



Members of the Board

Charlene Haught Johnson, Chair
Anthony J. Intintoli, Jr., Vice Chair
Gerald Bellows
Beverly Johnson
John O'Rourke

**MEETING AGENDA FOR THE
WETA BOARD OF DIRECTORS**

Thursday, June 4, 2009, 1:00 P.M. to 4:00 P.M.
San Francisco Bay Area
Water Emergency Transportation Authority
Pier Nine, Suite 111
San Francisco

The full agenda packet is available for download at www.watertransit.org.

AGENDA

This information will be made available in alternative formats upon request. To request an agenda in an alternative format, please contact the Board Secretary at least five (5) working days prior to the meeting to ensure availability.

PUBLIC COMMENT The Water Emergency Transportation Authority welcomes comments from the public. Speakers' cards and a sign-up sheet are available. Please forward completed speaker cards to the Board Secretary.

Non-Agenda Items: A 15 minute period of public comment for non-agenda items will be held at the end of the meeting. Please indicate on your speaker card that you wish to speak on a non-agenda item. No action can be taken on any matter raised during the public comment period. Speakers will be allotted no more than three (3) minutes to speak and will be heard in the order of sign-up.

Agenda Items: Speakers on individual agenda items will be called in order of sign-up after the discussion of each agenda item and will be allotted no more than three (3) minutes to speak. You are encouraged to submit public comments in writing to be distributed to all Directors.

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|------------------------------------------|--------------------|
| 1. <u>CALL TO ORDER – BOARD CHAIR</u> | Information |
| 2. <u>ROLL CALL/PLEDGE OF ALLEGIANCE</u> | Information |
| 3. <u>REPORT OF BOARD CHAIR</u> | Information |
| 4. <u>REPORTS OF DIRECTORS</u> | Information |
| 5. <u>REPORTS OF STAFF</u> | Information |
| a. Executive Director's Report | |
| b. Legislative Report - Federal | |

**Water Emergency Transportation Authority
June 4, 2009 Meeting of the Board of Directors**

6. CONSENT CALENDAR **Action**
 - a. Minutes of April 15, 2009 – San Francisco
 - b. Minutes of April 16, 2009 - Alameda
 - c. Minutes of May 7, 2009

7. APPROVAL OF AMENDMENT NUMBER 3 TO THE AGREEMENT WITH NEMATODE MEDIA, LLC (DBA BAY CROSSINGS) FOR ADVERTISING IN BAY CROSSINGS AND OTHER PUBLIC INFORMATION AND MARKETING SERVICES **Action**

8. APPROVAL OF AMENDMENT NUMBER 11 TO THE AGREEMENT WITH NOSSAMAN, LLP FOR THE PROVISION OF LEGAL SERVICES **Action**

9. APPROVAL OF FISCAL YEAR 2009/10 BUDGET **Action/Information**

10. AUTHORIZE ACTIONS ASSOCIATED WITH ESTABLISHING PREVAILING WAGE RATES FOR OPERATIONAL FERRY **Action/Information**

11. SUMMARY OF DRAFT TRANSITION PLAN COMMENTS AND PROPOSED REVISIONS **Action/Information**

12. SUMMARY OF DRAFT EMERGENCY WATER TRANSPORTATION SYSTEM MANAGEMENT PLAN (EWTSMMP) COMMENTS AND PROPOSED REVISIONS **Action/Information**

13. RECESS INTO CLOSED SESSION
 - a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS **Action
To Be Determined**

Property: San Mateo County Harbor District, South San Francisco Small Boat Harbor
Agency Negotiators: Nina Rannells and John Sindzinski, San Francisco Bay Area Water Emergency Transportation Authority
Negotiating Parties: San Mateo County Harbor District, City of South San Francisco and State Department of Boating and Waterways
Under Negotiation: Terms and conditions to the cooperative agreement/lease with the San Mateo County Harbor District for the South San Francisco service
 - b. CONFERENCE WITH REAL PROPERTY NEGOTIATORS **Action
To Be Determined**

Property: City of Alameda ferry terminal related property/assets
Agency Negotiators: Nina Rannells and John Sindzinski, San Francisco Bay Area Water Emergency Transportation Authority
Negotiating Parties: City of Alameda
Under Negotiation: Terms and conditions to the transfer of property with the City of Alameda for the Alameda Oakland and Harbor Bay Ferry Services
 - c. CONFERENCE WITH REAL PROPERTY NEGOTIATORS **Action
To Be Determined**

Property: City of Vallejo ferry terminal related property/assets
Agency Negotiators: Nina Rannells and John Sindzinski, San Francisco Bay Area Water Emergency Transportation Authority
Negotiating Parties: City of Vallejo

Water Emergency Transportation Authority
June 4, 2009 Meeting of the Board of Directors

Under Negotiation: Terms and conditions to the transfer of property/assets with the City of Vallejo for the Vallejo Baylink Service

d. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: City of Berkeley ferry terminal related property
Agency Negotiators: Nina Rannells and John Sindzinski, San Francisco Bay Area Water Emergency Transportation Authority
Negotiating Parties: City of Berkeley
Under Negotiation: Terms and conditions to the cooperative agreement/lease with the City of Berkeley for Berkeley service

***Action
To Be Determined***

14. REPORT OF ACTIVITY IN CLOSED SESSION

Chair will report any action taken in closed session that is subject to reporting at this time. Action may be taken on matters discussed in closed session.

***Action
To Be Determined***

15. OPEN TIME FOR PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

ADJOURNMENT

Water Emergency Transportation Authority (WETA) meetings are wheelchair accessible. Upon request WETA will provide written agenda materials in appropriate alternative formats to individuals with disabilities. Please send a written request to contactus@watertransit.org or call (415) 291-3377 at least five (5) days before the meeting. Under Cal. Gov't. Code sec. 84308, Directors are reminded that they must disclose on the record of the proceeding any contributions received from any party or participant in the proceeding in the amount of more than \$250 within the preceding 12 months. Further, no Director shall make, participate in making, or in any way attempt to influence the decision in the proceeding if the Director has willfully or knowingly received a contribution in an amount of more than \$250 within the preceding 12 months from a party or such party's agent, or from any participant or his or her agent, provided, however, that the Director knows or has reason to know that the participant has a financial interest in the decision. For further information, Directors are referred to Gov't. Code sec. 84308 and to applicable regulations.

AGENDA ITEM 1
CALL TO ORDER

AGENDA ITEM 2
ROLL CALL

AGENDA ITEM 3
REPORT OF BOARD CHAIR

AGENDA ITEM 4
REPORTS OF DIRECTORS

NO MATERIALS

MEMORANDUM

TO: WETA Board Members

FROM: Nina Rannells, Executive Director

DATE: June 4, 2009

RE: Executive Director's Report

PROJECT UPDATES

Transition Plan – This plan will guide the consolidation of the Vallejo, Alameda/Oakland and Harbor Bay ferry services under WETA, and presents a five year financial outlook of WETA operating and expansion activities.

A draft Transition Plan was released on 4/02/09 and the public comment period ended on May 18, 2009. WETA received 161 comments from 25 individuals/organizations. Public hearings were held on April 15 & 16, in San Francisco, Vallejo and Alameda. Additional outreach and information discussions included an overview of the plan at WETA's April 8 Citizen's Advisory Committee meeting, City of Vallejo staff presentation to the City Council on April 28, presentation to the Vallejo Chamber on May 6, presentation to the Solano County Transportation Authority on May 13, a special meeting of the San Mateo County Transit Advocates on May 14 and a presentation to the Alameda City Council on May 19.

A memorandum summarizing public comments and proposed plan revisions is included in the Board packet for discussion and consideration on June 4. The final plan will be provided to the Board for adoption at a special meeting scheduled for June 18.

Emergency Water Transportation System Management Plan – This plan sets a framework for WETA coordination of emergency response and recovery efforts using passenger ferries and will provide a detailed definition of WETA's roles and responsibilities for incident planning, response, recovery and restoration of normal operations.

A draft plan was released on 4/02/09 and is available for download at www.watertransit.org. WETA received 50 comments from 13 individuals/organizations. Public hearings were held on April 15 & 16, in San Francisco, Vallejo and Alameda. Additional outreach and information discussions included an overview of the plan at WETA's April 8 Citizen's Advisory Committee meeting, a special meeting of the San Mateo County Transit Advocates on May 14 and a presentation to the Alameda City Council on May 19.

A memorandum summarizing public comments and proposed plan revisions is included in the Board packet for discussion and consideration on June 4. The final plan will be provided to the Board for adoption at a special meeting scheduled for June 18.

Spare Vessels - Two spare vessels have been constructed by Nichols Brothers Boat Builders, Ice Floe DBA and Kvichak Marine Industries, that will be used to augment existing services and expand WETA's emergency response capabilities.

WETA's second vessel, Pisces, arrived in the Bay Area in early April and was accepted by WETA on April 10, 2009. This vessel will be utilized by the City of Alameda in their Harbor Bay ferry service. Crew training on the Pisces was completed in May, and Harbor Bay Maritime is working on placing the boat in service as soon as possible.

South San Francisco Ferry Service - This service would provide access to biotech jobs in South San Francisco for East Bay commuters.

Construction of two new 199-passenger vessels for this service is currently underway by Kvichak Marine Industries and Nichols Brothers Boat Builders, Ice Floe DBA. With the suspension of Proposition 1B funds in December 2008, WETA was left with a \$3 million funding shortfall for this contract. The suspension of Proposition 1 B funds was lifted on May 15, 2009, and the Invitation for Bids for the demo and dredging work is being readied for release once all funding and administrative details are resolved.

Berkeley Ferry Service – This service will provide an alternative transportation link between Berkeley and downtown San Francisco.

WETA completed a draft Environmental Impact Report/Statement (EIR/EIS), which evaluated the impacts of a proposed Berkeley Ferry Terminal at four potential sites. WETA received approximately 60 public comments on the Draft EIR. At the April 2, 2009 WETA Board of Directors meeting, the Board selected the "Berkeley Fishing Pier" as the locally preferred site for Berkeley-to-San Francisco service. URS is currently working on the Final EIR/EIS which is expected to be released for public comment in September 2009. Staff is working with the City of Berkeley and with members of the public concerned about the potential impact of the terminal site on windsurfers in the area to better understand and address their specific concerns, as possible.

