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File Number: 56RZ-257264

Via Electronic Mail and Overnight Mail
San Francisco Planning Department
Attention: Lisa M. Gibson
1650 Mission Street, Suite 400
San Francisco, CA 94103
Lisa.gibson@sfgov.org

Re: Appeal of Preliminary Mitigated Negative Declaration Regarding Alcatraz Ferry Embarkation Project (Case No. 2017-000188ENV)

Dear Ms. Gibson

This firm represents the City of Sausalito (Sausalito) regarding the above-referenced matter. Pursuant to the Notice of Availability of and Intent to Adopt a Negative Declaration, dated December 6, 2017, and San Francisco Administrative Code section 13.11, subsection (e), Sausalito appeals the San Francisco Planning Department's (City) proposed Preliminary Mitigated Declaration (PMND) for the Alcatraz Ferry Embarkation Project (Project).

SUMMARY OF CONCERNS AND OBJECTIONS

The Project's proposal to provide weekend ferry service between Pier 31 ½ and Fort Baker, located adjacent to Sausalito, will substantially increase pedestrian, bicycle and vehicular traffic along Alexander Avenue (a two-lane arterial road that connects Highway 101, Fort Baker, and Sausalito) as well as in the Marin Headlands and Sausalito. These additional visitors and traffic will exacerbate what are often severe, over-crowded conditions within Sausalito's historic downtown and waterfront, particularly during weekends and peak periods spanning from March through October. The PMND, however, neither analyzes nor mitigates these potentially significant impacts.

Instead, the PMND assumes that all ferry passengers arriving in Fort Baker will remain within Fort Baker as pedestrians and not generate *any* additional traffic or bicycle trips within or outside the park. The PMND therefore imposes no mitigation measures regulating the proposed Fort Baker ferry operations or its resulting impacts. However, these assumptions underlying nearly all of the PMND's less-then-significant impact findings regarding the proposed Fort Baker ferry service are a fallacy; unsupported and unsupportable by substantial evidence. Because, as explained below, substantial evidence supports a fair argument that Fort Baker ferry passengers may cause a myriad of significant environmental impacts, the City may not lawfully approve the PMND under California's Environmental Quality Act (CEQA), and instead must prepare an Environmental Impact Report (EIR) to fully assess the potential direct and indirect impacts of the proposed Fort Baker ferry service. Alternatively, the City and the National Park Service (NPS) may sever the proposed Fort Baker ferry service from the Project.

RELEVANT LEGAL STANDARDS

CEQA was enacted as a means to require public agency decision makers to document and consider the environmental implications of their actions. (Pub. Res. Code § 21000, 21001; *Friends of Mammoth v. Board of Supervisors* (1972) 8 Cal. 3d 247, 254-256.) CEQA contains a substantive mandate that public agencies refrain from approving projects with significant environmental effects if "there are feasible alternatives or mitigation measures" that can substantially lessen or avoid those effects. (Pub. Res. Code § 21002.) CEQA should be interpreted so "as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." (*Friends of Mammoth*, *supra*, at 259.)

Members of the public hold a "privileged position" in the CEQA process. (*Concerned Citizens of Costa Mesa, Inc. v. 32nd District Agricultural Association* (1986) 42 Cal. 3d 926, 936.) CEQA procedures must be scrupulously followed so that the "public will know the basis on which its responsible officials either approve or reject environmentally significant action," and will be able to "respond accordingly to action with which it disagrees." (*Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal. 3d 376, 392.)

"CEQA requires the preparation of an EIR whenever it can *fairly be argued* on the basis of substantial evidence that the project *may* have a significant environmental impact." (Pub. Res. Code §§ 21002.1, 21061; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68, 75.) The CEQA Guidelines define "substantial evidence" in relevant part as:

> Enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached....Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

(CEQA Guidelines, § 15384 (a) and (b).) A "significant effect on the environment" is defined as a substantial, or potentially substantial, adverse change in any of the physical, conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance." (CEQA Guidelines, § 15382.)

THE CITY FAILED TO COMPLY WITH SPECIAL CONSULTATION REQUIREMENTS THAT APPLY TO THIS PROJECT OF STATEWIDE, REGIONAL, OR AREAWIDE SIGNIFICANCE

The Project is one of "Statewide, Regional or Areawide Significance" under CEQA because it would "substantially affect sensitive wildlife habitats including but not limited to riparian lands, wet lands, bays, estuaries, marshes, and habitats for endangered, rare and threatened species..." (CEQA Guidelines, § 15026(b)(5)). (*See e.g.*, PMND pp. 139-140 [managed fish species]; pp. 142-142 [marine mammals]; pp. 144-145 [terrestrial mammals (bats)]; and pp. 145-146 [special status bird species]; *see also*: FEIS for Fort Baker Plan, p. 4-23 ["Provision of ferry service to Fort Baker could increase turbidity and the amount of petroleum pollutants present in Horseshoe Bay resulting in potential adverse impact to water quality...Productivity of marine organisms could decrease as a result of petroleum leakage and increased turbidity, including potential reduction in eelgrass productivity....Increased wave

action within Horseshoe Bay could also increase shoreline erosion and further reduce water quality."].)

Lead agencies responsible for projects of Statewide, Regional or Areawide Significance must consult with "transportation planning agencies" and "public agencies which have transportation facilities within their jurisdiction which could be affected by the project." (Pub. Res. Code § 21092.4(a); CEQA Guidelines, § 15086(a)(5).)

The City was required to consult with Sausalito because it is a public agency with transportation facilities within its jurisdiction which could be affected by the Project. CEQA defines such "transportation facilities" to include "major local arterials and public transit within five miles of the project site...." (Pub. Res. Code § 21092.4(b); CEQA Guidelines, § 15086(a)(5.)[1] Several of Sausalito's major local arterials that *could* be affected by the Project are located well within a five-mile radius of the Fort Baker pier. Accordingly, the City was required to consult with Sausalito for this Project in the same manner as for "responsible agencies." (Pub. Res. Code § 21092.4(a).) Specifically, the City was required to consult with Sausalito before determining which CEQA document to prepare so that Sausalito may assist the City in determining the appropriate environmental document for the Project, and to explain its reasons for recommending whether the City as lead agency should prepare an EIR or negative declaration for the Project. (CEQA Guidelines, § 15096(a) and (b).) The City, however, failed to consult with Sausalito in this manner, and thus failed to comply with CEQA's mandatory notice and public agency consultation requirements. The City therefore may not lawfully approve the PMND for this reason alone.

THE CITY MAY NOT LAWFULLY APPROVE THE PMND UNDER CEQA

A. The PMND Fails To Impose Required Mitigation Measures on the Project

Repeatedly, throughout the document, the PMND concludes that the Project will have no impacts, or less-than-significant impacts, based on the assumption that a certain set of conditions will remain in place throughout the life of the Project, or that the Project will comply with certain "applicable" Federal, state or local requirements or regulations. However, in each such instance, the PMND fails to ensure the existence of such conditions or compliance with applicable legal requirements through mandatory mitigation measures that are enforceable and specify clear performance standards. In fact, the PMND contains in total only 6 mitigation measures, none of which regulate the proposed Fort Baker ferry operations. (PMND, pp. 178-182.) The PMND thus violates CEQA's substantive mandate that lead agencies "provide measures to mitigate or avoid significant effects on the environment that are fully enforceable

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[1] "The statute makes clear that a lead agency's obligations to consult pursuant to Section 21092.4 are not contingent on a finding of significant impacts on particular transportation facilities; rather, a lead agency must consult with those entities whose facilities *could* be affected by the project." (Remy et al., *Guide to CEQA* (11th ed.) (Solano Press 2007), p. 937, n. 12 (citing *Gentry v. City of Murrieta* (1995) 36 Cal. App. 4th 1359, 1387-1388) [interpreting the required level of "effect" under similar CEQA requirement triggering consultation as quite minimal to in order to serve the statutory purpose of fostering interagency consultation.].)

through permit conditions, agreements or other measures." (Pub. Res. Code § 21081.6(b).) "Mitigation measures must be feasible and enforceable." (*Federation of Hillside Canyon Assn. v. City of Los Angeles* (2004) 126 Cal. App. 4th 1180, 1198.)[2] Additionally, as discussed below, because several of the PMND's less-than-significant impact findings are premised on the existence of conditions or future conduct that is not enforceable, all such findings are unsupported by substantial evidence.

The PMND's lack of enforceable mitigation measures is not cured by the NPS' Final Environmental Impact Statement (FEIS) for the Project, dated January 2017. As an initial matter, the City did not provide notice, and does not purport to rely on the FEIS in place of the PMND, as authorized under limited circumstances not applicable here. (CEQA Guidelines §15225(a).)[3] In any event, the FEIS likewise imposes no mitigation measures regulating the potential land use, transportation and circulation, air quality, noise, water quality and hydrology, recreation, or hazardous material impacts resulting from the proposed Fort Baker ferry operations. (FEIS, pp. 78-86.)

Nor may the City avoid CEQA's substantive mandate to impose enforceable mitigation measures on the Project by claiming that NPS is responsible for mitigating impacts resulting from ferry service to Fort Baker. The Court in *Citizens for Quality Growth v. City of Mt. Shasta* (1988) 198 Cal. App. 3d 433,rejected a similar effort by a city to defer mitigation of a project's impacts on wetlands to the Army Corps of Engineers' permit procedures, stating: *"[E]ach* public agency is required to comply with CEQA and meet its responsibilities, including evaluating mitigation measures and project alternatives." (*Id.*, p. 442, fn. 8, citing CEQA Guidelines, § 15020) (emphasis in original).

B. The PMND's Project Description Is Vague and Incomplete

An accurate project description is the *sine qua non* of an informative, legally adequate CEQA document. (*County of Inyo v. City of Los Angeles* (1977) 71 Cal. App. 3d 185, 192.) Without an accurate description on which to base the CEQA analysis, CEQA's objective of furthering public disclosure and informed environmental decision-making is stymied. CEQA thus requires that initial studies/MNDs contain, among other things: (1) a description of the

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[2] All necessary mitigation measures "must be specifically set forth at the time of publication of a mitigated negative declaration in advance of the City's adoption of it." (Pub. Res. Code § 21022; CEQA Guidelines, § 15072(a); *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (1994) 29 Cal. App. 4th 1597, fn. 4.)

[3] Moreover, the preparation of an EIS under the National Environmental Protection Act (NEPA) does not eliminate the responsibility of a lead agency to ensure compliance with CEQA. (*Nelson v. County of Kern* (2010) 190 Cal. App. 4th 252, 279.) Relevant here, a lead agency must ensure, among other things, separate discussion, identification and addition of mitigation measures. (CEQA Guidelines, § 15221.) This requirement is consistent with CEQA's unique *substantive mandate* that public agencies refrain from approving projects with significant environmental effects if "there are feasible alternatives or mitigation measures" that can substantially lessen or avoid those effects. (Pub. Res. Code § 21002.)

project including the location of the project; and (2) an identification of the environmental setting. (CEQA Guidelines, § 15063(d).) Notably, NPS' FEIS for the Fort Baker Plan adopted in 2000 stated that a separate planning process for ferry service to Fort Baker would provide "a detailed description of the physical facilities and operational characteristics (*i.e.*, frequency of trips, size of boats, land-side facilities, etc.) of ferry service at Fort Baker..." (Fort Baker Plan FEIS, p. 4-23.) However, as explained below, the PMND provides none of the promised (and legally required) details regarding the proposed ferry service to Fort Baker.

The PMND states that the Project would provide two roundtrip ferry trips between Pier 31 ½ to Fort Baker on weekends only. It further estimates that the ferry would serve a daily average of 250 passengers, and 40,000 annual passengers. (PMND, pp. 17-18, Table 4.) No analysis or evidence, however, is provided to support these passenger estimates. Instead, they appear to be largely based on the Project's alleged limitation of two per day trips on weekends only. However, the PMND imposes no mitigation measure to ensure that no additional ferry trips will be added throughout the life of the Project. To the contrary, the PMND states that the number of ferry trips under the Project, including those to Fort Baker, "are not expected to grow...." (PMND, p. 17, referencing Tables 3 and 4, both of which include Fort Baker). Moreover, the FEIS for the Project confirms that additional ferry trips to Fort Baker will be provided for special events, conferences and water-based programs. (FEIS, pp. 66-67.) These additional ferry trips referenced in the FEIS are neither disclosed nor analyzed in the PMND.

Additionally, the PMND provides no information regarding the frequency of proposed ferry trips to Fort Baker, the type of ferry vessel(s) or the passenger capacity of ferry vessels that will provide this expanded service. This omitted information – which the Fort Baker Plan FEIS stated would be provided with this analysis – is highly material. For example, the Golden Gate Bridge Highway & Transportation District's (District) Spaulding class vessels serving the San Francisco-Sausalito route (and therefore a likely candidate to provide the expanded ferry service to Fort Baker) can accommodate 750 passengers *per trip* – well in excess of the PMND's estimate of 250 *daily* passengers from two roundtrip segments.

The PMND's estimates regarding total Fort Baker ferry passengers are further vague and incomplete in that they are fixed, based on some unspecified time and unspecified conditions, with no consideration or analysis of the potential for growth in visitors over the life of the Project. As an illustration, the FEIS for the Project explains that future capacity for ferry service to Alcatraz Island is based on "forecasted 20% growth in visitors to the site through 2036." (FEIS, p. 11.) The PMND, however, provides no comparable analysis regarding anticipated visitor growth to Fort Baker over time, nor any analysis of resulting impacts from such growth.

Moreover, the PMND states that no "shuttle service" or bike rentals are currently available to arriving passengers at the Fort Baker pier. (PMND, p. 20.) However, no information is provided regarding the availability or potential future availability of these resources for arriving ferry passengers beyond the immediate vicinity of the Fort Baker pier, such as elsewhere within or just outside the park. Additionally, no information is provided regarding the availability or potential future availability of additional means of transportation at the Fort Baker pier, such as private cars, cars-for-hire (*i.e.*, Uber, Lyft, taxis), charters, vans and

busses, that might transport arriving passengers elsewhere within the park, to nearby parks such as the Marin Headlands and Muir Woods, or to Sausalito.

The PMND's project description is further deficient because it fails to consider the Project "as a whole;" meaning, all phases of project planning, implementation, and operation, including phases planned for future implementation. (CEQA Guidelines, § 15063(a).) Under this CEQA requirement, a lead agency may not limit environmental disclosure by ignoring the development of other activity that will ultimately result from an initial approval. (*See City of Antioch v. City Council* (1986) 187 Cal. App. 3d 1325 [piecemeal review of development of infrastructure for undeveloped site resulting in negative declaration was improper, even though future development of the site would be examined in later EIRs, because infrastructure extension was approved to allow site to be developed].)

Like the facts in *City of Antioch*, the PMND states that the Project's infrastructure improvements, including expanded ferry service to Fort Baker, are intended to facilitate expanded multi-modal visitor access to Fort Baker and beyond. The PMND states: "[t]he proposed project would improve cross-bay connectivity and accommodate existing and future visitor demand for recreational travel to Fort Baker *and the Marin Headlands*, thereby enhancing the Golden Gate National Recreation Area's operational effectiveness." (PMND, pp. 7-8 [emphasis added].) The PMND's "cumulative scenarios" analysis similarly acknowledges that recent plan actions implemented by the NPS include "improving multimodal connections between the Marin Headlands and Fort Baker by improving roadway surfaces and configurations...directional signage and safety." (PMND, p. 25.) The PMND's project description (and the PMND's analysis of potential environmental impacts) therefore should encompass the Project's broader, existing plans to expand multi-modal transportation of visitors to nearby parks and other regional destinations.

Finally, the PMND's description of the Project's environmental setting is incomplete and misleading. A proper description of a project's environmental setting is critical for informed assessment of its potential environmental impacts. (CEQA Guidelines, § 15064(b); *Leonoff v. Monterey County Bd. of Supervisors* (1990) 222 Cal. App. 3d 1337.) The PMND's description of the environmental setting is deficient in at least two respects.

