed to address the concerns addressed in SHPO's letter.

The SHPO also requests that the prehistoric component of the above site be appropriately described as either contributing or non-contribution to the potential eligibility of the site as a whole. Their concerns are to be reflected in the documents.

If you have any questions, please contact Bill Wong at (916)498-5042.

Sincerely,

John R Schultz

For
Jeffrey A. Lindley
Division Administrator

Enclosure

E OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

PARTMENT OF TRANSPORTATION
60
O, CA 94623-0660
(510) 286-4454

August 19, 1998

Mr. Daniel Abeyta
Deputy State Historic Preservation Officer
Office of Historic Preservation
P.O. Box 942986
Sacramento, California 94623-0001

Attn: Mr. Hans Kreitsberg

Re: Bay Bridge East Span Seismic Safety Project-San Francisco and Alameda Counties/SHPO Reference- FHWA 980717A

Dear Mr. Abeyta:

Thank you very much for your August 13, 1998 letter commenting on the Historic Properties Survey Report (HPSR) and supporting documents regarding determination of eligibility. In order to expedite concurrence on eligibility, Mr. Bill Wong of the Federal Highway Administration has authorized Caltrans to submit the additional information you requested directly to your office.

With respect to coordination and solicitation of comments from the U.S. Navy and the Coast Guard, attached you will find a summary of staff contacts with the two aforementioned agencies and letters transmitting copies of the HPSR.

In regard to CA-SFr-04/H we agree that since the site has contained and may again yield human remains, its potential significance may extend beyond Criterion D. This issue will be addressed in the any future research and reports. The prehistoric component of CA-SFr-04/H is a contributing element to the potential eligibility of this site; however, the Naval Training Station is a non-contributing element. Results of research will be forthcoming which will address whether the Army Post and Depot and/or American Period civilian era occupation are contributing or non-contributing components to the potential eligibility of the site as a whole. This characterization will be reflected in any future documents.

We appreciate the efforts of the SHPO staff in reviewing this critical project. If there are any questions, please call Jared Goldfine, Senior Environmental Planner at (510) 286-6203.

Sincerely,

HARRY Y. YAHATA
District Director

by

Jared Goldfine FOR

ROBERT GROSS
Office Chief
Environmental Planning South

attachments

cc. Federal Highway Administration

cc: M M ELLENBERG - [illegible]

AUG 2 1998

'ATE OF CALIFORNIA — THE RESOURCES AGENCY

PETE WILSON, Governor

FFICE OF HISTORIC PRESERVATION
PARTMENT OF PARKS AND RECREATION
OX 942896
AMENTO 94296-0001
16) 653-6624
X: (916) 653-9824

August 21, 1998
REPLY TO: FHWA980717A

Harry Y. Yahata, District Director
California Department of Transportation
District 4
Box 23660
OAKLAND CA 94623-0660

Re: Bay Bridge East Span Seismic Safety Project, San Francisco and Alameda Counties.

Dear Mr. Yahata:

On behalf of the Federal Highway Administration (FHWA), thank you for submitting to our office your August 19, 1998 letter and supporting documentation regarding your response to comments contained in our letter of August 13, 1998 addressing the evaluation of the Bay Bridge East Span Seismic Safety project, located in San Francisco and Alameda Counties. Our letter requested additional information from FHWA and Caltrans regarding the following issues:

- information evidencing that FHWA solicited the comments of the Navy and the Coast Guard on the eligibility of four pre-1948 properties that were determined ineligible for inclusion on the National Register of Historic Places (NRHP) in the submitted Historic Property Survey Report (HPSR).

- evidence that your documentation on the National Register eligibility of the pre-historic component of CA-SFr-04/H reflects whether the components are contributing or non-contributing elements to the potential eligibility of the site as a whole.

Based on our review of the information contained in your submitted documentation, we can now conclude that FHWA and Caltrans have addressed, to our satisfaction, the issues raised in our previous letter. As such, we can now concur that the four aforementioned pre-1948 properties listed in the HPSR are ineligible for inclusion on the NRHP and that the description provided in your subsequent documentation regarding the pre-historic component of CA-SFr-04/H is an appropriate characterization of the site.

EXECUTIVE OFFICE

Thank you again for seeking our comments on you project. If you have any questions, please contact staff historian Clarence Caesar at (916) 653-8902.

Sincerely,

M Greenberg for

Daniel Abeyta
Deputy State Historic Preservation Officer

cc: Jeffrey A. Lindley, FHWA

TE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

PARTMENT OF TRANSPORTATION
660
ND, CA 94623-0660
, 286-4444
(510) 286-4454

September 1, 1998

Ms. Irma Lagomarsino
National Marine Fisheries Service
SW Region
501 W. Ocean Blvd. Suite 4200
Long Beach, California 90802-4213

Subject: San Francisco-Oakland Bay Bridge East Span Seismic Safety Project

Dear Ms. Lagomarsino:

This letter is to inform you of the potential for blasting to be used in the construction of replacement bridge alternatives for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project (East Span Project). Although an alternative has not been selected, the Department of Transportation (Caltrans) would like to receive your input on potential concerns associated with blasting in San Francisco Bay. We also request that you describe data requirements needed to determine if impacts would occur to harbor seals and if an incidental take permit should be pursued. Figures of the project area are attached indicating the location of the harbor seal haul-out site and the potential blasting site.

The following description of potential blasting is based on a construction contractor's review of the project's conceptual engineering.

The in-bay blasting and rock excavation would be used to create a rock bench in the sloping bedrock for a single bridge tower foundation. It would be one of the early work activities on the project and would begin within the second month after receiving a notice to proceed (currently estimated to be February 2000). The rock bench to be excavated is located at Station 57+78, approximately 80 meters northeast from the northeast end of Yerba Buena Island (see attached map). Assuming the rock bench is to be located at an elevation of -22 meters, the rock blasting would take place from -10 meters to -25 meters below water level.

The most economical and efficient method of blasting the rock would be to drill all the blast holes and set off one large explosion using millisecond delays. The rock bench is required for drilling the cast-in-drilled-holes piles. Approximately 25 footings would need to be drilled into the rock bench to support the main tower. This would require the removal of approximately 10,000 cubic meters of rock. Using an average of 7 pounds per cubic-meter of drilled rock, it is estimated that approximately 70,000 pounds of explosive would be required. The explosives that are normally used

in consolidated rock formations are water gels, which can be pumped through a square shaft that drives the drilling bit (drilling kelly bar). If this one explosion generates shock waves that are not acceptable, the area could be divided into 2 or 3 sections and then separate drilling and blasting of each section could be possible; however, this requires more time and expense. If the excavation area is divided into 2 or more sections, then the recommended procedure would be to drill, blast, and excavate the first section, before drilling the next section. This procedure would have several explosions spaced days or weeks apart, depending on the amount of time required to drill, blast, and excavate each section. The total duration of the blast would be 500 milliseconds, assuming 50 millisecond delays between drill hole rows for 10 rows. This total time would apply to one explosion or to 3 separate explosions, as the number of rows would not change. It is also recommended that all overburden, approximately 2 - 5 meters deep, be excavated down to the rock layer prior to starting the drill and blast operations.

If you have questions concerning this request, please contact me at 510/286-5582. We would be happy to arrange a field review or meeting if you so desire.

Sincerely,

HARRY Y. YAHATA
District Director

By

Mara Melandry

MARA MELANDRY
Environmental Manager, SFOBB
Toll Bridge Program

Enclosures:
Location Map
c: Becky Ota (CDFG)

STATE OF CALIFORNIA — THE RESOURCES AGENCY

PETE WILSON, Governor

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
P.O. BOX 942896
SACRAMENTO 94296-0001
(916) 653-6624
FAX: (916) 653-9824

September 10, 1998

Reply To: FHWA980717A

Jeffrey A. Lindley
Division Administrator
California Division
Federal Highway Administration
980 Ninth Street, Suite 400
Sacramento CA 95814-2724

Re: 04-SF-ALA-80; Bay Bridge East Span Seismic Safety Project

Dear Mr. Lindley:

By letter of August 6, 1998, FHWA has asked for my concurrence in its determination that the undertaking cited above will adversely affect historic properties.

I concur in this determination and recommend that FHWA consult with all appropriate parties to seek ways in which the undertaking's effects on historic properties may be avoided or reduced.

Please refer any questions you may have regarding this matter to Hans Kreutzberg.

Sincerely,

H Kreutzberg for

Daniel Abeyta
Acting State Historic Preservation Officer

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor
DEPARTMENT OF TRANSPORTATION, District 4
Box 23660
Oakland, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

September 30, 1998

4-SF/Ala-80

Ms. Diane Tannenwald
Department of Public Works
City of Oakland
250 Frank Ogawa Plaza, Suite 4314
Oakland, CA 94612

Dear Ms. Tannenwald:

SAN FRANCISCO - OAKLAND BAY BRIDGE EAST SPANS SEISMIC SAFETY PROJECT

As requested, the following is a list of systems that may be installed on the new east span structures:

- Traffic Operation System (changeable message sign, closed circuit TV, detectors, fiber optic cables)
- Call box System
- Supervisory control and data acquisition system
- Navigation aids - pier lights, navigation lights and beacons
- Fog detection system - fog detectors, fog horns, fog sirens
- Alarm systems
- Aviation lighting
- Radar beacon system
- Cathotic protection
- Strong motion detection system
- Medium voltage power distribution system (12kv)
- Substations (switchgears, transformers, circuit breakers)
- Backup power (diesel generators, battery banks)
- Architectural lighting
- Sign lighting
- Utility outlet stations
- Box girder and pier lighting

- Grounding system
- Air compressors and water pumps
- Other non-state facilities (i.e. PacBell fiber optic line, US Navy water line, etc.)

Please contact Katja Greve, Senior Transportation Engineer, at 286-44766 if you have any questions.

Sincerely

HARRY Y. YAHATA
District Director

By Steven Hulsebus

STEVEN HULSEBUS
Assistant Project Manager
Toll Bridge Program

cc: Mr. Ken Jong
C/E Consultant Team Manager
Parsons Brinckerhoff
303 Second Street, Suite 700 North
San Francisco, CA 94107-1317

Mr. A. Ely
T.Y. Lin
825 Battery Street
San Francisco, CA 94111

L. }- ~ 13103K 353.01

STATE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY

PETE WILSON, *Governor*

DEPARTMENT OF TRANSPORTATION
BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444

October 23, 1998

Ms. Victoria Eisen
Bay Bridge Pedestrian/Bicycle Advisory Committee
ABAG
P. O. Box 2050
Oakland, CA 94604

04251-012000
SF/Ala 80
SFOBB East Span Seismic Safety

Dear Ms. Eisen:

SAN FRANCISCO-OAKLAND BAY BRIDGE EAST SPAN SEISMIC SAFETY PROJECT

Attached for your information and use are Caltrans responses to issues that were raised during the August 19, 1998 Bay Bridge Bicycle/Pedestrian Advisory Committee meeting for the new east span. In general our responses are categorized in three levels. A "yes" means Caltrans plans to implement it, a "no" means we are not in favor of implementing it, and a "maybe" or "pending" means we are considering it.

If you have any questions, please contact me at (510) 286-5085 (e-mail address shulsebu@ dot.ca.gov) or Pochana Chongchaikit at (510) 286-5057 (e-mail address pchongch@ dot.ca.gov).

Sincerely,

HARRY Y. YAHATA
DISTRICT DIRECTOR

by Steven Hulsebus

STEVEN L. HULSEBUS
Office Chief
SFOBB East Span

Attachment
CC: SHeminger
SMcAdam

San Francisco-Oakland Bay Bridge East Span Seismic Safety Project
Pedestrian/Bicycle Path Interest Group Meeting No. 6
August 19, 1998 – 10:30 a.m.

Discussion of Outstanding East Span Pathway Design Elements

I. Separation between users

		Remarks
A center line stripe for the bicycle lane and another stripe to separate the pedestrian and bicycle lane	YES	Some form of delineation will be necessary.
Directional signs in both English and Spanish	NO	
More intensive separations should be implemented at the ends of the span rather than throughout the entire span	NO	Bike/ped path should have a continuous design to reduce confusion of who should be where.
A 10-foot bike way.	YES	Use 10', 6", 5'
One center stripe between the lanes with directional signs, then reevaluate the separation after the first year and restructure as necessary.	NO	No restructure. See comment above.
A textured area between the two lanes, like a rumble strip which could be made of " rainline" (something used in roadway rumble strips)	Maybe	CT not opposing in concept

II. Pavement color and/or texture

A different pavement color for each side	Maybe	Different color per user
A rubberized texture for the pedestrian lane, perhaps ground up tires	NO	CT has maintenance concerns, not in favor
Pavement legends	YES	Standard bike symbols can be used
Shoe prints to illustrate walking on pedestrian lane	NO	Do not feel this is necessary
Signs with uncommon type styles to catch users' attention	NO	Follow Manual on Uniform Traffic Control Devices (MUTCD)
Color can be applied by separate mixes of concrete also by a top coat of color	Maybe	Further investigation to be done.

III. Handrail design

Waist-level rail with non-abrupt endings between the pedestrian lane and bicycle lane that does not run across the entire span, but only at turn-around points and high traffic areas.	NO	Rails at spot locations would become obstructions
Use directional fins for the railings – like the railings used on some highways	NO	Railings being designed by architect. Will need to follow safety requirements.
Only one horizontal element on the railings	Maybe	Railings being designed by architect. Will need to follow safety requirements.

Set back the vertical members, so that the railing curves out and up to waist level.	Maybe	Railings being designed by architect. Will need to follow safety requirements.
32" of solid barrier between path and roadway and above that, the rail	YES	Standard height safety rail will be used. Total height of barrier and rail should be 1.4 meters.
A smooth, rounded rail	Maybe	Design aesthetic must meet safety requirements
Barrier should be permeable to allow emergency vehicles access to the path from the roadway shoulder	NO	Barrier will be solid . Openings in railings on top of the barrier are subject to evaluation
Prevent the possibility of people falling off the bridge, especially small children	YES	
Need to minimize vertical sections on the railing because bike tires can get caught.	Maybe	Railings being designed by architect. Will need to follow safety requirements.

No rail between bike portion and ped portion of the path.
Barriers adjacent to automobiles must be standard barrier.

IV. Lighting

Light maintenance should be accessible from roadway shoulder to prevent maintenance vehicles and equipment from blocking path.	NO	Behind the barrier is the best location for workers. The path is 15.5' wide, there should be ample room
Shrouded, overhead lights need to be bright enough to light users and path.	YES	Adequate lighting will be provided

Other lighting details, such as light bar embedded in the barrier and headlight glare are still being evaluated.

V. Benches and other amenities

Belvederes for the benches so they do not interfere with the width of the path	NO*	* Belvederes subject to budgetary and structural constraints
More benches at the ends of the bridge and at intervals along the span.	NO	Benches won't fit without belvederes.
The benches should not allow users' feet to extend into the path area	NO	See comment above.
Drinking fountains and phones at each end of the bridge	NO	
Access to call boxes from the path and the roadway	YES	
Electric charging outlets for electric wheel chair users to recharge their chairs	NO	Liability issue

VI. Other User Safety

Impose a speed limit for cyclists	YES	
Impose a speed limit if it is necessary after a one-year evaluation	NO	Do it from the start
No speed limit	NO	
Signs posted with information about the best bicycle tire for the pedestrian/bicycle surface	NO	

VII. Gateway Park

Bike lane to terminate at the shore of the Touchdown rather than in the middle of the park or at the east end.	NO	Path attached to the bridge, bridge ends in the middle of the proposed park.
A separate structural entrance for pedestrian and cyclists	NO	All users to enter at the same place.

Other Issues

Treat the pavement of the roadway to prevent loud highway noise	NO	Surface treatment to reduce noise has a short life cycle. This means high maintenance cost and lane or possible bridge closure when reapplication is required.
Reconsider putting the path above the span, in between the eastbound and westbound traffic or make path wider	NO	Decision already made by MTC
An asphalt overlay over the concrete to minimize noise.	NO	Maintenance concern - conceal deck
Cover expansion joints to minimize impact on bicycles and wheelchairs	Pending	To be studied further
Noise barriers for the benches	NO	
A moving sidewalk or other moving apparatus should be considered	NO	
Windscreen to protect users against wind - created by motor traffic	NO	
Slope path toward the water	YES	

: CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY PETE WILSON, Governor

RTMENT OF TRANSPORTATION
60
D, CA 94623-0660
[illegible]
[illegible]86-4454

December 1, 1998

Alan Eliot
MTC – Metrocenter
P.O. Box 2050
Oakland, CA 94604

SAMPLE

Dear Mr. Eliot:

Caltrans invites you to participate in a meeting focused on historic resource mitigation measures for the San Francisco–Oakland Bay Bridge East Span Seismic Safety Project. A number of Bay Area historic preservation organizations have been invited to attend, to provide input about possible mitigation measures related to project effects on the historic bridge, the Torpedo Building and Officers' Quarters on Yerba Buena Island, and the Key Pier Substation in Oakland.

The meeting will be held Thursday, December 10, 1998, from 4:00 p.m. to 6:00 p.m., in the Mountain View Conference Room on the 15th floor of Caltrans' District 4 Office, 111 Grand Avenue. You will need to check in and obtain a visitor's pass at the security desk in the building lobby.

If you have any questions, please contact me at (510) 286–6203 or call Andrew Hope at (510) 286–5601. We look forward to your participation in this meeting.

Sincerely,

HARRY Y. YAHATA
District Director

by

Jared Goldfine

JARED D. GOLDFINE, AICP
District Branch Chief
Office of Environmental Planning, South

Public Meeting on Bay Bridge Mitigation
Organizations and Individuals

1. American Society of Civil Engineers, San Francisco Section
   (Elizabeth Bialek, Newsletter – History Editor)

2. Art Deco Society of California (Michael Crowe, President)

3. California Preservation Foundation (Jeff Eichenfeld, Executive Director)

4. Foundation for San Francisco's Architectural Heritage
   (David Bahlman, Executive Director)

5. National Trust for Historic Preservation, Western Regional Office
   (Elizabeth Goldstein, Director)

6. Oakland Cultural Heritage Survey (Gary Knecht, Coordinator)

7. Oakland Heritage Alliance (Bill Coburn, Director)

8. Oakland Landmarks Preservation Advisory Board (George Lythcott, Chair)

9. San Francisco Landmarks Preservation Advisory Board (Daniel Reidy, President)

10. Society of Architectural Historians, Northern California Chapter
    (Michael Crowe, Preservation Officer)

11. Society for Industrial Archaeology, Samuel Knight Chapter
    (Andy Fahrenwald, President)

12. Mayor's Treasure Island Project Office (Annemarie Conroy)

13. Department of the Navy (Kenn Parsons)

14. Steve Mikesell – JRP Historical Consulting Services

15. John Snyder – Caltrans (retired annuitant)

METROPOLITAN
TRANSPORTATION
COMMISSION

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
Tel.: 510.464.7700
TTY/TDD: 510.464.7769
Fax: 510.464.7848
e-mail: info@mtc.ca.gov
Web site: www.mtc.ca.gov

Jeanne P. Sperling, Chair
Solano County and Cities

T. Bond Jr., Vice Chair
Santa Clara County

Keith Ascerll
U.S. Department of Housing and Urban Development

Jane Baker
Cities of San Mateo County

Sharon J. Brown
Cities of Contra Costa County

Mark DeSaulnier
Contra Costa County

Dorene M. Giacopini
Department of Transportation

Mary Griffin
San Mateo County

Ellen Harris
Cities of Alameda County

Tom Hsieh
City and County of San Francisco

Mary V. King
Alameda County

Steve Kinsey
Marin County and Cities

Jean McCormo
Cities of Santa Clara County

Charlotte B. Powers
Indian of Bay Area Governments

Jon Rubin
San Francisco Mayor's Appointee

Angela J. Simmons
San Francisco Bay Conservation and Development Commission

Kathryn Winter
Napa County and Cities

Sharon Wright
Sonoma County and Cities

Henry Yahata
State Business, Transportation and Housing Agency

Lawrence D. Dahms
Executive Director

William F. Hein
Deputy Executive Director

December 16, 1998

RECEIVED
DEC 19 1998
DIRECTOR'S OFFICE

The Honorable Willie L. Brown, Jr.
Mayor, City and County of San Francisco
401 Van Ness Avenue
San Francisco, CA 94102

Dear Mayor Brown,

Thank you for your letter of December 7, 1998 regarding the passage of four local advisory measures regarding passenger rail service on the San Francisco-Oakland Bay Bridge.

As you know, MTC's design review process for the new eastern span of the Bay Bridge has been governed by the terms of Senate Bill 60 (codified as Section 188.5 and Section 31000 et seq of the Streets and Highways Code), which was signed into law by the governor in August 1997. These provisions were subsequently amended by Assembly Bill 2038, which the governor signed in June 1998. The law establishes a number of parameters for the new eastern span design that are relevant to your request regarding passenger rail service:

- The roadway in each direction will consist of five traffic lanes each 12 feet wide, with two shoulders each 10 feet wide for each direction;
- The cost of the new bridge is defined in statute ($1.285 billion) and is paid for through a combination of state funds and a $1 toll surcharge on Bay Area bridges which the legislation enacts; and
- MTC can extend the toll surcharge to pay for four design "amenities": a cable-supported main span, relocation or replacement of the Transbay Terminal, bicycle/pedestrian access on the new east span, and bicycle/pedestrian access on the existing west span.

In other words, the law distinguishes this seismic safety project from a typical transportation improvement project in two significant respects. First, the new eastern span must have the same capacity of traffic lanes as the existing bridge. Second, passenger rail service is not included as an eligible design "amenity" on the new bridge.

The language of the four advisory measures ("reduce regional traffic congestion, promote regional mass transit use") and your letter's request that "the current design work for the bridge should cease" are inconsistent with the statutory mandate for a seismic safety replacement project described above. The current design work on the new eastern span is approximately 50% complete and has cost the taxpayers $40 million. To start anew with a substitute design would entail considerable cost and delay. Moreover, including rail service on the bridge and its accompanying approach structures in San Francisco and the East Bay would require substantial new funding and additional legislative action as well. All of this would take time and cost money.

cc: Yahata JVE
Coleman
Hendrix
Hamo

We believe we are compelled by state law to continue to press forward with the current design in order to reduce the risk that a major earthquake will destroy the existing east span before a replacement can be built. Within the limits of state law, the new eastern span is being designed to accommodate passenger rail service at some future date by strengthening certain supporting deck elements beneath the shoulders, or breakdown lanes, on the new span. Thus, the new span will have both the strength and the space to accommodate future rail service without taking any traffic lanes out of service. Therefore, the constraint on initiating rail service across the Bay Bridge will not be the design of the new eastern span, but rather the financial and engineering challenges of accommodating such service on the existing western span, in downtown San Francisco, and in Oakland and conceivably other East Bay communities.

In parallel with the current design process for the new eastern span, and to be responsive to your request for a study of passenger rail options in the Bay Bridge corridor, we propose to conduct an analysis of the following three options:

1. Improve existing services – As you know, the Bay Bridge corridor already is served by multiple transit providers including BART, AC Transit, and the Alameda and Vallejo ferries. We believe that the first option to examine should be improvements to these existing services that can be implemented within the next few years.

2. On bridge rail service – As noted above, the major challenges to instituting rail service on the Bay Bridge are the physical and engineering constraints of the Yerba Buena Island tunnel, existing western span, and the approaches at either shore. These constraints are worthy of serious examination.

3. Separate rail guideway – A clear alternative to the daunting engineering challenge of including rail service on the Bay Bridge itself would be a separate rail bridge or tube in the same vicinity. Such an alternative was examined in MTC's 1991 Bay Crossing Study, and we would propose to update and enlarge upon that analysis as appropriate.

We look forward to discussing these and any other relevant study options with you and your staff at your convenience. At the same time, however, we must keep the new eastern span seismic safety project on schedule for completion at the earliest possible date.

Sincerely,

James P. Spering
Chair

cc: James W. van Loben Sels, Caltrans

TOTAL P.04

The Honorable Willie L. Brown, Jr.
Mayor, City and County of San Francisco
401 Van Ness Avenue
San Francisco, CA 94102

The Honorable Elihu M. Harris
Mayor, City of Oakland
No. 1 City Hall Plaza
Oakland, CA 94612

The Honorable Jerry Brown
Mayor-Elect, City of Oakland
No. 1 City Hall Plaza
Oakland, CA 94612

The Honorable Ken Bukowski
Mayor, City of Emeryville
2200 Powell Street, 12th Floor
Emeryville, CA 94608

The Honorable Shirley Dean
Mayor, City of Berkeley
2180 Milvia Street
Berkeley, CA 94704-1308

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE DIRECTOR
1120 N STREET
P.O. BOX 942873
SACRAMENTO, CA 94273-0001
PHONE: (916) 654-5267
FAX (916) 654-6608

December 28, 1998

Mayor Shirley Dean
City of Berkeley
2180 Milvia Street
Berkeley, CA 94704

Mayor Elihu M. Harris
City of Oakland
One City Hall Plaza
Oakland, CA 94612

Mayor Ken Bukowski
City of Emeryville
2200 Powell Street
12th Floor
Emeryville, CA 94608

Mayor Willie L. Brown, Jr.
City of San Francisco
401 Van Ness Avenua
Room 336
San Francisco, CA 94102

Mayor-Elect Jerry Brown
City of Oakland
One City Hall Plaza
Oakland, CA 94612

Dear Mayors and Mayor-Elect:

Thank you for your letter of December 7, 1998, regarding the passage of four local advisory measures regarding passenger rail service on the San Francisco-Oakland Bay Bridge.

The Draft Environmental Impact Statement (EIS) for the San Francisco-Oakland Bay Bridge (SFOBB) East Span Seismic Safety Project was released to the public on September 24, 1998. The comment period for this Draft EIS closed on November 23, 1998. The purpose of this project is to address the serious seismic deficiencies of the existing structure. Adding trains to the SFOBB is beyond the scope of this seismic safety project. An array of reasonable alternatives which address the purpose and need of the East Span Seismic Safety Project was included and analyzed in the Draft EIS; placing trains on the bridge was not part of this array.

Under existing state and federal law, transportation projects are developed consistent with a Regional Transportation Plan (RTP). Under federal law, this RTP must be a fiscally constrained planning document developed by the Metropolitan Planning

Organization (MPO). The Metropolitan Transportation Commission (MTC), the MPO for the Bay Area, has an adopted RTP consistent with federal law. This RTP has a twenty year planning horizon and includes transit enhancements in the Transbay Corridor. The East Span Seismic Safety Project is consistent with MTC's RTP. The ballot measures in your four cities did not modify or amend MTC's RTP.

Senate Bill 60 which was signed into law on August 20, 1997, outlined the funding for the East Span Seismic Safety Project. Senate Bill 60 added section 30604.5 to the Streets and Highways Code which states: "Notwithstanding any other provision of law, local and state permitting authorities shall not impose any requirement that a . . . mass transit facility be constructed on the San Francisco-Oakland Bay Bridge as a condition for issuing any permit, granting any easement, or granting any other form of approval needed for the construction of a new bridge." This is a clear statement of legislative intent that the project is not a mass transit or rail project and that it focus on seismic safety. The ballot measures in your four cities did not modify or amend existing State law.

Senate Bill 60 also implemented a carefully crafted funding package for the seismic retrofit of all toll bridges in the State of California, including the SFOBB. Reaching a legislative consensus on this funding package was a time-consuming and difficult process. This funding package did not provide for consideration of rail on the SFOBB, and therefore, the State Legislature would have to reconsider its funding decision before anyone could consider incorporating rail into the SFOBB East Span Seismic Safety Project. Given the significant cost associated with rail, undoing the existing consensus would at best significantly delay the current seismic safety project.

Your letter references the interim seismic retrofit of the eastern spans of the SFOBB. It is imperative to clarify the purpose of this project. The purpose of the interim seismic retrofit of the east spans of the SFOBB is to prevent multi-span collapse with the resulting catastrophic loss of life that will result from a moderate, more probable earthquake. The interim seismic retrofit does not provide protection from a large earthquake; that is the purpose of the East Span Seismic Safety Project. After the interim seismic retrofit of the east spans is complete, a maximum credible earthquake will still result in a multi-span collapse of the SFOBB. Therefore, the interim retrofit does not provide sufficient performance to justify postponing the East Span Seismic Safety Project. Delaying the SFOBB East Span Seismic Safety Project would jeopardize public safety. It will risk lives. Therefore we can not delay the East Span Seismic Safety Project.

As part of the planning process for the SFOBB East Span Seismic Safety Project MTC has recommended to the Department of Transportation (Caltrans) its locally desired option. Caltrans and FHWA are the legal decision makers for this project and are fulfilling this role. Due to the pressing public safety risk associated with the existing SFOBB, Caltrans is embarked upon risk design for MTC's locally recommended alternative. Caltrans acknowledges that this risk design may be discarded with the NEPA decision. However, it is

prudent to risk the cost of preparing this design, since it can potentially provide public safety at a much earlier date. This risk design provides flexibility, so future decision makers could easily modify the structure to add light rail. This flexibility is being accomplished by selectively strengthening supporting bridge sections beneath the shoulders of the new bridge. Decision-makers in the future then will have the option of deciding how best to use the space on the new bridge to address the region's transportation challenges.

We believe that it would be prudent to investigate rail options in the Transbay Corridor–separate from the SFOBB East Span Seismic Safety Project. We support the points made in the Metropolitan Transportation Commission's (MTC) letter to you dated December 16, 1998, concerning options to be studied. We wish to work with MTC and the Bay Area community to conduct an analysis of these options.

In the interest of public safety, we will keep the SFOBB East Span Seismic Safety Project on schedule for completion at the earliest possible date. We look forward to working with the Bay Area to complete a rail planning study to facilitate future projects and future decisions.

Sincerely,

JAMES W. VAN LOBEN SELS
Director

bc: Director's Office File
Legal's Office File

WMM:skr/SFOBB

C: HYY, HPH, DREYNOLDS, SHEMINGER, BRIAN, MARA, SHULSEBUS, RFALSETTI, ADE, CADAMS, J. TAPPING, D. OKUPA, BCOLEMAN, TANZIANO, AHENDRIX, BRIAN SMITH

CALTRANS SEISMIC ADVISORY BOARD

December 30, 1998

The Honorable Barbara Boxer
U.S. Senate
1700 Montgomery Street, Suite 240
San Francisco, CA 94111

RE: Seismic Safety of the San Francisco-Oakland Bay Bridge

Dear Senator Boxer:

As members of the Caltrans Seismic Advisory Board (SAB), we would like to direct your attention to a serious and important life safety issue concerning delays in the planning, design, and construction of the new east bay spans of the San Francisco-Oakland Bay Bridge (SFOBB) and we respectfully request your assistance. Since the devastating 1989 Loma Prieta earthquake, the California Department of Transportation (Caltrans) has been working with academia and the private sector to develop an engineering strategy on how to protect the Bay Bridge when the next major earthquake strikes. Thanks to that cooperation, great strides have been made in expanding knowledge and technology applicable to the seismic design of such bridges.

The eight-member SAB was constituted by the State of California following the 1989 Loma Prieta earthquake to review and advise Caltrans on seismic safety and policy issues. It was formed as a direct result of the Governor's Board of Inquiry following the 1989 Loma Prieta earthquake and recommendations made by that board in its report "Competing Against Time" enclosed herewith. The members of SAB consist of specialists in seismology, geotechnical engineering, and structural engineering from the practicing earthquake engineering community and academia. The SAB has closely followed and advised Caltrans since the Loma Prieta earthquake on important seismic safety related policy and procedural issues.

In a presentation to the SAB on December 15, 1989 on the status of the new east bay spans of the SFOBB, we were advised about project delays caused by the US Navy refusing to grant permission for soil explorations on and near the tip of Yerba Buena Island which are on the critical path for design completion of the new bridge.

The proposed soil explorations have <u>no</u> impact on any existing structures or facilities. The drilling is critical, however, in providing the technical data needed for the design and construction of a replacement structure along the identified northern alignment.

This northern alignment was arrived at after over three years of project studies by Caltrans and a detailed review by the 35 member Engineering Design Advisory Panel (EDAP) for the Metropolitan Transportation Commission (MTC). MTC, which is the transportation planning organization for the San Francisco Bay Area, has recommended this northern alignment as the best alternative.

The Honorable Barbara Boxer
U.S. Senate
December 30, 1998
Page 2

The Seismic Advisory Board is very concerned with any delays, short or long, on such an important project to the citizens and economy of California. Such impediments undoubtedly will jeopardize public safety.

We, the members of the Seismic Advisory Board, remain committed to keeping this critical public safety project on track. Therefor, any assistance you can provide toward obtaining the Navy's permission to proceed with the needed soil explorations would be greatly appreciated.

Sincerely yours,

Bruce A. Bolt, Professor Emeritus
University of California, Berkeley

Joseph Nicoletti, Structural Engineer
URS Consultants, San Francisco

John F. Hall, Professor
California Institute of Technology

I.M. Idriss, Professor
University of California, Davis

Alexander C. Scordelis, Professor Emeritus
University of California, Berkeley

Frieder Seible, Professor
University of California, San Diego

F. Robert Preece, President
Preece, Goudie & Issa, San Francisco

Joseph Penzien, Chair SAB
Professor Emeritus
University of California, Berkeley

Enclosure Competing Against Time

C: William Cassidy, Jr., U.S. Navy
Kenn Parsons, U.S. Navy
James Van Loben Sels, Caltrans
James E. Roberts, Caltrans
Brian H. Maroney, Caltrans
Thomas J. Post, Caltrans
Dennis Mulligan, Dist 4, Caltrans
Steve Heminger, MTC
Gray Davis, CA Governor-Elect

OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY

GRAY DAVIS, Governor

PARTMENT OF TRANSPORTATION
OX 23660
ND, CA 94623-0660
6-4444
10) 286-4454

January 20, 1999

SAMPLE

On December 10, Caltrans held a meeting focused on historic resource mitigation measures for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. You should have received minutes of this meeting under separate cover. Because of scheduling conflicts, representatives from San Francisco, the U.S. Navy, and several historic preservation groups were not able to attend, so we are holding a second meeting on the subject.

At the meeting, Caltrans will describe the historic resources affected by the project including the existing bridge, the Torpedo Building and the Officer's Quarters at Yerba Buena Island. You will be asked to provide input about possible mitigation measures related to these historic resources. In addition, a representative from the Advisory Council on Historic Resources will be able to join us. The Advisory Council representative also plans to meet with participants in the December 10 meeting to discuss their historic resource mitigation suggestions.

The meeting will be held Tuesday, February 2, 1999, from 1:00 p.m. to 3:00 p.m. at Caltrans' District 4 Office, 111 Grand Avenue, Oakland, in the Park View Conference Room on the 15th floor. You will need to check in and obtain a visitor's pass at the security desk in the building lobby.

If you have any questions, please contact me at 510/286-6203 or call Andrew Hope at 510/286-5601. We look forward to your participation in this effort.

Sincerely,

HARRY Y. YAHATA
District Director

by

Jared D. Goldfine

JARED D. GOLDFINE, AICP
District Branch Chief
Office of Environmental Planning, South

Attachment

Distribution List for Historic Resources Mitigation Meeting
January 15, 1999

Oakland Meeting
Gary Knecht, Oakland Cultural Heritage Society
George Lythcott, Oakland Landmarks Preservation Advisory Board
Bill Coburn, Oakland Heritage Alliance
Marina Carlson, City of Oakland
Betty Marvin, City of Oakland-CDA Planning
Helaine Kaplan Prentice, City of Oakland
Dianne Tannenwald, City of Oakland
Andy Fahrenwald, Society for Industrial Archaeology
Bill Strum, Oakland Library
Kate Nichol, Port of Oakland
Shawna Brekke-Read, Oakland Heritage Alliance

San Francisco Meeting
David Bahlman, Foundation for San Francisco's Architectural Heritage
Daniel Reidy, Landmarks Preservation Advisory Board
Jim Chapell, San Francisco Planning and Urban Research Association
Michael Crowe, Art Deco Society of California, Northern California Chapter, SAH
Susan Goldstein, San Francisco Main Library, San Francisco History Center
Annemarie Conroy, City and County of San Francisco, Mayors Treasure Island Project Office

Oakland and San Francisco Meetings
Steve Mikesell, JRP Historical Consulting Services
Jeff Eichenfeld, California Preservation Foundation
Elizabeth Goldstein, National Trust for Historic Preservation
Kenn Parsons, Dept of the Navy
MaryAnn Naber, Advisory Council on Historic Preservation, Washington D.C.
Kimball E. Koch, National Park Service
Mara Melandry, Caltrans
Marilee Mortenson, Caltrans
Jared Goldfine, Caltrans
Andy Hope, Caltrans
John Snyder, Caltrans
Gloria Scott, Caltrans

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southwest Region
777 Sonoma Avenue, Room 325
Santa Rosa, California 95404

F/SWR :DWC

Ms. Mara Melandry
CalTrans District 4
111 Grand Ave
Oakland, CA 94623-0660

Dear Ms. Melandry:

Thank you for the opportunity to comment on the draft Jan 1999 Biological Assessment, SF-Oakland East Span Seismic safety project. Generally speaking most of the issues NMFS are concerned with were adequately covered during the Jan 11th meeting, but here are some general comments.

Concerning dredging issues, in addition to your dredging mitigation plans and operations, the following points should be considered.:

1. In areas and basins greater than twenty (20) feet in depth, dredging may occur at any time provided that (a) the hydraulic dredge is operated so that the intake is at or below the surface of the material being removed, (b) the intake is raised a maximum of three feet above the bed for brief periods to purge or flush the intake system, and (c) at no time shall the dredge intake be operated at a level higher than 3 feet above the substrate.

2. For basins less than twenty (20) feet in depth, hydraulic dredging shall be restricted to June 1 through November 30.

Concerning blasting effects, as you know this was discussed in depth at the meeting. However, given that blasting will occur, it is possible that the blast effects could adversely effect steelhead and chinook salmon, which may be in the area during the blast window.

Section 6 of the BA should contain what ever information you have concerning the possible blast effects on fish. Items to consider are, expected shock wave pressures, and sound levels. I suspect that additional mitigation measures may be needed for the old span demolition blasting, once information is gathered from the new span blast. Additionally, the BA did not contain a statement or comment that states your conclusion as to: whether or not there will or will not be an adverse effect on steelhead/chinook. If you have any questions or comments about this letter please call me.

sincerely,

Dan Cheng
707-575-6077

Congress of the United States

Washington, DC 20515

January 26, 1999

Jose Medina, Director
CalTRANS
1120 N Street, MS-49
Sacramento, California 95814

Dear Director Medina:

Congratulations on your appointment as Director of CalTRANS. We look forward to working with you on the transportation issues affecting our communities and the State of California.

Earlier this month, our offices were briefed by Dennis Mulligan from your office regarding the status of the proposed San Francisco-Oakland Bridge East Span Seismic Safety project. At that briefing, we discussed the alignment issue and steps that CalTRANS might take to encourage a timely consensus with the principal local governmental officials involved in this project, including the Mayors of San Francisco and Oakland. To achieve this consensus, careful and thorough consideration must be given to the redevelopment and land-use impact issues of the local communities, as well as to recommendations on both proposed alignments, including the modified southern alignment.

We strongly believe that only by achieving a local consensus will this project be able to move forward through the complexities and requirements of both the Base Realignment and Closure (BRAC) and National Environmental Policy Act (NEPA) processes. We urge you to initiate the necessary meetings to begin these discussions at the local level in order to reach agreement on this important project for the San Francisco Bay Area.

Thank you for considering our request. We believe this important step by CalTRANS, under your leadership, could result in agreement by all parties concerned.

We look forward to working with you on this project and to hearing from you about its progress in the near future.

Sincerely,

BARBARA BOXER, U.S. SENATOR

DIANNE FEINSTEIN, U.S. SENATOR

NANCY PELOSI, M.C.

GEORGE MILLER, M.C.

ELLEN TAUSCHER, M.C.

PRINTED ON RECYCLED PAPER

GRAY DAVIS, Governor

BUSINESS, TRANSPORTATION AND HOUSING AGENCY

RTMENT OF TRANSPORTATION

60
A 94623-0660
4
16-4454

January 27, 1999

Mr. Kenn Parsons
U.S. Department of Navy
Base Conversion Manager
Engineering Field Activity West
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno, California 94066-5006

Dear Mr. Parsons :

Subject: Memorandum of Agreement-East Span Seismic Safety Project

Enclosed please find a copy of a Draft Memorandum of Agreement (MOA) prepared pursuant to Section 106 of the National Historic Preservation Act for the East Span Seismic Safety Project. The stipulations included in the Draft MOA address the effects to architectural resources and archaeological resources for all of the build alternatives considered in the DEIS. The signatories to the MOA will be the U.S. Navy, U.S. Coast Guard, Federal Highway Administration, Advisory Council on Historic Preservation and the California State Historic Preservation Officer. Caltrans will be a concurring party to the MOA.

We request your written comments on the Draft MOA by February 11, 1999. Should you desire a meeting on this matter, we would be pleased to meet with you at your convenience prior February 11.

If you have any questions, please call me at 510/286-5623, or Jared Goldfine, Senior Environmental Planner at 510/286-6203.

Sincerely ,

Harry Y. Yahata
District Director

By:

Robert Gross, Chief
Office of Environmental Planning South

cc: Annmarie Conroy, S.F. Treasure Island Project

U.S. Department of Transportation
United States Coast Guard

Commander
Maintenance & Logistics
Command Pacific

Coast Guard Island, Bldg 54D
Alameda, CA 94501-5100
Staff Symbol: se-1
Phone: (510) 437-3511
FAX: (510) 437-5753

16475
February 16, 1999

Mr. Robert F. Tally, Jr.
Chief, Technology Deployment
U. S. Department of Transportation
Federal Highway Administration
California Division
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

RE: DRAFT *MEMORANDUM OF AGREEMENT AMONG THE FEDERAL HIGHWAY ADMINISTRATION, THE DEPARTMENT OF THE NAVY, THE UNITED STATES COAST GUARD, THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, FOR THE BAY BRIDGE EAST SPAN SEISMIC SAFETY PROJECT IN SAN FRANCISCO AND ALAMEDA COUNTIES*, Jan 22, 1999

Dear Mr. Tally:

As stated in the subject, draft MOA in paragraph two on page one, the Federal Highway Administration (FHWA) will be the lead federal agency for this undertaking except for responsibilities related to the Native American Graves Protection and Repatriation Act (NAGPRA). If Caltrans discovers native burials on Coast Guard controlled property, NAGPRA procedures must be followed. Although the Coast Guard, as the federal agency controlling the property, will be responsible for NAGPRA compliance, Caltrans will also have variety of responsibilities, both fiscal and regulatory. For this reason, the Coast Guard requests that Caltrans be a party and signatory to the MOA.

We request that Caltrans's NAGPRA responsibilities be set forth in the MOA. In the event of a discovery of native burials on Coast Guard property, those responsibilities would include: 1) a requirement for Caltrans to stop its activity and notify the Coast Guard of its discovery; 2) reasonable steps being taken by Caltrans to protect those items discovered; 3) Caltrans will assume responsibility for contractor delays caused by any discoveries of native burials; and 4) costs incurred by the Coast Guard, as a result of Caltrans project-related NAGPRA compliance, shall be reimbursed by the State of California. In any event, the Coast Guard will make these four requirements a condition of the license or permit giving Caltrans access to our property.

Incidentally, the potential NAGPRA issue was brought to the Coast Guard's attention after distribution of the DEIS, for which the Coast Guard submitted comments to Caltrans about many potential impacts of construction on its property

In part IV.H. of the subject MOA, it was stated that the Coast Guard will ensure that any human remains encountered will be "treated in a respectful manner". Although the Coast Guard can concur that treatment should be in a respectful manner, we assume that the Coast Guard will not be the entity that discovers the remains. It will be Caltrans and/or Caltrans' contractors who will discover the remains and will have to follow NAGPRA procedures as set forth above.

DEPARTMENT OF THE NAVY
ENGINEERING FIELD ACTIVITY, WEST
NAVAL FACILITIES ENGINEERING COMMAND
900 COMMODORE DRIVE
SAN BRUNO, CALIFORNIA 94066-5006

-1 19
cc: DTM

IN REPLY REFER TO:

18 FEB 1999

Mr. Harry Yahata
District Director
State of California
Department of Transportation
Post Office Box 23660
Oakland, CA 94623-0660

EXECUTIVE OFFICE
99 FEB 19 AM 10:47

Re: Memorandum of Agreement Concerning The Proposed San Francisco-Oakland Bay Bridge East Span Seismic Safety Project

Dear Mr. Yahata:

I am writing in response to your letter of January 27, 1999, forwarding a Draft Memorandum of Agreement (MOA) dated January 22, 1999, that addressed historic preservation issues arising out of your Department's proposal to proceed with a northern alignment of the proposed East Span of the San Francisco-Oakland Bay Bridge.

As you know, the Department of the Navy reviewed the Draft MOA, which assumes implementation of the northern alignment, and provided its response at the meeting you hosted on February 2, 1999. Navy is opposed to the northern alignment and thus believes that it is inappropriate to enter into the proposed MOA.

Navy opposes the northern alignment of the proposed East Span for the reasons set forth in Assistant Secretary Robert B. Pirie's letter to your Department dated November 23, 1998. The proposed northern alignment would have a devastating impact on the historic and natural resources on Yerba Buena Island and would deprive the City of San Francisco of the opportunity to redevelop the Island. Additionally, in light of the opposition to the northern alignment expressed by other affected parties, we believe that it is premature to discuss any mitigation that would be responsive to this proposal.

I request that you address any additional consultations regarding historic preservation issues to Mr. Kenn Parsons. He may be reached at (650) 244-3004.

Sincerely,

E. R. HUNTER
CAPTAIN, CEC, USN
COMMANDING OFFICER

Copy to:
Federal Highway Administration
Treasure Island Development Authority

Copies to
Cindy Adams (HQ enviro),
Mara, Jared
Goldfine, Maroney,
Hulsebus

OFFICE OF THE MAYOR
SAN FRANCISCO

WILLIE LEWIS BROWN, JR.

TREASURE ISLAND PROJECT
410 AVENUE OF THE PALMS
BUILDING 1, 2ND FLOOR
TREASURE ISLAND
SAN FRANCISCO, CA 94130
(415) 274-0660
FAX (415) 274-0299

February 21, 1999

BY FAX

Rear Admiral John L. Parker
Commander
U.S. Coast Guard
Maintenance & Logistics Command Pacific
Coast Guard Island
Alameda, CA 94501-5100

Dear Admiral Parker:

Thank you for taking the time to meet with us today. I appreciate your desire to work with the City of San Francisco and the Navy in mitigating impacts of the new eastern span of the Bay Bridge.

We understand that you prefer a Northern alignment as there is no permanent impact to your property. The S-1 alignment indeed has an impact on the Coast Guard Station. As proposed, the permanent structure would impact 1.6 acres of Coast Guard property and 2.0 acres of Navy (future San Francisco) property. The S-1 most directly impacts the tennis court on Coast Guard property. Other impacts may be from noise in the barracks area both during construction and after the replacement span has been built. The construction impacts are severe under either alignment.

This letter is written to offer our assistance, if a southern alignment is chosen, to work with the Navy to house Coast Guard personnel in units on Treasure Island so that the station continues to be operable. My discussion with Mr. Yahata (Caltrans) last week revealed that no plans for temporary housing have been made for your personnel.

In addition, if the Coast Guard were willing to accept a southern alignment, the City and Navy are prepared to offer property on Treasure Island for replacement of the impacted barracks on Treasure Island. As a mitigation measure, Caltrans would be expected to pay for the costs of construction of the barracks. We are confident that together we could work with Caltrans to resolve this issue.