Treasure Island Service – This project, implemented by Treasure Island Development Authority (TIDA), the Mayor's Office of Economic and Workforce Development and the prospective developer, will institute new ferry service between Treasure Island and downtown San Francisco.

The City of San Francisco is currently conducting the environmental assessment of the TI development and related new ferry services. A draft document is expected late this year. WETA is the lead agency for the design work of the ferry terminal and awarded a contract to Skidmore Owens & Merrill, LLP in January 2009. Conceptual design is underway and expected to be completed by December 2009.

Downtown San Francisco Ferry Berthing Expansion - This project will expand ferry berthing capacity at the SF Ferry Terminal in order to accommodate expanded regular and emergency response ferry services.

WETA and staff from the Port of San Francisco are developing a cooperative MOU to define the scope and shared responsibilities related to the development of this project.

This agreement will need to be developed prior to establishing a project scope for the environmental review component of the project.

Pier 9 Berthing Facility - This project would construct two layover berths for mooring and access to ferry vessels on Pier 9 alongside the northern pier apron and adjacent to the WETA Administrative Offices.

Staff is currently in discussion with BCDC and the Port of San Francisco regarding off-site public access requirements associated with issuance of a BCDC permit. Once BCDC issues the permit, procurement and construction will take approximately 9 months. Staff anticipates bringing forward an action for construction contract award this summer/fall.

Central Bay Operations and Maintenance Facility - This project will develop a site for WETA operations and maintenance to serve basic vessel fueling, maintenance, shop, warehouse, storage and emergency operations needs.

Staff is in the process of exploring site options in San Francisco and the East Bay. Now that Proposition 1B funds are reinstated, staff will work to re-start consultant efforts to facilitate project planning and development.

Hercules Environmental Review/Conceptual Design - WETA has worked cooperatively with the City of Hercules to prepare the necessary environmental documents to support new ferry service in coordination with a Capitol Corridor commuter train station (and local feeder bus service) in a new Water Transit Oriented Development (WaTOD) being built at the Hercules waterfront.

Impact Sciences has completed the Administrative draft EIR/EIS and the draft EIR/EIS is expected for review and comment in May 2009, with the final document ready in September 2009.

Miscellaneous Environmental Assessments/Conceptual Design – This project involves completing environmental and conceptual design documents for potential future ferry services in Antioch, Martinez, Redwood City and Richmond.

WETA has chosen 4 consultants to conduct environmental assessments for ferry terminals in the above cities. All four environmental assessments have been on hold since December due to the state suspension of Proposition 1 B funds. Staff is developing plans to resume work on these projects. Each assessment should take approximately 18 months to complete. WETA will need to hire design firms for each project to support the EIRs.

OUTREACH, PUBLIC INFORMATION, AND MARKETING

On May 12, Shirley Douglas attended a Marketing Meeting coordinated by Crystal Ford, City of Vallejo, Transportation Division. Representatives from Blue and Gold, STA, Route 200, and Baylink Ferry attend this monthly meeting to discuss marketing activities aimed at increasing ridership on the Vallejo Baylink ferry. Activities include Friends and Family Promotion, Rider Appreciation Day, Discovery Kingdom promotions, and increased summer ferry service. She is working with the City on the development of an

Overall Marketing Plan to prioritize these and other short and long range marketing activities focusing on the Baylink Ferry and Route 200.

On May 13, Nina Rannells gave a presentation to the Solano County Transportation Authority on WETA's Transition Plan.

On May 14, Keith Stahnke attended the Trans Response Plan (TRP) Steering Committee and Harbor Safety Committee (HSC) meetings.

On May 14, Shirley Douglas and Keith Stahnke presented information on the Transition Plan and Emergency Response Management Plan at a Special Public Meeting of the San Mateo County Transit Advocates in Redwood City, California

On May 19, John Sindzinski and Keith Stahnke presented information on the Transition Plan and Emergency Response Management Plan to the Alameda City Council.

On May 20-22, Nina Rannells and Shirley Douglas attended the Annual Conference of the Women in Transportation Seminar (WTS) in Seattle Washington.

On May 29, Nina Rannells, John Sindzinski and Shirley Douglas met with the Mayor of Berkeley to discuss the Berkeley Ferry Terminal Project.

On June 3, Nina Rannells and Shirley Douglas attended the Annual Scholarship Fundraising Event of the San Francisco Bay Area Chapter of WTS.

OTHER ACTIVITIES / ITEMS

Proposition 1B Funds – On May 18, 2009, WETA received a letter from California Emergency Management Agency (CalEMA) indicating that our Proposition 1B funds are re-instated as of May 15, 2009. Staff has been in communication with CalEMA regarding funding details specific to WETA projects and needs, including discussing expected payment terms and timelines, with discussions focused on addressing agency cashflow issues that could arise if Proposition 1B funds are not reimbursed in a reasonable timeframe.

AB 1203 – This bill would direct the State to provide Proposition 1B waterborne funds to WETA on an up-front, vs. reimbursement basis, similar to the way in which the majority of Proposition 1B safety/security funds are managed to other organizations throughout the state. AB 1203 passed the Assembly Floor on May 28, 2009, and will likely be heard in the Senate Policy committee in June.

ADMINISTRATION

April Financial Statements - Attached are the monthly financial statements for April 2009, including the Statement of Revenues and Expenses and the Capital Budget vs. Expenditures reports.

Water Emergency Transportation Authority
Statement of Revenues and Expenses
April 2009

% of Year
Elapsed
83%

	Current Month	Prior Year Actual	FY 2008/09 Budget	FY 2008/09 Actual	% of Budget
Operating Revenues					
Operating Assistance					
RM 2 Operating	254,398	3,000,000	3,500,000	2,406,014	68.7%
Federal Section 5303	-	-	-	-	0.0%
Total Operating Assistance	254,398	3,000,000	3,500,000	2,406,014	68.7%
Other Revenues					
Interest Income	5	63,610	50,000	24,014	48.0%
Other	-	8,250	-	-	0.0%
Total Other Revenues	5	71,860	50,000	24,014	48.0%
Total Operating Revenues	254,402	3,071,860	3,550,000	2,430,028	68.5%
Total Capital Revenues	1,267,948	17,675,940	40,442,670	9,482,725	23.4%
Total Revenues	1,522,350	20,747,800	43,992,670	11,912,753	27.1%

	Current Month	Prior Year Actual	FY 2008/09 Budget	FY 2008/09 Actual	% of Budget
Operating Expenses					
Operations					
Wages and Fringe Benefits	116,430	1,423,740	1,590,000	1,090,599	68.6%
Services	112,177	1,195,960	2,528,000	945,950	37.4%
Materials and Supplies	1,967	26,150	57,000	21,504	37.7%
Utilities	769	12,710	17,000	10,125	59.6%
Insurance	-	31,760	35,000	29,619	84.6%
Miscellaneous	117	51,640	83,000	58,149	70.1%
Leases and Rentals	22,937	266,290	290,000	250,068	86.2%
Total Operations	254,398	3,008,250	4,600,000	2,406,014	52.3%
Total Operating Expenses	254,398	3,008,250	4,600,000	2,406,014	52.3%
Total Capital Expenses	1,267,948	17,675,940	40,442,670	9,482,725	23.4%
Total Expenses	1,522,345	20,684,190	45,042,670	11,888,739	26.4%
Excess Revenues (Loss)	5	63,610	-	24,014	-

**Water Emergency Transportation Authority
FY 2008/09 Capital Budget vs Expenditures
April 2009**

Project Description	Current Month	Project Budget	Prior Year Actual	2008/09 Budget*	2008/09 Actual	Future Year	% of Project
Expenses							
2 Spare Vessels	307,376	17,000,000	13,355,300	3,444,700	2,956,851	200,000	96%
SSF Vessels	947,201	20,500,000	3,819,150	10,221,820	5,241,973	6,459,030	44%
SSF Terminal Design	-	3,000,000	2,258,000	542,000	499,594	200,000	92%
SSF Mitigation Study	-	275,000	19,220	255,780	16,361	-	13%
SSF Terminal Construction	-	29,000,000	-	15,000,000	-	14,000,000	0%
Berkeley Environ/Conceptual Design	5,315	1,782,700	1,344,650	438,050	134,514	-	83%
Berkeley Terminal Design	-	3,200,000	-	1,500,000	-	1,700,000	0%
Hercules Environ/Conceptual Design	2,945	1,080,000	745,260	334,740	150,002	-	83%
Hercules Terminal Design	-	3,200,000	-	1,500,000	-	1,700,000	0%
Pier 9 Mooring/Floats	4,981	2,750,000	44,420	2,705,580	193,142	-	9%
Environmental Studies/Conceptual Design	-	3,000,000	-	2,000,000	282,287	1,000,000	9%
Maintenance Barge/Facility	130	12,000,000	-	2,500,000	8,002	9,500,000	0%
Total Capital Expenses	1,267,948	96,787,700	21,586,000	40,442,670	9,482,725	34,759,030	
Revenues							
RM 2	1,267,948	37,887,700	20,039,780	13,704,350	8,039,958	4,143,570	74%
San Mateo Sales Tax	-	15,000,000	-	7,758,620	-	7,241,380	0%
Federal	-	12,500,000	1,546,220	6,325,900	658,650	4,627,880	18%
Proposition 1B	-	31,400,000	-	12,653,800	784,117	18,746,200	2%
Total Capital Revenues	1,267,948	96,787,700	21,586,000	40,442,670	9,482,725	34,759,030	

* FY 2008/09 Budget amount includes \$913,030 budgeted but not spent in FY 2007/08.

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

MINUTES OF THE BOARD OF DIRECTORS MEETING

(April 15, 2009- San Francisco)

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority met in special session at the Bay Conservation and Development Commission, 50 California St., Suite 2600, San Francisco, CA.

1. ROLL CALL AND CALL TO ORDER

Chair Charlene Haught Johnson called the meeting to order at 12:06 p.m. Directors present were Chair Johnson, Vice Chair Anthony Intintoli, Director Gerald Bellows and Director John O'Rourke.

