

COASTAL CONSERVANCY

Staff Recommendation
September 29, 2016

PETALUMA RIVER TURNING BASIN

Project No. 07-017-03
Project Manager: Dick Wayman

RECOMMENDED ACTION: Authorization for the Association of Bay Area Governments to disburse up to \$180,000 of previously granted Conservancy funds to the Petaluma Small Craft Center for construction of improvements to facilities that will benefit users of non-motorized boats at the Petaluma River Turning Basin in the City of Petaluma, Sonoma County, and adoption of findings under the California Environmental Quality Act.

LOCATION: Petaluma River Turning Basin, City of Petaluma, Sonoma County (Exhibit 1)

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

- Exhibit 1: [Project Location Maps and Illustrations](#)
- Exhibit 2: [Floathouse Small Craft Rental Center and Cavanagh Landing Park Restroom Mitigated Negative Declaration](#)
- Exhibit 3: [Staff Recommendation of October 3, 2013](#)
- Exhibit 4: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160–31165 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the Association of Bay Area Governments (“ABAG”) to disburse up to \$180,000 (one hundred eighty thousand dollars) of previously granted Conservancy funds to the Petaluma Small Craft Center (“PSCC”) for construction of improvements to facilities that will benefit users of non-motorized boats at the Petaluma River Turning Basin in the City of Petaluma, Sonoma County, subject to the following conditions:

1. Prior to the disbursement of funds, ABAG shall submit for the review and approval of the Executive Officer of the Conservancy a final work program, schedule and budget, and a grant agreement between ABAG and PSCC.
2. ABAG shall ensure installation of signs acknowledging the Conservancy and displaying the Conservancy logo in a manner approved by the Executive Officer.

3. In carrying out the project, ABAG shall ensure compliance by PSCC with all project actions and components that are needed to reduce or avoid significant environmental effects of the boating facility improvements as identified in the mitigated negative declaration and in the associated Mitigation and Monitoring and Reporting Program adopted by the City of Petaluma pursuant to the California Environmental Quality Act (“CEQA”) and accompanying the project staff recommendation as Exhibit 2.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, regarding San Francisco Bay.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Project Management Team of the San Francisco Bay Area Water Trail designated the Petaluma River Turning Basin as a Water Trail site on December 9, 2015.
4. The Petaluma Small Craft Center is a nonprofit organization existing under section 501(c)(3) of the U.S. Internal Revenue Code and whose purposes are consistent with Division 21 of the Public Resources Code.
5. The Conservancy has independently reviewed and considered the mitigated negative declaration for the proposed project adopted by the City of Petaluma on September 14, 2015, pursuant to CEQA and finds no substantial evidence that the proposed project will have a significant effect on the environment.”

PROJECT SUMMARY:

Staff recommends that the Conservancy authorize the Association of Bay Area Governments (“ABAG”) to disburse up to \$180,000 of previously granted Conservancy funds to the PSCC for construction of improvements to facilities that will benefit users of non-motorized boats at the Petaluma River Turning Basin in the City of Petaluma (“City”).

On October 3, 2013, the Conservancy authorized the disbursement of up to \$750,000 to ABAG (Exhibit 3), as an augmentation of its original grant award to ABAG in 2011, to provide grants to develop and implement various projects for the San Francisco Bay Area Water Trail Project (the “Water Trail Block Grant Program”). Primary purposes of the Water Trail Project are to improve access to the bay and its shoreline for non-motorized small boat users and to promote safe and responsible use of the bay by those users. The award to ABAG for the Water Trail Block Grant Program was subject to a variety of conditions, including consistency with the Water Trail purposes and the requirement that if additional environmental documentation were required under the California Environmental Quality Act (“CEQA”) for any project for which a grant was proposed by ABAG, then, that additional CEQA documentation would have to be reviewed and approved by the Conservancy.

Under the Water Trail Block Grant Program, ABAG has proposed grant funding for the PSCC project at the Petaluma River Turning Basin. As detailed below, the proposed PSCC project meets all of conditions imposed by the Conservancy's October 3, 2013 authorization and the additional CEQA documentation for the project has demonstrated that it will not have a significant effect on the environment.

