



September 22, 2005  
(For Board: October 14, 2005)

## **REPORT OF THE BUILDING AND OPERATING COMMITTEE**

Honorable Board of Directors  
Golden Gate Bridge, Highway  
and Transportation District

Honorable Members:

A meeting of the Building and Operating Committee was held in the Board Room, Administration Building, Toll Plaza, San Francisco, California, on Thursday, September 22, 2005, at 9:37 a.m., Chair Eddie presiding.

**Committee Members Present (6):** Chair Eddie; Vice Chair Reilly; Directors Boro, Martini and Stroeh; President Middlebrook (Ex Officio)

**Committee Members Absent (3):** Directors Ammiano, Hernández and Moylan

**Other Directors Present (3):** Directors Cochran, Murray and Shahum

[**Note: On this date, there was one vacancy on the Board of Directors.**]

**Staff Present:** Acting General Manager and District Engineer Denis J. Mulligan; Auditor-Controller Joseph M. Wire; Secretary of the District Janet S. Tarantino; Attorney David J. Miller; Deputy General Manager/Bus Division Susan C. Chiaroni; Deputy General Manager/Administration and Development Teri W. Mantony; Planning Director Alan R. Zahradnik; Public Affairs Director Mary C. Currie; Executive Assistant to the General Manager Amorette Ko; Assistant Clerk of the Board Karen B. Engbretson

**Visitors Present:** None

### **1. Status Report on BART's Seismic Retrofit Project and its Impact on the San Francisco Ferry Terminal**

In a memorandum to Committee, Deputy General Manager/Ferry Division James Swindler, District Engineer Denis Mulligan and General Manager Celia Kupersmith provided a status report on plans by the San Francisco Bay Area Rapid Transit District (BART) to undertake a project known as the BART Seismic Retrofit Project – Berkeley Hills Tunnel to the Montgomery Street Station (BART Retrofit). The report stated that

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the BART Retrofit project, which includes a retrofit of the Transbay Tube, will impact the District's Golden Gate Ferry operations and the Stephan C. Leonoudakis Ferry Terminal (S.F. Ferry Terminal) in San Francisco. The BART Retrofit project is currently in the environmental clearance and preliminary design phase. It is anticipated that any construction that might impact the District's operations will not occur for approximately two years.

The report also stated that BART has released an Environmental Assessment document in cooperation with the State of California, Department of Transportation and the Federal Highway Administration. This Environmental Assessment is intended to describe the project and includes BART's anticipated project impacts and mitigations. The report noted that staff will provide written comments to BART prior to the September 28, 2005, deadline and that the District will shortly be commencing negotiations with BART regarding the impacts of the project to District facilities and operations. It is anticipated that the BART Retrofit project will necessitate the temporary relocation of at least a portion of, and perhaps all of, the District's facilities and operations at the Ferry Terminal. A copy of the report is available from the Office of the District Secretary and on the District's web site.

At the meeting, Denis Mulligan provided a PowerPoint presentation which included schematic drawings, photographs, construction diagrams and other pertinent information regarding the proposed BART Retrofit project. Mr. Mulligan acknowledged that BART is a very vital transportation system for the Bay Area and that the Transbay Tube, which terminates underneath the S.F. Ferry Terminal, is an important component of the BART system. The District's ferry system also is a vital regional transportation system. Accordingly, the District requires assurance that BART will undertake its retrofit project in such a manner that it will not adversely impact the District's ferry operations and facilities, and that unavoidable impacts be properly mitigated.

Mr. Mulligan described the timeline for the BART Retrofit project, noting that BART first approached the District in 2003 seeking permission to perform preliminary geotechnical testing at the S.F. Ferry Terminal. The project was put on hold until BART secured funding from a bond measure and Regional Measure 2. Mr. Mulligan stated that a team of District staff has been formed to lead discussions with BART regarding the project, including the Attorney, the Planning Director, the District Engineer and the Deputy General Manager/Ferry Division. He also stated that a 30-day public comment period on BART's Environmental Assessment began on August 29, 2005, and that the District will provide formal written comments to BART before the deadline of September 28, 2005. In addition, District staff will closely coordinate with the Port of San Francisco (Port) and the Bay Conservation and Development Commission (BCDC) due to common concerns and goals associated with the BART Retrofit project.