We are hopeful that something can be worked out with the Coast Guard to facilitate a southern alignment. We realize that the tennis court is an important recreational facility for the Coast Guard personnel and we would be willing to make tennis facilities on Treasure Island available for your use.

We are also willing in every way to assist the Coast Guard in mitigating issues caused by construction of the Bridge on ingress and egress from the facility via Macalla Road.

RECYCLED PAPER

Please understand that delay in the bridge construction is certain unless we can facilitate a southern alignment. The issues involving the historic structures will delay the construction for the unforeseeable future. Issues involving the enormous economic impact to the city will cause significant delay as well.

The northern alignment has unmitigable impacts to the civilian reuse of former NAVSTA Treasure Island.

The impacts to the Base Reuse Plan are devastating. The loss in land sale value is over $22 million. Plans for 288 multi-family housing units will be destroyed. The Nimitz House and the historic district will be adversely impacted and diminished in value. The Torpedo Assembly Building, also an historic structure, will be rendered obsolete and inaccessible. The fire station will be rendered inoperable. Plans for a conference center overlooking Clipper Cove will be damaged. Loss in revenues over 10 years exceed $30 million and $90 million over 30 years. Construction losses alone are over $10 million over the 5 year period. Permanent tax increment financing losses are over $2.4 million per year, precluding such bonding capacity necessary for rebuilding the failing infrastructure of former NAVSTA Treasure Island.

As this is a public safety issue, we are certain that a "shared" burden of the permanent impact of the southern alignment – 1.6 acres from Coast Guard and 2.0 acres from the Navy (City) is the most fair and appropriate course of action. Similarly, the S-1 alignment places the new structure an equal distance between the Nimitz House and the historic district on YBI and the Coast Guard barracks producing a "Solomon- like" solution to the competing issues faced by two federal agencies in evaluating the impacts of anchoring the new span on YBI.

I urge your cooperation in pursuing a modified southern alignment. It is the best means by which to facilitate a resolution to the Bridge issue and finalize a regional consensus amongst the property owners bearing the brunt of the impact of the replacement project. The modified S-1 as proposed by the City has minimal impact to the Port of Oakland's expansion potential. EBMUD has stated that they are willing to work with the S-1 alignment (see attached letter). We hope you share our desire to reach a regional consensus and pave the way for a replacement project where all impacted parties share some impact of the permanent structure. We believe the modified S-1 fits the bill.

I hope you agree and I look forward to working with you to resolve the alignment issue. The shared burden of the impact between the Navy (City) and the Coast Guard seems to be the fairest possible solution.

Sincerely,

ANNEMARIE CONROY
Executive Director

Cc: Mayor Willie L. Brown, Jr.
All TIDA Members
Secretary Cassidy
Secretary Slater
Senator Diane Feinstein
Senator Barbara Boxer
Nancy Pelosi, M.C.
George Miller, M.C.
Ellen Tauscher, M.C.

U.S. Department of Transportation
United States Coast Guard

Commander
Maintenance & Logistics
Command Pacific

Coast Guard Island, Bldg 52
Alameda, CA 94501-5100
Staff Symbol: (m)
Phone: (510) 437-3939
FAX: (510) 437-5799

11011
23 Feb 99

Ms. Annemarie Conroy
Executive Director, Treasure Island Project
410 Avenue of the Palms, Treasure Island
San Francisco, CA 94130

Dear Ms. Conroy:

I received the faxed copy of your follow up letter to our meeting of February 22 and your request that I take a position in support of a southern alignment for the new Oakland to Yerba Buena Island bridge span. I certainly understand your arguments about the impact of a northerly alignment on Base reuse plans for Treasure Island and Yerba Buena Island. The figures you quote in regards to such issues as annual operating revenues, tax collections and impact on land values are certainly significant. Further, I am most appreciative of the city's offer to find alternate locations for Coast Guard functions should the southerly alignment be chosen. You may be sure that I will take you up on the offer if the need arises.

I must say that I am concerned about your characterization of the Coast Guard interests as *"directly impacting a tennis court"* and *"impacts from noise in the barracks area ..... during construction"*. Any responsible engineer would agree that a construction project as large as that being contemplated by the State of California is inherently disruptive and dangerous. Clearly, the impact of construction activities will extend far beyond the footprint of the final bridge structure. Your description trivializes the Coast Guard interests and is inaccurate. As I believe you are aware, the position the Coast Guard has repeatedly taken in meetings both in San Francisco and Washington is that we intend to be a cooperative, team player. As an affected landowner, however, we have legitimate concerns about the impact the bridge's design and construction will have on our ability to operate from our Yerba Buena Island facility. Those concerns are the same regardless of the alignment or design chosen, and have been consistently expressed as follows:

- The need for Coast Guard employees, contractors and vendors to have uninterrupted, around the clock (24 x 7) access to our facilities.
- That provisions are included in the design to assure the safety of our people at all times during demolition and construction.
- That the design and construction plan makes provision to mitigate noise for barracks and housing area residents.
- That the design and construction plan provides for continued physical security of Coast Guard property.
- That all facilities on the Coast Guard reservation at Yerba Buena Island remain available for use or that either interim or permanent replacements are planned for.
- That pedestrian access is maintained to locations where public transportation is available.
- That the design and project plan allows for unrestricted movement of Coast Guard vessels to and from their moorings.

11011
23 Feb 99

- That design provisions are included which mitigate or correct hillside erosion, particularly during defoliation and blasting.

- That design and project plans prevent interference with and restrictions on the use of Coast Guard electronics and communication equipment.

- That the Coast Guard either bears no out of pocket costs as a result of the construction project or, that any costs borne are reimbursed.

Our earlier support of the northerly alignment was based upon a review of preliminary design documents which showed the least likelihood of adverse impacts on Coast Guard operations, and upon CALTRANS' stated willingness to work with the Coast Guard to mitigate adverse impacts. Regardless of the outcome of the debate now in progress, the conditions to grant a permit to utilize Coast Guard property will be contingent upon the answers we get to those matters outlined above.

While I recognize the legitimate and, in some cases, compelling interests of all parties interested in the bridge's construction, the Coast Guard (in its role as property owner) does not intend to take a public position in favor of, or against the preferences of the city of San Francisco, the Navy, the city of Oakland, the East Bay Municipal Utility District, CALTRANS or any other effected organization. As requested in earlier meetings, we recognize the Federal Highway Administration as the lead Federal agency in this process and intend to work with FHWA to develop either a Federal consensus or a U.S. Department of Transportation position if one is needed. Future commitments on behalf of the Coast Guard will require:

- An agreement between all parties on an acceptable alignment,

- A State of California design document in sufficient detail for us to determine exactly what the impacts on Coast Guard property may be and,

- A construction plan which describes how the issues above will be addressed.

It would be imprudent and premature to seek agreements with any of the interested parties or to alter our existing position until that information is available.

I frankly believe that State and local authorities can best facilitate the Coast Guard's support and, that they can best eliminate the possibility of construction delays by reaching consensus among themselves. I wish you the best of luck in doing so and I pledge my best efforts (in cooperation with other elements of the U.S. Department of Transportation) to help bring that result about.

Sincerely,

John L Parker

JOHN L. PARKER
Rear Admiral, U. S. Coast Guard
Commander, Maintenance & Logistics Command Pacific

Copy: FHWA Sacramento
CALTRANS
COMDT (G-CC),(G-S),(G-CRC),(G-SEC)
COMPACAREA (P)
USN, EFA West
CO, Group San Francisco

STATE OF CALIFORNIA GRAY DAVIS, Governor

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
THIRTY VAN NESS AVENUE, SUITE 2011
SAN FRANCISCO, CALIFORNIA 94102-6080
PHONE: (415) 557-3686

March 1, 1999

Annmarie Conroy, Executive Director
Mayor's Office Treasure Island Reuse Project
410 Avenue of the Palms
Building 1, Second Floor
Treasure Island
San Francisco, CA 94130

SUBJECT: Yerba Buena Island Reuse Plan

Dear Ms. Conroy:

I am following up on the brief discussion we had during the meeting of the Bay Bridge Design Task Force last Wednesday.

As you emphasized during your presentation to the Task Force, the principal reason for San Francisco's opposition to a northern alignment for a bridge structure to replace the eastern span of the San Francisco-Oakland Bay Bridge is that a bridge on the northern alignment would preclude a large residential project from being developed on Yerba Buena Island. As I mentioned, BCDC's *San Francisco Bay Plan* designates the entire Yerba Buena Island as a park priority use area. The Plan includes the following enforceable policy statement: "If and when not needed by Navy or Coast Guard, redevelop released areas for recreational use." This designation and policy have been in place for over 30 years and have been approved by the federal government pursuant to the provisions of the federal Coastal Zone Management Act (CZMA).

Under California law, BCDC's permit authority (i.e., the "coastal zone") extends inland only 100 feet from the Bay shoreline. However, under the CZMA, any federal agency activity—within or outside the coastal zone—that affects the coastal zone must be consistent to the maximum extent practicable with California's enforceable coastal policies. BCDC has determined that any federal activity that is inconsistent with one of the Bay Plan priority use designations affects the coastal zone and must comply with CZMA requirements. The transfer of federal property to a local government is a "federal activity" as that term is used in the CZMA; therefore, it will be necessary for the U.S. Navy to submit a "federal consistency determination" to BCDC before it can transfer Yerba Buena Island to the City and County of San Francisco.

In reviewing this determination, our Commission will consider how San Francisco plans to use the property. We would expect that the Commission would find limited commercial use of the historic buildings on Yerba Buena Island to be generally consistent with recreational use of the Island. This is similar to the approach that is being used at the Presidio of San Francisco. However, any large scale new residential development would probably be seen as incompatible with general recreational use of the Island.

San Francisco can request that BCDC delete the park priority use designation on Yerba Buena Island. Applicants for Bay Plan amendments must pay the cost of our processing of the amendment request. In determining whether or not to delete this designation, the Commission would

consider whether there is some compelling reason, from a regional perspective, to drop the designation. I expect that proponents of a northern alignment for the replacement bridge might oppose lifting the Bay Plan park designation on Yerba Buena Island.

I would be pleased to discuss this matter further with you and representatives of the U.S. Navy if you would find this helpful.

Sincerely,

WILL TRAVIS
Executive Director

cc: Commissioners and Alternates
Rear Admiral Ronne Froman, U.S. Navy
Honorable Mary King, Chair, Bay Bridge Design Task Force
José Medina, Director, Caltrans
Larry Dahms, Executive Director, MTC

OFFICE OF THE MAYOR
SAN FRANCISCO

TREASURE ISLAND PROJECT
410 AVENUE OF THE PALMS
BUILDING 1, 2ND FLOOR
TREASURE ISLAND
SAN FRANCISCO, CA 94130
(415) 274-0660
FAX (415) 274-0299

WILLIE LEWIS BROWN, JR.

March 4, 1999

BY FAX DELIVERY

Mr. Will Travis
Executive Director
BCDC
30 Van Ness Avenue
Suite 2011
San Francisco, CA 94102

Dear Mr. Travis:

Thank you for your letter following up on a "brief discussion" on Wednesday, February 24th. I would hardly characterize the exchange as a discussion and would have expected you to raise certain issues in an appropriate and professional manner by contacting our offices prior to the 24th to discuss your alleged "concerns".

Your letter is most enlightening with regard to your advocacy for the N-6 alignment.

It is important to clarify some issues with regard to the applicability of the Bay Plan to future development on former Naval Station Treasure Island. Contrary to your quote in the Chronicle the other day, the City has carefully considered the effects of the Bay Plan on Yerba Buena and Treasure Islands. As you know, the City's Reuse Plan requires a 100-foot shoreline band around both islands. In addition, we are confident that uses of Yerba Buena

RECYCLED PAPER

Island proposed in the Reuse Plan, including, for example, a bed and breakfast, conference center, cafes and other public, recreationally oriented uses, are consistent with the Bay Plan.

Our confidence in this conclusion was underscored by your letter of August 16, 1996, noting that (1) "...our staff believes the plan, and especially proposed shoreline public access and recreational opportunities, are fully consistent with the Commission's laws and policies," and (2) "We believe the Draft Reuse Plan is consistent with these policies because it denotes a perimeter public promenade around Treasure Island, including a small park...and considerable open space on Yerba Buena Island at the connection to the Treasure Island causeway...The City and County of San Francisco should be commended for its efforts in producing a Draft Reuse Plan that so closely conforms to the Commission's regional goals and policies." See Attachment A.

Please be assured that if we plan to include uses that are not consistent with the Bay Plan, we will seek appropriate amendments. We are confident that the resulting combined Treasure Island/Yerba Buena Island development will enhance recreational uses beyond those available today.

The City of San Francisco has proposed the modified S-1 alignment. This plan should be of significant interest to BCDC, given its mandate to protect the Bay, its shoreline areas and to administer the Bay Plan and to minimize fill of the Bay. The S-1 alignment has many environmental benefits that should be taken into consideration by BCDC prior to advocating the N-6 alignment which creates a number of issues under the Bay Plan which have been conveniently ignored.

We trust that BCDC is exercising its guardianship of the Bay Plan with regard to Caltrans' Bay Bridge project as diligently as it has with Treasure Island. In considering the consistency of the various alignments with the Bay Plan, BCDC should be aware of the following:

1. The S-1 alignment provides significantly more recreational use opportunities on Yerba Buena Island than the proposed northern alignment. The N-6 alignment directly takes over six acres of Yerba Buena Island and indirectly impacts another 30 acres. By contrast, the S-1 alignment takes only 3.6 acres of property, of which 1.6 acres are in a federal enclave and thus not available for recreational use by Californians. Thus, the Bay Plan policy favoring recreational use of YBI that was the subject of your letter is better served by the S-1 alignment.

2. The northern alignment fills more of the Bay than the S-1 alignment: The S-1 alignment is shorter and more direct than the northern alignment and, thus, would create less Bay fill.

3. The S-1 alignment, in its East Bay touchdown, provides greater protection to sensitive habitat areas in tidal marsh and wetlands areas identified in the Bay Plan – the Emeryville Crescent Wildlife Area. The N-6 causes devastation to the conservation area on this northern "spit" of property placing pilings and footings throughout this sensitive area highlighted in the Bay Plan. The S-1 provides less damage and impact to this East Bay shoreline and provides for an opportunity to protect up to two times the shoreline than the N-6 provides.

4. The Bay Plan shows another East Bay area impacted by the S-1 – the Port of Oakland. This shoreline area, according to the Bay Plan, is slated for Port and other industrial uses. It appears your advocacy for the N-6 to protect a "park" on the spit is inconsistent with the Bay Plan. The S-1 alignment preserves the entire Port expansion area, unlike the S-4 alignment (considered by Caltrans in the DEIS and rejected in favor of the N-6) which would take 15 or more acres.

Since it appears that the S-1 alignment supported by the City of San Francisco is more consistent with the Bay Plan's priority policies than Caltrans' proposed northern alignment (including the policy favoring recreational use of Yerba Buena Island referenced in your letter), we find your unsolicited legal advice and your vocal advocacy for the northern alignment puzzling.

I would appreciate a copy of any resolution passed by your Commission outlining the reasons BCDC supports the N-6 alignment and the precise language allowing Commissioners to vest in the Executive Director the power to advocate for the N-6, a plan which ignores BCDC's own mandates and policies.

At a minimum, BCDC should compare the N-6 and the S-1 for consistency with the Bay Plan before invoking BCDC policy to criticize the S-1 alignment. In order that we may better understand BCDC's position on these matters, please provide me with whatever comparative analysis BCDC has done regarding the relative consistency of the N-6 and S-1 alignments to the Bay Plan.

I look forward to a fair and impartial response.

Sincerely,

Annemarie Conroy
Executive Director

CC: Governor Gray Davis
Mayor Willie L. Brown, Jr.
Mayor Jerry Brown
All MTC Commissioners
All EDAP Members
San Francisco Board of Supervisors
Secretary Slater
All BCDC Commissioners and Alternates
Secretary William Cassidy, USN
Admiral Froman, USN
Hon. Mary King
Jose Medina, CALTRANS
Larry Dahms, MTC

DEPARTMENT OF TRANSPORTATION
DISTRICT 4 - TOLL BRIDGE PROGRAM
111 Grand Avenue
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-4444
TDD (510) 286-4454

March 5, 1999

Mr. David Lewis, Executive Director
Save San Francisco Bay Association
1736 Franklin Street, Fourth Floor
Oakland, CA 94612

Dear Mr. Davis,

Thank you for your letter of January 27, 1999 in which you requested documentation of the information used to reach the conclusion favoring replacement over retrofit of the East Span of the San Francisco-Oakland Bay Bridge (SFOBB). Enclosed please find a copy of the report, "Replacement Study for the East Spans of the San Francisco-Oakland Bay Bridge Seismic Safety Project," Caltrans, 1996. This report, with its accompanying memoranda, is a decision document prepared in Caltrans' Office of Structure Design to address this issue.

Efforts to seismically retrofit the entire SFOBB have been in progress for over 10 years, starting immediately after the October, 1989 Loma Prieta Earthquake. During this time, scientific and engineering understanding of seismic demand and design has greatly expanded, and continues to expand. Numbers cited in any document must be viewed in this context. Also, numbers for designs that are still being developed cannot be considered final until the design is complete.

You stated that "an appropriate comparison of one project option to another should be based on designs which provide an equal degree of seismic stability." The designs for the various options to seismically retrofit the East Span of the SFOBB have developed at different times, not concurrently. Documentation for these options was based on structures either designed, under design or under study, and seismic performance was considered a design variable. For example, the retrofit design was completed some time ago while the design for the N-6 replacement alternative is currently at approximately the 45% design stage. As each design was developed, Caltrans evaluated the level of seismic performance while balancing many issues including cost, seismic reliability, and post-earthquake performance. Caltrans does not intend to redesign or restudy options already considered in order to bring them all to a fully equal level of seismic performance. Such an endeavor would be prohibitively expensive and cause significant delay to implementation of a seismic retrofit strategy for the East Span.

In addition, the retrofit design cannot practically be designed to perform in a seismic event in a manner that is equivalent to the performance of a new structure, and it will not have post-event serviceability equal to a new structure. A new structure can and will be designed to provide a "lifeline connection." Please refer to the Draft Environmental Impact Statement for clarification of the definition of "lifeline connection." A retrofitted structure was designed to

meet "no collapse" criteria (Caltrans' standard retrofit criteria). This means that the structure would not collapse during an event, but would have little residual strength, and be all but useless after a seismic event.

We are pleased that Save San Francisco Bay Association agrees that "determining the best option to prevent the failure of the Bay Bridge during a major seismic event is of paramount importance to the Bay Area." We would add that maintaining this key transportation facility in operational condition following a seismic event is also of paramount importance to the Bay Area. Caltrans' priority is to prevent loss of life and property during a major seismic event and to provide a transportation facility that will be ready for service during post-earthquake recovery.

If you have any questions about this matter, you may call Mike Whiteside at (916) 227-8600.

Sincerely,

HARRY Y. YAHATA
District Director

by

Mara Melandry

MARA MELANDRY
Environmental Manager, SFOBB

Enclosure

DEPARTMENT OF TRANSPORTATION
DISTRICT 4 - TOLL BRIDGE PROGRAM
111 Grand Avenue
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-4444
TDD (510) 286-4454

March 10, 1999

Ms. Aliza Gallo, Interim Executive Director
Oakland Base Reuse Authority
317 Murmansk Street, Building 590
Oakland Army Base, California 94626-5612

Dear Ms. Gallo:

This letter is a follow-up to our telephone messages and conversations. Enclosed please find a copy of a letter from the United States Department of the Interior (DOI) to the Federal Highway Administration (FHWA) pertaining to the Draft Environmental Impact Statement for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. The East Span Seismic Safety Project would seismically retrofit or replace the East Span of the San Francisco-Oakland Bay Bridge. The letter from DOI refers to a proposed gateway park at the Oakland Touchdown. It states that the Oakland Base Reuse Authority (OBRA) has accepted a proposal by the East Bay Regional Park District (EBRPD) for designation of a 14.7-acre portion of the Oakland Army Base in the vicinity of the Oakland Touchdown for park use. DOI recommends that FHWA consult with OBRA regarding potential concerns about potential impacts to park and recreation resources from the East Span Seismic Safety Project. As FHWA's state partner in the East Span Seismic Safety Project, we are writing to ask OBRA for the following information to contribute to this consultation:

1. Any concerns that OBRA may have about potential impacts to park and recreation resources at the Oakland Touchdown as a result of alternatives for the East Span Seismic Safety Project.
2. The current status of EBRPD's proposal for park use at the Oakland Touchdown.
3. The current status of any designations that OBRA may have made related to reuse of the portion of the Oakland Army Base at the Oakland Touchdown for park or other uses.
4. The current schedule for circulation of a base reuse environmental document.

Thank you for your assistance in this matter. If you have any questions, you may call me at (510) 286-5582.

Sincerely,

HARRY Y. YAHATA
District Director

by

Mara Melandry

MARA MELANDRY
Environmental Manager

Enclosure
c: BWong (FHWA), TGalvin (DOD)

MAR 1 1 1999

STATE OF CALIFORNIA GRAY DAVIS, Governor

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
THIRTY VAN NESS AVENUE, SUITE 2011
SAN FRANCISCO, CALIFORNIA 94102-6080
PHONE: (415) 557-3686

March 11, 1999

Annemarie Conroy
Executive Director
Treasure Island Project
410 Avenue of the Palms
Building 1, 2nd Floor
San Francisco, CA 94130

Dear Ms. Conroy:

In your March 4, 1999 letter you requested a copy of any resolution passed by our Commission outlining the reasons why BCDC supports a northern alignment for a bridge structure to replace the eastern span of the San Francisco-Oakland Bay Bridge. You also requested "the precise language allowing Commissioners to vest in the Executive Director the power to advocate for the N-6 [northern alignment], a plan which ignores BCDC's own mandates and policies."

Regarding your first request, the Commission does not typically adopt resolutions. Instead, BCDC often adopts staff recommendations, sometimes with revisions the Commission deems necessary. Such was the case when our staff made a recommendation on the replacement structure on June 18, 1998. I have enclosed the June 12, 1998 staff report which our Commission considered, the relevant section of the minutes for the June 18, 1998 BCDC meeting, and the June 19, 1998 letter transmitting BCDC's conclusions to the Bay Bridge Design Task Force.

Regarding your second request, the Commission has not authorized me to advocate for a northern alignment, and I have not done so. On June 18, 1998, the Commission endorsed the EDAP recommendations, which included a northern alignment, because the recommendations "adequately address, at this level of design, the issues BCDC will have to consider when Caltrans submits a permit application for the replacement bridge." I explained this at the February 24th Bay Bridge Task Force meeting when I stated that the northern alignment was not perfect and that other alignments could probably address the issues of concern to the Commission equally or perhaps even better than the one chosen. However, since the primary purpose of the bridge replacement project is to address a serious earthquake hazard problem as quickly a possible, I cautioned against exploring other alternatives if that would delay the completion of this critical public safety project.

I hope this information is helpful to you in understanding BCDC's position on the alignment of the replacement bridge.

As to San Francisco's plans for Yerba Buena Island, when we wrote the August 16, 1996 letter you referenced, our impression was that the residential development planned for Yerba Buena Island would be limited to redeveloping existing residential units and to limited low density new housing that would be part of visitor-serving and recreational facilities. Your March 4th letter also leaves me with that impression. I suspect that our Commission could find this type of limited residential development acceptable. Yet at the February 24th Task Force meeting, I understood you to say that the principal reason San Francisco opposes a northern alignment for a bridge structure is that it would preclude a large residential project from being developed on Yerba Buena Island. This seeming change in your reuse plan surprised me. I regret that you found it inappropriate and unprofessional for me to ask about this issue as soon as I became aware of it.

I also understand that after San Francisco prepared the reuse plan which we reviewed in 1996, the Urban Land Institute formulated recommendations for Yerba Buena Island and that ULI recommended against any large scale residential development on the island. To help us sort out these seeming contradictions, I would appreciate it if you would clarify the scale and type of residential development San Francisco is currently contemplating on Yerba Buena Island.

Sincerely,

WILL TRAVIS
Executive Director

cc: Commissioners and Alternates
Rear Admiral Ronne Froman, U.S. Navy
Denis Mulligan, Caltrans
Larry Dahms, MTC

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
Thirty Van Ness Avenue • Suite 20[illegible] • San Francisco, California 94102 • (415) 55[illegible]86 • FAX: (415) 557-3767

Agenda Item #12

June 12, 1998

TO: Commissioners and Alternates

FROM: Will Travis, Executive Director (415/557-8775 travis@bcdc.ca.gov)
Steven McAdam, Deputy Director, Chief of Regulatory Services
(415/557-8767 stevem@bcdc.ca.gov)

SUBJECT: **Staff Report and Recommendation on the Replacement of the Eastern Span of the San Francisco-Oakland Bay Bridge**
(For Commission consideration on June 18, 1998)

Summary and Recommendations

Over the past year, a Bay Bridge Design Task Force, created by the Metropolitan Transportation Commission (MTC), has been deliberating on the selection of the type of structure that should be used to replace the eastern span of the San Francisco-Oakland Bay Bridge as part of the seismic retrofit of the overall span. The Task Force is composed of seven members of MTC and includes Angelo Siracusa, BCDC's representative on MTC.

The Task Force is assisted by an Engineering and Design Advisory Panel (EDAP), which includes all of the members of BCDC's Design and Engineering Criteria Review Boards. On May 29, 1998, the EDAP recommended to the Task Force that the replacement structure should be a single-tower, self-anchored suspension bridge joined to the East Bay shoreline by a causeway, and that a bicycle and pedestrian path should be provided along the south side of the new bridge. The Task Force is scheduled to vote on EDAP's recommendations on June 22, 1998 and forward its recommendations to the full MTC for consideration on June 24, 1998.

The staff recommends that the Commission: (1) endorse the EDAP recommendations because they adequately address, at this level of design, the issues BCDC will have to consider when Caltrans submits a permit application for the replacement bridge; (2) direct BCDC's representative on the Task Force and MTC to support funding for a bicycle and pedestrian path on the replacement bridge; and (3) offer any other comments or suggestions the Commission finds necessary to assure that the Task Force, MTC and Caltrans will properly consider seismic safety, Bay fill, public access, rail transit, environmental impacts, or other issues which BCDC is mandated to address.

Background

At BCDC's July 17, 1997 meeting, the staff briefed the Commission on the status of the deliberations of the Bay Bridge Design Task Force and the principal issues of concern to BCDC. The Commission accepted the preliminary conclusions described

below, which were then incorporated into the Bay Bridge Design Task Force's recommendations to the Metropolitan Transportation Commission. Exhibit 1 is a summary of 17 finance, design and planning recommendations approved by the Task Force at its July 23, 1997 meeting. At MTC's July 30, 1997 public meeting, the MTC approved the Task Force's recommendations.

Since the Commission's last involvement in this project, Caltrans and its project consultant team of T.Y. Lin International, Moffat & Nichol, Fugro West, Earth Mechanics, Inc., Parsons Brinkerhoff, and other supporting consultants, have developed draft "30% bridge design and cost estimates." This information was presented to the EDAP at a series of meetings which resulted in the alternatives being narrowed to two alternative "signature" types—a single-tower, cable-stayed segment and a single-tower self-anchored suspension segment near the span's touch down at Yerba Buena Island. The remainder of the span would be an elevated causeway, or "skyway," in both alternatives (see the attached Executive Summary of the consultants' report).

At its meetings on April 15, 1998 and May 29, 1998, the EDAP approved the following four recommendations for consideration by the Bay Bridge Design Task Force:

1. The new eastern span should be a single-tower self-anchored suspension bridge.
2. The causeway section of the new eastern span should be constructed of either concrete with a variable depth profile or steel with a constant depth profile, with a minimum span length of 525 feet, except at the Yerba Buena Island transition and Oakland touchdown.
3. The new eastern span should have a single bicycle/pedestrian path on the south side of the eastbound deck, with a width and height (in relation to the deck) adequate to ensure the safety and comfort of path users and protect the views of motorists.
4. The pile caps for the piers supporting the causeway section should be placed above water, but with careful attention to the design.

BCDC Policy Issues

Listed below are the principal policy issues of concern to BCDC, the Commission's preliminary conclusions, and brief discussions explaining how the Task Force and the MTC incorporated the Commission's conclusions into their recommendations.

Seismic Safety. Section 66605 (d) of the McAteer-Petris Act requires the Commission to find that any fill project that it approves will be "constructed in accordance with sound safety standards which will afford reasonable protection to persons and property against the hazards of unstable geologic or soil conditions."

According to Caltrans, replacing the span offers an opportunity to significantly improve the seismic reliability and greatly increase the useful life of the eastern span of the Bay Bridge. MTC concurred that "a new eastern span will be seismically stronger, less costly to maintain, less disruptive to construct, and potentially more protective of the environment than the retrofit of the existing bridge." Therefore, the EDAP and Bay Bridge Design Task Force recommended replacing the span to "post-earthquake lifeline service" which means that the new bridge will be usable after an earthquake. BCDC preliminarily concurred in this recommendation.

The principle recommendation of the EDAP involves the selection of a single-tower self-anchored suspension bridge as the signature element of the new span. This recommendation is overwhelmingly supported by the members of BCDC's Design and Engineering Criteria Review Boards who serve on the EDAP. It appeared to the EDAP that all four of the alternative designs which were considered would provide post-earthquake lifeline service. Therefore, it appears that Caltrans will be able to design a structure that will meet the requirements of Section 66605(d) of the McAteer-Petris Act, whichever of the four alternative designs is selected.

The single-tower alternatives presented to the EDAP would have better seismic performance than would the double-portal designs. An asymmetrical suspension bridge has design advantages because the tower of the bridge can be placed closer to the bedrock underlying Yerba Buena Island. Therefore, the staff believes EDAP's final recommendations adequately address BCDC concerns about seismic safety.

Bay Fill. Section 66605 (c) of the McAteer-Petris Act requires the Commission to make a finding that "the water area authorized to be filled" by any project approved by BCDC is "the minimum necessary to achieve the purpose of the fill."

The existing Bay Bridge contains two roadways in a double deck structure with westbound traffic on the top deck and eastbound traffic on the lower deck. This configuration is not as seismically reliable as two parallel roadbeds would be. Moreover, a parallel roadbed configuration would give the bridge a more slender visual profile and would provide eastbound motorists with sweeping views of Oakland, Berkeley and the East Bay hills. Although a replacement structure with parallel roadways would double the amount of the Bay covered by the bridge, the bulk of this coverage would be high above the Bay and cause limited environmental impacts. On balance, it appears that the seismic and visual benefits of a single-deck roadway outweigh the limited environmental benefits of a double-deck roadway. Also, the EDAP concluded that a single deck configuration would be seismically more reliable than a double deck configuration. Therefore, the Commission preliminarily found that is would be better for the replacement span to contain two parallel roadways than to replicate the current double-deck configuration. The Bay Bridge Design Task Force and MTC endorsed EDAP's position and recommended a single deck configuration.

In addition, a number of alignments for a replacement span were evaluated. They ranged from a far northern alignment which would be built in a sweeping curve to a southern alignment which would be built in a nearly straight line immediately south of the existing bridge. Generally, the more northern the alignment, the

better the views for motorists, the longer the bridge, the more troublesome the underlying geological conditions, and the more fill involved. As a result, the range of options was narrowed to a near northern alignment and a southern alignment. A southern alignment would have the potential of reducing the amount of space available for future port development at the Port of Oakland south of the Bay Bridge toll plaza. This area is reserved as a port priority use area in the *San Francisco Bay Plan* and the *San Francisco Bay Area Seaport Plan* to minimize the need to fill the Bay for future port development. Therefore, the Commission preliminarily found that a near northern alignment for the replacement span would be preferable because a southern alignment could lead to future Bay fill for port development.

MTC concurred with the EDAP's position that a northern alignment is more desirable because it would provide a "gateway to Oakland" and would offer enhanced views of Oakland. Also, there are less constraints in designing and constructing a cable-supported bridge on the northern alignment than on the southern alignment.

The staff believes EDAP's final recommendations adequately address BCDC concerns about Bay fill.

Public Access. Section 66602 of the McAteer-Petris Act requires the Commission to make a finding that any project which it approves provides "the maximum feasible public access, consistent with a proposed project." However, SB 60 (Kopp) enacted in 1997 added the following provision to the Streets and Highways Code:

> *Notwithstanding any other provision of law, local and state permitting authorities shall not impose any requirement that a bicycle, pedestrian, or mass transit facility be constructed on the San Francisco-Oakland Bay Bridge as a condition for issuing any permit, granting any easement, or granting any other form of approval needed, for the construction of a new bridge.*

As a result of this revision in state law, the overall project will still have to meet the McAteer-Petris Act standard of providing "maximum feasible public access consistent with [the] proposed project," but the Commission will not be able to achieve this objective by imposing a condition requiring bicycle and pedestrian access on the replacement bridge as part of a permit to Caltrans for the bridge project.

With this change, the Metropolitan Transportation Commission has the principal responsibility for determining whether a bicycle and pedestrian lane should be provided on the replacement bridge. Moreover, MTC also has control of the funds needed to pay for bridge amenities, such as a pedestrian and bicycle lane. SB 60 added a $1 toll surcharge on all Caltrans-operated Bay Area bridge beginning on January 1, 1998 and remaining in effect for approximately eight years to pay the Bay Area's funding share of the entire toll bridge seismic retrofit program. SB 60 also allows MTC to extend the toll surcharge for an additional two years to pay for the following "amenities" for the Bay Bridge eastern span project: (1) a cable-supported long span; (2) bicycle/pedestrian access on the new span; and (3) replacement/replacement of the TransBay Terminal in San Francisco.

In the public hearings held by the Bay Bridge Design Task Force and EDAP, bicycling and recreation interests have advocated that a bicycle and pedestrian pathway should be provided on an eastern replacement span and that a bicycle and pedestrian lane should be incorporated into plans to retrofit the existing western suspension portion of the Bay Bridge. Moreover, as noted above, in order for BCDC to issue a permit for the replacement and retrofit work, the Commission will have to find that the project provides "maximum feasible public access consistent with the project."

According to Caltrans, the originally estimated cost to provide a bicycle lane on the eastern span varied between $84 and $102 million, depending on the type of bridge and alignment, and on the western span it is approximately $65 million. Using very general estimates of the number of bicyclists who would ride over the bridge, the Commission concluded that the cost per bicyclist may exceed the cost of providing a shuttle service across the bridge, on BART or on an expanded ferry system. Therefore, the Commission preliminarily found that the replacement span should be designed to accommodate bicycle and pedestrian use unless it would be less expensive to provide comparable access in some other fashion or such access is found to be infeasible.

The EDAP recommended a bicycle and pedestrian lane, but MTC raised the issue, based on estimated future bicycle usage, of whether the high cost of providing a bicycle/pedestrian lane can be justified. MTC recommended that Caltrans continue its evaluation for providing a bicycle/pedestrian lane at a more reasonable cost. At its May 29, 1998 meeting, the EDAP was advised that a pedestrian and bicycle path is now estimated to cost between $33 and $50 million.

SB 60 defines the baseline cost of the new eastern span as $1.285 billion, which includes $80 million toward the cost of a cable-supported main span. The two-year toll surcharge extension would generate $230 million. Thus, the total budget for Bay bridge "amenities" is $310 million ($80 million + $230 million).

The most recent estimates of the costs of the amenities recommended by the EDAP are as follows:

Suspended long span	$171 million
Bicycle/pedestrian path	$50 million
Total	$221 million

Thus, after paying for the "signature" bridge and a bicycle and pedestrian pathway, a $89 million balance would remain in the "amenities" budget. Therefore, on May 29, 1998, the EDAP recommended that a two-direction pedestrian and bicycle path should be provided on the south side of the replacement span.

The $50 million cost of a 15-foot-wide pedestrian and bicycle path is under four percent of the total cost of the replacement bridge and can be accommodated in MTC's "amenities" budget. Thus, it is economically feasible to provide a pedestrian and bicycle pathway on the replacement bridge, which would at least partially address the requirement of the McAteer-Petris Act that "maximum feasible public access consistent with [the] proposed project" be part of any project approved by

BCDC. Therefore, the staff recommends that the Commission direct BCDC's representative on the Task Force and MTC to support funding for a bicycle and pedestrian path on the replacement bridge to insure that the replacement bridge will provide maximum feasible public access.

Rail Transit. The *San Francisco Bay Plan* policies concerning transportation state in part, that "if a route must be located across a waterway, the following provision(s) should apply: To provide maximum ultimate capacity on any new route that is allowed over or under a waterway (and thus to minimize the number that might have to be allowed in the Bay), the design of the route should, if feasible, accommodate future mass transit facilities and subsequent installation of automatic power and guidance elements for vehicles." This policy clearly applies to any new "route" (i.e., bridge) over a waterway, but it may not necessarily apply to a replacement bridge. Therefore, future rail service may not have to be required on the new east span. Moreover, as noted above, SB 60 of 1997 prohibits all state and local agencies, including BCDC, from imposing "any requirement that a...mass transit facility be constructed on the San Francisco-Oakland Bay Bridge as a condition for issuing any permit...for the construction of a new bridge."

MTC recommended that the new eastern span should be designed to accommodate the possibility of future rail service, and Caltrans has indicated that the new span will be strong enough to accommodate passenger light rail service. Therefore, the staff believes EDAP's final recommendations adequately address BCDC concerns about rail transit.

Environmental Impacts. The Bay Bridge is eligible for listing on the National Register of Historic Places. However, the eastern span of the bridge is built on recent fill that does not contain either historic or prehistoric sites which could be disturbed by the construction of a new bridge. Additional fill and dredging required for the construction of the new bridge and demolition of the existing bridge would impact aquatic, wildlife and other natural resources of the Bay. Mitigation for significant adverse environmental impacts of the Bay fill would be have to be provided as part of the project. However, the environmental impacts and attendant mitigation measures would likely be similar in scale for all of the alternative designs and alignments.

The Commission did not make any recommendations or other preliminary conclusions on the potential environmental impacts of the project pending the completion of Caltrans' environmental evaluations. However, the staff believes EDAP's final recommendations address—as adequately as possible at this stage of design—BCDC concerns about the environmental impacts of the project.

BCDC Involvement in the Bridge Design Process. Section 66604 of the McAteer-Petris Act provides that the "Legislature further finds and declares that in order to protect the present shoreline and body of the San Francisco Bay to the maximum extent possible, it is essential that the Commission be empowered to issue or deny permits, after public hearings, for any proposed project that involves placing fill, extracting

materials or making any substantial change in use of any water, land or structure within the area of the Commission's jurisdiction."

The bridge type alternatives were first narrowed to three configurations. Later, the alternatives were again narrowed to two. The Bay Bridge Design Task Force process has worked well to provide oversight to Caltrans, to facilitate public involvement in this important issue, and to incorporate BCDC's views early in the design process. To take continued advantage of the benefits of this arrangement, the Commission recommended that both the Task Force and the EDAP should remain in place to select a bridge design type and to oversee the detailed design of the bridge.

A primary reason for BCDC's involvement on the Bay Bridge Design Task Force is to ensure that the policy issues BCDC will have to face when Caltrans applies for a permit for a replacement bridge are addressed from the outset in the planning and design of the bridge. To ensure that BCDC's policy concerns are fully addressed, BCDC asked to be given the opportunity to hold a public hearing on the fundamental issues of concern to BCDC and offer BCDC's formal views on the matter to MTC, prior to the Metropolitan Transportation Commission taking any action on the final recommendations of the Bay Bridge Task Force.

MTC agreed with the Commission's recommendations for continuing participation of the Engineering and Design Advisory Panel and the Bay Bridge Design Task Force during the design stage of the project and for the Commission's preliminary consideration of the final design alternatives. Therefore, the staff believes the Commission's concerns about being involved in the design process are being adequately addressed.

BAY BRIDGE DESIGN TASK FORCE
ENGINEERING AND DESIGN ADVISORY PANEL

Engineering and Design Considerations for the East Span Replacement of the San Francisco Oakland Bay Bridge

General Requirements

The new span will be constructed in a manner to allow continued operation of the existing span with a minimum amount of time upon completion to transition to the new span.

Post-Earthquake performance of the new structure should be high. The bridge will be designed to provide emergency as well as normal traffic service (lifeline service) after an earthquake on either the Hayward or San Andreas fault systems. Some damage during a large seismic event is expected — e.g., minor plastic hinging and thermal deck joints requiring replacement — that should be managed (i.e., location and quantity controlled by design). No damage in the foundation should be tolerated as it cannot be easily accessed. Even if the design plans for no damage in the system, design of a fuse for location and ductility should be completed.

The new structure should accommodate the existing level of traffic capacity (five lanes of traffic in each direction) with the addition of a standard shoulder on at least the right side in each roadway.

Geometry will be compatible with the tunnel at Yerba Buena Island and the westerly approach to the Oakland toll plaza.

Access will be provided to Yerba Buena Island (YBI). The new design should be as compatible as is reasonable with present use and future development of YBI and Treasure Island (e.g., United States Coast Guard (USCG) and the City of San Francisco island use plans)

A single clear portal 42 meters (138 feet) vertically above the mean high water level and a minimum of 143 meters (500 feet) horizontally between fenders will be provided for marine traffic over the existing navigational channel just east of YBI. (The USCG will make the final determination.)

The existing bridge will be removed after completion of the new span.

Additional considerations that may impact the design of the bridge include any height restrictions by the Federal Aviation Administration and scope changes which will be determined by the Bay Bridge Design Task Force and the Metropolitan Transportation

EXHIBIT 1

Commission after public hearings and in consultation with the Bay Conservation and Development Commission (BCDC) and Caltrans. These include:

- the width of the shoulder, if any, on left side of the roadways,
- the addition of pedestrian and bicycle facilities,
- the accommodation for future rail.

Structural Considerations

The design should anticipate potential inefficiencies of the foundations in bay mud (see the Caltrans' East Span of the San Francisco-Oakland Bay Bridge, Log-of-test-Borings, April 18, 1997).

For efficient span lengths and foundations, a configuration is selected by envisioning an efficient foundation design in which group efficiency is high (i.e., few piles and/or large pile spacing) and few, if any, additional piles are required for load case VII (controlling earthquake) beyond required piles for load cases other than load case VII (i.e., foundation service loads are increased by increasing span lengths until required capacities due to service loads are near to required capacities due to the seismic load case).

The above-described design process will generate several different span lengths as the soils and height of the roadway vary. If the relatively great variation in structure type of the existing east spans is to be avoided, a degree of compromise should be anticipated between economy and structure type continuity in pursuit of structure continuity.

Desired span lengths tend to define superstructure type, first by feasibility and then by economy. Minimum depth-to-span ratios must be respected in order to avoid compromising camber prediction methodologies and live load deflection limiting criteria.

On stiff sites the structural system should be soft and on soft sites the structural system should be stiff.

Bridge response to seismic ground motions are likely to be dominated by a velocity pulse. A rocking system should be considered to minimize damage and plastic deformation at the time of a pulse and following an earthquake.

Torsional capacities within the superstructure must be capable of carrying seismic demands.

Drop-type vulnerabilities should be avoided and elimination should be considered.

Structural design should consider modern materials, construction techniques and seismic devices. The type selection should respect constructability and the capacity to maintain quality assurance.

An economical solution is an important consideration in type selection.

Design Considerations

The bridge should integrate into the site and the surrounding environment by reflecting the grand scale of the San Francisco Bay, by harmonizing with the existing west span of the bridge and by landing gracefully on the Oakland and Yerba Buena Island landfalls. The replacement bridge should by contrast or similarity, compliment the existing San Francisco bridge suspension span. They should feel related in some way that makes the two bridge elements into a whole. One bridge should not diminish the visual quality or importance of the other.

The design of the replacement span should adhere to the established principles of design so that the structure's form, alignment, and detailing exhibit continuity and order. Where spans or structural systems change within the new east span, structural system integration will be important for visual continuity.

The new bridge should be visually memorable and convey a sense of the gateway to Oakland. Views from the bridge when traveling toward Oakland should consider Oakland's central business district and waterfront.

The bridge should convey to the user that the user is on a bridge and not an extension of the on-grade highway system. There should be some visual expression of the long span bridge section to the user.

The bridge should provide a measure of visual continuity for motorists regardless of what structural system is used equal to, but not necessarily the same as, that of the existing westbound portion of the east span bridge.

The girders, piers and rails of the bridge should generally appear slender and should provide for views of the Bay by motorists using the bridge.

Guard rails and hand rails should be designed to provide maximum transparency for maintaining views of the Bay while meeting appropriate safety criteria.

Landscaping around the bridge should replicate the existing natural surroundings of the Bay shoreline.

Night lighting of and on the bridge is an important design consideration.

Environmental

The design should strive to minimize impact to the bay and to Yerba Buena Island (YBI)

The new span should be aligned to minimize, and mitigate impacts on sensitive wetland areas in the Emeryville Crescent.

The design should minimize bay fill and dredging.

Design and construction impacts on wildlife should be minimized and mitigated — many species of wildlife could be impacted by this project including the peregrine falcon, winter-run Chinook salmon, double-crested cormorant, least tern, clapper rail, pacific herring, and harbor seal. Removal of the nesting sites during selected times of the year will impact the birds, dredging during selected times of the year may impact the fish, and boat access may impact the harbor seals. Additionally, nesting sites for both the peregrine falcon and the double-crested cormorant should be sustained on or near the new span.

Replacement bridge foundation locations should, to the extent feasible, avoid known prehistoric, potential historic archaeological sites and historic properties on YBI. The ramps connecting the bridge to YBI should have the minimum impact on the natural features and landscape of the island.

Highway design standards

The following geometrics on the bridge roadway will be maintained:

- design speed of 100 kilometers per hour (65 miles per hour)
- maximum allowable deck grade of 2.74% (the existing maximum grade)
- minimum horizontal curve radius on mainline of 1000 meters (3000 feet) (based upon stopping sight distance (SSD) and is function of 3 meter shoulders — this number maybe modified depending on final determination of shoulder widths)
- minimum right side shoulder width of 3 meters (10 feet)
- lane width of 3.6 meters (12 feet)
- inside to inside of railings of a roadway with a 3 meter right shoulder and a 1.2 meter left shoulder (left shoulder subject to final determination) without a ped-bike lane is 22.2 meters and with a ped-bike lane is 26.4 meters (including 0.6 meters to construct a barrier between the roadway and ped-bike lane)
- maximum superelevation rate of 0.04 meters/meter for a 1000 meter curve
- the stopping sight distance (SSD) is 190 meters as a function of a 100 kilometers per hour speed
- minimum vertical curve length of (2V) in which V equals the design speed

- minimum horizontal clearance of 3 meters (10 feet) (which may change dependent on final determination of shoulder widths
- minimum vertical clearance of 5.1 meters (16.5 feet).

The following geometrics on the bridge ramps will be maintained (conforming to the island may cause some compromises of these standards):

- minimum design speed at an exit nose 80 kilometers per hour (50 miles per hour)
- minimum design speed at a terminus of 40 kilometers per hour (25 miles per hour)
- lane widths of 3.6 meters (12 feet)
- right shoulders of 2.4 meters (8 feet)
- left shoulders of 1.2 meters (4 feet)
- Stopping Site Distance of 130 meters (430 feet) as a function of a 80 kilometers per hour speed (50 miles per hour
- maximum allowable deck grade on a ramp of 8%
- maximum superelevation of 12% for a curve radius equal to or less than 190 meters (625 feet)

Pedestrian-bikeway design standards

If included, the two-way pedestrian-bikeway will follow the following standards:

- be compliant with Americans with Disabilities Act (ADA) regulations
- be separated from motorized traffic by a barrier
- minimum width of paved path from barrier to barrier of 3.6 meters (12 feet)
- minimum vertical clearance of 2.5 meters (8 feet)
- minimum bicycle path design speed of 40 kilometers per hour (20 miles per hour).

