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DATE: December 19, 2022

TO: Honorable Mayor and Members of the City Council through City Manager

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SUBJECT: Resolution Accepting the Completion of the Petaluma Turning Basin Dredging Project and Phase One of the Marina Dredging Project by Lind Marine, Inc., and the Authorizing Release of the 10% Retention and Finding This Action is Not a Project Pursuant to CEQA Guidelines Section 15304

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### **RECOMMENDATION**

It is recommended that the City Council adopt the attached resolution accepting the completion of the Petaluma Turning Basin Dredging Project and Phase One of the Marina Dredging Project by Lind Marine, Inc., and authorizing the release of the 10% retention and finding this action is not a Project pursuant to CEQA Guidelines Section 15304.

### **BACKGROUND**

The adopted 2022-23 Capital Improvement Program (CIP) budget for project #C14402010 includes dredging at the Petaluma Marina and Turning Basin. The project also includes repairs to the floating docks and gangways at both the Marina and the Turning Basin.

Funding has not yet been identified for the dock repairs and future full dredging at the Petaluma Marina. Therefore, this work was not included in the Turning Basin dredging contract.

On September 19, 2022, City Council adopted Resolution No. 2022-154 N.C.S. Authorizing Award of Contract for the Petaluma Turning Basin Dredging Project to Lind Marine, Inc.

During pre-construction planning for the Turning Basin Dredging Project, it was determined there would be a substantial benefit to complete an initial phase of dredging at the Marina, also included in City Project #C14402010, to provide for public safety improvements and to allow all Marina users the ability to access the Marina's fueling station, which had only been accessible during the highest tides. This initial phase of dredging at the south end of the Marina was added to the

Petaluma Turning Basin Dredging Project contract as a change order, authorized by the City Council per adoption of Resolution No. 2022-165 N.C.S. Authorizing a Change Order to the Contract for the Marina, Turning Basin Dredging & Dock Upgrades Project (Phase: Petaluma Turning Basin Dredging Project) to Incorporate Phase One of the Marina Dredging Project.

A critical objective of this initial maintenance dredging at the Marina is to provide Marina docks and water access deep enough for the County Sheriff and the City of Petaluma's Police and Fire Department boats to be stationed there. No longer necessitating dry land storage on trailers for these boats will greatly increase public safety response times. A future complete Marina dredging project (currently awaiting funding) will recover the full operational water depth at the Marina for boating safety, navigation, and Marina operations, ultimately facilitating higher tenant occupancy and capacity.

Replacement of the City docks in the Turning Basin is planned for 2023, during the next environmental permitting window from June 1 through November 30.

## **DISCUSSION**

The Petaluma Turning Basin Dredging Project, City Project Number C14402010, included the following items:

- The removal, demolition, and disposal of the City's Turning Basin float docks to allow for dredging. New float docks will be installed as part of a separate contract in 2023.
- The removal, protection, and reinstallation of the Petaluma Small Craft Center floating docks and some of the City's Turning Basin float docks that were designated for reinstallation. These sections of docks were reinstalled immediately following the dredging in October 2022.
- The dredging of the Petaluma Turning Basin to a design depth of minus 8.0 feet (-8.0 Mean Lower Low Water (MLLW)).

Change Order #1 added an initial phase of dredging at the Petaluma Marina to remove approximately 17,000 cubic yards of dredged material to restore navigable access to the Marina fueling station for all boaters, and to provide sufficient depth for police and fire vessels to access their docks and keep the response vessels in the water to facilitate a reduced response time and increased capability.

There are no disputed claims, and the project was completed satisfactorily without any significant incidents.

## **PUBLIC OUTREACH**

Staff conducted community and direct stakeholder outreach that included a stakeholder meeting in advance of the project to discuss details of the dredging plans, coordination efforts, and anticipated impacts; postcards to all residents and businesses in the vicinity of the project; signage regarding the D Street closure; signage at all impacted access points to the Turning Basin and Marina; publication of a project website; and inclusion of project details and impacts in weekly community update emails.

This agenda item appeared on the City’s tentative agenda document on December 5, 2022, which was a publicly noticed meeting.

