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DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
450 GOLDEN GATE AVENUE
SAN FRANCISCO, CALIFORNIA 94102

DEPARTMENT OF THE ARMY REGIONAL GENERAL PERMIT 46

PERMITTEE: San Francisco International Airport (SFO)

PERMIT NO.: SPN-2022-00353

ISSUING OFFICE: San Francisco District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate District or Division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below:

PROJECT DESCRIPTION:

Maintenance of the SFO Shoreline Protection System within the program area (enclosure 1):

1. Riprap replacement – the replacement of clean riprap to protect and maintain the shoreline protection system where riprap has been displaced/dislodged by tidal action or subsidence. This category does not authorize the expansion of hardscape within waters of the U.S.

   - RGP 46 Project Limits: up to 0.2 acre, 300 linear feet, 200 cubic yards
   - RGP 46 Program Limits: 2.0 acres, 2,000 linear feet, 1,500 cubic yards

2. Erosion repair – repair of scour, slumps, or depressions that have exposed and/or potentially compromised the shoreline protection system. Activities authorized under this category would include the excavation of material below mean high water and the placement of geotextile fabric, clean fill, and/or riprap within waters of the U.S. for the purpose of erosion repair. This category would not authorize the expansion of hardscape within waters of the U.S. This category would not generally authorize the conversion of waters of the U.S. to upland, with the exception of the restoration of upland areas damaged by discrete storms or floods. Restoration of upland areas damaged by discrete events would need to be proposed within 12 months of the date of the damage and would be authorized to return the boundaries of waters of the U.S. to pre-event locations.

   - RGP 46 Project Limits: up to 0.1 acre, 200 linear feet, 50 cubic yards
   - RGP 46 Program Limits: 2.0 acres, 1,500 linear feet, 600 cubic yards

3. Vegetation and Storm Debris Removal – removal of vegetation and storm debris by hand or machine below mean high water of the San Francisco Bay.

   - RGP 46 Project Limits: up to 300 linear feet of vegetation or debris removal if done with mechanized equipment. No limits if non-mechanized, no earth moving, but must report quantity of removal.
   - RGP 46 Program Limits: no limits but must annually report quantity of removal in linear feet, cubic yards, and acreage.

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PROJECT LOCATION: The program area for RGP 46 consists of shoreline protection system (SPS), which is located around the perimeter of the airport.

GENERAL CONDITIONS:

1. The time limit for completing the work authorized ends on March 1, 2030. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

3. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

4. You understand and agree that, if future operations by the United States require the removal, relocation or other alteration of the structure or work authorized herein, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, you will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

5. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

6. For your convenience, a copy of the water quality certification is attached (enclosure 2). If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.

7. The Corps initiated consultation with the U.S. Fish and Wildlife Service (USFWS) to address project related impacts to list species, pursuant to Section 7(a) of the Endangered Species Act of 1973, as amended (16 U.S.C. Section 1531 et seq.). By letter dated October 24, 2024, the USFWS concurred with the determination that the project was not likely to adversely affect California Ridgway's rail (*Rallus obsoletus obsoletus*), salt marsh harvest mouse (*Reithrodontomys raviventris*), California least tern (*Sternula antillarum browni*), San Francisco Bay-Delta distinct population segment (DPS) of the longfin smelt (*Spirinchus thaleichthys*), and western snowy plover (*Charadrius nivosus nivosus*) and designated critical habitat for these species. This concurrence

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was premised, in part, on project work restrictions and the description of the proposed action outlined in enclosure 3. These timing and work restrictions are incorporated as General Conditions to this RGP to ensure unauthorized incidental take of species and loss of critical habitat does not occur.

8. All projects proposed for coverage under the RGP in any given year shall be submitted by SFO as an Annual Work Plan at least 60 days prior to implementation of the proposed RGP activity(ies). Up to two Annual Work Plans may be submitted in any given calendar year, but there is no limit on the number of projects that may be proposed within each Annual Work Plan. The Corps will provide notices to proceed within 45 days of submittal of complete Annual Work Plan containing all of the information specified below. The Annual Work Plan shall include:

a. A Project Notification Form (enclosure 4) for each activity, and Tables 1 and 2 (enclosure 4) summarizing that year's proposed impacts and the total impacts of RGP-authorized projects to-date;
b. Project site plans and photographs of project locations;
c. A single ORM Aquatic Resources and Consolidated Upload Spreadsheet for all of the proposed activities, listing all of the proposed activities, and impacted aquatic resources; and
d. Detailed descriptions of the Protective Measures listed in the Project Notification Form.

9. All construction work shall incorporate appropriate best management practices (BMPs), including:

a. All work shall occur outside of the water. No in-water work may be authorized by this RGP.
b. SFO will avoid or minimize, to the extent possible, impacts on sensitive habitat resources, including rock habitat such as bedrock, boulders, cobble, and gravel; submerged aquatic vegetation; kelp; and intertidal mudflats.
c. All construction material, waste, debris, sediment, rubbish, trash, fencing, etc., will be removed from the site on a regular basis during work and at project completion. Debris will be transported to an authorized disposal area.
d. All land access routes will use existing roads and all material and equipment storage will occur in existing developed areas.
e. Equipment will be checked for leaks daily.
f. Refueling will take place at designated sites in accordance with SFO's National Pollutant Discharge Elimination System permits.
g. As required by SFO's Construction Stormwater Pollution Prevention Plan Guidelines, a spill prevention and control plan will be created; this plan and all materials necessary to implement it will be accessible onsite.
h. Petroleum products, chemicals, fresh cement, and contaminated water will not be allowed to enter flowing waters.
i. Work pads, falsework, and other construction items will be removed from the 100-year floodplain by the end of the construction window.

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j. No work will occur during wet weather. If a 60 percent chance of one-half inch of rain or more within a 24-hour period is forecasted, the site will be treated with erosion control measures and construction operations will cease until 24 hours after the rain has ceased.
k. Adequate erosion control supplies such as gravel, straw bales, and shovels will be stored onsite.
l. Any disturbed ground must receive appropriate erosion control treatment such as mulching, seeding, or planting before the end of the construction season, before operations cease in response to a forecast of wet weather, and within seven days of project completion. Operations will use all feasible techniques to prevent any sediment from entering a drainage system.
m. In areas where rainfall is forecasted or expected during the construction season, effective erosion control measures will be in place during construction activities.
n. Erosion control structures will be maintained throughout, and possibly after, construction activities. Sediment will be removed from sediment controls once it has reached one-third of the exposed height of the control.

FURTHER INFORMATION:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. Section 1344).

( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. Section 1413).

2. Limits of this authorization:

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future

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activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate. (See Item 4 above.)

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 C.F.R. § 325.7 or enforcement procedures such as those contained in 33 C.F.R. §§ 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 C.F.R. § 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

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Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

DocuSigned by:
Judi Mosqueda
1DAA33FF0622491...

4/4/2025

Judi Mosqueda (DATE)
Chief Development Officer/Design and Construction
San Francisco International Airport

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Digitally signed by James Mazza
Date: 2025.04.07 12:48:33 -07'00'

James Mazza (DATE)
Chief, Regulatory Division
San Francisco District
U.S. Army Corps of Engineers

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE) (DATE)