



California Department of Fish and Wildlife
Marine Region
1933 CLIFF DRIVE, SUITE 9
SANTA BARBARA, CA 93109

California Endangered Species Act
Incidental Take Permit No. 2081-2024-048-07

**CALIFORNIA STATE UNIVERSITY MARITIME ACADEMY WATERFRONT MASTER PLAN
PHASE 1 PROJECT**

I. Authority:

This California Endangered Species Act (CESA) incidental take permit (ITP) is issued by the California Department of Fish and Wildlife (CDFW) pursuant to Fish and Game Code section 2081, subdivisions (b) and (c), and California Code of Regulations, Title 14, section 783.0 et seq. CESA prohibits the take¹ of any species of wildlife designated by the California Fish and Game Commission as an endangered, threatened, or candidate species.² However, CDFW may authorize the take of any such species by permit pursuant to the conditions set forth in Fish and Game Code section 2081, subdivisions (b) and (c). (See Cal. Code Regs., tit. 14, § 783.4.)

Permittee:	California State University Maritime Academy
Principal Officer:	Michael A. Murray, Assistant Vice Principal Faculties Management
Contact Person:	Michael A. Murray, (707) 654-1726
Mailing Address:	200 Maritime Academy Drive Vallejo, CA 94950

Amended ITP³Background

On June 23, 2025, CDFW issued ITP No. 2081-2024-048-07, to California State University Maritime Academy (Permittee), authorizing take of Central Valley spring-run Chinook salmon (*Oncorhynchus tshawytscha*), Sacramento River winter-run Chinook salmon (*Oncorhynchus tshawytscha*), Delta smelt (*Hypomesus transpacificus*), Longfin smelt (*Spirinchus thaleichthys*), and White sturgeon (*Acipenser transmontanus*) (collectively, the Covered Species) associated with and incidental to the California State University Maritime Academy Waterfront Master Plan Phase 1 Project (Project). The Project as described in the ITP as originally issued by CDFW included upgrades to in-water infrastructure, marine yard, and expansion of onsite utilities. In issuing the ITP, CDFW found, among other things, that Permittee's compliance with the Conditions of Approval of the ITP would fully mitigate Project

¹Pursuant to Fish and Game Code section 86, "'take' means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." (See also *Environmental Protection Information Center v. California Department of Forestry and Fire Protection* (2008) 44 Cal.4th 459, 507 [for purposes of incidental take permitting under Fish and Game Code section 2081, subdivision (b), "'take' ... means to catch, capture or kill".])

²The definition of an endangered, threatened, and candidate species for purposes of CESA are found in Fish and Game Code sections 2062, 2067, and 2068, respectively.

³ When this incidental take permit and attachments refer to the "ITP", it means the "Amended ITP" unless the context dictates otherwise.

impacts of the taking on the Covered Species and that issuance of the ITP would not jeopardize the continued existence of the Covered Species.

On June 10, 2026, Permittee submitted a request for a Major Amendment to the ITP (CESA fee paid on March 26, 2026). Permittee requested changes to the in-water work window, in order to complete pile driving and dredging activities, and an increase in the overall amount of material that will be dredged from the previously approved dredge footprint. The Permittee requested pile driving activities be extended until January 31, 2027 and that the amount of dredged material be increased from 15,000 cubic yards to 40,000 cubic yards. Additionally, Permittee has requested the ITP expiration date be extended from November 30, 2026 to November 30, 2027 to ensure adequate time for the Project to complete construction. Due to these changes, additional impacts to the Covered Species are expected as the in-water work timeframe will be increased in 2026 going into 2027 by 62 days and occur during times when estimated species densities are higher than the originally permitted work window. The impacts from the extended work window will be mitigated through additional compensatory mitigation of 0.16 acres, which will be purchased from a CDFW approved mitigation bank.

CDFW now reissues this ITP including the revised provisions in this first major amendment (Collectively, Amended ITP 1).

The Amended ITP 1 includes all of the operative provision as of the effective date of this ITP. Attachment 4 to this ITP shows the specific red-line changes made to the original ITP as a result of this major amendment.

II. Effective Date and Expiration Date of this ITP:

The original ITP's effective date was June 23, 2025, and the expiration date was November 30, 2026. This ITP shall be executed in the same manner and shall become effective when the Regional Manager of CDFW's Marine Region signs the Amended ITP. Unless renewed by CDFW, this ITP's authorization to take the Covered Species shall expire on November 30, 2027. Notwithstanding the expiration date on the take authorization provided by this ITP, Permittee's obligations pursuant to this ITP do not end until CDFW accepts as complete Permittee's Final Mitigation Report required by Condition of Approval 6.7 of this ITP.

III. Project Location:

The California State University Maritime Academy Waterfront Master Plan Phase 1 Project (Project) is located in the waters of Morrow Cove and San Pablo Bay, within the City of Vallejo, Solano County, California (Figure 1). The Project Area is on the north shore of the Carquinez Strait and slightly southeast of the terminus of the Napa River which connects northward through the Mare Island Strait (38.066126, -122.230449).

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IV. Project Description:

The Project includes upgrades to in-water infrastructure, marine yard, and expansion of onsite utilities. Project activities include the following:

PIER AND TRANSITION PIER

Due to the size of the incoming National Security Multi-Mission Vessel (NSMV), the existing pier cannot sufficiently handle the resulting loads. As such, the Applicant is proposing a larger pier be constructed and installed within the same general area and demolishing the existing pier. Demolition of the existing pier (approximately 8,031 square feet) will remove all 51 existing 24-inch steel support piles and the pier deck. Existing support piles will be removed by vibrating them out with a vibratory hammer or cutting them below the mudline. On the immediate outboard side of the existing pier, the new pier will be constructed and will be connected to the existing trestle via a new transition pier (discussed further below). The new pier will be larger in size to accommodate the larger ship, with a concrete topping slab. The new pier's deck will be pre-cast deck panels that will be hoisted in place via a barge crane and jointed together. The new pier will be supported by a total of 71 new 24-inch steel piles. The new transition pier will be connected to the terminus of the existing trestle by constructing a transition pier on the western end. The transition pier will also have a concrete topping slab and will be supported by a total of five new 24-inch steel piles. The transition pier will be jointed to the main pier and existing trestle by transition plates.

MOORING DOLPHINS

Two existing mooring dolphins will be demolished, removing all 28 existing 18-inch support piles. Two new mooring dolphins with concrete tops will be installed, one on either side of the new pier. Each mooring dolphin will be supported by 23 new 42-inch steel piles (46 piles total). The mooring dolphin being constructed to the west of the pier will be connected to the new breakwater by a grated catwalk whereas, the mooring dolphin to the east does not feature a breakwater and is connected via a grated catwalk. Additional details on the new breakwater are included in the section below.

BREAKWATER

The existing breakwater will need to be demolished, and a new breakwater constructed to protect vessels and infrastructure in the boat basin. The existing breakwater runs parallel, underneath the existing pier and extends diagonally on the pier's western end toward the shore. Similar to the existing breakwater, a portion of the new breakwater will run parallel underneath the new pier and will extend west, diagonally towards the shore. The breakwater will be composed of 26, 36-inch steel piles connected with steel sheet pile, which forms the wave and wake barrier. The breakwater will be topped with a concrete cap which will also serve as a walkway providing access to the two western mooring dolphins via connecting catwalks.