The proposed PSCC improvements include a 120-foot-long, 20-foot-wide modular floating dock on the turning basin and a 142 square foot public restroom and shower facility at the nearby Cavanagh Landing Park. The improvements are part of a greater project with additional improvements that includes the following: a 46-foot-long, 30-foot-wide floating dock with a 440 square foot rental office ("Floathouse") attached to the existing City dock; a boat-washing station; modifications to the grounds and facilities at the park to accommodate the new restroom and improve access; and modifications to the ramp and gangway that lead from the park to the City dock to improve access. The new docks, Floathouse, and restrooms and the improved ramp and gangway will be ADA-accessible.

The new modular floating dock will be open for public use. The Floathouse will provide non-motorized watercraft rentals including paddling, pedaling, and rowing boats. The new public restroom and shower facility will be dedicated to the City for operation and maintenance.

The Water Trail's Project Management Team ("PMT"), whose members represent the Coastal Conservancy, ABAG, the San Francisco Bay Conservation and Development Commission (BCDC), and California State Parks' Division of Boating and Waterways, designated the Petaluma River Turning Basin as a Water Trail site at a public meeting held on December 9, 2015. The designation was conditioned, in part, on improvements being made to the site, as discussed above. The PMT and the Water Trail's Advisory Committee, whose members represent a wide range of governmental, environmental, recreational, and business interests, all agreed that a grant of Water Trail funds was appropriate for the improvements.

The PSCC is a nonprofit organization, incorporated in 2010, to make the Petaluma River more accessible to users of small boats. It has sponsored many activities and events, perhaps most notably the annual Day on the River event, which provides an opportunity for the public to try out a wide variety of small watercraft and connect with the organizations and businesses using the river for recreational activities. It has been a long-term goal of the PSCC to add docks specifically for small boats at the Turning Basin and provide non-motorized watercraft rentals.

Site Description: The Petaluma River Turning Basin is located in downtown Petaluma near many restaurants and shops. It contains a large, City-owned, U-shaped dock called Cavanagh Landing that can be reached through two gangways at opposite ends of the dock. One of the gangways connects to stairs from the River Plaza shopping area; it is not ADA-accessible because of the stairs and narrow gangway width. The other gangway connects to Cavanagh Landing Park and may currently be ADA-accessible, but improvements would make it far more accessible to visitors. Those improvements would be part of the greater project discussed above.

Project History: A history of the Water Trail is provided in the Project History section of Exhibit 3, the staff recommendation for the Conservancy's October 3, 2011 meeting. At that meeting the Conservancy augmented a grant to ABAG for development and implementation of Water Trail projects. In January 2015, the Conservancy adopted the *San Francisco Bay Area Water Trail Accessibility Plan*, designed to provide guidance and recommendations to assist

Conservancy staff, project cooperators, and the owners of potential and designated Water Trail sites in achieving the goal of making the Water Trail program, when viewed in its entirety, accessible to qualified persons with disabilities.

Through June of this year, 23 Water Trail sites have been designated, and an additional six sites were proposed for designation at the Water Trail's September 16, 2016, public meeting of its PMT and Advisory Committee.

PROJECT FINANCING

Coastal Conservancy (through ABAG block grant)	\$180,000
PSCC	189,000
Others	445,000
Project Total	\$814,000

The proposed Conservancy contribution would come from Conservancy grant funds awarded to ABAG in 2013 for the San Francisco Bay Area Water Trail Block Grant (Exhibit 3). The source of these funds is the "Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006" (Proposition 84). Proposition 84 funds are available for San Francisco Bay Area Conservancy Program projects that promote access to and enjoyment of coastal resources. The proposed project is consistent with the goals and objectives of the San Francisco Bay Area Conservancy Program, as described in the "Consistency with Conservancy's Enabling Legislation" section, below. The proposed project will also promote access to and enjoyment of the resources of the bay by providing a place where non-motorized small boat users may access bay waters. Accordingly, the proposed project is an appropriate use of Proposition 84 funds.