Any bicycle and pedestrian way should be integrated into the bridge design so that it contributes to the overall order and continuity of the bridge design. Periodic outlooks should be provided at intervals along the bicycle-pedestrian way.

Maintainability

Long term maintenance must be considered. The selection of structure type, a variety of potential system components, and structure materials should consider necessary maintenance programs and evaluate the likelihood of such programs receiving necessary consistent funding.

Maintainable thermal expansion joints will be required but should be at a maximum spacing consistent with bridge movement.

Commissioner Kelly pointed out the importance of the Oakland Harbor project, not only to Oakland and Alameda County, but to the entire Bay Area. She reminded the Commission that a letter was passed out this morning signed by Alexis Strauss, the Director of the Water Division at Region IX, U.S. Environmental Protection Agency also supporting this resolution and encouraging BCDC to do likewise.

Commissioner Schwinn highlighted passages from the Alexis Strauss letter for the Commission. She urged the Commissioners to read the letter and support the resolution.

Commissioner Carruthers shared the concerns of Save The Bay about the particulars of the project and how to deal with the actual permitting process. He pointed out that Commissioner Corbin made the most telling and persuasive comment of all and urged the Commissioners to go ahead and approve the resolution with the understanding that the particulars of the project will be dealt with as they are formulated.

VOTE: The motion carried by a roll call vote of 19-0-1 with Commissioners Barna Jr., Bierman, Bruzzone, Kelly, Corbin, Fong, Goldzband, Hayes, Valentine, Klass, Carruthers, Ortiz-Cashman, Rippey, Rose, Schwinn, Uilkema, Warner, Vice Chairman Siracusa and Chairman Tufts voting "YES," with no "NO," votes and Commissioner Kondylis abstaining.

12. **Public Hearing and Vote on Preliminary Design of the Replacement Structure for the Eastern Span of the San Francisco-Oakland Bridge.** Steve McAdam gave a short presentation on the Staff report and Recommendation on the bridge design which was recommended by the Bay Bridge Engineering and Design Advisory Panel and forwarded to the Bay Bridge Design Task Force and the full MTC for this consideration. He then introduced Dennis Mulligan of Caltrans to present the recommended replacement structure and to explain the process and deliberations undertaken to this point.

Mr. Mulligan explained that the span will reach from the Oakland shore to Yerba Buena Island an does not include the West span, which is a separate project. BCDC previously granted a permit to the seismic retrofit of the West span and construction has commenced. An EIS is being prepared for this project and in that document the full range of alternatives will be looked at.

MTC has embarked upon a decision-making process for the local desired option, which will allow Caltrans to commence design prior to completing the environmental document.

The alternatives looked at are based on providing seismic safety from the Oakland shore to Yerba Buena Island with a life line structure, meaning that after an earthquake vehicles can get across. Within the EIS a series of design variations will be looked at as well as a variety of different signature span types, bike and pedestrian access options, and profiles.

Mr. Mulligan discussed the geological challenges and solutions acceptable for this project. He used slides to illustrate his remarks. The challenge of construction without interfering with the flow of traffic was explained. The NEPA process was also explained.

He pointed out that public participation can take place in a variety of different processes. MTC has task force meetings and work shops, which are public hearings; Caltrans has had a series of open houses early on; a draft EIS is being prepared which will have formal comments; the engineering design advisory process that MTC has established includes BCDC's Design Review Board and Engineering Criteria Review Board. The existing bridge concepts and bike recommendations are the result of that public involvement shaping the outcome.

MTC will make recommendations next Wednesday to the State, and Caltrans will commence Risk Design so this bridge can be built as soon as possible because of the safety risk. Ultimately, the environmental document is the legal decision making document. FHWA and Caltrans are the decision makers, but wish to develop a project consistent with local and regional planning.

He further stated that Caltrans' position on this project is that they will build as much bridge as the Bay Area wishes to purchase. This includes various types of bridges, bike paths and other issues. The community should decide this because they are paying for it.

Another compelling policy of BCDC is to create opportunities for things to happen that will alleviate the pressure for future fill. The Bay bridge and BART are now almost at capacity and there may be another opportunity for another vehicular bridge or another transit corridor. Having the flexibility for this lane could conceivably alleviate that need and therefore alleviating the pressure for fill for a transbay commutation.

Vice Chairman Siracusa asked the Commissioners not to direct him to ask MTC for funds for bicycle but ask instead to have that with two conditions, i.e. that it be designed now to accommodate future light rail, buses or HOV, and that it be accompanied by a resolution allowing future policy makers the flexibility to convert that lane to transit or HOV.

Mr. Travis respectfully disagreed with the Vice Chairman and reminded the Commission that without a resolution a position can always be changed later on. Future Commissions cannot be bound. Moreover, with respect to Caltrans, the bicycle and pedestrian lane is to be hung off the side of the bridge deck. Engineering that in a fashion that would accommodate rail, would be far more costly than a few million dollars. Simply designing the existing bridge to accommodate future rail will cost another 24 million dollars. Making the cantilevered section able to accommodate rail would cost significantly more than that.

The path is also outboard of the cables coming down, so if that were a traffic lane, HOV or carpool lane, it would be isolated from the rest of the traffic and one couldn't safely move in and out. This suggestion would be both extra-ordinarily expensive and probably not practical.

Ken Bukowski, Mayor of Emeryville spoke in support of the bicycle/pedestrian access across the bridge. Everybody should have the right to use a public facility. He also addressed the question of inter-city passenger rail. The Transbay Terminal is right in the heart of downtown and if rail is to come to this area, it must have a place to go and the Transbay Terminal is the only place where this could realistically go and tie into the South Peninsula. Constraining the bridge by not allowing inter-city rail would have a serious impact on the economic viability of the area as well as the ability to move people. What is going to relieve the congestion is a tie-in with the I-80 rail corridor by providing direct rail service all the way from Sacramento to San Francisco.

Victoria Eisen with the San Francisco Bay Trail project endorsed BCDC's staff recommendation to direct the Commission's representative to MTC to vote next week in favor of funding a bicycle and pedestrian path on the new East span of the Bay Bridge. The Bay bridge is a critical link in the 400-mile trail around and across the San Francisco and San Pablo Bays. She also addressed Vice Chairman Siracusa's proposal to condition support for the pathway and allowing policy makers to, in the future, convert the bike lane to transit or HOV. This proposal is not in line with the visionary nature of BCDC and she urged the Commission to reject this idea and instead use the opportunity to provide one of the most important pieces of public access on the Bay.

She further asked the Commission to direct Commissioner Siracusa to give his unconditional support for an Eastbound pathway and, in addition, to support funding a Westbound pathway when the opportunity arises.

Alex Zuckerman spoke on behalf of REBAC and the Bay Bridge Bicycle/Pedestrian Advisory Committee which came up with a proposal adopted by EDAP for a 15-foot-` wide pathway on the South side, about one foot above the deck level allowing bikes better views without impinging the view of the motorists.

He disagreed with Vice Chairman Siracusa's suggestion. EDAP came up with this proposal, money is there and if the Governor signs AB2038, there will be the capability of funding the West span as well as the East span. He asked the Commission to approve the EDAP recommendation, approve the staff recommendation and direct Mr. Siracusa to vote yes on the path with no caveats.

Commissioner Barna asked Mr. Zuckerman if the ability to bicycle across the Bay Bridge entirely for commute purposes is equivalent to the ability to walk across, or the ability to drive across. Mr. Zuckerman replied that it would be a fairly easy commute from Emeryville, Berkeley, Oakland and San Leandro. Pedestrians will probably not walk all the way across, but may be more like on the Golden Gate Bridge, at least walk partially across.

Commissioner Barna explained to the Commission that in State law bicycles are a mode of transportation and bicycle lanes are to be funded separately and there is a whole category on how to do that. To the extent that the

MOTION: Commissioner Goldzband moved, second by Commissioner Barna, to close the public hearing. The motion carried.

Chairman Tufts asked Mr. Mulligan about the discrepancy of the cost of a bike lane vs the cost of a bike lane that can accommodate light rail. Mr. Mulligan indicated that on the West side it would be significantly more, but had not been costed out.

Commissioner Klass questioned the feasibility of carrying cars or a light rail on a path outside of the cables and cantilevered. Mr. Mulligan responded that it would be feasible but it would change the shape of the structural section and that would be the additional cost.

Commissioner Corbin stated she was in favor of bicycle/pedestrian/rail and keeping the Transbay Terminal where it is. She asked if the recommendation Commissioner Siracusa suggested would be much more expensive and Mr. Mulligan responded that a formal cost estimate for that configuration has not been made because EDAP never requested that. In response to an inquiry from Commissioner Goldzband he said that the cost of light rail conversion has two elements. One is a strength element and the other is what they call a straight current protection.

Chairman Tufts inquired if staff would change its recommendation if Vice Chairman Siracusa's proposal would cost $2 million. Mr. Travis replied no, because the bicycle path to Yerba Buena has some benefits - you can get around the island - and adding an outrigger on the Western span is estimated around $65 million. Legislation is pending that would allow that. Putting a rail outrigger on the Western span would be extraordinarily expensive and you would have to drill another tunnel through Yerba Buena Island. Looking just at the eastern span, it does seems to be a prudent course of action to take.

A lengthy discussion followed about the pro and cons of Commissioner Siracusa's proposal as it relates to the Bay Plan and other BCDC policies.

Commissioner Levine explained arriving at a different number of cost per bicyclist which is $4 per rider at the current population and well justifies the expenditure. Commissioner Bruzzone spoke to the collecting of tolls from bicycles; he also inquired about the proposed land use at Yerba Buena that could be affected by the alignment.

Commissioner Warner pointed out that the people using the bridge have formed the consensus to develop for funding this improvement. The bike path is funded by the money generated by the increased tolls. He questioned if a bike path would be the most economic use of the dollar; he arrived at a $8 per bike ride cost. Maintaining flexibility should be looked at carefully.

Commissioner Rose agreed that having flexibility in design is most desired, given the size of this project. She stated that she is firmly behind a permanent bike and pedestrian lane on this bridge; that the Transbay Terminal should stay and instruct the representative to vote to keep it. Commissioner Kondylis agreed with Commissioners Corbin and Rose, but that public access and bicycle paths should be free.

Commissioner Kondylis asked Mr. Mulligan about proposed lighting of the span. Mr. Mulligan replied that there most probably will be architectural lighting. Two well known design teams were employed to develop the alternatives.

Commissioner Bierman declared her absolute preference for a bike lane and the possibility of a high speed rail.

Another discussion followed about the cost of converting the bike lane some time in the future.

MOTION: Commissioner Siracusa moved to adopt the staff recommendation with the following exception: the provision that directed him to support the pedestrian and bike lane on the bridge, but to support it instead with the conditions already stated; one being that the design now accommodate some future change of transit use and that there be an expression that, if the public interest were served, a future policy body could make that change.

Commissioner Corbin stated that she could not support the motion because there is no reason why in the future another vote can be taken to do something different. We must deal with today and put a bicycle path on it. Another discussion ensued about the light rail conversion and Commissioner Siracusa's amendment.

TE OF CALIFORNIA PETE WILSON, Governor

AN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

RTY VAN NESS AVENUE, SUITE 2011
FRANCISCO, CALIFORNIA 94102-6080
NE: (415) 557-3686

June 19, 1998

Ms. Mary King, Chair
Bay Bridge Design Task Force
Metropolitan Transportation Commission
Metrocenter
101 Eighth Street, Third Floor
Oakland, California 94607

SUBJECT: Replacement of the Eastern Span of the San Francisco/Oakland Bay Bridge

Dear Chair King and Other Task Force Members:

Over the past year, a Bay Bridge Design Task Force, created by the Metropolitan Transportation Commission (MTC) and assisted by an Engineering and Design Advisory Panel (EDAP), which includes all of the members of BCDC's Design and Engineering Criteria Review Boards, has deliberated on the selection of the type of structure that should be used to replace the eastern span of the San Francisco-Oakland Bay Bridge as part of the seismic retrofit of the overall span. On May 29, 1998, the EDAP recommended to the Task Force that the replacement structure should be a single-tower, self-anchored suspension bridge joined to the East Bay shoreline by a causeway, and that a bicycle and pedestrian path should be provided along the south side of the new bridge.

On June 18, 1998, the San Francisco Bay Conservation and Development Commission considered the recommendation of the EDAP, along with a recommendation from its own staff, and: (1) endorsed the EDAP recommendations because they adequately address, at this level of design, the issues BCDC will have to consider when Caltrans submits a permit application for the replacement bridge; and (2) directed BCDC's representative on the Task Force and MTC to support funding for a bicycle and pedestrian path on the replacement bridge that is designed now to accommodate future light rail, buses or high occupancy vehicles so long as bicycle and pedestrian access is permanently guaranteed. The Commission also indicated that, if the Bay Bridge Design Task Force or MTC determines that funding should not be provided to strengthen the bicycle and pedestrian path now for that purpose, then BCDC's representative is directed to support permanent pedestrian and bicycle access on the replacement bridge anyway.

If you have any questions, please let me know.

Very truly yours,

for WILL TRAVIS
Executive Director

WT/SAM/ra
cc: Lawrence Dahms, MTC
William Hein, MTC
Angelo Siracusa, BCDC

PORT OF OAKLAND

April 1, 1999

Ms. Mara Melandry,
Environmental Manager, SFOBB
California Department of Transportation
District 4 Toll Bridge Program
PO Box 943660
Oakland, California 94623-0660

Re: Radio Point Beach

Dear Ms. Melandry;

Your March 16, 1999 letter to Rick Wiederhorn inquiring about the Port of Oakland's plans and assessment of what we refer to as 'Radio Beach' on the north shore of the Bay Bridge Oakland touchdown peninsula has been referred to me. I will try to answer your questions, as follows.

Your reference to the material describing Radio Beach in the Port's website actually refers to a informational brochure that was published by the Port several years ago. I am enclosing the original brochure for your records and future reference. It was transferred onto the website as a public information piece highlighting areas on the Oakland shoreline that are accessible. It only describes what currently exists at Radio Beach and other locales where the shoreline is accessible. Specifically, it is not a planning document.

You are correct that the Port of Oakland is the current owner of the property. Although there are no specific facilities, the site is accessible from the bridge approach via an access drive serving the radio station. It has been used historically for passive enjoyment as people have found their way down there. The site has been left in its natural state; never having been developed, programmed or (until publication of the above-referenced brochure) promoted as a recreational facility.

To specifically answer your questions:

1. There really isn't a boundary to the site. The only prescribed site outside of Caltrans' right-of-way in the vicinity is the radio station's leasehold (see attached map). The remainder of the property on the shoreline is not described or parceled.

2. The Port has no plans to more fully develop the site, or to install any visitor facilities.

3. Your question regarding the Port's assessment of the site per CFR 771.135 © and (d) is difficult to answer. I hesitate to draw a specific conclusion. On one hand, the site is publicly owned open space that has been used sporadically by individuals for recreational enjoyment. However, it has not been developed as a park, and is not identified as a specific facility in any agencies' inventory of parks. Nor should it be construed to be a 'recreation area'. Like many similar areas in the Bay Area, it remains in its natural state and condition, and is informally used by the public as such. Likewise, it is a natural gathering point for waterfowl and other wildlife, but not been set aside or designated as a refuge.

530 Water Street ■ Jack London Square ■ P.O. Box 2064 ■ Oakland, California 94604-2064
Telephone (510) 272-1100 ■ Fax (510) 272-1172 ■ TDD (510) 763-5703 ■ Cable address, PORTOFOAK, Oakland

It is equally difficult to assess the significance of the site. Given its small size, proximity to the Bay Bridge traffic and poor access, it is hard to call it a significant site. There are many other places on the Bay and within Oakland that offer better passive recreational experiences. At the same time, views of the Bay are unique and expansive, and the site hosts several natural resources and attributes that are generally valued in an urban setting. These include wetland vegetation and habitat for endangered species.

I trust that this information will help you. If not, or if you would like more, please call me at 510-272-1175.

Sincerely,

James McGrath

James McGrath
Manager, Environmental Planning

cc: Rick Wiederhorn
Diane Tannenwald, OPWA

.TE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY GRAY DAVIS, Governor

EPARTMENT OF TRANSPORTATION
BOX 23660
KLAND, CA 94623-0660
0) 286-4444
) (510) 286-4454

May 7, 1999

Sample

Chairperson Tony Cerda
Coastanoan Rumsen Carmel Tribe
3929 Riverside Drive
Chino, CA 91710

Dear Chairperson Cerda:

Your name was provided to Caltrans by the Native American Heritage Commission as a potentially interested party for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project which involves seismic retrofit work on the bridge from Yerba Buena Island in San Francisco Bay to the Oakland shore. The project is anticipated to result in impacts to prehistoric archaeological site, CA-SFR-04/H, on Yerba Buena Island. The site has been determined to be significant under the National Historic Preservation Act (NHPA) for its potential to yield data important to prehistory. Pursuant to Section 106 of the NHPA, we request from you any information or concerns you have about this site and on any issues you would like to see addressed in the treatment plan for the site.

In addition to complying with the National Historic Preservation Act, the Native American Graves Protection and Repatriation Act (NAGPRA) may also apply to CA-SFr-04/H. Since CA-SFr-04/H is on federal land, any human remains, funerary objects or items of cultural patrimony which may be found during archaeological excavations will be subject to the provisions of NAGPRA. This law calls for consultation with Native Americans to determine whether any Native American claims direct lineal descent from former inhabitants of the site; whether the site is within the territory of a federally recognized tribe; and whether there is a federally recognized group who would claim cultural affiliation with the site. Yerba Buena Island lies within Ohlone territory, but it is possible that the island may have been used by multiple cultural groups such as Cost Miwok or Yokuts. One burial and probable associated grave goods recovered from the site in 1934 are curated at the Hearst Museum at U.C. Berkeley. These remains and items have been inventoried under NAGPRA, but have not been repatriated.

We would like to know if you have any concerns regarding the identification, evaluation and treatment of human remains, associated grave goods and items of cultural patrimony which might be uncovered at CA-SFr-04/H.

A list of individuals and groups who will receive this letter is attached. Please contact us if you know of additional individuals or groups who should be informed about the project. If you have any questions concerning this letter, please call Janet Pape, Toll

Bridge Environmental Planning, at (510) 286-5615 or write to her at the address on the letterhead. You may also e-mail Ms. Pape at Janet.Pape@dot.ca.gov. Thank you for your interest in this important project.

Sincerely,

HARRY Y. YAHATA
District Director

By:

Mara Melandry

Mara Melandry
SFOBB Environmental Manager

Enclosure

C: Larry Myers, NAHC
Lou Wall, US Navy
Kenn Parsons, US Navy
Danielle Huey, US Navy
Ann Marie Conroy, CCSF
Carol Meyer, USCG

List of Addressees for May 7, 1999 letter

(List provided to Caltrans by the California Native American Heritage Commission)

Ms. Linda Yamane
1195 B Rousch Ave.
Seaside, CA 93955

Mr. Andrew Galvan
The Ohlone Indian Tribe
PO Box 3152
Mission San Jose, CA 94539

Chairperson Ann Marie Sayer
Indian Canyon Mutsun Band of Costanoan
PO Box 28
Hollister, CA 95024

Ms. Katherine Erolinda Perez
1234 Luna Lane
Stockton, CA 95206

Chairperson Rudy Rosales
Ohlone/Costanan-Esselen Nation
2505 David Ave
Pacific Grove, CA 93950

Mr. Grant Smith
4309 Chico Avenue
Santa Rosa, CA 95401

Ms. Kathleen Smith
Federated Coast Miwok
1778 Sunnyvale Avenue
Walnut Creek, CA 94596

Chairperson Rosemary Cambra
Muwekma Indian Tribe
503 A Vandell Way
Campbell, CA 95008

Chairperson Irene Zwierlein
Amah Tribal Band
789 Canada Road
Woodside, CA 94062

Ms. Jakki Kehl
5461 Beaver Lane
Byron, CA 94514

Chairperson Tony Cerda
Coastanoan Rumsen Carmel Tribe
3929 Riverside Drive
Chino, CA 91710

Mr. Gene Buvelot
1025 Susan Way
Novato, CA 94947

Chairperson Greg Sarria
Federated Coast Miwok
P.O. Box 481
Novato, CA 94948

Mr. Tim Campbell
Federated Coast Miwok
76 Wakefield Avenue
Daly City, CA 94015

OFFICE OF THE MAYOR
SAN FRANCISCO

WILLIE LEWIS BROWN, JR.

MEMORANDUM

To: Secretary Rodney Slater
From: Willie L. Brown, Jr.
Date: May 10, 1999
Re: San Francisco Oakland Bay Bridge Replacement Project and *Alexandria Historic Restoration and Preservation Commission v. U.S. Department of Transportation*

I have been briefed by my staff with regard to a recent decision issued by the U.S. District Court in the District of Columbia, Alexandria Historic Restoration and Preservation Commission v. U.S. Department of Transportation.

As I am sure you are aware, the decision finds that FHWA abused its discretion in issuing a Record of Decision to proceed with the $1.6 billion replacement project for the Woodrow Wilson Bridge. The parallels to the current situation with the City of San Francisco and FHWA and Caltrans are startling.

First, the Court found that the agency did not look at all reasonable alternatives as required under NEPA. The City of San Francisco has the same issues with FHWA and Caltrans concerning the S-1 alignment, which was not reviewed in the Draft Environmental Impact Statement. Caltrans claims the S-1 was jettisoned from study because of a conflict with the East Bay Municipal Utilities District (EBMUD) sewer outfall. Our consulting engineers believe this conflict, with a low-risk utility, can be easily dealt with.

San Francisco hired Korve Engineers to address a modified S-1 alignment with minimal impacts to the Coast Guard and the Port of Oakland. EBMUD has made it clear that the outfall can be straddled.

The US Navy concurs in the plan to evaluate the modified S-1 alignment. FHWA and Caltrans must keep in mind that a southern or northern alignment requires the taking of Navy (future City of San Francisco) property. Under a southern alignment, the bridge will be equidistant from the Historic District including Nimitz House and the Coast Guard barracks. Likewise, the Navy and City, under an S-1 alignment would lose 3+ acres, with the Coast Guard losing 1.5 acres, leaving the operations of the Coast Guard

401 VAN NESS AVENUE, ROOM 336, SAN FRANCISCO, CALIFORNIA 94102

intact. If relocation of barracks were required, Coast Guard owns a large portion of Yerba Buena Island on which to build housing.

We have also hired, at significant expense, J. Muller International (JMI), a worldwide bridge engineering firm to review the northern and S-1 alignments. Their study concludes that the S-1 alignment is the superior alignment, saves $57 million, and the issue of the sewer outfall can easily be accommodated.

Given this most recent decision, the fact that FHWA and Caltrans continue to ignore the S-1, as a reasonable alternative, is grounds for the same type of relief granted by the Court in Alexandria.

The Court also found that impacts to the historic district were not fully understood leaving the requirements of NEPA unsatisfied. It has been San Francisco's contention that the new bridge - three times the width of the current structure - will overwhelm, if not destroy, the historic properties on Yerba Buena Island. The City and Navy have made it abundantly clear that neither party will execute a Memorandum of Agreement. Without the MOA, there is no project.

Finally, the Court found that construction impacts of the replacement project had not been thoroughly investigated. The City of San Francisco has continuously stated to FHWA and Caltrans that the devastation to Yerba Buena Island including regrading and recontouring this most beautiful Island was ignored in the Draft EIS.

Caltrans is still not sure of the type of construction impacts from the proposed project. For example, the steep terrain of the Island will require massive changes to the landscape to place the 80+ pilings for each of the temporary structures - something that was completely ignored in the DEIS.

The City is confident that a Court would find the FHWA/Caltrans environmental documents deficient in evaluating construction impacts.

Given this current decision and the findings of our engineering experts, I would like to discuss the possibility of pursuing an economically, aesthetically and environmentally appropriate replacement for the eastern span of the Bay Bridge.

I look forward to hearing from you soon.

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

May 20, 1999

IN REPLY REFER TO

Ms. Annemarie Conroy
Executive Director, Treasure Island Project
410 Avenue of the Palms
Building 1, 2nd Floor, Treasure Island
San Francisco, CA 94130

Dear Ms. Conroy:

SUBJECT: SAN FRANCISCO/OAKLAND BAY BRIDGE

Thank you for your March 9, 1999, comments concerning the notes that we provided for the January 27, 1999, meeting of the Council of Environmental Quality (CEQ) in Washington D.C. As a point of clarification, the notes for that meeting were in response to the CEQ's request for FHWA to meet with the agencies affected by this project, and to provide a report to the CEQ on the technical issues and impacts of the Southern Alignment being prepared by the City of San Francisco. To accomplish this goal, FHWA met with the Port of Oakland on January 13, 1999, East Bay Metropolitan Utility District (EBMUD) on January 22, 1999, the City and County of San Francisco and the Navy on January 22, 1999, and the U.S. Coast Guard (USCG) on January 22, 1999. FHWA was not able to meet with the Regional Parks District prior to the CEQ meeting.

The notes specifically identify the impacts of a southern alignment on the U.S. Coast Guard, the Port of Oakland, the East Bay Municipal District, the East Bay Regional Park District, the City and County of San Francisco and the U.S. Navy. Because the CEQ request was for only the impacts of a southern alignment, the notes did not mention nor address the impacts of a northern alignment which are fully described in the Draft Environmental Impact Statement for this project.

You referenced a letter from EBMUD which was not attached as you indicated. Nevertheless, our notes to the CEQ reflected EBMUD's concerns voiced during our discussion with them as well as those contained in the enclosed January 25, 1999, EBMUD letter to Mr. Jeffrey Lindley, which was copied to Ms. Joan Rummelsburg of your staff. Our notes did not indicate that EBMUD had an alignment preference, but reflected some of the criteria which must be met before

they would support a southern alignment. The EBMUD further stated that this list is not all inclusive.

During our discussions with EBMUD, they indicated that the cost of protecting their outfall is estimated in the tens of millions, assuming that it is possible at all. In addition, the capability and potential costs to indemnify the outfall during construction are unknown but can be expected to increase the cost of the project significantly more than the $3 million estimated by the City of San Francisco.

After discussing EBMUD's concerns with Caltrans, we believe that the criteria for a seismic analysis to determine the minimum separation distance from the outfall to the bridge will be extremely difficult to meet with the modified S-1 alignment. This is because the modified S-1 alignment is directly above the outfall and the proposed bridge foundations are very close to the outfall, resulting in potential damage to either the bridge foundations, the outfall, or both during a seismic event.

During our January 22, 1999, meeting with your staff, the Navy, and your traffic engineering consultant, it was apparent that your consultant had conducted only very preliminary studies and estimates concerning this very complex engineering project. We are aware that your staff has met with various parties in an effort to gain support for the proposed modified S-1 alignment. Likewise, the EBMUD, Regional Parks District, Port of Oakland, USCG, the City of Oakland, the City and County of San Francisco, as well as others have been intimately involved in this project throughout the Metropolitan Transportation Commission (MTC) process.

You indicated that we omitted statements by Mr. Parsons concerning impacts of the N-6 alignment on the historical properties on Yerba Buena Island (YBI). As requested by the CEQ, our comments were only directed to the impacts of the Southern Alignment being proposed by the City of San Francisco, therefore any references or comments concerning the N-6 or N-2 alignments were omitted, as they are fully described in the Draft Environmental Impact Statement for this project.

You referenced and provided a February 23, 1999, letter from the Port of Oakland. It is noted that this letter was generated after the date of our notes to the CEQ. Nevertheless, after reviewing the Port of Oakland's letter, the Port of Oakland continues to be concerned that the range of "Southern Alignment" alternatives preclude development of portions of this proposed terminal, to the disadvantage of both the Port of Oakland and the future economic well-being of the region. While the Port of Oakland indicated that the San Francisco proposal has less potential adverse impact on the Port than the alternative southern alignments presented by Caltrans, the impacts of the San Francisco proposal are still greater than the impacts of the northern alternatives. The Port of Oakland stated, in summary, that building the bridge on any of the northern alignments (or at least north of the existing alignment) will have little impact on the Port of Oakland's plans and operations. The Port of Oakland further stated that in addition, the northern alignments appear to provide more flexibility by which to design a potential gateway feature.

As the lead Federal Agency on this project, we are concerned with all of the impacts of this proposed project to the natural and human environment. In addition, this project is of utmost importance in providing a safe and viable major lifeline structure to and from the City of San Francisco during a seismic event. We will continue to work toward a consensus at the local and regional levels to advance and expedite this extremely important project.

Sincerely,

/s/ Robert F. Tally Jr.

For
Jeffrey A. Lindley
Division Administrator

Enclosure

cc:
Allen Hendrix, CT Hqs
Henry Yahata, CT Dist 04
Rear Admiral John L. Parker, USCG
Ray Clark, Council on Environmental Quality
Captain Ernest Hunter, US Navy
Fred Skaer, FHWA HQ, Office of National Environmental, Policy Act Facilitation

DEPARTMENT OF THE NAVY
THE ASSISTANT SECRETARY OF THE NAVY
(INSTALLATIONS AND ENVIRONMENT)
1000 NAVY PENTAGON
WASHINGTON, D.C. 20350-1000

June 3, 1999

The Honorable Gray Davis
Governor of the State of California
State Capitol
Sacramento, CA 95814

Dear Governor Davis:

I am writing concerning the California Department of Transportation's (CALTRANS) proposed San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. In particular, I want to address the Department of the Navy's (Navy) concerns about the Project.

Recent news reports concerning the Project suggest that you have directed CALTRANS to proceed with completion of the design of a replacement span that would be located north of the existing bridge and to forego further consideration of either a retrofit of the existing bridge or a southern alignment for the replacement span. I trust that these news reports do not provide a complete and accurate picture and that this matter remains open for consideration.

Yerba Buena Island, upon which any proposed new San Francisco-Oakland Bay Bridge would be anchored, is property owned by the United States of America. The Department of the Navy and the United States Coast Guard are the executive agencies responsible for Yerba Buena Island. Navy is responsible for most of the property on the island. Thus, any alignment will require access to Navy property.

The Navy property on Yerba Buena Island is part of Naval Station Treasure Island and falls within the city limits of the City of San Francisco. The City of San Francisco is the Local Redevelopment Authority recognized by the Department of Defense as the entity responsible for planning the redevelopment of Naval Station Treasure Island.

In Section 2901 of the National Defense Authorization Act for Fiscal Year 1994, Public Law 103-160, Congress recognized the economic hardship occasioned by base closures, the Federal interest in facilitating economic recovery of base closure communities, and the need to identify and implement redevelopment of property at closed military installations. In Section 2903(c)

of Public Law 103-160, Congress directed the Military Departments to consider each base closure community's economic needs and priorities in the property disposal process. Under Section 2905(b)(2)(E) of the Defense Base Closure and Realignment Act of 1990, Navy must consult with local communities before it disposes of base closure property and must consider local plans developed for reuse of the surplus Federal property.

The Department of Defense's goal, as set forth in Section 174.4 of the Department of Defense Rule on Revitalizing Base Closure Communities and Community Assistance, 32 CFR Parts 174 and 175, is to help base closure communities achieve rapid economic recovery through expeditious reuse of the assets at closed bases, taking into consideration local market conditions and locally developed reuse plans.

Navy has been working with the City of San Francisco since 1993 to support and assist the City in preparing a Reuse Plan for Naval Station Treasure Island, including the Navy property on Yerba Buena Island. In addition, Navy and the City of San Francisco are preparing a Joint Environmental Impact Statement/Environmental Impact Report pursuant to the National Environmental Policy Act of 1969 (NEPA) and the California Environmental Quality Act (CEQA).

Under NEPA and CEQA, Navy and the City must consider and evaluate various alternative uses for the property, including the City's proposed Reuse Plan, and address the effects of disposal and reuse of the property on protected resources such as the Admiral Nimitz House (Quarters 1), the adjacent Historic District which includes six additional Victorian homes often known as the "Great Whites" and related buildings and grounds, and the Torpedo Factory which is the oldest building on Yerba Buena Island.

Navy has not yet completed its analysis under NEPA for the disposal and reuse of Naval Station Treasure Island. Additionally, as long as the Department of the Navy holds title to the property, Navy's permission is required to implement any new bridge alignment. Indeed, because the acquisition of Navy-owned property is an essential element of the proposed project, Navy should have a significant role in analyzing the bridge alternatives and in selecting a preferred alternative.

In my letter of November 23, 1998, Navy submitted comments to CALTRANS and the Federal Highway Administration (FHWA) regarding the adequacy of the joint Draft Environmental Impact Statement (DEIS) for the Proposed San Francisco-Oakland Bay Bridge East Span Seismic Safety Project and presented objections to the proposed northern alignment. I have enclosed a copy of

that letter for your review. Navy was not alone in objecting to the northern alignment or in expressing concern about the adequacy of the DEIS. The United States Environmental Protection Agency (EPA) and the City of San Francisco, among others, questioned the adequacy of the document. EPA rated the DEIS a "3 - Inadequate Information," concluding that the DEIS did not satisfy the purposes of NEPA. A rating of "3" means that the document should be formally revised and made available for public comment in a supplemental or revised DEIS.

In spite of EPA's rating, CALTRANS announced that the northern alignment, previously selected by the Metropolitan Transportation Commission without the benefit of any environmental documentation, would be the preferred alternative. This decision was announced before CALTRANS issued any supplemental or revised DEIS that responded to public comments on the DEIS. Furthermore, CALTRANS apparently does not intend to circulate a supplemental or revised DEIS, but rather intends to proceed directly to a Final Environmental Impact Statement (FEIS). CALTRANS is proceeding with the design of a northern alignment in spite of Navy's objections.

The Department of the Navy is supportive of California's efforts to make bridges in the State seismically safe. In fact, we are cooperating with CALTRANS on a full retrofit of the West Span of the San Francisco-Oakland Bay Bridge and both of its Yerba Buena Island tunnel entrances. We are also cooperating with CALTRANS on an interim seismic retrofit of the East Span of that bridge. Navy made additional land available to CALTRANS for the interim retrofit in November 1997, and this project has produced considerable adverse construction-related impacts on the eastern end of Yerba Buena Island. Navy would support a full retrofit of the bridge or a southern alignment that minimizes impacts on historic facilities, minimizes construction-related impacts, and supports economic redevelopment of Yerba Buena Island.

The proposed bridge replacement project is an enormous undertaking with substantial impacts both during and after construction. However, CALTRANS' DEIS did not adequately consider and treat the substantial adverse impacts of its proposed northern alignment on the environmental and historic resources on Yerba Buena Island or on the City of San Francisco's ability to redevelop the island in accordance with its Reuse Plan. The DEIS also did not adequately address the construction impacts to Yerba Buena Island, the Oakland touchdown area or the adjacent wetlands. Most importantly, the DEIS did not adequately consider all reasonable alternatives and did not consider any reasonable southern alignment that would have minimal adverse impacts on Yerba Buena Island.

The historic structures on Yerba Buena Island are an important part of our Nation's Naval heritage that should be preserved and protected. The proposed northern alignments of the bridge would connect it to Yerba Buena Island in a manner that places the bridge directly over or immediately adjacent to several historic structures of national importance and to ecologically sensitive areas. Thus, we object to any alignment that would adversely impact the Historic District, these structures, and the adjacent ecologically sensitive areas.

In accordance with Section 106 of the National Historic Preservation Act, CALTRANS circulated a draft Memorandum Of Agreement (MOA) concerning the historic structures on Yerba Buena Island. Navy considers this document to be inadequate, and as the owner of the property, will not execute this or any other MOA for the northern alignment as long as there are other alternatives that have minimal impact on the irreplaceable historic resources on Yerba Buena Island.

The Department of Defense is committed to assisting base closure communities with economic redevelopment of closed bases such as Naval Station Treasure Island. Thus, Navy also opposes the northern alignment because it would prevent the Local Redevelopment Authority from redeveloping this property in a manner that benefits the local economy. The northern alignment would physically dominate and render useless most of the developable land on Yerba Buena Island that the City of San Francisco plans to redevelop. The northern alignment also impedes Navy's ability to dispose of the property on Yerba Buena Island by substantially limiting its utility and reuse potential for private sector activities by removing land from the most developable area. It would leave Navy with property that would be adversely affected by the shadow from the bridge, by noise and vibration, and by poor traffic flow.

As you know, the City of San Francisco engaged a highly respected structural engineering firm, JMI Incorporated, to review the proposed northern alignment and to develop an alignment responsive to the concerns of the City, the Navy, the Coast Guard and stakeholders in the East Bay. The East Bay stakeholders include the Port of Oakland, the East Bay Municipal Utilities District (EBMUD), and the City of Oakland. The City's consultants concluded that if the alignment is changed now, CALTRANS' construction schedule would be minimally affected. In fact, the current schedule calling for completion of design by the end of 2000 could be maintained. Equally important, the City's consultant concluded that constructing a bridge in the southern alignment would save Californians nearly $58 million, even including the added expense of safely straddling the EBMUD

sewage outfall and siting the main tower off Yerba Buena Island in deeper water.

The proposed construction of a new Woodrow Wilson Bridge here in the Washington area recently resulted in a NEPA-based decision against the Federal Highway Administration for failure adequately to consider alternatives to the one selected by that Federal agency. The arguments advanced by the plaintiffs in this case are similar to those advanced by parties who have objected to CALTRANS' selection of the northern alignment. In fact, the Federal District Court concluded that the FHWA did not adequately consider an alternative to its selected design; did not adequately consider construction-related impacts; and failed to comply with Section 106 of the National Historic Preservation Act. The Court ordered that construction of the new bridge could not commence until the agency fulfilled its obligations under the relevant statutes. This decision is captioned City of Alexandria v. Rodney E. Slater, U.S. Department of Transportation, et al., United States District Court for the District of Columbia, Civil Action No. 98-0251 (SS), dated April 13, 1999. It illustrates the validity of the objections that we and others have raised to CALTRANS' consideration of only a northern alignment and to CALTRANS' failure to consider the impacts of this alignment on protected resources and the redevelopment of Yerba Buena Island.

Navy wants to work with the State of California to facilitate construction of a seismically safe East Span that preserves and protects environmental and historic resources and supports the City of San Francisco's redevelopment plans. There are at least two reasonable alternatives that have substantially less adverse impacts. Thus, I ask you to consider a retrofit of the existing bridge or the construction of a southern alignment.

I appreciate your consideration of Navy's concerns. If I may provide any additional information, please let me know.

Sincerely,

ROBERT B. PIRIE, JR.

Enclosure

CITY OF OAKLAND

CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

IGNACIO De La FUENTE
President of the City Council

510/238-7005
FAX/238-6910
TDD/238-7413

June 10, 1999

Supervisor Mary King
Metropolitan Transportation Commission
Joseph P. Bort Metro Center
101 Eighth Street
Oakland, CA 94607-1700

Dear Supervisor King:

The City Council continues to advocate for a replacement bridge that ensures the safety of our citizens, is aesthetically world class, and meets our long-term transportation needs. Specifically, we endorse:

1. A northern alignment designed to maximize the open space area adjacent to the Oakland anchorage.
2. Appropriate provisions for local hiring and contracting goals.
3. A gateway and park at the anchorage in Oakland.
4. A world-class, aesthetic design (assuming that the design process is re-opened and it does not cause undue delay).
5. A study of long-term passenger rail options between Oakland and San Francisco and provisions for rail built into the new eastern span bridge structure.
6. A bicycle/pedestrian path from Oakland to San Francisco.

If you need further clarification, please contact me at (510) 238-7005.

Sincerely,

IGNACIO DE LA FUENTE
Council President

cc: Bay Bridge Design Task Force
Steve Heminger, MTC
Denis Mulligan, Caltrans
Brian Marony, Caltrans
Claudette Ford, PWA

P23153

U.S. Department of Transportation
United States Coast Guard

Commander
Maintenance & Logistics
Command Pacific

Coast Guard Island, Bldg 54D
Alameda, CA 94501-5100
Staff Symbol: s
Phone: (510) 437-5941
FAX: (510) 437-5753

11011
JUN 22 1999

Mr. Jeffery A. Lindley
Divisional Administrator
California Division, Federal Highway Administration
980 Ninth Street, Suite 400
Sacramento, California 95814-2724

Dear Mr. Lindley:

You were kind enough recently to provide us with a copy of Mayor Brown's 10 May memorandum to Secretary Slater in which he draws a parallel between the ongoing Oakland Bay bridge debate and a case involving the Woodrow Wilson bridge in Alexandria. While the Virginia case and your analysis of it does not bear upon the Coast Guard's operations at this moment, I am troubled that Mayor Brown's letter, along with a number of other communications coming from the City of San Francisco, trivialize both the nature of Coast Guard operations on Yerba Buena Island and the impact of bridge construction on our missions. Mayor Brown's 10 May letter implies that the impact to the Coast Guard involves a mere 1.5 acres and assumes a simple effort to relocate a 72 person barracks to other Coast Guard owned land. In other venues, city representatives have referred to the Coast Guard interest as *an argument over a tennis court* or, an issue *over noise during construction*. Obviously, it's not that simple and we are concerned that unchecked, these characterizations will be perceived as truth if conveyed to the Secretary in an unbalanced way. Accordingly, I want to take this opportunity to review with you the significant impact bridge construction will have on the Coast Guard and I hope that you will be willing to articulate our concerns within FHWA as you move toward a Record of Decision on the Oakland Bay Bridge project.

As you are doubtlessly aware, all major Coast Guard missions including coordination of search & rescue operations, marine safety, vessel traffic management, aids to navigation and communications – nearly every operational function in the Coast Guard inventory save aviation - are centered on our Yerba Buena Island (YBI) facility. Our Group San Francisco command on YBI controls operations & communications throughout the Bay area with responsibilities extending from Monterey in the south to Bodega Bay in the north and as far east as Lake Tahoe. The Coast Guard Vessel Traffic Service center on the Island is essential to the safe passage of large, ocean going ships and is a critical factor in the protection of the Bay's marine environment. Our base is the point from which Bay Area search and rescue craft and larger multipurpose vessels are dispatched daily. Our facilities include a significant industrial function which has responsibility for maintenance and repair of boats and aids to navigation. Operation of this facility requires daily accessibility by large delivery vehicles carrying supplies, parts, food and fuel. Our YBI facilities provide government housing for over 80 Coast Guard members and their families (from bachelor enlisted members to senior officers). A total of 219 Coast Guard active duty and civilian members work on YBI facility every day.

While the permanent footprint of the new bridge structure on Coast Guard property will be relatively small, we have been advised by CALTRANS that even under the least intrusive option (northerly alignment), approximately 3.5 acres of Coast Guard property will be fully engaged as a construction site complete with large excavations and erection of temporary structures. This represents nearly 20 percent of our usable property. In the event the City is successful in preventing other parts of the island from being used for staging of construction material and equipment, then the Coast Guard property stands to be impacted even more. Contrary to the mayor's apparent belief, we have no ability in the short run to create

JUN 30 1999
FHWA-Sacramento

11011
JUN 22 1999

alternative docks, shops, living quarters or electronics infrastructure as about 55 percent of Coast Guard land is hillside real estate, with gradients frequently exceeding 45 degrees.

I want to leave you in no doubt that the Coast Guard fully supports the project put forth by the State of California to construct the new eastern span of the Bay Bridge. We are prepared to partner with any and all agencies and interests to ensure that work gets underway as soon as possible and that it proceeds as expeditiously as possible. I do not, however, support the argument that the potential future value of an abandoned Naval base automatically exceeds that of our adjacent actively utilized facility. Any significant compromise to the Coast Guard's ability to operate from Yerba Buena Island affects the safety and transportation needs of the citizens of the Bay area and specifically impairs our ability to support our public safety missions in this region.

I appreciate the effort you and your staff have put into the evaluation of the new eastern span of the Bay Bridge and I particularly appreciate the fact that you have consulted extensively with all parties involved in this action. I hope that as the lead Federal agency on this project you will ensure that the Coast Guard interests are given fair and accurate representation as this project is discussed within the Department.

Sincerely,

JOHN L. PARKER
Rear Admiral, U.S. Coast Guard
Commander, Maintenance &
Logistics Command Pacific

Copy: COMDT (G-CRC), (G-S), (G-O), (G-I)
Commander, Pacific Area (P), (Pcs)
Commander, Coast Guard Group San Francisco
Commanding Officer, Coast Guard Vessel Traffic Service San Francisco

METROPOLITAN TRANSPORTATION COMMISSION

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
Tel.: 510.464.7700
TTY/TDD: 510.464.7769
Fax: 510.464.7848
e-mail: info@mtc.ca.gov
Web site: www.mtc.ca.gov

RECEIVED
JUN 25 1999
B. QUAN

June 23, 1999

James T. Beall Jr., Chair
Santa Clara County

Sharon J. Brown, Vice Chair
Cities of Contra Costa County

Ralph J. Appezzato
Cities of Alameda County

Keith Axtell
U.S. Department of Housing and Urban Development

Sue Bierman
City and County of San Francisco

Mark DeSaulnier
Contra Costa County

Dorene M. Giacopini
U.S. Department of Transportation

Mary Griffin
San Mateo County

Mary V. King
Alameda County

Steve Kinsey
Marin County and Cities

Sue Lempert
Cities of San Mateo County

John McLemore
Cities of Santa Clara County

Charlotte B. Powers
Association of Bay Area Governments

Jon Rubin
San Francisco Mayor's Appointee

Angela J. Siracusa
San Francisco Bay Conservation and Development Commission

James P. Spering
Solano County and Cities

Kathryn Winter
Napa County and Cities

Sharon Wright
Sonoma County and Cities

Harry Yahata
State Business, Transportation and Housing Agency

Lawrence D. Dahms
Executive Director

Steve Heminger
Deputy Executive Director

The Honorable Ignacio De La Fuente
President of the City Council
City Hall
1 Frank H. Ogawa Plaza
Oakland, CA 94612

Dear President ~~De La Fuente~~ Ignacio:

Thank you for your letter of June 10, 1999 restating the Oakland City Council's position with respect to the new eastern span of the San Francisco-Oakland Bay Bridge. I would like to respond briefly to the six points outlined in your letter.

1. Northern alignment - MTC has recommended the northern alignment for the new bridge which, as you note, is clearly superior from the City and Port of Oakland's point of view.

2. Local hiring - As you know, Caltrans will control the contracting and construction process for the new span, but I share the Council's concerns about local hiring and have already begun a dialogue with Caltrans on this issue. In addition to local hiring, we should jointly pursue training programs to ensure that our residents have the appropriate skills to fill these high-paying construction jobs.

3. Gateway Park - MTC fully shares the Council's objective of establishing a beautiful Gateway Park to the south of the Oakland touchdown for the new bridge. In fact, MTC's FY 1999-2000 agency budget includes $120,000 earmarked for this project which will help finance the first year of planning activity by the East Bay Regional Park District necessary to design and build the park.

4. Bridge design - Although there are certainly many differing opinions about the aesthetics of the current design, I believe it is too late to re-open the design process to other alternatives. Re-opening the design selection process would significantly delay construction of a seismically safe new span without any guarantee that whatever new bridge design might emerge from the process would be more aesthetically pleasing than the current choice. I assure you, moreover, that MTC will continue to strive for improvement and refinement of the current design plans to the extent feasible.

5. Passenger rail study - In response to the ballot measures approved in Oakland and three other cities, MTC has commenced a $325,000 consultant study of different passenger rail alternatives for the Bay Bridge. The study is expected to conclude by December 1999. As you also know, the MTC-recommended design for the new eastern span could accommodate light rail service at a future date if funding were to become available.

6. Bicycle/pedestrian path - The new eastern span design recommended by MTC includes a bicycle/pedestrian path from Oakland to Yerba Buena Island. In addition, MTC's Bay Area Toll Authority budget for FY 1999-2000 includes funding for a $2 million engineering analysis to be conducted by Caltrans that will explore the feasibility of attaching a bicycle/pedestrian path to the existing western span from the island to San Francisco.