First, the PMND refers to a variety of "operational and physical constraints, including limited parking at Fort Baker." (PMND, p. 20, *see also* Figure 9.) However, no additional information is provided to describe the environmental setting in the vicinity of the Fort Baker pier, such as photographs, maps, plans or diagrams of this Project site. Absent this basic information regarding the Fort Baker pier environmental setting (*i.e.*, the location and capacity for parking, location and capacity for vehicle and/or bus pickups and drop offs, location and capacity for queuing, and location and capacity of access routes for circling the vicinity), the public may not meaningfully assess the Project's potential traffic and circulation impacts adjacent to the Fort Baker pier and along Moore Road resulting from vehicles queueing and/or circling to pick up or drop off ferry passengers.

Second, based on the PMND's erroneous assumption that all Fort Baker ferry passengers would not leave the confines of Fort Baker, the PMND provides a truncated

description of the environmental setting potentially affected by the Fort Baker ferry service, limited to the vicinity immediately surrounding the Fort Baker pier. The PMND's description of the Project's environmental setting therefore is incomplete and inadequate because it must include, at a minimum, Alexander Avenue, the Marin Headlands and Sausalito – each of which will be effected by the proposed Fort Baker ferry service. The PMND's truncated and incomplete description of the Project's environmental setting potentially impacted by the Fort Baker ferry service precludes meaningful public consideration of the Project's potential environmental impacts. For example, the PMND fails to inform the public of the Project's heightened potential to cause significant impacts in Sausalito in light of existing, over-crowded conditions, as described in detail in Sausalito's Second Addendum to the Golden Gate Bridge Highway & Transportation District's 2012 Initial Study/Mitigated Negative Declaration for the Sausalito Ferry Terminal, dated October 4, 2017. (enclosed as **Exhibit A**).

C. The PMND's Analysis of Traffic and Circulation Impacts Is Deficient

The PMND's Traffic and Circulation impacts analysis is limited to the immediate vicinity of the Fort Baker pier and the proposed new pedestrian walkways within the park. The PMND states: "[t]he proposed project would not result in change to roadways or visitors accessing the park by auto, transit, or bicycle. Therefore, the setting discussion is limited to the pedestrian resources." (PMND, p. 64.) Based on the flawed assumption that no Fort Baker passengers will leave the confines of Fort Baker, the PMND concludes that the Project will not generate any additional traffic trips. The PMND thus states: "[t]he proposed project activities at Fort Baker involve no substantial changes to the roadway network and are not anticipated to generate any new vehicle trips on the local roadways. Therefore, the vehicle and circulation impacts at the Fort Baker site and vicinity would also be less than significant." (PMND, p. 71 [emphasis added].) As will be shown, the PMND's assumptions are unsupported and unsupportable by substantial evidence. To the contrary, substantial evidence supports a fair argument that Fort Baker ferry passengers will travel outside Fort Baker throughout the region. Notably, the NPS's FEIS for the Fort Baker Plan states in relevant part:

> Increased visitation at Fort Baker would increase the demand for lodging, restaurant, and other tourist-oriented services in surrounding areas, especially in Sausalito, Tiburon and San Francisco. This business growth, combined with other park improvements, would potentially increase demand for local hotels. (Sedway Group 1980.)

(Fort Baker Plan FEIS, p. 5-4.) Thus, the NPS' prior FEIS alone constitutes substantial evidence supporting a fair argument that Fort Baker ferry passengers will travel beyond Fort Baker to Sausalito and other regional destinations.

The PMND's assumption that Fort Baker ferry passengers will remain within Fort Baker is largely premised on the statements that "no shuttle service" or bike rentals are currently available in the vicinity of the Fort Baker pier to serve arriving Fort Baker ferry passengers. (PMND, pp. 64, 79). However, the PMND imposes no mitigation measures to ensure that either

existing condition at the Fort Baker pier remains unchanged throughout the life of the Project.[4] Moreover, contrary to the PMND's apparent conclusiuon, the unavailability of shuttle bus services for arriving passengers is *not* evidence mitigating the Project's potential impacts, but instead by itself constitutes substantial evidence supporting a fair argument that the Project may have significant environmental impacts. In the absence of available shuttle services, arriving Fort Baker ferry passengers will resort to individual vehicles for hire (*i.e.* Uber, Lyft, taxis) to transport them within and outside the park. The PMND's apparent assumption that the unavailability of shuttle services leaves arriving ferry passengers without vehicle transport simply ignores the realities of the modern, smart-phone carrying world.[5] Fatally, the PMND does not consider, much less mitigate the virtually certain significant impacts resulting from numerous vehicles queueing and circling the vicinity of the Fort Baker pier to pick up or drop off ferry passengers. Nor does the PMND consider, much less mitigate the virtually certain significant impacts resulting from this same parade of vehicles meandering throughout Fort Baker and along Alexander Avenue, transporting ferry passenger/visitors to the Marin Headlands, Sausalito and other regional destinations.

D. Several Of The PMND's Environmental Impact Findings Are Premised On The Flawed Assumption That Fort Baker Ferry Passengers Will Not Leave Fort Baker

The PMND's analysis and findings regarding the Project's potential to cause several additional environmental impacts likewise is premised upon the PMND's flawed assumption that all Fort Baker ferry passengers would remain on foot within the park, and therefore generate no additional traffic trips. The following categories of analysis in the PMND are legally deficient for this reason, among others.

Aesthetics. Because the PMND assumes that all Fort Baker arriving passengers will remain within Fort Baker as pedestrians, the PMND's aesthetic analysis is truncated, and limited in scope to potential scenic vista impacts in the immediate vicinity of the Fort Baker pier resulting from: "[o]perationally, intermittent ferry service to the pier..." (PMND, pp. 39-40.) The PMND therefore provides no analysis of aesthetic impacts on scenic vistas from vehicles queuing and/or circling near Fort Baker pier to pick up and drop off ferry passengers. Nor does it analyze aesthetic impacts on scenic vistas from additional pedestrian, bicycle and vehicular

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[4] Even if existing conditions adjacent to the Fort Baker pier were enforceable for the life of the Project, the PMND does not address, much less impose any constraints on rental bicycle outlets from locating elsewhere within Fort Baker or just outside the park, which would enable Fort Baker ferry passengers to travel by bicycle to nearby parks and Sausalito – exacerbating existing, over-crowded conditions.

[5] Equally puzzling is the PMND's suggestion that Fort Baker ferry passengers' purchase of a roundtrip ticket will constrain visitors to the confines of Fort Baker. Here again, the PMND does not consider, much less account for the likelihood of ferry passengers arriving at Fort Baker on a Saturday ferry, but then returning on a Sunday ferry to allow time for travel to Sausalito and other regional locations. It is equally plausible that Fort Baker ferry passengers will simply forego use of their return ticket and instead purchase a separate return ticket from the Sausalito ferry, or return to San Francisco by private car or other mode of transportation.

traffic from Fort Baker ferry passengers traveling through Fort Baker, along Alexander Avenue, to and within nearby parks such as the Marin Headlands and Muir Woods, and to and within Sausalito's historic downtown and waterfront.

Noise. The PMND's analysis of potential noise impacts from Fort Baker ferry operations likewise is limited in scope to impacts on receptors in the immediate vicinity of the Fort Baker pier resulting from intermittent ferry service. (PMND, pp. 87-88.) The PMND thus provides no analysis of potential noise impacts from vehicles queuing and circling the Fort Baker pier vicinity to pick up and drop off ferry passengers. The PMND similarly fails to analyze potential noise impacts from Fort Baker ferry passengers traveling by various modes of transportation outside of Fort Baker, along Alexander Avenue to nearby parks, Sausalito and other regional destinations.

Air Quality. The PMND's analysis of air quality impacts likewise is premised on the flawed assumption that no vehicle trips will be generated by Fort Baker operations. (PMND, p. 110.) The PMND thus provides no analysis of air quality impacts from increases in vehicular traffic from Fort Baker ferry passengers traveling within the Fort Baker and beyond along Alexander Avenue, to nearby parks, Sausalito and other regional destinations.

Greenhouse Gas Emissions. The PMND's analysis of Greenhouse Gas Emissions likewise is premised on the flawed assumption that "[m]obile source emissions, which represent the bulk of operational greenhouse gas emissions, would, however, all originate from the Pier 31 ½ site; there would be no new ferry trips or vehicle trips originating from Fort Baker as a result of the proposed project." (PMND, p. 117.) The PMND thus provides no analysis of greenhouse gas impacts from idling ferries docked at the Fort Baker pier while passengers load and unload, queuing and circling vehicles picking up or dropping off ferry passengers, or the additional vehicular traffic from Fort Baker ferry passengers traveling to nearby parks, Sausalito and other regional destinations.

Recreation. The PMND's analysis of Recreation impacts likewise is premised on the flawed assumption that "[v]isitors arriving by ferry from the primary embarkation site are not expected to leave Fort Baker so they would not cause an increase in the use of existing parks and recreational facilities in the area." (PMND, p. 120.) The PMND thus provides no analysis of potential recreation impacts from Fort Baker ferry passengers traveling to nearby parks, including the Marin Headlands, Muir Woods, and multiple parks located along Sausalito's historic waterfront – adding to existing, over-crowded conditions.

Public Services. Here too, because the PMND assumes that Fort Baker ferry passengers will not leave Fort Baker, it provides no analysis of the Project's potential impacts on police and fire public services as well as emergency response times resulting from increased pedestrian, bicycle and vehicular traffic along Alexander Avenue, within the nearby parks and Sausalito. (PMND, pp. 127-128.)

E. The PMND Fails To Adequately Analyze Potential Land Use and Regulatory Consistency Impacts

Lead agencies under CEQA must analyze a project's potential to cause significant land use and planning impacts. A project may cause significant land use impacts where, among other things, it conflicts with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project accepted for the purpose of avoiding or mitigating an environmental effect; or conflicts with any applicable habitat conservation plan or natural communities conservation plan. (CEQA Guidelines, Appendix G.)

The PMND concludes that the Project is compliant with all "relevant" regulations under the Clean Water Act, Endangered Species Act, Bay Plan and McAteer-Peetris Act. (PMND, p. 36.) This analysis, however, is incomplete because it fails to consider whether the proposed Fort Baker ferry service complies with applicable legal requirements under the Coastal Zone Management Act (CZMA) (16 U.S.C. § 1451 *et seq.*) and the Marine Mammal Protection Act (MMPA). (16 U.S.C. §§ 1372, 1374.).

The CZMA requires that "each Federal agency activity within or outside the coastal zone that affects any land or water use or natural resource of the coastal zone shall be carried out in a manner which is consistent to the maximum extent practicable with the enforceable policies of approved State management programs." (16 U.S.C. § 1456(c)(1)(C).) A federal agency ensures consistency of its actions with a state management program by submitting a consistency determination to the relevant state agency. (*Ibid.*) After receipt of the consistency determination, the "State agency shall inform the Federal agency of its concurrence with or objection to the Federal agency's consistency determination." (15 C.F.R. § 930.41). The PMND, however, provides no analysis nor evidence of the Project's compliance with the CZMA's requirements.

Under the MMPA, it is unlawful to "take" a marine mammal without a permit. (16 U.S.C. §§ 1372, 1374.) Under this statute, "take" means "harass, hunt, capture, or kill" or attempt to "harass, hunt, capture, or kill." (*Ibid.*) The MMPA defines "harassment" as "any act of pursuit, torment, or annoyance which: (i) has the potential to injure a marine mammal or marine mammal stock in the wild; or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including but not limited to, migration, breathing, nursing, breeding, feeding or sheltering." (*Id.* § 1362(18)(A).)

The PMND acknowledges that construction activity at the Fort Baker pier could annoy marine mammals and cause them to change course to avoid the construction area. The PMND, however, contains no mitigation measures to reduce impacts to marine mammals to less than significant. It provides instead only an "Improvement Measure," which states in relevant part:

> If marine mammals enter the safety zone after pile driving of a segment has begun, *pile driving will continue*. The biologist will monitor and record the species and number of individuals observed, and make note of their behavior patterns. If the animal appears distressed, *and if it is operationally safe to do so,* pile driving will cease until the animal leaves the area.

(PMND, p. 184. [emphasis added]) Thus, although the PMND acknowledges that Project construction activity *will proceed* in many cases, notwithstanding clearly visible annoyance and disruption of marine mammal behavior patterns, the PMND provides no analysis nor explanation regarding why such Project activity would not constitute a "take" under the MMPA.

F. The PMND Fails To Adequately Analyze And Mitigate Potential Hazards, Pollutants and Water Quality Impacts

The FEIS for the Fort Baker Plan previously noted that the provision of ferry service to Fort Baker could increase turbidity and the amount of petroleum pollutants present in Horseshoe Bay resulting in potential adverse impact to water quality. (Fort Baker Plan FEIS, p. 4-23.). The PMND, however, concludes that the Fort Baker ferry service will have less than significant impacts either because the Project will comply with all "applicable" Federal, state and local requirements and regulations; or alternatively, plans will be "developed" to identify and mitigate potential impacts. Both approaches, however, violate CEQA.

The PMND repeatedly finds that the Fort Baker ferry service will have no impacts or less than significant impacts because the Project will comply with "applicable" Federal, state and local requirements and regulations. For example, while the PMND acknowledges that "[f]erry operations have the potential to impact water quality from potential pollutant discharges of hazardous materials, including chemicals and solvents used onboard, boat cleaning and maintenance materials, fuels, bilge or ballast water, sewage from toilets, and gray water, and trash from passengers and visitors," it concludes that such impacts would be less than significant because operations at Fort Baker "would adhere with plans and policies designed to address potential water quality impacts." (PMND, pp. 157-158.) The PMND further states that Project impacts would be less than significant because:

- Vessel fueling would adhere to Coast Guard regulations;
- Any spills would be "cleaned up immediately using spill response equipment as identified in the Spill Prevention Control and Countermeasure Plan;
- Discharges and quantities of ballast water would occur in compliance with "federal and state regulations, including the Vessel General Permit and Ballast Water Management for Control of Nonindigenous Species Act; and
- Sanitary sewage ferries would be subject to the requirements of the MARPOL convention and Section 312 of the Clean Water Act; and
- Due to the proximity of Pier 31 ½ and Fort Baker to the Bay, litter from visitors at the site could potentially enter the bay. The ferry operator would be responsible for implementation of a trash collection and management program, and waste management at both proposed project sites would proceed in accordance with all applicable federal, state and local regulations for waste management disposal."

(PMND, pp158-159.)

The foregoing less-than-significant impact findings, however, are unsupported by substantial evidence and violate CEQA because they are premised on conditions and assumptions regarding the Project's future compliance with legal requirements that are not imposed on the Project as legally enforceable mitigation measures. (*See* PMND, p. 155 [no mitigation measures identified for Hydrology and Water Quality Impacts].) The PMND thus violates CEQA's substantive mandate to impose feasible and enforceable mitigation measures to *ensure* that a project's environmental impacts remain less than significant throughout the life of the project.

Adding to the foregoing legal deficiencies, the PMND's analysis of hazards and water quality impacts also relies on deferred "development" of plans to identify future mitigation measures. For example, the PMND states:

> The Park Service would prepare a Stormwater Pollution Prevention Plan for operations at Fort Baker. The Stormwater Pollution Plan Prevention Plan would identify pollutant sources within the site and provide site-specific best management practices regarding control of sediments in runoff and storage and use of hazardous materials to prevent discharge of pollutants into stormwater.

(PMND, p. 158.) The PMND thus concludes that: "[w]hile the proposed project would result in a minor increase in the number of ferry trips...and would introduce limited ferry service to Fort Baker, *development of required plans* and compliance with regulations as detailed above would ensure that water quality impacts associated with long-term operations of the proposed project would be less than significant." (PMND, p. 159.)

Here, the PMND's reliance on *future* "plans" to be "developed" to mitigate the Project's potential impacts contravenes CEQA's prohibition of "deferred" mitigation. Under CEQA, "formulation of mitigation measures should not be deferred until some future time" as this frustrates review by the public. (CEQA Guidelines, § 15126.4(a)(1)(B); *Gentry v. City of Murrieta*, *supra*, 36 Cal. App. 4th at 1393).