2. REPORT OF BOARD CHAIR

Chair Johnson explained that the purpose of the special meeting/public hearing was to receive comments on the Draft Transition Plan and Draft Emergency Water Transportation System Management Plan.

3. REPORT OF DIRECTORS

None.

4. REPORTS OF STAFF

Executive Director Nina Rannells and Operations Manager Keith Stahnke delivered presentations on the Draft Transition Plan and Draft Emergency Water Transportation System Management Plan respectively.

5. PUBLIC COMMENT

Charles King: Good afternoon. I realize this plan is for Alameda and Vallejo, but I'm a retired Army officer. My last assignment was at Mare Island in Vallejo, 41st boat unit up there. And I am also a City of East Palo Alto commissioner and resident. So we are looking at East Palo Alto. I'm more curious about what WETA's plans are for the south-of-Dumbarton-Bridge area and what -- it may be misplaced here, obviously. But I think the WETA is charged with a Bay Area-wide water transit system, so we in the South Bay would like some inputs and guidance and assistance and some consideration, if you will. So I'll leave you with that. Thank you.

Mike Giari: I'm Mike Giari. I'm the executive director for the Port of Redwood City. And I appreciate the opportunity that you provided here today for review and comment of the plan. I won't read the whole title -- just call it the "plan." In the event of a man-made or natural disaster, the San Francisco Bay Area will have to depend on multimodal transportation systems for response and recovery. And this has been identified throughout the world in many recent disasters where marine transportation played a vital and reliable role for the transportation of people and goods in the event of an emergency. The plan lays out a well-organized framework that defines the roles and responsibilities, not only for WETA but the other agencies such as transit operators and ports, all of which will have to play a key role in providing and coordinating marine transportation in the event of an emergency. The plan assumes the greatest potential demand for emergency water transportation services that would be associated with a major

earthquake that causes closures of existing fixed trans-Bay transportation facilities. Redwood City is the only deep-water port in the South Bay and is strategically located between two heavily traveled trans-Bay bridges. Therefore, the port in coordination with the City of Redwood City and the Redwood City police and fire departments, we have allocated significant amounts of time and resources in the preparation of planning for disaster operations.

As mentioned in the plan, WETA will be required to periodically exercise and outline emergency procedures that were in the plan. And the Port of Redwood City believes that there would be much benefit in coordinating joint exercises and training events based on the plan. Upon acceptance of the plan, we would like to work with you in order to expand South Bay regional water transit preplanning and establish specific procedures in the event that WETA requires utilization of the Port of Redwood City facilities for emergency response and recovery efforts.

I'll put these comments and a few more comments in a letter and get them to you during the comment period. We appreciate the opportunity.

6. ADJOURNMENT

All business having concluded, the meeting was adjourned at 12:36 p.m.

Respectfully Submitted,

Board Secretary

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

MINUTES OF THE BOARD OF DIRECTORS MEETING

(April 16, 2009 - Alameda)

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority met in special session at Alameda City Hall, 2263 Santa Clara Ave, Alameda, CA.

1. ROLL CALL AND CALL TO ORDER

Chair Charlene Haught Johnson called the meeting to order at 7:38 p.m. Directors present were Chair Johnson, Vice Chair Anthony Intintoli and Director Beverly Johnson.

2. REPORT OF BOARD CHAIR

Chair Johnson explained that the purpose of the special meeting/public hearing was to receive comments on the Draft Transition Plan and Draft Emergency Water Transportation System Management Plan.

3. REPORT OF DIRECTORS

None.

4. REPORTS OF STAFF

Executive Director Nina Rannells and Operations Manager Keith Stahnke delivered presentations on the Draft Transition Plan and Draft Emergency Water Transportation System Management Plan respectively.

5. PUBLIC COMMENT

Sherman Lewis: So I'm curious about the South San Francisco route. When I first -- I currently work just north of Oyster Point, but I live in Alameda; and I was hoping that eventually I'd be able to take the ferry there. But it looks like it's not going to be stopping in Alameda. It's just only going to start in Oakland and end at Oyster Point; is that correct?

John Sindzinski, Manager of Planning and Development: That's correct.

Sherman Lewis: That's the only question I had.

John Knox White: Good evening. I'm John Knox White. I'm the chair of the City's transportation commission. And with the indulgence of the Chair, I might run just a little over. I'll try to keep this short.

I have some comments on both plans. I want to thank both the City of Alameda staff. I know they've worked really hard with you on this; and I know your staff has worked very hard as well. There is a remedy from your original legislation that created WETA that I'm hoping, while it remains -- it is not fixed in the cleanup language -- your plan might at least acknowledge, if not fix. And that is Regional Measure 2 was passed by voters of Alameda, including language that specifically had money for ferry services for Alameda. It was given to the WETA, but it was specifically \$12 million for new ferry service for the Alameda Harbor Bay ferry service. When SB 936 was passed, the state legislature took it upon themselves before any of this money had

ever actually been given that service to remove the words "Alameda," "Oakland," and "Harbor Bay." So, again, I know none of you were involved in that. I'm not here to act accusatory or whatever, but the fact that the State language does not require the money to go to Alameda-Oakland and Harbor Bay does not preclude WETA from still upholding the voters -- what the voters actually passed. I can tell you that the discussion within Alameda did include the facts that the language was here. People in the city were aware that they were voting on money for their ferry service. And I think -- and if the decision is made not to acknowledge, then I think there should be at least in the transition plan some explanation of what's happening with that money and how it's being used and how it might benefit the overall system. But I think for that to disappear is problematic. And one of the reasons it's problematic, beyond the fact that it doesn't actually -- it's not in the spirit of what voters had approved in terms of this funding -- is found on page 18 of the transition plan at which the plan highlights supporting the use and passage of local sales measures or other local funds to support ongoing operating expense. I think if you don't at least explain how this kind of still meets the goals for which voters passed the money for, I think then going on and saying we may ask you to pass more taxes to fund this service causes voters to wonder, Well, how do we know that money is going to go for what it was said it was going to be for as well. Again, I know you didn't change the language, but I do think that it becomes problematic to have no acknowledgment that language has been changed.

Also, on page 18 -- I'll just put a little plug here -- it talks about the central bay facility and all the development and work that's been done on our west end and that Alameda will be the hub of two ferry stops. I'll put in a plug for finding a location within the city that would be very close to where you're going to start. Cut down environmentally on dead-heading and also costs per deadhead runs.

Lastly, in the transition plan, there's not a lot of talk in here and I don't mean to pick on Vallejo, but I think if the roles were reversed this would still be just as valid. I know that they recently in the last year raised the fares and had a dramatic drop in ridership. I'm not quite sure that the revenue figures represented here were post that ridership fall or pre-it. But I think that in this transition plan, given that we are melding two existing services, both of which have the assumption that their services are going to continue in at least the shape that they're in, that there should be some language that kind of protects the fact that Alameda service will be maintained and is not going -- that money that should be going to Alameda service to maintain and is not going to be siphoned off in order to continue to run the Vallejo service, which seems to be having ridership issues. And I think that it would be good to see some sort of acknowledgment that starting new service as well, the services that are actually -- right now you have three successful services that you're transitioning into one group. Those services should not be allowed to start not succeeding as more money is needed for Berkeley -- again, not picking on specifics -- but new routes to new cities. And I know that, in fact, that WETA in its discussions in trying to do this very thing, that was the issue that was being discussed -- how do we protect existing services while still creating this regional ferry service, which I think can be a very good thing. But I think that the riders and the taxpayers of Alameda and Vallejo as well do deserve some sort of acknowledgment that if -- that this is an issue and that one of the goals of WETA is to maintain existing services. I know you can't promise that it's going to be exactly the same; it may change and all that. But there should be some acknowledgment that that is a goal. And I may have missed it. I didn't see it in the transition plan.

Moving on to the emergency plan, I had a question. I don't know if staff is willing to answer the question. But the word "emergency" and "emergency services" is used a lot here. And I thought that as a request for emergency water transportation services, am I correct in assuming that that means that emergency water transportation services is something that is life or death

or getting first-responders from one area to another? Or is that possibly helping commuters who are stuck on one side of the Bay over to the other? And I'll make my comment either way. My comment is that I really appreciate that -- I know our staff worked really hard with it and I appreciate that it's in your page 47. Basic water passenger emergency transportation restoration said that once the emergency is over, we're going to have lifeline communities for which we're going to restore transportation. I think that's fantastic, but I think that also within this plan what needs to be acknowledged in these same two communities that are highlighted here -- Alameda and Treasure Island are the only two water-isolated areas -- is that in an emergency we have four bridges and some tubes here that connect the island. It's possible that during the emergency we may be cut off from the mainland in a way that none of the other mainland cities will be cut off. You can always -- it may not be pleasant -- you can drive from San Francisco around the Bay to Berkeley and so get home. I think it would be good to acknowledge, at least as a priority -- that part of the priority -- the emergency water plan takes into account that there are communities that could very well be isolated during the emergency; and given that the boats are already serving here, that they should be -- I'm not saying prioritized over the needs -- especially the life-and-death needs of other communities -- but there should be some plan to make sure that people in Alameda have a way to get back to Alameda when something happens and the bridges fail. And I didn't see that in here. I see it after the emergency is over. I think it would be good to at least acknowledge that it's an issue to be considered during an emergency.

And on page 8 is my only other comment. The planning assumptions for WETA. It would be nice -- has all sorts of good assumptions for planning, but maintaining or quick resumption of services to cities with existing services I think should be highlighted here as well. A city like Alameda or even in Berkeley, that is how they travel and get back to their cars or whatever. Prioritize that the emergency is happening and we need to figure out where we're taking. I think it would make sense to look first at bringing people to where they typically are going. You've got the bus lines going there already. You may identify emergency docks in places like Antioch; but from a planning standpoint, you already have the infrastructure and everything else at the locations where you're already providing service. I was thinking that that would be one place you might want to add.