In conclusion, I believe that MTC has been a strong advocate for the City of Oakland's concerns about the new eastern span of the Bay Bridge, and that the time has come for all parties to put aside any remaining differences so that this project so critical to the safety of our constituents and the region's economic vitality may proceed to construction. I value the City Council's active involvement in the bridge design process to date, and I need your continued assistance to see this task through to a prompt conclusion.

Sincerely,

Mary

Mary V. King
Chair
Bay Bridge Design Task Force

cc: Members, Bay Bridge Design Task Force
Harry Yahata, Caltrans

c:HYY, HPH, MAKONEY, HULSEBUS, BAYOL, ADE, MARA, MARILEE, RACHEL

OFFICE OF THE MAYOR
SAN FRANCISCO

TREASURE ISLAND PROJECT
410 AVENUE OF THE PALMS
BUILDING 1, 2ND FLOOR
TREASURE ISLAND
SAN FRANCISCO, CA 94130
(415) 274-0660
FAX (415) 274-0299

WILLIE LEWIS BROWN, JR.

July 13, 1999

BY OVERNIGHT DELIVERY

Ms. Maria Contreras-Sweet
Secretary
Business, Transportation, Housing Agency
980 Ninth Street, Suite 2450
Sacramento, CA 95814-2719

Dear Secretary Contreras-Sweet:

Thank you so much for giving us the opportunity last week to present the City and County of San Francisco's position on Caltrans' proposed plans to replace the East Span of the San Francisco-Oakland Bay Bridge. After almost 18 months, I am hopeful that our perspective has been finally understood and acknowledged and look forward to working with you and Mr. Gutierrez in addressing San Francisco's concerns in a way which will benefit all Californians

We were thoroughly disheartened on July 6th, just days after our meeting with you, when Mr. Mulligan, representing Caltrans at a public meeting, stated that the Governor was intervening with the Navy regarding the Northern alignment. It was as if our meeting never took place As you could sense from the meeting, much of the frustration of the City of San Francisco rests with Caltrans' representatives and their continuing stonewalling and ignoring true legal and environmental issues presented by the N-6 alignment. Yesterday's *San Francisco Chronicle* article (attached) is further evidence that Caltrans wishes to perpetuate its campaign of maligning persons and agencies which have clearly identified significant legal and environmental issues presented by their choice of the N-6 alignment. This behavior is not conducive to a civil and productive discussion to bring about consensus from the current and future property owners. These same entities are essential to the construction of the bridge on either alignment, as the US Navy owns the entire YBI peninsula, which is also future City property.

As to the content of the referenced article, the delays in the project are due to the arrogance of Caltrans by ignoring the property owner and currently having no site to anchor this $1 6 billion bridge project. **To continue down a failed path with no legal rights to the property on the Northern alignment is a waste of taxpayer money and is an insult to the people of the Bay Area**. The property owner is willing to provide the anchor for the bridge to the South. Thus, this should be the appropriate alignment The delays are also caused by

RECYCLED PAPER

Caltrans in their total disregard for the environmental process, causing the EPA to force changes in the process to protect the San Francisco Bay It was Caltrans' refusal to heed the advice of the EPA and their refusal to comport with basic EPA requirements that has caused the delay in issuing the Record of Decision. **Today's article is yet another indication of the way in which Caltrans representatives continue to vilify others for their failures**

In addition, as we made clear in our meeting, the City of San Francisco is not posturing for mitigation. A "pay off" of $25 million as referenced in the article is not acceptable. The City stands by its position that the only appropriate mitigation, among other things, is the modified S-1 alignment.

I have enclosed another copy of the material we presented to you last week as well as Judge Sporkin's recent decision halting work on the Woodrow Wilson Bridge in Virginia The City and County of San Francisco remains firmly opposed to the Northern alignment and given the enduring opposition of the United States Navy to that alignment, respectfully urges Governor Davis and the Secretary to give strong consideration to the modified S-1 alignment

I visited with Navy Secretary Cassidy on Thursday of last week and reported to him on our meeting. The position of the US Navy remains the same

The City's position is summarized below:

1 The U.S Navy has repeatedly and strongly indicated that it objects to construction of the new East Span on the Northern alignment because such construction will irretrievably damage historic buildings on Yerba Buena Island (YBI), including the Nimitz House. The alignment will also destroy most, if not all, redevelopment potential for the YBI peninsula Such damage will reduce the value of YBI in the conveyance process I have enclosed a copy of the latest letter (June 3, 1999) that Navy Secretary Pirie sent to Governor Davis. As you know, the Navy has refused to permit Caltrans to perform geotechnical explorations on the island. The Navy has agreed to allow the modified S-1 alignment to occur, requiring less taking of YBI property, although still requiring Navy (and future City) property

2. Due to state Tidelands Trust restrictions on Treasure Island (which do not apply to YBI, a natural island) and costly repairs to aging infrastructure on Treasure Island, the City is dependent primarily on Yerba Buena Island to generate revenue from existing and future development on YBI. If the Northern alignment were built, revenue from the historic structures and other planned developments such as live/work studios, a restaurant in the existing Torpedo Factory and a conference center would be drastically reduced. Beautiful established recreation space would also be forever lost to Bay Area residents Construction of temporary ramps to the bridge and temporary detours will exacerbate the loss during a minimum 60 months of construction The YBI peninsula and significant portions of this beautiful island will be destroyed under Caltrans' current construction and staging plans.

3. The losses to the City are enormous. The loss to the City and County of San Francisco in **reduced land sale value alone is $25 million**. The loss of rental income, transient occupancy and property taxes as well as the loss of full time jobs exceeds $10 million during a five year

construction period and **losses exceed $94 million over 30 years for the Treasure Island Project**. **Loss of movie industry spending to the City of San Francisco will exceed $200 million over the five-year construction period**. Such losses reduce the attractiveness of the islands for a master developer and the movie industry, cast a pall over the development of the marina on Treasure Island, **jeopardizing a $12 million investment opportunity**, as well as the long term redevelopment opportunities for the City. Enclosed is a copy of a report by the Sedway Group analyzing the impact of the Northern alignment on YBI

4. Construction of the N-6 alignment has already been delayed due to Caltrans' failure to follow the requirements of the EPA and their failure to secure a YBI landing to anchor the bridge. Further delays are inevitable with impending challenges to the EIS which received a "3" rating from the EPA, its lowest rating. Delay will also result **from litigation from San Francisco exposing the serious violations of NEPA and the failure to comport with NEPA requirements to study all reasonable alternatives and identify all construction impacts**. Similarly, the behavior of MTC and Caltrans officials in attacking persons who dared to speak out against or ask questions about the wisdom of the N-6 alignment were vilified in the press as jeopardizing lives, **casting a chill on public comment** both at MTC during the selection process for the alignment as well as during the public comment period for the environmental document. Litigation and protests are certain with the N-6 with regard to the construction of the span in the East Bay mudflats, an established conservation area. Other sources of delay include the documented unwillingness of the U.S. Navy to sign a Memorandum of Agreement (MOA) with respect to the preservation of historic structures. **Without the MOA from the property owner, the ROD cannot be issued. Thus, without the ROD, no project can begin**

5. In April of this year, Judge Stanley Sporkin issued a decision effectively halting construction of a twelve lane span, the Woodrow Wilson Bridge, across the Potomac River near Washington, D.C. The proposed Woodrow Wilson Bridge and Caltrans' proposed replacement for the East Span have several common elements. Judge Sporkin found that the Federal Highway Administration (FHWA) failed to analyze all reasonable alternatives, similar to Caltrans' premature rejection of the S-1 alternative. Just as important, FHWA failed to complete its identification and protection of protected properties under the National Historic Preservation Act in that the new bridge dominated and overpowered the historic district and also failed to recognize all construction impacts. The Court found that FHWA had abused its discretion in issuing the ROD as all elements of NEPA and the National Historic Preservation Act had not been satisfied. **The City believes this recent opinion should give FHWA and Caltrans pause in spending more resources on the N-6 and the EIS when there are such enormous NEPA problems with the document**

6. Caltrans carelessly discarded the S-1 alternative in its selection of viable alignments. After repeated attempts by the City to garner written information, studies, memos or decision making tools from Caltrans as to how the decision to jettison the S-1 alignment was made, we have discovered that **no such responsible and thorough investigation was made prior to jettisoning the S-1 from study**. The agency based its decision on the EBMUD outfall and the alleged peril in constructing a bridge nearby. As is noted below, the City's consultants emphasized that such work can be safely accomplished with adequate safeguards that can be easily put into place. Thus, Caltrans has left itself open to legal challenge for its failure to

analyze all reasonable alternatives. After our meeting in Sacramento, Mr. Mulligan reluctantly admitted that the S-1 alignment was viable and could be constructed Likewise, the senior engineer who was also present admitted that the outfall did not present a fatal flaw to the S-1 alignment and that it could be accomplished.

7. **Adopting the modified S-1 alignment will remove obstacles to the timely replacement of the East Span**. Unlike the N-6 alignment, which is fraught with hopeless legal challenges, environmental issues and no property on which to construct the anchorage, **the modified S-1 furnishes an anchor for the bridge on YBI acceptable to the Navy, the habitat conservation area at the eastern touchdown area would be preserved and legal challenges from San Francisco to the EIS would be avoided**. Moreover, with the span's increased distance from historic structures, **the U.S. Navy would be more likely to sign the MOA with Caltrans, thus paving the way for the issuance of the ROD in a timely manner**. A gateway park at the eastern touchdown could be reconfigured to be a truly memorable, spectacular entry to the East Bay and the modified S-1 would have a minimal, if any, impact to future plans for the Port of Oakland.

8. When the City of San Francisco secured the services of consultants, Korve Engineering, to analyze the impacts of the Northern alignment and to determine if a southern alignment is feasible, the City consulted with the East Bay Municipal Utilities District, the Port of Oakland, the City of Oakland, the U S. Coast Guard, East Bay Parks District and the U S Navy to gain consensus on this critical Bay Area issue. Each of the aforementioned is willing to work with the City on a modified S-1 alignment. **The City is committed to ensuring that if the S-1 alignment is implemented, the considerations and interests of each of the entities will be addressed**. In the attached January 26, 1999 letter, Senators Dianne Feinstein and Barbara Boxer and Congressional Representatives George Miller, Nancy Pelosi and Ellen Tauscher stress the importance of obtaining a local consensus

9. Since the City desired to incorporate state-of-the-art structural analysis in determining the feasibility of a span along the southern alignment, we contracted **with JMI. International, a well-respected structural engineering firm** which has designed numerous bridges around the world. After significant review and the **findings of a $60,000 report**, the conclusions of JMI's study must be taken into account

- **If the alignment is changed now, the impact on Caltrans' schedule is minimal**
- **The current schedule can be maintained** for completion of design by the end of 2000.
- Further delay in relocating the alignment will only result in the expenditure of more at-risk design dollars.
- The time allocated by Caltrans to design the East Span greatly exceeds other spans of much shorter lengths That means that the already-scheduled extra time will permit Caltrans to adapt existing models to a Southern alignment.
- **Constructing a bridge on the Southern alignment will save taxpayers almost $58 million**
- The cost savings occur despite the added expense ($18,830,000) of relocating the main tower along the Southern alignment in deeper water and an additional amount

($2,862,000) to straddle the East Bay Municipal Utility District (EBMUD) sewer outfall

- **Relocation of the EBMUD outfall is unnecessary and needlessly expensive**
- A safe, commonly used option can easily accommodate the protection of the low-risk outfall in place for less than $3 million.

10. In addition, **the change in alignment would not require revisiting SB 60**. SB 60 was only a funding bill. It did not choose an alignment. It only references the Northern alignment in order to provide a cost estimate. SB 60 contains a budget for the East Span replacement with a 25% contingency and an additional 10% for "Ground Motion". For a project of this magnitude, the $40 million Caltrans alleges it has spent to date represents 7% of the $306 million contingency fund, leaving 93% or well over $250 million in the contingency fund at the 65% Design Phase. The at-risk money already spent accounts for 1 3% of the overall combined budget. Even with this in mind, the **JMI report finds that $60 million can still be saved despite Caltrans irresponsibly spending such large sums with known and absolute legal opposition to the N-6, no right to the property with which to anchor the N-6 alignment, and substantial legal deficiencies in the NEPA process leaving the impending ROD subject to legal challenge**.

We look forward to working with you and Caltrans towards a solution that truly benefits, rather than harms, all interested parties The **City of San Francisco and the Treasure Island Project should not bear the brunt or the entire burden of the East Span replacement** The S-1 alignment impacts significant acreage on YBI as well, however, on a permanent basis, will leave the Yerba Buena Island better suited for productive civilian reuse

We understand the Governor has two concerns over this most important seismic safety project: cost and delay. The JMI report outlines the significant savings under the S-1 alignment - exceeding $60 million The report also shows the time and design work which can be attained on the same schedule. **The N-6 is hopelessly delayed** (1) from litigation which is certain to find the ROD deficient in its obvious failure to follow NEPA requirements – similar to the situation involving the Woodrow Wilson Bridge and (2) from the fact that there is no property to anchor the N-6 alignment The City of San Francisco has gone to great lengths and to great expense in developing the S-1 alternative We feel we have paved the way for a smooth transition to the S-1, and with the S-1, an anchor for the East Span will be available from the US Navy and the City of San Francisco will not need to involve itself in **protracted litigation** which we are certain will end in a victory for the City under NEPA, **sending the entire project back to the drawing board**

Madame Secretary, thank you for your time and attention the other day As you know, the City is determined in its pursuit of the S-1 alignment that has minimal, if any, impact to the Port of Oakland. Our frustration with Caltrans representatives is obvious We are being forced into a litigation we do not want to have to pursue, but we are left with no option. We have gone above and beyond what is required to help ease Caltrans into a choice of the S-1 alignment that works for everyone with no one agency bearing the entire brunt of the construction and permanent impacts of the East Span replacement project.

We appeal to your fairness and your "fresh eye" in looking at all of the issues presented. Given the recent article and the Caltrans representative's comments at meetings occurring after our discussion, we do not feel that there will be any benefit to dealing with the same personnel to reach an agreeable solution.

We look forward to working with you and your offices. It was a pleasure dealing with you and Mr. Gutierrez and to have such a warm reception for the City in your offices. It was greatly appreciated and I have passed along my report to the Mayor. This has been a very ugly situation.

In closing, further delay and litigation is a clear disservice to taxpayers and the motoring public. Let's join together to seek a solution that all can endorse.

Please call me at (415) 274-0660 if you should have any questions regarding our position. In the meantime, the City stands ready to collaborate with Governor Davis in any way possible.

Sincerely,

Annemarie Conroy
Executive Director

CC: Mayor Willie L. Brown, Jr.
Senator Diane Feinstein
Senator Barbara Boxer
Congresswoman Nancy Pelosi
Secretary Rodney Slater

Attachments.
Legal Opinion – Woodrow Wilson Bridge
JMI Report Commissioned by City of San Francisco
Binder of Support Materials – Impacts to City of San Francisco
Chronicle Article 7/12/99

U.S. Department of Transportation
United States Coast Guard

Commander (oan-2)
Eleventh Coast Guard District

Coast Guard Island
Alameda, CA 94501-5100
Staff Symbol: (oan-2)
Phone: (510) 437-3514
FAX: (510) 437-5836

16591
San Francisco Bay (8.9)
Ser: 480-99
August 26, 1999

Calvin C. Fong
Chief, Regulatory Branch
U.S. Army Corps of Engineers, San Francisco District
333 Market Street
San Francisco, CA 94105-2197

Dear Mr. Fong:

Mr. Jerry Olmes of my staff spoke with Rob Lawrence of your staff about access dredging during construction of the new San Francisco–Oakland Bay Bridge (SFOBB) East Span. Rob indicated that the U.S. Army Corps of Engineers (USACE) would permit the access dredging under Section 10 of the 1899 Rivers and Harbors Act, as amended, if requested to do so by the U.S. Coast Guard (USCG).

The USCG-USACE Memorandum of Agreement (MOA) (encl. 1) of 18 April 1973, outlines the functions of our respective agencies. Paragraph 1.B of the MOA vests USACE with jurisdiction over excavation and filling. Paragraph 4.A. further defines dredging and filling as a USACE function (unless they are integral features of a bridge and used in its construction). Authorization for excavation for the piers themselves (integral features) appears to be most appropriately covered in the bridge permit, whereas dredging for access does not appear to integral, since there are other ways to construct the span. Accordingly, I believe the USCG should permit construction of the bridge itself, including any pier excavations necessary to construct the bridge. I believe the USACE should permit dredging of access channels. Rob also asked for clarification of jurisdiction over falsework. Paragraph 5 of the MOA defines falsework used to construct the bridge as a matter under USCG jurisdiction.

Request your concurrence. As a practical matter, your expertise in dredging matters and your involvement with the Dredge Material Management Plan (DMMP), make your agency a more appropriate reviewing/permitting authority for dredged channels.

Sincerely,

W. R. TILL
Chief, Bridge Section
U. S. Coast Guard
By direction of the District Commander

Encl: (1) USCG-USACE MOA dated April 18, 1973

Copy: Mr. Denis Mulligan, CalTrans District 04, Oakland w/encl.

U.S. Coast Guard/Chief of Engineers

Memorandum of Agreement

1. Purpose and Authority:

A. The Department of Transportation Act, the Act of October 15, 1966, P.L. 89–670, transferred to and vested in the Secretary of Transportation certain functions, powers and duties previously vested in the Secretary of the Army and the Chief of Engineers. By delegation of authority from the Secretary of Transportation (49 CFR 1.46(c)) the Commandant, U.S. Coast Guard, has been authorized to exercise certain of these functions, powers and duties relating to bridges and causeways conferred by:

(1) the following provision of law relating generally to drawbridge operating regulations: Section 5 of the Act of August 18, 1894, as amended (28 Stat. 362; 33 U.S.C. 499);

(2) the following law relating generally to obstructive bridges; The Act of June 21, 1940, as amended (Truman–Hobbs Act)(54 Stat. 497; 33 U.S.C. 511 et seq.);

(3) the following laws and provisions of law to the extent that they relate generally to the location and clearances of bridges and causeways in the navigable waters of the United States:

(a) Section 9 of the Act of March 3, 1899, as amended (30 Stat. 1151; 33 U.S.C. 401);

(b) The Act of March 23, 1906, as amended (34 Stat. 84; 33 U.S.C. 491 et seq.); and

(c) The General Bridge Act of 1946, as amended (60 Stat. 847; 33 U.S.C. 525 et seq.) except Sections 502(c) and 503.

B. The Secretary of the Army and The Chief of Engineers continue to be vested with broad and important authorities and responsibilities with respect to navigable waters of the United States, including, but not limited to, jurisdiction over excavation and filling, design flood flows and construction of certain structures in such waters, and the prosecution of waterway improvement projects.

C. The purposes of this agreement are:

(1) To recognize the common and mutual interest of the Chief of Engineers and the Commandant, U.S. Coast Guard, in the orderly and efficient administration of their respective responsibilities under certain Federal statutes to regulate certain activities in navigable waters of the United States;

(2) To clarify the areas of jurisdiction and the responsibilities of the Corps of Engineers and the Coast Guard with respect to:

(a) the alteration of bridges

(1) in connection with Corps of Engineers waterway improvement projects, and

(2) under the Truman–Hobbs Act;

(b) the construction, operation and maintenance of bridges and causeways as distinguished from other types of structures over or in navigable waters of the United States;

(c) the closure of waterways and the restriction of passage through or under bridges in connection with their construction, operation, maintenance and removal; and

(d) the selection of an appropriate design flood flow for flood hazard analysis of any proposed water opening.

(3) To provide for coordination and consultation on projects and activities in or affecting the navigable waters of the United States.

In furtherance of the above purposes the undersigned do agree upon the definitions, policies and procedures set forth below.

2. Alteration of Bridges in or Across Navigable Waters Within Corps of Engineers Projects:

A. The Chief of Engineers agrees to advise and consult with the Commandant on navigation projects contemplated by the Corps of Engineers which require the alteration of bridges across the waterways involved in such projects. The Chief of Engineers also agrees to incude in such project proposals the costs of alterations, exclusive of betterments, of all bridges within the limits of the designated project which after consultation with the Commandant he determines to require alteration to meet the needs of existing and prospective navigation. Under this concept the federal costs would be furnished under the project.

B. The Commandant of the Coast Guard agrees to undertake all actions and assumes all responsibilities essential to the determination of navigational requirements for horizontal and vertical clearances of bridges across navigable waters necessary in connection with any navigation project by the Chief of Engineers. Further, the Commadant agrees to conduct all public proceeding necessary thereto and establish guide clearance criteria where needed for the project objectives.

3. Alteration of Bridges Under the Truman–Hobbs Act:

The Commandant of the Coast Guard acknowledges and affirms the responsibility of the Coast Guard, under the Truman–Hobbs Act, to program and fund for the alteration of bridges which, as distinct from project related alterations described in paragraph 2 herein, become unreasonable obstructions to navigation as a result of factors or changes in the character of navigation and this agreement shall in no way affect, impair or modify the powers of duties conferred by that Act.

4. Approval, Alteration and Removal of Other Bridges and Causeways:

A. General, Definitions. For purposes of this Agreement and the administration of the statutes cited in 1.A.(3) above, a "bridge" is any structure over, on or in the navigable waters of the United States which (1) is used for the passage or conveyance of persons, vehicles, commodities and other physical matter and (2) is constructed in such a manner that either the horizontal or vertical clearance, or both, may affect the

passage of vessels or boats through or under the structure. This definition includes, but is not limited to, highway bridges, railroad bridges, foot bridges, aqueducts, aerial tramways and conveyors, overhead pipelines and similar structures of like function together with their approaches, fenders, pier protection systems, appurtenances and foundations. This definition does not include aerial power transmission lines, tunnels, submerged pipelines and cables, dams, dikes, dredging and filling in, wharves, piers, breakwaters, bulkheads, jetties and similar structures and works (except as they may be integral features of a bridge and used in its construction, maintenance, operation or removal; or except when they are affixed to the bridge and will have an effect on the clearance provided by the bridge) over which jurisdiction remains with the Department of the Army and the Corps of Engineers under Sections 9 and 10 of the Act of March 3, 1899, as amended (33 U.S.C. 401 and 403). A "causeway" on both sides of the road, and which is constructed in or affects navigation, navigable waters and design flood flows.

B. Combined Structures and Appurtenances. For purposes of the Acts cited in 1.A.(3) above, a structure serving more than one purpose and having characteristics of either a bridge or causeway, as defined in 4.A., and some other structure, shall be considered as bridge or causeway when the structure in its entirety, including its appurtenances and incidental features, has or retains the predominant characteristics and purpose of a bridge or causeway. A structure shall not be considered a bridge or causeway when its primary and predominant characteristics and purpose are other than those set forth above and it meets the general definitions above only in a narrow technical sense as a result on incidental features. This interpretation is intended to minimize the number of instances which will require an applicant for a single project to secure a permit or series of permits from both the Department of Transportation and the Department of the Army for each separate feature or detail of the project when it serves, incidentally to its primary purpose, more than one purpose and has features of either a bridge or causeway and features of some other structure. However, if parts of the project are separable and can be fairly and reasonably characterized or classified in an engieering sense as separate structures, each such structure will be so treated and considered for approval by the agency having jurisdiction thereover.

C. Alteration of the Character of Bridges and Causeways. The jurisdiction of the Secretary of Transportation and the Coast Guard over bridges and causeways includes authority to approve the removal of such structures then the owners thereof desire to discontinue their use. If the owner of a bridge or causeway discontinues its use and wishes to remove or alter any part thereof in such a manner that it will lose its character a bridge or causeway, the Coast Guard will normally require removal of the structure from the waterway in its entirety. However, if the owner of a bridge or a causeway wishes to retain it in whole or in part for use other than for operation and maintenance as a bridge or causeway, the proposed structure will be considered as coming within the jurisdiction of the Corps of Enginers. The Coast Guard will refer requests for such uses to the Corp of Engineers for consideration. The Corps of Engineers agrees to advise the Commandant of the receipt of an application for approval of the conversion of a bridge or causeway to annther structure, no residual jurisdiction over the structure will remain with the Coast Guard. However, if the Corps of Engineers does not approve the proposed conversion, then the structure remains a bridge subject to the jurisdiction of the Coast Guard.

5. Closure of Waterways and Restriction of Passage through or under Bridges:

Under the statutes cited in Section 1 of this Memorandum of Agreement, the Commandant must approve the clearances to be made avaiable for navigation through

or under bridges. It is understood that this duty and authority extends to and may be exercised in connection with the construction, alteration, operation, maintenance and removal of bridges, and includes the power to authorize the temporary restriction of passage through or under a bridge by use of false-work, piling, floating equipment, closure of draws, or any works or activities which temporarily reduce the navigation clearances and design flood flows, including closure of any or all spans of the bridge. Moreover, under the Ports and Waterways Safety Act of 1972 Public Law 92-340, 86 Stat. 424, the Commandant exercises broad powers in waterways to control vessel traffic in areas he determines to be especially hazardous and to establish safety zones or other measures for limited controls or conditional access and activity when necessary to prevent damage to or the destruction or loss of, any vessel, bridge, or other structure on or in the navigable waters of the United States. Accordingly, in the event that work in connection with the construction, alteration or repair of a bridge or causeway is of such a nature that for the protection of life and property navigation through or in the vicinity of the bridge or causeway must be temporarily prohibited, the Coast Guard may close that part of the affected waterway while such work is being performed. However, it is also clear that the Secretary of the Army and the Chief of Engineers have the authority, under Section 4 of the Act of August 18, 1894, as amended, (33 U.S.C. 1) to prescribe rules for the use, administration and navigation of the navigable waters of the United States. In recognition of that authority, and pursuant to Section 102(c) of the Ports and Waterways Safety Act, the Coast Guard will consult with the Corps of Engineers when any significant restriction of passage through or under a bridge is contemplated to be authorized or a waterway is to be temporarily closed.

6. Coordination and Cooperation Procedures.

A. District Commanders, Coast Guard Districts, shall send notices of applications for permits for bridge or causeway construction, modification, or removal to the Corps of Engineers Divisions and Districts in which the bridge or causeway is located.

B. District Engineers, Corps of Engineers, shall send notices of applications for permits for other structures or dredge and fill work to local Coast Guard District Commanders.

C. In cases where proposed structures or modifications or structures do not clearly fall within one of the classifications set forth in paragraph 4.A above, the application will be forwarded with recommendations of the reviewing officers through channels to the Chief of Engineers and the Commandant of the Coast Guard who shall, after mutual consultation, attempt to resolve the questions.

D. If the above procedures fail to produce agreement, the application will be forwarded to the Secretary of the Army and Secretary of Transportation for their determination.

E. The Chief of Engineers and the Commandant, Coast Guard, pledge themselves to mutual cooperation and consultation in making available timely information and data, seeking uniformity and consistency among field offices, and providing timely and adequate review of all matters arising in connection with the administration of their responsibilities governed by the Acts cited herein.

DATE: ----- 03/21/73 ------ SIGNED: C. R. BENDER /S/

DATE: 18 APRIL 1973 SIGNED: F. J. CLARKE /S/

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, W-2605
Sacramento, California 95825-1846

IN REPLY REFER TO:
1-1-99-I-1877

August 31, 1999

Mr. Jeffrey A. Lindley
Division Administrator
Federal Highway Administration
980 Ninth Street, Suite 400
Sacramento, California 95814-2724

Subject: Request for Formal Endangered Species Consultation on the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project

Dear Mr. Lindley:

The U.S. Fish and Wildlife Service (Service) has received the Federal Highway Administration's (FHWA) July 19, 1999, letter requesting initiation of formal section 7 consultation under the Endangered Species Act of 1973, as amended (Act). The consultation concerns the possible effects of the proposed San Francisco-Oakland Bay Bridge East Span Seismic Safety Project on the American peregrine falcon (*Falco peregrinus anatum*) (peregrine falcon).

The peregrine falcon was removed from the Endangered Species list, effective August 25, 1999; therefore, formal consultation is not required under the Act. The peregrine falcon will continue to be protected by the Migratory Bird Treaty Act (MBTA). The MBTA prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests except when specifically authorized by the Interior Department. The Service has continued its prohibition on the take of peregrine falcons for all purposes until management guidelines are developed in coordination with the States. The Office of Migratory Birds has issued a letter to all affected permit holders to alert them of this amendment to their permits. Any harassment should be avoided and minimized to the maximum extent practicable. The Service recommends that FHWA continue to work with the Service to develop measures which are consistent with the intent and spirit of MBTA and the Act.

If you have any questions about this consultation or compliance with MBTA, you may contact Cecilia Brown or Ken Sanchez at (916) 414-6625.

Sincerely,

Karen J. Miller

Karen J. Miller
Chief, Endangered Species Division

cc: Mara Melandry, California Department of Transportation, Oakland, CA

OFFICE OF THE MAYOR
SAN FRANCISCO

TREASURE ISLAND PROJECT
AVENUE OF PALMS, BLDG #1
TREASURE ISLAND
SAN FRANCISCO, CA 94130
(415) 274-0660
FAX (415) 274-0299

WILLIE LEWIS BROWN, JR.

September 14, 1999

Ms. Mara Melandry
Environmental Manager, SFOBB
Caltrans
P.O. Box 23660
Oakland, CA 94623-0660

Dear Ms. Melandry:

I write in response to your letter of August 2, 1999 requesting specific information regarding Quarters 1 through 7 on Yerba Buena Island and the Naval Station Treasure Island Draft Reuse Plan.

The Navy is in the process of completing lead based paint abatement of Quarters 1-7. The Nimitz House, however, was reopened this summer for various types of special events. Quarters 2 through 7 are currently unoccupied. As you know, the City's reuse plan contemplates reuse of these historic structures, probably as a bed and breakfast complex. Market research performed in conjunction with the Authority's forthcoming economic development conveyance (EDC) application has confirmed that such hospitality type uses are among the most feasible uses on the Base, given the restriction of the Tidelands Trust and other issues affecting Treasure Island. Moreover, the Authority has received numerous unsolicited expressions of interest from developers regarding this (and other) portions of YBI.

In terms of the reuse plan, a Treasure Island Citizens Reuse Committee (CRC) was created by then Mayor Jordan in 1994 to solicit the views of the citizens of San Francisco on the planning and development of the Base. After years of planning and public input, the CRC, working in conjunction with the City's Planning Department and the Redevelopment Agency, prepared a draft reuse plan for Treasure Island. The draft reuse plan was formally endorsed by the City's Board of Supervisors and submitted to HUD and the United States Navy. One of the important functions of the draft reuse plan is that it provides the basis for the Department of the Navy's preparation of a joint EIS/EIR to satisfy State of California and Federal environmental review requirements prior to transfer and development of the Base. The EIR/EIS is currently scheduled for circulation in December. Thereafter, the City Planning Commission will hold hearings on that document.

In addition, the draft reuse plan has formed the basis of the Authority's pending Economic Development Conveyance (EDC) application with the Navy and the Authority's redevelopment plan adoption efforts. The Authority expects to submit its EDC to the Navy by December 1999. On August 19, 1999, the City's Planning Commission adopted a preliminary redevelopment plan for TI based on the Reuse Plan. The Authority expects to adopt a final redevelopment plan by August 2000.

Sincerely,

Annemarie Conroy
Executive Director

990518 - 031

THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

September 16, 1999

The Honorable Willie Lewis Brown, Jr.
Mayor of San Francisco
San Francisco, CA 94102

Dear Mayor Brown:

Thank you for your letter regarding the San Francisco-Oakland Bay Bridge project.

I am aware of the divergent opinions among federal, state, and local agencies, including the California Department of Transportation (CalTrans), the cities of San Francisco and Oakland, the United States Navy, the United States Coast Guard, and others regarding replacement of the San Francisco-Oakland Bay Bridge. Please be assured that the Federal Highway Administration (FHWA), as the lead Federal Agency, will continue to work closely with you and all parties as we move forward on this extremely complicated and important project.

I fully understand your concern that the city's modified S-1 alignment has not been adequately considered. To support your view, you cited the April 15 District Court ruling in *City of Alexandria v. Slater*, a case involving replacement of the Woodrow Wilson Memorial Bridge. While there are some similarities between the Woodrow Wilson Memorial Bridge project and the San Francisco-Oakland Bay Bridge, there are substantial and compelling differences as well.

I also appreciate your interest in the reuse of Navy property on Yerba Buena Island and any impacts the bridge replacement project may have. I am also aware of concerns with impacts to the sewer outfall belonging to the East Bay Municipal Utilities District, to operations of the Coast Guard's search and rescue operation on Yerba Buena Island, to the Navy's historic properties and its base closure plans, to the Port of Oakland's proposed expansion plan, and to the East Bay Regional Park District's park proposal. Like you, I am committed to working together to address expeditiously these and other outstanding issues so that we uphold our primary and mutual commitment to public safety.

It was out of this commitment to public safety that I asked the White House to convene a meeting on August 27 with the Navy, Coast Guard, and my senior staff, to discuss the Federal Government's responsibilities involving the San Francisco-Oakland Bay Bridge project. At that meeting, we agreed that our number one priority remains public safety and we will do nothing that detracts from that priority. We also agreed to work with the city of San Francisco, CalTrans, the city of Oakland, and federal agencies as we move forward on a number of issues involving

Yerba Buena Island, including preserving its historical properties, assessing construction impacts, and pursuing geotechnical studies. In addition, we agreed at this meeting to request that the United States Army Corps of Engineers undertake an expeditious and independent review of existing engineering analysis of the East Bay Municipal Utility District sewer outfall.

This is a complex project and we recognize our shared challenge to fully address the many issues involved. The FHWA's Division Administrator for California, Mr. Jeffrey A. Lindley, has been informed of the issues you raised. He will contact your office to set up a meeting at your convenience to discuss these concerns with him and other members of my senior staff.

I am confident that the FHWA will proceed with the San Francisco-Oakland Bay Bridge project with due diligence and care while acting with as much speed as possible for this important seismic safety project in the vital San Francisco-Oakland transportation corridor. I look forward to our continued work together as we build a truly visionary transportation system as we head into a new century and new millennium.

Please do not hesitate to call me or Michael Frazier, Acting Assistant Secretary for Governmental Affairs, at (202)366-4563 with any questions.

Sincerely,

Rodney E. Slater

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213
TEL (310) 980-4000; FAX (310) 980-4018

F/SWR4:MH

Mr. Jeffrey A. Lindley
Division Administrator
Federal Highways Administration
980 Ninth Street, suite 4000
Sacramento, California 95814

Dear Mr. Lindley:

Thank you for you letter of July 15, 1999 requesting initiation of consultation for the effects of the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project on living marine resources and habitats managed and protected by the National Marine Fisheries Service. These responsibilities are mandated by the Endangered Species Act (ESA) and the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA).

This consultation pertains to impacts to out-migrating juvenile salmon (Sacramento River winter-run chinook salmon- endangered; Central Valley ESU spring-run chinook salmon - threatened; Central California Coast ESU steelhead - threatened; and Central Valley ESU steelhead - threatened. It also addresses impacts to the "essential fish habitat" (EFH) of fish species managed in the Pacific Groundfish Fishery Management Plan (FMP) and the Coastal Pelagics FMP. These impacts are associated with dredging, the installation of steel piles for the bridge columns that would be used for Alternative N-6, the preferred project alternative, and the dismantling of the existing east span bridge.

The maximum estimated dredging volume is 585,000 cubic yards that will excavated by mechanical dredge. If contaminated sediments are encountered, an "environmental " bucket will be used to minimize the resuspension of these sediments. Pile driving activities will occur outside of the peak juvenile outmigration period of January 1 through May 31. Should construction extend past this construction window, noise insulation devices will be installed to reduce sound pressure and impulse levels. It is our understanding that once the existing superstructure is removed, the bridge foundation will be removed and the existing piles will be cut off below the mudline. Dismantling activities include concrete splitting or cutting methods and do not include the use of explosives.

Based upon review of the biological assessment and the June 21, 1999 memorandum to M. Melandry on mitigation actions, and the "Dredged Material Management Plan, (June 1999), NMFS concurs that the project is not likely to adversely affect endangered or threatened anadromous fish species. This concludes section 7 consultation under ESA for this project. However, if new information indicates that listed species may be adversely affected by the proposed project, the project description changes including both the installation of the new bridge or the removal of the existing bridge, or if a new species is listed, further consultation may be necessary.

Printed on Recycled Paper

Regarding EFH for Federally managed fish species, NMFS believes that the project could have an adverse habitat impact unless the following EFH Conservation Recommendations are considered. NMFS recommends that all dredged material be disposed at approved upland sites such as the Hamilton site or the ocean disposal site and that no materials be disposed at the Alcatraz site. In addition, based upon your recommended mitigation measures in the EFH Assessment, NMFS strongly urges that any long-term impacts to eelgrass beds and intertidal mudflats be adequately compensated to insure no-net-loss of these important habitats. This concludes EFH consultation under the Magnuson-Stevens Act for this project. However, if there are substantial revisions to the project description, new consultation is required.

Please be advised that regulations (50 CFR Sections 600.920) to implement the EFH provisions of the MSFCMA require your office to provide a written response to this letter within 30 days of its receipt and at least 10 days prior to final approval of the action regarding our EFH recommendations. A preliminary response is acceptable if final action cannot be completed within 30 days. Your final response must include a description of measures proposed to avoid, mitigate, or offset the adverse impacts of the activity. If your response is inconsistent with our EFH Conservation Recommendations, you must provide an explanation of the reasons for not implementing them.

If you have questions concerning this consultation, please contact Mr. Mark Helvey at (707) 575-6078.

Sincerely,

for

Rodney R. McInnis
Acting Regional Administrator

cc:

CDFG - Menlo park
USFWS - Sacramento

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY GRAY DAVIS, Governor

DEPARTMENT OF TRANSPORTATION
BOX 23660
OAKLAND, CA 94623-0660
510) 286-4444
TDD (510) 286-4454

October 14, 1999

Ms. Helaine Kaplan-Prentice
Landmarks Preservation Advisory Board
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, California 94612

See distribution list

Dear Ms. Kaplan-Prentice:

As you know, Caltrans and the Federal Highway Administration (FHWA) are planning a seismic safety project for the East Bay spans of the San Francisco–Oakland Bay Bridge. Project alternatives include retrofit of the existing structure or replacement of the East Bay spans with a new structure on one of three possible alignments. As part of their compliance with Section 106 of the National Historic Preservation Act, Caltrans and FHWA have solicited input from local governments, historic preservation organizations, and the public on possible measures to mitigate adverse effects on historic properties that may result from this project. Measures to mitigate project effects on historic properties will be stipulated in a Memorandum of Agreement (MOA) among FHWA, U.S. Navy, U.S. Coast Guard, the State Historic Preservation Officer, and the Advisory Council on Historic Preservation, with the concurrence of Caltrans.

The enclosed document, "Consideration of Proposed Mitigation Measures" summarizes the mitigation measures that have been proposed by all interested parties and explains the reasons why some of these measures were not included in the MOA. It also includes copies of the relevant correspondence, summaries of the meetings that were held to discuss the Section 106 compliance process and mitigation measures, and the MOA. The process has resulted in a number of good ideas being proposed for mitigation, and we thank you for your participation.

Also enclosed for your information is a copy of the Addendum Finding of Adverse Effect report, which supplements the original Finding of Effect reports prepared in 1998. This addendum report provides additional information on the project alternatives and their relationship to historic properties, addresses potential effects of the undertaking that have been identified since completion of the original FOE report, describes the efforts to identify and evaluate potential underwater archaeological resources, and includes exhibits which show the most recent design refinements.

If you have any questions, please contact Jared Goldfine at (510) 286-6203.

Sincerely,

HARRY Y. YAHATA
District Director

By

ROBERT GROSS
District Office Chief
Office of Environmental Planning, South

encl.

Distribution list for "Consideration of Proposed Mitigation Measures"

Caltrans transmittal:

Bahlman, David	Foundation for San Francisco's Architectural Heritage
Chapell, Jim	San Francisco Planning & Urban Research Association
Conroy, Annemarie	Mayor's Treasure Island Project Office
Crowe, Michael	National Park Service, Western Regional Office
Damkroger, Courtney	National Trust for Historic Preservation
Douthat, Carolyn	California Preservation Foundation
Kaplan-Prentice, Helaine	Oakland Landmarks Preservation Advisory Board
Kelly, Tim	San Francisco Landmarks Preservation Advisory Board
Koch, Kimball	National Park Service, Western Regional Office
Lythcott, George	President, Oakland Landmarks Board
Marvin, Betty	Oakland Cultural Heritage Survey
Mikesell, Steve	JRP Historical Consulting Services
Nichol, Kate	Port of Oakland
Powell, Jane	Oakland Heritage Alliance
Tannenwald, Diane	Oakland Department of Public Works

FHWA transmittal:

Advisory Council on Historic Preservation
State Office of Historic Preservation
US Coast Guard
US Navy

M. Melandry

of California

Business, Transportation and Housing Agency

morandum

To: Kirk Walker,
State Lands Commission

Date: October 18, 1999 CHIEF\
File: Pile Installation Demonstration Project, EA 012081

From: DEPARTMENT OF TRANSPORTATION
TOLL BRIDGE PROGRAM

Subject: Maritime Archaeology, for Pile Installation Demonstration Project

We enclose for your information and files the phase 1 archaeological survey report for maritime archaeology for the pile installation demonstration project, which is being carried out in advance of construction of the east span seismic safety project on the San Francisco-Oakland bay bridge.

A portion of the remains of the Key System ferry terminal and pier is within area of potential effect for the demonstration project; these remains were found to have lost integrity and as such are not considered eligible for the National Register of Historic Places. The report has been transmitted to the Sate Office of Historic Preservation for its concurrence regarding this conclusion.

Please note that a more comprehensive report will be prepared on the results of the maritime survey of the APE for the east span seismic safety project, which includes three replacement alternatives and a retrofit existing bridge alternative. This survey included 922 acres. We will provide you with a copy of that report when it is completed.

If you have any questions, please contact Janet Pape, archaeology manager for the toll bridge program, at 510-285-5615.

Mara Melandry

Mara Melandry
Environmental Manager
San Francisco Oakland Bay Bridge

c: Janet Pape (Toll Bridge Program), Steve Hulsebus/Pochana Chongchaikit (D-4 Toll Bridge Program), Margaret Buss (HQ Environmental. Division), Cindy Adams (HQ Environmental Division)

MKM/PIDP to SLC

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

October 20, 1999

IN REPLY REFER TO

HA-CA
File #: 04-SF-80-12.2/14.3KP;
04-Ala-80-0.0/2.1KP
Document #:24669
FHWA 980717A

CERTIFIED RECEIPT RETURNED: Z 211 283 507

Mr. Daniel Abeyta
Acting State Historic Preservation Officer
Office of State Historic Preservation
P.O. Box 942896
Sacramento, CA 94296-0001

Dear Mr. Abeyta:

SUBJECT: SFOBB ADDENDUM FINDING OF ADVERSE EFFECT/PROPOSED MOA

Enclosed for your review is a copy of the "Addendum Finding of Adverse Effect" (Addendum) for the Bay Bridge East Span Seismic Safety project and proposed Memorandum of Agreement (MOA). The Addendum includes additional information on the project alternatives and their relationship to historic properties. The Addendum supplements the original two-volume Finding of Adverse Effect report which was submitted to your office in 1998. Enclosed is a second copy of the original Finding to facilitate your review.

Specifically, the Addendum addresses in more detail the following issues:

- Visual intrusion of the new bridge alternatives on Quarters 1 of the Officers' Quarters Historic District, and proposed measures to minimize this visual intrusion through replanting with mature trees.

- The effect of the replacement bridge alternatives on the Key Pier Substation in Oakland is acknowledged to be adverse.

- Results of efforts to identify and evaluate possible submerged archaeological resources in San Francisco Bay.

The Section 106 documents for this project were prepared prior to the June 17, 1999, effective date of the revised Section 106 regulations issued on May 18, 1999. Consultation with your office, MaryAnn Naber of the Advisory Council on Historic Preservation (ACHP), and interested parties to seek ways in which to avoid or reduce effects had occurred prior to the issuance of the new regulations. Nonetheless, in accordance with advice from MaryAnn Naber, the regulatory citations in the enclosed proposed MOA refer to the applicable parts of the newly adopted Section 106 regulations.
The Section 106 process has been conducted in the spirit of the new regulations as evidenced by the extensive coordination and consultation effort that included local governments and historic preservation organizations and which is documented in both the Addendum and the enclosed copy of the report entitled "Consideration of Proposed Mitigation Measures." Many of the proposed mitigation measures were either included as proposed or included in a modified form in the enclosed proposed MOA. The MOA is alternative-neutral and identifies the stipulations that would be implemented for each alternative.

By separate letter, we are transmitting the proposed MOA for concurrent review to the other signatory agencies. We request that you review the proposed MOA and submit any comments to this office within 30 days of receiving this letter. If we do not receive comments within 30 days from any of the signatory agencies, we will submit the proposed MOA for signature. If we receive comments, we will consider revisions in consultation with the commenting agency and your office and the ACHP prior to submitting the MOA for signature.

If you have any questions, please contact Joan Bollman at 916-498-5028 or Bill Wong at 916-498-5042.

Sincerely,

/s/ Robert F. Tally Jr.

For
Jeffrey A. Lindley
Division Administrator

Enclosures:
Addendum Finding of Adverse Effect
Proposed MOA
"Consideration of Proposed Mitigation Measures"

cc:
Dennis Mulligan, Caltrans District 4
Mara Melandry, Caltrans District 4
Jared Goldfine, Caltrans District 4
Andy Hope Caltrans District 4
Margaret Buss, Caltrans HQ Environmental
Cindy Adams, Caltrans HQ Environmental

cc: (E-mail)
Dan Harris, WRC-WE
Sara Purcell, WRC-WE
Jeffrey Lindley, HDA-CA
Robert Tally, HA-CA
Bill Wong, HA-CA
Joan Bollman, HA-CA

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

October 20, 1999

IN REPLY REFER TO

HA-CA
File #:04-SF-80-12.2/14.3KP;
04-Ala-80-0.0/2.1KP
Document #:P24699

CERTIFIED RECEIPT RETURNED: Z 211 283 508

Mr. Don Klima, Director
Advisory Council on Historic Preservation
Old Post Office Building
1100 Pennsylvania Ave., NW, Suite 809
Washington, D.C. 20004

Dear Mr. Klima:

SUBJECT: SFOBB ADDENDUM FINDING OF ADVERSE EFFECT/PROPOSED MOA

Enclosed for your review is a copy of the "Addendum Finding of Adverse Effect" (Addendum) for the Bay Bridge East Span Seismic Safety project and proposed Memorandum of Agreement (MOA). The Addendum includes additional information on the project alternatives and their relationship to historic properties. The Addendum supplements the original two-volume Finding of Adverse Effect (Finding) report of 1998. A copy of the original Finding was provided to MaryAnn Naber of your staff by Caltrans during her site visit in February 1999. Enclosed is a second copy of the original Finding to facilitate your review.

Specifically, the Addendum addresses in more detail the following issues:

- Visual intrusion of the new bridge alternatives on Quarters 1 of the Officers' Quarters Historic District, and proposed measures to minimize this visual intrusion through replanting with mature trees.

- The effect of the replacement bridge alternatives on the Key Pier Substation in Oakland is acknowledged to be adverse.

- Results of efforts to identify and evaluate possible submerged archaeological resources in San Francisco Bay.