PSCC is working with the Community Foundation of Sonoma County to secure major gifts as well as introductions to local grant funders. Although all necessary funding for the proposed greater project improvements is not yet secured, the proposed grant would allow construction to begin and stimulate the PSCC's continuing fundraising efforts. Installation of the modular dock and a restroom, even without any of the other proposed improvements of the greater project, would greatly benefit users of non-motorized small boats.

In-kind contributions include \$35,190 obtained from donated boats for the rental fleet and discounted design services, \$29,000 in waived City of Petaluma fees, and volunteer labor valued at \$5,000 expected during project construction.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165, regarding San Francisco Bay Area projects.

Consistent with Section 31162, this project will (a) improve public access to and around the bay through completion and operation of the Water Trail; (c) assist in the implementation of the San Francisco Bay Plan (see below); and (d) assist in the enhancement of existing landing and launching facilities, including through improved accessibility for persons with disabilities.

Consistent with Section 31163(c), this project is (1) supported by regional plans, as reflected in

the San Francisco Bay Plan (see below), (2) serves a regional constituency; (3) can be implemented in a timely way, (4) provides the benefits of continuing current momentum for establishment of the Water Trail and enhancement of shoreline public access on a regional scale, and (5) includes in-kind contributions from other entities for the current grant authorization request (see “Project Financing,” above).

Consistent with Section 31163(d)(1), the Conservancy is leading the funding and development of projects implementing the *Enhanced San Francisco Bay Area Water Trail Plan* (“Water Trail Plan”), adopted by the Conservancy in March 2011; (2) awarding grants that further implementation of the Water Trail Plan; and (4) working in consultation with resource protection agencies and other appropriate commissions and authorities.

**CONSISTENCY WITH CONSERVANCY’S 2013 STRATEGIC PLAN
GOAL(S) & OBJECTIVE(S), AS REVISED JUNE 25, 2015:**

Consistent with **Goal 12, Objective B** of the Conservancy’s 2013-2018 Strategic Plan, the proposed project will provide recreational facilities, including a new dock for use by the public.

Consistent with **Goal 12, Objective K**, of the Conservancy’s 2013-2018 Strategic Plan, the proposed project will enhance a designated launching and landing site for the San Francisco Bay Area Water Trail.

Consistent with **Goal 12, Objective L** of the Conservancy’s 2013-2018 Strategic Plan, the proposed project will expand opportunities for barrier-free access to natural areas.

**CONSISTENCY WITH CONSERVANCY’S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy’s Project Selection Criteria and Guidelines, last updated on October 2, 2014, in the following respects:

Required Criteria

1. **Promotion of the Conservancy’s statutory programs and purposes:** See the “Consistency with Conservancy’s Enabling Legislation” section above.
2. **Consistency with purposes of the funding source:** See the “Project Financing” section above.
3. **Promotion and implementation of state plans and policies:**

The proposed project is consistent with the Water Trail Plan adopted by the Conservancy in March 2011. The project site is one of a subset of designated “High Opportunity Sites” in the Water Trail Plan, so designated because they require minimal planning, management changes, and improvements. The proposed project improvements would support one of the general goals of the Water Trail Plan’s vision: “Facilitate access improvements...for trail users of all abilities and economic means.”

The proposed project is also consistent with the San Francisco Bay Plan (see “Consistency with San Francisco Bay Plan,” below).

4. **Support of the public:** Copies of letters and emails sent to the City of Petaluma in support of the project are attached as Exhibit 4. As noted in the PROJECT SUMMARY section, above, the project also received enthusiastic support from the Water Trail’s Project Management Team and Advisory Committee at the Water Trail meeting of December 9, 2015. Members of the PMT and Advisory Committee attending the meeting included representatives of BCDC, the U.S. Fish and Wildlife Service, Bay Access, the U.S. Coast Guard, the East Bay Regional Park District, California State Parks, the San Mateo County Department of Parks, Marin Audubon, commercial interests, and user groups.
5. **Location:** The site for the proposed project is in Sonoma County and the project would provide recreational benefits for the San Francisco Bay region.
6. **Need:** Without the proposed grant, the proposed improvements would be significantly delayed, at best, and would possibly not be carried out.
7. **Greater-than-local interest:** The project site is a designated part of the San Francisco Bay Area Water Trail, a regional network of public landing and launching sites for non-motorized small boats. The site is open to and available for use by local and non-local visitors.
8. **Sea level rise vulnerability:** The proposed dock improvements are designed to float with the tides and would accommodate any rise in sea level that is expected over their expected 20+ year lifespan. The restrooms and Cavanagh Landing Park facilities are located at an elevation well above areas that are likely to be affected by sea level rise. The project site is in the upper end of the Petaluma River in a well-protected area that is not subject to storm surges that, when combined with sea level rise, may threaten areas nearer to larger bodies of water.