FLOATING DOCKS AND GANGWAYS

The current boat basin configuration of the Project Area contains concrete floating docks anchored by steel guide piles connected to the pier via gangways. The existing floating docks are being retained in

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their current locations and configuration. However, to ensure room for construction of the new pier and to ensure dredge operations are able to reach the proposed depths within the boat basin (discussed further below) all existing floating docks and their guide piles (17 total) will be removed. Guide piles will be inspected upon removal and assessed as to whether any need replacement. All existing guide piles will be re-installed in-place and in-kind, including any that need to be replaced along with the existing floating docks when dredging operations are completed.

DREDGING

Dredging will be required to ensure navigational safety within the new reconfigured boat basin. The total dredge footprint is estimated at 147,400 square feet (3.38 acres) and will occur within California Maritime Academy's existing maintenance dredge area (79,250 square feet, 1.82 acres) and within a new dredge area (68,150 square feet, 1.56 acres). Dredging will be conducted utilizing a clam shell dredge and the total volume expected to be dredged across the total footprint is 40,000 cubic yards of sediment at depths up to elevation -10 Mean Low Low Water (plus 1 foot of overdredge). The maintenance dredge footprint supports the existing boat basin operations but with a larger boat basin, dredge operations will need to be expanded beyond the maintenance footprint to ensure navigational safety within the larger reconfigured boat basin. Dredging will be restricted to within the expanded boat basin and will not be required on the outboard side of the new pier to berth the new NSMV. Dredge material will be disposed of at an approved disposal site and will be coordinated with the Dredge Material Management Office (DMMO). All necessary testing will be conducted per the DMMO's requirements, with material placed in locations approved by the DMMO.

PILE DRIVING

Multiple Project elements will require the installation of new steel piles of various sizes and will be conducted using both vibratory and impact hammer methods. Vibratory pile driving uses hydraulically powered, oscillating counterbalance weights to vibrate an object (i.e., pile) at high speed. The vibration mobilizes the earth beneath and around the pile causing the surrounding earth to liquify. Once mobilized, the weight of the hammer pushes the pile downward. Vibratory hammers do not "strike" a pile and as such have lower sound pressure than impact hammers but also require more prolonged use as they drive piles slower.

To the maximum extent feasible, pile driving will be conducted with a vibratory hammer. The total number, size and material of piles are summarized in Table 1. The limiting factors to driving with a vibratory hammer are seating depth, sediment type, and pile size. Small diameter piles (e.g., 18–24-inch steel pipe piles) or sheet piles may be able to be fully driven using a vibratory hammer when substrates are soft (i.e., silty, and low in clay); however, the presence of geotechnical conditions such as sand lenses and rock, especially when driving large diameter steel pipe piles, may limit the use of a vibratory hammer as it may not have sufficient energy to install the pile fully. Once a vibratory hammer reaches refusal, an impact hammer will be necessary to complete the installation to drive piles to specified depths for structural integrity. Additionally, vibratory pile driving is often not able to

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achieve engineering criteria required to support design structural loads. Impact driving is necessary in these cases for “final seating” of the pile.

An impact hammer operates by using a sliding hammer head to strike a pile, causing the downward force of the head to drive the pile, similarly to the way a handheld hammer strikes and drives a nail. This method creates a pulse of sound that propagates through the pile, spreading outward into the aquatic environment and can result in stronger sound pressure waves in the aquatic environment as compared to vibratory pile driving. When an impact hammer is utilized, a slow start method (gradually increasing energy and frequency) will be implemented at the start of driving or after the cessation of driving for more than one hour. A bubble curtain will also be placed around steel piles to be driven to attenuate sound pressure levels. During impact hammer pile driving sound pressure levels will be monitored underwater. Sound monitoring will be completed for a minimum of 5 percent of each pile size and type utilized during construction to verify consistency with sound measurements of similar pile types and sizes documented for other projects. If sound measurements exceed those taken from similar pile types and sizes for other projects, additional sound attenuation measures, enhanced bubble curtains, or limiting pile strikes shall be implemented, and sound measurements shall be tested again to achieve sound levels similar to other projects.

BEDROCK DRILLING

Following geotechnical exploration in 2023, some locations within the Project Area were identified as having difficult geological conditions that may require drilling and anchoring of piles in addition to standard pile driving to meet engineering requirements for bearing structural loads. Piles in these locations will be first driven to refusal using traditional pile driving methods, and then would be anchored with rock anchors or rock sockets. Rock anchor and rock socket installation both occur far below the mudline, below the water column.

Rock anchors are typically constructed by drilling small diameter holes within the pile casing, through soil and/or weak rock to competent rock using small/lightweight auger and/or downhole drill rigs. Depending on the design requirements, rock anchor drill holes will vary in diameter. While separated from surrounding waters by the pile casing, the drill holes are then tremie-filled with structural strength grout and reinforced steel strands or solid steel bars to form rock anchors. Once the grout has been fully cured, the rock anchors are then stressed to the required design loads and locked-off using bearing plates and anchor nuts which attach the anchors to the piles.

Rock socketing anchors piles using a larger diameter auger and/or rock core barrel drill rigs. Depending on the type of soil and/or weak rock and groundwater conditions, a temporary liner may be placed inside the pile casing and used to support the upper soils and/or weak rock. Once the drill hole is into competent rock, the diameter of the drilled hole may be reduced and is often drilled without the need for temporary support systems such as a liner of support fluids. Depending on the design requirements, the length of the rock socket into competent rock can vary. Following drilling, structural strength concrete is pumped through the pile casing into the drill hole and reinforcement

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steel is lowered into the drill hole. Just as with rock anchors, rock socketing occurs below the mudline and below the water column.

Geotechnical drilling of this nature produces non-impulsive sounds. As described above under vibratory pile driving, non-impulsive sounds do not have an injury threshold. Drilling of this type also creates non-impulsive noise equivalent to that of vibratory pile driving. Further any concrete or grout used to set the anchors or piles would be within bedrock, below the mudline and/or contained inside of the core of the pile. Grout used for rock anchoring and rock sockets will be isolated from the water column.

UTILITY UPGRADES

Utility upgrades would be necessary to meet the requirements of in-water enhancements associated with the main pier and NSMV, as well as future phases of development, including new buildings along the water's edge. Utility upgrades would be necessary for shore power and water systems to support the NSMV, which would require considerably more power than the currently used vessel, the Training Ship Golden Bear (TSGB). Buildings proposed as part of future phases would also require electrical, potable water, wastewater, communications, and other features. It should be noted that the NSMV is under construction and that the direct impacts on utilities associated with home port operations are not fully known at this time. Additional detailed investigations will be necessary to properly size and account for utility elements supporting NSMV operations.

The following utility upgrades are anticipated under the proposed Project:

- upgrades to the existing electrical substation equipment; switchgear, transformer, and electrical panels;
- related site demolition, minor earthwork, and smaller-scale utility upgrades as required to support the NSMV operations;
- potable water line expansion out to the main pier, along with associated expansion of existing fire hydrant and back-check valves required to support NSMV operations;
- sanitary sewer expansion, addition of manhole(s), and lift station required to support the NSMV operations;
- upgrades to the shore power transformer, switch gear, and cable management system required to support the NSMV operations; and
- sitewide lighting upgrades.

