

June 1, 2017

COUNTY OF SAN MATEO
COYOTE POINT MARINA
2017 MAINTENANCE DREDGING PROJECT

COUNTY PROJECT NO. OD432
PROJECT FILE NO. E4953

ADDENDUM NO. 2

TO ALL PLAN HOLDERS:

The following **Addendum No. 2** to the above referenced project, dated May 12, 2017, shall be included in the project plans and specifications.

1. Page ii (rev. 1) of the Table of Contents Section shall be replaced in the Project Specifications:

Replace page ii (rev. 1) of the Table of Contents Section with page ii (rev. 2).

2. Exhibit B in Appendix E Permits shall be replaced in the Project Specifications:

Replace Exhibit B (6 pages total) with Exhibit B (rev. 1) and draft California Regional Water Quality Control Board Certification Letter (9 pages total).

Please sign and return the attached "Receipt of Addendum No. 2" form. The "Receipt of Addendum No. 2" form MUST be received in this office no later than 4:00 PM, Monday, June 5, 2017 or the bid will NOT be considered. The Receipt of Addendum can be faxed to Gil Tourel's attention at (650)361-8220 or email at gtourel@smcgov.org.

If you have any questions or require additional information, please contact Eric Chen, Wency Ng, or Gil Tourel of our office at (650) 363-4100. They can also be reached by e-mail at:

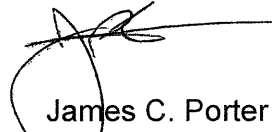
echen@smcgov.org
wng@smcgov.org
gtourel@smcgov.org



To All Plan Holders
Coyote Point Marina 2017 Maintenance Dredging Project
Addendum No. 2
June 1, 2017

Page 2

Very truly yours,



James C. Porter
Director of Public Works

JCP:AMS:GT:WN:EC

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Encl.- "Receipt of Addendum No. 2" Form

cc: Ann M. Stillman, Deputy Director, Engineering and Resource Protection
Gil Tourel, Principal Civil Engineer, Engineering and Construction
Wency Ng, Senior Civil Engineer, Project Development and Design
Eric Chen, Associate Civil Engineer, Project Development and Design

June 1, 2017

COUNTY OF SAN MATEO
COYOTE POINT MARINA
2017 MAINTENANCE DREDGING PROJECT

COUNTY PROJECT NO. OD432
PROJECT FILE NO. E4953

RECEIPT OF ADDENDUM NO. 2

I, _____, an
authorized representative for

_____, have received
Addendum No. 2 for the Coyote Point Marina 2017 Maintenance Dredging Project from an
authorized representative of the County of San Mateo, to be included in the Plans and
Specifications for the above referenced project.

This form must be signed and received in the offices of the County of San Mateo,
Department of Public Works ***no later than 4:00 PM, Monday, June 5, 2017.***

“Contractor”

(Print)

(Signature)

(Date)

TABLE OF CONTENTS (Continued)

SPECIAL PROVISIONS (Continued)

Section

- 10. Construction Waste Management
- 10-1. Diversion Goals
- 10-2. References and Resources
- 10-3. Waste Management Plan and Daily Transport Report
- 10-4. Waste Management Plan Implementation
- 11. Mobilization and Demobilization
- 11-1. Water Pollution Control
- 23. Dredging
- 24. Temporary Relocation of Fuel Dock

Note: Gaps in Section numbering, above, indicate that the Section is either blank or does not apply.

APPENDIX A

County of San Mateo Waste Management Plan Form
Waste Management Daily Transport Report

APPENDIX B

Sample "Payment Bond" Form
Sample "Performance Bond" Form

APPENDIX C

Daily Personnel and Equipment Log

APPENDIX D

Construction Claims:
Public Contract Code Sections 9204 and 20104 et seq.