G. The PMND Fails To Adequately Analyze and Mitigate Potential Growth-Inducing Impacts

CEQA requires that lead agencies describe any growth-inducing impacts of the proposed project. (Pub. Res. Code § 21100(b)(5); CEQA Guidelines, § 15126(d).) Lead agencies must discuss the ways in which the project could directly or indirectly foster economic or population growth or the construction of new housing in the surrounding environment. (CEQA Guidelines, § 15126.2(d).) The discussion should also include characteristics of the project that may encourage and facilitate other activities that could have a significant effect on the environment, either individually or cumulatively. The CEQA Guidelines explain that projects, like the Fort Baker ferry service aspect of the Project, that make improvements to infrastructure, are more likely to be growth-inducing. (CEQA Guidelines, §15126.2(d).)

As noted above, the NPS' FEIS for the Fort Baker Plan concluded that the increase of visitors to Fort Baker would cause growth-inducing impacts in the surrounding area, including Sausalito. (Fort Baker Plan FEIS, p. 5-4.) This evidence alone constitutes substantial evidence

supporting a fair argument that the Fort Baker ferry service may cause significant growth-inducing impacts. Yet despite the NPS's previous acknowledgment of potential significant impacts, the PMND provides no analysis whatsoever of the Fort Baker ferry service's potential to cause growth-inducing impacts in Sausalito or elsewhere within the region. (PMND, p. 44.)

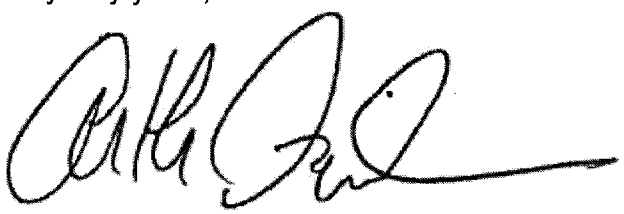
CONCLUSION

Because as shown, the PMND's analysis and findings are legally deficient in numerous respects, and because substantial evidence supports a fair argument that the proposed Fort Baker ferry service may cause several significant impacts, the City may not lawfully approve the PMND, and instead must prepare an EIR.

We encourage the City and NPS to consult and work cooperatively with Sausalito henceforth regarding any proposal to expand ferry service to Fort Baker. As shown above, such consultation is required under CEQA. That approach also is consistent with past practice and NPS' previous commitment to Sausalito. The NPS' Record of Decision (ROD) for the Fort Baker Plan and Final EIS adopted nearly two decades ago states that "[t]he NPS is specifically committed to working with the City of Sausalito, Marin County Congestion Management Agency, the Golden Gate Bridge, Highway and Transportation District, Caltrans and the Metropolitan Transportation Commission..." to seek "regional solutions to transportation challenges in the areas surrounding Fort Baker...." (NPS' ROD for Fort Baker Plan and Final Environmental Impact Statement, June 9, 2000, p. 8.)

Sausalito thus requests that the Planning Commission reject the proposed PMND, or alternatively, sever the proposed Fort Baker ferry service from the Project. Sausalito welcomes the opportunity to work collaboratively with NPS and the City to properly and more fully consider, analyze and mitigate potential impacts to Sausalito and the region resulting from an expansion of ferry services to Fort Baker.

Very truly yours,



Arthur J. Friedman
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:484983464.1

cc: Brian Aviles – National Parks Conservancy
Catherine Barner – Golden Gate National Parks Conservancy
Diane Oshima – Port of San Francisco
Julie Moore – SF Planning Department, Staff Contact

EXHIBIT A

LSA

BERKELEY
CARLSBAD
FRESNO
IRVINE
PALM SPRINGS
POINT RICHMOND
RIVERSIDE
ROSEVILLE
SAN LUIS OBISPO

MEMORANDUM

DATE: October 4, 2017

TO: Adam Politzer, City Manager

FROM: Judith H. Malamut, ACIP, Principal

SUBJECT: Second Addendum to the 2012 Initial Study/Mitigated Negative Declaration and 2017 Addendum for the Sausalito Ferry Terminal

1.0. Introduction

The Golden Gate Bridge, Highway and Transportation District (District) proposes to remove the existing ferry landing in Sausalito (City) and build a new ferry landing (Project). On December 14, 2012, the District in its dual capacity as Project proponent and lead agency under California's Environmental Quality Act (CEQA) adopted the Golden Gate Sausalito Ferry Terminal Vessel Boarding Rehabilitation Project Initial Study/Mitigated Negative Declaration (MND) to analyze and identify measures to mitigate the Project's potential environmental impacts. Subsequent to the District's adoption of the MND, the District modified the Project in several respects. To address these Project changes as well as certain identified changed circumstances, the District prepared and adopted an Addendum to the MND on May 26, 2017 (District Addendum).

The Project is located on the shoreline of the City's historic downtown waterfront on lands held by the City as trustee for the State under California's Public Trust Doctrine.[1] The District operates the ferry landing under the authority and pursuant to the terms of a Lease Agreement dated December 1, 1995 between the City as Lessor and the District as Lessee (Lease). Under the terms of the Lease, the District must obtain the City's written consent to the Project. On August 31, 2017, the District submitted the Project to the City for its consent under the Lease.

The City is a Responsible Agency under CEQA because it has discretionary approval authority over the Project. As a Responsible Agency, the City has prepared this Second Addendum to the MND to analyze the Project's potential impacts in light of substantial changes that have occurred with respect to the circumstances under which the Project is to be undertaken arising from significant increases in the volume of ferry passengers with bicycles, primarily during peak periods spanning

[1] See Aerial Photograph of Project area attached as Exhibit 1.

from March through October. While the Project has the potential to cause significant environmental impacts in light of these new circumstances, these potential impacts are reduced to a less-than-significant level with the implementation of the mitigation measure identified herein.

2.0 Project Background and Changed Circumstances

The District operates ferry services between San Francisco and Sausalito in southern Marin County. The proposed Project would increase the size of the existing ferry terminal, in part to facilitate anticipated passenger volume growth in the future. The size of the proposed float would increase from 110' long x 42' wide to 144' long and 49' wide. The size of the gangway would increase from 70' long x 5.9 wide to 90' long x 12' wide.

Subsequent to the District's adoption of the MND in December 2012, substantial changes occurred with respect to the circumstances under which the Project is to be undertaken because of significant increases in the number of ferry passengers with bicycles, primarily tourists, during peak periods primarily spanning from March through October. Based on data provided by the District, in 2012, monthly ferry passengers with bicycles averaged 9,200, with a high mark of 16,469 in July. By 2014, monthly ferry passengers with bicycles averaged 16,007, with a high mark of 29,796 in August.[2] A report prepared by the District dated March 11, 2015 for the City's Joint Planning Commission and Historic Landmark Board Study Session states "during the peak season, weekday highs at Sausalito reach up to 3,500 passengers per day and weekend highs reach up to 6,000 passengers per day. During peak days, 33% to 50% of riders have bicycles, which results in delays associated with loading and unloading of passengers...."[3]

This significant increase in ferry passengers with bicycles has resulted in long queues for the ferry that periodically extend from the ferry pier, southward to El Portal Street, up Tracy Way, then turning the corner to the north and spanning Anchor Street, extending as far as the Spinnaker parking lot.[4] The number of passengers with bikes standing in the ferry queue during a peak day can range from 1,700 to 3,500 people.[5] Passengers arrive as early as 11:00 a.m., with the greatest volume arriving between 1:00 to 4:00 p.m. During peak periods, long queues are common from 2:00 p.m. to 6:00 p.m.

The primary locations of congestion, blocked access, conflicts and safety issues between passengers with bikes waiting to board the ferry, passengers leaving the ferry, pedestrians, mobility impaired citizens, and vehicles, occurs primarily in the following locations:

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2 Golden Gate Ferry Sausalito Bike Counts" chart provided by the District on August 11, 2016 (Exhibit 2).

3 Golden Gate Bridge, Highway and Transportation District Sausalito Ferry Terminal Improvement Project, District report dated March 11, 2015, at p. 3 (Exhibit 3).

4 Yellow Highlighted illustration of extent of Queue at Exhibit 4 and photographs of queue conditions at Project Site from Bicycle Committee Presentation dated February 28, 2017 (Exhibit 5).

5 Fotsch, Deborah. Executive Director of Sausalito Plus and Member of the Sausalito Congestion Management Working Group. 2017. Update on Crowd Management Challenges Related to Tourist Bikes and Ferry Queue, October 3, 2017 (Exhibit 6)

- At the end of the ferry terminal ramp where passengers with bikes block disembarking passengers from turning to the left toward the Downtown and force them to walk through the parking lot creating conflicts and safety concerns with vehicles parking and leaving the lot.

- At the ferry ticket kiosk where passengers with bikes line up to buy ferry tickets blocking the street and sidewalk and the parking lot kiosks.

- On all the sidewalks identified above, and especially along Tracy Way, where the passengers with bikes queue is located and which blocks the sidewalks to such a degree that Sausalito residents and other visitors cannot use the sidewalks and have difficulties passing through the queue as the bikes create a kind of fence-like barrier. Passengers and pedestrians then stand in or walk along the streets (especially Anchor Street) and within the parking lot itself interfering with vehicular and bike circulation.

- At and within the intersection of Tracy Way and El Portal Street as well as Tracy Way and Anchor Street.

- The areas accessible to persons with disabilities at the north and south corners of the parking lot at Tracy Way are completely blocked by the bicyclist queue leading to conflicts, safety issues and confusion for visitors who have parked and want to access the Downtown.

- At the vehicle ingress and egress locations for the parking lot which are often blocked by passengers and within the parking lot itself which becomes congested with disembarking ferry passengers, passengers with bikes cutting through the lot to reach the ticket kiosk, and vehicles entering, exiting and parking within the lot.

Because of the congestion and potential public safety issues identified above, crowd management of ferry passengers has been provided by City Department of Public Works, Sausalito Plus and the City's Police Department. These demands placed on City officials and the City's Police Department reduce the City's ability to provide police and other services to other areas of the City during these peak times. The District has not provided sufficient staff and resources to manage the queues, and has not provided sufficient mitigations to address these changed conditions.[6] The City's Chief of Police, John Rohrbacher, submitted a report dated September 25, 2017 to the City Manager describing the need for improved queue management from the District to mitigate the dangerous situation that exists when the queue spills into the City's adjacent parking lot, blocking traffic, increasing congestion and placing pedestrians in danger.[7]

To reduce the number of passengers with bikes blocking City facilities and through traffic, the City has closed Tracy Way to public access and has been using it to provide bicycle storage and parking. This effort to reduce the passenger bike queue congestion and nuisance on other public facilities,

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[6] Politzer, Adam. City Manager , City of Sausalito. Fotsch, Deborah, Rohrbacher, John. 2017. Personal Communication with Judith Malamut, LSA Associates, Inc. September 26.

[7] Letter dated September 25, 2017 from Chief of Police John Rohrbacher to City Manager Adam Politzer. (Exhibit 7).

has led to the closure of Tracy Way and the elimination of 14 public parking spaces for the City of Sausalito residents, and other facilities (streets, intersections, sidewalks and public parks) continue to be crowded with ferry passengers with bikes. The City has also taken a number of additional steps to manage the congestion created in the downtown area including:

- Adopting regulations to impound bikes in place.
- Establishing a downtown bike parking zone.
- Establishing free bike parking areas in lot adjacent to municipal parking lots including repurposing seating areas along Bridgeway and lot 3.
- Reconfiguration of Parking Lot 1 to increase the queuing area, by eliminating 4 parking spaces and removing the circulation island for exiting cars.
- Reconfiguration of vehicular circulation on El Portal.
- Additional law enforcement officers to cite and enforce bike parking downtown.
- Replacement and ~~end~~ expansion of the downtown public restroom
- Establishment of an ambassador program to direct bicyclist to parking and to the ferry landing.
- Contracting with Sausalito Bike Return to operate a bike return program which utilizes space in municipal lot 1 to operate service.

3.0. Purpose of the Addendum

The City is a responsible agency for the Project under CEQA. Responsible agencies are those public agencies, other than the lead agency, which have responsibility for carrying out or approving a project, or which have discretionary approval power over a project for which the lead agency has prepared an EIR or negative declaration. (Pub. Res. Code § 21069; CEQA Guidelines, § 15381.)

The City is a responsible agency because it has discretionary approval authority for the Project pursuant to its right of consent under the Lease. Additionally, the Project includes both temporary and permanent components located outside of the current leased premises which require a lease amendment and/or encroachment agreements from the City. Finally, the City has discretionary authority over the Project as Trustee for the Project Site under the Public Trust Doctrine.

CEQA Guidelines Section 15096 requires that responsible agencies consider the adequacy of the Project's EIR or negative declaration prior to granting any discretionary approvals. Under Section 15096, subsection (e), if the responsible agency determines that the EIR or negative declaration is not adequate for use by the responsible agency, it must prepare the appropriate level of additional environmental analysis prior to granting any discretionary approvals.

The District's Addendum acknowledges that existing ferry operations at the Project site are "exacerbated by the large number of bicyclists using the southbound ferry (i.e., from Sausalito to

San Francisco), who require additional time and space to load, safely stow, and then offload bicycles."[8] The District's Addendum further explains that "lack of sufficient queueing space at the existing ferry terminal has caused waiting southbound passengers to overflow onto the City of Sausalito's (City) landside ferry plaza and adjacent parking lot." The Addendum further explains that "in order to maintain operating schedule, southbound ferries occasionally leave passengers in Sausalito during peak times..." (*Id.* at p. 2-2). The District's Addendum, however, does not analyze the Project's potential impacts in light of these change circumstances, nor analyze the Project's potential to facilitate increases in the volume of future passengers and therefore exacerbate existing queue and crowd conditions.

This Second Addendum has been prepared pursuant to CEQA Guidelines Section 15164, subsection (b), which provides that a lead agency or responsible agency may prepare an addendum to an adopted negative declaration if only minor or technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred." Section 15162 specifies that "no subsequent EIR shall be prepared for that project unless the lead agency determines ... one or more of the following":

1. Substantial changes are proposed in the project which would require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which would require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete was adopted, shows any of the following:

   (A) The project would have one or more significant effects not discussed in the previous EIR;

   (B) Significant effects previously examined would be substantially more severe than shown in the previous EIR;

   (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

   (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant

[8] Final Sausalito Ferry Terminal Vessel Boarding Rehabilitation Project – Addendum to the Initial Study/Mitigated Negative Declaration, May 2017, at p. 1-2.

effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Although the substantial increases in the number of ferry passengers with bicycles and resulting long queues into the City's adjacent facilities, including streets, sidewalks, promenades, public parks and parking lots, constitutes a substantial change with respect to the Project's circumstances, this change does not require major revisions to the previous MND and District's Addendum. Pursuant to CEQA Guidelines Section 15164, subsection (e), this Second Addendum explains the City's decision to not prepare a subsequent EIR or negative declaration pursuant to Section 15162, analyzes the Project's new, potentially significant impacts in light of changed circumstances at the Project site since the District's adoption of the MND, which were not analyzed in the District's Addendum, and identifies mitigation measures to reduce these new, potential impacts to a less-than-significant level.

4.0 Evaluation of Environmental Impacts

Evidence supplied by the District indicates that the Project encourages and facilitates future increases in the volume of ferry passengers with resulting impacts from the ferry queue and overcrowding conditions. On August 11, 2016, the District acknowledged in a statement provided to the City that "the District's mission is to encourage ferry ridership to reduce traffic along the 101 corridor."[9] The District designed the Project to facilitate and accommodate projected passenger volume growth through the year 2029, premised on 4% ferry passenger growth per year. The District's design calculations assumed at an 85-percentile volume (meaning the anticipated volume would exceed this benchmark 15% of the time) the disembarking and embarking of 920 passengers per trip, which is substantially greater than current conditions.[10] Finally, during the public meeting before the City Council on September 26, 2017, the District's General Manager testified that after the Project is constructed and permanent operations commence, during peak periods ferry vessels still would periodically be forced to depart to maintain the schedule while would-be-passengers remained in the queue.