WASTEWATER

Discharge from the NSMV to the Vallejo Flood and Wastewater District Wastewater Treatment Plant pump station may require upgrades, which could include replacing/upsizing pumps and/or increasing the wet well size. Despite the increased size of the NSMV, including the ability to accommodate a greater number of cadets and crew (295 for the TSGB versus 760 for the NSMV), there would be no increased demand on the Cal Maritime sanitary sewer system. However, pump station and discharge lines at or near the main pier may need to be studied and upgraded. The extent of the work may

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include installing new pumps at the lift station. Replacing the line from the pier to the lift station (approximately 1,400 linear feet of trenching and new piping) is not anticipated at this time. Upsizing of the pipes and lift station wet well is a possibility but not anticipated to be required for the Project.

WATER SUPPLY

Although there are no significant issues with the existing water service infrastructure, improvements may be needed on the pier to ensure that adequate fire flow and pressure are available to meet fire code requirements. Phase One improvements would include installation of a pump station, replacement of water lines that may be too small or too shallow and connecting dead-end lines that are closed off and no longer in use. Modifications to the potable water system are not anticipated. Relocation and reconnection of water lines may require excavating and trenching to access points of connection to the expanded pier.

The increased size of the NSMV, including its capacity to accommodate a greater number of cadets and crew, would come with additional potable water demand. Potable water connections to the vessel would need to be sized to fill NSMV water storage tanks to meet daily consumption rates, as well as for needed readiness for deployment at sea. The NSMV has 1,375 tons of potable water storage, or about 14 days for 700 persons. Using reverse osmosis, the ship can generate approximately 130 tons of water per day when at sea—sufficient for 1,000 persons on board.

STORMWATER

The increased size of the pier would expand the extent of the overwater impervious area. This would be addressed with on-pier stormwater filtration systems. The finished surface of the pier deck would have grated entrances to divert surface runoff on the pier to the stormwater treatment system installed in the deck. The water will flow through an inlet grate into the stormwater catchments within the deck that house rechargeable, media-filled cartridges. When water levels reach a certain height, a float valve opens, allowing water to flow across the filter media before being discharged out of the vault and back to the water below. The filter cartridges will be designed to trap particulates and absorb pollutants from stormwater runoff such as: total suspended solids, hydrocarbons, oil and grease, metals, and other common pollutants. The filter cartridges are replaced every few years once the filter media has been exhausted.

ENERGY

The existing electrical system on campus does not appear to have adequate capacity to serve the proposed Project; however, this would need to be confirmed based on final load calculations and coordination with Pacific Gas and Electric Company. Shore power systems are present for the TSGB and would need to be upgraded to meet requirements of the NSMV. Initial estimates of power-connected demand for the NSMV are 4,828 kilovolt-amperes. Upgrades to the electrical gear may require excavating and trenching to access points of connection to the expanded pier.

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OTHER UTILITY IMPROVEMENTS

In addition to the main site utility infrastructure systems, several other important systems would require upgrades. These would include fire detection systems (e.g., alarms, monitoring) and energy management, boilers, and steam piping. Dedicated telecommunication lines serving the TSGB would also need to be upgraded to meet the requirements of the NSMV, as well as port security requirements. Steam piping and related plant systems presently support the heating needs of the TSGB when it is docked at the pier. To serve the NSMV, the existing boiler may need new steam piping, and some trenching may be required if the steam plant is to remain. If the steam plant is not required to support the NSMV while it is docked at the pier, it may be removed from the campus either by disposal or through reuse.

TEMPORARY BERTH ACCOMMODATIONS

While demolition and the construction of in-water and landside Project improvements in anticipation of the NSMV's arrival are underway, potentially starting in 2025 and concluding in 2026 with the arrival of the NSMV, the TSGB along with one tugboat and one small passenger boat would be temporarily relocated to the Suisun Bay Reserve Fleet (SBRF), which is a federal facility of Maritime Administration. This location would support Cal Maritime programs and avoid any disruption in hands-on training and other shipboard programs. Cadets would continue to receive instruction aboard the TSGB while temporarily moored at SBRF during the day, with nighttime activities limited to night watches (eight cadets per watch performing 4 -hour shifts for a 12-hour total nighttime duration between 4:00 p.m. and 8:00 a.m.). Cal Maritime would operate a shuttle between the main campus and temporary mooring at SBRF to transport cadets, faculty, and staff as required. Between the hours of 8:00 a.m. and 4:00 p.m., approximately 35 to 45 cadets and 10 to 1 faculty/staff would be shuttled to the temporary berth location. The temporary mooring would be served by existing power, water supply, and sanitary sewer utilities. No landside facility or infrastructure improvements would be needed to accommodate the TSGB at the temporary berth.

The small vessels programs would be temporarily relocated to City of Vallejo Marina. Cal Maritime would operate a shuttle between the main campus and the City of Vallejo Marina to transport cadets, faculty and staff as required. Between the hours of 8:00 am and 4:00 pm approximately 20 to 30 cadets and two to four faculty/staff would be shuttled to this temporary location.

PHASE 1 CONSTRUCTION, EQUIPMENT, AND STAGING

Construction of Phase One is anticipated to occur over 21 months commencing in summer 2025, with completion in fall 2027. Work would be conducted on weekdays, 10–12 hours per day, seven days per week. The TSGB and small vessels programs would be relocated during reconstruction of and expansion of the main pier. The TSGB and two small vessels would be berthed for the duration of construction, potentially starting in 2025 and concluding in 2026 with the arrival of the NSMV, at Suisun Bay Reserve Fleet, a Maritime Administration facility.

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A variety of marine equipment, including derrick barges, laydown barges, work boats and tugs, would be required for construction staging and materials laydown. The equipment may be anchored in one place for a few days to several weeks. The Marine Yard and existing pier would also serve as construction staging areas. All construction activities would take place within the boundaries of the Project Area, and no off-site staging areas would be required.

V. Covered Species Subject to Take Authorization Provided by this ITP:

This ITP covers the following species:

<u>Name</u>	<u>CESA Status</u> ⁴
1. Sacramento River winter-run Chinook salmon (<i>Oncorhynchus tshawytscha</i>)	Endangered ⁵
2. Delta smelt (<i>Hypomesus transpacificus</i>)	Endangered
3. Central Valley spring-run Chinook salmon (<i>Oncorhynchus tshawytscha</i>)	Threatened ⁶
4. Longfin smelt (<i>Spirinchus thaleichthys</i>)	Threatened
5. White sturgeon (<i>Acipenser transmontanus</i>)	Candidate ⁷

These species and only these species are the “Covered Species” for the purposes of this ITP.

VI. Impacts of the Taking on Covered Species:

Project activities and their resulting impacts are expected to result in the incidental take of individuals of the Covered Species. The activities described above expected to result in incidental take of individuals of the Covered Species include pile driving, drilling, and dredging (Covered Activities).

Incidental take of individuals of the Covered Species in the form of mortality (“kill”) may occur as a result of Covered Activities such as hydroacoustic impacts from pile driving and drilling activities. Impact pile driving piles for Covered Activities have been modeled to exceed the hydroacoustic thresholds known to cause fish mortality and injury out to 293 meters from pile driving activities. Incidental take of individuals of the Covered Species may also occur from the Covered Activities in the form of catch, capture, or attempt to do so of the Covered Species from dredging activities. Dredging at times of the year when the various life stages of the Covered species are present could present risk to the Covered Species through entrainment or being subjected to elevated levels of turbidity above baseline conditions. The areas where authorized take of the Covered Species is expected to occur include: The immediate area of covered activities, as shown in Figure 1, and extending out to approximately 293 meters from any impact pile driving activities (collectively, the Project Area).