The Section 106 documents for this project were prepared prior to the June 17, 1999, effective date of the revised Section 106 regulations issued on May 18, 1999. Consultation with your office, the California SHPO and interested parties to seek ways in which to avoid or reduce effects had occurred prior to the issuance of the new regulations. Nonetheless, in accordance with advice from MaryAnn Naber, the regulatory citations in the enclosed proposed MOA refer to the applicable parts of the newly adopted Section 106 regulations.

The Section 106 process has been conducted in the spirit of the new regulations as evidenced by the extensive coordination and consultation effort that included local governments and historic preservation organizations and which is documented in both the Addendum and the enclosed copy of the report entitled "Consideration of Proposed Mitigation Measures." Many of the proposed mitigation measures were either included as proposed or included in a modified form in the enclosed proposed MOA. The MOA is alternative-neutral and identifies the stipulations that would be implemented for each alternative.

By separate letter, we are transmitting the proposed MOA for concurrent review to the other signatory agencies. We request that you review the proposed MOA and submit any comments to this office within 30 days of receiving this letter. If we do not receive comments within 30 days from any of the signatory agencies, we will submit the proposed MOA for signature. If we receive comments, we will consider revisions in consultation with the commenting agency and your office and the California SHPO prior to submitting the MOA for signature.

If you have any questions, please contact Joan Bollman at 916-498-5028 or Bill Wong at 916-498-5042.

Sincerely,

/s/ Robert F. Tally Jr.

For
Jeffrey A. Lindley
Division Administrator

Enclosures:
Addendum Finding of Adverse Effect
Proposed MOA
"Consideration of Proposed Mitigation Measures"
two-volume Finding of Adverse Effect (September 1998)

cc:
Dennis Mulligan, Caltrans District 4
Mara Melandry, Caltrans District 4
Jared Goldfine, Caltrans District 4
Andy Hope Caltrans District 4
Margaret Buss, Caltrans HQ Environmental
Cindy Adams, Caltrans HQ Environmental

cc: (E-mail)
Dan Harris, WRC-WE
Sara Purcell, WRC -WE
Jeffrey Lindley, HA-CA
Robert Tally, HA-CA
Bill Wong, HA-CA
Joan Bollman, HA-CA

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

October 20, 1999

IN REPLY REFER TO

HA-CA
File #:04-SF-80-12.2/14.3KP;
04-Ala-80-0.0/2.1KP
Document #:P 24702

CERTIFIED RECEIPT RETURNED: Z 211 283 509

Mr. Wayne R. Till, Chief, Bridge Section
Eleventh Coast Guard District
Building 50-6
Coast Guard Island
Alameda, CA 94501-5100

Dear Mr. Till:

SUBJECT: SFOBB ADDENDUM FINDING OF ADVERSE EFFECT/PROPOSED MOA

Enclosed for your review is a copy of the "Addendum Finding of Adverse Effect" (Addendum) for the Bay Bridge East Span Seismic Safety project and proposed Memorandum of Agreement (MOA). The Addendum includes additional information on the project alternatives and their relationship to historic properties. The Addendum supplements the original two-volume Finding of Adverse Effect (Finding) report of 1998. A copy of the original Finding was provided to you earlier by Caltrans. Enclosed is a second copy of the original Finding to facilitate your review.

Specifically, the Addendum addresses in more detail the following issues:

- Visual intrusion of the new bridge alternatives on Quarters 1 of the Officers' Quarters Historic District, and proposed measures to minimize this visual intrusion through replanting with mature trees.

- The effect of the replacement bridge alternatives on the Key Pier Substation in Oakland is acknowledged to be adverse.

- Results of efforts to identify and evaluate possible submerged archaeological resources in San Francisco Bay.

The Section 106 documents for this project were prepared prior to the June 17, 1999, effective date of the revised Section 106 regulations issued on May 18, 1999. Consultation with your office, the California SHPO, MaryAnn Naber of the Advisory Council on Historic Preservation (ACHP), and interested parties to seek ways in which to avoid or reduce effects had occurred prior to the issuance of the new regulations. Nonetheless, in accordance with advice from MaryAnn Naber, the regulatory citations in the enclosed proposed MOA refer to the applicable parts of the newly adopted Section 106 regulations.

The Section 106 process has been conducted in the spirit of the new regulations as evidenced by the extensive coordination and consultation effort that included local governments and historic preservation organizations and which is documented in both the Addendum and the enclosed copy of the report entitled "Consideration of Proposed Mitigation Measures." Many of the proposed mitigation measures were either included as proposed or included in a modified form in the enclosed proposed MOA. The MOA is alternative-neutral and identifies the stipulations that would be implemented for each alternative.

By separate letter, we are transmitting the proposed MOA for concurrent review to the other signatory agencies. We request that you review the proposed MOA and submit any comments to this office within 30 days of receiving this letter. If we do not receive comments within 30 days from any of the signatory agencies, we will submit the proposed MOA for signature. If we receive comments, we will consider revisions in consultation with the commenting agency, the California SHPO, and the ACHP prior to submitting the MOA for signature.

If you have any questions, please contact Joan Bollman at 916-498-5028 or Bill Wong at 916-498-5042.

Sincerely,

/s/ Dennis A. Scovill

For
Jeffrey A. Lindley
Division Administrator

Enclosures:
Addendum Finding of Adverse Effect
Proposed MOA
"Consideration of Proposed Mitigation Measures"
two-volume Finding of Adverse Effect (September 1998)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

October 21, 1999

IN REPLY REFER TO

HA-CA
File #:04-SF-80-12.2/14.3KP;
04-Ala-80-0.0/2.1KP
Document #: P24701

CERTIFIED RECEIPT RETURNED: Z 211 283 510

Commander Scott Smith
Engineering Field Activity West
Naval Facilities Engineering Command
U.S. Department of the Navy
900 Commodore Drive
San Bruno, California 94066-5006

Dear Commander Smith:

SUBJECT: SFOBB ADDENDUM FINDING OF ADVERSE EFFECT/PROPOSED MOA

Enclosed for your review is a copy of the "Addendum Finding of Adverse Effect" (Addendum) for the Bay Bridge East Span Seismic Safety project and proposed Memorandum of Agreement (MOA). The Addendum includes additional information on the project alternatives and their relationship to historic properties. The Addendum supplements the original two-volume Finding of Adverse Effect (Finding) report of 1998. A copy of the original Finding was provided to you earlier by Caltrans. Enclosed is a second copy of the original Finding to facilitate your review.

As you know, on August 27, 1999, a meeting regarding the proposed project was held at the White House. The meeting was attended by officials from FHWA, the Secretary of the Navy, Richard Danzig, and Assistant Secretary of the Navy, Bill Cassidy. At this meeting, Navy officials agreed to work with FHWA to reach an agreement on an MOA under Section 106 of the National Historic Preservation Act. The enclosed documents describe how comments from the Navy and other consulting parties on the potential effect of the proposed project alternatives and on proposed mitigation measures have been taken into account throughout the Section 106 process.

The Addendum addresses in more detail the following issues:

- Visual intrusion of the new bridge alternatives on Quarters 1 of the Officers' Quarters Historic District, and proposed measures to minimize this visual intrusion through replanting with mature trees.

- The effect of the replacement bridge alternatives on the Key Pier Substation in Oakland is acknowledged to be adverse.

- Results of efforts to identify and evaluate possible submerged archaeological resources in San Francisco Bay.

The Section 106 documents for this project were prepared prior to the June 17, 1999, effective date of the revised Section 106 regulations issued on May 18, 1999. Consultation with your office, the California SHPO, MaryAnn Naber of the Advisory Council on Historic Preservation (ACHP), and interested parties to seek ways in which to avoid or reduce effects had occurred prior to the issuance of the new regulations. Nonetheless, in accordance with advice from MaryAnn Naber, the regulatory citations in the enclosed proposed MOA refer to the applicable parts of the newly adopted Section 106 regulations.

The Section 106 process has been conducted in the spirit of the new regulations as evidenced by the extensive coordination and consultation effort that included local governments and historic preservation organizations and which is documented in both the Addendum and the enclosed copy of the report entitled "Consideration of Proposed Mitigation Measures." Many of the proposed mitigation measures were either included as proposed or included in a modified form in the enclosed proposed MOA. The MOA is alternative-neutral and identifies the stipulations that would be implemented for each alternative.

By separate letter, we are transmitting the proposed MOA for concurrent review to the other signatory agencies. We request that you review the proposed MOA and submit any comments to this office within 30 days of receiving this letter. If we do not receive comments within 30 days from any of the signatory agencies, we will submit the proposed MOA for signature. If we receive comments, we will consider revisions in consultation with the commenting agency, the California SHPO, and the ACHP prior to submitting the MOA for signature.

If you have any questions, please contact Joan Bollman at 916-498-5028 or Bill Wong at 916-498-5042.

Sincerely,

/s/ Dennis A. Scovill

For
Jeffrey A. Lindley
Division Administrator

Enclosures:
Addendum Finding of Adverse Effect
Proposed MOA
"Consideration of Proposed Mitigation Measures"
two-volume Finding of Adverse Effect (September 1998)

OCT 2 9 1999

EAST BAY
MUNICIPAL UTILITY DISTRICT

DAVID R. WILLIAMS
DIRECTOR OF WASTEWATER

October 28, 1999

Mr. Harry Y. Yahata
District Director
Department of Transportation
P O Box 23660
Oakland, CA 94623-0660

Dear Mr. Yahata:

This letter is in response to your letter of September 9, 1999, in which you requested answers to questions about access restrictions should the new Bay Bridge alignment be placed over the EBMUD outfall. As we have discussed on previous occasions, EBMUD does not prefer any alignment to another and believes that with the appropriate mitigation our operational requirements can be met.

In your letter, you specifically requested information regarding maintenance issues on the outfall. This response will discuss these maintenance issues, as well as other important issues to consider when considering the affect that the east span of the Bay Bridge will have on the existing EBMUD outfall.

Routine Monitoring

Currently EBMUD performs regular inspections on the submerged section of the outfall from the inside of the pipe. A diver enters the pipe and records the condition on videotape. The outfall is in good condition, but it is important to continue regular monitoring and to address maintenance issues should they arise. EBMUD would like to coordinate with the Department of Transportation to ensure that as part of Caltrans' work, EBMUD is reimbursed in full to perform a thorough inspection and videotaping of the outfall, establishing baseline conditions prior to any construction activity commencing.

Major repairs

In the future, it is possible that one or more sections of the outfall may be damaged and require repair or replacement. The submerged portion of the outfall is reinforced concrete pipe, unlined, 96" inside diameter and constructed in 24 foot sections with gasketed joints. The clearances required to replace entire sections are much greater than those required for monitoring or for minor repairs. Using industry standard construction methods, including barge and cranes, it is estimated that the clearance required for this work would be a minimum of 150' vertically from the top of the water above the pipe and approximately 50' horizontally on either side of the centerline of the pipe. This clearance would allow a barge to come in adjacent to or directly above the pipe, dredge cover material and base, to lift the old section away and to insert a new section. In shallow waters, a temporary trestle may be required for repairs. The clearances outlined above should also be sufficient for a trestle as well.

P.O. BOX 24055 . OAKLAND . CA 94623-1055 . (510) 287-1405

In 1952, when the outfall was constructed, a right of way of 50' on each side of the centerline (100' total) was established. This allows room for trenching and covering of the outfall pipe. It will be necessary to maintain at least this same right of way to allow for construction of any required repairs.

The bay bridge structure would have to be designed to allow the barge access to all sections of the outfall, with the above named clearances. EBMUD is open to considering alternate construction methods that may require less clearance if Caltrans can demonstrate to EBMUD's satisfaction that such method(s) can meet our operations and maintenance requirements at no added risk to our facilities. If alternate methods are considered and adopted, Caltrans would be liable for extra expenses for repair or replacement operations due to non-standard construction techniques.

When operating this type of large marine repair equipment there will also be clearances required from the new bridge piers. In order to provide more detail on the size and location of repair corridors required by EBMUD, we will need more information from Caltrans, including size, shape and spacing of bridge piers, as well as required clearances to pier fenders or the piers themselves. It will be important for Caltrans to design and locate piers in the vicinity of the outfall in anticipation of repairs to the outfall structure and the trenches.

As the design for the east span progresses, EBMUD will need to review preliminary designs with marine contractors and dredging companies to assure that the design allows enough clearance that any required repairs or improvements could be made. This work would also be done at Caltrans' cost.

Bypass sections may also be required to maintain flow during the repair of the existing line. To the extent that the bypass section would have to be built around a new bridge structure, the costs of the bypass would be increased. This cost increase would be the responsibility of Caltrans.

Construction Issues

The submerged portion of the outfall rests on a bed of gravel or crushed rock and is overlain by a blanket of rock, sand and mud. The constructed bed and blanket extend out as much as 50' from either side of the centerline of the pipe. It is possible that construction activities, even those outside the areas kept as clearances as noted above would affect the bedding or blanketing, rendering the outfall pipe less protected or supported. Prior to any construction Caltrans should prepare detailed construction plans to assess potential damage to the structure itself or to the bedding and protective layers. Plans to mitigate any damage due to construction activities should be developed. The study and approaches to mitigation shall be submitted to and accepted by EBMUD prior to any work taking place.

EBMUD is also concerned about the affects on the outfall of vibration of the bay bottom during construction of the new bridge span. Prior to construction, geotechnical studies showing the predicted vibration and its affect on the outfall structure (including adjacent soils, bed and blanket) shall be submitted to EBMUD for review and acceptance. Caltrans must accept responsibility of any damage to the outfall structure caused by any construction activities, including liability for fines by regulatory agencies and public acceptance of responsibility for the cause of violation and any associated environmental damage. Monitoring of the pipe and the underlayment /overlayment must be performed before construction begins and throughout construction to assure a safe, undamaged outfall.

Tidal damage due to Bay Bridge

The proximity of the bridge structure itself to the outfall may cause tidal action to scour the underlying sand or rock blanket layer. This would cause damage to the outfall and must be avoided. Caltrans should study any potential damage during the design effort and design in protective systems that will mitigate any damage caused by tidal action after construction.

Protection during seismic event.

It will also be necessary to assure that the bridge structure does not impact the outfall in the case of a seismic event. Caltrans should determine prior to construction how much deflection and movement the bridge is expected to have during a major seismic event. The bridge should be designed so that the bridge structure does not affect the outfall during a seismic event.

The above represents some of our preliminary concerns with maintaining full operations and maintenance processes at the outfall in relation to construction of the east span of the Bay Bridge. Further concerns may arise as the design progresses, and EBMUD would like the opportunity to continue to review the design features as they are developed.

If you have any questions regarding this issue, please contact me at 510-287-1846.

Sincerely,

BENNETT K. HORENSTEIN
Senior Civil Engineer

BKH:SDW:mer

W:\planning\Agency Contact\Caltrans bridge-outfall.doc

ANNE FEINSTEIN
CALIFORNIA

COMMITTEE ON APPROPRIATIONS
COMMITTEE ON THE JUDICIARY
COMMITTEE ON RULES AND ADMINISTRATION

United States Senate

WASHINGTON, DC 20510-0504

November 8, 1999

The Honorable Gray Davis
Governor
State of California
State Capitol First Floor
Sacramento, California 95814

Dear Governor Davis,

I am writing to you regarding the San Francisco-Oakland Bay Bridge seismic safety replacement and retrofit project and the larger issue of regional congestion. Numerous citizens have contacted my office with concerns over the increasing level of traffic gridlock in the Bay Area and the length of time it has taken Caltrans to proceed with critical bridge retrofit projects.

This past summer I met with Mayors Willie Brown and Jerry Brown to discuss concerns regarding the Bay Bridge retrofit project. Thereafter, my staff held a series of meetings with representatives of the cities of San Francisco and Oakland, the Metropolitan Transit Commission (MTC), Caltrans and interested individuals to gather information and explore alternatives. This letter is a result of those meetings.

As a lifelong resident and former Mayor of San Francisco, I am concerned, as I know you are, about the safety of the 280,000 people who travel across the Bay Bridge each day. This was heightened by the recent release by the U.S. Geological Survey of figures showing a 70 percent probability that one or more damaging earthquakes of magnitude 6.7 or larger will strike the Bay Area within the next 30 years. The seismic safety of the Bay Bridge must be the utmost priority, and it must be accomplished quickly. We cannot afford to wait.

I am pleased the Navy has granted Caltrans permission to proceed with geological testing on Yerba Buena Island so that design work on the new eastern span will move forward. I understand that a replacement of the eastern span was chosen after it was determined that a replacement could provide a "lifeline" safety standard that retrofit of the existing span could not meet. I trust the seismic superiority and compelling lifeline safety benefits of the proposed design have been clearly demonstrated to local elected officials and constituents.

The Caltrans Seismic Safety Board has determined that a complete retrofit of the eastern span would require replacement of 75 to 90 percent of all bridge components and cause potential traffic delays over a period of four to five years. I understand the resulting safety improvements would protect life, but could not guarantee the eastern span would remain usable after a major quake. However, I have also been told that the interim retrofit will only eliminate the most glaring vulnerabilities and protect the public only during a smaller magnitude earthquake.

In addition, the growing traffic congestion in the Bay Area has become a concern of the residents, business leaders and elected officials. The MTC has predicted a 30 to 40 percent increase of Bay Bridge traffic -- and a regional traffic gridlock increase by 250 percent -- by 2020. Both the Silicon Valley Manufacturing Group and the Bay Area Economic Forum have recently released studies citing growing traffic congestion as one of the primary threats to the Bay Area's economic viability for the 21st Century. The Bay Area Council estimates that approximately 100,000 hours are lost to congestion in the nine-county Bay Area per day and the annual cost of this congestion in terms of loss productivity and wasted resources is more than $300 million.

These issues have led me to the following conclusions, which I would like to share with you:

- An interim retrofit, accelerated to the greatest extent, is vital to protect traveler safety until the replacement of the eastern span is completed. With at least five years remaining until a replacement bridge can be opened to the public, the interim retrofit becomes a necessity. Based on what I have learned, should there be a major earthquake on either the Hayward and San Andreas Faults, the safety of the travelers on the Bay Bridge is at great risk .

- The load designs of any replacement structure for the eastern span of the Bay Bridge, as well as the retrofit plans for the western span, should be re-examined by Cal Trans in order to ensure the designs accommodate future Bay Area rail transit. It has been reported that the east span replacement currently under design will not be able to accommodate a rail transit system without eliminating vehicle lanes. I also understand the west span can accommodate the additional weight of rail and existing traffic lanes when structural additions are made.

- A regional traffic and transportation study for the Bay Area with respect to alternative Bay crossings and other options to increase the capacity and mobility for transbay travel between San Francisco, the East Bay and the Peninsula must be undertaken promptly. I commend the MTC for work on the Regional Transportation Plan as a tool for determining the priority of upcoming projects. However, I understand the last study of alternative Bay crossings was completed in 1991. A review and update of the 1991 study would be beneficial to ensure both the state and federal governments have the best transit and traffic information available to determine spending priorities.

I look forward to working with you to ensure the transportation network for the Bay Area, and the State of California, will meet the growing needs of the population. I appreciate your time and attention to these matters and look forward to hearing from you soon.

With warmest personal regards.

Sincerely yours,

ATE OF CALIFORNIA – THE RESOURCES AGENCY
FICE OF HISTORIC PRESERVATION
ARTMENT OF PARKS AND RECREATION
X 942896
MENTO, CA 94296-0001
53-5624 Fax (916) 653-9824
hpo@ohp.parks.ca.gov

GRAY DAVIS, Governor

November 19, 1999

Reply To: FHWA980717A

Jeffrey A. Lindley
Division Administrator
California Division
Federal Highway Administration
980 Ninth Street, Suite 400
Sacramento CA 95814-2724

Re: 04-SF-80-12.2/14.3KP' 04-Ala-80-0.0/21.KP, SFOBB Addendum Finding of Adverse Effect/Proposed MOA

Dear Mr. Lindley:

This letter will serve to acknowledge receipt of the documents cited above, and of your request for our response to this submittal.

The conclusions of the Addendum Finding of Adverse Effect for the undertaking are summarized in Section VII., page 11. I concur with the current determination -- and affirm the earlier determination -- that all of the build alternatives would adversely affect historic properties.

The MOA you have provided is still under review. FHWA will receive an additional SHPO response to that document when our review is concluded. I agree with the decision by FHWA to include in the proposed MOA, citations that reflect the new 36 CFR Part 800 regulations, adopted effective June 17, 1999.

If you have any questions, please contact Hans Kreutzberg, Chief of Project Review.

Sincerely,

Daniel Abeyta, Acting
State Historic Preservation Officer

TE OF CALIFORNIA – THE RESOURCES AGENCY

P31096

GRAY DAVIS, Governor

FICE OF HISTORIC PRESERVATION
PARTMENT OF PARKS AND RECREATION
BOX 942896
RAMENTO, CA 94296-0001
53-6624 Fax: (916) 653-9824
@ohp.parks.ca.gov

February 3, 2000

Reply To: FHWA 980717A

Mr. David A. Nicol
Acting Administrator, California Division
Federal Highway Administration
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

Dear Mr. Nicol:

Re: Memorandum of Agreement for San Francisco-Oakland Bay Bridge East Bay Span Seismic Safety Project

I have completed my review of the draft Section 106 Memorandum of Agreement (MOA) prepared by FHWA for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. I have the following comments on this document:

1. I recommend that FHWA consider consolidating provisions that pertain to amendment, non-compliance and termination of the MOA. I have attached examples of such consolidated provisions for your consideration.

2. I recommend that the stipulation pertaining to disputes be revised in accordance with the attached examples. In my opinion, these examples are more consistent with the current Part 800 regulation and offer the signatories greater flexibility in concluding the dispute resolution process.

3. I recommend that Stipulation VI., pertaining to review of implementation, be expanded to include language that addresses the duration of the agreement. I have attached examples of such language for your consideration.

4. I recommend that FHWA include in the MOA a stipulation that provides for execution of the agreement in any number of counterparts. This will expedite the process of executing the MOA.

5. I recommend that FHWA include in the MOA a stipulation providing for public objections. An example is attached for your consideration.

6. I suggest that the introduction to the Stipulations section be revised and reorganized in accordance with SHPO recommendations already shared with Caltrans.

7. I recommend that Stipulation VIII. of the MOA be deleted. A suitably worded stipulation for amendments, noncompliance and termination will be sufficient.

RECEIVED
FEB 08 2000
FHWA-Sacramento

8. I recommend that FHWA include in the MOA a stipulation pertaining to confidentiality of archeological site records. An example is attached for your consideration.

Minor technical changes to the MOA can be addressed quickly through consultation among FHWA and Caltrans at the staff level.

Your consideration of the foregoing suggestions is appreciated. If you have any questions about these suggestions, please do not hesitate to contact me or Hans Kreutzberg of my staff at your convenience. I look forward to receiving the final MOA as soon as possible.

Sincerely,

Daniel Abeyta

Daniel Abeyta, Acting
State Historic Preservation Officer

Attachments

EXECUTION OF AGREEMENTS

This MOA may be executed in any number of counterparts, each of which shall be deemed to be an original, but all together shall constitute but one and the same MOA. FHWA will ensure that each party is provided with a copy of the fully executed MOA. This MOA will become effective on the date that FHWA received the last signature.

EXECUTION AND IMPLEMENTATION of this MOA evidences that FHWA has afforded the Council a reasonable opportunity to comment on the Undertaking and on the Undertaking's effects on historic properties, that FHWA has taken into account the effects of the Undertaking on historic properties, and that FHWA has satisfied its responsibilities under Section 106 of the National Historic Preservation Act and applicable implementing regulations.

GRAY DAVIS, Governor

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
THIRTY VAN NESS AVENUE, SUITE 2011
SAN FRANCISCO, CALIFORNIA 94102-6080
PHONE: (415) 557-3686

February 4, 2000

DJM

Mr. Dennis Mulligan
Deputy District Director
California Department of Transportation
District 04
P. O. Box 23660
Oakland, California 94623-0660

SUBJECT: Request for Preliminary Determination of Consistency with the Coastal Zone Management Plan; San Francisco –Oakland Bay Bridge, East Span

Dear Mr. Mulligan:

This letter is in response to your request for a Consistency Determination for the San Francisco-Oakland Bay Bridge, East Span to be constructed in Alameda and San Francisco Counties.

The BCDC Management Program provides that consistency matters will be handled as much as possible like permits. Section 930 of the Federal regulations on consistency also provides for consistency determinations "for every major funding phase of the Federal assistance activity which entails the consideration of new information not previously reviewed." I, therefore, believe I can comply with your request, but only under the following conditions:

1. This request comes at the environmental document stage and, because the staff rather than the Commission normally comments on projects at this stage, I believe I can make this determination at this time. However, while my determination is based on the McAteer-Petris Act, the Bay Plan, and the Commission's Management Program, it is, like staff comments on environmental documents generally, a staff determination only. A further and final Commission decision on the project and its consistency with the BCDC Management Program will be made at the permit application stage; and

2. This Determination is based upon and goes no further than the information contained in the Environmental Impact Statement. In particular, you have indicated, and the assumptions and uncertainties in the Environmental Impact Statement confirm, that the design of the bridge and its precise location are not final. While the information in the environmental Impact Statement permits me to conclude that a bridge can probably be constructed in this area in a manner consistent with the BCDC Management Program, this determination

Dedicated to making San Francisco Bay better

does not mean that the design proposed in the Environmental Impact Statement is consistent with the Program. Our comments later on in this letter elaborate further on our concerns in this regard.

Preliminary Comments on Fill for the Bridge

The proposed project would involve the placement of fill both in and over areas within the Commission's "bay" jurisdiction. The Commission's law and plan restrict fill to water-oriented uses, limit any fill placed to the minimum fill necessary, and require that the fill be designed to minimize impacts to existing wetland resources. The Commission's law defines bridges as a water-oriented use that can be permitted on fill. The staff believes that a bridge can be designed at this location that minimizes fill and impacts to the Bay. The staff has also reviewed proposed mitigation for the unavoidable adverse impacts and, while recognizing that much of the details of the mitigation plan need refinement, believe that a mitigation program can be designed at the proposed mitigation site that will appropriately offset the adverse impacts of fill placed for the bridge.

Preliminary Comments on Proposed Public Access

The Commission's law also requires that projects the Commission authorizes must provide the maximum feasible public access to and along the Bay consistent with the project. The Department of Transportation (CalTrans) is proposing to provide a bicycle/pedestrian path on the southern edge of the new San Francisco-Oakland Bay Bridge. Although details of the public access are still being developed and details concerning how the path will connect to existing shoreline access areas remain to be worked out, the Commission staff believes that the proposed public access would be located at the most desirable location for public access across the bridge, and that the public access across the bridge can be appropriately connected to shoreline access areas. We also believe that the rail height and design of the new bridge can be designed so that it affords views of the Bay, as required by the San Francisco Bay Plan policies on Appearance, Design, and Scenic Views.

To summarize, while these are staff comments only and a final Consistency Determination must await Commission approval of a permit for the new San Francisco-Oakland Bay Bridge East Span, the bridge design and location that CalTrans has presented to staff to date appears to be in general conformance with the Commission's law and policies. Its past performance on this project suggests that as the bridge design is refined, CalTrans is willing to work with Commission staff to assure that the design is fully consistent with the Commission's law and policies. Therefore, I believe that the project in concept, generally conforms to the Commission's amended coastal management program for San Francisco Bay.

I hope this letter clarifies our position. If you have any further questions, please contact Art Duffy of our staff at (415) 557-8766.

Sincerely,

WILL TRAVIS
Executive Director

DEPARTMENT OF THE NAVY
ENGINEERING FIELD ACTIVITY, WEST
NAVAL FACILITIES ENGINEERING COMMAND
900 COMMODORE DRIVE
SAN BRUNO, CALIFORNIA 94066-5006

IN REPLY REFER TO:

February 18, 2000

Jeffrey A. Lindley
Federal Highway Administration
Division Administrator
California Division
980 Ninth Street - Suite 400
Sacramento, CA 95814-2724

Dear Mr. Lindley:

I am writing in response to your letter of February 10, 2000, concerning the proposed Memorandum Of Agreement (MOA) for The San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. Although we had not yet forwarded our formal comments on the October 21, 1999 MOA, we have been discussing our concerns with your agency. Thus, we were surprised to learn that this MOA has been revised and signatures obtained without further consultation with the Department of the Navy and the other signatories and consulting parties.

As the Federal landowner for most of the property on Yerba Buena Island and most of the cultural resources on that island as well as Treasure Island, the Department of the Navy has statutory responsibilities under the National Historic Preservation Act of 1966, 16 U.S.C. § 470f (1994) (NHPA), which mandates that Navy must assess the effects that proposed projects would have on Navy's cultural resources on those islands. Consequently, Navy must be a party to the MOA.

Naval Station Treasure Island, which includes Yerba Buena Island, was designated for closure in the 1993 round of Defense Base Closures and Realignments and closed on September 30, 1997. The Navy property on Treasure Island and Yerba Buena Island falls within the City limits of the City of San Francisco, and the City is the Local Redevelopment Authority recognized by the Department of Defense as the entity responsible for planning the reuse and redevelopment of Naval Station Treasure Island, including the Navy property on Yerba Buena Island. The City of San Francisco plans to preserve and adaptively reuse the Navy cultural resources on Yerba Buena Island.

The Department of the Navy has consulted with the City of San Francisco, the California State Historic Preservation Officer, and the Advisory Council on Historic Preservation (ACHP) on issues arising out of the proposed Federal disposal of Naval Station Treasure Island and local reuse of Navy's cultural resources on Treasure Island and Yerba Buena Island. These consultations will likely conclude with the imposition of historic preservation land use restrictions on those parcels that contain historic and archeological properties.

Before the Department of the Navy can execute the proposed Memorandum Of Agreement, there are several issues that must be resolved and I will address each in turn.

First, based upon the information provided by the Federal Highway Administration (FHWA), the nature of FHWA's Federal undertaking remains unclear. It appears that the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project is a California State project. The Federal Highway Administration is neither providing funds nor granting approvals for this project. It is evident that the two Federal agencies that do have responsibility for granting or denying approval of actions related to the project are the Department of the Navy and the United States Coast Guard.

Consequently, we request that the Federal Highway Administration provide an explanation of the basis for its apparent belief that it is the lead agency responsible for this project. This explanation should be set forth in the MOA with stipulations that define the roles and responsibilities of each Federal agency.

Second, we understood that all Section 106 consultations that were not essentially concluded by June 17, 1999, were to be completed under the revised Section 106 regulations. The consulting parties have not concluded any agreements that would be adversely affected by the new regulations. Thus, we ask that this consultation process follow the new regulations.

While your letter states that the consultations have been conducted in the spirit of the new regulations, there are several respects in which important requirements of the new regulations have not been satisfied. For example, there is no documentation evidencing that all potential parties have been invited to participate. The proposed MOA does not state that Native Americans have been invited to participate in the process

nor does the MOA discuss the involvement of local government agencies in the process.

Third, the MOA should contain a "Whereas" clause that states that the Navy property, Naval Station Treasure Island, was closed under the authority of the Defense Base Closure and Realignment Act of 1990, 10 U.S.C. § 2687 note (1994), and that the Local Redevelopment Authority, the City of San Francisco, has proposed to preserve and adaptively reuse the historic properties on Yerba Buena Island. The MOA should also indicate that the Department of the Navy's disposal action would involve a separate Section 106 consultation process.

Fourth, the City of San Francisco should be invited to participate in the consultation process as a consulting party. In its capacity as the Department of Defense-designated Local Redevelopment Authority for Naval Station Treasure Island, the City is an important stakeholder in this process. The 1999 regulations made this clear when they stated that "[a] representative of a local government with jurisdiction over the area in which the effects of an undertaking may occur is entitled to participate as a consulting party." Navy and the City are currently exercising concurrent legislative jurisdiction over Naval Station Treasure Island property, including Yerba Buena Island.

Fifth, the Costanoan Rumsen Carmel Tribe sought to participate in the Section 106 process in response to your letter of May 7, 1999, but the Tribe has not been recognized in the proposed MOA. No information has been provided to explain why the Tribe's request was not granted or why the Tribe's comments were not sought concerning the mitigation proposed for the archeological site on Yerba Buena Island. It is apparent that the archeological site on Yerba Buena would be adversely affected by each of the four "build" alternatives as well as the temporary bridge alignments. Thus, Native American groups should be afforded the opportunity to participate in the Section 106 process. Moreover, since the archeological site is known to have contained human remains, the proposed MOA must consider issues arising under the Native American Graves and Repatriation Act. These issues are typically resolved by partnering with Native American Tribes; thus, it is important for the parties to discuss responsibilities for these issues arising out of the FHWA undertaking.

Sixth, the proposed MOA does not treat the impacts on Navy and Coast Guard property that would result from construction of

the temporary bridges necessary for each of the alternative alignments. For example, the Draft Environmental Impact Statement Statutory Exemption (EIS/SE) discloses that the temporary bridge would be built over Nimitz House (Quarters One), but does not describe the effect that this placement would have on the Nimitz property.

Seventh, it would be at least prudent, if not required, that the proposed MOA contain a description of each of the four "build" alternatives and the attendant temporary bridge alignments and an explication of the adverse effects that would result from each alternative and each temporary bridge alignment. It is clear that, in some cases, the temporary bridge would have a severe adverse impact on the Navy property. The stipulations should relate the alternative and its effects on each of the cultural resources.

Eighth, the proposed MOA contradicts the impact findings of the FHWA's Draft EIS/SE for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. The Draft EIS/SE states that each of the action alternatives would have an adverse impact on Navy's historic properties. The proposed MOA, however, states only that the project "may" affect those properties. The consulting parties and signatories must develop a consensus regarding the impacts on Navy's historic properties and on the archeological sites. The Department of the Navy also disagrees with the findings in the Draft EIS/SE and the proposed MOA that the project would not have an adverse effect on Nimitz House. The project would place Nimitz House under the span of two of the four temporary bridge options.

This consultation process must meet the Department of the Navy's obligations under Section 106 of NHPA. Thus, we request that you provide us with copies of all informational materials that FHWA generated and all correspondence between FHWA and the signatories and the public. In particular, we request materials and correspondence that were used in any outreach to interested groups, associations, and Native American Tribes. For example, there were groups from the Oakland area who expressed interest in the historic preservation issues and proposed mitigation measures to protect the historic resources on Yerba Buena Island. There is, however, no documentation that evidences any outreach that FHWA conducted in the San Francisco Bay Area.

The Department of the Navy also has responsibility under the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321-4370b (1994) (NEPA) for the Federal action constituting the

disposal of Naval Station Treasure Island. Thus, resolution of the Section 106 issues described in this letter does not also constitute a Navy decision to proceed with any real estate action that would be necessary to permit the use of Navy property, e.g., construction easements. Navy must complete the NEPA process and issue a Record Of Decision before any such action may take place.

We look forward to meeting with all of the consulting parties to develop an MOA that addresses the substantial effects that the proposed project would cause on the historic properties. As the Federal agency that owns the cultural resources that would be affected by the proposed project, we must ensure that we have fulfilled our responsibilities under Section 106.

While we have other comments on the proposed MOA, we believe that they can be discussed at future consultation meetings. Issues affecting Naval Station Treasure Island have been transferred to our San Diego office. If you have questions, please contact Mr. Ron Plaseied, Base Closure Manager, at (619) 532-0986 or Ms. Melanie Ault, Environmental Planner, at (619) 532-0954.

Sincerely,

G. J. BUCHANAN
Captain, CEC, USN
Commanding Officer

Copy to:
Honorable Willie L. Brown, Jr. (San Francisco Mayor)
Mr. Dan Abeyta (State Historic Preservation Officer)
Mr. Lee Keatinge (Advisory Council on Historic Preservation)
Mr. Denis J. Mulligan (Department of Transportation, District 4)

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

February 29, 2000

IN REPLY REFER TO

HDA-CA
File #: 04-SF-80-12.2/14.3KP;
04-Ala-80-0.0/2.1
Document #: P31435

G. J. Buchanan, Captain, CEC, USN
Commanding Officer
Department of the Navy
Engineering Field Activity, West
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno, CA 94068-5008

Attn: Mr. Ron Plaseied, Base Closure Manager

Dear: Captain Buchanan:

SUBJECT: SFOBB MOA - PRELIMINARY RESPONSE TO NAVY COMMENTS

We want to thank you for your quick response to our February 10, 2000, letter regarding the historic properties Memorandum of Agreement (MOA) for the proposed San Francisco Oakland Bay Bridge East Span Seismic Safety Project (SFOBB East Span Seismic Safety Project or Project). We also appreciate your agreement to meet with us on March 1, 2000, to discuss the comments in your February 18, 2000, letter and our responses to those comments. We have prepared this preliminary response letter for purposes of discussion at the March 1st meeting and will send a formal response letter following the meeting. Our objective is to have a MOA signed by the Navy by March 3, 2000, or sooner.

Let me assure you that we recognize the Navy as the owner of most of the land and most of the cultural resources on Yerba Buena Island and understand the importance of the Navy as a party to this MOA. We also understand that the Navy will have additional Section 106 responsibilities with regard to reuse by San Francisco under Defense Base Closures and Realignments (BRAC) for historic properties on Yerba Buena Island and on Treasure Island that are not affected by the SFOBB East Span Seismic Safety Project and therefore are not covered by the MOA. This MOA is to document the signatory agencies' agreement with the measures to resolve effects on all National Register eligible or listed properties affected by the SFOBB East Span Seismic

Safety Project and would be incorporated into the Project. We believe that the Navy's responsibilities with respect to authorizing the use of Navy lands for the SFOBB East Span Seismic Safety Project can be met through participation in this MOA.

We recognize that the City of San Francisco is the Local Redevelopment Authority under BRAC procedures and are aware of the City's longterm reuse plans as presented in its Draft Reuse Plan. We believe that the City's plans for adaptive reuse of cultural resources will not be impaired by the Project which will incorporate measures to resolve effects of the Project identified in the MOA. For further discussion of the Project impact on the reuse plan please refer to the booklet titled "Land Use Issues Associated with the SFOBB East Span Seismic Safety Project and the Naval Station Treasure Island Draft Reuse Plan" which was provided to Commander Scott Smith (Attention: Dennis Kelly) on January 18, 2000.

The following are the issues identified in your February 18, 2000, letter to be discussed at our March 1st meeting.

1. Nature of Federal Highway Administration's (FHWA) Undertaking/Lead Agency Status
   FHWA has National Environmental Policy Act (NEPA) responsibilities due to Interstate Defense Highway access and design exception approval authority. The State has recently requested federal funding, a potential for which had always been recognized. The Coast Guard (USCG) has NEPA responsibilities due to its bridge permit for navigational features, for its permits to Caltrans for construction easements, and for a potential land transfer to the State. Because the Project is a highway project and FHWA has expertise in this area, DOT Secretary Slater designated FHWA as the lead agency and USCG as a cooperating agency. The Navy has NEPA responsibilities due to issuance of permits to Caltrans for construction easements and for a potential land transfer to the State. The FHWA has always treated the Navy as a cooperating agency under NEPA.

   FHWA has NEPA and related Section 106 of the National Historic Preservation Act (Section 106) responsibilities encompassing the entire SFOBB East Span Seismic Safety Project. Its Section 106 responsibilities involve the historic bridge and contributing elements on both ends of the bridge east span as well as the Navy's historic buildings, district and archeological site on Yerba Buena Island. It is appropriate under the Section 106 regulations that FHWA, with its lead on the NEPA compliance for the entire SFOBB East Span Seismic Safety Project, be lead agency for the Section 106 requirements for the bridge project as well. The Coast Guard and the Navy undertakings that trigger Section 106 are the same actions that trigger NEPA responsibilities. The Navy and Coast Guard Section 106 responsibilities with regard to their undertakings for the SFOBB East Span Seismic Safety Project can be accomplished through their input and signatures on the MOA.

   The third "Whereas" clause of the MOA designates the roles of FHWA, USCG and Navy, but other wording could be added if necessary.

2. Use of Revised Section 106 Regulations

Mary Ann Naber, Advisory Council on Historic Preservation (ACHP), has advised FHWA that since the consultation process with the ACHP was initiated prior to the new regulations coming into effect, we could conclude the MOA process under the old regulations. (The MOA citations to the regulations are, however, made to the new regulations for ease of reference.) As your files will show, consultation has been extensive. During February 1999, Mary Ann Naber attended a two-day series of meetings arranged by Caltrans and FHWA with the various consulting parties and Dr. Hans Kreutzberg of the State Historic Preservation Office. Proposed mitigation measures were discussed at these meetings. These steps in consultation and others were documented in the "Addendum Finding of Adverse Effect" and in the "Consideration of Proposed Mitigation Measures" sent to the Navy on October 20, 1999, and will be summarized in the FEIS. As stated in our February 10, 2000 letter, we believe the consultations have been conducted in the spirit of the new regulations, as well in compliance with the regulations in effect when the Section 106 consultation process was initiated.

The MOA does state in the sixth "Whereas" clause that local governments and other interested parties have been consulted and comments taken into account. The purpose of the MOA is to address measures to resolve effects and additional procedural descriptions are unnecessary in the MOA.

The response numbered "5," below, addresses consultation with Native American tribes or groups.

3. Notation of BRAC/San Francisco's Reuse/Separate BRAC 106

A new "Whereas" clause concerning BRAC, the City of San Francisco's expected reuse of Navy land and the Navy's conduct of a separate 106 consultation process for the separate BRAC undertaking can be added to the MOA, if necessary.

4. City of San Francisco as a Consulting Party

The City of San Francisco was invited to participate in the consultation process and did participate by attending meetings, writing letters, and commenting on those portions of the DEIS that deal with historic properties. Opportunities to comment on Section 106 technical reports have been provided throughout the Section 106 and NEPA processes. The City's comments have been taken into account.

As the Navy made clear in its comments on the DEIS and more recently at meetings, the Navy currently owns the land and the City of San Francisco will not be the land owner until the BRAC process is completed. We feel that until the City of San Francisco obtains the land under BRAC, the Navy should act on its behalf since the City of San Francisco is the designated Local Redevelopment Authority under BRAC. This position is supported by the fact that the City's reuse plan must first be approved by the Navy and,

therefore, the Navy is the agency with jurisdiction. Nonetheless, the City of San Francisco's views
have been and will continue to be sought and its comments taken into account.

The MOA can be amended in the future when and if the transfer of property from the Navy to the City of San Francisco takes place, and if the City will be taking on any responsibilities under the MOA. Further, until the environmental process for the BRAC action is completed and a record of decision is filed, the ultimate disposition of the property is not confirmed. Accordingly, it is not appropriate for the City to sign the MOA at this time.

5. Participation of the Costanoan Rumsen Carmel Tribe

We wish to clarify the roles of the Native American tribes under Section 106 and under American Graves Protection and Repatriation Act (NAGPRA). The regulations implementing Section 106, define "Indian tribes" for the purposes of identifying Native American tribes that shall be consulting parties as those that have Federal recognition. NAGPRA, on the other hand, requires Federal land managing agencies consult with federally recognized Indian tribes on the repatriation of human remains or cultural objects recovered during intentional excavations or inadvertent discoveries on federal or tribal land. The archeological site CA-SFr-04/H lies within an area considered to be within Ohlone territory; however, there are no federally recognized Ohlone tribes. The Costanoan Rumsen Carmel Tribe, an Ohlone tribe, is not a federally recognized tribe.

Ohlone tribes, including the Costanoan Rumsen Carmel Tribe, have been consulted as documented in the "Addendum Finding of Adverse Effect." Caltrans sent letters dated May 7, 1999, to interested Native Americans identified by the Native American Heritage Commission. These letters solicited information both for Section 106 purposes and for NAGPRA purposes. They solicited information and concerns about archeological site CA-SFr-04/H and any issues Native Americans would like to see addressed in the treatment plan for the site. NAGPRA information that was solicited included the identification, evaluation and treatment of human remains, associated grave goods and items of cultural patrimony which might be uncovered at CA-SFr-04/H. A copy of the letter was sent to U.S. Navy personnel.

Furthermore, Ohlone will be invited to monitor archaeological excavations and to comment on the treatment plan. Stipulation IV in the MOA describes Native American participation in the archeological excavations and the treatment plan.

The Navy and the Coast Guard's NAGPRA responsibilities are addressed in Stipulation IV.G. "Treatment of human remains."

In order to be sure that we have conducted Native American coordination that meets the Navy's requirements, we would like a copy of the Navy's requirements.

6. Impacts of the Temporary Bridges (Detours)
The effects of all aspects of the Project, including those of the temporary detour structures during construction, are addressed in the "Finding of Effects" and the "Addendum Finding of Adverse Effect." The MOA doesn't ordinarily include a description of the effects, it identifies the agreed upon measures to resolve effects.

The "Addendum Finding of Adverse Effect" documents that detour options that would have spanned the Nimitz House were withdrawn from further consideration prior to completion of the "Addendum Finding of Adverse Effect." As described in that report, only one detour option is currently being considered and this option would not span the Nimitz House. Please refer to page 5 and to Exhibits 2 through 7 of the "Addendum Finding of Adverse Effect."

Mitigation measures to resolve the effects of the temporary detours are included in the MOA.

7. Description of Alternatives (incl. Temporary Structures) and Adverse Effects
The description of alternatives and adverse effects is in the Finding of Adverse Effect documents and in the EIS. The purpose of the MOA is to document agreement on mitigation measures to resolve those effects.

8. MOA Contradiction of DEIS/Change From "Would Have" to "May"
Since the MOA is alternative neutral and addresses all alternatives under consideration, "may also have effects on various Navy buildings on Yerba Buena Island" was used to acknowledge that different Navy buildings are affected by the different alternatives. For properties that were affected under all alternatives, "will" was used.

As noted above, the Nimitz House would not be spanned by any temporary structure still under consideration.

We have summarized mitigation input from consulting parties in the document "Consideration of Proposed Mitigation Measures" and in the "Addendum Finding of Adverse Effects." Included were a number of groups from Oakland. In your letter you stated that there were groups from the Oakland area who expressed interest in the historic preservation issues and proposed mitigation measures on Yerba Buena Island. We are not aware of any comments that are not addressed in the documents above. If you have additional information, please share it with us.

FHWA and Caltrans would be happy to provide the Navy with additional documentation of the 106 consultation. We look forward to identifying the documentation you need at the March 1st meeting. Discussion of 106 consultation will be included in the FEIS. We will work with the

Navy so that its obligation under 106 will be met to protect the historic resources on Yerba Buena Island.

We are aware that the Navy has further BRAC requirements with regard to the disposal of land on Naval Station Treasure Island. We will meet with the Navy separately to address Project needs with regard to rights-of-way, but encourage the Navy to use this MOA and the SFOBB East Span Seismic Safety Project NEPA document for use in the land transfer for this project.

We look forward to our meeting March 1, 2000.

Sincerely,

/s/ David A. Nicol

David A. Nicol
Acting Division Administrator

cc:
Commander Scott Smith, Navy
Hans Kreutzberg, SHPO
Mary Ann Naber, ACHP
Denis Mulligan, Caltrans Dist. 4

DANA W. REED, Chairman
JAMES W. KELLOGG, Vice Chairman
ROBERT ASETHY
JEREMIAH F. HALLISEY
ROGER A. KOZBERG
ALLEN M. LAWRENCE
EDWARD B. SYLVESTER
ESTEBAN E. TORRES
ROBERT A. WOLF

TOM BETTY KARNETTE, Ex Officio
MEMBER TOM TORLAKSON, Ex Officio

ROBERT I. REMEN, Executive Director

GRAY DAVIS
GOVERNOR

Mara Melandry

CALIFORNIA TRANSPORTATION COMMISSION

1120 N STREET, MS-52
P.O. BOX 942873
SACRAMENTO 94273-0001
FAX (916) 653-2134
FAX (916) 654-4364
(916) 654-4245

February 29, 2000

Mr. Ron Plaseied
Base Closure Manager
Southwest Division
Naval Facilities Engineering Command
1220 Pacific Highway
San Diego, CA 92132-5190

Dear Mr. Plaseied:

As you know, Caltrans provided the California Transportation Commission with a status report on the San Francisco-Oakland Bay Bridge replacement at the Commission's February 23, 2000 meeting. The Commission was extremely disappointed that the Navy did not attend for the second time. We hope you will be able to attend the Commission's March 29-30, 2000 meeting to explain what is needed to obtain the Navy's cooperation to complete this critical public safety project. Each day of delay in the project puts millions of Californians at risk.