APPENDIX E Permits

- EXHIBIT A San Francisco Bay Conservation and Development Commission (BCDC):
 - BCDC Permit No. M93-14 (Amendment No. Two)
 - Time Extension Letter
- EXHIBIT B (rev. 1) San Francisco Bay Regional Water Quality Control Board:
 - Draft Water Quality Certification Letter
 - Notice of Exemption
- EXHIBIT C Department of the Army Permit
- EXHIBIT D (rev. 1) Dredged Material Management Office (DMMO)
 - Determination of Suitability for In-Bay Disposal
- EXHIBIT E: Minor Repair Permit (for Temporary Relocation of Fuel Dock)

EXHIBIT B

SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD (RWQCB):

- **DRAFT WATER QUALITY CERTIFICATION LETTER, WHICH INCLUDES THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) NOTICE OF EXEMPTION**

The Contractor is advised that the RWQCB needed the Department of Army Dredged Materials Management Office (DMMO) determination of suitability for in-bay disposal before they could issue the Water Quality Certification and California Environmental Quality Act (CEQA) Notice of Exemption for the project. Said DMMO determination letter, dated May 18, 2017, is attached herein as Exhibit D of this Appendix E.

Attached is an undated draft RWQCB Water Quality Certification Letter, which includes the CEQA Notice of Exemption (paragraph 3, page 2). The Contractor is advised that the letter has been approved by the RWQCB as written, but cannot be signed until the week of the bid opening, therefore the conditions provided in said undated draft Water Quality Certification shall be considered to be part of this contract and supersedes the Water Quality Certification Letter dated June 9, 2010.

San Francisco Bay Regional Water Quality Control Board

Sent via electronic mail: No hard copy to follow

<insert date>

CIWQS Reg. Meas. 411884

CIWQS Place ID 832877

County of San Mateo
555 County Center, 5th Floor
Redwood City, CA 94603
Attn.: Mr. Sam Herzberg, Senior Planner
e-mail: sherzberg@smcgov.org

Subject: Water Quality Certification, Maintenance Dredging at the Coyote Point Marina, San Mateo, San Mateo County

Dear Mr. Herzberg:

We have reviewed and hereby issue a Clean Water Act (CWA) section 401 water quality certification (Certification) for San Mateo County (County) to perform maintenance dredging at the Coyote Point Marina (Marina) located along shoreline of south San Francisco Bay at the terminus of Coyote Point Drive within Coyote Point Recreation Area in the city of San Mateo (Figure 1). The County has applied for a U.S. Army Corps of Engineers (USACE) individual permit authorizing multiple episodes of dredging over a 10-year period ending on December 31, 2026, (USACE File No. 2002-26774S) pursuant to section 404 of the Clean Water Act (CWA) (33 USC 1344) and section 10 of the Rivers and Harbors Act of 1899 (RHA) (33 USC 403). Correspondingly, the County has applied to the San Francisco Bay Regional Water Quality Control Board (Water Board) for a Certification that the dredging episode described below (Project) will not violate State water quality standards.

Project

The Project involves mechanically dredging, via clamshell or excavator bucket, approximately 52,000 cubic yards (cy) of sediment from the 9.09-acre footprint show in Figure 2, to restore safe navigable depths for recreational vessels berthing in the Marina. The finished project depths are - 9 feet Mean Lower Low Water (MLLW) in the berths, fairways, and inner channels and -11 feet MLLW in the entrance channel, plus an additional 1-foot overdredge allowance in all areas of the Marina. The dredged material will be disposed of at the Alcatraz Island Disposal Site (SF-11) in San Francisco Bay.

Disposal and/or Reuse of Dredged Material

The Marina meets the Long Term Management Strategy for the Placement of Dredged Material in the San Francisco Bay Region (LTMS) Management Plan's definition of a "small" dredger (project design depth \leq -12 feet MLLW and annual average dredge volume \leq 50,000 cy). The Marina therefore qualifies for the Small Dredger Programmatic Alternatives Analysis (SDPAA), dated October 28, 2004. The SDPAA concluded that in-Bay unconfined aquatic disposal of suitable material from small dredging projects that do not otherwise have project-specific upland disposal sites is the Least Environmentally Damaging Practicable Alternative (LEDPA) in accordance with CWA section 404(b)(1). The County submitted a signed SDPAA agreement as part of the application.