But beyond that I think they are good plans. My question is -- I have one other one. The transition plan is on a very high level. It really doesn't talk about how you're going to transition and what are the terms of the deal and whatever else. I understand it's not trying to do that. What would be good to have in this document is what is the process for doing that, what is the public input process for that. One of the reasons we have the meeting here in Alameda is because during the cleanup it specifically said this meeting had to be held in Alameda to give those riders a chance and it would be good to see that the island is in the transition plan as well so that Alameda ferry riders know when and where they're going to have a chance to comment. Thank you. I went longer than you probably wanted.

Fred Sherman: I've only become aware of the WETA plans recently. And the thing that pops to my mind is that I've only heard about people. In fact, I think in the emergency plan it said very specifically for people only. And nothing is mentioned about freight or emergency supplies. And I think that's maybe something that you should consider if you haven't considered, because it seems to me that the plans may be deficient if they're not taking into consideration the need for getting emergency supplies around the devastated area.

I think also it seems to me that if you don't consider freight in your overall planning of this process that you're overlooking one way that it may be possible to lower the net cost of your

transportation of people by utilizing the excess time on the boats when they're not being needed for transporting people and also as adjunct of having additional service which the freight will help bear the cost of these sorts. Thank you very much.

W. Graham Clayton: I really have a tiny point here. But we're turning our ferry services over to WETA and we don't have any control over it. And the first thing that WETA has done has been to name two ferries both after astrological signs. That's not in the tradition of either the Alameda-Oakland ferry or the Vallejo ferry, who has named them after vessels previously in service and also for vessels that were named after place names. So I don't see any consultative stuff happening here. Astrological signs are a religion. And I've given you all a handout on this, you know. We can't. It's unconstitutional to name ferry boats after a religion. Why couldn't we consult with the riders about this? No. We just slapped a name on them. And they're tourists. They didn't care about what we cared about. That's a small thing. What I'm more worried about is that if we are not going to consult about simple things like ferry boat names, what are we going to do about schedules if we have schedules in place in Alameda-Oakland literally since 1952? And if we're not consulted about schedule changes, you know we're lost. You know, you've simply shelled out riders. So you got a petition there. You got my letter. I sent it on January 8th. Did I get a response from WETA? No. It was like dropping a penny into a dry well. Nobody responded to me. This is important. Our schedules are important. Our service is important. We ride it. We love it. We want it to continue. But if you're not going to consult with us, then how can we help you? That's all I have to say. Thanks.

Casey Casaes: My question might be moot because I was here to ask about the service to Oyster Point. So there will be no access from here through Oakland or schedule-wise for people from Alameda to get to the Oyster Point location?

Mr. Sindzinski: The current plan is to have direct service from Jack London Square to Oyster Point and back. In the initial planning that was done several years ago, we looked a lot at having the boats stop in Alameda and then on to Oyster Point or just start in Alameda. And what we found was the additional time in those cases of additional stops ended up with less ridership in total. So that is why the decision was made to start service from Jack London Square directly to Oyster Point. Having said that, we haven't started service yet.

Casey Casaes: And the service was planned to launch last fall, right?

Mr. Sindzinski: Right.

Casey Casaes: And now you're looking at 2011?

Mr. Sindzinski: That's correct.

Casey Casaes: And when did you do those studies?

Mr. Sindzinski: Those studies were done in 2006-2007 approximately.

Casey Casaes: A lot of changes.

Mr. Sindzinski: One of the things we've committed to doing is working through employers in Oyster Point to talk to the riders. We have already done some outreach and we're open to looking at this again. It's not set in stone. It was suggested and we certainly plan on consulting with riders.

Casey Casaes: Do you have suggestions for those of us who are interested in that service?

Mr. Sindzinski: Maybe we can talk afterward.

Casey Casaes: Thank you.

Eric Schatmeier: I am Eric Schatmeier. I am a member of the Alameda Transportation Commission; and until last year I was a daily commuter on the Harbor Bay ferry. And so I have been very interested in this issue both on the commission and from a personal standpoint. I was a strong participant in the discussion that took place during the formulation of the legislation. I think I was probably also representative of a body of opinion that was expressed there about -- I don't want to rehash the debate that took place here -- but there was a lot of discussion and interest in knowing what the future of services to Alameda would be. That was the main tenor of the discussion. Are we going to preserve a level of service? Are we going to preserve fares? What happens when this new agency takes over and what happens to our service?

You know, a regional agency -- there's a lot of publicity about the fiefdoms in Bay Area transit and all the division that takes place in Bay Area transit; and that's certainly of concern to people who like efficiency. But for people who use a service, they do not care about efficiency of a lot of different services; they care about the efficiency of their service. And when fares and schedules are perhaps threatened, they want to know where they can go and who they can talk to about it. We were glad to have our mayor on the board of the newly constituted board of directors. But we were hoping that that position for Alameda would be permanent and part of the -- in any case that's all sort of a lead-up to say and to echo my colleague John Knox White's comments about we hate to see our service jeopardized in favor of some other service, because we got used to a level of service that the City subsidized and the City supported. And that needs to be preserved in whatever plans are proposed. Now, I read the plan. I think it's a good plan certainly. And a seamless transition is a desirable thing to have. But if it's a five-year plan, the life of transit in five years is not even an eye blink. So I'm very interested in seeing what happens in the long-term and preserving the service to our town in the long term; and that's certainly something we'll be watching very closely, I'm sure. As I said, I read the plan. I think it's a good plan. But I was struck by the financial section that taking the right approach -- the prudent approach -- I think in not assuming any state operating assistance from SDA or TDA. And the plan is prudent and includes some expansion. But it's occurring at a time when all over the Bay Area transit systems are cutting back on service and raising fares. And there's a huge crisis in operating subsidies and operating assistance. I'd kind of like to see the plan say something about that rather just being an exception to that and having a prudent plan that can be implemented that includes preservation of service and future expansion of service. I'd like to see some explicit mention in the plan of, you know, we're one of many operators who are facing a crisis at the national, state, and local level at securing operating subsidy. And our future like theirs depends on a secure source -- a permanent source -- of operating assistance. I wish we would say that and say it clearly in the plan.

One last thing -- a minor thing. I'm glad to see that there's an emergency plan, but I think it's kind of twisted. It's almost as if we have an agency whose main purpose is to have an emergency plan instead of to enhance transit opportunities for people. Transit to me is something that justifies itself as an alternative to single-occupant automobile use and expansion. It's kind of exciting to have a service that's maintaining and promoting transit opportunities for people. It doesn't need to be emergency transportation to be a thing that

justifies itself. So that's sort of a minor comment I had and I think it's generally a good plan. Thanks.

Bill Shamek: Yes. Bill Shamek. Actually, my wife and I are just in the process of moving to Alameda. So we will be Alameda residents next month. The significant issue there for us personally is that the transportation is a real attractive thing of being a resident of Alameda. The transportation link between Alameda and San Francisco is just great for weekend activities. Stay out of our car. Seems to be a really good transportation connection between bus service and the ferry terminals in Alameda. That's great. And then another just another comment: As I was listening here tonight -- I'm an employee at Bay Ship and Yacht in the Alameda Point area. The emergency transportation thing -- the link will certainly be an important point for the emergency services if the bridges or tube are damaged for Bay Ship and Yacht employees to get to work. That will be a very important thing for us to function there. And that's it. Thank you.

Unidentified Speaker: I live in Alameda and I've taken the ferry lots of times. But I'm just wondering why Larkspur, Sausalito, and Tiburon are not part of this. If there's a real emergency, what's going to happen?

Mr. Stahnke: We are working closely with the agency that provides service to Sausalito and Larkspur. And are also working closely with the private operator that provides service to Tiburon. We meet with them regularly and we discuss planning activities. So we work very carefully and coordinate with those other services.

Unidentified Speaker: Why were they not included in this?

Chair Johnson: The wisdom of the legislature. They are not a part of new agency. That's what happened. It was the wisdom of the legislature that excluded us -- divided us -- kept us divided from the Golden Gate Bridge District. It is a part of the statute that changed us from WTA to WETA.

6. ADJOURNMENT

All business having concluded, the meeting was adjourned at 8:28 p.m.

Respectfully Submitted,

Board Secretary

SAN FRANCISCO BAY AREA WATER EMERGENCY TRANSPORTATION AUTHORITY

MINUTES OF THE BOARD OF DIRECTORS MEETING

(May 7, 2009)

The Board of Directors of the San Francisco Bay Area Water Emergency Transportation Authority met in regular session at the WETA offices at Pier 9, Suite 111, San Francisco, CA.

1. ROLL CALL AND CALL TO ORDER

Chair Charlene Haught Johnson called the meeting to order at 1:05 p.m. Directors present were Chair Johnson, Vice Chair Anthony Intintoli, Director Gerald Bellows and Director John O'Rourke. Vice Chair Intintoli led the Pledge of Allegiance.

2. REPORT OF BOARD CHAIR

Chair Johnson reported on the public hearings which had taken place in San Francisco and Vallejo on April 15 and in Alameda on April 16 to gather input on the Draft Transition Plan and Draft Emergency Water Transportation System Management Plan and noted that she looked forward to receiving additional comments before the comment period ends on May 18.

3. REPORT OF DIRECTORS

None.

4. REPORTS OF STAFF

Executive Director Nina Rannells noted that she would be reinstating the monthly Executive Director reports to keep the Board informed of the status of ongoing projects and that this would grow to include a monthly financial summary.

Director Bellows asked if *Pisces* was in service to Harbor Bay. Ms. Rannells replied that there were training issues causing a delay. Operations Manager Keith Stahnke added that he was actively working with the parties involved to resolve the situation and explained that the delay was primarily due to crew scheduling issues. Chair Johnson indicated concern that the crews be fully trained and Director O'Rourke asked if there were not minimum training requirements mandated for the crews. Mr. Stahnke replied that Harbor Bay Maritime is responsible for ensuring that their crews are properly trained.

Chair Johnson asked if Marina Secchitano of the IBU had also been working on a solution regarding the scheduling issues. Mr. Stahnke replied that she had and was unhappy with how Harbor Bay Maritime had been handling the situation and added that Harbor Bay is running a similar vessel with qualified crews. Chair Johnson asked for clarification of the charter agreement. WETA counsel Stanley Taylor III of Nossaman, LLP explained that the charter agreement was with the City of Alameda and that Harbor Bay Maritime was the operator.