Additional Criteria

9. **Urgency:** The proposed grant would enable the construction of improvements at the project site to begin this year and stimulate fund-raising efforts for additional improvements.
10. **Leverage:** See “Project Financing,” above.
11. **Readiness:** The PSCC is ready to begin construction pending funding availability.
12. **Realization of prior Conservancy goals:** “See “Project History,” above.
13. **Cooperation:** As noted in “Project Financing,” above, the project will benefit from donated boats and equipment and volunteer labor during construction.
14. **Minimization of greenhouse gas emissions:** Basic Construction Measures to minimize GHG emissions during construction, as encouraged by the Bay Area Air Quality Management District, will be included in the project design and implemented during construction.

CONSISTENCY WITH SAN FRANCISCO BAY PLAN:

This project is consistent with the *San Francisco Bay Plan* (Bay Plan) adopted by the San Francisco Bay Conservation and Development Commission (BCDC) in 1969, as amended, available at http://www.bcdc.ca.gov/plans/sfbay_plan.html.

The most pertinent sections are found in the “Recreation” and “Public Access” sections of “Part IV, Development of the Bay and Shoreline: Findings and Policies.” The Water Trail program carries out the following policies.

Excerpts from Recreation Policies:

1. Diverse and accessible water-oriented recreational facilities, such as marinas, launch ramps, beaches, and fishing piers, should be provided to meet the needs of a growing and diversifying population, and should be well distributed around the Bay and improved to accommodate a broad range of water-oriented recreational activities for people of all races, cultures, ages and income levels. Periodic assessments of water-oriented recreational needs that forecast demand into the future and reflect changing recreational preferences should be made to ensure that sufficient, appropriate water-oriented recreational facilities are provided around the Bay. Because there is no practical estimate of the acreage needed on the shoreline of the Bay, waterfront parks should be provided wherever possible.
3. Recreational facilities, such as waterfront parks, trails, marinas, live-aboard boats, non-motorized small boat access, fishing piers, launching lanes, and beaches, should be encouraged and allowed by the Commission, provided they are located, improved and managed consistent with the following standards:
 - a. **General.** Recreational facilities should:
 1. Be well distributed around the shores of the Bay to the extent consistent with the more specific criteria below. Any concentrations of facilities should be as close to major population centers as is feasible;
 2. Not pre-empt land or water area needed for other priority uses, but efforts should be made to integrate recreation into such facilities to the extent that they are compatible;
 3. Be feasible from an engineering viewpoint; and
 4. Be consistent with the public access policies that address wildlife compatibility and disturbance. In addition:
 5. Different types of compatible public and commercial recreation facilities should be clustered to the extent feasible to permit joint use of ancillary facilities and provide a greater range of choices for users;
 6. Sites, features or facilities within designated waterfront parks that provide optimal conditions for specific water-oriented recreational uses should be preserved and, where appropriate, enhanced for those uses, consistent with natural and cultural resource preservation;
 7. Access to marinas, launch ramps, beaches, fishing piers, and other recreational facilities should be clearly posted with signs and easily available from parking reserved for the public or from public streets or trails....
 - b. **Marinas.** (1) Marinas should be allowed at any suitable site on the Bay... (4) In addition, marinas should include public amenities, such as viewing areas, restrooms, public mooring docks or floats and moorages for transient recreational boaters, non-motorized small boat launching facilities, public parking; substantial physical and visual access; and maintenance for all facilities.