⁴ Under CESA, a species may be on the list of endangered species, the list of threatened species, or the list of candidate species

⁵See *Id.*, subd. (a)(2)(M,O)

⁶See Cal. Code Regs. tit. 14 § 670.5, subd. (b)(2)(C,E).

⁷The species status may change following the decision of the Fish and Game Commission to designate the species as threatened or endangered but if there is such a designation, the species will remain a Covered Species.

The Project is expected to cause permanent and temporary loss of habitat for the Covered Species. Impacts of the authorized taking also include adverse impacts to the Covered Species related to temporal losses, increased habitat fragmentation and edge effects, and the Project's incremental contribution to cumulative impacts (indirect impacts). These impacts include: stress resulting from noise and vibrations from increase vessel traffic, and long-term effects due to increased pollution, displacement from preferred habitat, increased competition for food and space, and increased vulnerability to predation.

VII. Incidental Take Authorization of Covered Species:

This ITP authorizes incidental take of the Covered Species and only the Covered Species. With respect to incidental take of the Covered Species, CDFW authorizes Permittee, its employees, contractors, and agents to take Covered Species incidentally in carrying out the Covered Activities, subject to the limitations described in this section and the Conditions of Approval identified below. This ITP does not authorize take of Covered Species from activities outside the scope of the Covered Activities, take of Covered Species outside of the Project Area, take of Covered Species resulting from violation of this ITP, or intentional take of Covered Species.

VIII. Conditions of Approval:

Unless specified otherwise, the following measures apply to all Covered Activities within the Project Area, including areas used for vehicular and vessel ingress and egress, staging and parking, and noise and vibration generating activities that will cause take. CDFW's issuance of this ITP and Permittee's authorization to take the Covered Species are subject to Permittee's compliance with and implementation of the following Conditions of Approval:

- 1. Legal Compliance:** Permittee shall comply with all applicable federal, state, and local laws in existence on the effective date of this ITP or adopted thereafter.
- 2. California Environmental Quality Act Compliance:** Permittee shall implement and adhere to the mitigation measures related to the Covered Species in the Biological Resources section of the Environmental Impact Report (SCH No.: 2022120009) certified by The Board of Trustees of the California State University on July 24, 2024 as lead agency for the Project pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.).
- 3. ESA Compliance:** Permittee shall implement and adhere to the terms and conditions related to the Covered Species pursuant to the Federal Endangered Species Act (ESA). For purposes of this ITP, where the terms and conditions for the Covered Species in the federal authorization are less protective of the Covered Species or otherwise conflict with this ITP, the conditions of approval set forth in this ITP shall control.
- 4. ITP Time Frame Compliance:** Permittee shall fully implement and adhere to the conditions of this ITP within the time frames set forth below and as set forth in the Mitigation Monitoring and Reporting Program (MMRP), which is included as Attachment 1 to this ITP.

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5. General Provisions:

- 5.1. Designated Representative.** Before starting Covered Activities, Permittee shall designate a representative (Designated Representative) responsible for communications with CDFW and overseeing compliance with this ITP. Permittee shall notify CDFW in writing before starting Covered Activities of the Designated Representative's name, business address, and contact information, and shall notify CDFW in writing if a substitute Designated Representative is selected or identified at any time during the term of this ITP.
- 5.2. Designated Biologist(s), Biological Monitor(s).** Permittee shall submit to CDFW in writing the name, qualifications, business address, and contact information of the Designated Biologist(s) and Biological Monitor(s) using the Biologist Resume Form (ATTACHMENT 2) or another format containing the same information at least 30 days before starting Covered Activities. Permittee shall ensure that the Designated Biologist(s) and Biological Monitor(s) are knowledgeable and experienced in the biology, natural of the Covered Species. The Designated Biologist(s) and Biological Monitor(s) shall be responsible for monitoring Covered Activities to help minimize and fully mitigate or avoid the incidental take of individual Covered Species and to minimize disturbance of Covered Species' habitat. Permittee shall obtain CDFW approval of the Designated Biologist(s) and Biological Monitor(s) in writing before starting Covered Activities and shall also obtain approval in advance, in writing, if the Designated Biologist(s) or Biological Monitor(s) must be changed.
- 5.3. Designated Biologist Authority.** To ensure compliance with the Conditions of Approval of this ITP, the Designated Biologist shall immediately stop any activity that does not comply with this ITP and/or order any reasonable measure to avoid the unauthorized take of an individual of the Covered Species. Permittee shall provide unfettered access to the Project Site and otherwise facilitate the Designated Biologist in the performance of his/her duties. If the Designated Biologist is unable to comply with the ITP, then the Designated Biologist shall notify the CDFW Representative immediately. Permittee shall not enter into any agreement or contract of any kind, including but not limited to non-disclosure agreements and confidentiality agreements, with its contractors and/or the Designated Biologist that prohibit or impede open communication with CDFW, including but not limited to providing CDFW staff with the results of any surveys, reports, or studies or notifying CDFW of any non-compliance or take. Failure to notify CDFW of any non-compliance or take or injury of a Covered Species as a result of such agreement or contract may result in CDFW taking actions to prevent or remedy a violation of this ITP.
- 5.4. Education Program.** Permittee shall conduct an education program for all persons employed or otherwise working in the Project Area before performing any work. The program shall consist of a presentation from the Designated Biologist that includes a discussion of the biology and general behavior of the Covered Species, information about the distribution and habitat needs of the Covered Species, sensitivity of the Covered

Species to human activities, its status pursuant to CESA including legal protection, recovery efforts, penalties for violations and Project-specific protective measures described in this ITP. Permittee shall prepare and distribute wallet-sized cards or a fact sheet handout containing this information for workers to carry in the Project Area. Permittee shall provide interpretation for non-English speaking workers, and the same instruction shall be provided to any new workers before they are authorized to perform work in the Project Area. Upon completion of the program, employees shall sign a form stating they attended the program and understand all protection measures. This training shall be repeated at least once annually for long-term and/or permanent employees that will be conducting work in the Project Area.

- 5.5. Construction Monitoring Documentation.** The Designated Biologist(s) and Biological Monitor(s) shall maintain construction-monitoring documentation on-site in either hard copy or digital format throughout the construction period, which shall include a copy of this ITP with attachments and a list of signatures of all personnel who have successfully completed the education program. Permittee shall ensure a copy of the construction-monitoring documentation is available for review at the Project site upon request by CDFW.
- 5.6. Erosion Control Materials.** Permittee shall prohibit use of erosion control materials potentially harmful to Covered Species and other species, such as monofilament netting (erosion control matting) or similar material, in potential Covered Species' habitat.
- 5.7. Staging Areas.** Permittee shall confine all Project-related parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities to the Project Area using, to the extent possible, previously disturbed areas.
- 5.8. Hazardous Waste.** Permittee shall immediately stop and, pursuant to pertinent state and federal statutes and regulations, arrange for repair and clean up by qualified individuals of any fuel or hazardous waste leaks or spills at the time of occurrence, or as soon as it is safe to do so. Permittee shall exclude the storage and handling of hazardous materials from the Project Area and shall properly contain and dispose of any unused or leftover hazardous products off-site.
- 5.9. CDFW Access.** Permittee shall provide CDFW staff with reasonable access to the Project and mitigation lands under Permittee control, and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in this ITP.
- 5.10. Refuse Removal.** Upon completion of Covered Activities, Permittee shall remove from the Project Area and properly dispose of all temporary fill and construction refuse, including, but not limited to, broken equipment parts, wrapping material, cords, cables, wire, rope, strapping, twine, buckets, metal or plastic containers, and boxes.