Vice Chair Intintoli asked how long the training process would take. Mr. Stahnke replied that the 30 to 40 hours per crew member was used for the Gemini. Director Bellows asked if the charter agreement itself required a certain level of training. Mr. Stahnke replied that the operator's policies would cover minimum requirements. Ms. Rannells clarified that the crews were qualified but that the issue at hand was the training required specific to this vessel.

Chair Johnson asked what needed to be done next and if it was correct that Harbor Bay Maritime had control of the vessel but could not operate it until the training requirement was met. Mr. Taylor replied that under the charter agreement with the City of Alameda, Harbor Bay could operate the vessel but that he would check into the issue. Chair Johnson replied that she wanted the crew training problem documented and that WETA should request assistance from the City of Alameda in resolving the issue.

Director Bellows asked for an update regarding the status of *Gemini*. Mr. Stahnke responded that it was running without a hitch except for a steering issue that had been resolved several weeks before. Ms. Rannells added that there were issues with the float in Jack London Square which prevented *Gemini* from entering Alameda/Oakland service. She expressed hope that the City of Alameda and the Port of Oakland would address the float soon. Mr. Stahnke elaborated that he had observed an evaluation of the float and that it was currently safe but was not in good order and that it needed repair as soon as possible. Vice Chair Intintoli asked what was needed to have that happen. Ms. Rannells stated that the facility belonged to the Port of Oakland and that it was her impression that they would rather not deal with it, but she hoped to partner with them to accelerate repair. Vice Chair Intintoli asked if it was in WETA's budget to replace the float. Ms. Rannells noted that it was in the Transition Plan but that replacement would require Proposition 1B funding. She added that WETA might be able to make modifications to the float that would allow docking of the vessels with federal funding. Mr. Intintoli then asked what would be done with the next two boats when they arrive. Ms. Rannells replied that that was a conversation that needed to take place soon.

Ms. Rannells reported that Manager of Planning and Development John Sindzinski had met with Jim McGrath of US Windsurfing and San Francisco Board Sailors in Berkeley. Mr. Sindzinski added that there were parking survey issues discussed and that he would be meeting the next day for a follow up. He added that he felt WETA would be able to meet the needs of the windsurfers. Chair Johnson asked about the issue of CEQA requirements. Mr. Sindzinski responded that URS and WETA's position was that they were in full compliance and that the final EIR was now underway. He added that URS, who were preparing the document, were an extremely qualified firm.

5. CONSENT CALENDAR

Vice Chair made a motion to approve the minutes from the April 2, 2009 Board of Directors meeting. Director O'Rourke seconded the motion and the item carried unanimously.

6. ACCEPT THE INDEPENDENT AUDITOR'S REPORTS FOR FY 2007/08

Ms. Rannells introduced this item regarding the audit of WETA's first full fiscal year. She noted that the reports were comprised of three components, the Independent Auditor's Report, including the auditor's statement, basic financial statements and management's discussion and analysis, and a Memorandum of Internal Controls. She added that the one deficiency reported by Maze and Associates was due to a temporary vacancy in ABAG's Assistant Finance Director position, which ABAG responded to by noting that both the previous and current Finance Directors were working to respond to the increased risk in internal control.

Vice Chair Intintoli made a motion to approve the item. Director Bellows seconded the motion and the item carried unanimously.

7. AUTHORIZE FILING AN APPLICATION WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR \$3 MILLION FOR FY 2009/10 REGIONAL MEASURE 2 OPERATING FUNDS

Ms. Rannells introduced this item regarding authorization to file an application with the Metropolitan Transportation Commission for \$3 million for FY 2009/10 Regional Measure 2 operating funds.

Vice Chair Intintoli asked if there would be any way to receive the funding up front or if there would continue to be a reimbursement process. Ms. Rannells said that it would be a monthly process with a quarterly true-up but that WETA would continue to work with MTC to find a way to create a much needed cash reserve.

Public Comment:

Veronica Sanchez of Masters, Mates and Pilots asked for clarification regarding the Federal Ferryboat Discretionary Fund and other federal funding. Ms. Rannells explained that the amount being discussed that was available to all US operators from the FFDF was \$60 million and that WETA was requesting \$10 million to make up for Proposition 1B funds for the South San Francisco project. She also noted that funding from the stimulus package went to MTC for distribution, and they used it to fund existing operators with a “fix it first” philosophy rather than funding organizations like WETA that were not yet operating. Ms. Sanchez suggested that the funding picture could be made clearer on the watertransit.org website.

Chair Johnson asked if \$60 million was the usual amount for the FFDF. Ms. Rannells replied that this was an additional amount on top of the usual annual appropriation.

Director Bellows made a motion to approve the item. Vice Chair Intintoli seconded the motion and the item carried unanimously.

8. APPROVAL OF AMENDMENT NUMBER 8 TO THE AGREEMENT WITH THE ASSOCIATION OF BAY AREA GOVERNMENTS FOR THE PROVISION OF SUPPORT SERVICES

Ms. Rannells introduced this item regarding an amendment to WETA's agreement with ABAG for accounting support services for FY 2009/10. Ms. Rannells stated that ABAG's services were sufficient for WETA's current needs.

Vice Chair Intintoli made a motion to approve the item. Director Bellows seconded the motion and the item carried unanimously.

9. APPROVAL OF AMENDMENT NUMBER 10 TO THE AGREEMENT WITH NOSSAMAN, LLP FOR THE PROVISION OF LEGAL SERVICES

Ms. Rannells presented this item regarding an amendment to the agreement with Nossaman, LLP as expenses had exceeded the contract amount for the current year. She noted that she anticipated bringing a request to the board at the June meeting for an amendment to the Nossaman agreement FY 2009/2010.

Vice Chair Intintoli made a motion to approve the item. Director Bellows seconded the motion and the item carried unanimously.

10. APPROVAL OF AMENDMENT NUMBER 8 TO THE AGREEMENT WITH LINDSAY, HART, NEIL & WEIGLER, LLP FOR THE PROVISION OF FEDERAL LEGISLATIVE REPRESENTATION

Ms. Rannells presented this item regarding an amendment to the agreement with Lindsay, Hart, Neil & Weigler, LLP (LHNW) to extend the term of their contract through FY 2009/10. She noted Peter Freidmann and Kathy Beaubien's efforts in the past as well as in-progress work such as the Small Starts program.

Vice Chair Intintoli made a motion to approve the item. Director O'Rourke seconded the motion and the item carried unanimously.

11. APPROVAL OF AMENDMENT NUMBER 5 TO THE AGREEMENT WITH BROAD & GUSMAN, LLP FOR THE PROVISION OF STATE LEGISLATIVE REPRESENTATION

Ms. Rannells presented this item regarding an amendment to agreement with Broad & Gusman, LLP to extend the term of their contract for FY 2009/10. She noted Mr. Broad's work on AB 1203, which will help with how Prop 1B funding will flow to WETA.

Director Bellows made a motion to approve the item. Director O'Rourke seconded the motion and the item carried unanimously.

12. PUBLIC COMMENT

Paul Kamen of the Berkeley Waterfront Commission stated that the Commission voted unanimously to not support the ferry terminal as currently proposed and would be sending a letter to the City of Berkeley in opposition. He said that the Planning and Transportation Commissions were less than enthusiastic about the project.

Mr. Kamen said that unless there was a serious examination of the parking issue that he sees the project will going down in flames. He said WETA was dreaming if they thought they would have use of the 84 public spaces in the marina which are already shared between windsurfers, kayakers and other users of the marina. He said the parking study was done in March and was completely useless. He said WETA would waste a lot of time and money and would look very silly unless there is some serious renegotiation with user groups that he believes will otherwise have their access seriously curtailed.

13. RECESS INTO CLOSED SESSION AND REPORT ON CLOSED SESSION

Chair Johnson called the meeting into closed session at 1:50 p.m. Upon reopening of the meeting at 2:55 p.m. she reported that no action had been taken.

14. ADJOURNMENT

All business having concluded, the meeting was adjourned at 2:58 p.m.

Respectfully Submitted,

Board Secretary

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
Shirley Douglas, Manager, Community Relations

SUBJECT: Approval of Amendment Number 3 to the Agreement with Nematode Media, LLC (DBA Bay Crossings) for Advertising in *Bay Crossings* and Other Public Information and Marketing Services

Recommendation

Approve Amendment Number 3 to the agreement with Nematode Media, LLC (DBA Bay Crossings) for advertising in *Bay Crossings* and other public information and marketing services and authorize the Executive Director to execute the amendment.

Background

This agreement was first approved by the Water Transit Authority in September, 2004, renewed in July 2005, and again for a three year term in June 2006. The services being performed by Mr. Bobby Winston (Principal, Nematode Media, LLC) have expanded beyond the advertising services of prior years

Since 2001, the Authority has used *Bay Crossings* as a means of communication with ferry riders, businesses and residents of the Bay's shoreline community regarding its planning process, environmental review process and most recently the arrival of ***Gemini*** and ***Pisces***.

In 2003, Nematode Media expanded its operations by opening the Bay Crossings Store in the renovated San Francisco Ferry Building. Bay Crossings now operates a public transportation kiosk, providing assistance to passengers about ferry routes, schedules and destinations, selling tickets and merchandise in addition to distributing informational materials such as WETA's *Full Speed Ahead* brochures and other promotional material.

In 2007, Bay Crossings incorporated real-time ferry departure information displayed on electronic, flat-panel screens at the Bay Crossing Ferry Building kiosk.

Discussion

The annual contract scope of work and amount will be the same as the agreement for the previous years in the amount of \$60,000 per year for a total of \$180,000 to cover the following tasks:

1. **Annual Minimum Fee - Bay Crossings - \$36,000/year**
WETA sponsors placement of ferry schedules *Bay Crossings* and provides information for articles promoting WETA's activities.
2. **Bay Crossings Store – Extended Store Hours - \$12,000/year**
Store is a venue for distributing information and is a resource for daily ferry commuters. WETA's compensation will help defray the costs of staffing the store for four extra hours daily during the work week.