### **COUNCIL GOAL ALIGNMENT**

The City Council has identified “An Economy That Prospers” as one of its key strategic initiatives for 2021-2023. This recommended action supports the following Workplan items:

*Item #117. Identify short- and long-term funding solutions for dredging the Turning Basin and Federal channel by coordinating with other dredging efforts in the Bay Area; dredging the City Marina; coordinating with Bay Area-wide dredging efforts.*

### **CLIMATE ACTION/SUSTAINABILITY EFFORTS**

This proposed action supports the above Council goal and restores the depth of the Turning Basin to allow for the installation of new floating docks and gangways in 2023. The new floating docks will improve access and safety for recreation and public users including boaters, kayakers, and pedestrians. The proposed action also supports the Petaluma Small Craft Center (PSCC), a local non-profit organization that recently installed a new Floathouse Small Craft Rental Center located in the Turning Basin. The new PSCC dock facility provides access to the river for small boats, offering recreation, classes, camps, and boating programs.

The Petaluma Marina is tidally influenced and vulnerable to climate change impacts, including sea-level rise and increased instances of flooding and erosion. The project reduced sediment accumulation within the Petaluma Marina, thereby reducing flood risk by deepening the waterway to allow adequate storage of water volumes in the event of a significant storm event. Reducing sediment accumulation also decreases the frequency of erosion events. Erosion events can lead to a decrease in bank stability and increased water turbidity, which can negatively impact aquatic habitats.

Dredging at the Marina also allowed for the Police and Fire boats to stay docked full-time and avoid needing to drive the boats between storage yards and the Marina, thus saving fuel and emissions. Additionally, keeping the boats moored at the Marina also avoids the need to wash the boats every time they come out of the water for land storage, resulting in water and energy savings.

### **ENVIRONMENTAL REVIEW**

The project, including the sediment deposition sites, was consistent with the Programmatic EIR/EIS prepared for the Long-Term Management Strategy (LTMS) for Placement of Dredged Material in the San Francisco Bay and the 1998 and 2015 Biological Opinions for the LTMS which specifically identify dredging of the Petaluma Marina and Petaluma River Turning Basin. Additionally, this project was exempt under CEQA Guidelines Section 15304(g) (Minor Alterations to Land), which exempts “maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal regulatory agencies” as the dredging of the turning basin and Marina was determined to be in compliance with all state and federal regulatory

agencies. CEQA Guidelines Section 15301 (Existing Facilities) exempts periodic maintenance dredging, which involves negligible or no expansion of the existing use. No cumulative impacts, unusual circumstances, or other factors would have made the exemption inapplicable.

**FINANCIAL IMPACTS**

The total budget for this phase of the project is projected to be \$6,387,000. Resolution 2022-154 N.C.S. approved the turning basin dredging in the amount of \$563,055. In addition, the total budget for the initial phase of the Marina dredging, added with Change Order #1, was \$1,100,000 through FY 22/23 which was funded by the General Fund and authorized with Resolution 2022-165 N.C.S. Estimated expenditures for both the Turning Basin Dredging and the Phase 1 Marina Dredging are shown in the table below. Future phases of the project include the replacement of the City docks in the Turning Basin (FY 23/24) and completing the full dredging at the Petaluma Marina when funding becomes available.

<b>Itemized Budget Breakdown Uses</b>	<b>Approved CIP Total Project Budget</b>	<b>FY 22/23 Petaluma Turning Basin and Phase 1 Marina Dredging Estimated Expenditures</b>
Planning/Environmental	\$ 216,000	\$ 352
Land & Easements	-	\$ 500
Design	\$ 237,000	\$ 150,695
Legal Services	\$ -	\$ -
Administration	\$ -	\$ 2,887
Construction Contracts	\$4,895,000	\$1,445,130
Construction Management	\$ 300,000	\$ 80,999
Contingency	\$ 720,000	\$ -
CIP Overhead	\$ 19,000	\$ 31,427
<b>TOTAL</b>	<b>\$6,387,000</b>	<b>\$1,711,990</b>

<b>Funding Sources</b>	<b>Approved CIP Total Project Funding</b>
Parkland Impact Fees	\$ 387,000
Transient Occupancy Tax	\$3,373,000
Storm Drainage Utility Fee	\$ 50,000
General Fund (for Phase 1 Marina Dredging)	\$1,100,000
Undetermined	\$1,477,000
<b>TOTAL</b>	<b>\$6,387,000</b>

**ALTERNATIVES**

The project was completed satisfactorily by the contractor. Not accepting completion would likely lead to a contractual dispute with the contractor.

## **ATTACHMENTS**

1. Resolution
2. Dredge Area Maps
3. Project Photos