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6. Monitoring, Notification and Reporting Provisions:

- 6.1. Notification Before Commencement.** The Designated Representative shall notify CDFW 14 calendar days before starting Covered Activities and shall document compliance with all pre-Project Conditions of Approval before starting Covered Activities.
- 6.2. Notification of Non-compliance.** The Designated Representative shall immediately notify CDFW if Permittee is not in compliance with any Condition of Approval of this ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in this ITP and/or the MMRP. The Designated Representative shall follow up within 24 hours with a written report to CDFW describing, in detail, any non-compliance with this ITP and suggested measures to remedy the situation.
- 6.3. Compliance Monitoring.** The Designated Biologist shall be on-site daily when Covered Activities occur. The Designated Biologist shall conduct compliance inspections a minimum of monthly during periods of inactivity and after pile driving, drilling, and dredging are completed. The Designated Biologist shall conduct compliance inspections to:
- (1) minimize incidental take of the Covered Species;
 - (2) prevent unlawful take of species;
 - (3) check for compliance with all measures of this ITP;
 - (4) check all exclusion zones; and
 - (5) and that Covered Activities are only occurring in the Project Area.

The Designated Representative or Designated Biologist shall prepare daily written observation and inspection records summarizing oversight activities and compliance inspections, observations of Covered Species and their sign, survey results, and monitoring activities required by this ITP.

- 6.4. Quarterly Compliance Report.** The Designated Representative or Designated Biologist shall compile the observation and inspection records identified in Condition of Approval 6.3 into a Quarterly Compliance Report and submit it to CDFW along with a copy of the MMRP table with notes showing the current implementation status of each mitigation measure. Quarterly Compliance Reports shall be submitted to the CDFW offices listed in the Notices section of this ITP and via e-mail to CDFW's Regional Representative and Headquarters CESA Program. At the time of this ITP's approval, the CDFW Regional Representative is Arn Aarreberg (Arn.Aarreberg@wildlife.ca.gov) and Headquarters CESA Program email is CESA@wildlife.ca.gov. CDFW may at any time increase the timing and number of compliance inspections and reports required under this provision depending upon the results of previous compliance inspections. If CDFW determines the reporting schedule must be changed, CDFW will notify Permittee in writing of the new reporting schedule.

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- 6.5. Annual Status Report.** Permittee shall provide CDFW with an Annual Status Report (ASR) no later than January 31 of every year beginning with issuance of this ITP and continuing until CDFW accepts the Final Mitigation Report identified below. Each ASR shall include, at a minimum: (1) a summary of all Quarterly Compliance Reports for that year identified in Condition of Approval 6.4; (2) a general description of the status of the Project Area and Covered Activities, including actual or projected completion dates, if known; (3) a copy of the table in the MMRP with notes showing the current implementation status of each mitigation measure; (4) an assessment of the effectiveness of each completed or partially completed mitigation measure in avoiding, minimizing and mitigating Project impacts; (5) all available information about Project-related incidental take of the Covered Species; (6) an accounting of the number of acres subject to both temporary and permanent disturbance, both for the prior calendar year, and a total since ITP issuance; and (7) information about other Project impacts on the Covered Species.
- 6.6. CNDDDB Observations.** The Designated Biologist shall submit all observations of Covered Species to CDFW's California Natural Diversity Database (CNDDDB) within 60 calendar days of the observation and the Designated Biologist shall include copies of the submitted forms with the next Quarterly Compliance Report or ASR, whichever is submitted first relative to the observation.
- 6.7. Final Mitigation Report.** No later than 45 days after completion of all mitigation measures, Permittee shall provide CDFW with a Final Mitigation Report. The Designated Biologist shall prepare the Final Mitigation Report which shall include, at a minimum: (1) a summary of all Quarterly Compliance Reports and all ASRs; (2) a copy of the table in the MMRP with notes showing when each of the mitigation measures was implemented; (3) all available information about Project-related incidental take of the Covered Species; (4) information about other Project impacts on the Covered Species; (5) beginning and ending dates of Covered Activities; (6) an assessment of the effectiveness of this ITP's Conditions of Approval in minimizing and fully mitigating Project impacts of the taking on Covered Species; (7) recommendations on how mitigation measures might be changed to more effectively minimize take and mitigate the impacts of future projects on the Covered Species; and (8) any other pertinent information.
- 6.8. Notification of Take or Injury.** Permittee shall immediately notify the Designated Biologist if a Covered Species is taken or injured by a Project-related activity, or if a Covered Species is otherwise found dead or injured within the vicinity of the Project. The Designated Biologist or Designated Representative shall provide initial notification to CDFW by calling the Regional Representative at (707) 791-4195. The initial notification to CDFW shall include information regarding the location, species, and number of animals taken or injured and the ITP Number. Following initial notification, Permittee shall send CDFW a written report within two calendar days. The report shall include the date and time of the finding or

incident, location of the animal or carcass, and if possible, provide a photograph, explanation as to cause of take or injury, and any other pertinent information.

- 7. Take Minimization Measures:** The following requirements are intended to ensure the minimization of incidental take of Covered Species in the Project Area during Covered Activities. Permittee shall implement and adhere to the following conditions to minimize take of Covered Species:

7.1. In-Water Work Window. In-water work shall be limited to July 1 through November 30 with four exceptions.

7.1.1. Vibratory pile driving/removal and pile repair may occur from December 1, 2026 through January 31, 2027

7.1.2. Impact pile driving may occur from December 1, 2026 through December 15, 2026.

7.1.3. Bedrock drilling may occur from December 1, 2026 through December 15, 2026.

7.1.4. Mechanical dredging may occur from December 1, 2026 through January 31, 2027.

7.2. Dredging. Dredging shall be limited to mechanical or clamshell dredging methods.

7.3. Vibratory Pile Driving. Permittee shall utilize a vibratory hammer to drive piles to depth or until refusal to maximum extent feasible.

7.4. Impact Pile Driving. During all impact pile driving Permittee shall employ a soft start technique at the start of pile driving or after a stoppage of pile driving for more than 1 hour to disburse aquatic life prior to full pile strikes.

7.5. Pile Size Limit. Pile size shall be limited to 42 inches in diameter regardless of the hammer type used.

7.6. Pile Driving Sound Attenuation. Permittee shall employ a bubble curtain, with sufficient flow capacity for approved pile sizes and environmental conditions within the Project Area, around all steel piles during impact pile driving activities.

7.7. Impact Hammer Hydroacoustic Sound Limit. Permittee shall not exceed the maximum hydroacoustic sounds levels for peak and cumulative sound exposure levels as described within Table 10 of the ITP application. If any modeled sound levels are exceeded, Permittee shall halt pile driving activities until measures are determined to reduce underwater sound levels or an ITP amendment is obtained.

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7.8. Hydroacoustic Monitoring. Permittee shall monitor underwater sound levels during pile driving activities for a minimum of 5% of all pile sizes and materials to confirm hydroacoustic sound levels are consistent with modeled sound levels described in the ITP application and Condition of Approval 7.7.