The meeting will be held in Sacramento, in Room 4202 of the State Capitol. This item is again expected to come up on the agenda about the middle of the morning on March 30, but can be adjusted to meet your schedule.

The lack of a solution to the bridge replacement problem puts the public in serious jeopardy, and as such, your attendance at our March meeting is crucial. If you have any questions, please contact the Commission's Executive Director, Robert Remen at (916) 654-4245.

Sincerely,

Dana W. Reed

DANA W. REED
Chairman

cc: Vice President Al Gore, The White House, Washington, D.C. 20501
Honorable William S. Cohen, Secretary of Defense, 1000 Defense Pentagon,
Honorable Richard Danzig, Secretary of the Navy, 1000 Navy Pentagon, Wa
Denis Mulligan, District 4, Caltrans

trosnow/gumz/Ltmavy2

DEPARTMENT OF THE NAVY
ENGINEERING FIELD ACTIVITY, WEST
NAVAL FACILITIES ENGINEERING COMMAND
900 COMMODORE DRIVE
SAN BRUNO, CALIFORNIA 94066-5006

IN REPLY REFER TO:

21 MAR 00

Mr. Dana W. Reed
Chairman
California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

Dear Mr. Reed:

I am writing in response to your letter of February 29, 2000, inviting the Department of the Navy to attend the California Transportation Commission's meeting on March 30, 2000, concerning the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project (SFOBB Safety Project).

For more than two years, Navy has taken the consistent position that the impacts of the SFOBB Safety Project need to be addressed by all affected parties, including the City and County of San Francisco. When that inclusiveness occurs, we are confident that the requirements of Federal laws relevant to this matter (e.g., the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note (DBCRA)); the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4370h (NEPA)); and the National Historic Preservation Act of 1966 (16 U.S.C. §§ 470-470w-6 (NHPA)) can be fully met. At the same time, when all affected parties are substantively involved, all critical imperatives can be addressed and an integrated response to those imperatives can be developed. We remain puzzled at the inexplicable exclusion of San Francisco from matters in which it has obvious and substantial interests, particularly in the face of Navy's repeated efforts to gain the City's inclusion.

Navy has been working with the Department of Transportation's Federal Highway Administration (FHWA) and the California Department of Transportation (CALTRANS) over a long period of time concerning the SFOBB Safety Project. For instance, on a number of occasions Navy has met with representatives of the FHWA and CALTRANS and Navy submitted extensive substantive comments on the Draft Environmental Impact Statement being prepared for this project pursuant to NEPA and implementing regulations. Most recently, on March 1, 2000, Navy met with representatives of the FHWA and CALTRANS to discuss the proposed Memorandum Of Agreement under Section 106 of NHPA that addresses the historic resources on Yerba Buena Island.

At the meeting on March 1, 2000, Navy highlighted its responsibilities under Section 106 of the National Historic Preservation Act as well as the obligations imposed upon Navy by DBCRA. In particular, DBCRA requires Navy to support local redevelopment of base closure property and to closely consult with the Local Redevelopment Authority (which, for Naval Station Treasure Island, is the City of San Francisco) throughout the property disposal process.

Navy fully understands the importance of the SFOBB Safety Project to the San Francisco-Oakland Bay area and will continue to cooperate with the FHWA and CALTRANS. However, Navy cannot meet its obligations under the Federal laws noted earlier until San Francisco is included as a full partner with the Federal and State agencies dealing with the SFOBB Safety Project. This would include, for instance, San Francisco's full involvement in this consultation under Section 106 of NHPA. Without that involvement, the Section 106 process as presently scoped cannot be concluded.

If you have any questions concerning this matter, please contact Mr. Ron Plaseied, Treasure Island Base Closure Manager, at (619) 532-0986.

Sincerely,

G. J. Buchanan

G. J. BUCHANAN
Captain, CEC, USN
Commanding Officer

DEPARTMENT OF THE NAVY
ENGINEERING FIELD ACTIVITY, WEST
NAVAL FACILITIES ENGINEERING COMMAND
900 COMMODORE DRIVE
SAN BRUNO, CALIFORNIA 94066-5006

IN REPLY REFER TO:
March 28, 2000

Mr. David A. Nicol
Acting Division Administrator
Department of Transportation
Federal Highway Administration
Post Office Box 1915
Sacramento, CA 95812-1915

RE: SFOBB Section 106 Memorandum Of Agreement

Dear Mr. Nicol:

We appreciated the opportunity to meet with your staff and representatives of the California Department of Transportation to discuss issues arising out of the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project (SFOBB) proposed to be built on Navy property at Naval Station Treasure Island. Those discussions, while not part of the formal consultation process under Section 106 of the National Historic Preservation Act of 1966 (NHPA), did resolve some of the issues raised in my letter of February 18, 2000. Nevertheless, several significant issues remain outstanding.

First, in your letter of February 20, 2000, and during the discussions on March 1, 2000, you and your staff stated that the Federal Highway Administration (FHWA) has treated Navy as a cooperating agency under the National Environmental Policy Act of 1969 (NEPA) for the proposed bridge construction project. I must point out, however, that Navy has not been asked nor has it been given an opportunity to participate in the NEPA process for the proposed bridge construction as a cooperating agency as defined in the Council on Environmental Quality Regulations set forth at 40 CFR § 1501.6. In order for Navy to participate as a cooperating agency, a Memorandum Of Understanding (MOU) setting out the roles and responsibilities of each agency should be executed.

Second, it is essential that we clearly define in that MOU the distinct Federal undertakings concerning the proposed east span of the bridge, the historic district, and particular historic structures for which FHWA, Navy, and the Coast Guard, as appropriate, are responsible. Thus, we should incorporate provisions in the MOU, similar to Item 1 in your letter of

February 29, 2000, that define each Federal agency's undertakings. These provisions will ensure that all consulting parties and the public have a clear understanding of each agency's NHPA and NEPA obligations. To that end, we will provide you with language describing the scope of Navy's undertakings concerning the historic properties at Naval Station Treasure Island.

As one of the agencies with a Federal undertaking in this project, Navy must ensure that its NHPA and NEPA obligations are met. Navy cannot take any real estate actions regarding this property until we have satisfied our statutory obligations under NHPA and NEPA regarding the disposal of Naval Station Treasure Island. Additionally, the DBCRA requires Navy, as part of the NEPA process, to consider the economic viability of reuse proposals for this property. Thus, the economic viability of adaptively using the historic properties must be part of Navy's Section 106 consultation for any proposed use of the Treasure Island property. We expect to issue a NEPA Record Of Decision at the end of this year, but before we can do so, we must complete the NHPA Section 106 process.

Third, as we indicated at the meeting on March 1, 2000, Navy's undertakings extend beyond the mere granting of easements for the proposed bridge construction. As discussed in Navy's letter of November 23, 1998, commenting on the Draft Environmental Impact Statement (EIS), we must consult with the City and County of San Francisco, the Local Redevelopment Authority for Naval Station Treasure Island, before disposing of any property interest at the base. The FHWA's proposed action regarding bridge construction would require Navy to dispose of interests in that base closure property and in a manner that is inconsistent with the City's reuse plan for that property.

The Defense Base Closure and Realignment Act of 1990 (DBCRA), § 2905(b)(2)(D) and (b)(7)(K), requires Navy to consult with the Local Redevelopment Authority, give substantial deference to the reuse plan prepared by the Local Redevelopment Authority, and include that plan as part of Navy's proposed action for disposal and reuse of the closed base. Thus, we believe that the City of San Francisco must be a consulting party in this Section 106 process, if it chooses to do so.

The FHWA has stated its belief that the Advisory Council on Historic Preservation's revised implementing regulations for Section 106 of NHPA, 36 CFR Part 800, do not empower the City to be a party to the MOA. For the following reasons, we disagree

with that belief. As stated in my letter of February 18, 2000, Navy shares legislative jurisdiction with the City for the Naval Station Treasure Island property. The City is ". . . the local government with jurisdiction over the area in which the effects of an undertaking may occur" and thus is "entitled to participate as a consulting party." (36 CFR § 800.2(c)(4)). Further, it also has a "demonstrated interest . . . in the undertaking due to the nature of their legal or economic relation to the undertaking or affected properties, [and] their concern with the undertaking's effects on historic properties" (36 CFR Part 800.2.c.6). The City has demonstrated that interest by designating Treasure Island for military land use in the City's General Plan and for public use zoning in the City Planning Code; by preparing and approving a reuse plan that protects, preserves and adaptively uses Navy's historic properties; and by submitting comments on the Draft EIS describing the effects that the proposed bridge project would have on those historic properties and the impact that this project would have on the City's ability to adaptively use those properties.

Fourth, as agreed at the meeting on March 1, 2000, we look forward to receiving copies of all FHWA correspondence and materials inviting public participation in this process and other documentation concerning historic preservation issues, including comments received on the Draft EIS and responses to those comments. Please contact Melanie Ault at (619) 532-0954 or Ron Plaseied at (619) 532-0986 to schedule a consultation meeting with all parties.

Sincerely,

G. J. Buchanan

G. J. BUCHANAN
Captain, CEC, USN
Commanding Officer

cc: Lee Keatinge
Daniel Abeyta
Anne Marie Conroy
Denis J. Mulligan

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

# of pages ▸ 6

To Marilee	From Bill Wong
Dept./Agency D-4	Phone # 916-498-5042
Fax # 510-286-6374	Fax # -5008

NSN 7540-01-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION

Advisory Council On Historic Preservation

The Old Post Office Building
1100 Pennsylvania Avenue, NW, #809
Washington, DC 20004

Mr. David A. Nicol
Acting Division Administrator
Federal Highway Administration
980 Ninth Street, Suite 400
Sacramento, CA 95814-2714

APR 19 2000

REF: San Francisco Oakland Bay Bridge Replacement
Memorandum of Agreement

Dear Mr. Nicol:

On February 11, 2000, the Council received your request for our execution of the referenced Memorandum of Agreement (MOA). We had also received an earlier draft of the agreement for our comment; however, as your staff was informed on several occasions, the Council was not prepared to offer our comments until we were able to take into account any comments that might be received from the other consulting parties, particularly the U.S. Navy. On February 22, 2000, this office received a facsimile copy of the Navy's comments which has allowed us to proceed with our consideration of the proposed MOA. Additional information has since been provided by your staff regarding the chronology of consultation.

We are satisfied to have FHWA acting as lead Federal agency for this project; however, we are concerned with level of coordination among other interested parties. The Council participated in the one meeting of consulting parties at which time the effects determinations had yet to be finalized and the chief topic of discussion was whether an "alternative neutral" approach would be acceptable. Coordination before that meeting and since appear to have been on a bilateral basis with individual agencies, providing no opportunity to identify issues of concern to the various consulting parties, much less achieve consensus as to appropriate mitigation. The proposed counterpart method of executing this agreement is a continuation of the bilateral approach and is not acceptable to the Council. We are aware that the proposed replacement of the eastern span of the San Francisco Oakland Bay Bridge has generated considerable public interest; therefore we would expect to see a greater level of participation from the public and other interested parties, including extending to the local governments the invitation to participate in the MOA as concurring parties. Because they have participated to some degree in consultation and are expected to cooperate in carrying out the terms of the agreement, we are recommending that the cities of San Francisco and Oakland be invited to concur in the terms of the agreement. Furthermore, as it is likely that San Francisco will become the property owner of record for at least a portion of the construction area during the period of construction, not including the city government at this time would be short-sighted.

The other concern with the conduct of consultation for this project is the consideration given Native American representatives. Provisions within the revised regulations give certain rights to federally recognized tribes; however, that is not to say that other groups are prevented from participating if they so request. As the Costanoan Rumsen Tribe has requested to participate as a consulting party, will be reviewing the Treatment Plan, and will possibly participate in monitoring data recovery at Archeological Site CASFr04/H, the Tribe should be invited to concur in the agreement to ensure their future cooperation. Provisions within the agreement for development of the Treatment Plan and treatment of human remains should be revised with Tribal input.

Second only to the demolition of the historic bridge itself, the source of greatest concern from an historic structure perspective is the proximity of the proposed new bridge to the Officer Quarters Historic District on Yuerba Buena Island and its attendant visual and audible impacts. It is our determination that the construction and operation of the replacement facility within the immediate proximity of the historic district itself constitutes an adverse effect. The appearance of the new bridge is of utmost concern in order to minimize its intrusion into the actual boundaries of the historic district, as well as to minimize the impact of its appearance on the larger setting. As we are unsure of the final design for the bridge, and given the prospective approach of this agreement, some provision must be included for subsequent review of the project plans to ensure its impact is minimized. Of concern from a historic preservation perspective would be the form, scale, materials of the bridge as well as lighting, signage, and accommodations for pedestrians

Finally, the proposed MOA often interchanges the terms "party" and "signatory". Under the terms of the revised regulations, signatory has a specific meaning. Accordingly, some attention must be paid to ensure that the appropriate term is used in the stipulations. We have noted specific instances in the attached recommendations for modification of the agreement. In addition to the issues raised above, we have a number of specific comments to offer on the proposed MOA, including many editorial changes which would improve the agreement by clarifying its intent and making the agreement easier to follow. These comments are contained within the separate attachment (enclosed).

We look forward to concluding this agreement with FHWA, the State Historic Preservation Officers, Caltrans and other consulting parties. Should you have any questions or wish to discuss this matter further, you may contact MaryAnn Naber at (202) 606-8505, or via e-mail at mnaber@achp.gov.

Sincerely,

[illegible] Klima
Director
Office of Planning and Review

Enclosure

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

May 19, 2000

IN REPLY REFER TO
HDA-CA
File #: 04-SF-80-12.2/14.0
Document #:P 31575

G. J. Buchanan, Captain, CEC,USN
Commanding Officer
Department of the Navy
Engineering Field Activity,West
Naval Facilities Engineering Command
900 Commodore Drive
San Bruno CA 94069-5008

Attention: Mr. Ron Plaseied, Base Closure Manager

Dear Captain Buchanan:

SUBJECT: SFOBB EAST SPAN SEISMIC SAFETY PROJECT MOA - RESPONSE TO NAVY MARCH 27, 2000 LETTER

We appreciate the time and thought your staff devoted to our meeting on March 1, 2000, and to a follow-up conference call on March 9, 2000, regarding the Memorandum of Agreement (MOA) for the proposed San Francisco Oakland Bay Bridge East Span Seismic Safety Project (Project). We believe these discussions have resulted in a better document. We have also now received your letter on the MOA dated March 27, 2000, and appreciate the thought and concern expressed in that letter. While we still have several issues to resolve, I believe we have established a working relationship through which resolution can be achieved.

We have moved forward on resolving many technical issues related to the MOA and have revised the MOA to include changes agreed to at the March 1, 2000, meeting. However, because we are still addressing comments on the MOA received from the ACHP, we are not able to send you a revised MOA at this time. As soon as we have a revised MOA, we will send it to you.

Since our meeting, we have thought further about parties to sign the MOA as concurring parties. The Navy had asked that the City and County of San Francisco (San Francisco) be invited to be a concurring party and the ACHP has asked that the City of Oakland and the Coastanoan Rumsen Carmel Tribe also be invited to concur in the terms of the MOA. We have decided to agree to these requests and will invite San Francisco, the City of Oakland and the Coastanoan Rumsen Carmel Tribe to concur in the terms of the MOA by signing the MOA as concurring parties.

Other unresolved issues revolve around the transfer of land for construction easements and operation of the east span of the San Francisco-Oakland Bay Bridge. We are preparing a package of materials to reinitiate the Federal Land Transfer process, originally begun in 1996. We will seek a transfer of land for both temporary construction easements and for permanent bridge operation under 23 U.S.C. § 107(d). Use of this provision for the Federal Land Transfer was agreed to by the Navy and the Department of Defense at a meeting held at the White House on May 5, 2000.

We would be happy to meet with you or hold another telephone conference to discuss project issues, at your request. If you need additional information or would like to arrange a telephone conference, please contact Robert Tally at (916) 498-5020 or Bill Wong at (916) 498-5042.

Sincerely,

/s/ Michael G. Ritchie

Michael G. Ritchie
Division Administrator

cc:
Daniel Abeyta, SHPO
John Fowler, ACHP
Denis Mulligan, Caltrans Dist. 4

cc (blind):
Ron Plaseid, Navy at San Diego address
Mara Melandry, Caltrans Dist. 4
Brian Smith, Caltrans HQ
Cindy Adams, Caltrans HQ
Margaret Buss, Caltrans HQ

cc (e-mail):
Karen Skelton, FHWA
Virginia Cherwek, FHWA
Gloria Shepard, FHWA
Bruce Eberle, FHWA
Fred Skaer, FHWA
Robert Tally, HA-CA
Bill Wong, HA-CA
Joan Bollman, HA-CA
Karen Schmidt, HPR-CA

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

May 26, 2000

(EXISTING #)
RECEIVED
HK MAY 31 2000
OHP

IN REPLY REFER TO
HDA-CA
File #: 04-SF-80-12.2/14.0
Document #: 32270
FHWA 980717A

CERTIFIED RETURN RECEIPT REQUESTED: Z-211-283-749

Mr. Daniel Abeyta
Acting State Historic Preservation Officer
Office of State Historic Preservation
P.O. Box 942896
Sacramento, CA 94296-0001

Dear Mr. Abeyta:

SUBJECT: **SFOBB Maritime ARCHEOLOGY: NO PROPERTIES**

Enclosed for your review is a copy of the Addendum Archaeological Survey Report - Maritime Archaeology for the San Francisco Oakland Bay Bridge East Span Seismic Safety Project (Project). This report completes the documentation of the results of maritime archaeological surveys within the Project's maritime area of potential effect (APE). By your December 1, 1999, letter, you concurred with our determination that there are no National Register eligible properties within the portion of the Project's maritime APE associated with the SFOBB East Span Seismic Safety Project - Pile Installation Demonstration Project. We have determined that there are no National Register eligible archeological sites located within the remainder of the Project maritime APE. We request your concurrence in this determination.

If you have any questions, please contact Joan Bollman at 498-5028.

Sincerely,

CONCUR: [signature] for 6/6/00
Daniel Abeyta, Acting
State Historic Preservation Officer

Joan Bollman
For
Michael G. Ritchie
Division Administrator

Enclosure

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

June 13, 2000

IN REPLY REFER TO
HDA-CA
File #:04-SF-80-12.2/14.0
Document #:P 32467

Mr. Harry Yahata
District Director
Caltrans, District 4
P.O. Box 23660
Oakland, CA 94623-0660

Dear Mr. Yahata:

SUBJECT: SFOBB: SHPO CONCURRENCE REGARDING MARITIME ARCHEOLOGY

Enclosed for your files is a copy of the State Historic Preservation Officer's June 6, 2000, concurrence in our determination that there are no National Register eligible archeological sites located within the remainder of the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project's maritime area of potential effect.

If you have any questions, please contact Joan Bollman at 916-498-5028.

Sincerely,

Joan Bollman

For
Michael G. Ritchie
Division Administrator

RECEIVED
JUN 19 2000
B. QUAN

Enclosure

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

June 23, 2000

IN REPLY REFER TO

HDA-CA
File #:04-SF-80-12.2.14.3KP
04-Ala-80-12.2/13.4
Document #:P32541

SEE ATTACHED LIST OF ADDRESSEES

Dear:

SUBJECT: SF BAY BRIDGE EAST SPAN SEISMIC SAFETY PROJECT MOA

We are writing this letter to invite you to concur with the enclosed Memorandum of Agreement (MOA) for cultural resources for the San-Francisco-Oakland Bay Bridge East Span Seismic Safety Project. As you are probably aware, this is an important public safety project and has a high level of interest within the Bay Area.

The MOA was developed and signed by the Federal Highway Administration (FHWA), the United States Coast Guard, the California State Historic Preservation Officer, and the Advisory Council on Historic Preservation (ACHP) to address the bridge project's effects on cultural resources in compliance with Section 106 of the National Historic Preservation Act. As indicated in earlier Caltrans contact with you, one of the affected cultural resources is an archaeological site, CA-SFr-4/H. CA-SFr-4/H is located on Yerba Buena Island. Burials have been found at the site, the latest discovery was during the construction of the bridge in the 1930s. A map showing the project area on Yerba Buena Island and the approximate location of CA-SFr-4/H is enclosed for your information. Mitigation for project effects on CA-SFr-4/H will be addressed in a treatment plan which will be developed in accordance with Stipulation VII of the MOA.

The FHWA, as federal lead agency for the project, is now inviting members of the Ohlone Native American community identified as having potential interest in CA-SFr-4/H, the City and County of San Francisco, the City of Oakland, and the Navy to concur in the MOA. Because of your potential interest in impacts to archaeological site CA-SFr-4/H, you are being invited to concur in the MOA. Your signature as a concurring party would mean that you have read and understood the terms of the MOA and do not object to them. These invitations are made as permitted by the ACHP's regulations implementing Section 106 of the National Historic Preservation Act found in 36 CFR Part 800. While these regulations specify, that the refusal of any party invited to concur in the MOA does not invalidate the MOA, it is our hope that we can obtain your concurrence in the MOA

which, we believe addresses your concerns and demonstrates all parties' commitment to protect and preserve the integrity of the historic properties affected by the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project.

We are providing a copy of the MOA to you and to other parties with a request to indicate concurrence by signing in the indicated space and returning the signature page to this office by August 2, 2000. Enclosed is a self-addressed, stamped envelope for your use, if you have chosen to sign the MOA as a concurring party. After the above date, you will be sent a copy of the executed MOA with all the concurring party signatures that have been obtained within that time frame.

Whether or not you sign the MOA as a concurring party, Caltrans will continue to solicit your input in the development of the treatment plan as described in Stipulation VII of the MOA on FHWA's behalf. If you have any questions concerning the treatment plan, Native American coordination, or CA-SFr-4/H, please contact Janet Pape, Archaeology Manager – Toll Bridge Program, Caltrans at 510/286-5615 or e-mail her at Janet.Pape@dot.ca.gov. If you have any questions regarding the MOA, please contact Joan Bollman at 916-498-5028.

Sincerely,

/s/ David A. Nicol

For
Michael G. Ritchie
Division Administrator

Enclosures

cc:
Daniel Abeyta, SHPO
John Fowler, ACHP
Captain Robert Lachowsky, USCG
Captain G. J. Buchanan, Navy

SFOBB MOA OHLONE NATIVE AMERICAN CONTACTS

Ms. Rosemary Cambra, Chairperson
Muwekma Indian Tribe
503 A Vandell Way
Campbell, CA 95008

Mr. Tony Cerda, Chairperson
Coastanoan Rumsen Carmel Tribe
3929 Riverside Drive
Chino, CA 91710

Mr. Andrew Galvan
The Ohlone Indian Tribe
P.O. Box 3152
Mission San Jose, CA 94539

Ms. Jakki Kehl
5461 Beaver lane
Byron, CA 94514

Mr. Kenneth Marquis
4659 Bolero Drive
San Jose, CA 95111

Ms. Jenny Mousseaux (McLeod)
P.O. Box 610548
San Jose, CA 95161

Mr. Patrick Orozco
110 Dick Phelps Road
Watsonville, CA 95075

Ms. Katherine Erolinda Perez
1234 Luna Lane
Stockton, CA 95206

Mr. Alex Ramirez
520 South Van Ness Avenue
San Francisco, CA 94110

Mr. Rudy Rosales, Chairperson
Ohlone/Coastanoan-Esselen Nation
P.O. Box 301
Monterey, CA 93942

Ms. Ann Marie Sayers, Chairperson
Indian Canyon Mutsun Band of Coastanoan
P.O. Box 28
Hollister, CA 95024

Ms. Linda G. Yamane
1195 B Rousch Avenue
Seaside, CA 93955

Ms. Irene Zwierlein, Chairperson
Amah Tribal Band
789 Canada Road
Woodside, CA 94062

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

June 23, 2000

IN REPLY REFER TO

HDA-CA
File #:04-SF-80-12.2/14.3KP;
04-Ala-80-0.0/2.1
Document #: P32425

Honorable Willie Brown Jr.
Mayor, City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco CA 94102

Dear Mayor Brown:

SUBJECT: SF-OAKLAND BAY BRIDGE EAST SPAN SEISMIC SAFETY PROJECT MOA

Enclosed is a copy of the alternative-neutral Memorandum of Agreement (MOA) for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. The MOA was recently executed by the Federal Highway Administration (FHWA), the United States Coast Guard, the Advisory Council on Historic Preservation (ACHP), and the State Office of Historic Preservation in conformance with Section 106 of the National Historic Preservation Act. For your information, I have enclosed a copy of the letter from the ACHP to FHWA in which the ACHP indicates that by carrying out the terms of the MOA, FHWA will have fulfilled its responsibilities under Section 106.

The MOA is the result of extensive consultation under the Section 106 process. We appreciate your participation in the consultation process leading to the execution of the MOA by your attendance at various meetings and the comments you provided.

By this letter, I invite the City and County of San Francisco to concur in the MOA. By separate letters, I am also inviting the City of Oakland, the Navy, and members of the Ohlone Native American community to be concurring parties. These invitations are made as permitted by the ACHP's regulations implementing Section 106 of the National Historic Preservation Act found in 36 CFR Part 800. While these regulations specify, at 36 CFR § 800.6(c)(3), that the refusal of any party invited to concur in the MOA does not invalidate the MOA, it is my hope that we can obtain your concurrence in the MOA which, we believe addresses your comments and concerns and demonstrates

all parties' commitment to protect and preserve the integrity of the historic properties affected by the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. Of course, because this MOA is alternative neutral, it does not commit any of the signers to a specific outcome or alternative, nor does it favor any particular alternative. Instead, it commits the signers to identified measures to mitigate the project's effects on historic properties. Because of the City and County of San Francisco's interest in preserving the historic properties on Yerba Buena Island, I hope you will join us in this important step. If you have any questions concerning the MOA, please do not hesitate to contact me.

I am providing a copy of the MOA to you and to other invited parties with a request to sign in the indicated space and return the signature page by August 2, 2000. After that date, you will be sent a copy of the executed MOA with all the concurring party signatures that have been obtained within the above time frame.

FHWA will consult further with you to fulfill the stipulations of the MOA whether or not you sign the MOA as a concurring party. We look forward to your participation in such future consultations. If you have any questions, please call me at 916-498-5001 or Joan Bollman at 916-498-5028.

Sincerely,

/s/ David A. Nicol

For
Michael G. Ritchie
Division Administrator

Enclosures

cc:
Daniel Abeyta, SHPO
John Fowler, ACHP
Captain Robert Lachowsky, USCG
Captain G. J. Buchanan, Navy

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

June 23, 2000

IN REPLY REFER TO

HDA-CA
File #:04-SF-80-12.2/14.3
04-Ala-80-0.0/2.1
Document #: P32540

Captain G.J. Buchanan, Captain, CEC, Navy
Commanding Officer
Department of the Navy
Engineering Field Activity West
Naval Facilities Engineering Command
900 Commodore Dr.
San Bruno CA 94066-5006

Attention: Ron Plaseied

Dear Captain Buchanan:

SUBJECT: SF-OAKLAND BAY BRIDGE EAST SPAN SEISMIC SAFETY PROJECT MOA

Enclosed is a copy of the alternative-neutral Memorandum of Agreement (MOA) for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. The MOA was recently executed by the Federal Highway Administration (FHWA), the United States Coast Guard, the Advisory Council on Historic Preservation (ACHP), and the State Office of Historic Preservation in conformance with Section 106 of the National Historic Preservation Act. For your information, I have enclosed a copy of the letter from the ACHP to FHWA in which the ACHP indicates that by carrying out the terms of the MOA, FHWA will have fulfilled its responsibilities under Section 106.

The MOA is the result of extensive consultation under the Section 106 process. We appreciate your participation in the consultation process leading to the execution of the MOA by your attendance at various meetings and the comments you provided.

By this letter, I invite the Navy to concur in the MOA. By separate letters (copies enclosed), I am also inviting the City and County of San Francisco, the City of Oakland, and members of the Ohlone Native American community to be concurring parties. These invitations are made as permitted by the ACHP's regulations implementing Section 106 of the National Historic Preservation Act found in 36 CFR Part 800. While these regulations specify, at 36 CFR § 800.6(c)(3), that the refusal of any

party invited to concur in the MOA does not invalidate the MOA, it is my hope that we can obtain your concurrence in the MOA which, we believe addresses your comments and concerns and demonstrates all parties' commitment to protect and preserve the integrity of the historic properties affected by the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. Of course, because this MOA is alternative neutral, it does not commit any of the signers to a specific outcome or alternative, nor does it favor any particular alternative. Instead, it commits the signers to identified measures to mitigate the project's effects on historic properties. Because of the Navy's interest in preserving the historic properties on Yerba Buena Island, I hope you will join us in this important step. If you have any questions concerning the MOA, please do not hesitate to contact me.

I am providing a copy of the MOA to you and to other invited parties with a request to sign in the indicated space and return the signature page to this office by August 2, 2000. After that date, you will be sent a copy of the executed MOA with all the concurring party signatures that have been obtained within above time frame.

FHWA will consult further with you to fulfill the stipulations of the MOA whether or not you sign the MOA as a concurring party. We look forward to your participation in such future consultations. If you have any questions, please call me at 916-498-5001 or Joan Bollman at 916-498-5028.

Sincerely,

/s/ David A. Nicol

For
Michael G. Ritchie
Division Administrator

Enclosures

cc:
Daniel Abeyta, SHPO
John Fowler, ACHP
Captain Robert Lachowsky, USCG

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

June 23, 2000

IN REPLY REFER TO
HDA-CA
File #:04-SF-80-12.2/14.3KP;
04-Ala-80-0.0/2.1
Document #: P32539

Honorable Jerry Brown
Mayor, City of Oakland
250 Frank Ogawa Plaza, City Hall
Oakland CA 94612

Dear Mayor Brown:

SUBJECT: SF-OAKLAND BAY BRIDGE EAST SPAN SEISMIC SAFETY PROJECT MOA

Enclosed is a copy of the alternative-neutral Memorandum of Agreement (MOA) for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. The MOA was recently executed by the Federal Highway Administration (FHWA), the United States Coast Guard, the Advisory Council on Historic Preservation (ACHP), and the State Office of Historic Preservation in conformance with Section 106 of the National Historic Preservation Act. For your information, I have enclosed a copy of the letter from the ACHP to FHWA in which the ACHP indicates that by carrying out the terms of the MOA, FHWA will have fulfilled its responsibilities under Section 106.

The MOA is the result of extensive consultation under the Section 106 process. We appreciate your participation in the consultation process leading to the execution of the MOA by your attendance at various meetings and the comments you provided to.

By this letter, I invite the City of Oakland to concur in the MOA. By separate letters, I am also inviting the City and County of San Francisco, the Navy and members of the Ohlone Native American community to be concurring parties. These invitations are made as permitted by the ACHP's regulations implementing Section 106 of the National Historic Preservation Act found in 36 CFR Part 800. While these regulations specify, at 36 CFR § 800.6(c)(3), that the refusal of any party invited to concur in the MOA does not invalidate the MOA, it is my hope that we can obtain your concurrence in the MOA which, we believe addresses your comments and concerns and demonstrates all parties' commitment to protect and preserve the integrity of the historic properties affected by the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. Of course, because this MOA

is alternative neutral, it does not commit any of the signers to a specific outcome or alternative, nor does it favor any particular alternative. Instead, it commits the signers to identified measures to mitigate the project's effects on historic properties. Because of the City of Oakland's interest in preserving historic properties within its area of jurisdiction, I hope you will join us in this important step. If you have any questions concerning the MOA, please do not hesitate to contact me.

I am providing a copy of the MOA to you and to other invited parties with a request to sign in the indicated space and return the signature page by August 1, 2000. After that date, you will be sent a copy of the executed MOA with all the concurring party signatures that have been obtained within the time frame.

FHWA will consult further with you to fulfill the stipulations of the MOA whether or not you sign the MOA as a concurring party. We look forward to your participation in such future consultations. If you have any questions, please call me at 916-498-5001 or Joan Bollman at 916-498-5028.

Sincerely,

/s/ David A. Nicol

For
Michael G. Ritchie
Division Administrator

Enclosures

cc:
Daniel Abeyta, SHPO
John Fowler, ACHP
Captain Robert Lachowsky, USCG
Captain G. J. Buchanan, Navy

Specifically, we have the following concerns with the MOA. Please amend the MOA to include the following:

- A. There is no III. G. included in the document.
- III B. 1. Create permanent interpretive exhibits to document the bridge building history in the Bay Area located in the Touchdown Park.
- In addition, create a permanent center in Oakland for the public, schools, etc. to house histories, videos, models, etc. (see letter dated Jan. 14, 1998). Operations to be funded with an endowment from Caltrans/FHWA.
- III C. 1&2. Provide the Oakland Museum of California with the information and displays as necessary to provide an exhibit (with traveling potential) of museum quality, as deemed appropriate by the Oakland Museum. The Oakland Museum is the appropriate place to display an exhibit on the history and engineering of major bridges in the Bay Area.
- III D. Since the Oakland Museum of California is dedicated specifically to the history of California and the City of Oakland has been most affected by the East Span Seismic Safety project, the Oakland Museum shall be given first right of refusal for permanent curation and display of exhibit materials.
- III F.1. Caltrans shall provide a free copy of the documentary video and to the Oakland Museum.
- The Key Pier Substation and electrical substation were not mentioned in the document. At a minimum the document needs to include sections on protective measures, repair of inadvertent damage, a historic structure report, monitoring and enforcement etc. to ensure the property is maintained during the Project.
- Rehabilitate and reuse the Key Pier Substation to house the permanent interpretive exhibits.
- Should there be a new bridge, the design of the new bridge should evoke the same innovative first-class status that the historic one does.
- Provide a landmark feature as the gateway to Oakland.
- Commission a large-scale oil painting of the Eastern Span of the historic Bay Bridge.
- Restore the Toll Plaza clock for permanent display at the park, Toll Plaza or museum.
- Produce a publication based on HAER documentation.
- Historical markers at the Oakland anchorage park and along the bicycle pedestrian path on the bridge.

In sum, the historic Bay Bridge has been instrumental in shaping the City of Oakland and is listed on the National Register of Historic Places. As such, we believe that it is important to perpetuate the cultural, architectural and technical significance of the Bay Bridge, by providing serious lasting mitigation measures that reflect the size, scale and significance of the Bay Bridge.

:cifically, we have the following concerns with the MOA. Please amend the MOA to include the .owing:

A. There is no III. G. included in the document.

III B. 1. Create permanent interpretive exhibits to document the bridge building history in the Bay Area located in the Touchdown Park.

In addition, create a permanent center in Oakland for the public, schools, etc. to house histories, videos, models, etc. (see letter dated Jan. 14, 1998). Operations to be funded with an endowment from Caltrans/FHWA.

III C. 1&2. Provide the Oakland Museum of California with the information and displays as necessary to provide an exhibit (with traveling potential) of museum quality, as deemed appropriate by the Oakland Museum. The Oakland Museum is the appropriate place to display an exhibit on the history and engineering of major bridges in the Bay Area.

III D. Since the Oakland Museum of California is dedicated specifically to the history of California and the City of Oakland has been most affected by the East Span Seismic Safety project, the Oakland Museum shall be given first right of refusal for permanent curation and display of exhibit materials.

III F.1. Caltrans shall provide a free copy of the documentary video and to the Oakland Museum.

The Key Pier Substation and electrical substation were not mentioned in the document. At a minimum the document needs to include sections on protective measures, repair of inadvertent damage, a historic structure report, monitoring and enforcement etc. to ensure the property is maintained during the Project.

- Rehabilitate and reuse the Key Pier Substation to house the permanent interpretive exhibits.
- Should there be a new bridge, the design of the new bridge should evoke the same innovative first-class status that the historic one does.
- Provide a landmark feature as the gateway to Oakland.
- Commission a large-scale oil painting of the Eastern Span of the historic Bay Bridge.
- Restore the Toll Plaza clock for permanent display at the park, Toll Plaza or museum.
- Produce a publication based on HAER documentation.
- Historical markers at the Oakland anchorage park and along the bicycle pedestrian path on the bridge.

In sum, the historic Bay Bridge has been instrumental in shaping the City of Oakland and is listed on the National Register of Historic Places. As such, we believe that it is important to perpetuate the cultural, architectural and technical significance of the Bay Bridge, by providing serious lasting mitigation measures that reflect the size, scale and significance of the Bay Bridge.

As stated previously, we do not believe that this executed MOA complies with the Section 106 requirement for consultations with interested parties and therefore request that the document be rescinded and recirculated for further consultation.

Please continue to keep us informed by way of the Project Manager, Diane Tannenwald, at the Public Works Agency, 250 Frank H. Ogawa Plaza, Suite 4314, Oakland, CA 94612-2033, telephone (510) 238-6386.

Thank you,

Robert C. Bobb
City Manager

c: Capt. Robert Lachowsky, United States Coast Guard
Daniel Abeyta, California State Office of Historic Preservation
John Fowler, Advisory Council on Historic Preservation
Mara Melandry, Caltrans
Leslie Gould, Planning Department
Claudette Ford, Public Works Agency
Helaine Kaplan-Prentice, Landmarks Preservation Board
Mark Wald, Office of the City Attorney

Attachments and meetings:

Landmarks Preservation Advisory Board Meeting, July 1997
Landmarks Preservation Advisory Board Meeting, September 1997
Letter dated January 14, 1998
Meeting dated July 3, 1998
Meeting dated December 10, 1998
Meeting dated February 2, 1999
Meeting dated February 2, 1999
Draft MOA January 22, 1999

DEPARTMENT OF THE NAVY
ENGINEERING FIELD ACTIVITY, WEST
NAVAL FACILITIES ENGINEERING COMMAND
900 COMMODORE DRIVE
SAN BRUNO, CALIFORNIA 94066-5006

IN REPLY REFER TO:
11000
Ser:00/010
4 Aug 00

Michael G. Ritchie
Division Administrator
U.S. Department of Transportation
Federal Highway Administration, California Division
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

Dear Mr. Ritchie:

The Department of the Navy has given careful consideration to your letter of June 23, 2000, asking the Department to concur in the proposed Memorandum Of Agreement (MOA) for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. Notwithstanding the fact that some of the parties have already signed the MOA, we do not believe that it is appropriate or prudent to execute a Memorandum Of Agreement concerning construction of the San Francisco Bay Bridge East Span Seismic Safety Project until the design study that the U.S. Army Corps of Engineers is conducting has been completed and its report issued. As recognized by all parties when the design study was undertaken, the current design and associated construction plans could materially change as a result of the study's findings and conclusions. Any material change in the design or construction plan will likely require revision of the MOA.

Additionally, we do not agree that participation as a concurring party discharges Navy's responsibilities under the National Historic Preservation Act of 1966 (NHPA). Any action by the Department of the Navy to transfer property to support bridge construction, whether in response to a request made pursuant to 23 U.S.C. Section 107(d) or other authority, constitutes an undertaking under the National Historic Preservation Act. The underpinnings of Navy's undertaking are expressly recognized in the MOA: Paragraph 5 recognizes the Department of the Navy's jurisdiction over the property; Paragraph 6 recognizes the need for the Department of the Navy to assign title to the Federal Highway Administration; and Paragraph 8 recognizes that the land transfer and bridge construction may adversely affect historic properties listed or eligible for listing on the National Register of Historic Places, including Navy Building 262, the Naval Officers' Quarters Historic District, and archeological site CA-SFr-04/H.

The Section 106 requirement that the Department of the Navy consult with the State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (ACHP) regarding such an undertaking is very clear. To discharge its responsibilities under Section 106 as the owner of the historic properties affected by the proposed construction, the Department of the Navy must be a signatory to the MOA prepared by the Federal Highway Administration and must be given an appropriate oversight role similar to that currently provided for the ACHP and the SHPO or must undertake its own consultation process.

We look forward to working with you to address these issues.

Our point of contact for this project is Mr. Ron Plaseied, Base Closure Manager. He may be reached at (619) 532-0986.

Sincerely,

G.J. Buchanan

G.J. BUCHANAN
CAPT, CEC, USN
COMMANDING OFFICER

State of California | The Resources Agency

Memorandum

: Ms. Mara Melandry
Department of Transportation
District 4 Toll Bridge Program
Post Office Box 23660
Oakland, California 94623-0660

Date: August 8, 2000

From : **Department of Fish and Game - Post Office Box 47, Yountville, California 94599**

Subject: San Francisco - Oakland Bay Bridge East Span, Review of the Biological Assessment

Department of Fish and Game personnel have reviewed the Biological Assessment submitted for the above-referenced project. The American peregrine falcon (*Falco peregrinus anatum*) is a State-listed endangered species which may be impacted by the proposed project. Since this species is also listed as a fully protected species under Fish and Game Code Section 3511, the Department cannot issue an incidental take permit for this species pursuant to Section 2081. All activities associated with the bridge project, therefore, need to be designed to avoid take of this species. To avoid take, the Department recommends the Department of Transportation develop a Management Plan that addresses American peregrine falcon and other bridge nesting species of concern. The Management Plan should discuss all bridge construction, removal, and maintenance activities and develop schedules for activities to avoid take during critical nesting periods and take of individuals. The Management Plan should be developed in consultation with the Department and should be approved by the Department prior to implementation.

The project may also affect State-listed fish species including the State endangered winter-run chinook salmon (*Oncorhynchus tshawytscha*) and state threatened spring-run chinook salmon (*Oncorhynchus tshawytscha*). Based on the project location; mitigation measures in the Biological Assessment and the June 21, 1999 memorandum to Ms. Mara Melandry; and the determination of "not likely to adversely affect" from the National Marine Fisheries Service, the Department concludes that the project, as proposed, will not result in take of chinook salmon and a 2081 permit is not required for this project. If the project changes to include blasting or other activities that may significantly impact fisheries, the Department should be contacted to re-initiate consultation.

Department personnel will continue to work with your staff to develop appropriate mitigation measures for non-listed species and other biological resources of concern. If you have any questions, please contact Mr. Scott Wilson, Environmental Specialist, at (707) 944-5529; or Mr. Carl Wilcox, Habitat Conservation Manager, at (707) 944-5525.

Robert W. Floerke
Regional Manager
Central Coast Region

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA 95814-2724

September 25, 2000

IN REPLY REFER TO

HDA-CA
File #:04-SF-80-12.2/14,3
Document #: P33279

Mr. Robert C. Bobb
City Manager
City of Oakland
1 Frank Ogawa Place
Oakland CA 94612

Dear Mr. Bobb:

SUBJECT: SFOBB MOA: RESPONSE TO CITY'S JULY 26, 2000, LETTER

Thank you for your letter of July 26, 2000, regarding the Memorandum of Agreement under Section 106 of the National Historic Preservation Act for the San Francisco Oakland Bay Bridge. We appreciate your continued interest in this important seismic safety project.

You requested that the Memorandum of Agreement be revised to include various additional mitigation measures. As we explained in our letter of June 23, 2000, which transmitted the Memorandum of Agreement to your office, the Memorandum of Agreement has already been executed by the legally required signatory agencies. Because you participated in the development of the mitigation program, you were invited to concur with the stipulations of the Memorandum of Agreement.

In October 1999 and January 2000, Caltrans provided you with copies of the report titled "Consideration of Proposed Mitigation Measures." This report included the draft Memorandum of Agreement. The measures your agency suggested are included in the report with an explanation as to why they were or were not being pursued. Caltrans solicited your input. At both times, no written response was received from the City. We then proceeded to finalize consultation with consulting parties that provided comments and with the signatory agencies and executed the Memorandum of Agreement.

We note that some of the mitigation measures you mentioned are included in the Memorandum of Agreement (for example the restoration of the toll plaza clock, Stipulation III.B.1, or the

development of a museum exhibit about the bridge, Stipulation III.C.1). Otherwise, any of your suggestions that were excluded were evaluated in the "Consideration of Proposed Mitigation Measures" for their appropriateness as mitigation of effects on historic properties. The signatory parties, the Federal Highway Administration, Coast Guard, State Historic Preservation Officer, and Advisory Council on Historic Preservation, had a copy of the report "Consideration of Proposed Mitigation Measures" and were aware of your proposals, as well as those of other interested parties. The mitigation measures included in the Memorandum of Agreement are those that the signatory parties felt were appropriate as mitigation of the project's effects on historic properties and justifiable as public expenditures.

Given the careful consideration of the signatory parties of the mitigation measures, we do not believe there is reason to rescind and recirculate the Memorandum of Agreement.

If you have further questions or concerns regarding the project Memorandum of Agreement, please contact Joan Bollman at 916-498-5028 or Bill Wong at 916-498-5042.

Sincerely,

/s/ C.Glenn Clinton

For
Michael G. Ritchie
Division Administrator

cc:
Daniel Abeyto, SHPO, w/cpy of 7/26/00 ltr, w/attach as received
John Fowler, ACHP w/cpy of 7/26/00 ltr, w/attach as received
Commander Robert Lachowsky, USCG w/cpy of 7/26/00 ltr, w/attach as received
Mara Melandry, Caltrans District 4, Toll Bridge Program
Cindy Adams, Caltrans HQ, Environmental Division
Margaret Buss, Caltrans HQ, Environmental Division
Tony Anziano, Caltrans District 4, Legal Office
Steve Hulsebus, Caltrans District 4, Toll Bridge Program

cc: (E-mail)
Sara Purcell, HCC-WE
Michael G. Ritchie, HDA-CA
David Nicol, HDA-CA
Glenn Clinton, HA-CA
Bill Wong, HA-CA
Joan Bollman, HA-CA

DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

REPLY TO
ATTENTION OF:

OCT 31 2000

Regulatory Branch(1145b)

SUBJECT: File Number 23013: San Francisco-Oakland Bay Bridge

Dennis Mulligan
California Department of Transportation
111 Grand Avenue
Oakland, California 94623

Dear Mr. Mulligan:

The U.S. Environmental Protection Agency, San Francisco Bay Conservation and Development Commission, San Francisco Bay Regional Water Quality Control Board, and the Corps of Engineers, have completed their review of the sediment test results and supplemental information for the approximately 418,000 cubic yards of sediments proposed to be dredged from the construction of the San Francisco-Oakland Bay Bridge East Span replacement project located between Yerba Buena Island and the City of Oakland in Alameda and San Francisco Counties, California. The test results and supplemental information reviewed are as follows:

1. The test results as presented in the report prepared by California Department of Transportation District 04 (Caltrans) and Geocon Consultants, Inc. entitled "Sediment Sampling and Analysis Report San Francisco-Oakland Bay Bridge East Span Seismic Safety Project Alameda and San Francisco Counties, California" Volumes 1 and 2 dated June 2000.

2. The Sampling and Analysis Plan (SAP) as presented in the report prepared by California Department of Transportation District 04 and Geocon Consultants, Inc. entitled "Amended Sampling and Analysis Plan San Francisco-Oakland Bay Bridge East Span Seismic Safety Project Alameda and San Francisco Counties, California" dated June 2000.

3. The letter from the California Department of Transportation District 04 addressed to the U.S. Army Corps of Engineers dated October 4, 2000, which provided additional information and clarification of the test results.