After reviewing the analysis contained in the MND and the District's Addendum, the Project's potential impacts in light of the change in circumstances would not require new analysis or modifications relating to the following resources categories: Agriculture and Forestry Resources; Air Quality; Geology, Seismicity and Soils; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Hydrology and Water Quality; Mineral Resources; Noise; Population and Housing; Utilities and Infrastructure.

This analysis will focus on impacts related to the following topics

- Aesthetics and Visual Resources
- Land Use and Planning;

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9 Additional Information per City of Sausalito 7-22-16 Request, dated August 11, 2016 at p. 2. (Exhibit 8.)

10 District Response to Questions from City of Sausalito Received June 9, 2016, dated June 16, 2016, at p. 1. (Exhibit 9.)

- Public Services (Police);
- Recreation; and
- Transportation and Traffic.

A. AESTHETICS AND VISUAL RESOURCES

The MND and the District's Addendum analyzed impacts associated with aesthetics and visual resources concerning the construction of the Project, but did not address impacts to visual and scenic resources related to the passengers with bikes in long queues and related crowd congestion. Because of the changed circumstances, scenic vistas of the San Francisco Bay available from the public sidewalks and promenades along the Sausalito waterfront in the vicinity of the ferry landing are currently blocked by the length, character and congestion associated with the queue such that the public cannot access these vantage points. Additionally, the length, duration and character of the queue substantially degrades the existing visual character and quality of the area in the vicinity of the ferry landing including Gabrielson Park. Restricting the physical location of the queue to a designated area would mitigate these impacts to a less-than-significant level. The City therefore has identified the following mitigation measure:

> Mitigation Measure AES-1: Commencing with permanent operations and continually thereafter, the District shall manage the queue for the Ferry Landing, which may span from the Ferry Landing Pier Southward along the side of the existing hedge towards El Portal Street, terminating at El Portal Street (Queue Area). The District shall implement all reasonable and necessary measures to prevent any queue for the Project from extending beyond or outside the Queue Area.

Exhibit 10 shows the location where the passengers and passengers with bikes shall be located per Mitigation Measure AES-1. Implementation of this mitigation measure would confine the queue to a limited and acceptable location and therefore reduce aesthetic impacts to the visual character, scenic vistas and viewpoints to a less-than-significant level.

B. LAND USE AND PLANNING

The MND and the District's Addendum analyzed impacts associated with land use and planning and determined that the Project would not conflict with adopted plans and policies. However, the analysis did not take into account the adverse effects of the increased numbers of passengers with bikes and crowded conditions on existing City uses and facilities including the municipal parking lots, City streets, sidewalks, and public parks, as identified above. The effect of the long passenger queues and congestion is to substantially limit the public's use and availability of these facilities and access to that portion of the City. Implementation of Mitigation Measure AES-1 would reduce these impacts to a less-than-significant level by requiring the District to manage the queue and by confining the queue to a limited and acceptable area.

C. PUBLIC SERVICES

As stated above, the City has been providing public services, and especially police services to manage the overcrowding, congestion and bicyclist, vehicular, pedestrian conflicts associated with the passengers with bikes queue. The MND and District's Addendum identified that the Project would have no impact or a less-than-significant impact related to the Project. As stated above, the Project in concert with the new circumstances would result in substantial adverse physical impacts related to the maintenance of acceptable service ratios and response times to other areas of Sausalito during peak ferry times, as police personnel have needed to be on hand to manage the congestions, conflicts and safety issues related to the long queue. Implementation of Mitigation Measure AES-1 would reduce these impacts to a less-than-significant level by requiring the District to manage the queue and by confining the queue to a limited and acceptable area.

D. RECREATION

The MND and the District's Addendum analyzed effects to recreational facilities and determined that there would be a less-than-significant impact on public parks and open space in the vicinity of the ferry terminal. As demonstrated and described above, the Project in concert with the new circumstances would result in substantial adverse physical impacts on public parks and open space. During peak times, Gabrielson Park, Plaza Vina del Mar, Yee Tock Chee Park as well as the waterfront promenade, open space areas and portions of Sausalito's historic downtown are crowded with waiting ferry passengers. This increased use and deterioration of the existing parks and recreational facilities by ferry passenger overcrowding and attendant litter is a potentially significant Project impact that would be reduced to a less-than-significant level with implementation of Mitigation Measures AES-1 by requiring the District to manage the queue and by confining it to a limited and acceptable area.

E. TRANSPORTATION AND TRAFFIC

The MND and the District's Addendum analyzed the effects of the Project on transportation and circulation and found that there would be a less-than-significant impact related to those topics. However, as detailed above, the change in circumstances related to the increase in ferry passengers with bikes causes conflicts with the effectiveness of the circulation system for all modes of travel in the vicinity of the ferry terminal and the passenger bike queue. City streets (especially, El Portal , Tracy Way, and Anchor Street), intersections, sidewalks, access for persons with disabilities from the parking lot, bike lanes, ingress and egress to and circulation within the parking lot, are all congested by ferry passengers with bikes and not operating effectively during peak times. As stated previously, the City has shut down Tracy Way to through traffic and reconfigured vehicular circulation on El Portal and in Municipal Parking Lot 1 in an attempt to manage the congestion caused by the ferry passengers.

Additionally, the change in circumstances and use of City facilities by ferry passengers has resulted in hazardous traffic, circulation and public safety conditions due to the many physical conflicts and accidents among pedestrians, bicyclists, and drivers associated with the long queue and the spillover

of people and bikes into the streets and intersections and parking lot due to the overcrowded conditions.[11]

Implementation of Mitigation Measures AES-1 would reduce impacts on transportation facilities and service to a less-than-significant level by requiring the District to manage the queue, and by confining it to a limited and acceptable area..

5.0 Conclusion

As a responsible agency for the Project, the City has identified new and potentially significant environmental impacts of the Project in light of changed circumstances arising from the increase in ferry passengers with bikes and the resulting long queues, overcrowding , congestion on City facilities, multi-modal conflicts, public safety issues, and adverse effects on visual resources, land use, public services, recreation, and transportation and traffic. However, implementation of Mitigation Measure AES: 1, supplementing the Project's existing mitigation measures as set forth in the District's Mitigation and Monitoring Program (MMRP) for the Project adopted on December 14, 2012, incorporated herein, would ensure that the Project's impacts are less than significant. The City's supplement to the District's MMRP is provided as Table 1, attached as Exhibit 11.

[11] Rohrbacher, John. City of Sausalito Police Chief. 2017.

EXHIBIT 1

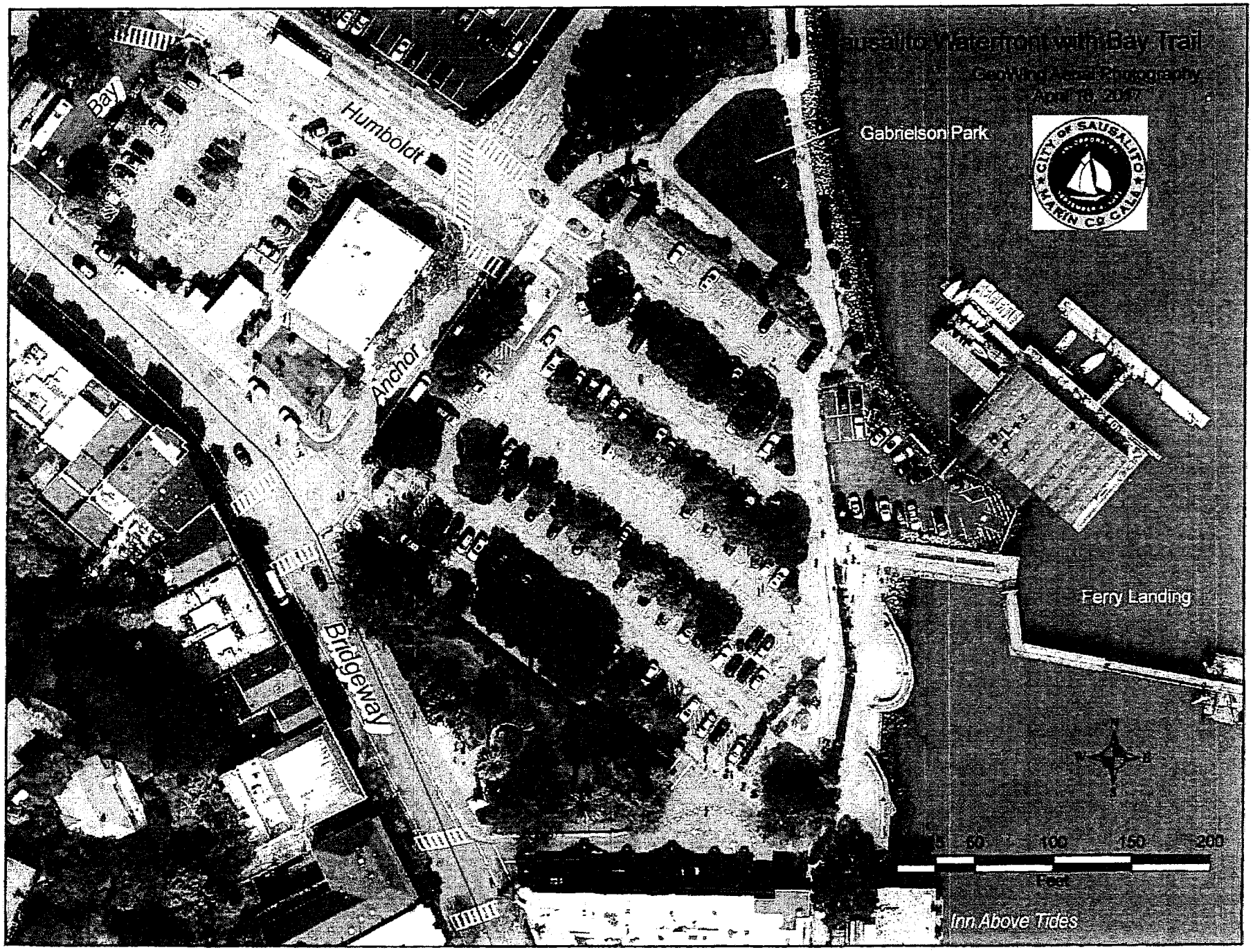

Bay
Humboldt
Gabrielson Park
Anchor
Bridgeway
Ferry Landing
0 50 100 150 200
Feet
Inn Above Tides

EXHIBIT 2

Attachment C

Ferry Passengers with Bicycles Count

GOLDEN GATE FERRY
SAUSALITO SOUTHBOUND BIKE COUNTS

	2012													
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL	AVG
Bikes	4,412	6,022	7,331	10,898	8,547	11,014	16,469	14,960	11,032	8,055	6,833	4,824	110,397	9,200

	2013													
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL	AVG
Bikes	6,231	7,512	11,302	11,177	10,662	14,242	22,697	22,318	15,085	10,428	9,153	9,062	149,869	12,489

	2014													
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL	AVG
Bikes	10,456	8,376	13,459	17,284	15,564 rev. 6/2/15	17,956 rev. 5/28/15	27,653 rev. 5/28/15	29,796 rev. 5/28/15	19,694	13,029	10,861	7,952	192,080	16,007

	2015													
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL	AVG
Bikes	10,240	10,534	17,129	14,799	12,889	14,444	25,393	26,163	16,326	11,227	8,656	5,015	172,815	14,401

	2016													
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL	AVG
Bikes	4,126	7,476	9,569	13,943	14,259	17,077	.	.	.	.	.	.	66,450	11,075

* May '14 slightly rev. due to recount
*June, July, August '14 rev to reflect southbound only

EXHIBIT 3

Golden Gate Bridge, Highway and Transportation District
Sausalito Ferry Terminal Improvements Project

Prepared for the City of Sausalito Joint Planning Commission and Historic Landmark Board
March 11, 2015, Study Session

Introduction

The Golden Gate Bridge, Highway and Transportation District (District), operates Golden Gate Ferry, the largest public ferry transit system on the San Francisco Bay, on two ferry routes connecting Marin County and the City and County of San Francisco: the San Francisco/Larkspur route to central Marin County, and the San Francisco/Sausalito route to southern Marin County. Golden Gate Ferry has a fleet of seven (7) vessels and provides weekday passenger service as well as service on weekends and specific holidays. Special service is also offered from Larkspur to AT&T Park in San Francisco for Giants home games and other sporting and music events.

The District has been operating ferry service since 1970. The ferry boarding structures are nearing the end of their useful life and are in need of replacement. The District is proposing to replace the passenger boarding systems at its three facilities located in Larkspur, San Francisco, and Sausalito with structurally improved, ADA compliant and more operationally efficient boarding facilities. No new ferry service or routes are considered in the project design.

The improvements will allow Golden Gate Ferry to continue providing quality public transit across the San Francisco Bay and ease congestion on Highway 101 by reducing the number of motor vehicles traveling between the North Bay counties and San Francisco. The increased use of public transportation decreases the region's dependence upon automobile transportation, thereby reducing the region's overall fossil fuel usage and associated emissions and improving the environmental sustainability of transportation in the region.

Sausalito Ferry

Golden Gate Ferry currently provides 22 weekday summer crossings and 17 weekend summer crossings between Sausalito and San Francisco. For the fiscal year ending June 30, 2014 (FY14), the Sausalito/San Francisco patronage totals 793,192 riders, a 10.4% increase over the previous FY13 patronage totals. Weekday average ridership was 1,944 and average weekend ridership was 2,758. In 2014, during the peak summer season, ferry sailings from Sausalito to San Francisco carried up to 600 passengers per trip.

In addition to Golden Gate Ferry service, the Blue & Gold Fleet operates ferry service between San Francisco Pier 41 and the Sausalito Ferry Terminal. This provision for Blue & Gold use of the Sausalito Ferry Terminal was mandated by the CPUC Order No. 82-01-02 in 1982. Blue & Gold operates service for passengers, including those with bicycles, and is currently the only ferry service that can accommodate electric bicycles.

Location and Existing Conditions

The proposed project will occur at the location of the existing Golden Gate Sausalito Ferry Terminal, on the eastern waterfront of the City of Sausalito. The existing Sausalito Ferry Terminal is located within the San Francisco North Quadrangle, at approximately 37° 51' 22" N; 122° 28' 39" W. The project site lies east of

the intersection of Bridgeway and El Portal/Anchor Street and is accessible from Bridgeway with connections through El Portal, Anchor Street, Tracy Way, and Humboldt Avenue (see **Exhibit 1**). The project site is owned by the City of Sausalito. The District has constructed and operates the ferry terminal under a long term lease agreement with the City of Sausalito. The 51,402 square foot lease area extends from the landside around the existing pier and into the water, primarily within Marin County Assessor's Parcel Number (APN) 065-073-035, although the southern portion of the lease area extends into APN 065-133-22 (see **Exhibit 2**). The project site comprises 0.495 acre (21,571 square feet) within BCDC's Bay jurisdiction.

The site consists of tidal open waters within the Bay and a small linear area at the landside interface, which contains the concrete pier connecting to the City's landside Ferry Plaza area. This area contains the ticket vending machines, ferry schedule boards, news racks and welcome to Sausalito sign. The remaining landside areas, including tidal stairs and the City's Ferry Plaza are outside the ferry terminal leased area.

Bathymetry within the open waters of the site range from 0 feet MLLW where the terminal meets the shore, to -25 feet MLLW at the eastern end of the float. The shoreline consists of large rock riprap with limited seaweed growth below mean sea level (MSL). There are no eelgrass beds or oyster beds within the project site. A sheer, roughly 15-foot-high concrete wall with a tidal stair cut-out defines the transition between open water, shoreline, and the landside. The landside is developed as the City of Sausalito's Ferry Plaza, a highly used seating and walking area for both residents and tourists.

The existing boarding system consists of a 110-foot long by 42-foot wide steel float, a 70-foot long by 5.5-foot wide steel gangway, and an approximately 96.5-foot long by 8.5-foot wide pile-supported timber and concrete access pier. This access pier connects to a 95-foot-long x 20.5-foot-wide landside pier. The existing boarding system extends from the landside developed areas, over the shoreline, and to the open water where the float is located. The landside pier has a passenger control point that is demarked by a locked gate. Only paying ferry passengers may access the access pier beyond the gate, which is opened by crew members when a vessel arrives at the ferry terminal. **Exhibit 3** is an aerial view of the project site, the existing ferry terminal, and the proposed project footprint. **Exhibit 4** illustrates typical passenger use of the existing ferry terminal, including bicyclists.