- e. **Non-Motorized Small Boats.** (1) Where practicable, access facilities for non-motorized small boats should be incorporated into waterfront parks, marinas, launching ramps and beaches, especially near popular waterfront destinations. (2) Access points should be located, improved and managed to avoid significant adverse effects on wildlife and their habitats, should not interfere with commercial navigation, or security and exclusion zones or pose a danger to recreational boaters from commercial shipping operations, and should provide for diverse, water-accessible overnight accommodations, including camping, where acceptable to park operators. (3) Sufficient, convenient parking that accommodates expected use should be provided at sites improved for launching non-motorized small boats. Where feasible, overnight parking should be provided. (4) Site improvements, such as landing and launching facilities, restrooms, rigging areas, equipment storage and concessions, and educational programs that address navigational safety, security, and wildlife compatibility and disturbance should be provided, consistent with use of the site. (5) Facilities for boating organizations that provide training and stewardship, operate concessions, provide storage or boathouses should be allowed in recreational facilities where appropriate. (6) Design standards for non-motorized small boat launching access should be developed to guide the improvement of these facilities. Launching facilities should be accessible and designed to ensure that boaters can easily launch their watercraft. Facilities should be durable to minimize maintenance and replacement cost.
4. To assure optimum use of the Bay for recreation, the following facilities should be encouraged in waterfront parks and wildlife refuges:
 - a. **In waterfront parks.** (4) Public launching facilities for a variety of boats and other water-oriented recreational craft, such as kayaks, canoes and sailboards, should be provided in waterfront parks where feasible.
8. Signs and other information regarding shipping lanes, ferry routes, U.S. Coast Guard rules for navigation, such as U.S. Coast Guard Rule 9, weather, tide, current and wind hazards, the location of habitat and wildlife areas that should be avoided, and safety guidelines for smaller recreational craft, should be provided at marinas, boat ramps, launch areas, personal watercraft and recreational vessel rental establishments and other recreational watercraft use areas.

Excerpts from Access Policies:

3. Public access to some natural areas should be provided to permit study and enjoyment of these areas. However, some wildlife are sensitive to human intrusion. For this reason, projects in such areas should be carefully evaluated in consultation with appropriate agencies to determine the appropriate location and type of access to be provided.
4. Public access should be sited, designed and managed to prevent significant adverse effects on wildlife. To the extent necessary to understand the potential effects of public access on wildlife, information on the species and habitats of a proposed project site should be provided, and the likely human use of the access area analyzed. In determining the potential for significant adverse effects (such as impacts on endangered species, impacts on breeding and foraging areas, or fragmentation of wildlife corridors), site specific information provided by the project applicant, the best available scientific evidence, and expert advice should be used. In addition, the determination of significant adverse effects may also be considered

within a regional context. Siting, design and management strategies should be employed to avoid or minimize adverse effects on wildlife, informed by the advisory principles in the Public Access Design Guidelines. If significant adverse effects cannot be avoided or reduced to a level below significance through siting, design and management strategies, then *in lieu* public access should be provided, consistent with the project and providing public access benefits equivalent to those that would have been achieved from on-site access. Where appropriate, effects of public access on wildlife should be monitored over time to determine whether revisions of management strategies are needed.

COMPLIANCE WITH CEQA:

As a California public agency and as the legislated lead under the Water Trail Act (Assembly Bill 1296 [Hancock], Statutes of 2005) for the implementation of the San Francisco Bay Area Water Trail project (“WT Project”), the Conservancy is also the lead agency under the California Environmental Quality Act (Public Resources Code Sections 21000 *et seq.*, hereafter “CEQA”) to consider the potential environmental effects of implementing the WT Project overall. Accordingly, Conservancy staff prepared the San Francisco Bay Area Water Trail Plan Final Environmental Impact Report (WT FEIR), certified by the Conservancy on March 17, 2011. Staff also prepared a Mitigation, Monitoring and Reporting Program (MMRP) for the WT Project, which was adopted through Conservancy resolution on March 17, 2011. (The WT FEIR, and MMRP are available at <http://scc.ca.gov/2010/07/30/san-francisco-bay-area-water-trail/>.) Conservancy staff prepared and filed a Notice of Determination on March 28, 2011 (SCH #2007112080).