Mr. Mulligan displayed photographs of typical heavy construction equipment used in marine retrofit projects, such as the BART Retrofit project, and described typical noise levels for that type of construction work. He also presented diagrams of several alternative construction concepts proposed by BART in its Environmental Assessment document. He explained the differences between the "minimum footprint" and the "maximum footprint" construction concepts, as follows: (1) the "maximum footprint" concept would entail BART completely taking over the entire Ferry Plaza and both berths

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at the S.F. Ferry Terminal for a period of time ranging from 16 to 37 months, depending on the number and type of construction work shifts; and, (2) the “minimum footprint” concept would entail taking over smaller portions of the Ferry Plaza and the S.F. Ferry Terminal in various phases for a period of time ranging from 19 to 51 months, depending on work shifts. Mr. Mulligan stated that regardless of which type of construction phasing that BART chooses, the District’s facilities will have to be relocated at some point. He also stated that there is a small docking structure just to the north of the existing S.F. Ferry Terminal, adjacent to a pedestrian walkway from the Ferry Building that could serve as a temporary ferry facility during the BART Retrofit project construction.

Mr. Mulligan described the District’s operational necessities to safely and effectively serve its customers at the S.F. Ferry Terminal:

1. Two Operational Berths: The District operates efficient ferry service at the S.F. Ferry Terminal, providing 41 trips per day using two high-speed ferry vessels for Larkspur service. The facility includes a paid waiting area and wide passenger walkways, with the capability to unload passengers, carry out security screenings and load new passengers within a space of five minutes. Mr. Mulligan stated that if this efficient schedule was impacted in any way by BART’s Retrofit project, then the District would require BART to mitigate such impacts by providing a third vessel and crew.
2. Layered, Integrated Security System: The S.F. Ferry Terminal includes a recently installed security system with perimeter access control, closed-circuit television monitoring, passenger screening for explosives and the ability to quickly respond to heightened security levels. Mr. Mulligan stated that the same level of security functionality would have to be maintained during BART’s Retrofit project.
3. Passenger Amenities: The S.F. Ferry Terminal provides such passenger amenities as a heated, paid waiting area and restrooms, all of which should be continually provided during the construction.
4. Ferry Service Support Facilities: The S.F. Ferry Terminal also includes such support facilities as employee work areas, equipment storage, communication systems and an emergency generator that is capable of fully powering the S.F. Ferry Terminal facilities in case of a power outage in the event of an emergency. Mr. Mulligan stated that all support systems would need to function uninterrupted during BART’s Retrofit project.

Mr. Mulligan further described the historical context of the S.F. Ferry Terminal in relation to the surrounding buildings. He noted that 30 years ago, when the District’s ferry facilities were built, the land use at the Ferry Building and Ferry Plaza was very different, and the S.F. Ferry Terminal was the main destination in the area. He stated that now that the Ferry Building has been restored, with shops and attractions that include a popular farmer’s market, the S.F. Ferry Terminal’s aging architecture is somewhat out of place. He further noted that given the fact that the District’s current ferry facility would need to be reconstructed after completion of the BART Retrofit project, it might be more cost effective for BART to build a new permanent ferry facility that is more consistent with the overall architectural themes of the Ferry Building and Ferry Plaza, while maintaining all of the functionality of the existing S.F. Ferry Terminal.

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Discussion ensued, including the following:

- Director Martini inquired as to who owns the land underlying the District's facilities at the S.F. Ferry Terminal. In response, Denis Mulligan replied that the District holds a 66-year lease with the Port, with about 38 years remaining on the lease. He explained that this lease with the Port is tantamount to an easement since it is an agreement for the District's property rights at S.F. Ferry Terminal. He noted that BART also holds property rights from the Port for its Transbay Tube facility.
- Attorney Miller further explained the legal basis for the District's property rights, noting that those property rights for the S.F. Ferry Terminal were originally purchased with federal grant funds as a long-term, capitalized lease. He stated that there is a federal investment in the District's ferry facilities, in much the same way as there is a state and federal investment in BART's facilities. He noted that through the lease, the District is entitled to the quiet enjoyment and use of its property at the S.F. Ferry Terminal. He further noted that the District will negotiate with BART to ensure that the District can continue its ferry operations unfettered either in place or in a relocated area.
- Director Boro expressed his appreciation to Mr. Mulligan for the informative and thorough presentation. He stated that the District's written comments to BART should emphasize the following points: (1) that the District must be able to perform its operations at the S.F. Ferry Terminal, and furnish the same level of ferry service it now provides to the District's customers; (2) that the security levels at the S.F. Ferry Terminal remain unchanged; and, (3) that in the event of an emergency, the District can respond appropriately and operate ferry service at normal levels. Director Boro inquired as to whether the San Francisco Bay Area Water Transit Authority (WTA) has been involved in the District's discussions with BART regarding the retrofit project. In response, Mr. Mulligan stated that it is possible that BART has contacted WTA regarding the project.
- Director Murray encouraged staff to propose to BART that if they build a new ferry facility for the District, it should be a permanent facility, with District input into the design of the facility. She stated that ideally, a fully tested, reliable permanent ferry facility should be in place prior to the start of BART's Retrofit project. In response, Mr. Mulligan stated that the District's written comments to BART include the request that prior to the start of construction, the District will need to have a facility that operates with the same functionality that exists today, in order to avoid environmental impacts such as traffic congestion and pollution.
- Director Shahum suggested that the BART Retrofit project would create an opportunity to improve signage and increase open space in the vicinity of the S.F. Ferry Terminal.
- President Middlebrook and Director Stroeh inquired as to whether staff is confident that BART will agree to all of the District's requested mitigation measures for the BART Retrofit project. In response, Attorney Miller stated that it is crucial that the District assert its position during the Environmental