Surrounding Uses

The Sausalito Yacht Club and its parking lot are located to the north of the existing Sausalito Ferry Terminal and Ferry Plaza. The City of Sausalito's Ferry Plaza encompasses the shoreline to the west of the terminal. The landscaped shoreline Ferry Plaza contains benches, tidal stairs, educational exhibits, ticket vending machines, ferry schedule signs, and newspaper racks. The Ferry Plaza and a concrete sidewalk extending to the north and the landside pier which extends approximately 95 feet into the water are within a Public Access Easement. A municipal parking lot is located west of the site and the Ferry Plaza. The lot is landscaped with non-native trees and ornamental shrubs. Adjacent to the parking lot is a Chamber of Commerce information kiosk, and the bicycle parking and ferry boarding reservation kiosk. The City of Sausalito's commercial district is located largely along Bridgeway, 300 feet west of the site, continuing to the southwest and northwest. The City of Sausalito's historic district is located to the south and west of the site. The San Francisco Bay Trail is located approximately 300 feet west of the project site and runs along Bridgeway. The closest commercial users are the Inn Above the Tide, Hotel Sausalito, and a row of shops

and restaurants lining El Portal Street, currently a cul de sac serving the businesses and as a drop off for the ferry. To the east of the terminal boarding facility is open water, which is used for ferry operations and recreational activities. Existing conditions in the vicinity and adjacent to the project site are shown in **Exhibits 5** and **6**.

Project Purpose

Replace Aging Facilities to Keep Structurally Sound

The existing Sausalito Ferry Terminal boarding structures are aged and nearing the end of their useful life. The project purpose is to replace the aged structures with new structures designed to the current codes in order to continue providing public transit across the Bay.

Improve ADA Accessibility

The existing Sausalito Ferry Terminal gangways and gangplanks are steep and narrow. The District is proposing to construct the replacement boarding facilities in conformance with the draft Americans with Disability Act (ADA) guidelines for off-shore ferry passenger facilities in order to improve overall accessibility.

Improve Operational Efficiencies

At the existing Sausalito Ferry Terminal, passengers board and disembark through one door on the main (lower) deck of the ferry vessel, and at the existing San Francisco and Larkspur terminals passengers board and disembark through one door on the upper deck of the ferry vessel. Because these terminals board and disembark passengers on different decks, mobility-impaired passengers, passengers with bicycles or with strollers and wheelchair users must move between the decks to disembark. The existing Sausalito boarding facility limits the clear width of the door to 4 feet. The use of one door restricts passenger flow and increases the time for passengers to exit and to enter a vessel.

The District is retrofitting all of its ferry vessels to enable two door boarding and disembarking from the main deck. The width of these doors is eight feet. The proposed new boarding facilities will enable boarding and disembarking of all vessels from the same one level through two eight-foot wide doors.

Standardizing and upgrading the passenger boarding system will eliminate the need for the use of wheelchair lifts, which present their own set of potential problems, and require Ferry staff assistance to keep the lifts operational at all times given the circumstances of the marine environment causing vessel motions. The proposed improvements will eliminate the need to carry bikes and strollers from one deck to another and the resources and time impacts associated with these moves. For example, during the peak season, weekday highs at Sausalito reach up to 3,500 passengers per day and weekend highs reach up to 6,000 passengers per day. During peak days, 33% to 50% of riders have bicycles, which results in delays associated with loading and unloading of passengers where deck to deck transfers of the bikes are required. It currently takes approximately 30 minutes for passengers to disembark and board at Sausalito. It is estimated that the use of two eight-foot wide doors and the construction of the replacement facilities will decrease time of boarding and disembarking the vessel by three times (see **Exhibits 7 and 8**).

Implementing standardized boarding and disembarking from the main deck will eliminate the need for passengers to transfer between the decks, which will improve ferry accessibility for all passengers, including those with disabilities, bicycles and strollers, and will encourage the use of non-motorized transportation options. Standardized boarding at all three Golden Gate Ferry Terminals will minimize confusion and increase comfort of boarding and disembarking for all riders.

Upgrade Emergency Preparedness

The proposed updates to the passenger boarding system are especially important for emergency preparedness to provide ferry sailings during times of emergency or during periods of other public mass transit service disruptions, when the ferries may be one of few transportation options for Bay Area residents. The proposed new boarding facilities are designed to work with other types of ferry vessels.

Proposed Project

New Boarding Facilities

The proposed Golden Gate Sausalito Ferry Terminal new boarding facilities will be located in approximately the same location as the existing facilities and are being proposed to consist of a new 150-foot long by 53-foot wide concrete float, a new 90-foot long by 19-foot wide steel gangway, and a new 96-foot long by 25-foot-wide pile-supported concrete access pier that will connect to the existing landside pier (see **Exhibit 9**). Two donut fenders will be installed at the aft/Bay end of the float to provide protection of the ferries and float. Vessels will be allowed to lay up on either side of the replacement float, just as they operate today with the existing float. The float design allows boarding of only one vessel at a time.

To provide power to the ferry terminal for lighting and electrical pumps, a new transformer is proposed to be installed inland approximately 280 feet west at the corner of Anchor Street near the entrance to the municipal parking lot. The existing ticket vending machines and signs will be relocated from their current location to a location in the southern area of the Ferry Plaza. (see **Exhibit 10 and 11).**

New walkway lighting will be installed on the new float, gangway and pier, and area lighting will be installed on the float. Navigation lighting will be installed on the floats and dolphins.

Temporary Construction Activities

Construction of the replacement facilities at the Golden Gate Sausalito Ferry Terminal will require the use of a temporary terminal in order to maintain ferry service across the Bay. This temporary terminal will be located immediately adjacent to and south of the existing terminal (see **Exhibit 9**). The gangway and float of the existing terminal will be used for the temporary terminal. Access to the gangway will be provided by a temporary 16-foot wide access pier. Passengers will have access to this temporary pier from the existing pier landward of the proposed demolition work needed for the new terminal. The temporary terminal will use the utilities currently available at the terminal. It is expected that the temporary terminal will be in place for approximately 14 months.

Replacement Facility Size

Using a moderate 4% escalation factor of ferry passenger growth per year (note that in the recent years the growth was 7% on average), the maximum demand in the peak summer season in year 2020 is projected to

exceed 700 passengers per trip. The design of the replacement boarding facilities is based, however, not on the projected year 2020 maximum volume of passengers per trip but on the 85-percentile volume for that year (the 85-percentile means that from 100% of trips sorted in the order from the highest to the lowest volume, the passenger volume representing the 85% spot on the list is used for the design).

The Sausalito Ferry Terminal replacement facilities have been designed to comply with the ADA guidelines for off-shore ferry passenger facilities, to carry the projected 85-percentile volume of passengers in year 2020, and to meet the project purpose noted above. As a result, the size of the replacement facilities will be larger than the existing facilities. For example, the slope of the existing 70-foot long gangway reaches 1:9.5 (vertical: horizontal) at low tides. In order to provide for maximum 1:12 slope that comply with ADA guidelines during all tide conditions, the new gangway must be 90-feet long.

Similarly, the width of the existing float does not allow for gangplanks between the float and vessel to be of sufficient length to provide slopes which are do not exceed 1:12. The new float includes 18-foot long gangplanks between the float and vessels which will ensure that the slope does not exceed 1:12 during all tide conditions. The longer gangplanks result in the new float being wider than the existing float. The width of the new float is also driven by the boarding platform located at the center of the float. All District ferry vessels will be modified to include two eight-foot wide doors located on the main deck and positioned 48-feet apart. The 8-foot wide doors and gangplanks (the current width is controlled by 4-foot wide gangplanks) will allow for faster boarding and disembarking and the door locations will allow for standardizing the gangplank locations on the floats. The clear width of the gangplanks will match the door width in order to provide smooth flow of passengers. The gangplanks connect to the boarding platform, which dictates the platform width to be 16 feet in order to accommodate the passengers coming from the two 8-foot wide gangplanks. The two gangplanks and doorways will also allow for separating passengers with bicycles from those without bicycles, which will also improve the flow and speed of boarding and disembarking. The gangplank lengths coupled with the boarding platform width results in the width of the new float increasing from the existing width of 42 feet to the proposed width of 53 feet. The vessel door locations, the boarding platform length, the length necessary to transition from the boarding platform to the gangway (the boarding platform apron), the room necessary for emergency operations, plus the room needed to tie-up the different ferry vessel types all result in the new float requiring a length of 150 feet instead of the 110 feet length of the existing float.

In order to connect the new float and gangway to the landside pier, the project will construct a replacement access pier. The proposed replacement access pier is 96-feet long and 25-feet wide, with two 5-feet by 31-feet belvederes (or "bump-outs") on each side. Instead of replicating the dog-leg configuration of the existing access pier, the new replacement access pier will run on a straight line from the existing landside pier to the gangway. The location of the float and, therefore, the length of the access pier are controlled by the elevation of the bottom of the Bay. The float has been positioned as close to land as possible without it touching the bay bottom during low tides.

Public Access

The proposed project will increase public access to the Bay. The City's Ferry Plaza promenade is a public plaza with benches, educational exhibits, two tidal staircases to access the water, perimeter landscaped vegetation, and lighting with hanging floral baskets. The current public access within the Golden Gate

Sausalito Ferry Terminal is limited to the 95-foot long and 20-foot wide landside pier. The pier has 6 benches in the center of the pier. A chain link gate restricts public access to the existing access pier because this pier is too narrow to allow for both public access and boarding and disembarking of vessels.

The new 96-foot long access pier will connect to the existing 95-foot long landside pier. The access gate will be moved to the end of the new pier, which will increase access onto the Bay for the public, whether for ferry passengers or those simply enjoying the views. The new access pier will have bump-outs on both sides providing space for 2 benches on each side. The bump-outs will provide a space for non-passengers outside of the spaces occupied by passengers queuing and by passengers boarding and disembarking.

The public access plan is shown in **Exhibit 12.** At night, the public access area will be illuminated with downward directed lighting, similar to that shown in **Exhibit 13.**

Discretionary Features

The District has designed the project to comply with design codes, regulatory agency requirements and the District's operational needs. The design includes some discretionary features, which the District is seeking input on from the City of Sausalito. The discretionary design features are color and configuration of the gangway truss, the access control gate and the pier railing. The width of the new access pier may also be considered as it may be decreased from 25 to 21 feet.

Configuration of the Gangway Truss

While the length and width of the gangway cannot be changed, the District proposes three different truss configurations for the City's consideration.

Exhibit 14 shows a truss with an arched top chord. The closed tubular steel truss members provide good protection from the environment, do not readily collect debris as girder designs will, and are consistent with marine facility design. The curved upper chord is located above eye level when walking on the gangway, to allow for better views, and the vertical and diagonal elements are spaced to allow an open look when viewed from the shore.

Exhibit 15 shows a similar steel truss design except that the top chord is lowered. This configuration reduces the profile of the truss, which partially obstructs views when walking on the gangway, but results in a smaller profile when viewed from the shore.

Exhibit 16 shows a standard rectangular steel truss. The overall height of this truss is smaller than the arched trusses, but the closer spacing of the truss members results in a more dense look when viewed from shore.

Configuration of the Access Control Gate

A gate is required to control access between the public access areas and the gangway and float. The District proposes three different gate configurations for the City's consideration.

Exhibit 17 shows a gate design with a curved roof located. The design includes two 8-foot wide roll-up gates and two 3-foot wide emergency exit doors on each side of the gates. The roll-up gates are operationally compact as they do not need space required for operating swing gates. The see-

through metal grating of the doors allows for partial views when the gates are closed. The overhead roof of the gate provides for storage of the roll-up doors, light fixtures and security cameras required at the site. The side emergency doors are necessary in case there is a problem operating the roll-up gates.

Exhibit 18 shows an alternate gate design with two 8-foot wide swing doors. The doors must either swing in or out, which takes up more room when operating as compared with the roll-up gate. The use of swing doors eliminates the need for overhead structure to store the roll-up door but necessitates placement of lighting and security cameras on a pole extending above the gate. Three foot wide emergency doors are included on either side of the swing gates. It is possible to include these doors within the swing gates themselves, thereby reducing the overall width required for framing the doors.

Exhibit 19 shows a variation of the swing-door gate alternative with a curved top element, which visually ties into the gangway curve truss design and allows a place to mount lighting and cameras.

Configuration of the Pier Railing

The District's proposed railing design is also shown in previous **Exhibits 17 through 19.** This railing consists of vertical steel pipe pickets between rectangular support posts and a top. This design matches the existing railing at the Plaza and provides an open look. The District investigated alternate designs, including horizontal stainless steel cables, vertical stainless steel cables, and glass, which are shown on **Exhibits 20 through 23.** The District believes that the vertical steel pipe picket design fits best within the site, is the most durable and provides minimal visual impact when viewed from the shore.

Width of the New Access Pier

The District is proposing that the new access pier be 25 feet wide with two side belvederes and the gate located at the end of the new access pier near the gangway. This pier configuration and width provides sufficient space to allow for more efficient boarding and disembarking of the projected increased ferry ridership while allowing public access on the access pier at all times. While the reduced 21-foot width of the pier with two side belvederes can theoretically accommodate the projected volumes of passengers queuing and disembarking and the non-passenger presence on the pier, the flow of passengers will be subjected to more frequent disruptions because of lack of sufficient refuge space for persons that must suddenly stop or slow down. Reducing the width will only decrease the Bay fill by about 4%, and there is no significantly observable difference between the 25-foot and 21-foot wide piers when viewed from the shore.

Exhibits 24 through **41** present photo-simulations of the existing facility and proposed project from the south looking north, from the north looking south and from the parking lot near the Sausalito Yacht Club.

Exhibits 42 through **44** present photo-simulations of the gate location moved from the end of the access pier to the end of the existing landside pier. The District does not recommend locating the gates at this location since it will restrict public access to the landside pier only and will also result in a larger gate profile when viewed from the shore.

The District is proposing that the gangway truss, the access control gate and the pier railing be painted white as this is a traditional color used for marine type facilities. However, blue, grey or any other color(s) can be used as desired by the City (see **Exhibits 45 and 46**).

The design of the replacement facilities has been minimized to the extent practicable, but the larger facilities are necessary in order to comply with ADA guidelines, improve operations improve passenger safety and public access. The existing and new structure descriptions, dimensions and over-water coverage are summarized in **Tables** 1 and 2 below.

TABLE 1: NEW STRUCTURES AND FACILITIES

Structure	Dimensions
Float	The float is constructed of concrete and supports one end of the gangway, and framing above the float deck which provides access to the ferries. The float is 53 feet wide by 150 long and 12 feet deep. The float is held in position by steel pipe guide piles connected to the float by steel collars. Fenders to protect the ferries during berthing are placed on the sides of the float. The float has a total area of 8,385 sq. ft.
Donut Fenders	Two donut fenders are provided beyond the Bay end of the float to protect the ferries from impact with the float. These fenders consist of a rubber bumper that floats with the tide on a steel pipe pile. The donut fenders have a total area of 115 sq. ft.
Gangway framing	The gangway is a 'pony' truss--which means a truss on each side of the walkway--with no horizontal framing at the truss upper chord interconnecting the two trusses. The gangway has a total over-water length of 90 feet and a total width of 19 feet. Each truss is curved with a maximum height of 12 feet in the center and a minimum height of 8 feet on the ends. Total area of the gangway framing over water is 1,800 square feet.
Guardrail	The existing landside pier, new access pier, gangway, framing on the float, and hydraulic gangplanks have a guardrail along their perimeter. The guardrail is approximately 1,015 feet long, 3 inches wide and 3 feet, 6 inches in height. Total area of the guardrail is 3,550 square feet.
Hydraulic power unit	The hydraulic power unit is 11 feet long, 3 feet wide and 8.5 feet tall. Total area of the hydraulic power unit is 33 square feet.
Hydraulic system electrical control cabinet	The hydraulic system electrical control cabinet is 66 inches long, 18 inches deep and 72 inches tall. Total area is 8 square feet.
Gangplank control stations	Each of the four gangplanks has a gangplank control station structure. Each gangplank control structure is 6 inches in diameter and 8.5 feet in height supported on a 1-foot square base plate. Total area of all gangplank control structures is 4.0 square feet.
Gangplank control consoles	Each of the four gangplanks has a gangplank control console. Each gangplank control console is a box 1 foot 3 inches long by 12 inches wide, supported on a 3-inch square tubular post. Total area of all gangplank control structures is 5 square feet.
Platform lift cylinders	There are six platform lift cylinders. Each platform cylinder is 12 inches in diameter and varies in length from 12 feet to 16 feet depending on the boarding platform elevation. Total area of all platform cylinders, including the connection to the boarding platform is 38 square feet.
Access Pier	The new access pier is proposed to be 25 feet wide and approximately 96 feet long. It will be constructed of reinforced concrete. The pier will be supported on 24-inch diameter steel pipe piles. The total area of the pier is approximately 2,700 square feet (public + non-public). As noted above, the pier may be reduced to 21 feet wide for a total area of approximately 2,138 square feet.
Landside electrical equipment on concrete pad	A new transformer is required to provide power to the ferry terminal for lighting as well as the hydraulic pumps located on the float.