The WT FEIR is a *programmatic* EIR, prepared as directed by CEQA Guidelines (Guidelines) at 14 Cal. Code Regs. Section 15168. Use of a programmatic EIR presents a multitude of advantages to lead and responsible agencies under CEQA. Benefits enumerated in Section 15168 (b) include:

1. Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action,
2. Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis,
3. Avoid duplicative reconsideration of basic policy considerations,
4. Allow the Lead Agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and
5. Allow reduction in paperwork.

The development and use of a programmatic EIR can be efficient for the long term management of a large program such as the WT Project and with “a good and detailed analysis of the program, many subsequent activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required” (Guidelines Section 15168 (c)(5)). The agency in charge of CEQA compliance is expected to use a written checklist or similar device to document the evaluation of the site. Such an environmental checklist has been prepared for the WT FEIR (Appendix E) and is used by Water

Trail staff, thus eliminating the need in many cases for staff to return to the Conservancy for approval of additional environmental documentation for specific sites. The analysis of site-specific WT Project activities that do not fall within the scope of what was analyzed in this FEIR may build upon this FEIR (“tiering,” or starting where this FEIR ends), and thus avoid duplicative analysis efforts and unnecessary financial expenditures and delays.

By applying the environmental checklist (WT FEIR, Appendix E) to the proposed authorization, Conservancy staff has determined that construction of improvements at the Petaluma River Turning Basin, as described above and for which Conservancy funding is recommended, would involve potential environmental effects not covered in the WT FEIR, and so further environmental documentation must be undertaken (Guidelines Sections 15152(f) and 15168(c)(1)). Potential environmental effects not covered in the WT FEIR are described in Exhibit 2, *Floathouse Small Craft Rental Center and Cavanagh Landing Park Restroom Mitigated Negative Declaration* (“MND”), prepared by the City of Petaluma (“City”). The City posted the MND for public review on April 24, 2015, approved it on September 14, 2015, and filed a Notice of Determination on December 17, 2015.

The MND analyzed 17 resource areas and indicated that there were “no potential impacts” for the following four resource areas:

- Agricultural and Forestry Resources
- Mineral Resources
- Population and Housing
- Public Services

The MND indicated that the proposed project would have “less than significant impacts” for six resource areas. To reduce as much as possible any potential impacts in these resource areas from the implementation of the proposed project, the City has integrated mitigating practices and procedures into the project itself or has identified aspects of the project that would result in its avoidance of significant impacts, as summarized under each resource area below.

- Greenhouse Gas Emissions
 - The Bay Area Air Quality Management District’s *Basic Construction Mitigation Measures* will be included in project design and implemented during construction.
- Hazards and Hazardous Materials
 - Project contractors will be required to comply with existing federal, state, and local safety regulations.
- Land Use and Planning
 - The project will be required to comply with the Petaluma General Plan and all other applicable local plans and the City zoning ordinance.
- Recreation
 - The project area docks and associated access points have sufficient capacity to accommodate any additional use that the proposed project would generate.
- Transportation and Circulation
 - The project is not expected to generate vehicular trips that would affect the existing traffic level and capacity of the street system, it does not propose new elements that

would cause a significant impact, and it conforms to related policies, plans, and programs.

- Utilities and Service Systems
 - The project is not expected to necessitate expansion of facilities or services related to wastewater treatment, storm water drainage, water supplies, or solid waste disposal, and will comply with related federal state, and local statutes and regulations.

The proposed project was found to have “less than significant impacts with mitigation incorporated” for seven resource areas. To reduce as much as possible any potential impacts in these resource areas from the implementation of the proposed project, the City has integrated mitigating practices and procedures into the project itself, identified aspects of the project that would result in its avoidance of significant impacts, and required mitigation measures, as summarized under each resource area below.