Testing Results

In conjunction with the Dredged Material Management Office (DMMO), we have reviewed a report characterizing the suitability of sediments for aquatic disposal in San Francisco Bay: *Report on Results of Chemical, Physical, and Biological Testing of Sediments from the Coyote Point Marina*, dated May 10, 2017. Based on this report, we have determined that disposal of the dredged sediments at the SF-11 Disposal Site is appropriate.

California Environmental Quality Act

The project is categorically exempt from the requirements of the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations, section 15304(g), minor alterations to land—maintenance dredging.

Certification and General Waste Discharge Requirements

I hereby certify that any discharge from the Project, as conditioned by this Certification, will comply with the applicable provisions of CWA sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards), and with other applicable requirements of State law. CWA section 401 directs the agency responsible for certification to prescribe effluent limitations and other limitations necessary to ensure compliance with the CWA and with any other appropriate requirement of State law. Section 401 further provides that State certification conditions shall become conditions of any federal license or permit for the project. The conditions of this Certification must be met to ensure that the Project will comply with water quality standards, any applicable effluent limitation, standard of performance, prohibition, effluent standard, or pretreatment standard required pursuant to the CWA sections listed above and to ensure that the project will comply with any other appropriate requirements.

This discharge of dredged or fill material is also considered to be a discharge to waters within the jurisdiction of the Water Board. Pursuant to Article 4 of Chapter 4, Division 7 of the California Water Code (Wat. Code § 13260 *et seq.*), the Water Board must issue waste discharge requirements for these discharges. Therefore, this Certification also enrolls the above referenced Project under the State Water Resources Control Board's Order No. 2003-0017-DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification" (General Order). The only substantive requirement of the General Order is

to comply with the limitations and monitoring requirements contained in this Certification. Fees paid to satisfy California Code of Regulations, title 23, section 3833(b) (fees associated with the Certification) shall also be deemed to satisfy fees required by the General Order. The following conditions are associated with this Certification:

1. Dredging shall be limited to the project depths of -9 feet Mean Lower Low Water (MLLW) in the berths, fairways, and inner channels and -11 feet MLLW in the entrance channel, plus an additional 1-foot overdredge allowance in all areas of the Marina.
2. No overflow or decant water shall be discharged from any barge at any time.
3. During transportation from the dredging site to the placement site, no dredged material shall be permitted to overflow, leak, or spill from barges, bins or dump scows.
4. **Post-Dredge Report:** The County shall provide an electronic copy of the post-dredge report to Water Board staff within 60 days of completion of dredging operations. The report may be submitted via email, CD, or by uploading to the Water Board's FTP site (instructions for accessing and uploading documents will be provided by Water Board staff upon request). The report shall contain the dates of dredging, maps of the dredging footprint, the calculated final dredging volume, the placement location(s), and the volumes per location if more than one site was used.
5. The County shall provide a technical report that documents monitoring efforts designed to evaluate the water quality impacts of the dredged material discharge on waters of the State, pursuant to California Water Code (Water Code) section 13267.

Regional Monitoring Program

Please be aware that Condition 5 is an order for a technical report. The Water Board requires dischargers of waste materials to the Bay, including those who dispose of dredged material, to monitor the impacts of their discharges under Water Code section 13267. This monitoring provides necessary information about ambient Bay water quality and potential long-term impacts of dredged material disposal. The County may elect to participate in the San Francisco Estuary Regional Monitoring Program for Trace Substances (RMP) to fulfill this requirement or provide comparable data on an individual basis. The RMP is a coordinated and comprehensive long-term monitoring program with the goal of monitoring water and sediment quality to provide the scientific foundation for managing and improving the health of the San Francisco Bay aquatic ecosystem. Additionally, the RMP provides for special and pilot studies of interest to program participants.

Since 1992, many Bay Area dischargers have decided to provide this information through the RMP, rather than through individual monitoring programs. The San Francisco Estuary Institute (SFEI), located in Richmond, administers the program with oversight by the Water Board. Dischargers may contribute money to the RMP, based on the RMP Dredger Fee Schedule Policy and any subsequent amendments, as approved by the RMP Steering Committee. The fees will be based on in-Bay dredge disposal volumes calculated using post-dredge survey results provided to the Water Board by the County

for each calendar year ending December 31. The Water Board recognizes payments to the RMP as fulfilling the requirement to provide information on water quality impacts under Water Code section 13267.