3. Public Information and Outreach Services - Real Time Information Sign Placement - \$12,000/year

This allocation is for public outreach and the placement of real time information signs and kiosks in the ferry building at the Bay Crossings store.

Financial Implications

The award of these services would commit the Authority to \$60,000 for the next 3 fiscal years (FY 2009/10; FY 2010/11, and FY 2011/12), for a not-to-exceed amount of \$180,000. These funds will be reflected in WETA's marketing budget.

END



San Francisco

BAY CROSSINGS

The Voice of the Waterfront

May 20, 2009

Charlene Johnson
Partner
Hallisey & Johnson
300 Montgomery St Ste 538
San Francisco, CA 94104-1907

Dear Charlene,

I've been working with WETA staff recently on my contract extension and learn the item is to appear before you and the Board June 4. However, Felice and I will be on a long-planned trip to London, where she is giving a speech. Barring this, I would of course attend the meeting in person. I'm writing to explain why I cannot be on hand that day, briefly recap our accomplishments and respectfully request your support for the contract extension.

Since 2005, with WETA support, Bay Crossings has operated a public transportation information kiosk in the San Francisco Ferry Building providing in-person assistance to passengers, fare media sales, printed materials, and a Web site to support pre-trip and en route trip planning. Realtime departure information displayed on electronic, flat-panel screens was incorporated in 2007.

We sell twenty-four types of fare media for a variety of transportation agencies: Vallejo BayLink Ferry, Alameda/Oakland Ferry, Tiburon Ferry, Angel Island Ferry, Blue & Gold Ferry, FasTrak®, TransLink® cards and MUNI. In all, we sold over \$4 million worth of fare media last year, including about one-third all of Vallejo Baylink's tickets.

We also compile and disseminate comprehensive ferry schedule information in our newspaper, on video screens and via the Internet. Indeed; the United States Coast Guard's Vessel Traffic Control service relies on Bay Crossings' comprehensive Bay Area ferry schedules to gain insight into vessel movements in the San Francisco Bay, 75% of which is ferry traffic. The Coast Guard approached Bay Crossings following the *Cosco Busan* oil spill that necessitated greater understanding of vessel traffic in the Bay.

While we earn small commissions for selling fare media, and try to earn money any way we can, e.g. selling newspapers and magazines at the Ferry Building kiosk, our ability to continue offering these services relies on our contract with WETA. You should know we do not rely on WETA alone; MTC and the Port of San Francisco also support these efforts.

I have provided Shirley and Nina with letters of endorsement collected for our recent contract extension with MTC.

◇

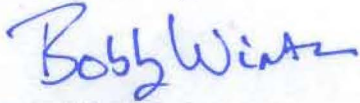
#1 Ferry Building, Shop #22 San Francisco, CA 94111
store@baycrossings.com • 415-362-0717

Charlene, I am very grateful for your past support and promise not to let you down if given the chance to continue. I am proud of my work supporting WETA and serving ferryriders. I am especially enthusiastic about working with Nina and Shirley on the exciting job of incorporating the Vallejo and AOFS services into WETA. I believe I can be helpful regarding ticketing and customer service issues.

Finally, the proposed contract extension term of three years is important for two reasons. First, it matches my lease extension at the Ferry Building and subsidy arrangements with MTC, both of which require WETA participation. Also, it allows me to partner with WETA as you consolidate ferry services, something I am most eager to do.

Please forgive me not being on hand in person when my item comes up, and kindly let your colleagues know the reason. If you have any questions, or if I might provide and further information, let me know.

Respectfully,



Bobby Winston
Proprietor

Cc: Nina Rannells, Chief Executive Officer, Water Emergency Transit
Authority
Board Members

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director

SUBJECT: Approval of Amendment Number 11 to the Agreement with Nossaman, LLP for the Provision of Legal Services

Recommendation

Approve Amendment Number 11 to the agreement with Nossaman, LLP for the provision of legal services for FY 2009/10 and authorize the Executive Director to execute the amendment.

Background

On August 26, 2004, WTA approved an initial agreement for legal services with Nossaman, LLP. This contract was transferred over to WETA upon its creation on January 1, 2008, and has been renewed periodically to include funds required to support legal services each fiscal year as follows:

	Date	Amount	FY Expenditures
Original Agreement	8/26/04	\$70,000	
Amendment No. 1	5/26/05	\$50,000	FY 2004/05 \$120,000
Amendment No. 2	5/26/05	\$120,000	
Amendment No. 3	2/23/06	\$60,000	FY 2005/06 \$180,000
Amendment No. 4	5/25/06	\$200,000	
Amendment No. 5	1/25/07	\$250,000	FY 2006/07 \$450,000
Amendment No. 6	5/24/07	\$300,000	
Amendment No. 7	12/20/07	\$100,000	
Amendment No. 8	5/08/08	\$150,000	FY 2007/08 \$550,000
Amendment No. 9	5/15/08	\$300,000	
Amendment No. 10	5/7/09	\$100,000	FY 2008/09 \$400,000
Amendment No. 11	Pending	\$400,000	FY 2009/10

Discussion

Nossaman, LLP served as WTA's legal counsel beginning in August 2004, and has served as WETA's legal counsel since inception. In addition to general oversight services, Nossaman LLP provides legal advice and support in a wide range of areas including contract form and content review, procurement document review, employment law and issues oversight, legal research in special areas as needed such as sales tax and bankruptcy law. Staff anticipates special work activities in FY 2009/10 to be focused on development of legal details and agreements associated with transitioning city-based ferry service and assets to WETA.

Staff has discussed general work activities anticipated next year with Nossaman, LLP and believes that a \$400,000 legal budget will be required in FY 2009/10.

Financial Implications

The award of these services would commit the Authority to a total not-to-exceed amount of \$400,000 for legal services for FY 2009/10.

END

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director

SUBJECT: Approval of Fiscal Year 2009/10 Budget

Recommendation

Approve by motion the proposed Fiscal Year 2009/10 Budget.

Background

Chapter 5, Article 4, Section 66540.41 of the Authority's administrative code requires preparation and implementation of annual budgets to support the agency's operation. This item contains the proposed combined operating and capital budget for Fiscal Year 2009/10.

Discussion

The proposed FY 2009/10 Budget, as provided in **Attachment 1** to this report, totals \$40.4 million in expenses, including \$4.5 million in operating expenses and \$35.9 million in capital projects expense. Revenues to support this budget are available from Regional Measure 2 (RM2) capital and operating grants, federal capital grants, State Proposition 1B infrastructure bonds and San Mateo sales tax measure funds.

The FY 2009/10 operating budget includes \$3 million to support core administrative expenses for staffing and general agency administration, including support contracts for such items as accounting, legal support and state and federal legislative support. The budget for these activities is consistent with prior years and would be funded with \$3 million RM2 administrative funds. The operating budget also includes \$1.5 million in additional activities and expenses to support continued work on finalizing service transition activities, WETA spare vessels and initial emergency response activities and equipment. These activities would be funded with an additional increment of RM2 operating funds. Transition activities include support for development of transition agreements and agency requirements, development of a marketing plan for WETA and the transitioning services, and implementation of marketing and public information activities at a cost of approximately \$600,000. The spare vessels program includes \$750,000 to support the incremental cost of mooring, operating and insuring the two existing spare vessels and the two new South San Francisco (SSF) vessels that will be delivered this year, ahead of SSF service start-up. This program also includes funds to support small float and gangway modifications and dredging the Harbor Bay channel in order to maximize the use of WETA vessels in service. Emergency response activities are budgeted at \$150,000 and would include purchasing core equipment for WETA's Emergency Operations Center (EOC) and developing system drills.

The operating budget supports a modified staffing configuration as depicted in the organizational chart provided as **Attachment 2**. This staffing structure eliminates the Deputy Director of Finance and Administration position and adds a staff position under the Planning and Development function to support the many planning, environmental and system construction activities that are scheduled for implementation in FY 2009/10.

This also includes an Assistant/Analyst position to support the work of the Executive Director. This position replaces the Senior Administrative Assistant/Board Secretary position which has been vacant since WETA was created. Finally, this organizational structure eliminates the Marine Engineering Manager position and shifts responsibility of this work function under the Operations/Maintenance manager. It is anticipated that, for now, this function could be provided on an as-needed basis through consulting contracts for marine engineering services. Staff would re-evaluate this structure in the future as city-based services are transitioned to WETA.

The Capital Budget includes 13 projects with project budgets totaling \$88.7 million and estimated FY 2009/10 expenditures totaling \$35.9 million. Of special note, this program includes completing construction of the SSF service vessels, beginning construction of the SSF ferry terminal, and construction of a layover berthing facility at Pier 9. It also supports completion of the environmental and conceptual design work for Hercules and Berkeley terminals, continuing work on environmental studies for four new terminal sites in Richmond, Redwood City, Antioch and Martinez, and initial environmental and conceptual design work on additional berthing facilities at the Downtown San Francisco ferry terminal. Other core infrastructure projects include securing and constructing berthing facilities at various sites for WETA vessels and general service/emergency response needs and continuing work to develop a maintenance facility in the central bay to support existing East Bay and future WETA services.

This budget does not include the direct operating or capital activities related to WETA assumption of Vallejo or Alameda ferry service operations. As service transition planning and preparation work progresses, staff will bring back a budget amendment that would detail the system program and related expenses and revenues.

A discussion of activities and expenses associated with each budget expense category and the capital program is provided below.

FY 2009/10 OPERATING PROGRAM

Wages and Fringe Benefits FY 2009/10 wages and fringe benefits are budgeted at \$1.59 million, consistent with FY 2008/09. This figure assumes full staffing (9 FTEs) for twelve months and includes a .3% cost of living increase to wages based upon the one-year (April 2008-April 2009) change in the Consumer Price Index for the San Francisco Bay Area. This also includes the cost of existing benefits, which are approximately 30% of salaries.