The over-water coverage resulting from a directly overhead view of the proposed Sausalito Ferry Terminal is further defined in **Table 2**, below. Areas calculated include the existing terminal, proposed terminal with 25-foot wide pier and 21-foot wide pier, and temporary terminal to maintain service during construction.

TABLE 2
OVER WATER COVERAGE AREA SUMMARY

Terminal	Area (square feet)					Pile Types	Pile Area[3]
	Landside Pier[1]	Access Pier	Gangway	Float[2]	Total		
Existing	1,943	820	402	4,835	8,000	16 - 18" Square Concrete 12 – 12" Square Concrete 8 – 24" Dia. Steel Pipe	73 sf
Proposed 25-foot Wide Pier	1,943	2,700	1,800	8,500	14,943	12 – 18" Square Concrete 15 – 24" Dia. Steel Pipe 5 – 60" Dia. Steel Pipe 2 – 54" Dia. Steel Pipe	204 sf
Proposed 21-foot Wide Pier	1,943	2,138	1,800	8,500	14,381	12 – 18" Square Concrete 15 – 24" Dia. Steel Pipe 5 – 60" Dia. Steel Pipe 2 – 54" Dia. Steel Pipe	204 sf
Temporary[4]	1,500	1,863	402	4,835	8,600	12 – 18" Square Concrete 18 – 12" Dia. Steel Pipe 8 – 24" Dia. Steel Pipe	66 sf

NOTES:

1 Landside Pier is the existing pier from the landside to remain. A portion of this pier is landward of MHW (472 SF) and the other portion is waterside of MHW (1,471 SF) for a total of 1,943 SF. It does not include work on land immediately adjacent to and west of the pier for trenching to provide additional power to the terminal (250 SF).

2 Float area includes the float structure, guide piles with surrounding collars, fenders outboard of the float, and donut fenders (at the new terminal only).

3 Pile Area is already included in the areas shown in 'Terminal Area'. It is repeated here for information only. The pile areas shown include the piles supporting the existing 'Landside Pier' to remain. The Landside Pier is supported on 12 – 18" square concrete piles (21 sq. ft.)

4 The Landside Pier area is reduced from the existing area to account for construction work at the east end of the pier.

Design Criteria

The gangway and ramp slopes and other accessibility features were designed using the U.S. Access Board "Proposed Accessibility Guidelines for Passenger Vessels," and the Port of San Francisco "Access Design of Floating Structures." The gangway was designed in accordance with the American Association of State Highway Officials (AASHTO) Bridge Design Specifications. A coastal analysis was completed to define the environmental characteristics (wind, wave, current) at the site which were then used to design the float and guide piles. The access pier was design using the 2013 California Building Code (CBC). All work done satisfies the CBC.

Approval Status

Environmental Review

CEQA: As lead agency under the California Environmental Quality Act (CEQA), the Golden Gate Bridge, Highway and Transportation District prepared an Initial Study and Mitigated Negative Declaration (IS/MND) for the proposed project. The District found that the project will not result in significant effects to the environment, with incorporated mitigation measures adopted as conditions of approval. The District filed the Notice of Determination with the Marin County Clerk on December 18, 2012.

NEPA: The project was found to qualify for a categorical exclusion under 23 CFR Section 771.118(d)(6) "Facility modernization through construction or replacement of existing components." The District prepared a documented Categorical Exclusion (CE(d)) and found that the project will not induce significant environmental impacts. The U.S Department of Transportation Federal Transit Administration (FTA), as lead agency under the National Environmental Policy Act, concurred with these findings on February 13, 2014.

Resource Agency Consultations

USFWS: In July 2012, FTA submitted a request for concurrence from the U.S. Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act (ESA) that the project will have "no effect" on the California least tern and the southern sea otter, and that the project "may affect, but is not likely to adversely affect" delta smelt. In November 2012, USFWS did not object to the FTA's determination that the project will have "no effect" to the southern sea otter, and concurred that the project will have no effect on the California least tern and that delta smelt will not be adversely affected by the project. In August 2014, the USFWS provided additional clarification that they also concur the project will have no effect on the southern sea otter.

NMFS: Similarly, the FTA submitted a request for concurrence from the National Marine Fisheries Service (NMFS) under the ESA that the project "may affect, but is not likely to adversely affect" the following ESA-listed fish species: green sturgeon, steelhead (Central California Coast DPS), steelhead (California Central Valley DPS), Chinook salmon (Sacramento River winter-run ESU), Chinook salmon (Central Valley spring-run ESU), as well as the humpback whale, and ESA-designated critical habitat. The FTA also requested concurrence under the Magnuson-Stevens Fishery Conservation and Management Act that the project "may affect, but is not likely to adversely affect" essential fish habitat (EFH) including eelgrass beds, in the form of minimal short-term (construction-related) impacts. Lastly, the FTA concluded the project will have "no effect" on Pacific harbor seal, California sea lion, and harbor porpoise under the Marine Mammal Protection Act (MMPA).

Over the course of approximately 10 months following the consultation request, NMFS and the FTA corresponded about project design details, and the FTA provided additional information and clarification (including additional avoidance and minimization measures) as requested by NMFS, to support its review of the consultation request. In November 2013, NMFS concurred with the FTA's determination that, with the District's incorporation of the proposed avoidance, minimization, and mitigation measures, the proposed project is not likely to adversely affect ESA-listed fish species and designated critical habitat.

With respect to EFH for various fish species and including eelgrass beds, NMFS determined that, while the project could adversely affect EFH and eelgrass beds due to temporary construction-related impacts, as well as due to the project's permanent increase in over-water shading, the project does include measures to avoid, minimize, and otherwise offset these adverse effects to EFH. These measures include the project's proposed compensatory mitigation for permanent overwater shading impacts, which includes incorporating the use of light-penetrable materials and a structural orientation to minimize shading effects, as well as contributing funds towards on-site in-kind mitigation efforts focused on eelgrass habitat creation and restoration, to be undertaken by the State Coastal Conservancy. Based on the above project measures to avoid, minimize, and otherwise offset adverse effects to EFH, NMFS had no additional EFH conservation measures to request or provide. Lastly, with respect to the MMPA, NMFS confirmed that there are no major haul-outs or rookeries in the project vicinity, that the ESA-listed humpback whale and Steller sea lion are not expected to occur in the project area, and NMFS determined that the implementation of the proposed avoidance measures for marine mammals (such as the establishment of a 500-meter safety zone for pile driving activities, with a biological monitor empowered to cease work if a marine mammal is observed within the zone), are expected to avoid the take of all non-ESA listed marine mammals.

CDFW: The District requested a consistency determination from the California Department of Fish and Wildlife (CDFW; formerly CDFG) between the federal consultation process under Section 7(a)(2) of the Endangered Species Act (ESA) and Section 2080.1 of Fish and Game Code, for species that are both State and federal-listed. The co-listed species include California least tern, southern sea otter, delta smelt, Chinook salmon (winter-run Sacramento ESU), Chinook salmon (central valley spring-run ESU), humpback whale, and essential fish habitat (EFH) including eelgrass beds. Additionally, the District requested that CDFW concur that the project will have no adverse effect on longfin smelt, which is only listed at the state level. In February 2013, CDFW responded with specific recommendations for the project to reduce environmental effects. The District responded indicating how the recommendations will be addressed. In April 2013, CDFW indicated appreciation for the District's responses and noted that CDFW does not issue concurrence for "no adverse effect" determinations.

SHPO: Pursuant to Section 106 of the National Historic Preservation Act, FTA consulted with the California State Historic Preservation Office (SHPO) in July 2012. FTA requested that SHPO concur with the Area of Potential Effects and a determination of "No Historic Properties Affected." SHPO issued a concurrence with this determination in September 2012.

Permitting

USACE: The District submitted an application which included a Preconstruction Notification (PCN) for a Section 10 Rivers and Harbors Act permit from the U.S. Army Corps of Engineers (USACE) in October 2013. In December 2013, USACE indicated it will consider issuance of a Letter of Permission, upon issuance of a Coastal Zone Management Act (CZMA) Consistency Determination from BCDC and a 401 Water Quality Certification from the San Francisco Bay Regional Water Quality Control Board (RWQCB).

RWQCB: The District submitted an application for 401 Water Quality Certification to the RWQCB in October 2013. In November 2013, the RWQCB indicated that, to complete the application, the District must provide a mitigation proposal for the increased over-water coverage of the project. Based on FTA

coordination with NMFS as described above, the District developed and submitted to the RWQCB a proposal for compensatory mitigation that consists of the contribution of funds towards on-site in-kind mitigation efforts focused on eelgrass habitat creation and restoration, to be undertaken by the State Coastal Conservancy. The District has entered into a Cooperative Agreement with the State Coastal Conservancy to fund these activities. On September 12, 2014, the RWQCB concurred with the mitigation proposal and provided the 401 certification.

BCDC: In April 2013, the District had an early coordination meeting with BCDC regarding the project and the permit application process. The District submitted an application to BCDC for an amendment to Permit No. M94-70 in January 2014. In February 2014, BCDC responded with comments and requests for clarification on the application. The District provided responses to these comments to BCDC in May 2014, and the two agencies met for a site visit in July 2014. The BCDC informed the District that a presentation to the BCDC Design Review Board (DRB) would be required. The District presented the project to the DRB in October 2014. Subsequent to the October 2014 DRB meeting, the District presented to the BCDC Commission for a public meeting in December 2014. The BCDC requested additional information from the District prior to the Commission voting on the permit. The District is working with BCDC to schedule this meeting.

City of Sausalito: The District made several presentations to the City Council between 2010 and 2012. The District briefed the City Council on the project in December 2014. In February 2015, the City Council requested and the District agreed to present the project at a number of public meetings between February and April 2015, after which the Council will decide whether to provide its concurrence with the project. The District has executed a Right of Entry (ROE) permit with the City of Sausalito for the construction of the temporary ferry terminal. The ROE permit will be provided for the construction of the temporary facilities and one piling that is slightly outside the existing lease area. It provides for the temporary facility to be removed once the permanent facilities are constructed and opened for use.

Design Drawings

Selected design drawings are included after the Exhibits.

EXHIBIT 4

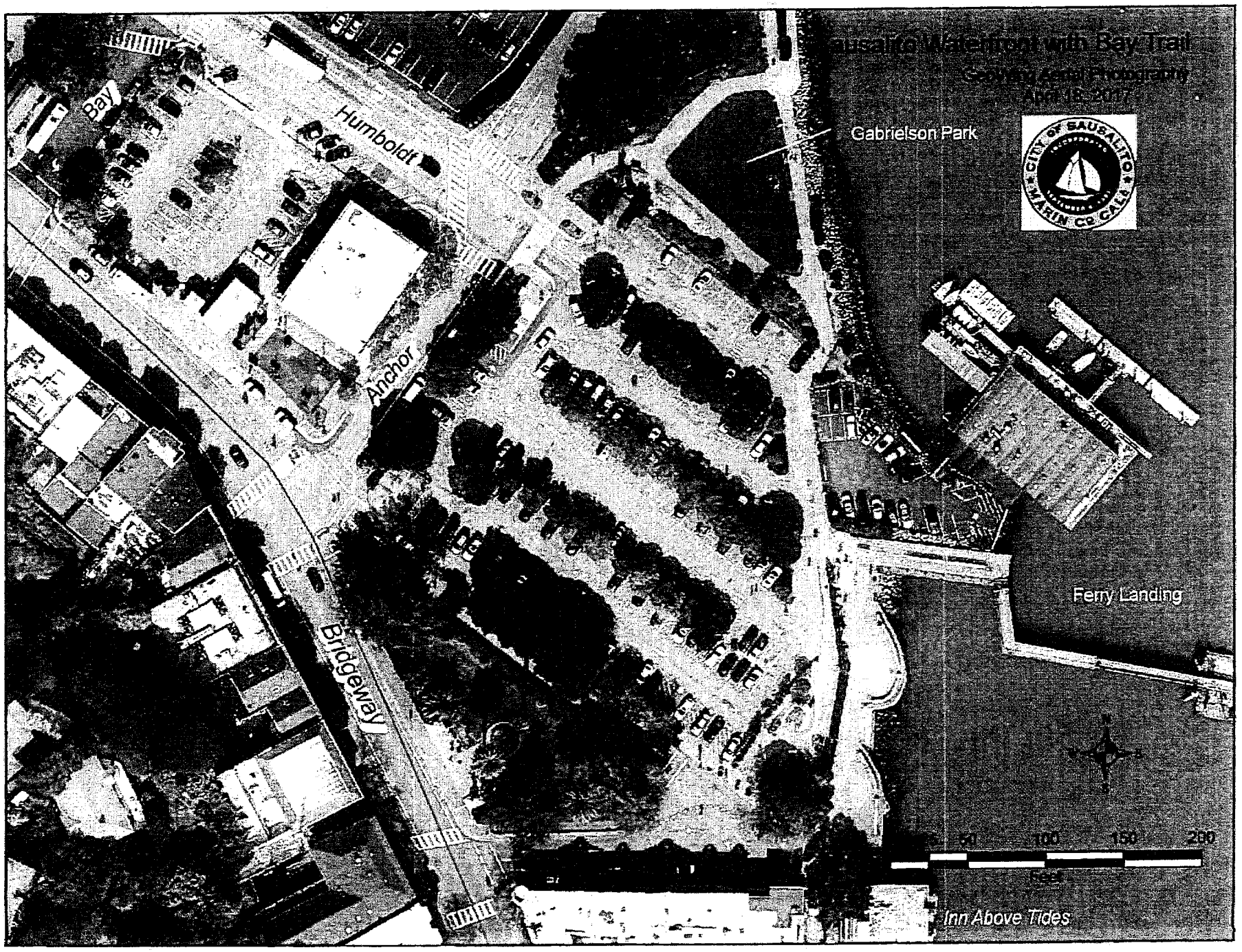
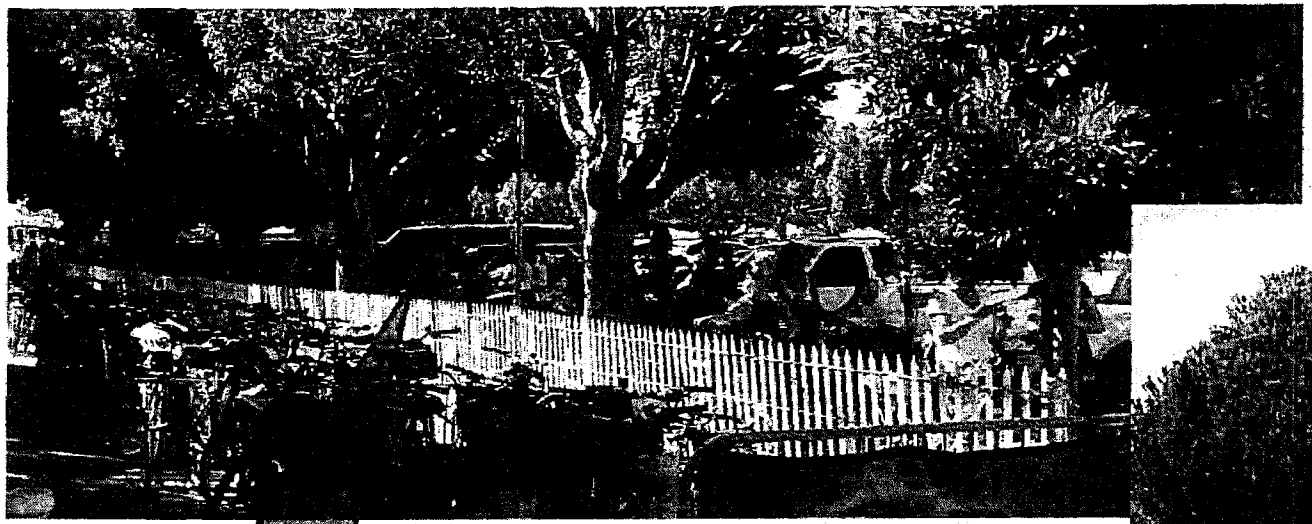