7.9. Pile Removal. Permittee shall remove piles via a direct pull method to minimize sediment disturbance. If the structural integrity of piles are sound, piles may also be removed with a vibratory hammer. If a pile breaks or cannot be removed, the pile must be cut off at least 2 feet below the mudline.

8. Habitat Management Land Acquisition and Restoration: CDFW has determined that permanent protection and perpetual management of compensatory habitat is necessary and required pursuant to CESA to fully mitigate Project-related impacts of the taking on the Covered Species that will result from implementation of the Covered Activities. This determination is based on factors including an assessment of the importance of the habitat in the Project Area, the extent to which the Covered Activities will impact the habitat, and CDFW's estimate of the protected acreage required to provide for adequate compensation.

To meet this requirement, Permittee shall purchase 0.89 acres of Covered Species credits from a CDFW-approved mitigation or conservation bank pursuant to Condition of Approval 8.2 below. Purchase of Covered Species credits must be complete before starting Covered Activities, or within 12 months of the effective date of this ITP if Security is provided pursuant to Condition of Approval 9 below for all uncompleted obligations.

8.1. Cost Estimates. For the purposes of determining the Security amount, CDFW has estimated the cost sufficient for Permittee to purchase 0.89 acres of Covered Species credits from a CDFW-approved mitigation or conservation bank at **\$578,500.00**.

8.2. Covered Species Credits. If Permittee elects to purchase Covered Species credits to complete compensatory mitigation obligations, then Permittee shall purchase 0.89 acres of Covered Species credits from a CDFW-approved mitigation or conservation bank prior to initiating Covered Activities, or no later than 12 months from the issuance of this ITP if Security is provided pursuant to Condition of Approval 9 below. Prior to purchase of Covered Species credits, Permittee shall obtain CDFW approval to ensure the mitigation or conservation bank is appropriate to compensate for the impacts of the Project. Permittee shall submit to CDFW a copy of the Bill of Sale(s) and Payment Receipt prior to initiating Covered Activities or within 12 months from issuance of this ITP if Security is provided.

9. Security: Permittee may proceed with Covered Activities only after Permittee has ensured funding (Security) to complete any activity required by Condition of Approval 8 that has not been completed before Covered Activities begin. Permittee shall provide Security as follows:

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- 9.1. Security Amount.** The Security shall be in the amount of **\$578,500.00** or in the amount identified in 8.1 specific to the obligation that has not been completed. This amount is determined by CDFW based on the cost estimates identified in Condition of Approval 8.1 above, sufficient for CDFW or its contractors to complete land acquisition, property enhancement, startup costs, initial management, long-term management, and monitoring.
- 9.2. Security Form.** The Security shall be in the form of an irrevocable letter of credit (see Attachment 3) or another form of Security approved in advance in writing by CDFW's Office of the General Counsel.
- 9.3. Security Timeline.** The Security shall be provided to CDFW before Covered Activities begin or within 30 days after the effective date of this ITP, whichever occurs first.
- 9.4. Security Holder.** The Security shall be held by CDFW or in a manner approved in advance in writing by CDFW.
- 9.5. Security Transmittal.** Permittee shall transmit security to CDFW by way of an approved instrument such as an escrow agreement, irrevocable letter of credit, or other.
- 9.6. Security Drawing.** The Security shall allow CDFW to draw on the principal sum if CDFW, in its sole discretion, determines that Permittee has failed to comply with the Conditions of Approval of this ITP.
- 9.7. Security Release.** The Security (or any portion of the Security then remaining) shall be released to Permittee after CDFW has conducted an on-site inspection and received confirmation that all secured requirements have been satisfied, as evidenced by:
- Copy of Bill of Sale(s) and Payment Receipt(s) or Credit Transfer Agreement for the purchase of Covered Species credits; and
 - Timely submission of all required reports.

Even if Security is provided, Permittee must complete the required acquisition of Covered Species Credits no later than 12 months from the effective date of this ITP. CDFW may require Permittee to provide additional Habitat Management lands and/or additional funding to ensure the impacts of the taking are minimized and fully mitigated, as required by law, if Permittee does not complete these requirements within the specified timeframe.

IX. Amendment:

This ITP may be amended as provided by California Code of Regulations, Title 14, section 783.6, subdivision (c), and other applicable law. This ITP may be amended without the concurrence of Permittee as required by law, including if CDFW determines that continued implementation of the Project as authorized under this ITP would jeopardize the continued existence of the Covered Species or where Project changes or changed biological conditions necessitate an ITP amendment to ensure

that all Project-related impacts of the taking to the Covered Species are minimized and fully mitigated.

X. Stop-Work Order:

If CDFW determines Permittee has violated any term or condition of this ITP or has engaged in unlawful take, CDFW may issue Permittee a written stop-work order instructing Permittee to suspend any Covered Activity for an initial period of up to 30 days or risk suspension or revocation of this ITP. CDFW can issue a stop-work order to prevent or remedy a violation of this ITP, including but not limited to the failure to comply with reporting or monitoring obligations, or to prevent the unauthorized take of any CESA endangered, threatened, or candidate species, regardless of whether that species is a Covered Species under this ITP. Permittee shall stop work immediately as directed by CDFW upon receipt of any such stop-work order. Upon written notice to Permittee, CDFW may extend any stop-work order issued to Permittee for a period not to exceed 30 additional days.

If Permittee fails to remedy the violation or to comply with a stop-work order, CDFW may proceed with suspension and revocation of this ITP. Suspension and revocation of this ITP shall be governed by California Code of Regulations, Title 14, section 783.7, and any other applicable law. Neither the Designated Biologist nor CDFW shall be liable for any costs incurred in complying with stop-work orders.

XI. Compliance with Other Laws:

This ITP sets forth CDFW's requirements for Permittee to implement the Project pursuant to CESA. This ITP does not necessarily create an entitlement to proceed with the Project. Permittee is responsible for complying with all other applicable federal, state, and local law.

XII. Notices:

Written notices, reports and other communications relating to this ITP shall be delivered to CDFW by email or registered first class mail at the following address, or at addresses CDFW may subsequently provide Permittee. Notices, reports, and other communications shall reference the Project name, Permittee, and ITP Number (2081-2024-048-07) in a cover letter and on any other associated documents.

Original cover with attachment(s) to:

Craig Shuman, Regional Manager
California Department of Fish and Wildlife
r7regionalmgr@wildlife.ca.gov

and a copy to:

Habitat Conservation Planning Branch
California Department of Fish and Wildlife

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CESA@wildlife.ca.gov

Unless Permittee is notified otherwise, CDFW's Regional Representative for purposes of addressing issues that arise during implementation of this ITP is:

Arn Aarreberg
California Department of Fish and Wildlife
Telephone (707) 791-4195
Arn.Aarreberg@wildlife.ca.gov

XIII. Compliance with the California Environmental Quality Act:

CDFW's issuance of this ITP is subject to CEQA. CDFW is a responsible agency pursuant to CEQA with respect to this ITP because of prior environmental review of the Project by the lead agency, California State University Board of Trustees. (See generally Pub. Resources Code, §§ 21067, 21069.) The lead agency's prior environmental review of the Project is set forth in the California State University Maritime Academy Waterfront Master Plan Environmental Impact Report, (SCH No.: 2022120009) dated May 15, 2024 that the California State University Board of Trustees certified for California State University Maritime Academy Waterfront Master Plan on July 24, 2024. At the time the lead agency certified the EIR and approved the Project it also adopted various mitigation measures for the Covered Species as conditions of Project approval.