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Assessment stage of the project, to ensure that any impacts on the District's ferry facility are addressed in a meaningful way.

- Director Boro noted that the District was required to perform a significant amount of mitigation for impacts to the Golden Gate National Recreation Area from the Golden Gate Bridge Seismic Retrofit project, and that BART should expect to accommodate the District's needs at the S.F. Ferry Terminal in a similar way.
- Chair Eddie and the rest of the Committee members present concurred that staff should submit comments on the Environmental Assessment insisting that a fully functional ferry facility should be provided by BART at its cost as mitigation for impacts on the District's operations from the BART Retrofit project.

**Action by the Board – None Required**

**2. Status Report from District Appointees on Sonoma-Marín Area Rail Transit (SMART) Board**

The Committee was provided with copies of the Agenda for the September 21, 2005, meeting and the Minutes of the July 20, 2005, meeting of the Sonoma-Marín Area Rail Transit District (SMART). Copies of these items are available in the Office of the District Secretary, as well as on the District's web site.

At the meeting, Chair Eddie, one of the District's representatives to SMART, provided updates on the following topics, which were discussed at the September 21, 2005 meeting of the SMART Board of Directors:

1. He provided an update on SMART's project to reopen the Cal Park Hill Tunnel between San Rafael and Larkspur, stating that SMART has allocated funding from Regional Measure 2 funds for train facility design and engineering work in the tunnel. He further stated that SMART has entered into a cost sharing agreement with the County of Marin, and that the County has agreed to provide the funding for the proposed bicycle/pedestrian pathway that will run through Cal Park Hill Tunnel parallel to the train tracks.
2. He stated that the release of the SMART Draft Environmental Impact Report (EIR) has been delayed due to some differences of opinion over certain technical aspects of the EIR, and that SMART staff and consultants are working hard on addressing those issues.
3. He reported that agreement has been reached between the North Coast Railroad Authority (NCRA) and the U.S. Coast Guard (USCG) regarding the Black Point Swing Bridge, and that NCRA has secured funding to perform necessary repairs and address the concerns of the USCG that the bridge is a hazard to navigation.
4. He stated that SMART has received proposals in response to the Request for Qualifications (RFQ) issued for the development of Santa Rosa Railroad Square property, and that a selection committee will start reviewing the proposals in early October 2005 to recommend a contractor for the development.

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Discussion ensued, including the following:

- Director Martini inquired as to how the Cal Park Hill Tunnel bicycle/pedestrian pathway would be integrated into the design for the tunnel. In response, Chair Eddie stated that the design will allow the pathway to be built first in such a way that it will not impede future construction of train tracks, rails and ties.
- Director Murray noted that the City of Novato is planning to develop a multi-modal transit station, and inquired as to how the coordination of train and shuttle bus connections is addressed in the EIR document. In response, Director Boro, one of the members of the SMART Board of Directors, replied that one of the technical aspects that has delayed release of the draft EIR is the complexity of coordinating shuttle buses with train stations along a 70-mile right-of-way that will go through nine cities in Sonoma and Marin counties. Director Murray suggested that when the EIR is released to the public, the Board of Directors invite SMART to make a presentation regarding its EIR to the appropriate District Committee.

**Action by the Board – None Required**

**3. Status Report on Engineering Projects**

In a memorandum to Committee, Deputy District Engineer Ewa Z. Bauer, District Engineer Denis Mulligan and General Manager Celia Kupersmith reported on current engineering projects. A copy of the report is available in the Office of the District Secretary and on the District's web site.

**Action by the Board – None Required**

**4. Public Comment**

There was no public comment.

**5. Adjournment**

All business having been concluded, the meeting was declared adjourned at 10:05 a.m.

Respectfully submitted,

James C. Eddie, Chair

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