Gabrielson Park
Bay
Humboldt
Anchor
Bridgeway
Ferry Landing
Inn Above Tides
50
100
150
200
Feet

EXHIBIT 5

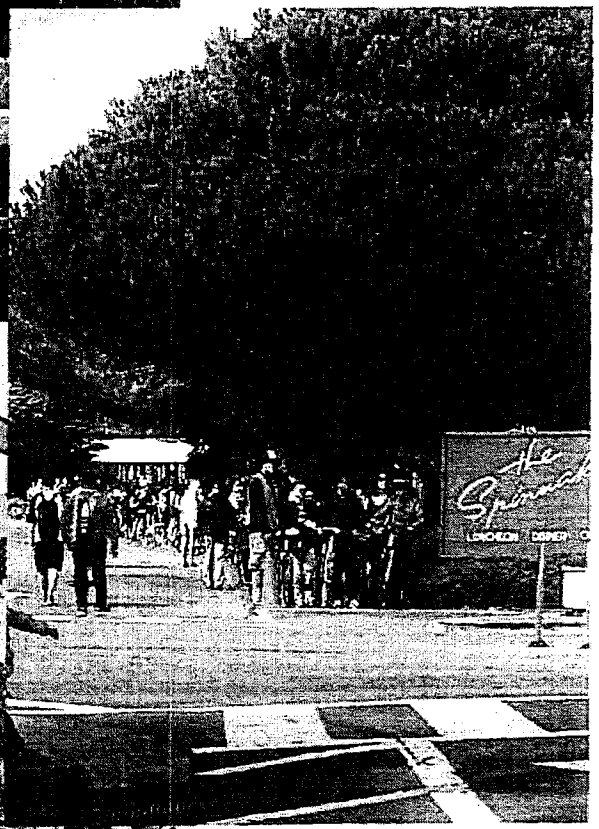
Queuing



Ferry Bike Line goes up Tracy Way

Around the Corner

And down to Spinnaker



Anchor Street Sidewalk "Closed"

Tracy Way Sidewalk "Closed"

Queuing

EXHIBIT 6

Sausalito Plus

Update on Crowd Management Challenges Related to Tourist Bikes and the Ferry Queue

1. Crowd Management Days
    a. Late March – Mid-April: School break weeks/weekends
    b. July & August: Friday-Monday, July 4th
    c. September: Saturday & Sunday, Labor Day
    d. October: a few scattered weekend days

2. Tourist Bike Numbers – on Crowd Management Days
    a. 1,700 – 3,500 (as counted from 11-4; numbers can be higher every day)

3. Bike Arrivals
    a. Early arrivers begin showing up at 11:00 am
    b. Largest number of bikes arrive in downtown Sausalito between 1 & 4

4. Queuing Issues
    a. Insufficient help handling queuing
    b. Early arrivers often take ferries back to San Francisco beginning at 1:00 PM
    c. The vast array of bikes (90%) begin gathering in the queuing area at ~ 2:00 - 2:30
    d. Lines going down the sidewalk adjacent to Tracy Way and down Anchor Street begin forming at ~2:00-3:00 PM, continuing often until 6:00 PM
    e. At this point, there are a vast array of bikes in and around the center of El Portal as well
    f. Many bikes interfere with Inn Above Tide access in and out

5. Implications (Safety Issues That Occur)
    a. Loss of the sidewalk adjacent to Tracy Way
        i. Leads to:
            1. Walking in Anchor Street rather than the sidewalk
            2. Walking through the car parking area
    b. Loss of access through the ADA area adjacent to Tracy Way (north and south)
        i. Disables access – especially for those handicapped, but for all
    c. Inability for car parkers to access kiosks to pay
        i. Limits kiosk availability - very frustrating
    d. Tourist bikers in lines for long times – sometimes 1.5 – 2 hours – many with children
    e. Pedestrians forced to walk "IN" Anchor Street – as the adjacent sidewalk is usually full of bikes
    f. Forcing pedestrians coming off a ferry to walk through the Lot 1 car parking area
    g. Bikes going through Lot 1 on a regular basis – to get to the ferry ticket area or go around Lot 1 to get free parking

EXHIBIT 7

SAUSALITO POLICE DEPARTMENT

John Rohrbacher
Chief of Police

Date: September 25, 2017
To: Adam Politzer, City Manager
From: John Rohrbacher, Chief of Police
Subject: Discussion Items Related to Congestion Management at the Ferry Landing

Historically the Ferry Division of the Golden Gate Bridge Highway & Transportation District has been a very active participant as a partner in the Sausalito Police Department's efforts at congestion management and safety in the downtown area and the ferry landing. Under the leadership of Ferry Division Deputy General Manager Jim Swindler, they have been consistently using the lessons learned from previous years to make improvements going forward. Most notably of these is the addition of a crew member on each vessel to assist with the loading and unloading of passengers with bicycles, the addition of a second vessel to service the Sausalito run, and taking tickets from passengers before they reach the vessel doors.

However, there are still a few issues that require attention toward a longer term solution. It is my opinion that queue management, a better reservation system, and the location of the District's ticket machine are the most important. The problems associated with these were present three years ago, remain present now, and are foreseeably going to be problems in the future unless some changes are made going forward and more so during construction of a new float and ferry landing.

The District's ticket vending machine is in the worst possible location as it is right next to the path of travel for vehicles circulating to the exit of Municipal Lot #1. As people line up to purchase a ferry ticket, the line spills into the parking lot and blocks traffic, increases congestion, and places pedestrians in danger. This dangerous situation manifests itself primarily during the months of April through October which is our busiest season for visitors. The ticket machine location is much less of a problem during the remaining months as the ferry passengers are generally regular commuters that do not require the daily use of the ticket machine. To assist the District with solving this seasonal problem, we offered to co-locate a separate ticket vending machine alongside the seasonal ticket vending machines we install for the payment of bicycle parking. We also offered the use of our multi-space ticket machines located in several places in Municipal Lot #1. To date, the District has not taken advantage of either offer. Going forward, both offers still stand.

The issues of queue management and a working reservation system could, and should, be considered jointly. With the goal of better queue management, the District has experimented with several different reservations systems over that last few years. It stands to reason that if an effective and properly managed reservation system were in place, far less ferry passengers with bicycles would need to be in line to board a ferry for the trip back to San Francisco. From my observation, the reservation system from two years ago using boarding numbers issued in groups of 100 seemed to work the best. This year, the District implemented an online ticket purchase option and an online reservation option that was clearly explained in their Summer 2017 *How To Take A Bike On The Ferry* tri-fold brochure for this season. I do not know how

many passengers with bicycles used this online reservation system but from seeing the long passenger queue, it seems not enough to make a difference to reduce the line to board a ferry. The District is once again working in partnership with the Sausalito Chamber of Commerce this year to assist with congestion management related to ferry passengers with bicycles. The online reservation system was included in the Chamber's 2017-2018 Sausalito Visitor Map. With savvy visitors that are comfortable with using their phones for this type of technology, it should have worked better.

Regardless of which reservation system the District puts in place, the supervision of the queue workers is vital to its success. This year, for the first time, it was observed and reported that there was little or no supervision of the few workers on duty and, as a result, the workers were not doing their job but instead were chatting with friends or glued to their phones. If it is accurate to say that the District's union workers are not permitted to supervise non-union workers, then that must be addressed likely with the addition of a non-union supervisor. There were also days with no workers at all. A far more robust work crew is required for a queuing management effort.

I foresee these issues will be significant during the construction phase of the new ferry landing and I expect and hope that the District will make focus on making the changes needed to improve safety and congestion management during this critical and potentially dangerous 18 month period. Improvements that are successful during this time could then be used going forward with a goal of not having to keep trying something new each year.

EXHIBIT 8

Additional Information per City of Sausalito 7-22-16 Request

On July 22, 2016, the City of Sausalito, via email from Adam Politzer, requested the District provide information on four additional items related to the District's design. The requested information and the District's response to each is as follows:

1. *Please provide to COWI and the City the calculated delay impacts from a more narrow pathway if the gangway and/or boarding platform was reduced from 16' to 14' and from 16' to 12'.*

   A: The District has previously provided information substantiating the 16 foot clear width for the gangway and boarding platform. Refer to the following information that the District submitted to the City for the City's peer reviewer:

   - May 16, 2016 float discussion submittal
   - June 8, 2016 email answering peer reviewer's questions
   - June 16, 2016 submittal answering reviewer's questions
   - June 30, 2016 submittal answering peer reviewer's questions
   - July 15, 2016 email answering peer reviewer's questions

   The District has consistently stated that a 16 foot clear width is the minimum width required for the District to address its operational needs. The District's ferry vessels are being modified to accommodate boarding and unloading from two 8 foot doors. Two 8 foot wide gangplanks will span between the vessels and the boarding platform, necessitating the boarding platform to be 16 feet wide. Reducing the boarding platform and gangway widths to less than 16 feet will cause passenger flow congestion which in turn will increase the ferry turnaround time and result in passengers being left behind as they are today in order to maintain the ferry schedule. The existing facility has varying passenger walkway widths which cause congestion and slowdowns as passengers navigate through the facility. The District's design is intended to eliminate these operational inefficiencies.

   The District notes that compared to other recently completed and proposed ferry terminals on the San Francisco Bay which use vessels with smaller passenger capacities, the 16 foot gangway width for the Sausalito Ferry Terminal Improvements project is reasonable.

Ferry Terminal Location	Lead Agency	Status	Gangway Width	Maximum Ferry Capacity
Sausalito	GGBHTD	CEQA complete – Filed NOD in 2012	16 feet	750 passengers
San Francisco - Ferry Building	WETA	CEQA complete – Filed NOD in 2014	10 feet 1 inch	395 passengers[1]
South San Francisco	WETA	Construction complete in 2012	10 feet 1 inch	199 passengers[2]

[1] 395 passengers is the largest passenger capacity ferry vessel in the San Francisco Bay Ferry fleet (operated by WETA). Two ferry vessels with an expected 400 passenger capacity are under construction now and are projected to be completed by late 2016.
[2] The maximum ferry vessel capacity currently operating out of South San Francisco ferry terminal

The District has performed an analysis as requested by the City, and the calculated delays associated with increased ferry turnaround times due to reducing the gangway and boarding platform clear width are listed in the table below. As shown, reducing the width results in an increased turnaround time of up to nearly 5 minutes.

Minimum Passenger Clear Width	Project Goal Turnaround Times		Calculated Typical Turnaround Times		Difference Between Project Goals and Calculated Turnaround Times[1]	
	Target	Max	Typ. Min	Typ. Max	Typ. Min[2]	Typ. Max[3]
16 feet	10 min	15 min	12.6 min	14.6 min	+ 2.6 min	- 0.4 min
14 feet	10 min	15 min	13.5 min	15.5 min	+ 3.5 min	+ 0.5 min
12 feet	10 min	15 min	14.6 min	16.6 min	+ 4.6 min	+ 1.6 min

[1] A positive value indicates there will be a delay in turnaround times due to calculated time greater than project goals

[2] Calculated typical minimum turnaround time – Project target goal turnaround time

[3] Calculated typical maximum turnaround time – Project maximum goal turnaround time

Note that these times assume ideal ferry operational conditions and do not account for slowdowns caused by intentional varying walkway widths (i.e. bottlenecks/choke points). The calculations and assumptions are provided in Attachment A. Recall that the District's previous information to the City's peer reviewer stated that the turnaround time calculations were based on aggressive, ideal situations that do not account for ferry docking delays due to poor weather conditions, passengers not queued and ready to disembark upon ferry landing, safety hazards encountered during the security sweep that require immediate attention, boarding passengers that are not familiar with the boarding procedure, and passengers with limited mobility.

Also, recall that the design of the replacement boarding facilities is based on the projected year 2029 maximum volume of passengers per trip using the 85-percentile volume (the 85-percentile means that from 100% of trips sorted in the order from the highest to the lowest volume, the passenger volume representing the 85% spot on the list is used for the design). This means that 15% of the time, the number of passengers will be greater than those used in the calculations.

As previously stated, the District will not build a defective ferry terminal that does not address the District's operational needs. The District's mission is to encourage ferry ridership to reduce traffic along the 101 corridor. To encourage the use of public transportation, the ferries must provide a reliable, safe, and cost effective alternative to driving.

2. *In order to complete our due diligence on this project the City needs to get the District's passenger counts from 2014, 2015 and 2016 (year to date). Please include the breakdown for bikes and pedestrians per trip for both inbound and outbound passengers.*

A: The District previously submitted March 2014 – March 2015 data to the City in April 2015 in response to requests made during the joint Planning Commission and Historic Landmarks Board April 1, 2015 meeting. For completeness, the passenger counts from January 1, 2014 to July 9, 2016 per ferry trip are attached in Attachment B.

Please note that the District provided additional ferry trips that were not scheduled in order to alleviate some of the crowds at the Sausalito Ferry Landing. These extra trips (denoted with an "E" under the "Source" data column in Attachment B) are significant additional operational costs for the District and cannot be sustained. As stated in previous submittals to the City, the District does not profit from ferry services as they are subsidized with bridge tolls and other revenue means to reduce traffic congestion on the Golden Gate Bridge and reduce vehicle use. Currently, disembarking and boarding at the existing facility is slow, due to a narrow passage way and single door access to the vessel. In order to stay on schedule, boarding must cease at a specified time, often leaving passengers behind while a less-than-full vessel departs. The proposed ferry terminal replacement will allow for full utilization of the ferry vessel capacity due to faster disembarking and boarding of passengers, therefore generally eliminating the need for extra ferry trips.

EXHIBIT 9

Responses to Questions from the City of Sausalito Received June 9, 2016

This serves to respond to the questions sent June 9, 2016 by the City of Sausalito to the District. The questions and answers are intended to facilitate in City of Sausalito's Peer Review of the proposed float dimensions.

1. *Q: The 16.0' clear width of the gangway, fixed landing, boarding apron and boarding platform is based on the ferries having two 8.0' wide doors being used simultaneously (Ref. A: page 3 of 7 second paragraph, Float-Dimension Discussion-Width). Also the 16' central walkway was sized "to accommodate passenger flow from each of the two ferry doors (coming out of the ferry, going into the ferry) being used simultaneously (operational consideration)" (Ref. C: page 5 of 14 first paragraph, Float Width). Please provide quantitative information to support the conclusion that the 16.0' width is needed to accommodate the desired boarding operations. For reference, minimum clear widths for some of the subject elements are: 36" gangway (Ref. B chapter V410.5), 36" fixed landing (Ref. B chapter V410.7.2) and 36" Boarding Apron (Ref. B chapter V405.5).*

   A: The proposed width of the gangway is not driven by ADA access concerns, but by operational needs. Currently, disembarking and boarding at the existing facility is slow, due to a narrow passage way and single door access to the vessel. In order to stay on schedule, boarding must cease at a specified time, often leaving passengers behind while a less-than-full vessel departs. The new facility is designed to increase speed of disembarking and boarding to achieve full utilization of the vessel capacity.