This ITP, along with CDFW's related CEQA findings, which are available as a separate document, provide evidence of CDFW's consideration of the lead agency's EIR for the Project and the environmental effects related to issuance of this ITP (CEQA Guidelines, § 15096, subd. (f)). CDFW finds that issuance of this ITP will not result in any previously undisclosed potentially significant effects on the environment or a substantial increase in the severity of any potentially significant environmental effects previously disclosed by the lead agency. Furthermore, to the extent the potential for such effects exists, CDFW finds adherence to and implementation of the Conditions of Project Approval adopted by the lead agency, and that adherence to and implementation of the Conditions of Approval imposed by CDFW through the issuance of this ITP, will avoid or reduce to below a level of significance any such potential effects. CDFW consequently finds that issuance of this ITP will not result in any significant, adverse impacts on the environment.

XIV. Findings Pursuant to CESA:

These findings are intended to document CDFW's compliance with the specific findings requirements set forth in CESA and related regulations. (Fish & G. Code § 2081, subs. (b)-(c); Cal. Code Regs., tit. 14, §§ 783.4, subds. (a)-(b), 783.5, subd. (c)(2).)

CDFW finds based on substantial evidence in the ITP application, California State University Maritime Academy Waterfront Master Plan Environmental Impact Report, the results of consultations, and the administrative record of proceedings, that issuance of this ITP complies and is consistent with the criteria governing the issuance of ITPs pursuant to CESA:

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- (1) Take of Covered Species as defined in this ITP will be incidental to the otherwise lawful activities covered under this ITP;
- (2) Impacts of the taking on Covered Species will be minimized and fully mitigated through the implementation of measures required by this ITP and as described in the MMRP. Measures include: (1) permanent habitat protection; (2) establishment of avoidance zones; (3) worker education; and (4) Quarterly Compliance Reports. CDFW evaluated factors including an assessment of the importance of the habitat in the Project Area, the extent to which the Covered Activities will impact the habitat, and CDFW's estimate of the acreage required to provide for adequate compensation. Based on this evaluation, CDFW determined that the protection and management in perpetuity of 0.73 acres of compensatory habitat that is contiguous with other protected Covered Species habitat and/or is of higher quality than the habitat being destroyed by the Project, along with the minimization, monitoring, reporting, and funding requirements of this ITP minimizes and fully mitigates the impacts of the taking caused by the Project;
- (3) The take avoidance and mitigation measures required pursuant to the conditions of this ITP and its attachments are roughly proportional in extent to the impacts of the taking authorized by this ITP;
- (4) The measures required by this ITP maintain Permittee's objectives to the greatest extent possible;
- (5) All required measures are capable of successful implementation;
- (6) This ITP is consistent with any regulations adopted pursuant to Fish and Game Code sections 2112 and 2114;
- (7) Permittee has ensured adequate funding to implement the measures required by this ITP as well as for monitoring compliance with, and the effectiveness of, those measures for the Project; and
- (8) Issuance of this ITP will not jeopardize the continued existence of the Covered Species based on the best scientific and other information reasonably available, and this finding includes consideration of the species' capability to survive and reproduce, and any adverse impacts of the taking on those abilities in light of (1) known population trends; (2) known threats to the species; and (3) reasonably foreseeable impacts on the species from other related projects and activities. Moreover, CDFW's finding is based, in part, on CDFW's express authority to amend the terms and conditions of this ITP without concurrence of Permittee as necessary to avoid jeopardy and as required by law.

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XV. Attachments:

FIGURE 1
TABLE 1

Project Location
Summary of Project Pile Removal and Installation

ATTACHMENT 1
ATTACHMENT 2

Amended Mitigation Monitoring and Reporting Program

ATTACHMENT 3
ATTACHMENT 4

Biologist Resume Form
Letter of Credit Form
Amended ITP 1 Changes to Original ITP

ISSUED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ON September 8, 2026



Craig Shuman, D. Env, Regional Manager
Marine Region



FIGURE 1. Project Location

TABLE 1. Summary of Project Pile Installation

PILE TYPE	PILE MATERIAL	PILE SIZE	NUMBER OF PILES/LENGTH (Maximum)
PILES TO BE REMOVED			
Pier Piles	steel	24-inch	51
Mooring Dolphin Piles	steel	18-inch	28
Breakwater Piles	steel	12-inch	20
Breakwater Sheetpile	steel	NA	Approx. 425 Linear Feet
Guidepiles (for existing floating docks)	steel	18-inch	17
Timber Piles	wood	12-inch	20
PILES TO BE INSTALLED			
Pier and Transition Pier Piles	steel	24-inch	71
Mooring Dolphin Piles	steel	42-inch	46
Breakwater Piles	steel	36-inch	26
Breakwater Sheetpile	steel	NA	Approx. 795 Linear Feet
Intermediate gangway platform piles	Steel	30-inch	4
Guidepiles (for existing floating docks)	steel	18-inch	17

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Attachment 4

Amended Incidental Take Permit No. 2081-2024-048-07 (Amendment No. 1)

1. The ITP Background has been inserted preceding the Effective Date and Expiration section as follows:

Amended ITP¹Background

On June 23, 2025, CDFW issued ITP No. 2081-2024-048-07, to California State University Maritime Academy (Permittee), authorizing take of Central Valley spring-run Chinook salmon (*Oncorhynchus tshawytscha*), Sacramento River winter-run Chinook salmon (*Oncorhynchus tshawytscha*), Delta smelt (*Hypomesus transpacificus*), Longfin smelt (*Spirinchus thaleichthys*), and White sturgeon (*Acipenser transmontanus*) (collectively, the Covered Species) associated with and incidental to the California State University Maritime Academy Waterfront Master Plan Phase 1 Project (Project). The Project as described in the ITP as originally issued by CDFW included upgrades to in-water infrastructure, marine yard, and expansion of onsite utilities. In issuing the ITP, CDFW found, among other things, that Permittee's compliance with the Conditions of Approval of the ITP would fully mitigate Project impacts of the taking on the Covered Species and that issuance of the ITP would not jeopardize the continued existence of the Covered Species.

On June 10, 2026, Permittee submitted a request for a Major Amendment to the ITP (CESA fee paid on March 26, 2026). Permittee requested changes to the in-water work window in order to complete pile driving and dredging activities and an increase in the overall amount of material that will be dredged from the previously approved dredge footprint. The Permittee requested pile driving activities be extended until January 31, 2027 and that the amount of dredged material be increased from 15,000 cubic yards to 40,000 cubic yards. Additionally, Permittee has requested the ITP expiration date be extended from November 30, 2026 to November 30, 2027 to ensure adequate time for the Project to complete construction. Due to these changes, additional impacts to the Covered Species are expected as the in-water work timeframe will be increased in 2026 going into 2027 by 62 days and occur during times when estimated species densities are higher than the originally permitted work window. The impacts from the extended work window will be mitigated through additional compensatory mitigation of 0.16 acres, which will be purchased from a CDFW approved mitigation bank.

CDFW now reissues this ITP including the revised provisions in this first major amendment (Collectively, Amended ITP 1).

The Amended ITP 1 includes all of the operative provision as of the effective date of this ITP. Attachment 4 to this ITP shows the specific red-line changes made to the original ITP as a result of this major amendment.