Services Contract and professional services are budgeted to cost \$2.37 million in FY 2009/10. This includes \$925,000 for basic professional service contracts to support core agency activities such as legal, lobbying, accounting, finance, human resources, information technology, planning, and other management and technical services. This also includes \$545,000 to support service transition development activities, such as transfer agreement, service detail and marketing and public information activities, \$750,000 to support spare vessel costs (via bareboat service agreements) and \$150,000 to support initial emergency response activities.

Materials And Supplies	Materials and Supplies are budgeted to cost \$92,500 in FY 2009/10. This expense category includes printing, office supplies, furniture and equipment, freight and postage, and promotional materials. This amount is \$35,500 more than budgeted in FY 2008/09, which is reflective of the additional marketing and public information work anticipated to be associated with the service transitions.
Utilities	Utilities are budgeted at \$17,000, consistent with FY 2008/09. This expense category includes such items as electric, gas, water and telephone expenses.
Insurance	Insurance is budgeted to cost \$35,000 in FY 2009/10 for property, errors and omissions and general liability coverage. This amount includes an inflation increment over the prior year expense of approximately 10%. Vessel insurance coverage, as a part of the spare vessel program, is budgeted under the services category assuming that all WETA vessels will be utilized by external operators through bareboat charters.
Miscellaneous Expense	The FY 2009/10 budget for Miscellaneous Expense is \$95,500. This budget category includes items such as dues and subscriptions, travel and meetings, advertising, and other miscellaneous expenses. This amount is \$12,500 more than budgeted in FY 2008/09, in order to support new transition marketing, advertising and outreach activities.
Leases and Rentals	Leases and Rentals are budgeted to cost \$300,000 in FY 2009/10. This includes a full year of rent at the Pier 9 location as well as meeting facility rent, tenant improvements and equipment leases. The proposed FY 2009/10 amount represents a \$10,000 increase from FY 2008/09 and covers annual inflationary increases stipulated in WETA's lease with the Port of San Francisco.

Operating Revenue

Regional Measure 2	The FY 2009/10 budget anticipates use of the full \$3 million Regional Measure 2 funds available to WETA to support annual administrative expenses in addition to \$1.5 million Regional Measure 2 operating funds to support expanded agency responsibilities associated with transitioning city-based services, supporting and maintaining spare vessels and establishing emergency response capabilities.
Other	This revenue category includes \$30,000 in interest revenue.

FY 2009/10 CAPITAL PROGRAM OF PROJECTS

2 Spare Vessels	This \$17 million project includes construction of 2 new vessels to be used to support Authority and other Bay Area spare vessel needs. Work associated with this project includes vessel construction and delivery, construction management, inspection services and purchase of spare parts. Construction and delivery of these vessels was completed in May 2009. Remaining work and expenditures relates to inspections, spare parts purchases and final progress payments one year after vessel acceptance.
SSF Vessels	This \$20.5 million project will construct two 199 passenger-only ferry vessels and purchase spare parts for use in Authority services. Proposed FY 2009/10 expenditures, totaling \$7 million, support completion of vessel construction, construction management, delivery, spare parts and inspections. Vessels are currently scheduled for delivery in October 2009 and February 2010.
SSF Terminal Design	This \$3 million project supports development of final design documents for the South San Francisco/Oyster Point ferry terminal and terminal facilities. Work on this project began in January 2007 and is largely completed. Funds included in the FY 2009/10 budget and future years will be used to support issuing final documents and providing design review resources through construction.
SSF Permitting/Mitigation Study	This \$275,000 project includes funds to support oyster monitoring studies in Oyster Point as required by the SSF EIR mitigation plan and as approved by the Board in May 2007.
SSF Terminal Construction	This \$26 million project is for the construction of SSF terminal and related facilities at the Oyster Point Marina, as well as vessel compatibility improvements to the Oakland docking facility. Staff will issue RFPs for construction activities in late FY 2008/09 or early FY 2009/10, with construction slated to take 12 to 18 months.
Berkeley Environmental	This \$1.78 million project includes development of the environmental studies for the Berkeley ferry terminal and service. An integral part of this work is development of the conceptual design for the proposed terminal and site. Environmental and conceptual design contracts were awarded in September 2005 and April 2006, respectively, and revised by the Board in September 2006 to expand the number of sites studied as a part of the environmental process. It is anticipated that the draft final environmental documents will be available for review and comment in Fall 2009.
Berkeley Terminal Design	Moving this project forward is dependent upon the outcome of the Environmental review process for the Berkeley ferry service, and Board action to move the project to design. Assuming that the environmental process is completed and a document approved by the Board and Federal Transit Administration in December 2009, staff would move forward to seek bids for final design services. Final design is anticipated to cost approximately \$3.2 million.

Hercules Environmental	This \$1.08 million project includes development of a conceptual terminal design and layout and completing environmental studies related to the Hercules ferry terminal and associated multi-modal transit facilities. Environmental and conceptual design contracts were awarded in April 2006. It is anticipated that preliminary environmental documents will be circulated for review and comment in Summer 2009 and that the final environmental document can be considered for certification by December 2009.
Pier 9 Mooring/ Floats	This \$2.75 million project includes design and implementation of mooring improvements/floats in order to enable vessels to dock at the Pier 9 administration/operations facility. Staff anticipates bringing an item forward for Board action to approve construction award in Summer 2009.
Environmental Studies/ Conceptual Design	This \$3 million project supports development of environmental studies and related conceptual design work for the development of new ferry terminals and services from the cities of Redwood City, Richmond, Antioch and Martinez, consistent with plans developed by the Water Transit Authority. This work involves examining the physical, environmental, social, transportation, air and energy impacts of locating ferry terminals at specific locations. Contracts for this work were awarded in Fall 2008, and work was stopped shortly thereafter as the result of the suspension of Proposition 1B funding. Now that Proposition 1B funds are available again, staff anticipates starting this work back up in early FY 2009/10.
Central Bay Ops/ Maintenance Facility	This project supports the landside planning, investigation and development of a central bay operations and maintenance facility to support existing East Bay services currently planned for transition to WETA, as well as future expansion services. It is envisioned that the facility would serve to support light maintenance, mooring, dispatch, operations and EOC needs. Anticipated work includes investigating site options and initiating planning, environmental and design activities required to implement the project.
Maintenance Barge, Floats & Ramps	This supports the purchase/construction of floats and ramps to support system maintenance and operation needs, and will provide core support infrastructure for existing and future regional ferry services. This includes development of a maintenance barge facility that can be stationed in the San Francisco/East Bay area and used for basic maintenance activities as well as the procurement and development of a series of moveable floats configured with gangways and ramping systems which would be available to support existing and/or emergency services as necessary. \$2.5 million in expense is budgeted in FY 2009/10 to support initial investigation, planning and purchase activities associated with this project.

SF Berthing – Environmental This project supports the environmental and conceptual design work associated with expanding the berthing capacity at the San Francisco ferry building. This project would be developed and implemented as a joint effort between WETA and the Port of San Francisco; as the property owner. Staff is working with the Port to develop an MOU for this partnership, which would define roles and responsibilities and would be brought back to the Board for review and approval.

Capital Revenues

Regional Measure 2 \$7.7 million Regional Measure 2 capital funds are budgeted to support WETA's capital planning and construction activities, supporting 22% of the planned FY 2009/10 project expenses.

San Mateo Sales Tax San Mateo Measure A sales tax funds in the amount of \$8.7 million is budgeted to be used in FY 2009/10 to support construction of the SSF ferry terminal. A funding agreement was executed with the SMCTA for these funds in May 2009.

Federal Federal capital construction funds in the amount of \$4.2 million are available from the Ferry Boat Discretionary program and SAFETEA-LU earmarks to support the construction of the SSF terminal and vessels.

State Proposition 1B \$15.3 million State Proposition 1B funds are budgeted to support the majority of the WETA's capital program of projects, and 43% of the entire program expenses.

Financial Implications

This item establishes the work plan and related annual expenses for FY 2009/10.

END

San Francisco Bay Area Water Emergency Transportation Authority
 FY 2009/10 Budget

	FY 2007/08 Actual	FY 2008/09 Budget	FY 2008/09 Estimate	FY 2009/10 Proposed
Operating	3,008,250	4,550,000	3,322,530	4,500,000
Capital	17,675,940	38,942,670	13,082,650	35,867,140
Total Expense	20,684,190	43,492,670	16,405,180	40,367,140

	FY 2007/08 Actual	FY 2008/09 Budget	FY 2008/09 Estimate	FY 2009/10 Proposed
RM 2 Planning	3,000,000	4,350,000	3,122,530	4,500,000
RM 2 Capital	16,129,720	13,704,350	9,236,325	7,714,700
Federal	1,546,220	5,038,490	2,273,780	4,174,100
San Mateo Sales Tax	-	8,653,950	-	8,653,950
State Proposition 1B	-	11,545,880	1,572,540	15,324,390
SUASI	-	200,000	200,000	-
Other	71,860	50,000	30,000	30,000
Total Revenues	20,747,800	43,542,670	16,435,175	40,397,140

**San Francisco Bay Area Water Emergency Transportation Authority
FY 2009/10 Operating Budget**

Expense

	FY 2007/08 Actual	FY 2008/09 Budget	FY 2008/09 Estimate	FY 2009/10 Proposed
Wages & Fringe	1,423,740	1,590,000	1,310,000	1,590,000
Services	1,195,950	2,478,000	1,561,010	2,370,000
Materials and Supplies	26,150	57,000	48,000	92,500
Utilities	12,710	17,000	13,900	17,000
Insurance	31,760	35,000	29,620	35,000
Miscellaneous	51,640	83,000	70,000	95,500
Leases and Rentals	266,300	290,000	290,000	300,000
Total Expense	3,008,250	4,550,000	3,322,530	4,500,000

Revenues

	FY 2007/08 Actual	FY 2008/09 Budget	FY 2008/09 Estimate	FY 2009/10 Proposed
Regional Measure 2	3,000,000	4,350,000	3,122,530	4,500,000
SUASI	-	200,000	200,000	-
Other	71,860	50,000	30,000	30,000
Total Revenues	3,071,860	4,600,000	3,352,530	4,530,000