   To determine the appropriate width of the gangway and boarding ramps, the District estimated the volume of passenger growth through year 2029. Using a moderate 4% escalation factor of ferry passenger growth per year (note that in the recent years the growth was 7% on average), the maximum demand in the peak summer season in year 2029 is projected to exceed 700 passengers per trip. However, the design of the replacement boarding facilities is on the projected year 2029 maximum volume of passengers per trip using the 85-percentile volume (the 85-percentile means that from 100% of trips sorted in the order from the highest to the lowest volume, the passenger volume representing the 85% spot on the list is used for the design). Based on this, the ferry passenger count used for the design of the proposed facility is:

   - 408 total passengers disembark from ferry vessel onto facility
   - 512 total passengers board from facility onto ferry vessel (200 out of the 512 total passengers board with bicycles)

   Based on these estimates, designers used "Pedestrian Planning and Design", revised edition, by John J. Fruin, to verify that the proposed facility is able to meet the projected passenger counts, within the current ferry schedule and without leaving queued passengers behind. This document is considered to be standard for ferry facility design. This document presents different level-of-service (LOS) descriptions for walkways and queuing areas. The LOS ranges from A (pedestrians freely chose their own walking speed and have no space restrictions) to F (close and unavoidable contact with others causing physical and psychological discomfort). The information provided for each LOS does not account for passengers with bicycles, so assumptions were made based on observations to determine the applicable LOS criteria for passengers with bicycles. The following LOS requirements for the proposed design were chosen to be consistent with the currently observed conditions at the existing facility:

   - Passengers walking while disembarking: LOS D/E = 10 sf/pax , 20 pfm
   - Passengers walking while boarding: LOS E = 8 sf/pax , 23 pfm
   - Passengers walking with bicycles while boarding: LOS E = 36 sf / pax (4' x 9') , 12 pfm
   - Passengers while queuing (waiting in line): LOS C/D = 7 sf/pax
   - Passengers with bicycle while queuing (waiting in line): LOS C/D = 32 sf/pax (4' x 8')

     Note: sf = square feet; pax = passenger; pfm = passengers per foot width per minute

   Applying the LOS requirements, it was determined that a 16' wide clear path for passengers is the minimum width required to keep the current ferry schedule with the projected passenger counts. This also helps with passenger flow from the two 8' wide ferry doors by not introducing intentional choke points on the float design.

In addition to disembarking and boarding of passengers, the following is taken into consideration when verifying the replacement facility will maintain the current ferry schedule: securing the vessel to the dock, verifying that the doors are securely positioned to be opened, opening the doors, verifying that all passengers are off the vessel and conducting a security sweep of the vessel, and, after the boarding, closing the doors, and tying off the vessel.

The current ferry schedules for the Sausalito Ferry and the District's ferry vessel passenger capacities are found in the document titled "Proposed Float Size Discussion – For City of Sausalito Peer Review" sent to the City of Sausalito from the District in a May 16, 2016 email. As noted in this document, the Spaulding class vessels are the most frequently used vessel by the District at the Sausalito Ferry Landing.

The District does not have the resources to increase the number of trips to and from Sausalito during the peak weekday commute times. When the demand is high in Sausalito on weekends, the District runs additional trips when possible. As described above, the narrowness of the existing facility impedes the use of the ferry vessels at their capacity. The replacement facility will enable this currently unused capacity to be utilized without adding trips.

2. *11.0' feet is provided under the float end of the gangway for: the gangway support frame, maintenance access and the guide pile collars (Ref. A: page 3 of 7 last paragraph, Figure 5, Drawing S1.2). Please clarify if this distance can be optimized.*

   A: This distance has been re-evaluated and optimized to the extent possible. There must be space on the float around the gangway support for safe maintenance access (5.5'). This distance remains 11'.

3. *The fixed landing is 10.0' long (Ref. A: page 3 of 7 last paragraph, Figure 5) whereas the minimum length is 5.0' (Ref. B chapter V410.7.3). Please provide sketches and/or calculations showing that the combination of the tides and transition plates require the fixed landing to be 10' long.*

   A: Please see Attachment 1 for the plan view of the proposed transition plates on the fixed landing. The walking surface of the fixed landing is 8'-8". The gangway transition plate at low water is approximately 2'-3" beyond the fixed landing. The Boarding Apron transition plate is approximately 1'-1" beyond the fixed landing. This results in 3'-4" of required length on the fixed landing. 3'-4" of transition plate length + 5'-4" fixed landing length = 8'-8". The overall dimension of the fixed landing (outside to outside distance of the base plate of the column-deck connection) is approximately 10'.

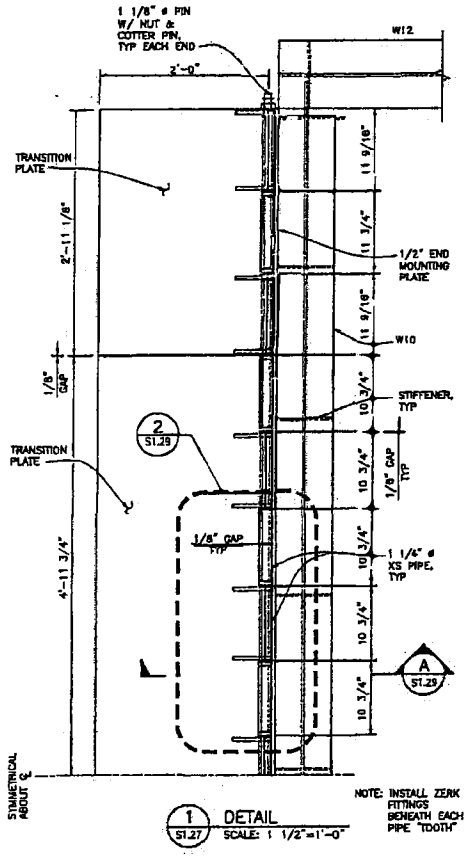
4. *The boarding platform is 79.5' long (Ref. A: page 4 of 7 last paragraph, Figure 6, Drawing S1.2, Float-Dimensions Discussion-Length) whereas the outside-to-outside distance of the vessel doors is 56.0'. Please clarify if the boarding platform length can be optimized.*

   A: This distance has been re-evaluated and optimized to the extent possible. The center to center spacing between ferry doors is 48' and the clear width door opening is 8' per door, therefore the distance between the clear door opening of both doors is 56'. The remaining 23.5' of the boarding platform length accounts for the sliding gates for the gangplanks, hydraulic lift cylinders, and an employee-only access ramp required to access the aft end of the float for maintenance. Please see page 6, Figure 6 on page 7, Figure 8 on page 8, Figure 9 on page 9 and page 12 of the "Proposed Float Size Discussion – For City of Sausalito Peer Review" document dated 5-16-16 for more information.

5. *15.0' is provided at the end of the float for the guide pile collars, utility boxes and a 6.0' access path (Ref. A: page 5 of 7 first paragraph, Figure 7, Drawing S1.2). Please clarify if this length can be optimized.*

A: This distance has been re-evaluated and optimized to the extent possible. This distance remains 15'.

Attachment 1



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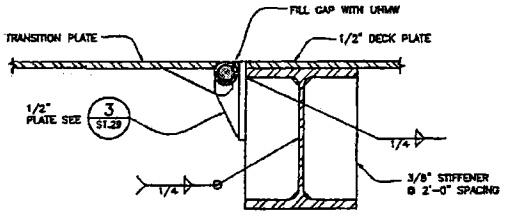

A S1.29 SECTION
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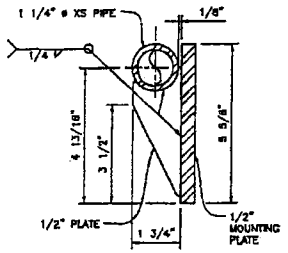

3 S1.29 DETAIL
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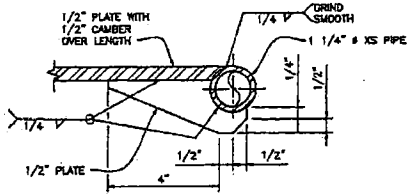

4 S1.29 DETAIL
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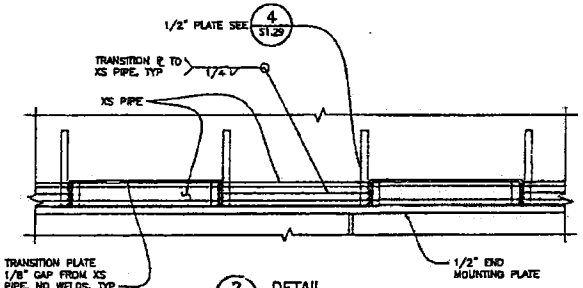


2 S1.29 DETAIL
SCALE: 3"=1'-0"

1'-0" 0'-0" 6" 1'-0"
SCALE: 1 1/2"=1'-0"

6" 0'-0" 3" 6"
SCALE: 3"=1'-0"

REV. NO.	SHEET NO.	TOTAL SHEETS

DESIGN	GD	CHECKED	BJ
DRAWN	AIB	CHECKED	
QUANTITIES			

BO JENSEN
PROJECT MANAGER

ORIGINAL SCALE IN INCHES FOR REDUCED PLANS 0 1 2 3

moffatt & nichol
2185 N. California Blvd., Suite 500
Walnut Creek, CA 94596

REGISTERED CIVIL ENGINEER
07/16/2014
PLAN'S APPROVAL DATE

APPROVED BY
DISTRICT ENGINEER
DATE

NO. REVISIONS BY DATE
CONTRACT NO. 2011-8-2
CADD FILE 703800_S1.29.dgn
DRAWING NO. S1.29

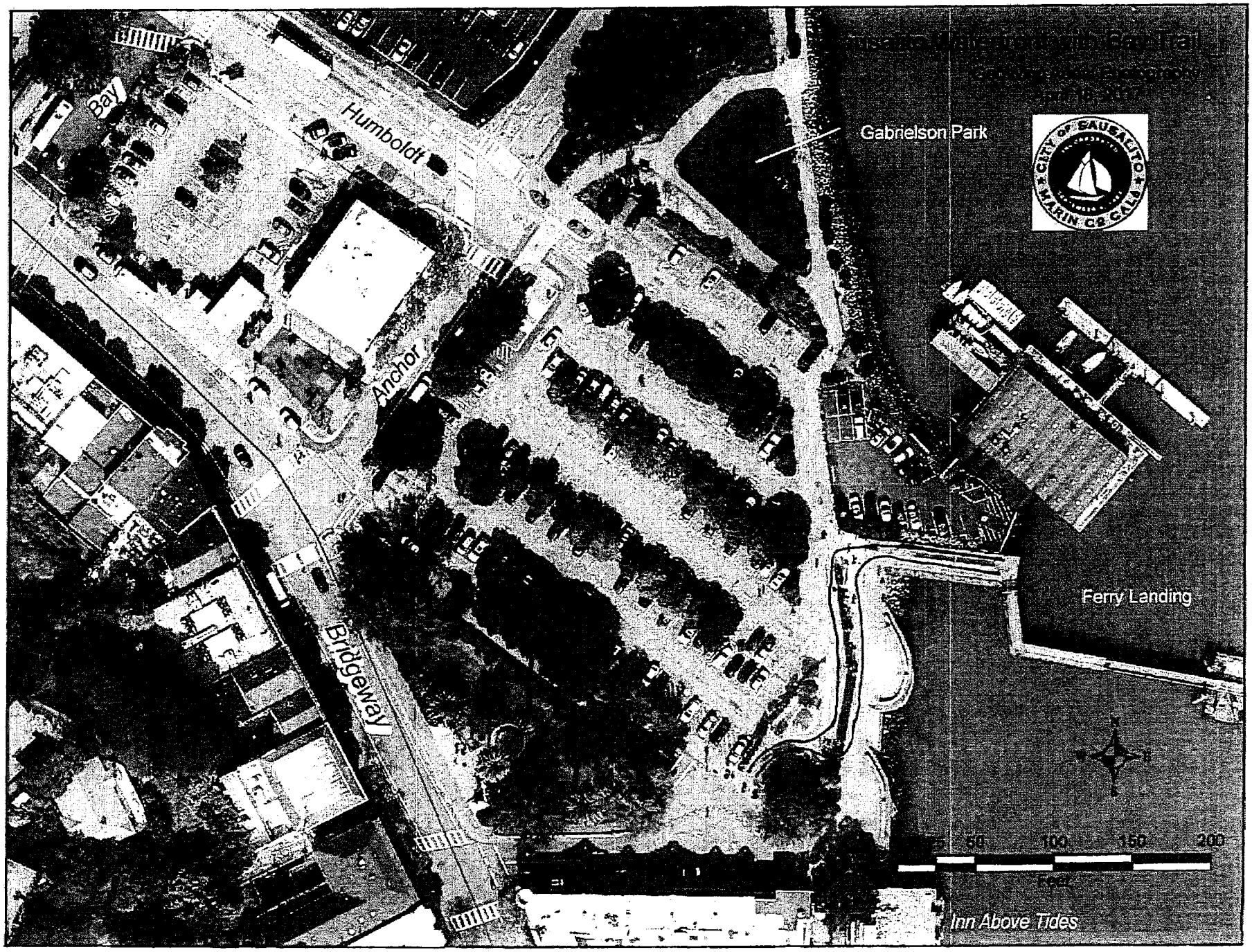
PROJECT TITLE
GOLDEN GATE SAUSALITO FERRY TERMINAL IMPROVEMENTS

SHEET TITLE
FLOAT BOARDING APRON DETAIL, SHEET 2

GOLDEN GATE BRIDGE
HIGHWAY & TRANSPORTATION DISTRICT

P:\703800 Ferry Terminals\500 Dodd\SAD Working\SAUSALITO\CADD\703800_S1.29.dwg Jul 18, 2014 - 1:48pm

EXHIBIT 10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Humboldt
Gabrielson Park
Anchor
Bridgeway
Ferry Landing
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Feet
Inn Above Tides

EXHIBIT 11

Table 1: Mitigation Monitoring and Reporting Program

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
A. AESTHETICS AND VISUAL RESOURCES				
The Project in light of changed circumstances has the potential to significantly impact the visual character, scenic vistas and viewpoints at the Project site because of the lengthy queue and related crowd control issues.	**Mitigation Measure AES- 1:** Commencing with permanent operations and continually thereafter, the District shall manage the queue for the Ferry Landing, which may span from the Ferry Landing Pier Southward along the side of the existing hedge towards El Portal Street, terminating at El Portal (Queue Area). The District shall implement all reasonable and necessary measures to prevent any queue for the Project from extending beyond or outside the Queue Area.	District	City Oversight for compliance	Commencement of permanent operations
[Less than Significant with Mitigation]				
B. LAND USE AND PLANNING				
The Project in light of changed circumstances has the potential to significantly impact existing City uses and facilities because of the lengthy queue and related crowd control issues, including Municipal Parking Lot 1, City streets, sidewalks and public parks.	Mitigation Measure AES-1	District	City oversight for compliance	Commencement of permanent operations
[Less than Significant with Mitigation]				
C. PUBLIC SERVICES				
The Project in light of changed circumstances has the potential to significantly impact City public services related to maintenance of acceptable service ratios and response	Mitigation Measure AES-1	District	City oversight for compliance	Commencement of permanent operations

Table 1: Mitigation Monitoring and Reporting Program

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance and Oversight of Implementation	Timing of Compliance
times to other areas of the City during peak times, as police personnel are needed to be on hand to manage crowd congestion, traffic circulation and safety issues.				
[Less than Significant with Mitigation]				
D. RECREATION				
The Project in light of changed circumstances has the potential to significantly impact recreational facilities on public parks and open spaces along Gabrielson Park as well as the City's historic downtown waterfront because of lengthy queues and crowd control issue that impede use and enjoyment of these facilities and spaces.	Mitigation Measure AES-1	District	City oversight for compliance	Commencement of permanent operations
[Less than Significant with Mitigation]				
E. TRANSPORTATION AND TRAFFIC				
The Project in light of changed circumstances has the potential to significantly impact traffic and circulation as the lengthy queue and crowd congestion interfere with all modes of traffic circulation and parking in the Project site area.	Mitigation Measure AES-1	District	City oversight for compliance	Commencement of permanent operations
[Less than Significant with Mitigation]				