- Dredging and disposal activities shall be limited to the work windows established by the California Department of Fish and Wildlife (CDFW), the National Marine Fisheries Service (NMFS), and the U.S. Fish and Wildlife Service (USFWS) in their most recent programmatic consultations on the LTMS. If the County proposes dredging outside work windows, it shall notify the Water Board and implement all applicable mitigation measures established in the programmatic LTMS consultations. An alternative to complying with the programmatic consultation is conducting an individual project consultation with the appropriate resource agencies and, prior to commencement of dredging, providing Water Board staff with written authorization from these agencies to dredge outside the windows. The requirement to submit written authorization is a requirement to submit a technical report pursuant to Water Code section 13267.

As shown in the following table, the applicable work window for this dredging project is June 1 through November 30 of any year.

Species of Concern	Work Window Period	Consulting Agency
Pacific Herring	March 1 through November 30	CDFW
Chinook Salmon	June 1 through November 30	NMFS, CDFW
Steelhead Trout	June 1 through November 30	NMFS

- This Certification does not allow for the take, or incidental take, of any special status species. The County is required, as prescribed in the State and federal endangered species acts, to consult with the appropriate agencies prior to commencement of the project. The County shall use the appropriate protocols, as approved by CDFW, NMFS, and/or USFWS, to ensure that project activities do not adversely impact Preservation of Rare and Endangered Species, a beneficial use of San Francisco Bay and its tributaries as set forth in the San Francisco Bay Basin Water Quality Control Plan.
- The County or its representative shall notify Water Board staff immediately by telephone and e-mail whenever an adverse condition occurs as a result of this activity. An adverse condition includes, but is not limited to, a violation or threatened violation of conditions of this Certification, or a release of petroleum products or toxic chemicals to waters of the State. Pursuant to Water Code section 13267, a written notification of adverse condition shall be submitted to the Water Board within 30 days of occurrence. The written notification shall identify the adverse condition, describe the action necessary to remedy the condition, and specify a timetable, subject to the modifications of the Water Board, for remedial actions.

9. This Certification is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the Water Code and section 3867 of Title 23 of the California Code of Regulations (23 CCR).
10. This Certification is not intended and shall not be construed to apply to any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR subsection 3855(b) and that application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
11. Certification is conditioned upon total payment of the full fee required in State regulations (23 CCR section 3833). The application fee for the Project (\$720) was paid in full on March 20, 2017. Additional annual discharge fees are required, and will be invoiced annually for the previous fiscal year until the Project is complete or the Certification expires. The annual discharge fee is based on the volume dredged during the previous fiscal year (July 1–June 30), calculated using post-dredge survey results provided to the Water Board per Condition 4.

Conclusion

This Certification applies to the Project as proposed in the application materials. Please be advised that failure to implement the Project as proposed is a violation of this Certification. Any violation of 401 water quality certification conditions is subject to administrative civil liability pursuant to Water Code sections 13268 and 13350. Failure to meet any condition of this Certification may subject the County to civil liability imposed by the Water Board to a maximum of \$5000 per violation day for violations of Water Code section 13267 technical report requirements and \$5,000 per violation day or \$10 for each gallon of waste discharged in violation of this Certification.

We anticipate no further action on the application for this Certification. Should new information come to our attention that indicates a water quality problem with this project, the Water Board may issue waste discharge requirements pursuant to 23 CCR section 3857.

If you have any questions, please contact Elizabeth Christian at (510) 622-2335, or by email, to echristian@waterboards.ca.gov.

