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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 44

PERMITTEE: San Francisco International Airport (SFO)

PERMIT NO.: SPN-2023-00412

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 activities of 13 discrete structures around the perimeter of SFO:

1. In-Water Repairs: Activities involving in-water work consist of strengthening the existing timber piers and piles by installing a fiberglass wrap around each pier/pile. A rebar cage and marine grout will typically be applied between the existing pier/pile infrastructure and the fiberglass wrap. This work may require localized excavation at the base of the pier/pile to set the rebar cage and fiberglass wrap; excavated material will be backfilled. Depending on the location of the pier/pile, a barge or boat may be required for access, leveling (as needed), and strengthening activities. This RGP does not authorize the replacement of piers/piles.

2. Overwater Repairs: Activities involving overwater work consist of reinforcing or replacing (in kind) deteriorated components of timber trestles, including various timber beams, guardrails, stringers, floor planks, decking, and knee and cross braces. Existing straps that connect the stormwater outfall pipes to the trestle support structures will be replaced with stainless steel connection straps. Sediment accumulated in the existing outfall pipes would also be removed to restore as-built conditions; the sediment will be disposed of at an appropriate upland location. Depending on the location of the repairs, a barge or boat may be required for access and implementation.

3. Concrete/Unsupported Structure Maintenance and Repairs: Activities to maintain and repair existing infrastructure consist of repairs to the concrete basin at E013, concrete piers at E007 and E008, and concrete cradles at various storm drain pump station (SDPS) outfalls. Concrete cradle repairs will generally occur outside of waters of the United States. Repair activities may include in-kind repairs of surface cracks or spalls. Maintenance activities may involve the removal of small amounts of accumulated sediment and other minor maintenance activities.

All work shall be completed in general accordance with the typical plans and drawings titled “San Francisco International Airport, Shoreline Structures Repair Program, USACE File ID SPN-2023-00412,” dated June 13, 2024, in 6 sheets, provided as enclosure 1.

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PROGRAM AREA: Thirteen structures around the perimeter of SFO, San Mateo County, California (see enclosure 1)

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. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. 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.

4. 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.

5. 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.

6. 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.

7. For your convenience, a copy of the water quality certification or waiver 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.

8. The Corps initiated consultation with the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS) to address project related impacts to list

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species, pursuant to Section 7(a) of the Endangered Species Act of 1973, as amended (16 U.S.C. Section 1531 et seq.). By letters dated March 15, 2024, and June 11, 2024, respectively, the NMFS and USFWS concurred with the determination that the project was not likely to adversely affect Central California Coast steelhead (*Oncorhynchus mykiss*), North American green sturgeon (*Acipenser medirostris*), California Ridgway's rail (*Rallus obsoletus obsoletus*), longfin smelt (*Spirinchus thaleichthys*), and designated critical habitat for these species. This concurrence was premised, in part, on project work restrictions outlined in enclosures 3 and 4. 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.

9. 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 5) for each activity;
b. Tables 1 and 2 (enclosure 5) summarizing that year's proposed impacts and the total impacts of RGP-authorized projects to-date;
c. Project site plans and photographs of project locations;
d. A single ORM Aquatic Resources and Consolidated Upload Spreadsheet for all of the proposed activities, listing all of the proposed impacts and aquatic resources; and
e. Detailed descriptions of the Protective Measures listed in the Project Notification Form.

10. SFO may request authorization for up to 15 projects requiring in-water repairs each year, not to exceed 75 in-water projects over five years. There are no program limits on projects requiring overwater repairs, or concrete repairs and other minor maintenance activities.

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

a. Disturbance of sediment will be minimized to the extent feasible during proposed activities, including pile strengthening, which requires minor excavation at the pile base.

b. Where appropriate, absorbent booms or socks will be deployed on the water surface to prevent dispersal of creosote or other contaminants that may be resuspended during proposed activities (i.e., sediment excavation at the pier/pile base). Booms or socks will be deployed around the work site or downstream of prevailing tides/flows to capture contaminants or debris and

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will remain in place until all surface contaminants have been absorbed or captured and any activities that may mobilize contaminants are complete. If needed, booms or socks will be replaced or maintained during the project to facilitate absorption or capture of all visible surface contamination.

c. Construction barges used to perform the proposed activities will be moored in a position to capture and contain debris generated during any overwater or in-water work.

d. Care will be taken to minimize debris falling into the water. If debris does reach the bay, personnel in workboats will immediately retrieve the debris for proper handling and disposal.

e. 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.

f. All land access routes will use existing roads, and all material and equipment storage will occur in existing developed areas associated with the outfalls and guide lighting trestle structures. Given the locations of some of the structures proposed for repair and the deteriorated nature of the existing structures, construction access may occur from the water with the support of a barge and associated tender boat. The barge would be used temporarily to complete the proposed work and to stage equipment and store materials. If determined to be safe, certain construction activities may occur on or may be supported from the existing structures.

g. Equipment will be checked for leaks daily.

h. Refueling will take place at designated sites in accordance with SFO's National Pollutant Discharge Elimination System permits.

i. 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.

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. Petroleum products, chemicals, fresh cement, and contaminated water will not be allowed to enter flowing waters.

l. Adequate erosion control supplies such as gravel, straw bales, and shovels will be stored onsite.

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m. 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.

n. Work pads, falsework, and other construction items will be removed from the 100-year floodplain by the end of the construction window.

o. In areas where rainfall is forecasted or expected during the construction season, effective erosion control measures will be in place during construction activities.

p. 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.

q. 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. The contractor will complete in-water repair activities that occur in intertidal areas at low tide, to the extent possible.

r. SFO will avoid impacts on submerged aquatic vegetation, in accordance with the specific requirements and conditions of the U.S. Army Corps of Engineers Proposed Additional Procedures and Criteria for Permitting Projects under a Programmatic Determination of Not Likely to Adversely Affect Select Listed Species in California, including:

    i. New creosote piles will not be installed. Existing creosote piles may be repaired by coating, sleeving, or wrapping. For projects where pile work is involved, creosote piles that are exposed during the removal of decking must be replaced, wrapped, sleeved, or removed.

s. The proposed in-water repair activities will be completed within the work window between June 15 and November 30. In-water repair activities will maintain a 17-foot no-disturbance buffer around submerged aquatic vegetation. In-water repair activities that are located between 17 and 66 feet of submerged aquatic vegetation must adhere to the following measures:

    i. Ensure that barges and vessel hull bottoms supporting structure repairs do not come within 18 inches of the bay bottom at mean lower low water.

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ii. Ensure that barge spuds, anchors, chains, and other vessel equipment are not directly deployed in eelgrass or the 17-foot perimeter around eelgrass.

iii. Ensure that vessel propellers do not scar or scour eelgrass or the 17-foot perimeter around eelgrass.

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 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

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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.

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

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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 12:49:40 -07'00'

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

(DATE)

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)