NOV. 1. 2000 5:52PM CORPS OF ENGINEERS NO. 0517 P. 2

The members of the above inter-agency group are recommending to their respective agency's management that the material proposed for dredging from the San Francisco-Oakland Bay Bridge East Span replacement project, as characterized in the above report and supplemental information, is suitable for disposal as shown in the enclosed Table with the following comments and conditions:

1. The agencies found that there were numerous oversights by personnel during the sampling and testing. For example, the bioassays for the reference sediments from Tubbs Island and Paradise Cove were not analyzed at the same time as the bioassays from the proposed dredge sites.

2. Please note that because a sediment is found suitable for disposal at a particular location does not necessarily mean that the material can be disposed at that location. The selection of the disposal sites should be coordinated with the agencies during the permitting process. Disposal site selection needs to take into account the factors (implementability, effects and cost) and decision-making criteria in your Dredged Material Management Plan along with the suitability determination in the enclosed Table.

3. The Alcatraz Disposal Site (SF-11) is a dispersive disposal site and only material that will disperse can be disposed at SF-11. Because your material is new work and not maintenance material, any material found during dredging that is of a nature that will not easily disperse (rock, gravel, heavily consolidated material) may not be disposed at this site. An alternative disposal option will need to be found for any non-dispersive material.

4. The material below 12 feet depth (measured from top of sediment) in sample locations SFOBB-N-1 through SFOBB-N-7 is considered not to have been exposed to contaminants and has been granted an exclusion from testing by the agencies. Therefore, even though samples SFOBB-N-1, SFOBB-N-2 and SFOBB-N-5 are unsuitable for aquatic disposal, the material below 12 feet is considered suitable for disposal at the San Francisco Deep Ocean Disposal Site (SF-DODS) and (depending on grain size, etc.) suitable for in-bay disposal at SF-11. Because the agencies maintain data on the volumes of material suitable for different disposal locations, the agencies request that Caltrans provide the volume of material below the 12 foot level, as described above, for these three sites.

5. Material from Sites SFOBB-N-2, SFOBB-N-5 and Access-N-5 is not suitable for unconfined aquatic disposal because of significant solid phase toxicity to Nephtys when compared to the reference sites. However, no amphipods exhibited significant toxicity in these samples. The agencies note that it is unusual to find significant solid phase toxicity to Nephtys and a high survival in Ampelisca (e.g., the for Access-N-5 amphipod toxicity tests showed 100% survival in all five replicates). It is possible there could have been some confounding factors involved in the toxicity to Nephtys, but none were described or discussed in the report. Because of the volumes involved (especially Access-N-5), Caltrans may want to consider testing these sites at a higher resolution. The agencies would not require bioaccumulation testing for this higher resolution testing. Caltrans should submit any proposal for additional testing to the agencies for approval prior to the start of sampling or testing.

6. The reason the material from Site SFOBB-N-1 is unsuitable for unconfined aquatic disposal (ocean and SF-11) and wetland surface is the excessive bioaccumulation of individual constituents of polynuclear aromatic hydrocarbons (PAHs).

Please be advised that this letter does not constitute an authorization to proceed with your dredge project. You must first obtain Federal, State and local permits as appropriate.

Should you have any questions please call or write Mr. David Dwinell of our Operations and Readiness Division (415-977-8471), and refer to the file number at the head of this letter.

Sincerely,
ORIGINAL SIGNED
By
Calvin C. Fong
For
Max R. Blodgett
Chief, Operations and
Readiness Division

Enclosure

Copies Furnished:

US EPA, San Francisco, CA, Attn: Dadey
CA BCDC, San Francisco, CA, Attn: Goldbeck
CA RWQCB, Oakland, CA, Attn: Collins
CA SLC, Sacramento, CA, Attn: Howe
CA F&G, Menlo Park, CA, Attn: Ota
US NMFS, Santa Rosa, CA, Attn: Mulvey

SF-Oakland Bay Bridge

Suitability Determination						
DU ID	Volume (CY)	Ocean	Wetland Surface *	SUAD	Wetland Foundation *	Construction Fill *
SFOBB-N-1	4,208				X	X
SFOBB-N-2	12,227				X	X
SFOBB-N-3	13,955	X	X	X	X	X
SFOBB-N-4	7,751	X	X	X	X	X
SFOBB-N-5	2,016				X	X
SFOBB-N-6	4,473	X	X	X	X	X
SFOBB-N-7	4,871	X	X	X	X	X
Access-N-1	72,876	X	X	X	X	X
Access-N-2	73,591	X	X	X	X	X
Access-N-3	73,703	X	X	X	X	X
Access-N-4	73,461	X	X	X	X	X
Access-N-5	74,371				X	X
Total	417,503	324,681	324,681	324,681	417,503	417,503

* May be suitable for use, depending on the characteristics of the proposed disposal sites and project specifications. For Wetland Foundation and Construction fill, an additional analysis of the leaching potential of the sediments, using a modified waste extraction test (WET), may be necessary to determine final suitability.

DMMO Suitability Calls
Acceptable use in Bold "X"

DATE: 7 December 2000

Joseph Nicoletti
Chairman
Engineering and Design Advisory Panel, MTC

FROM: Report of the Ad Hoc Committee on Seismic Ground Motions
Members: Bruce A. Bolt, Chairman
Norman Abrahamson
Roger Borcherdt
Joseph Penzien

RE: **Final Report**
Evaluation Assessment of Proposed Alternatives to Retrofit/Replace the East Span of the San Francisco-Oakland Bay Bridge
U.S. Army Corps of Engineers, October 27, 2000

Dear Mr. Nicoletti:

1. CHARGE AND DEFINITIONS

As Chairman of the EDAP, you requested that the Ad Hoc Committee (AHC) review and comment on the discussion and recommendations on seismic ground motions contained in the **Final Report** of the U.S. Army Corps of Engineers. Members of the AHC have read thoroughly the **Final Report**; the Committee met on Thursday, 2 November 2000, at the offices of International Civil Engineering Consultants, Inc. (ICEC) to discuss aspects that relate to earthquake ground motion and members have consulted since that time.

In the "Executive Summary" of that **Final Report** on page 4, there is the conclusion that "The performance of the replacement bridge during a Maximum Credible Earthquake (MCE) cannot be determined. The bridge has not been evaluated or designed for a MCE event, which is larger than the SEE event." On page 23 of the **Final Report**

there is the summary recommendation that "the bridge should be evaluated for a design that addresses the San Andreas MCE ground motions. These ground motions appear to be more forceful than the SEE ground motions in the period range significant to the bridge." In the sections below, the AHC addresses the argument behind the above recommendation and clarifies the concerns expressed in it.

Initially, it is appropriate to define the concepts of Maximum Credible Earthquake (MCE) and Safety Evaluation Earthquake (SEE). Both of these concepts are referred to throughout the COE **Final Report**. In this respect it is appropriate to refer back to the Report to the Director of the Department of Transportation by its Seismic Advisory Board (George W. Housner, Chairman), October 1994, entitled, *The Continuing Challenge*. This report was written as a result of the Northridge earthquake of January 17, 1994. On page 6 on Table 1.1 the concept of "**Safety Evaluation Ground Motion**" for important bridges is defined: "Up to two methods of defining ground motion may be used

- Deterministically assessed ground motions from the maximum earthquake as defined as by the Division of Mines and Geology, Open File Report 92-1 (1992).
- Probabilistically assessed ground motions with a long-return period (approximately 1000-2000 years)."

Table 1.1 goes on to state that "for important bridges both methods shall be given consideration... For all other bridges, the motions shall only be based on the deterministic evaluation." Because of the importance of the East Bay Crossing, both methods were considered in estimating the appropriate ground motions for dynamic analysis and design of the replacement bridge. In essentials, the above two evaluation

methods represent, respectively, the MCE and SEE earthquake characterization referred to in the COE **Final Report**.

Considerable discussion of these definitions is given in a seminal report by Geomatrix Consultants, Inc. entitled, "Seismic Ground Motion Study for West Bay San Francisco Bay Bridge," contract no. 59N772, March 1992. This report is referred to below as GEO92. A second key report is "Seismic Ground Motion Report for San Francisco-Oakland Bay Bridge, East Span Seismic Safety Project," prepared by Fugro/Earth Mechanics, 1998. This report is referred to below as FU98.

We wish to emphasize that in recent years there has been a strong trend toward the second method of assessment mentioned above for large critical structures (see Yeats, Sieh, and Allen, "The Geology of Earthquakes", Oxford, 1997, pg. 45). Two crucial reasons are first, the difficulty in setting any objective non-statistical basis for the selection of a so-called Maximum Credible Earthquake, and second, by deaggregation of each hazard component, the alternative estimation method (i.e. using the SEE concept) allows explicitly consideration of the specific sources and site. Implicitly, special attention may be given to the type of structure to which the hazard study applies; the known range of significant periods of structural vibrations can guide the effort expended on the estimation of realistic and relevant ground motion characteristics, such as the source directivity effect (see below).

The time-line used in the discussion in the COE **Final Report** (e.g. pages 20-21) may indicate lack of awareness of a revision of the ground motions that followed a 1998 review by the AHC. This revision was important because it included development and

application of the effect of source directivity on ground motion. This incorporation in the project went well beyond standard practice.

2. RECOMMENDATIONS AND ARGUMENTS IN THE COE FINAL REPORT

The key discussion on ground motions is on pages 20-21 of the COE **Final Report**. It hinges on a figure entitled "Response Spectra." This figure is reproduced in this report as Figure R1. First, we note that the ground motions discussed are for the rock basement and not for the soil above, which interacts with the bridge foundations. Secondly, a small drafting correction is needed to the dashed line in Figure R1 entitled "SA 84th MCE". Points for periods 0.7 to 1.7 sec have been plotted incorrectly in the COE **Final Report** by scaling from Figure 2-5 of FU98. The correct spectrum has been recalculated for this AHC review from the original numerical values and is shown by the heavy dashed curve in Figure R2 where it can be compared with the SEE curve (heavy full line). This comparison shows that at periods of less than 1 sec (i.e., corresponding to the higher-frequency bridge responses), the SEE spectral accelerations are stronger than those of the corrected MCE spectrum. For periods between 1 and 2.5 sec the curves are virtually identical, within the uncertainties. At longer periods, the corrected "SA 84th MCE (augmented)" spectrum lies slightly above the SEE curve (in agreement with the statement on page 21 of the COE **Final Report**).

It is critical to know, however, that the curve labeled "SA 84th MCE" in Figure R1 (and "SA 84th MCE (augmented)" in Figure R2) is not, in fact, a standard MCE curve (with some average directivity effects included), used regularly in practice to establish seismic hazard for critical structures. As explained in the commentary in FU98 (page 2.5), the referenced curve drawn in Figures R1 and R2 is the standard MCE curve

"augmented by forward directivity effects", assuming the most unfavorable rupture direction. Realistic seismological source modelling requires instead the incorporation of the directivity direction towards and sway from the bridge in a probabilistic way. Strong motion recordings have shown that this latter correction is significant at periods greater than about 1 sec for sites within about 15 km of the causative fault rupture. The consequences of directivity have been widely discussed in recent hazard assessments and it was deliberately included in the final East Bay Crossing ground motion estimation of the SEE response spectrum and, even more critically, in the selected time histories (the effect of the directivity pulse and "fling").

The above clarification has important consequences. In the COE **Final Report**, page 21, the statement is made "for this replacement bridge with its inherent period, the MCE is a greater force than the SEE." On the contrary it follows from the correct selection of the MCE curve that this statement needs revision in two crucial ways. First, when the standard 84th percentile MCE curve is plotted against the SEE curve, as shown in Figure R2, it is clear that the MCE spectral accelerations fall well below the SEE curve at **all** relevant periods. The augmented MCE spectrum shown in Figures R1 and R2 was considered in FU98 only because the hazard analysis went beyond standard practice.

Secondly, in a full analysis application of the seismic hazard, it is not sufficient to consider "an inherent period" for the replacement bridge, but rather all crucial response periods of the bridge. In this regard, the longer periods of significance are critical response periods of the tower (approximately 2.3 sec), and fundamental periods of the highest piers of the viaduct (maximum values up to 2.7 sec). As will be seen in Figure R2, in this period range the SEE spectral acceleration values (with directivity effects)

exceed those of the standard 84th percentile MCE. In addition, the corrected comparison in Figure R3 (revision of plot in COE **Final** Report Appendix 6) between displacement spectra for the standard San Andreas 84th percentile MCE and the adopted 1500-year SEE yields a similar result.

3. CONCLUDING REMARKS

In summary, the AHC concludes that the ground motions defined by the SEE response spectra adopted for the replacement bridge design and shown in Figures R1, R2 and R3 exceed the San Andreas MCE ground motions defined by standard practice at all periods of engineering relevance. Contrary to the statement in Conclusion No. 7 (page 4) of the COE **Final Report**, the replacement bridge has been designed and evaluated for ground motions that are larger than those from the recognized standard MCE approach. There also appears to be no reason to re-discuss the probabilistic basis for the SEE, the argument for which has been fully documented in FU98 and elsewhere.

Finally, we draw attention to a recent development in seismic hazard computations. As you know, response spectra (estimated for earthquakes of various magnitudes and for various source-to-site distances) depend crucially on the measurement of ground motions in actual earthquakes. As additional recordings become available from newly occurring large earthquakes, these new ground motion recordings are incorporated into the existing database; revised attenuation curves are then calculated. In the assessment of the MCE and SEE discussed in the reports GEO92 and FU98, a number of then current attenuation curves were used to allow inclusion of uncertainties. In 1999 two large earthquakes produced additional strong-motion recordings, namely, the Izmit, Turkey, earthquake of 17 August 1999 and the Chi-chi, Taiwan, earthquake of 20

September 1999, with magnitude 7.1 and 7.4, respectively. The observations from these earthquakes have now been included by N. Abrahamson in a preliminary set of revised attenuation curves shown in Figure R4. These updated curves, even allowing for their tentative nature, indicate a reduction in the ground motion attenuation relations (i.e. increased attenuation) compared with those used in the earlier studies for the San Francisco-Oakland bridge. It is at least very likely that any future re-evaluations of the adopted ground motions for the replacement East Bay Crossing that incorporate these up-to-date ground motion data, would lead to response spectra (for both the MCE and SEE methods) with somewhat lower spectral acceleration values than those adopted.

Bruce A. Bolt — B.A. Bolt, Chairman

Norman Abrahamson

Roger Borcherdt

Joseph Penzien

Response Spectra

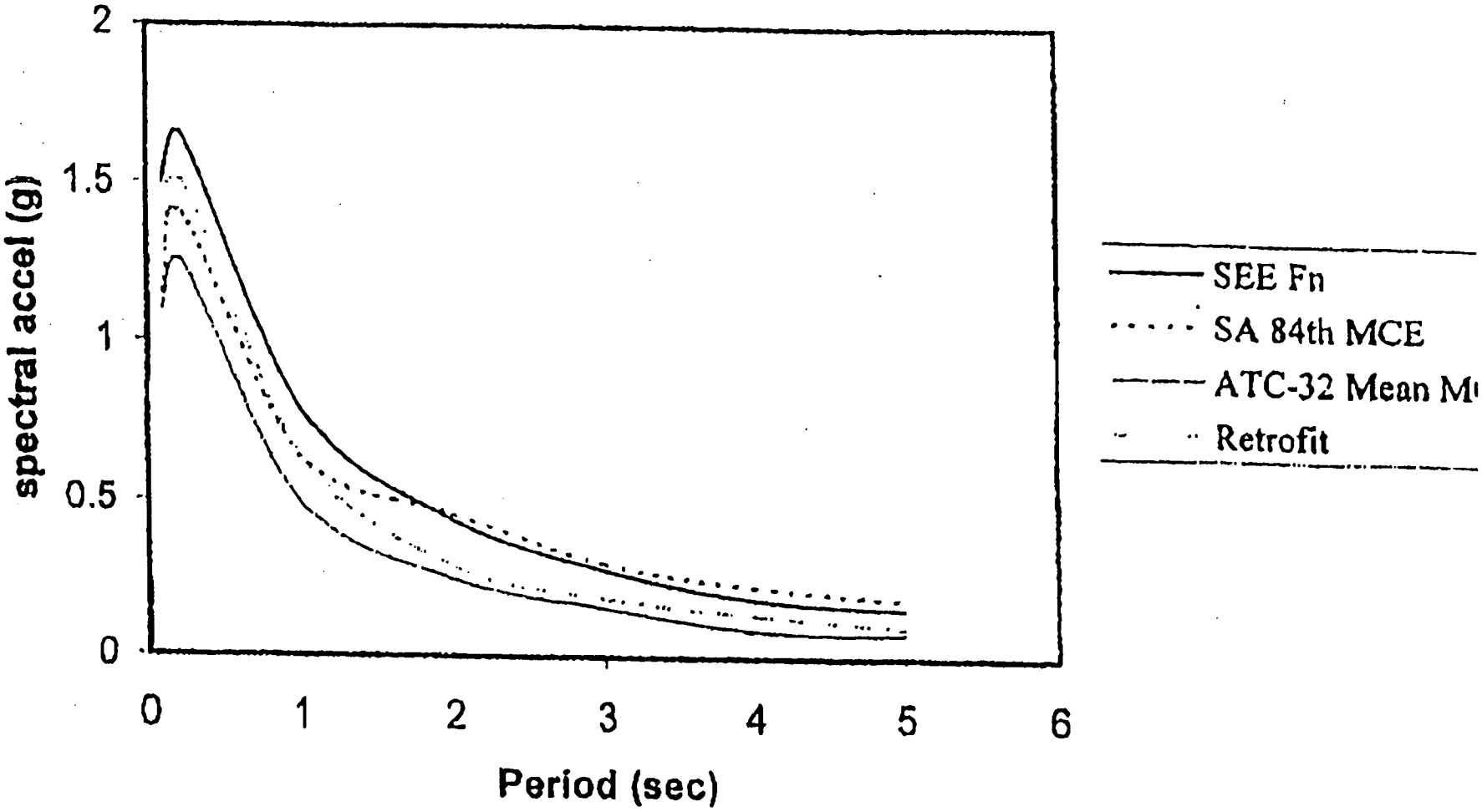


FIGURE R1

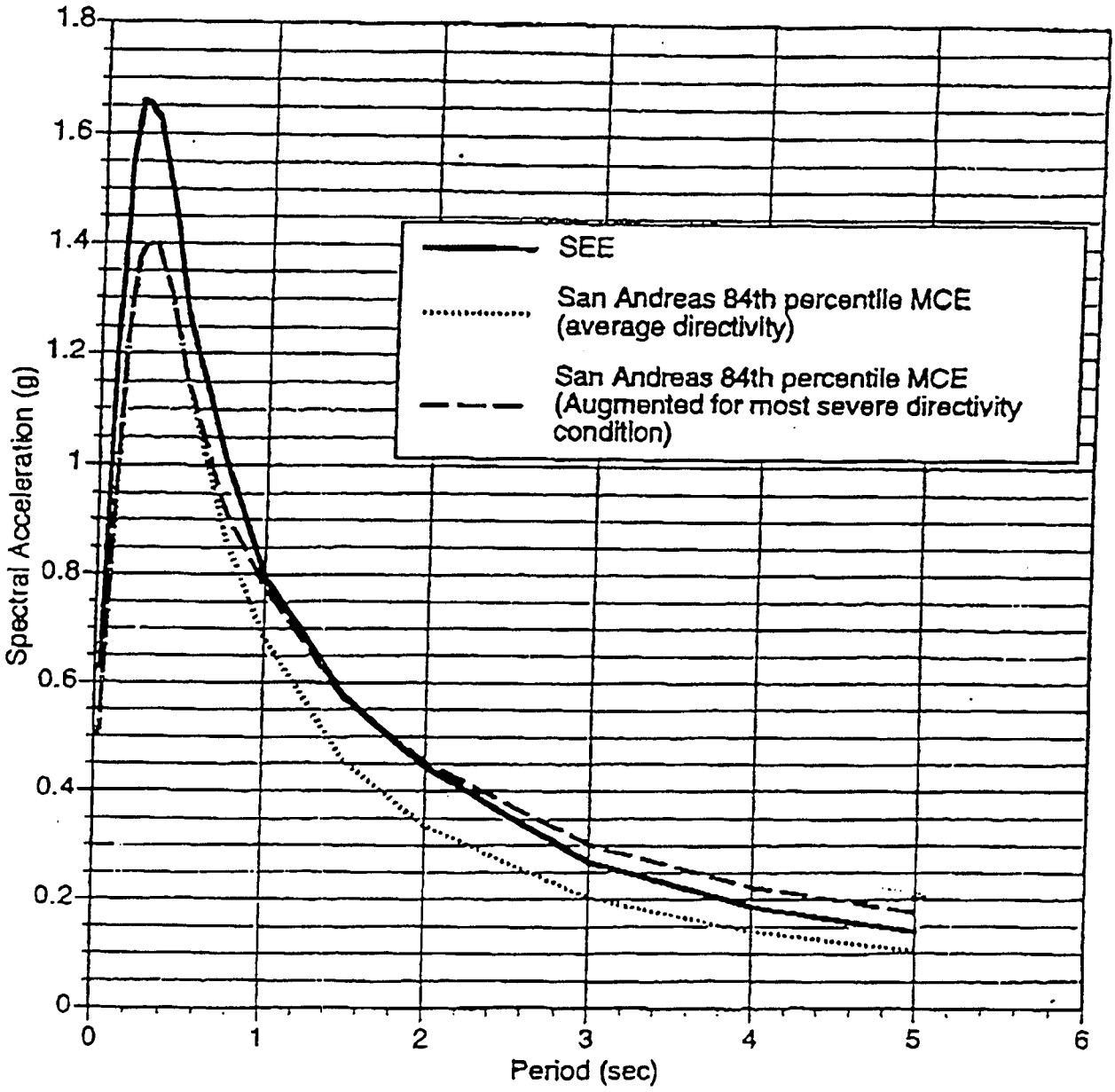

1.8
1.6
1.4
1.2
1
0.8
0.6
0.4
0.2
0
Spectral Acceleration (g)
0
1
2
3
4
5
6
Period (sec)
SEE
San Andreas 84th percentile MCE (average directivity)
San Andreas 84th percentile MCE (Augmented for most severe directivity condition)

FIGURE R2

9

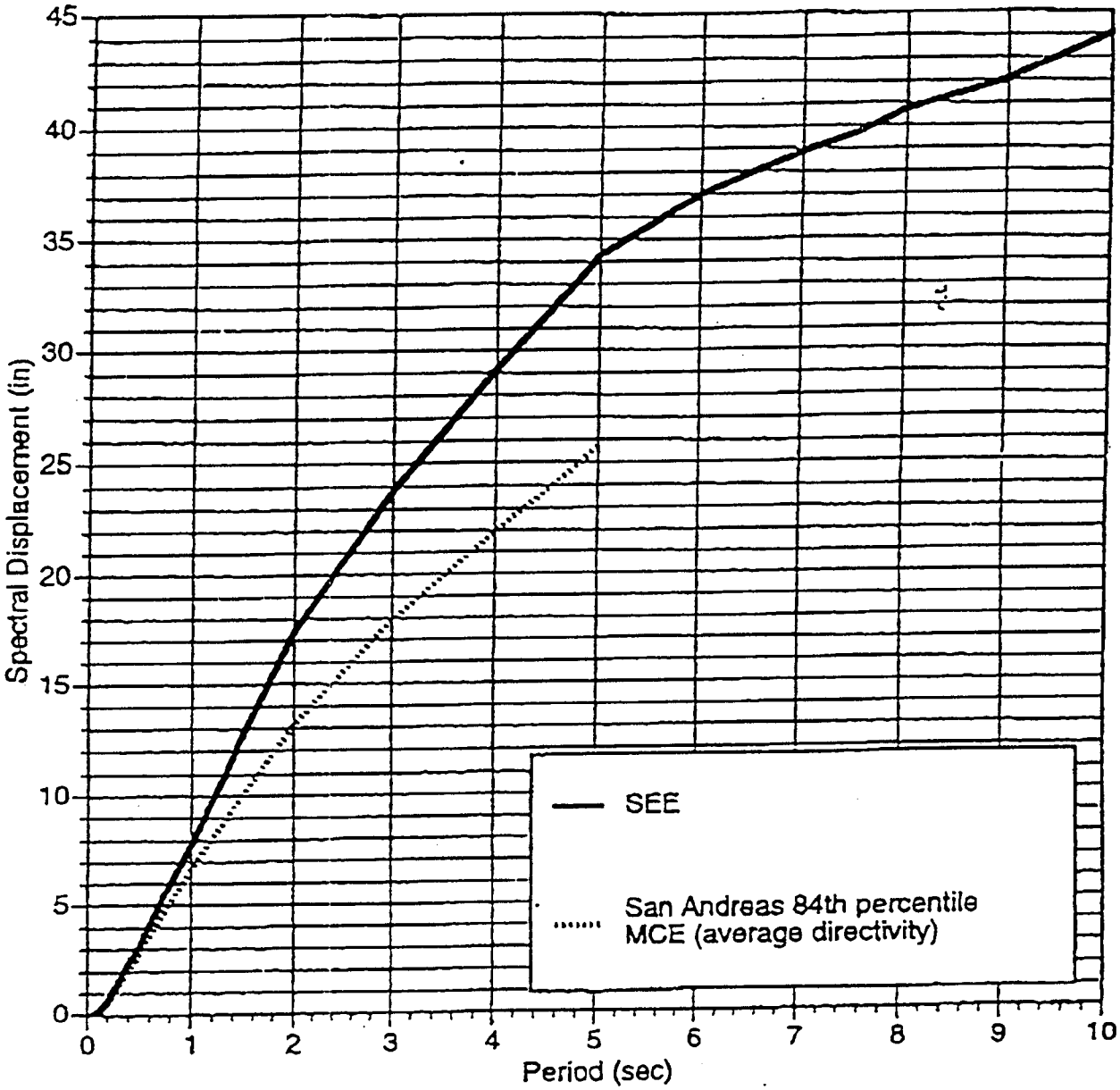

45
40
35
30
25
20
15
10
5
0
Spectral Displacement (in)
0
1
2
3
4
5
6
7
8
9
10
Period (sec)
SEE
San Andreas 84th percentile MCE (average directivity)

FIGURE R3

10

Median Peak Acceleration
Strike-slip, Rock site

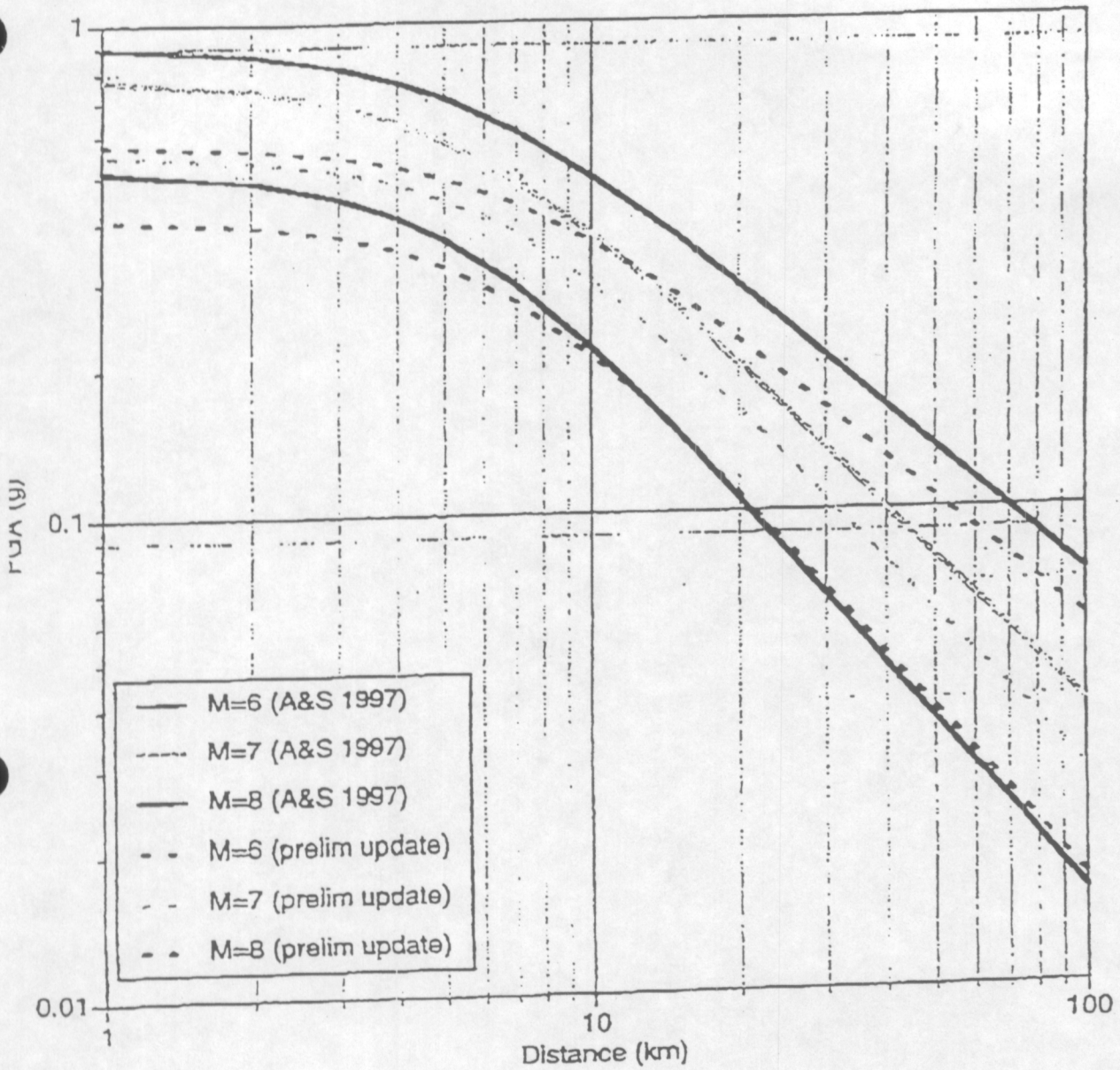


FIGURE R4

STATE OF CALIFORNIA GRAY DAVIS, Governor

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
FIFTY CALIFORNIA STREET, 26TH FLOOR
SAN FRANCISCO, CALIFORNIA 94111
PHONE: (415) 352-3600
http://ceres.ca.gov/bcdc/

Mara Melandry

bcdc Celebrating 35 Years

December 21, 2000

RECEIVED DEC 22 2000 B. QUAN

Mr. Harry Yahata
California Department of Transportation
District 4
P. O. Box 23660
Oakland, California 94623-0660

SUBJECT: Bicyclist and Pedestrian Bridge Railing Height

Dear Mr. Yahata:

On October 19, 2000, the Commission approved BCDC Permit No. 17-99(M) for the Benicia-Martinez Bridge Project. As you may recall, there was considerable discussion at that Commission meeting regarding whether the height of the railing should be 48 inches or 54 inches. At that meeting, your staff maintained that the 54-inch railing is a national standard that was set by the American Association of State Highway and Transportation Officials (AASHTO) and, therefore, should be met. However, in an effort to help the Commission understand the safety considerations for railings on this bridge and others around the Bay, the Caltrans staff agreed to submit to BCDC the background information that was used by AASHTO in setting the 54-inch standard and that describes the safety need for railings taller than 48 inches.

On December 7, 2000, we received your letter, signed by Mo Pazooki, Branch Chief, and copies of two reports, entitled "Cycling Transportation Engineering" by John Forester (copyright 1977 and 1983). Presumably, these materials were submitted as the AASHTO "background information" that BCDC requested. I have reviewed the reports and there appears to be a discrepancy between language in the background reports and the AASHTO standard as described by your staff at the October 19, 2000 Commission meeting. In both documents (Section 3.7.2 in the 1977 edition and Chapter 17 in the 1983 edition), the recommended design for bridge railings is generally described as follows:

> "Where cyclists ride adjacent to bridge railings, the railings shall be at least 48" high (preferably 54"). Lower railings contact the cyclist below his center of gravity, thus tending to topple him over the railing instead of preventing him from going over."

Recently, we have received public letters of support for a 48-inch railing on the proposed San Francisco-Oakland Bay Bridge East Span project (see attached). Enhanced views for pathway users and bridge motorists are stated as the reason for the preference for a lower railing. As you know, the Bay Plan's policies on Appearance, Design, and Scenic views state that "...new or remodeled bridges across the Bay should be designed to permit maximum viewing of the Bay and its surroundings by both motorists and pedestrians. Guardrails and bridge supports should be designed with views in mind." Therefore, we feel that it is important for us to clearly understand this issue. Currently, it is unclear to us why bicycle railings on bridges along State of California highways must be 54 inches when the background report that informed AASHTO's "standard" states that railings on bridges "shall be at least 48 inches."

Further, the 1999 AASHTO Guide for the Development of Bicycle Facilities clearly states that "[r]ailings, fences or barriers on both sides of a path on a structure [such as an overpass, underpass, bridge or bicycle facility on a highway bridge] should be a minimum of 1.1 m (42 inches) high."

Finally, although the Commission approved a 54-inch railing for the Benicia-Martinez Bridge, it appears, given these apparent discrepancies, that the information on which the Commission relied may not have been completely accurate. Based on this unresolved issue, the BCDC staff and the Commission's Design Review Board have not yet accepted the railing height for the Carquinez Bridge and, given the public's concern on this topic, the railing issue is likely to be raised when the Commission considers the Bay Bridge East Span project.

Please know that we are clearly committed to ensuring safe public access facilities around the Bay for both pedestrians and bicyclists. However, BCDC must also ensure that each and every project meets the intent of the Commission's laws and policies. Therefore, please provide us with any additional background materials that led to the adoption of the 54-inch rail height standard. In the absence of other supporting evidence, we will want to continue our discussions regarding appropriate bridge rail heights.

If you have any questions or comments, please don't hesitate to contact Brad McCrea of our staff.

Sincerely,

WILL TRAVIS
Executive Director

WT/ra
Enclosures
cc: Denis Mulligan

Copies to Anziano, Maroney, Chang, Dickinson, Hulsebus, Akinsanya, Mara, Clive Endress, Wiecha, Pazooki, Tapping, Mike Thomas

DEPARTMENT OF TRANSPORTATION
DISTRICT 4 - TOLL BRIDGE PROGRAM
111 Grand Avenue
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-4444
TDD (510) 286-4454

January 22, 2001

Rob Lawrence
U.S. Army Corps of Engineers
San Francisco District
LESPN-CO-R
333 Market Street, 8th Floor
San Francisco, CA 94105-2197

and

Rebecca Tuden
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105-3301

Subject: Conceptual Mitigation Plan For Special Aquatic Sites; San Francisco-Oakland Bay Bridge Seismic Safety Project; ACOE File No. 23013

Dear Mr. Lawrence and Ms. Tuden:

Thank you for reviewing the Conceptual Mitigation Plan for Special Aquatic Sites dated November 2000 for the San Francisco-Oakland Bay Bridge (SFOBB) East Span Seismic Safety Project. Your preliminary agreement with the plan is necessary for the Federal Highway Administration (FHWA) to issue the Final Environmental Impact Statement (FEIS) for this important seismic safety project. This seismic safety project is a top priority for Governor Gray Davis who has established that the project should be under construction by early summer of 2001. Therefore, your preliminary agreement on the Conceptual Mitigation Plan is vital in meeting the Governor's schedule and providing seismic safety to the Bay Area.

We appreciate your suggestions for improving the Conceptual Mitigation Plan. We understand Caltrans must address several issues with respect to the plan before the U.S. Army Corps of Engineers (COE) and the U.S. Environmental Protection Agency (USEPA) will concur on the adequacy of the plan pursuant to the MOU for the NEPA/404 integration process. We anticipate that the information below will address your concerns and that the COE and USEPA will be able to issue their preliminary agreement on the Conceptual Mitigation Plan.

2000 Eelgrass Pre-Construction Survey

Caltrans recently completed a pre-construction survey for the risk design, Replacement Alternative N-6. The physical survey was conducted in October 2000, with data generation and review being completed only recently. This survey has a limited purpose as opposed to prior surveys: it is a pre-construction survey intended to provide current data immediately prior to construction of a particular alternative to measure actual impacts to the greatest extent possible. Accordingly, this survey only covers the area impacted by Replacement Alternative N-6. Since the survey was not intended for the purposes of an alternatives analysis, it did not include areas impacted by other alternatives.

As anticipated, the area occupied by the eelgrass beds at Yerba Buena Island (YBI) and the Oakland Touchdown Area (OTA) has changed due to the natural annual variability in such beds (see Exhibits A and B). The OTA beds have grown. At present, it appears that Replacement Alternative N-6 will permanently impact 1.29 hectares (3.19 acres) of eelgrass and temporarily impact 0.14 hectares (0.35 acres) at the OTA. The eelgrass beds at YBI have also grown. At present, it appears that Replacement Alternative N-6 will permanently impact 0.04 hectares (0.10 acres) of eelgrass at YBI; no temporary impacts to eelgrass beds at YBI are expected. As the eelgrass beds have grown at OTA and YBI between 1999 and 2000, the overall percentage of area impacted has not changed to any appreciable degree.

Sand Flats

On the basis of the 2000 eelgrass survey and additional design data, Caltrans has re-evaluated the project impacts to sand flats. Overall, permanent and temporary impacts to sand flats that would result from Replacement Alternative N-6 have been reduced (see Exhibit A). At present, it appears that Replacement Alternative N-6 will permanently impact 1.45 hectares (3.58 acres) of sand flats and temporarily impact 0.56 hectares (1.38 acres) at the OTA.

Revised Mitigation Proposal

To offset the impacts to eelgrass identified in the 2000 eelgrass survey and the impacts to sand flats, Caltrans will provide more mitigation than was proposed in the Conceptual Mitigation Plan previously provided to you (see Exhibits E and F). Caltrans now proposes to provide approximately 26.05 hectares (64.35 acres) of a tidal marsh ecosystem at the mitigation site including:

- 0.41 hectares (1.01 acres) of new mudflats;
- 0.83 hectares (2.05 acres) of new tidal marsh channels;
- 9.25 hectares (22.86 acres) of new tidal marsh;
- 2.41 hectares (5.94 acres) of enhanced uplands;
- 9.87 hectares (24.39 acres) of enhanced jurisdictional wetlands; and
- 3.28 hectares (8.10) of existing intertidal areas.

This approach is consistent with Caltrans' current proposal for off-site mitigation, which provides replacement at a 3 to 1 ratio. Caltrans will continue to provide on-site mitigation as proposed in the Conceptual Mitigation Plan. The Interagency Group has already agreed that off-site and out-of-kind mitigation is acceptable for impacts to eelgrass and sand flats.

While the COE expressed some concern regarding the consistency of the acreage described in the Conceptual Mitigation Plan, the issue has been resolved by the changes precipitated by the 2000 eelgrass pre-construction survey. When Caltrans prepares a Final Mitigation Plan that reflects the 2000 eelgrass survey and the additional mitigation, we will ensure that the acreage is consistent.

Existing Wetlands

While Caltrans' primary goal is habitat creation, the revised mitigation proposal, as described on page two, would enhance approximately 9.87 hectare (24.39 acres) of existing jurisdictional wetlands by introducing additional tidal action (see Exhibit C). Enhancement of existing wetlands is now included as part of the revised conceptual mitigation proposal. Caltrans will create approximately 10.49 hectares (25.92 acres) of mudflats, tidal channels and tidal marsh from existing uplands. Approximately 0.15 hectare (0.37 acres) of existing jurisdictional wetlands would be converted to mudflats at the mouth of each tidal channel.

Buffer Zone/Setback

Of the 26.05 hectares (64.35 acres) of tidal marsh ecosystem, Caltrans will provide approximately 1.69 hectares (4.19 acres) as a 100-foot-wide buffer/setback between the mitigation site and adjacent uses. The buffer/setback will be in addition to the mudflats, tidal channels and tidal marsh and would consist of enhanced uplands and wetlands.

Providing a vegetated upland buffer around the entire mitigation site would require filling jurisdictional wetlands. Therefore, in areas where there are existing wetlands, Caltrans will provide a 100-foot-wide setback from adjacent land uses. Caltrans has concluded that a 100-foot-wide buffer/setback is sufficient to protect the functions and values of the mitigation site for wildlife and water quality from any adjacent uses.

Acquisition of Mitigation Rights

Caltrans will acquire a sufficient amount of uplands and existing wetlands at an appropriate site, such as the Breuner property, to create 26.05 hectares (64.35 acres) of tidal marsh ecosystem as described above. The property interest will either be a fee or an easement that is sufficient to create mudflats, tidal channels, and tidal marsh, to enhance uplands and existing jurisdictional wetlands, to protect existing intertidal areas and to provide a 100-foot-wide buffer/setback from the surrounding uses.

At the Oakland Touchdown Area, Caltrans will use its existing right-of-way and acquire additional right-of-way and/or temporary construction easements from the Port of Oakland. This fee and

easement will allow Caltrans to construct the project and to implement on-site restoration of eelgrass and sand flats. Caltrans will obtain any necessary right of entry permits from the Port of Oakland for monitoring and maintenance of on-site restoration.

Caltrans' Role in Mitigation Bank

Caltrans has concluded that it should not be a participant in a mitigation bank because of the uncertainty in developing the bank and gaining regulatory approval. Given the lack of regional consensus and the controversial nature of such programs, Caltrans is concerned that its participation would delay the East Span Project. However, Caltrans will coordinate with all necessary parties to ensure that its mitigation program is implemented in a manner consistent with other related mitigation projects.

Public Access

Caltrans is providing a bicycle and pedestrian path, several belvederes, and a public access staging area with parking as part of the East Span Project. These public access facilities are a significant investment and are unprecedented in the Bay Area in terms of cost. Caltrans does not propose any public access at, through or around its mitigation area; public access is inconsistent with providing high quality habitat for resident and migratory wildlife. Further, the proposed mitigation does not create a need or a demand for public access nor does it adversely affect existing public access.

Providing a Bay Trail extension by a path or elevated boardwalk in the location identified by BCDC would require placing fill in existing jurisdictional wetlands and areas that Caltrans proposes to enhance. The Bay Trail Alignment Policies, as established by the Association of Bay Area Governments, recognize the importance of wildlife areas and wetlands. The Policies state that the trail alignment should "minimize impacts and conflicts with sensitive areas." With respect to wetlands, the Policies state that "alternate routes should be provided where necessary and additional buffering/transition areas designed to protect wetland habitats should be provided where appropriate to protect wildlife." Therefore, Caltrans has concluded that it should not provide public access at the proposed mitigation site.

On-Site Monitoring Program

On-site eelgrass restoration will require additional design and engineering to be most effective and to maximize colonization of eelgrass in the restored barge access channel. While pilot transplanting efforts have been successfully performed in association with the Middle Harbor Enhancement Area (MHEA) for the Port of Oakland and the COE, additional data on the Emeryville Flats eelgrass beds and physical environment are necessary to optimize the design of the eelgrass restoration program. Caltrans will collect additional physical and biological data on both adjacent and reference area bed dynamics during the next three years; this will allow for adjustments in the final design of the access channel restoration to optimize conditions for colonization by eelgrass. Factors that may be adjusted in

the design of the restored access channel include:

- Surface topography;
- Extent of backfill encroachment into the bridge's shading zone; and
- Thickness of the surface cap and side slope incline.

After implementation of the on-site restoration, Caltrans will monitor the eelgrass restoration areas for a period of ten years and submit consolidated reports to state and federal permitting agencies. The monitoring program will allow both an early assessment and long-term evaluation of the restoration of the barge access channel. This will include assessments conducted at 0 mo., 3 mo., 6 mo., 12 mo. (1 yr.), 24 mo. (2 yr.), 36 mo. (3 yr.), 48 mo. (4 yr.), 60 mo. (5 yr.), 84 mo. (7 yr.), and 120 mo. (10 yr.). Surveys conducted at 0, 3, and 6 months would principally be to evaluate growth and survival parameters of planting units, seedling recruitment to the restoration area, and site stability. This differs from the monitoring that would be conducted at subsequent planting period anniversaries; they will be used to examine overall eelgrass coverage and density within the restoration area.

Success criteria for eelgrass colonization will reflect both the dynamic nature of this habitat and the paucity of longitudinal data necessary to establish trends and patterns of eelgrass growth in San Francisco Bay. Caltrans has used the aerial coverage and density of eelgrass habitat to determine project impacts. These parameters are regularly used to assess eelgrass habitats, including restoration success. The monitoring methods will remain consistent between pre-construction assessment and monitoring, and post-construction assessment. This is especially important given the high turbidity levels in the bay and sparse occurrence of eelgrass, both of which generate a high variability in eelgrass bed dynamics between sampling methods.

The 2000 eelgrass pre-construction survey shows that eelgrass beds within the project area are highly dynamic. Accordingly, restoration of the barge access channel will be evaluated against the normal variability observed in the natural eelgrass beds. This will be accomplished using natural reference areas that exhibit similar characteristics to those found within the original impact area and the restoration area. For the pre-construction survey, Caltrans used a reference area located north of the project site within the same larger Emeryville Flats eelgrass bed and a small bed within Clipper Cove. An external reference area, such as the Bayfarm Island shoals, will also be used to gauge how eelgrass at the Emeryville Flats is performing relative to other Central Bay eelgrass beds.

The area of the barge access channel that is available for restoration is limited to the footprint of the channel that falls outside the shade zone of the replacement bridge. As such, the criteria for success will be based on establishing eelgrass habitat, at a density comparable to that of habitat impacted, over a substantial portion of the filled channel. Within the MHEA, the success criteria were based on establishment of eelgrass over one third of the area determined to be suitable to support this habitat. This relatively modest goal was established based on recognition of both the lack of local eelgrass restoration history and the narrow range of conditions that would be suitable for eelgrass growth. Because the entire top of the restored barge access channel would be designed to support eelgrass, one third of this area should support eelgrass at or above the density of the impact area in order for the

restoration to be deemed successful. However, recognizing the highly dynamic nature of the eelgrass beds on the Emeryville Flats, including those within the project's impact area, the performance of restoration for the East Span Project will also be tied to the performance of native eelgrass beds in the reference areas. If eelgrass expands or declines within the reference area, similar dynamics would be expected within the restoration area.

Monitoring the mitigation area will include an examination of coverage and density using a standardized set of monitoring tools (side-scan sonar) and methods. In addition to assessing site performance relative to success criteria, early site development conditions (physical and biological) will be examined to identify required corrective actions. Factors of light, turbidity, and sediment erosion and accretion will be measured following initial construction to determine when the site can be planted with eelgrass. Following site stabilization and planting, eelgrass planting unit growth and survival and natural recruitment will be monitored following planting to evaluate long-term habitat establishment at the site. These monitoring elements will be useful in determining why portions of the site may not be successful in the short-term or long-term.

Off-site Monitoring Program

Caltrans will also monitor the mitigation site for a period of ten years and submit consolidated reports every other year to state and federal permitting agencies. The performance of the proposed mitigation site will be based on a reference location that will serve as a control site for the targeted habitats. Caltrans will use Giant Marsh at Point Pinole as a reference marsh for developing a more detailed mitigation plan and success criteria. Monitoring will be conducted to evaluate the performance of the created habitats with respect to the success criteria established for targeted habitats. Success criteria for tidal marsh habitats will focus on the goals of increased diversity and abundance of native tidal marsh species and increased area of tidal marsh habitats.

Monitoring at the mitigation site will consist of qualitative and quantitative methods designed to assess the following biophysical parameters:

- Survival and persistence of individual plantings;
- Tidal hydrology;
- Sedimentation rates;
- Channel dimensions;
- Species composition;
- Vegetation cover; and
- Species diversity.

Proposed monitoring methods for the mitigation site will include photo stations, line transects, sample plots, and observation of species' composition and abundance. Data will be collected from the mitigation site and from the reference location.