Sincerely,

Bruce H. Wolfe
Executive Officer

Attachments:

Figure 1. Location Map

Figure 2. Dredge Footprint

cc w/attachments (*all via email*):

SWRCB, DWQ (Stateboard401@waterboards.ca.gov)

BCDC, San Francisco, CA (Alex Braud, alex.braud@bcdc.ca.gov)

CSLC, Sacramento, CA (Al Franzoia, al.franzoia@slc.ca.gov)

CDFW, Santa Rosa, CA (Arn Aarreberg, Arn.Aarreberg@wildlife.ca.gov)

USACE, San Francisco, CA (Mark D'Avignon, mark.r.d'avignon@usace.army.mil)

USEPA, San Francisco, CA (Jennifer Siu, siu.jennifer@epa.gov)

DRAFT

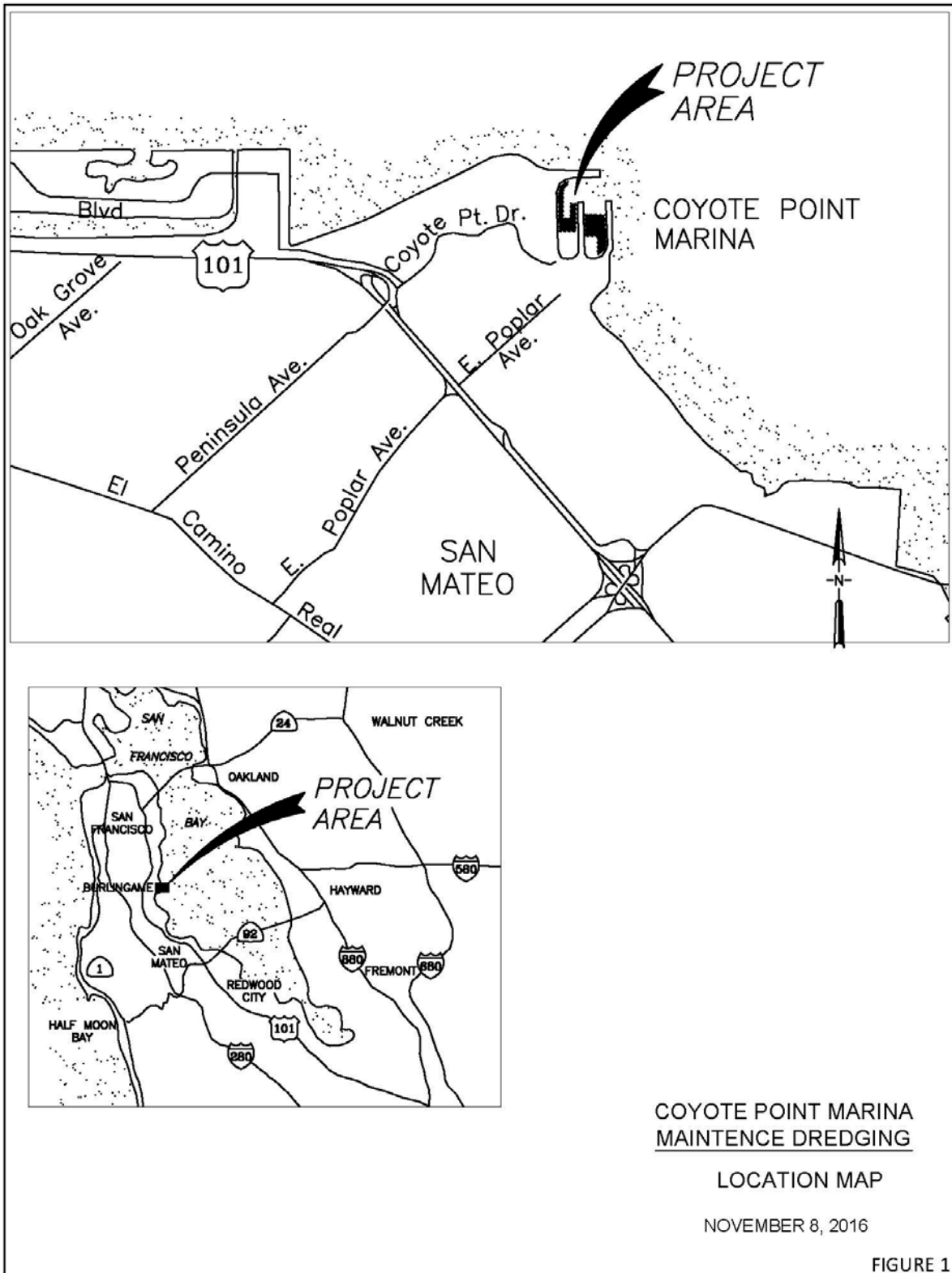


Figure 1. Location Map

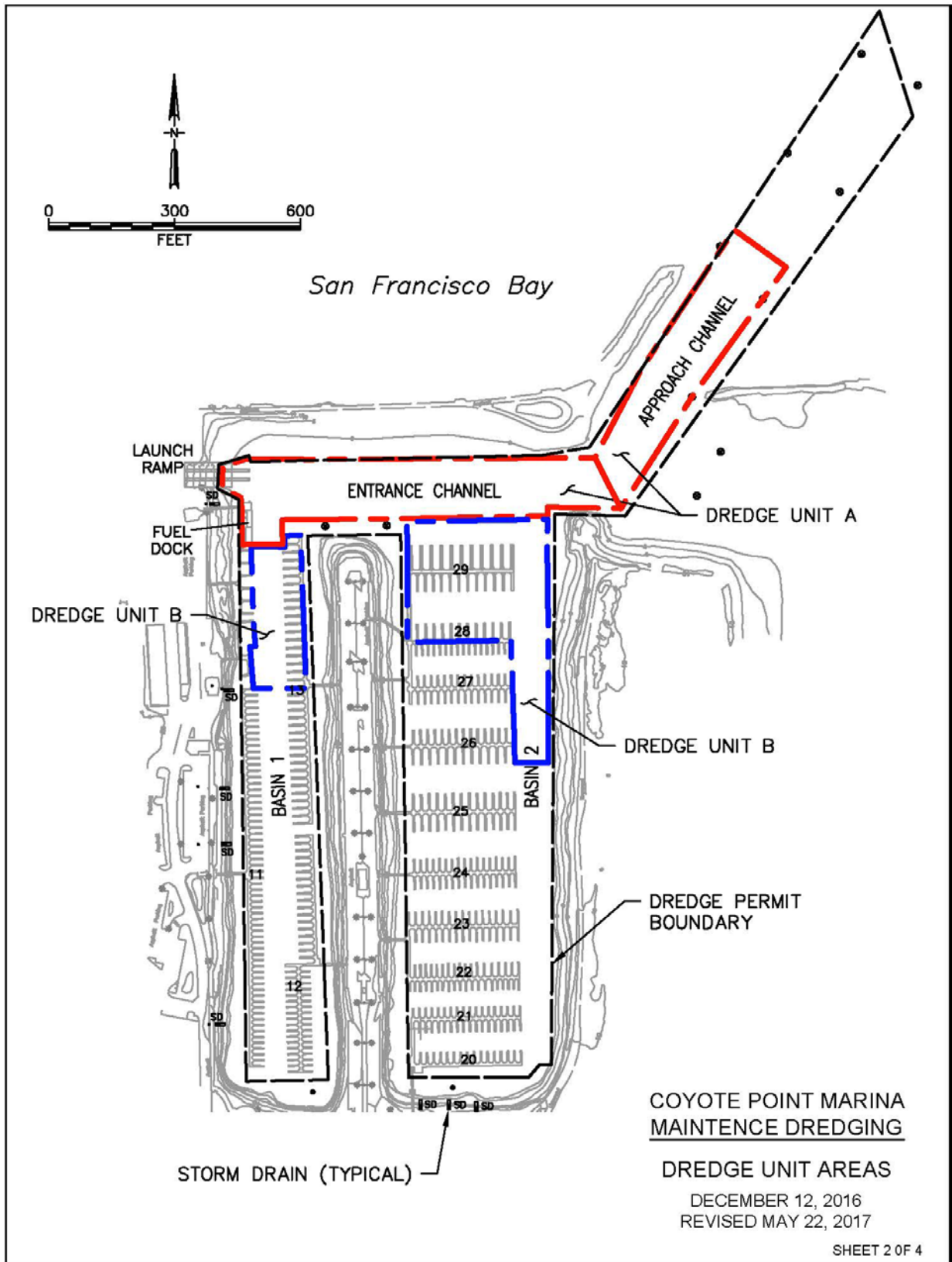


Figure 2. Dredge Footprint