1.0 PROJECT AND AGENCY INFORMATION

1.1 PROJECT TITLE
Georgia Pacific Gypsum Antioch Wharf Upgrade Project (Project)

1.2 LEAD AGENCY AND PROJECT SPONSOR
California State Lands Commission (CSLC)
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825

Contact person:
Afifa Awan, Environmental Scientist
Division of Environmental Planning and Management
Afifa.Awan@slc.ca.gov
(916) 574-1891

Applicant:
Georgia Pacific Gypsum, LLC (GP Gypsum or Applicant)
801 Minaker Drive
Antioch, CA 94509

Contact person:
Alexander Hnizdor, Plant Environmental Manager
Alexander.Hnizdor@gapac.com
(925) 757-2870 ext. 200

1.3 PROJECT LOCATION
The proposed Project is located offshore on the San Joaquin River (River) at 801 Minaker Drive, city of Antioch, Contra Costa County, approximately 2 miles west of the Senator John A. Nejedly Bridge (Antioch Bridge), and east of Suisun Bay. (Refer to Section 2, Project Description, for further details on the Project location.)

1.4 ORGANIZATION OF MITIGATED NEGATIVE DECLARATION
This Mitigated Negative Declaration (MND) is intended to provide the CSLC, as lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), and other responsible agencies with the information required to exercise their discretionary responsibilities with respect to the proposed Project. The document is organized as follows:
1. Project and Agency Information

- Section 1 provides the Project background, Agency and Applicant information, Project Objectives and anticipated agency approvals, and a summary of the public review and comment process.

- Section 2 describes the proposed Project including its location, layout, equipment, and facilities. Section 2 also provides an overview of the Project’s operations and schedule.

- Section 3 provides the Initial Study (IS), including the environmental setting, identification and analysis of potential impacts, and discussion of various Project changes and other measures that, if incorporated into the Project, would mitigate or avoid those impacts, such that no significant effect on the environment would occur. The IS was conducted by the CSLC pursuant to section 15063 of the State CEQA Guidelines.³

- Section 4 includes an environmental justice analysis and discussion consistent with CSLC Policy.

- Section 5 presents the Mitigation Monitoring Program (MMP).

- Section 6 presents information on report preparation and references.

- Appendices. The appendices include specifications, technical data, and other information supporting the analysis presented in this MND.
  - Appendix A. Air Quality Calculations
  - Appendix B. Special Status Species Tables
  - Appendix C. Explanations of Special Status Species Codes
  - Appendix D. Biological Assessment
  - Appendix E. Underwater Noise Assessment
  - Appendix F. Noise
  - Appendix G. Comment Letters Received

1.5 PROJECT BACKGROUND AND OBJECTIVES

GP Gypsum proposes to structurally upgrade several wharf components at the existing GP Gypsum Antioch wharf (wharf/ship terminal) and meet the berthing requirements of California Marine Oil Terminal Engineering and Maintenance Standards (MOTEMS) (Cal. Code Regs., tit. 24, § 3101F et seq.). Although the wharf is not a marine oil terminal subject to MOTEMS regulations, GP Gypsum proposes to use applicable berthing and mooring provisions of MOTEMS in the design criteria because MOTEMS is considered to be the “state of the art” design code. The wharf is in need of repairs because of damage to the structures from years of use. The upgrades generally include removing existing wooden structures, installing new concrete and steel structures, and

³ The State CEQA Guidelines are found in Title 14 of the California Code of Regulations, commencing with section 15000.
repairing the remaining existing wooden structures. Table 1.5-1 below lists the history of the facility and the events leading to the proposed Project.

Table 1.5-1. Sequence of Events Leading to the Proposed Project

<table>
<thead>
<tr>
<th>Year</th>
<th>Events</th>
</tr>
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<tbody>
<tr>
<td>1955</td>
<td>The wharf/ship terminal was built.</td>
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<tr>
<td>1984</td>
<td>The most recent wharf repairs were completed.</td>
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<tr>
<td>2007</td>
<td>CSLC notified GP Gypsum that a condition survey and berthing analysis of the wharf was required for lease renewal.</td>
</tr>
<tr>
<td>2008</td>
<td>Sea Engineering, Inc. (SEI) provided a baseline survey and reviews of the existing underwater and above water structures and developed a plan of action for improvements.</td>
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<tr>
<td>2011</td>
<td>The CSLC approved issuance of a new lease to Georgia Pacific Gypsum, LLC that included a requirement that the wharf be rehabilitated.</td>
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<tr>
<td>2012</td>
<td>GP Gypsum submitted plans for the wharf upgrade that were made a condition of the lease approved by the CSLC in 2011.</td>
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<tr>
<td>2013</td>
<td>CSLC staff accepted GP Gypsum’s preliminary plan; GP Gypsum submitted an application to amend the existing lease to allow for rehabilitation activities to proceed.</td>
</tr>
<tr>
<td>2013/2014</td>
<td>A feasibility study was performed to evaluate design alternatives.</td>
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<tr>
<td>2014</td>
<td>GP Gypsum selected the proposed Project design from the recommended design alternatives.</td>
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</tbody>
</table>