¹ When this incidental take permit and attachments refer to the "ITP", it means the "Amended ITP" unless the context dictates otherwise.

2. The Effective Date and Expiration Date of the ITP have been amended as follows:

Effective Date and Expiration Date of this ITP:

The original ITP's effective date was June 23, 2025, and the expiration date was November 30, 2026. This ITP shall be executed in the same manner and shall become effective when the Regional Manager of CDFW's Marine Region signs the Amended ITP. Unless renewed by CDFW, this ITP's authorization to take the Covered Species shall expire on November 30, 2027.~~This ITP is effective as of the date signed by CDFW below. Unless renewed by CDFW, this ITP and its authorization to take the Covered Species shall expire on November 30, 2026.~~

Notwithstanding the expiration date on the take authorization provided by this ITP, Permittee's obligations pursuant to this ITP do not end until CDFW accepts as complete Permittee's Final Mitigation Report required by Condition of Approval 6.7 of this ITP.

3. The Project Description has been amended as follows:

Project Description:

* * *

DREDGING

Dredging will be required to ensure navigational safety within the new reconfigured boat basin. The total dredge footprint is estimated at 147,400 square feet (3.38 acres) and will occur within California Maritime Academy's existing maintenance dredge area (79,250 square feet, 1.82 acres) and within a new dredge area (68,150 square feet, 1.56 acres). Dredging will be conducted utilizing a clam shell dredge and the total volume expected to be dredged across the total footprint is ~~15,000~~40,000 cubic yards of sediment at depths up to elevation -10 Mean Low Low Water (plus 1 foot of overdredge). The maintenance dredge footprint supports the existing boat basin operations but with a larger boat basin, dredge operations will need to be expanded beyond the maintenance footprint to ensure navigational safety within the larger reconfigured boat basin. Dredging will be restricted to within the expanded boat basin and will not be required on the outboard side of the new pier to berth the new NSMV. Dredge material will be disposed of at an approved disposal site and will be coordinated with the Dredge Material Management Office (DMMO). All necessary testing will be conducted per the DMMO's requirements, with material placed in locations approved by the DMMO.

Incidental Take Permit
No. 2081-2013-047-03
MARTIN MARIETTA MARINE OPERATIONS LLC
SAN FRANCISCO BAY-DELTA ESTUARY SAND MINING BY MARTAIN MARIETTA MARINE OPERATIONS
AMENDMENT 3

* * *

PHASE 1 CONSTRUCTION, EQUIPMENT, AND STAGING

Construction of Phase One is anticipated to occur over 21 months commencing in summer 2025, with completion in fall ~~2026~~2027. Work would be conducted on weekdays, 10–12 hours per day, seven days per week. The TSGB and small vessels programs would be relocated during reconstruction of and expansion of the main pier. The TSGB and two small vessels would be berthed for the duration of construction, potentially starting in 2025 and concluding in 2026 with the arrival of the NSMV, at Suisun Bay Reserve Fleet, a Maritime Administration facility.

A variety of marine equipment, including derrick barges, laydown barges, work boats and tugs, would be required for construction staging and materials laydown. The equipment may be anchored in one place for a few days to several weeks. The Marine Yard and existing pier would also serve as construction staging areas. All construction activities would take place within the boundaries of the Project Area, and no off-site staging areas would be required.

4. Condition of Approval 7.1 has been amended as follows:

7.1. In-Water Work Window. In-water work shall be limited to July 1 through November 30 with four exceptions.

7.1.1. Vibratory pile driving/removal and pile repair may occur from December 1, 2026 through January 31, 2027

7.1.2. Impact pile driving may occur from December 1, 2026 through December 15, 2026.

7.1.3. Bedrock drilling may occur from December 1, 2026 through December 15, 2026.

7.1.4. Mechanical dredging may occur from December 1, 2026 through January 31, 2027.

5. Condition of Approval 8 has been amended as follows:

8. **Habitat Management Land Acquisition and Restoration:** CDFW has determined that permanent protection and perpetual management of compensatory habitat is necessary and required pursuant to CESA to fully mitigate Project-related impacts of the taking on the Covered Species that will result from implementation of the Covered Activities. This determination is based on factors including an assessment of the importance of the habitat in the Project Area, the extent to

which the Covered Activities will impact the habitat, and CDFW's estimate of the protected acreage required to provide for adequate compensation.

To meet this requirement, Permittee shall purchase ~~0.730.89~~ acres of Covered Species credits from a CDFW-approved mitigation or conservation bank pursuant to Condition of Approval 8.2 below. Purchase of Covered Species credits must be complete before starting Covered Activities, or within 12 months of the effective date of this ITP if Security is provided pursuant to Condition of Approval 9 below for all uncompleted obligations.

8.1. Cost Estimates. For the purposes of determining the Security amount, CDFW has estimated the cost sufficient for Permittee to purchase ~~0.730.89~~ acres of Covered Species credits from a CDFW-approved mitigation or conservation bank at ~~\$438,000.00~~\$578,500.00.

8.2. Covered Species Credits. If Permittee elects to purchase Covered Species credits to complete compensatory mitigation obligations, then Permittee shall purchase ~~0.730.89~~ acres of Covered Species credits from a CDFW-approved mitigation or conservation bank prior to initiating Covered Activities, or no later than 12 months from the issuance of this ITP if Security is provided pursuant to Condition of Approval 9 below. Prior to purchase of Covered Species credits, Permittee shall obtain CDFW approval to ensure the mitigation or conservation bank is appropriate to compensate for the impacts of the Project. Permittee shall submit to CDFW a copy of the Bill of Sale(s) and Payment Receipt prior to initiating Covered Activities or within 12 months from issuance of this ITP if Security is provided.

6. Condition of Approval 9 has been amended as follows:

9. Security: Permittee may proceed with Covered Activities only after Permittee has ensured funding (Security) to complete any activity required by Condition of Approval 8 that has not been completed before Covered Activities begin. Permittee shall provide Security as follows:

9.1. Security Amount. The Security shall be in the amount of ~~\$438,000.00~~\$578,500.00 or in the amount identified in 8.1 specific to the obligation that has not been completed. This amount is determined by CDFW based on the cost estimates identified in Condition of Approval 8.1 above, sufficient for CDFW or its contractors to complete land acquisition, property enhancement, startup costs, initial management, long-term management, and monitoring.

* * *

7. Section XV. Attachments have been amended as follows:

Incidental Take Permit
No. 2081-2013-047-03
MARTIN MARIETTA MARINE OPERATIONS LLC
SAN FRANCISCO BAY-DELTA ESTUARY SAND MINING BY MARTAIN MARIETTA MARINE OPERATIONS
AMENDMENT 3

XV. Attachments:

FIGURE 1

Project Location

TABLE 1

Summary of Project Pile Removal and Installation

ATTACHMENT 1

Amended Mitigation Monitoring and Reporting Program

ATTACHMENT 2

Biologist Resume Form

ATTACHMENT 3

Letter of Credit Form

ATTACHMENT 4

Amended ITP 1 Changes to Original ITP

Incidental Take Permit
No. 2081-2013-047-03

MARTIN MARIETTA MARINE OPERATIONS LLC
SAN FRANCISCO BAY-DELTA ESTUARY SAND MINING BY MARTAIN MARIETTA MARINE OPERATIONS
AMENDMENT 3