Success criteria will be measured by percentage increases in the target habitat from year to year. Emphasis will be placed on measuring success by the continual increase in size and density of the target habitats. The increase in size and density will chart a trend towards ultimate success. This is more effective than establishing predicted yearly rates of increase in size and density that may not reflect site-specific conditions that control growth and vigor.

Long Term Management

After acquiring a property interest and implementing the mitigation plan at the site, Caltrans will establish a conservation easement for open space and wildlife purposes to protect the site in perpetuity. Caltrans will then transfer the property to another public agency experienced in resource management. Likely candidates include the East Bay Regional Park District, the California Department of Fish and Game, or the United States Fish and Wildlife Service. An agreement between Caltrans and another public agency to manage the mitigation site will be negotiated. The negotiations would establish a time period in which funding would be provided for the activities described below:

- Provide corrective action to ensure the site functions as a tidal marsh ecosystem;
- Control exotic non-native plant species;
- Remove litter and debris from the mitigation site;
- Maintain necessary fences, signage or other structures; and
- Comply with state or federal permitting requirements.

Implementation Schedule

According to the Governor's schedule, the Skyway contract will be the first order of work and will commence in the early summer of 2001. No impacts to special aquatic sites would occur with construction of the Skyway. As part of the fill portion of the Oakland Approach contract, the surcharge and the geo-tube for the westbound roadway would be placed in late summer of 2001. This fill would impact sand flats. Barge docks at YBI for the Main Span contract would be constructed in the summer of 2002. The westernmost barge dock would impact eelgrass beds. Dredging the barge access channel for the Oakland Approach contract would occur in the spring of 2003. This would impact eelgrass beds and sand flats. Construction of structures for the Oakland Approach contract would occur in the summer of 2003. This would impact sand flats due to shading.

On-site mitigation and restoration would take place in three phases. The first phase involves harvesting portions of the eelgrass from the barge access channel in the early summer of 2001 prior to any construction activities (this work may be delayed until fall of 2001 to complete another eelgrass survey). The eelgrass would then be immediately replanted in adjacent areas outside the construction zone. The second phase would involve constructing the rock slope protection and transitional habitat; this would occur at the end of project completion in spring of 2006. The third phase would involve restoring portions of the barge access channel and portions of the sand flats, also in the spring of 2006. Caltrans' goal is to implement off-site mitigation before or concurrent with the project impacts.

On-Site Mitigation/Removal of Existing Bridge

The removal of the existing bridge would provide very limited opportunities for on-site mitigation. The water beneath the existing bridge is generally too deep to support eelgrass habitat or sand flats without manipulating the bathymetry by adding fill. Moreover, the currents are too strong along this section of the Oakland Touchdown to establish eelgrass. At several interagency meetings, Caltrans was discouraged from filling the Bay to create new eelgrass habitat. At project completion, Caltrans may declare the uplands beneath and south of the existing bridge excess to transportation needs. If so, the property will revert automatically to the Port of Oakland as provided for in the original deeds. There is a regional desire to develop a park at the Oakland Touchdown Area. While it would be possible to excavate the upland and create some aquatic habitat at this location, it may be of little value as it would be isolated from larger tracts of eelgrass, wetlands and sand flats. It would be located near the park, which is envisioned to have intensive public use. Finally, the new eastbound roadway, Caltrans' maintenance road and several historic buildings would surround portions of the habitat, thereby providing little opportunity for sufficient transitional uplands. Based on these constraints, Caltrans has concluded that the area made available by the removal of the existing bridge is not suitable for on-site mitigation and that providing larger areas of mitigation at the Breuner site contiguous with existing wetlands would provide greater habitat values.

We hope this information satisfies your concerns and that you can now provide preliminary agreement that the project's Conceptual Mitigation Plan and implementation schedule are adequate. We look forward to having a response by February 5, 2001.

Thank you for assistance with this critical project. If you have any questions or concerns, please call me at (510) 286-5582 or Jeff Jensen at (510) 622-8729.

Sincerely,

HARRY Y. YAHATA
District Director

by

Mara Melandry

MARA MELANDRY
SFOBB Environmental Manager

c:	Bill Wong	(Federal Highway Administration) with enc.
	James Bybee	(National Marine Fisheries Service) with enc.
	Keith Lichten	(Regional Water Quality Control Board) with enc.
	Richard Smith	(United States Fish and Wildlife Service) with enc.
	Wayne S. White	(United States Fish and Wildlife Service) with enc.
	Jerry Bielfeldt	(United States Fish and Wildlife Service) with enc.
	Peter Baye	(United States Fish and Wildlife Service) with enc.
	Steve McAdam	(Bay Conservation and Development Commission) with enc.
	Robert Batha	(Bay Conservation and Development Commission) with enc.
	Lee Huo	(Bay Conservation and Development Commission) with enc.
	Donna Turchie	(Federal Transit Administration) w/o
	Calvin Fong	(United States Army Corps of Engineers) w/o
	Captain Robert Lachowsky	(United States Coast Guard) w/o
	Felicia Marcus	(United States Environmental Protection Agency) w/o
	Deanna Wieman	(United States Environmental Protection Agency) w/o
	David Farrel	(United States Environmental Protection Agency) w/o
	Tim Vendlinski	(United States Environmental Protection Agency) w/o
	Nova Blajez	(United States Environmental Protection Agency) w/o
	Kathy Dadey	(United States Environmental Protection Agency) w/o
	Becky Ota	(California Department of Fish and Game) with enc.
	Scott Wilson	(California Department of Fish and Game) with enc.

bc:	Steve Hulsebus	(District 4 Toll Bridge)	w/ enc.
	Mara Melandry	(District 4 Toll Bridge)	w/ enc.
	Cindy Adams	(HQ Environmental Program)	w/ enc.
	Mike Davis	(Jones and Stokes)	w/ enc.
	Tony Anziano	(D-4 Legal)	w/o
	Ivy Edmonds-Hess	(Parsons-Brinckerhoff)	w/ enc.

File: EA 012000
KP Ala 80.0.0/2.09
SF 80 12.23/14.32
SFOBB East Span Project

DISTRIBUTION INFO:

Internal mail stops for HQ:

Cindy Adams
Environmental Program, Mail Station 27

DEPARTMENT OF TRANSPORTATION
DISTRICT 4 - TOLL BRIDGE PROGRAM
Grand Avenue
. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-4444
TDD (510) 286-4454

February 14, 2001

Mr. Rob Lawrence
US Army Corps of Engineers
San Francisco District, CESPN-CO-R
333 Market St., 8th Fl.
San Francisco CA 94105-2197

Subject: San Francisco Oakland Bay Bridge East Span Seismic Safety Project
Army Corps of Engineers File No. 23013S

Dear Mr. Lawrence:

At the request of the Federal Highway Administration (FHWA), Caltrans is pleased to transmit to you a copy of the Administrative Final Environmental Impact Statement (FEIS)/Statutory Exemption for the East Span Seismic Safety Project. Also enclosed are responses to the comments received on the Draft Environmental Impact Statement from your agency and from the Environmental Protection Agency (EPA). The volume of all comments and responses and the volume of figures are not included due to time constraints. The FEIS and responses to comments reflect the Army Corps of Engineers' (ACOE's) recent concurrences on the Least Environmentally Damaging Practicable Alternative and conceptual mitigation; we have not yet received EPA's concurrences.

Caltrans and FHWA have addressed the ACOE's comments on the DEIS. Your agency's major concerns were the disposal of dredged materials and testing of the sediments for suitability of certain disposal options. These concerns were addressed in the Dredged Materials Management Plan, circulated June 1999, the Sampling and Analysis Report, June 2000, and the Dredged Material Management Office's response, October 2000. The plan also addressed related issues such as air quality. Responses to comments on the Plan will be in the FEIS, with responses to comments on the DEIS.

As FHWA noted via telephone, we are anticipating that you can provide any comments on the document and letters by February 22, 2001. The very brief time allotted for review is necessary to stay on the expedited schedule set for this project. Hand-written comments on the document itself are acceptable and preferable for ease of any necessary revisions. Please note that this is a document under development, and as such it cannot be released to the public, pursuant to the Freedom of Information Act (FOIA) Exemption 5; see 5 U.S.C. 552(b)(5). Please call Mara Melandry at 510-286-5582 when you have completed your review. We appreciate your prompt attention and continuing assistance with this important seismic safety project.

Sincerely,

HARRY Y. YAHATA
District Director

by:

Marilee Mortenson

for MARA MELANDRY
Environmental Manager, SFOBB

cc:	Calvin Fong	(Army Corps of Engineers)
	Deanna Wieman	(Environmental Protection Agency)
	Lisa Hanf	(Environmental Protection Agency)
	Tim Vendlinkski	(Environmental Protection Agency)
	Kathy Dadey	(Environmental Protection Agency)

Nova Blajez	(Environmental Protection Agency)
Rebecca Tuden	(Environmental Protection Agency)
Mike Monroe	(Environmental Protection Agency)

bc:

Denis J. Mulligan	(Toll Bridge Program)
Steve Hulsebus	(Toll Bridge Program)
Tony Anziano	(D-4 Legal)
Mara Melandry	(Toll Bridge Program)
Cindy Adams	(HQ Environmental Division; Mail Station 27)
Sara Purcell	(FHWA-Western Regional Center)
Bill Wong	(FHWA-California Division)
Ivy Edmonds-Hess	(Parsons-Brinckerhoff)
Mike Davis	(Jones & Stokes)

04 SF K12.2/KP14.3
04 Ala KP0.0/KP2.1
EA 012000

DEPARTMENT OF TRANSPORTATION
DISTRICT 4 - TOLL BRIDGE PROGRAM
111 Grand Avenue
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-4444
TDD (510) 286-4454

February 14, 2001

Ms. Nova Blajez:
Environmental Protection Agency
Cross Media Division
75 Hawthorne St., CMD #2
San Francisco CA 94105-3901

Dear Ms. Blazej:

At the request of the Federal Highway Administration (FHWA), Caltrans is pleased to transmit to you a copy of the Administrative Final Environmental Impact Statement (FEIS)/Statutory Exemption for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. Also enclosed are responses to the comments received on the Draft Environmental Impact Statement from your agency and from the Army Corps of Engineers. The volume of all comments and responses and the volume of figures are not included due to time constraints. The Administrative FEIS and responses to comments reflect the Army Corps of Engineers' recent concurrences on the Least Environmentally Damaging Practicable Alternative and conceptual mitigation. We understand that we have not yet received these concurrences from the Environmental Protection Agency (EPA).

Caltrans and FHWA have addressed EPA's comments on the DEIS. EPA's major concerns were:

- The disposal of dredged materials and testing of the sediments for suitability of certain disposal options. This concern was addressed in the Dredged Materials Management Plan, circulated June 1999, in the Sampling and Analysis Report, June 2000, and in the Dredged Material Management Office's response, October 2000. Responses to comments on the Plan will be in the FEIS, with responses to comments on the DEIS.
- Biological resources: Caltrans has prepared and provided to your agency a Conceptual Mitigation Plan for Special Aquatic Sites. Caltrans has also met on several occasions with the Interagency Group that deals with such resources, resulting, we understand, in the satisfaction of EPA's concern. The new and substantially expanded sections on special aquatic sites are found in Chapter 3, Section 3.9, and in Chapter 4, Sections 4.9 and 4.14.
- Air quality: Caltrans has provided additional information on this topic in Chapters 3 and 4 and in responses to comments.
- Cumulative impacts: Chapter 4, Section 4.15, has been rewritten and includes more detailed discussion of cumulative impacts.

As FHWA noted via telephone, we are anticipating that you can provide any comments on the document and letters by February 22, 2001. The very brief time allotted for review is necessary to stay on the expedited schedule set for this project. Hand-written comments on the document itself are acceptable and preferable for ease of any necessary revisions. Please note that this is a document under development, and as such it cannot be released to the public, pursuant to the Freedom of Information Act (FOIA) Exemption 5; see 5 U.S.C. 552(b)(5). Please call Mara Melandry at 510-286-5582 when you have completed your review. We appreciate your prompt attention and continuing assistance with this important seismic safety project.

Sincerely,

HARRY Y. YAHATA
District Director

by:
Marilee Mortenson
for MARA MELANDRY
Environmental Manager, SFOBB

cc:	Calvin Fong	(Army Corps of Engineers)
	Rob Lawrence	(army Corps of Engineers)
	Deanna Wieman	(Environmental Protection Agency)
	Lisa Hanf	(Environmental Protection Agency)
	Tim Vendlinkski	(Environmental Protection Agency)
	Kathy Dadey	(Environmental Protection Agency)
	Rebecca Tuden	(Environmental Protection Agency)
	Mike Monroe	(Environmental Protection Agency)

bc:

Denis J. Mulligan	(Toll Bridge Program)
Steve Hulsebus	(Toll Bridge Program)
Tony Anziano	(D-4 Legal)
Mara Melandry	(Toll Bridge Program)
Cindy Adams	(HQ Environmental Division; Mail Station 27)
Sara Purcell	(FHWA-Western Regional Center)
Bill Wong	(FHWA-California Division)
Ivy Edmonds-Hess	(Parsons-Brinckerhoff)
Mike Davis	(Jones & Stokes)

04 SF K12.2/KP14.3
04 Ala KP0.0/KP2.1
EA 012000

DEPARTMENT OF TRANSPORTATION
DISTRICT 4 - TOLL BRIDGE PROGRAM
111 Grand Avenue
. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-4444
TDD (510) 286-4454

February 14, 2001

Captain Robert Lachowsky
Eleventh Coast Guard District
Building 54D
Coast Guard Island
Alameda CA 945501

Dear Captain Lachowsky:

At the request of the Federal Highway Administration (FHWA), and in acknowledgment of the United States Coast Guard's role as a Cooperating Agency for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project, Caltrans is pleased to transmit to you a copy of the Administrative Final Environmental Impact Statement (FEIS)/Statutory Exemption. Also enclosed are responses to your agency's comments on the Draft Environmental Impact Statement. The volume of all comments and responses and the volume of figures are not included due to time constraints. The FEIS reflects the Army Corps of Engineers' recent concurrences on the Least Environmentally Damaging Practicable Alternative and conceptual mitigation; we have not yet received EPA's concurrences.

As FHWA noted via telephone, we are anticipating that you can provide any comments on the document and letters by February 22, 2001. The very brief time allotted for review is necessary to stay on the expedited schedule set for this project. Hand-written comments on the document itself are acceptable and preferable for ease of any necessary revisions. Please note that this is a document under development, and as such it cannot be released to the public, pursuant to the Freedom of Information Act (FOIA) Exemption 5; see 5 U.S.C. 552(b)(5). Please call Mara Melandry at 510-286-5582 when you have completed your review. We appreciate your prompt attention and continuing assistance with this important seismic safety project.

Sincerely,

HARRY Y. YAHATA
District Director

by:

Marilee Mortenson
for MARA MELANDRY
Environmental Manager, SFOBB

bc:

Denis J. Mulligan	(Toll Bridge Program)
Steve Hulsebus	(Toll Bridge Program)
Tony Anziano	(D-4 Legal)
Mara Melandry	(Toll Bridge Program)
Cindy Adams	(HQ Environmental Division; Mail Station 27)
Sara Purcell	(FHWA-Western Regional Center)
Bill Wong	(FHWA-California Division)
Ivy Edmonds-Hess	(Parsons-Brinckerhoff)
Mike Davis	(Jones & Stokes)

04 SF K12.2/KP14.3
04 Ala KP0.0/KP2.1
EA 012000

DEPARTMENT OF TRANSPORTATION
DISTRICT 4 - TOLL BRIDGE PROGRAM
111 Grand Avenue
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-4444
TDD (510) 286-4454

February 27, 2001

Mr. John Hill
BRAC Office, Code 06CA.JH
Naval Facilities Engineering Command
1230 Columbia Street, Suite 1100
San Diego, California 92101

Dear Mr. Hill:

At the request of the Federal Highway Administration (FHWA), Caltrans is pleased to transmit to you a copy of the draft responses to the fifty-five comments submitted by the Navy on the Draft Environmental Impact Statement for the San Francisco-Oakland Bay Bridge East Span Seismic Safety Project. In an effort to fully respond to Navy's concerns, we appreciate any remarks you choose to provide. As you are aware, we are trying to publish the Final Environmental Impact Statement as soon as possible. If we receive your remarks by March 9, 2001, we will be able to address them and incorporate revisions into the document.

Please note that the responses are part of a document under development, and as such they cannot be released to the public, pursuant to the Freedom of Information Act (FOIA) Exemption 5; see 5 U.S.C. 552(b)(5).

We are faxing and mailing the draft responses to you. If you wish to provide your remarks by fax, you can fax them to Mara Melandry at (510) 286-6374. Please call Mara Melandry at 510-286-5582 if you have any questions. We appreciate your continuing assistance with this important seismic safety project.

Sincerely,

HARRY Y. YAHATA
District Director

by:

Mara Melandry

MARA MELANDRY
Environmental Manager, SFOBB

cc:	Ron Plaseied	(USN-San Diego)
	Bill Wong	(FHWA-California Division)
	Sara Purcell	(FHWA-Western Regional Center)

bc:

Denis J. Mulligan	(Toll Bridge Program)
Paul Hensley	(Toll Bridge Program)
Steve Hulsebus	(Toll Bridge Program)
Tony Anziano	(D-4 Legal)
Mara Melandry	(Toll Bridge Program)
Cindy Adams	(HQ Environmental Division; Mail Station 27)
Ivy Edmonds-Hess	(Parsons-Brinckerhoff)
Mike Davis	(Jones & Stokes)

04 SF K12.2/KP14.3
04 Ala KP0.0/KP2.1
EA 012000

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213
TEL (310) 980-4000; FAX (310) 980-4018

EXECUTIVE OFFICE
01 MAR 23 AM 10: 1

In reply please refer to:
March 22, 2001 151422SWR00SR189: ME

Harry Yahata, District Director
California Department of Transportation
P.O. Box 23660
Oakland, California, 94623-0660

Dear Mr Yahata:

Thank you for your letter of March 21, 2001, regarding the presence of Federally listed (or proposed for listing) threatened or endangered species or critical habitat that may be affected by the Federal Highway Administration's (FHWA) proposed demonstration pile installation and bridge retrofit project at the San Francisco-Oakland Bay Bridge, in Alameda County, California (FHWA file number: HDA-CA, file #04-SF-80-12.2/14.3).

Available information indicates that the following species may occur in the project area:

Sacramento River winter-run chinook salmon (Oncorhynchus tshawytscha)- endangered
Central Valley ESU spring-run chinook salmon - (Oncorhynchus tshawytscha)- proposed-as-endangered
Central Valley ESU fall\late fall-run chinook salmon - (Oncorhynchus tshawytscha)- proposed-as-threatened
Central California Coast ESU steelhead (Oncorhynchus mykiss) - threatened
Central Valley ESU steelhead (Oncorhynchus mykiss) - threatened
Southern Oregon/Northern California ESU coho salmon (Oncorhynchus kisutch) - threatened
Central California Coast ESU coho salmon (Oncorhynchus kisutch) - threatened

The site is also located within the designated critical habitat for winter-run chinook salmon (58 FR 33212); for spring-run chinook salmon (65 FR 7764); for coho salmon (64 FR 24049); and for steelhead (65 FR 7764)

The project location is also designated as Essential Fish Habitat (EFH) for fish species managed with the following Fishery Management Plan (FMP) under the Magnuson-Stevens Fishery

Printed on Recycled Paper

Conservation and Management Acts:

Pacific Groundfish Fishery Management Plan
Coastal Pelagics Fishery Management Plan
Pacific Coast Salmon Fishery Management Plan

Any biological assessment prepared should also include an EFH Assessment for the species managed by the above FMPs. Complete species lists and information on EFH and the Fishery Management Plans is located on our web site under the Habitat Conservation Division (http://swr.ucsd.edu).

The U.S. Fish and Wildlife Service (USFWS) may also have listed species or critical habitat under its jurisdiction in the project area. Please contact Mr. Joel Medlin, Deputy Field Supervisor, USFWS, at 2800 Cottage Way, W-2605, Sacramento, California 95825, or (916) 414-6600, regarding the presence of listed species or critical habitat under USFWS jurisdiction that may be affected by your project.

Consultation pursuant to section 7 of the Endangered Species Act on the bridge retrofit project was completed between NMFS the Federal Highway Administration on September 23, 1999. Additional consultation on the demonstration pile installation was completed on September 25, 2000.

Please notify Maura Eagan of my staff at (707) 575-6092 regarding any question concerning this consultation.

Sincerely,

Patrick J. Rutter

Rebecca Lent, Ph.D. For
Regional Administrator

cc: Joan Boliman, FHWA
J. Lecky, NMFS
Mara Melandry, CalTrans

COVER SHEET

FAX

To: Mara Melandry
Caltrans

Fax #: (510) 286-6334

Subject: Official updated species list
Retrofit East Span of SF-Oakland Bay Bridge

Date: March 26, 2001

Pages: 13 - including this cover sheet.

COMMENTS:

Mara,

Here is your updated species list for the retrofit of the east span of the San Francisco-Oakland Bay Bridge. As we discussed on the phone, the list is for the Oakland West, rather than East, quad.

Harry Mossman
Biological Technician

Please Deliver ASAP

U.S. FISH & WILDLIFE SERVICE

Phone: (916) 414-6674
Fax: (916) 414-6710
Email: harry_mossman@fws.gov

Harry Mossman
Biological Technician
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W2605
Sacramento, California 95825

Ricksecker's water scavenger beetle, *Hydrochara ricksecker*i (SC)

San Francisco lacewing, *Nothochrysa californica* (SC)

Plants

alkali milk-vetch, *Astragalus tener var. tener* (SC) *

San Francisco Bay spineflower, *Chorizanthe cuspidata var. cuspidata* (SC) *

northcoast bird's-beak, *Cordylanthus maritimus ssp. palustris* (SC) *

Kellogg's (wedge-leaved) horkelia, *Horkelia cuneata ssp. sericea* (SC) *

adobe sanicle, *Sanicula maritima* (SC) *

KEY:

(E)	*Endangered*	Listed (in the Federal Register) as being in danger of extinction.
(T)	*Threatened*	Listed as likely to become endangered within the foreseeable future.
(P)	*Proposed*	Officially proposed (in the Federal Register) for listing as endangered or threatened.
(PX)	*Proposed Critical Habitat*	Proposed as an area essential to the conservation of the species.
(C)	*Candidate*	Candidate to become a *proposed* species.
(SC)	*Species of Concern*	May be endangered or threatened. Not enough biological information has been gathered to support listing at this time.
(MB)	*Migratory Bird*	Migratory bird
(D)	*Delisted*	Delisted. Status to be monitored for 5 years.
(CA)	*State-Listed*	Listed as threatened or endangered by the State of California.
(*)	*Extirpated*	Possibly extirpated from this quad.
(**)	*Extinct*	Possibly extinct.
	Critical Habitat	Area essential to the conservation of a species.

Fish

Central Valley fall/late fall-run chinook salmon, *Oncorhynchus tshawytscha* (C)

Species of Concern

Mammals

Pacific western big-eared bat, *Corynorhinus (=Plecotus) townsendii townsendii* (SC)

Berkeley kangaroo rat, *Dipodomys heermanni berkeleyensis* (SC)

greater western mastiff-bat, *Eumops perotis californicus* (SC)

long-eared myotis bat, *Myotis evotis* (SC)

fringed myotis bat, *Myotis thysanodes* (SC)

long-legged myotis bat, *Myotis volans* (SC)

Yuma myotis bat, *Myotis yumanensis* (SC)

San Francisco dusky-footed woodrat, *Neotoma fuscipes annectens* (SC)

Alameda Island mole, *Scapanus latimanus parvus* (SC)

salt marsh vagrant shrew, *Sorex vagrans halicoetes* (SC)

Birds

tricolored blackbird, *Agelaius tricolor* (SC)

Bell's sage sparrow, *Amphispiza belli belli* (SC)

ferruginous hawk, *Buteo regalis* (SC)

little willow flycatcher, *Empidonax traillii brewsteri* (CA)

American peregrine falcon, *Falco peregrinus anatum* (D)

saltmarsh common yellowthroat, *Geothlypis trichas sinuosa* (SC)

black rail, *Laterallus jamaicensis coturniculus* (CA)

Alameda (South Bay) song sparrow, *Melospiza melodia pusillula* (SC)

Reptiles

northwestern pond turtle, *Clemmys marmorata marmorata* (SC)

southwestern pond turtle, *Clemmys marmorata pallida* (SC)

California horned lizard, *Phrynosoma coronatum frontale* (SC)

Amphibians

foothill yellow-legged frog, *Rana boylii* (SC)

Fish

longfin smelt, *Spirinchus thaleichthys* (SC)

Invertebrates

Bridges' Coast Range shoulderband snail, *Helminthoglypta nickliniana bridgesi* (SC)

ENCLOSURE A

Endangered and Threatened Species that May Occur in
or be Affected by Projects in the Selected Quads Listed Below
Reference File No. 1-1-97-SP-2027 UPDATE
Retrofit of West Span of SF-Oakland Bay Bridge
March 26, 2001

QUAD : 466D OAKLAND WEST

Listed Species

Mammals

salt marsh harvest mouse, *Reithrodontomys raviventris* (E)

Birds

western snowy plover, *Charadrius alexandrinus nivosus* (T)

bald eagle, *Haliaeetus leucocephalus* (T)

California brown pelican, *Pelecanus occidentalis californicus* (E)

California clapper rail, *Rallus longirostris obsoletus* (E)

California least tern, *Sterna antillarum (=albifrons) browni* (E)

Reptiles

Alameda whipsnake, *Masticophis lateralis euryxanthus* (T)

Amphibians

California red-legged frog, *Rana aurora draytonii* (T)

Fish

tidewater goby, *Eucyclogobius newberryi* (E)

delta smelt, *Hypomesus transpacificus* (T)

coho salmon - central CA coast, *Oncorhynchus kisutch* (T)

Central California Coastal steelhead, *Oncorhynchus mykiss* (T)

Critical habitat, winter-run chinook salmon, *Oncorhynchus tshawytscha* (E)

winter-run chinook salmon, *Oncorhynchus tshawytscha* (E)

Central Valley spring-run chinook salmon, *Oncorhynchus tshawytscha* (T)

Critical Habitat, Central Valley spring-run chinook, *Oncorhynchus tshawytscha* (T)

Sacramento splittail, *Pogonichthys macrolepidotus* (T)

Plants

Santa Cruz tarplant, *Holocarpha macradenia* (T)

Candidate Species

Amphibians

California tiger salamander, *Ambystoma californiense* (C)

Endangered and Threatened Species that May Occur in or be Affected by
Projects in the Area of the Following California Counties
March 26, 2001

ALAMEDA COUNTY

Listed Species

Mammals

salt marsh harvest mouse, *Reithrodontomys raviventris* (E)

San Joaquin kit fox, *Vulpes macrotis mutica* (E)

riparian (San Joaquin Valley) woodrat, *Neotoma fuscipes riparia* (E) *

riparian brush rabbit, *Sylvilagus bachmani riparius* (E) *

Birds

California brown pelican, *Pelecanus occidentalis californicus* (E)

California clapper rail, *Rallus longirostris obsoletus* (E)

California least tern, *Sterna antillarum (=albifrons) browni* (E)

bald eagle, *Haliaeetus leucocephalus* (T)

Reptiles

Alameda whipsnake, *Masticophis lateralis euryxanthus* (T)

Critical habitat, Alameda whipsnake, *Masticophis lateralis euryxanthus* (T)

giant garter snake, *Thamnophis gigas* (T)

Amphibians

California red-legged frog, *Rana aurora draytonii* (T)

Fish

tidewater goby, *Eucyclogobius newberryi* (E)

Critical habitat, winter-run chinook salmon, *Oncorhynchus tshawytscha* (E)

winter-run chinook salmon, *Oncorhynchus tshawytscha* (E)

delta smelt, *Hypomesus transpacificus* (T)

Central California Coastal steelhead, *Oncorhynchus mykiss* (T)

Central Valley spring-run chinook salmon, *Oncorhynchus tshawytscha* (T)

Critical Habitat, Central Valley spring-run chinook, *Oncorhynchus tshawytscha* (T)

Sacramento splittail, *Pogonichthys macrolepidotus* (T)

Invertebrates

longhorn fairy shrimp, *Branchinecta longiantenna* (E)

vernal pool tadpole shrimp, *Lepidurus packardi* (E)

callippe silverspot butterfly, *Speyeria callippe callippe* (E)

vernal pool fairy shrimp, *Branchinecta lynchi* (T)

bay checkerspot butterfly, *Euphydryas editha bayensis* (T)

Plants

large-flowered fiddleneck, *Amsinckia grandiflora* (E)

Presidio clarkia, *Clarkia franciscana* (E)

palmate-bracted bird's-beak, *Cordylanthus palmatus* (E)

pallid manzanita (Alameda manzanita), *Arctostaphylos pallida* (T)

robust spineflower, *Chorizanthe robusta* (E) *

Contra Costa goldfields, *Lasthenia conjugens* (E) *

California sea blite, *Suaeda californica* (E) *

showy Indian clover, *Trifolium amoenum* (E) *

Santa Cruz tarplant, *Holocarpha macradenia* (T) *

Proposed Species

Birds

mountain plover, *Charadrius montanus* (PT)

Candidate Species

Amphibians

California tiger salamander, *Ambystoma californiense* (C)

Fish

Central Valley fall/late fall-run chinook salmon, *Oncorhynchus tshawytscha* (C)

Species of Concern

Mammals

Pacific western big-eared bat, *Corynorhinus (=Plecotus) townsendii townsendii* (SC)

greater western mastiff-bat, *Eumops perotis californicus* (SC)

small-footed myotis bat, *Myotis ciliolabrum* (SC)

long-eared myotis bat, *Myotis evotis* (SC)

fringed myotis bat, *Myotis thysanodes* (SC)

long-legged myotis bat, *Myotis volans* (SC)

Yuma myotis bat, *Myotis yumanensis* (SC)

San Francisco dusky-footed woodrat, *Neotoma fuscipes annectens* (SC)

San Joaquin pocket mouse, *Perognathus inornatus* (SC)

Alameda Island mole, *Scapanus latimanus parvus* (SC)

salt marsh vagrant shrew, *Sorex vagrans halicoetes* (SC)

Berkeley kangaroo rat, *Dipodomys heermanni berkeleyensis* (SC) *

Birds

little willow flycatcher, *Empidonax traillii brewsteri* (CA)

black rail, *Laterallus jamaicensis coturniculus* (CA)

bank swallow, *Riparia riparia* (CA)

Aleutian Canada goose, *Branta canadensis leucopareia* (D)
American peregrine falcon, *Falco peregrinus anatum* (D)
Black-Crowned Night Heron, *Nycticorax nycticorax* (MB)
tricolored blackbird, *Agelaius tricolor* (SC)
grasshopper sparrow, *Ammodramus savannarum* (SC)
Bell's sage sparrow, *Amphispiza belli belli* (SC)
short-eared owl, *Asio flammeus* (SC)
western burrowing owl, *Athene cunicularia hypugea* (SC)
American bittern, *Botaurus lentiginosus* (SC)
ferruginous hawk, *Buteo regalis* (SC)
Costa's hummingbird, *Calypte costae* (SC)
Lawrence's goldfinch, *Carduelis lawrencei* (SC)
Vaux's swift, *Chaetura vauxi* (SC)
lark sparrow, *Chondestes grammacus* (SC)
olive-sided flycatcher, *Contopus cooperi* (SC)
hermit warbler, *Dendroica occidentalis* (SC)
white-tailed (=black shouldered) kite, *Elanus leucurus* (SC)
Pacific-slope flycatcher, *Empidonax difficilis* (SC)
common loon, *Gavia immer* (SC)
saltmarsh common yellowthroat, *Geothlypis trichas sinuosa* (SC)
loggerhead shrike, *Lanius ludovicianus* (SC)
Lewis' woodpecker, *Melanerpes lewis* (SC)
Alameda (South Bay) song sparrow, *Melospiza melodia pusillula* (SC)
long-billed curlew, *Numenius americanus* (SC)
white-faced ibis, *Plegadis chihi* (SC)
rufous hummingbird, *Selasphorus rufus* (SC)
Allen's hummingbird, *Selasphorus sasin* (SC)
red-breasted sapsucker, *Sphyrapicus ruber* (SC)
Bewick's wren, *Thryomanes bewickii* (SC)
California thrasher, *Toxostoma redivivum* (SC)

Reptiles

silvery legless lizard, *Anniella pulchra pulchra* (SC)
northwestern pond turtle, *Clemmys marmorata marmorata* (SC)
southwestern pond turtle, *Clemmys marmorata pallida* (SC)
San Joaquin coachwhip (=whipsnake), *Masticophis flagellum ruddocki* (SC)
California horned lizard, *Phrynosoma coronatum frontale* (SC)

Amphibians

foothill yellow-legged frog, *Rana boylii* (SC)

western spadefoot toad, *Scaphiopus hammondii* (SC)

Fish

green sturgeon, *Acipenser medirostris* (SC)

river lamprey, *Lampetra ayresi* (SC)

Pacific lamprey, *Lampetra tridentata* (SC)

longfin smelt, *Spirinchus thaleichthys* (SC)

Invertebrates

Opler's longhorn moth, *Adela oplerella* (SC)

Bridges' Coast Range shoulderband snail, *Helminthoglypta nickliniana bridgesi* (SC)

Ricksecker's water scavenger beetle, *Hydrochara ricksecker*i (SC)

curved-foot hygrotus diving beetle, *Hygrotus curvipes* (SC)

California linderiella fairy shrimp, *Linderiella occidentalis* (SC)

San Francisco lacewing, *Nothochrysa californica* (SC)

Plants

heartscale, *Atriplex cordulata* (SC)

brittlescale, *Atriplex depressa* (SC)

valley spearscale, *Atriplex joaquiniana* (SC)

Mt. Hamilton thistle, *Cirsium fontinale var. campylon* (SC)

South Bay clarkia, *Clarkia concinna ssp. automixa* (SC)

hispid bird's-beak, *Cordylanthus mollis ssp. hispidus* (SC)

Livermore tarplant, *Deinandra bacigalupii* (SC)

interior California larkspur, *Delphinium californicum ssp. interius* (SC)

recurved larkspur, *Delphinium recurvatum* (SC)

diamond-petaled poppy, *Eschscholzia rhombipetala* (SC)

talus fritillary, *Fritillaria falcata* (SC)

fragrant fritillary, *Fritillaria liliacea* (SC)

Diablo helianthella (=rock-rose), *Helianthella castanea* (SC)

pappose spikeweed, *Hemizonia perryi ssp. congdonii* (SC)

delta tule-pea, *Lathyrus jepsonii var. jepsonii* (SC)

Mason's lilaeopsis, *Lilaeopsis masonii* (SC)

little mousetail, *Myosurus minimus ssp. apus* (SC)

most beautiful (uncommon) jewelflower, *Streptanthus albidus ssp. peramoenus* (SC)

alkali milk-vetch, *Astragalus tener var. tener* (SC) *

San Francisco Bay spineflower, *Chorizanthe cuspidata var. cuspidata* (SC) *

northcoast bird's-beak, *Cordylanthus maritimus ssp. palustris* (SC) *

Kellogg's (wedge-leaved) horkelia, *Horkelia cuneata ssp. sericea* (SC) *

adobe sanicle, *Sanicula maritima* (SC) *

caper-fruited tropidocarpum, *Tropidocarpum capparideum* (SC) **

Mt. Diablo phacelia, *Phacelia phacelicides* (SC)

SAN FRANCISCO COUNTY

Listed Species

Mammals

sei whale, *Balaenoptera borealis* (E)

blue whale, *Balaenoptera musculus* (E)

finback (=fin) whale, *Balaenoptera physalus* (E)

right whale, *Eubalaena glacialis* (E)

humpback whale, *Megaptera novaeangliae* (E)

sperm whale, *Physeter catodon (=macrocephalus)* (E)

salt marsh harvest mouse, *Reithrodontomys raviventris* (E)

Guadalupe fur seal, *Arctocephalus townsendi* (T)

Critical Habitat, Steller (=northern) sea-lion, *Eumetopias jubatus* (T)

Steller (=northern) sea-lion, *Eumetopias jubatus* (T)

Birds

California brown pelican, *Pelecanus occidentalis californicus* (E)

California clapper rail, *Rallus longirostris obsoletus* (E)

western snowy plover, *Charadrius alexandrinus nivosus* (T)

bald eagle, *Haliaeetus leucocephalus* (T)

Reptiles

leatherback turtle, *Dermochelys coriacea* (E)

loggerhead turtle, *Caretta caretta* (T)

green turtle, *Chelonia mydas (incl. agassizi)* (T)

olive (=Pacific) ridley sea turtle, *Lepidochelys olivacea* (T)

Amphibians

California red-legged frog, *Rana aurora draytonii* (T)

Fish

tidewater goby, *Eucyclogobius newberryi* (E)

Critical habitat, winter-run chinook salmon, *Oncorhynchus tshawytscha* (E)

winter-run chinook salmon, *Oncorhynchus tshawytscha* (E)

delta smelt, *Hypomesus transpacificus* (T)

Central California Coastal steelhead, *Oncorhynchus mykiss* (T)

Sacramento splittail, *Pogonichthys macrolepidotus* (T)

Invertebrates

mission blue butterfly, *Icaricia icarioides missionensis* (E)

San Bruno elfin butterfly, *Incisalia mossii bayensis* (E)

Plants

Presidio manzanita, *Arctostaphylos hookeri ssp. ravenii* (E)

Presidio clarkia, *Clarkia franciscana* (E)

San Francisco lessingia, *Lessingia germanorum* (E)

Marin dwarf-flax, *Hesperolinon congestum* (T)

marsh sandwort, *Arenaria paludicola* (E) •

beach layia, *Layia carnosa* (E) •

Proposed Species

Birds

short-tailed albatross, *Diomedea albatrus* (PE)

Invertebrates

white abalone, *Haliotes sorenseni* (PE)

Candidate Species

Amphibians

California tiger salamander, *Ambystoma californiense* (C)

Invertebrates

black abalone, *Haliotes cracherodii* (C)

Species of Concern

Mammals

gray whale, *Eschrichtius robustus* (D)

Pacific western big-eared bat, *Corynorhinus (=Plecotus) townsendii townsendii* (SC)

greater western mastiff-bat, *Eumops perotis californicus* (SC)

long-eared myotis bat, *Myotis evotis* (SC)

fringed myotis bat, *Myotis thysanodes* (SC)

long-legged myotis bat, *Myotis volans* (SC)

Yuma myotis bat, *Myotis yumanensis* (SC)

San Francisco dusky-footed woodrat, *Neotoma fuscipes annectens* (SC)

salt marsh vagrant shrew, *Sorex vagrans halicoetes* (SC)

Birds

little willow flycatcher, *Empidonax traillii brewsteri* (CA)

black rail, *Laterallus jamaicensis coturniculus* (CA)

bank swallow, *Riparia riparia* (CA)

American peregrine falcon, *Falco peregrinus anatum* (D)

Black-Crowned Night Heron, *Nycticorax nycticorax* (MB)

tricolored blackbird, *Agelaius tricolor* (SC)

grasshopper sparrow, *Ammodramus savannarum* (SC)

Bell's sage sparrow, *Amphispiza belli belli* (SC)

American bittern, *Botaurus lentiginosus* (SC)

ferruginous hawk, *Buteo regalis* (SC)

Vaux's swift, *Chaetura vauxi* (SC)

lark sparrow, *Chondestes grammacus* (SC)

olive-sided flycatcher, *Contopus cooperi* (SC)

hermit warbler, *Dendroica occidentalis* (SC)

white-tailed (=black shouldered) kite, *Elanus leucurus* (SC)

Pacific-slope flycatcher, *Empidonax difficilis* (SC)

common loon, *Gavia immer* (SC)

saltmarsh common yellowthroat, *Geothlypis trichas sinuosa* (SC)

loggerhead shrike, *Lanius ludovicianus* (SC)

Alameda (South Bay) song sparrow, *Melospiza melodia pusillula* (SC)

long-billed curlew, *Numenius americanus* (SC)

ashy storm-petrel, *Oceanodroma homochroa* (SC)

rufous hummingbird, *Selasphorus rufus* (SC)

Allen's hummingbird, *Selasphorus sasin* (SC)

red-breasted sapsucker, *Sphyrapicus ruber* (SC)

elegant tern, *Sterna elegans* (SC)

Xantus' murrelet, *Synthliboramphus hypoleucus* (SC)

Bewick's wren, *Thryomanes bewickii* (SC)

Reptiles

northwestern pond turtle, *Clemmys marmorata marmorata* (SC)

southwestern pond turtle, *Clemmys marmorata pallida* (SC)

California horned lizard, *Phrynosoma coronatum frontale* (SC)

Amphibians

foothill yellow-legged frog, *Rana boylii* (SC)

Fish

green sturgeon, *Acipenser medirostris* (SC)

river lamprey, *Lampetra ayresi* (SC)

Pacific lamprey, *Lampetra tridentata* (SC)

longfin smelt, *Spirinchus thaleichthys* (SC)

Invertebrates

Opler's longhorn moth, *Adela oplerella* (SC)

sandy beach tiger beetle, *Cicindela hirticollis gravida* (SC)

globose dune beetle, *Coelus globosus* (SC)

Ricksecker's water scavenger beetle, *Hydrochara ricksecker*i (SC)

bumblebee scarab beetle, *Lichnanthe ursina* (SC)

Plants

San Francisco Bay spineflower, *Chorizanthe cuspidata var. cuspidata* (SC)

San Francisco wallflower, *Erysimum franciscanum* (SC)

fragrant fritillary, *Fritillaria liliacea* (SC)

San Francisco gumplant, *Grindelia hirsutula var. maritima* (SC)

Marin checkermallow, *Sidalcea hickmanii ssp. viridis* (SC)

Mission Delores campion, *Silene verecunda ssp. verecunda* (SC)

San Francisco owl's-clover, *Triphysaria floribunda* (SC)

San Francisco popcornflower, *Plagiobothrys diffusus* (CA) *

alkali milk-vetch, *Astragalus tener var. tener* (SC) *

compact cobweb thistle, *Cirsium occidentale var. compactum* (SC) *

Diablo helianthella (=rock-rose), *Helianthella castanea* (SC) *

Kellogg's (wedge-leaved) horkelia, *Horkelia cuneata ssp. sericea* (SC) *

adobe sanicle, *Sanicula maritima* (SC) *

San Francisco manzanita, *Arctostaphylos hookeri ssp. franciscana* (SC) **

coast lily, *Lilium maritimum* (SC) ?*

KEY:

(E)	*Endangered*	Listed (in the Federal Register) as being in danger of extinction.
(T)	*Threatened*	Listed as likely to become endangered within the foreseeable future.
(P)	*Proposed*	Officially proposed (in the Federal Register) for listing as endangered or threatened.
(PX)	*Proposed Critical Habitat*	Proposed as an area essential to the conservation of the species.
(C)	*Candidate*	Candidate to become a *proposed* species.
(SC)	*Species of Concern*	Other species of concern to the Service.
(D)	*Delisted*	Delisted. Status to be monitored for 5 years.
(CA)	*State-Listed*	Listed as threatened or endangered by the State of California.
*	*Extirpated*	Possibly extirpated from the area.
**	*Extinct*	Possibly extinct
	Critical Habitat	Area essential to the conservation of a species.

Important Information About Your Species List

How We Make Species Lists

We store information about endangered and threatened species lists by counties and by U.S. Geological Survey 7½ minute *quads*. The United States is divided into these quads, which are about the size of San Francisco. If you requested your list by county or by quad name or number, that is what we used. Otherwise, we used the information you sent us to determine which counties and quads to use.

Animals

The animals on your species list are ones that occur within, *or may be affected by projects within*, the quads covered by the list. Fish and other aquatic species appear on your list if they are in the same watershed as your quad or if water use in your quad might affect them. Amphibians will be on the list for a quad or county if pesticides applied in that area may be carried to their habitat by air currents. Birds are shown regardless of whether they are resident or migratory. Relevant birds on a county list should be considered regardless of whether they appear on a quad list for that county.

Plants

Any plants on your list are ones *that have actually been observed* in the quad or quads covered by the list. We may have also given you either a county species list or a list of species in nearby quads. We recommend that you check for the plants on this additional list.

State-Listed Species

If a species has been listed as threatened or endangered by the State of California, but not by us nor by the National Marine Fisheries Service, it will appear on your list as a Species of Concern. *However you should contact the California Department of Fish and Game for official information about these species.* Call (916) 322-2493 or write Marketing Manager, California Department of Fish and Game, Natural Diversity Data Base, 1416 Ninth Street, Sacramento, California 95814.

Critical Habitat

When a species is listed as endangered or threatened, areas of habitat considered essential to its conservation may be designated as *critical habitat*. These areas may require special management considerations or protection. They provide needed space for growth and normal behavior; food, water, air, light, other nutritional or physiological requirements; cover or shelter; and sites for breeding, reproduction, rearing of offspring, germination or seed dispersal.

Although critical habitat may be designated on private or State lands, activities on these lands are not restricted unless there is Federal involvement in the activities or direct harm to listed wildlife.

If any species has proposed or designated critical habitat within a quad, this will be noted on the species list. Maps and boundary descriptions of the critical habitat may be found in the *Federal Register*. The information is also reprinted in the *Code of Federal Regulations* (50 CFR 17.95).

Species of Concern

Your list may contain a section called *Species of Concern*. This term includes former *category 2 candidate species* and other plants and animals of concern to the Service and other Federal, State and private conservation agencies and organizations. Some of these species may become candidate species in the future.

APPENDIX H

NOTICE OF EXEMPTION

NOTICE OF EXEMPTION

To: ☑ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

☐ County Clerk
County of

From: State of California
Department of Transportation
Environmental Planning, South
P.O. Box 23660
Oakland, CA 94623-0660

Project Title: San Francisco-Oakland Bay Bridge East Span Seismic Safety Project

Project Location - Specific: Interstate 80 between Yerba Buena Island and the Oakland shore

Project Location - City: San Francisco and Oakland

Project Location - County: San Francisco and Alameda

Description of Nature, Purpose, and Beneficiaries of Project: The project proposes to seismically retrofit or replace the existing East Span to provide a "lifeline" connection (providing post earthquake relief access) between San Francisco and the East Bay. After implementation of the project, it is expected that the East Span would be able to withstand a maximum credible earthquake on the San Andreas or Hayward faults. It would also bring the East Span up to current roadway design standards for operations and safety to the greatest extent possible. The direct beneficiaries would be users of the East Span. Communities in San Francisco, the San Francisco Peninsula, and the East Bay would benefit after an earthquake due to the East Span project in combination with other seismic safety projects undertaken by Caltrans.

Name of Public Agency Approving Project: California Department of Transportation and the Federal Highway Administration

Name of Person or Agency Carrying Out Project: California Department of Transportation

Exempt Status: *(check one)*

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☑ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

Reasons why project is exempt: The San Francisco-Oakland East Span Seismic Safety Project is statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) under California Streets and Highways Code Section 180.2 and CEQA Section 21080.

CEQA Section 21080, subdivision (b) sets forth the types of activities that are excluded from CEQA, and paragraph (4) of this subdivision specifically includes actions necessary to prevent or mitigate an emergency. According to the California Streets and Highway Code, as amended, the structural modification of an existing highway structure or toll bridge (Section 180.2 (a)); and the replacement of a highway structure or toll bridge within, or immediately adjacent to an existing right-of-way (Section 180.2 (b)) shall be considered to be activities under subdivision (b), paragraph (4).

Lead Agency Contact Person: Tony Anziano
Area Code/Telephone/Extension: 415/982-3130

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?

☑ Yes ☐ No

Signature: Harry G. Galletti Date: 9/18/98 Title: DISTRICT DIRECTOR

Date received for filing at OPR:

Box 1, Folder 3

Item 2

ACCNO_000004