The proposed Project would help achieve the following objectives:

- Rehabilitate the facility by removing, installing, and repairing structures to maintain the essential and existing use of an industrial wharf facility for the GP Gypsum Antioch Plant (Plant);
- Obtain a new CSLC General Lease – Industrial Use, PRC 1589.1, in order to operate the facility after repairs are completed;
- Meet MOTEMS requirements;
- Improve safety and reduce possible risks to public recreational and commercial uses of the River around the wharf area;
- Safely accommodate larger vessels (terminal capacity, delivery schedules, or onshore Plant capacity or operations will not change);
- Help sustain the economic viability of a major industry and employer in Contra Costa County.
1.6 PUBLIC REVIEW AND COMMENT

Pursuant to State CEQA Guidelines sections 15072 and 15073, a lead agency must issue a proposed MND for a minimum 30-day public review period. Local, regional, State, and federal agencies and the public will have the opportunity to review and comment on the document. Responses to written comments received by the CSLC during the 30-day public review period will be incorporated as appropriate into the MND.

In accordance with State CEQA Guidelines section 15074, subdivision (b), the CSLC will review and consider the proposed MND, together with any comments received during the public review process, prior to taking action on approval of the MND and the Project.

1.7 APPROVALS AND REGULATORY REQUIREMENTS

The CSLC’s authority is set forth in Division 6 of the California Public Resources Code and it is regulated by the California Code of Regulations, Title 2, sections 1900–2970.

The CSLC has authority to issue leases or permits for the use of sovereign lands held in the public trust, including all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways, as well as certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6301, 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the Common Law Public Trust. As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the U.S. in 1850. The State holds these lands for the benefit of all people of the State for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation and open space. On tidal waterways, the State’s sovereign fee ownership extends landward to the mean high tide line, except for areas of fill or artificial accretion. For the proposed Project, the CSLC has received an application for an amendment to Lease No. PRC 1589.1 to authorize GP Gypsum to perform the rehabilitation activities at the wharf/ship terminal.

The CSLC must comply with CEQA when it undertakes an activity defined by CEQA as a “project” that must receive some discretionary approval (i.e., the CSLC has the authority to deny the requested lease, permit, or other approval) which may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment. CEQA requires the CSLC to identify the significant environmental impacts of its actions and to avoid or mitigate those impacts, if feasible.
In addition to the CSLC, the Project is subject to the review and approval of other federal, State and local entities with statutory and/or regulatory jurisdiction over various aspects of the Project (see Table 1.7-1).

<table>
<thead>
<tr>
<th>Permitting Agency</th>
<th>Anticipated Approvals/Regulatory Requirements</th>
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<tbody>
<tr>
<td><strong>Federal</strong></td>
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<tr>
<td>U.S. Army Corps of Engineers (USACE), Sacramento District</td>
<td>Clean Water Act (CWA) Section 404, Minor Impact Letter of Permission</td>
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<tr>
<td>U.S. Fish and Wildlife Service (USFWS)</td>
<td>Section 7 Consultation under Federal Endangered Species Act (if necessary)</td>
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<tr>
<td>National Marine Fisheries Service (NMFS)</td>
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<tr>
<td><strong>State</strong></td>
<td></td>
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<tr>
<td>California Department of Fish and Wildlife (CDFW)</td>
<td>California Endangered Species Act Fish and Game Code sections 1600-1616 Streambed Alteration Agreement</td>
</tr>
<tr>
<td>Central Valley Regional Water Quality Control Board (CVRWQCB)</td>
<td>Clean Water Act Section 401 Water Quality Certification</td>
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<tr>
<td><strong>Local</strong></td>
<td></td>
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<tr>
<td>City of Antioch</td>
<td>Building Permit</td>
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