



April 11, 2022

Jason Cashman  
Port of Stockton  
2201 West Washington Street  
Stockton, CA 95203  
Email: [jcashman@stocktonport.com](mailto:jcashman@stocktonport.com)

Dear Mr. Cashman:

**Notification of Lake or Streambed Alteration, EPIMS Notification No. 1600-SJN-24546-R3, Rapid Response Dock Replacement Project impacting the San Joaquin River**

The California Department of Fish and Wildlife (CDFW) had until March 15, 2022, to submit a draft Lake or Streambed Alteration Agreement (Agreement) to you or inform you that an Agreement is not required. CDFW did not meet that date. As a result, by law, you may now complete the project described in your notification without an Agreement.

Please note that pursuant to Fish and Game Code section 1602, subdivision (a)(4)(D), if you proceed with this project, it must be the same as described and conducted in the same manner as specified in the notification and any modifications to that notification received by CDFW in writing prior to December 15, 2021. This includes completing the project within the proposed term and seasonal work period and implementing all avoidance and mitigation measures to protect fish and wildlife resources specified in the notification. If the term proposed in your notification has expired, you will need to re-notify CDFW before you may begin your project. Beginning or completing a project that differs in any way from the one described in the notification may constitute a violation of Fish and Game Code section 1602.

Your notification includes, but is not limited to, the following information:

- Project work activities may begin upon the date of this signed Operation of Law letter and must be completed by August 31, 2022.
- Project work activities may include the following:
  - The existing Port Police dock and gangway will be removed, then replaced with a larger new American with Disabilities Act (ADA) compliant floating dock (referred to as the Rapid Response Dock), which includes two boat lift systems and new ADA-compliant ramp.
  - The construction staging area will be immediately adjacent to and northwest of the existing dock on paved upland Port property on Dock 9. Most of the construction access is anticipated to occur from land; however, waterside access via barge may also be needed for various elements during construction. No tree removal is authorized.
  - The existing gangways, floating dock, winch, and railing system will be removed by crane using straps or with a forklift positioned in the adjacent construction staging area. The debris from the removal activities will be temporarily stockpiled in the upland construction staging area and lawfully disposed of off-site at an approved landfill facility.

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- Once removal activities are complete, a kicker system will be constructed to secure the new dock and ramp in place. Construction associated with the kicker system would occur above mean high water (MHW), with the exception of the steel fenders and supports for the system, which would be below MHW. Work associated with these elements would occur at low tide to avoid any potential impacts to the aquatic environment.
  - After the kicker system is installed, the new 1,757-square foot floating dock will be installed. This dock portion would be assembled in the upland staging area, then placed into the water by a forklift or crane using straps.
  - After installation of the dock, the new 666-square foot galvanized steel or aluminum ADA-compliant ramp will be installed. The ramp and gangway will be placed by crane onto the floating dock system and attached to the steel landing. Once the new dock and ramp are installed, the metal canopy would be reinstalled (if removal was required) and braced to the existing piles.
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- No dredging or pile installation/removal is authorized.
  - Netting, sandbags, tarps, or other forms of barriers would be placed around staging areas to prevent debris from entering the water.
  - If debris reaches the water, personnel in workboats would immediately retrieve the debris for proper handling and disposal.
  - All debris and trash would be collected and disposed of in appropriate waste containers by the end of each construction day. Discharge of hazardous materials into the project site would be prohibited.
  - All construction-related equipment would be inspected daily and maintained in good working order to minimize the potential for hazardous waste spills. Current hazardous material spill prevention and cleanup plans would be maintained on site. Hydraulic attachments would be placed on plywood and covered with plastic or a comparable material prior to the onset of rain to prevent run-on and runoff.
  - Construction material that could wash or blow away would be covered every night and during any rainfall event.
  - Construction materials would be stored in an area that does not freely drain to the water, is free from standing water and wet soil, and is protected from rain. If necessary, materials would be stored on skids or support timbers to keep them off the ground.
  - Adequate erosion control supplies would be kept on site during all construction activities to ensure that materials are kept out of waterbodies.
  - The project proponent will obtain coverage for impacts to Federal Endangered Species Act listed terrestrial species under the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (Plan) and will implement and comply with relevant Incidental Take Minimization Measures or other requires under the Plan. Any and all reporting measures proposed in the Notification will be adhered to.

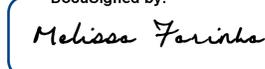
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Also note that while you are entitled to complete the project without an Agreement, you are still responsible for complying with other applicable local, state, and federal laws. These include, but are not limited to, Fish and Game Code sections 2080 *et seq.* (species listed as threatened or endangered, or a candidate for listing under the California Endangered Species Act); section 1908 (rare native plants); sections 3511, 4700, 5050, and 5515 (fully protected species); section 3503 (bird nests and eggs); section 3503.5 (birds of prey); section 5650 (water pollution); section 5652 (refuse disposal into water); section 5901 (fish passage); section 5937 (sufficient water for fish); and section 5948 (obstruction of stream).

Finally, if you decide to proceed with your project without an Agreement, you must have a copy of this letter and your notification with all attachments available at all times at the work site.

If you have questions regarding this letter, please contact Sabrina Dunn, Environmental Scientist, at (707) 428-2069 or by email at [Sabrina.Dunn@wildlife.ca.gov](mailto:Sabrina.Dunn@wildlife.ca.gov).

Sincerely,

DocuSigned by:  


0D25EB6A0381473...  
Melissa Farinha  
Environmental Program Manager

ec: Sabrina Dunn, [Sabrina.Dunn@wildlife.ca.gov](mailto:Sabrina.Dunn@wildlife.ca.gov)