- Aesthetics
 - As designed, the project would not have a significant effect on scenic resources or the visual character or quality of the project site and its surroundings.
 - The project will introduce new light sources to the project site that could have the potential to cause significant impacts, and to reduce that potential to levels below significance the City will impose the following requirements: exterior lighting shall be directed onto the project site and access ways; the lighting shall be shielded to prevent glare and intrusion onto adjacent properties; only low-intensity light standards or wall-mounted lights shall be used; and lights attached to buildings shall provide a “soft wash” of light against the wall and shall generate no direct glare.
- Air Quality
 - The project’s use, upon completion, is unlikely to result in a cumulatively considerable net increase of any pollutant, and the project’s setting is unlikely to result in the exposure of sensitive receptors to substantial pollutant concentrations.
 - To ensure against violation of any air quality standard during construction, the City will require compliance with the Bay Area Air Quality Management District’s *Basic Construction Mitigation Measures*, which will be enforced with visual inspections.
- Biological Resources
 - The project calls for removal of a Raywood Ash tree with a 12-inch diameter, but it is not considered a protected tree and so its removal will not conflict with any ordinance.
 - The project has the potential to have significant effects on fish species due to pile driving and installation required for construction of new docks; mitigation measures include limiting the period of construction or providing noise attenuating technology, use of silt curtains to limit suspended sediment, and employing practices to prevent the leaching of wood preservatives into the water.
 - During the project’s operation, the washing down of boats will require appropriate filtering, and use of soaps and detergents will be prohibited.
 - Noise from pile driving could affect nesting birds, and so the City will require surveys to determine if nests are present and, if so, require establishment of an appropriate construction buffer.

- Potential significant impacts to birds during the project's operation will be mitigated through distribution of educational materials to boaters.
- Cultural Resources
 - The project site is nearby historic resources but the City considered the project largely in keeping with the existing character of the area.
 - Construction of the project has the potential to uncover archeological, paleontological, and unique geological resources and human remains; should any of these be uncovered, mitigation measures include suspension of work, evaluation by qualified professionals, and subsequent steps in accordance with the professionals' recommendations and applicable laws.
- Geology and Soils
 - The limited size and scope of the project make it unlikely to have any significant impacts due to seismic-related ground failure, landslides, soil erosion, or location on unstable or expansive soils.
 - Potential significant impacts from strong seismic ground shaking will be mitigated through the required employment of appropriate construction techniques.
- Hydrology and Water Quality
 - Although the project site is located within a mapped 100-year floodplain, the City determined that the nature and placement of project improvements would have less than significant impacts with regard to flood risks.
 - Pile driving and other construction activities could result in the violation of water quality standards; City-required mitigation measures include prohibition of construction materials or debris discharge into the Petaluma River, maintenance and fueling of construction equipment in staging areas only, and on-site maintenance of spill containment and cleanup materials during the construction work period.
- Noise
 - The City determined that the project's operation would result in noise levels compatible with the surrounding commercial and river-dependent land uses and similar to noises generated from those uses, and that pile driving during construction would result in less than significant effects from ground-borne vibration or ground-borne noise levels.
 - Temporary noise impacts from the project's construction would be reduced to levels below significance through restrictions on the timing of construction activities, proper muffling and maintenance of construction equipment, prohibitions on idling of equipment, equipment location and shielding requirements, quiet equipment selection, staging and equipment storage, and designation of a "noise disturbance coordinator."

Based on the incorporation of the mitigation measures to avoid, reduce or minimize the potential environmental effects, as detailed above, the City determined that the project, would have less than significant impacts on the natural environment and cultural resources, that the project's cumulative impacts would be less than significant, and that the project, with incorporated mitigation measures as summarized above, would have less than significant environmental effects that would directly or indirectly impact human beings onsite or in the project vicinity.

Based on review of the MND, Conservancy staff agrees with the City's determinations and concludes that the proposed project will have less than significant environmental impacts with implementation of the identified mitigation measures. Accordingly, staff recommends that the Conservancy find that the Conservancy has independently reviewed and considered the negative declaration and finds that there is no substantial evidence that the proposed project may have a significant effect on the environment.

Staff will file a Notice of Determination upon the Conservancy's approval of the project.