**San Francisco Bay Area Water Emergency Transportation Authority
FY 2009/10 Capital Budget**

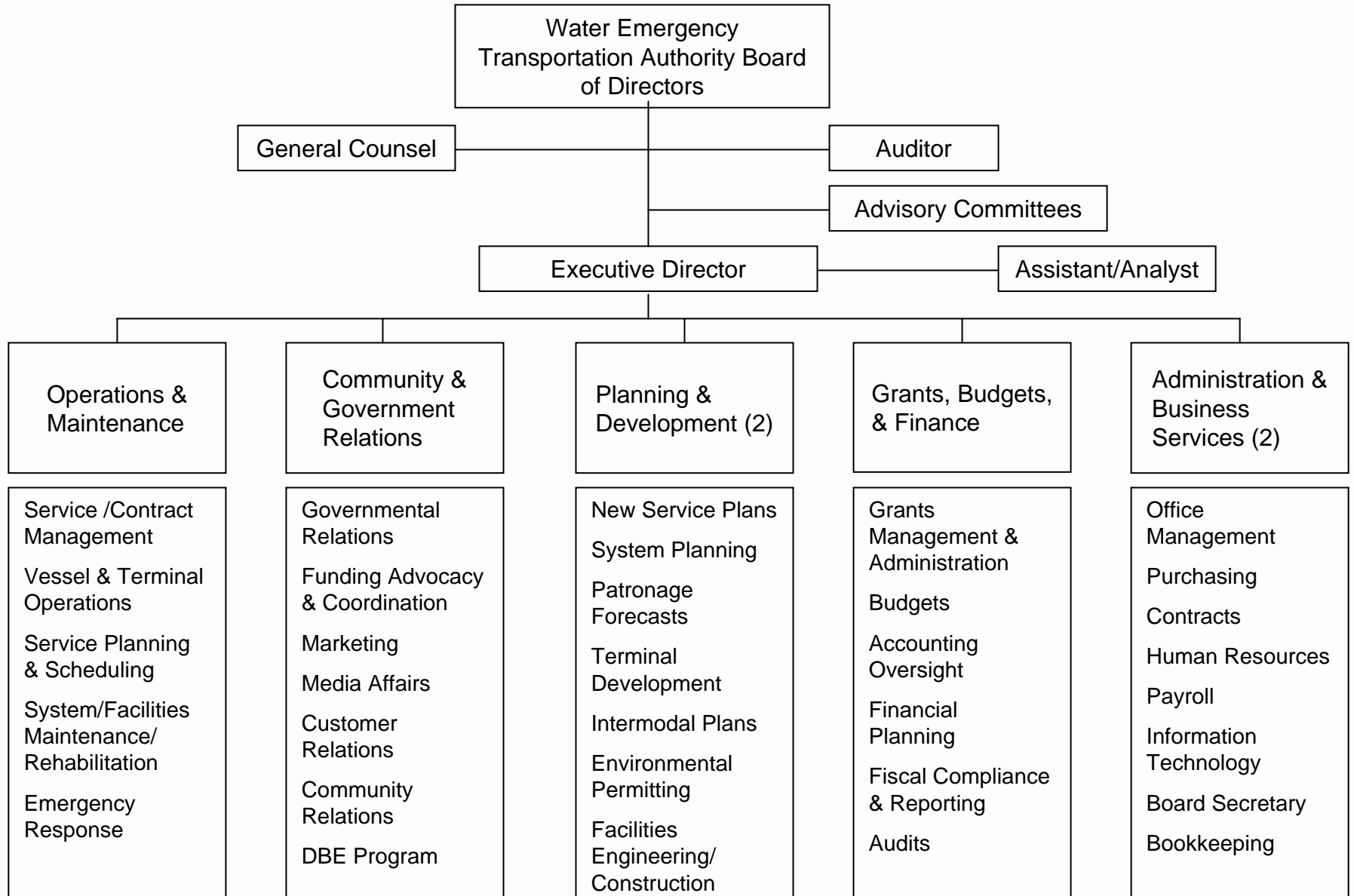
Expense

Project Description	Total Project	Prior Years	FY 2008/09 Budget	FY 2008/09 Estimate	FY 2009/10 Budget	Future Year(s)
Continuing Projects						
2 Spare Vessels	17,000,000	13,355,300	3,444,700	3,000,000	644,700	-
South San Francisco Service						
SSF Vessels	20,500,000	3,819,150	10,221,820	8,475,000	7,000,000	1,205,850
SSF Terminal Design	3,000,000	2,258,000	542,000	519,600	133,440	88,960
SSF Permitting/Mitigation Studies	275,000	19,220	255,780	16,380	100,000	139,400
SSF Terminal Construction	26,000,000	-	15,000,000	-	15,000,000	11,000,000
Subtotal SSF Service	49,775,000	6,096,370	26,019,600	9,010,980	22,233,440	12,434,210
Berkeley Environmental/Conceptual Design	1,782,700	1,344,650	438,050	314,150	123,900	-
Berkeley Terminal Design	3,200,000	-	1,500,000	-	1,500,000	1,700,000
Hercules Environmental/Conceptual Design	1,080,000	745,260	334,740	197,040	137,700	-
Pier 9 Mooring/Floats	2,750,000	44,420	2,705,580	228,180	2,477,400	-
Environmental Studies/Conceptual Design	3,000,000	-	2,000,000	282,300	1,500,000	1,217,700
Central Bay Ops/Maintenance Facility	2,600,000	-	2,500,000	50,000	2,550,000	-
Maintenance Barge, Floats & Ramps	5,000,000	-	-	-	3,500,000	1,500,000
S.F. Berthing - Environ/Conceptual Design	2,500,000	-	-	-	1,200,000	1,300,000
Total Project Expense	88,687,700	21,586,000	38,942,670	13,082,650	35,867,140	18,151,910

Revenues

	Total Project	Prior Years	FY 2008/09 Budget	FY 2008/09 Estimate	FY 2009/10 Budget	Future Year(s)
RM 2 Capital	37,887,699	20,039,780	13,704,354	9,236,325	7,714,700	917,235
San Mateo Sales Tax	15,000,000	-	8,653,950	-	8,653,950	6,346,050
Federal	9,480,002	1,546,220	5,038,491	2,273,782	4,174,100	1,827,338
State Proposition 1B	26,319,999	-	11,545,875	1,572,543	15,324,390	9,061,287
Total Revenues	88,687,700	21,586,000	38,942,670	13,082,650	35,867,140	18,151,910

Attachment 2



MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director

SUBJECT: Authorize Actions Associated with Establishing Prevailing Wage Rates for Operational Ferry Workers

Recommendation

Authorize actions associated with establishing prevailing wage rates for operational ferry workers for future consideration and use in WETA operating contracts.

Background

On December 11, 2008, the Inlandboatmen's Union of the Pacific and International Organization of Masters, Mates & Pilots requested that the Board of Directors adopt a prevailing wage policy to govern the contracts that WETA enters into with companies to provide operations or maintenance of ferry boats and terminals. This letter requested the prevailing wage computation to include both wage and fringe benefit factors and to be computed using the methodology established pursuant to Chapter 1, of Part 7 of Division 2 of the California Labor Code, commencing with Section 1720 (letter provided as Attachment 1).

Discussion

California law requires that not less than the general prevailing rate of per diem wages ("prevailing wage") be paid to all workers employed on a public works project. The central purpose of prevailing wage law is to protect and benefit employees on publicly-funded public works projects that involve delivering public works construction or improvement-type projects, and to ensure that the ability to be awarded a public works contract is not based on paying lower wage rates than a competitor.

The California Department of Industrial Relations (DIR) computes and publishes the general prevailing wage rates for specific crafts, classifications and types of workers that would be involved in public works projects. The prevailing wage rate is defined by DIR to be the combined hourly rate paid to a majority of workers engaged in a particular craft, classification or type of work within a locality and in the nearest labor market area. Such hourly wage rates include all associated benefits, including health insurance, pension obligations, vacation and sick leave, training assistance and similar items. DIR does not currently compile, compute or publish prevailing wage rates for operational ferry worker job classifications.

Based upon the operational nature of ferry workers (masters, deckhands and engineers/mechanics), staff and WETA legal counsel do not believe that the California prevailing wage law would apply to these classes of workers. As a result, development and implementation of a prevailing wage policy by the Board for ferry operations contracts would be discretionary and would likely require WETA staff to develop a process and methodology for collecting, computing and enforcing a prevailing wage rate. Nonetheless, there may be certain kinds of workers, who engage in regular maintenance of public works facilities, who may be subject to state prevailing wage. To be certain,

and to best ensure the regular and consistent computation of prevailing wage rates for these positions, staff proposes to move forward in the following manner:

1. Request a coverage determination by DIR as to whether operational ferry workers are subject to the state prevailing wage law; and
2. Request a DIR calculation of what the prevailing wage rate of per diem wages for operational ferry workers may be.

Staff would use this information to develop a policy position for future Board discussion and consideration.

In the event that DIR declines to compute the general prevailing rate of per diem wages for ferry workers, staff would seek to develop its own process and methodology in order to determine this rate for other positions, and seek union and local operator cooperation and input to gather the relevant data with which to establish a prevailing wage computation methodology and policy discussion.

Financial Implications

There is no financial impact associated with this exploratory action.

END



Inlandboatmen's Union of the Pacific

MARINE DIVISION -- INTERNATIONAL LONGSHORE & WAREHOUSE UNION
NATIONAL OFFICE • 1711 W. NICKERSON ST., STE. D • SEATTLE, WA 98119 • (206) 284-6001 • FAX: (206) 284-5043



December 11, 2008

Charlene Haught-Johnson
Chair, Board of Directors
Water Emergency Transportation Authority
Pier 9, Embarcadero
San Francisco, CA 94111

Dear Charlene,

We are writing you to request WETA's Board of Directors to adopt a prevailing wage policy that will govern the contracts your agency enters into with companies to provide operations or maintenance of ferry boats or terminals.

All entities bidding to perform service contracts for the operation or maintenance of ferry boats, ferry terminals, and related transportation services or facilities shall bid the cost of labor at no less than the prevailing wage applicable to each employee classification(s) employed under the contract and shall pay those employees no less than the wage and fringe benefits for the period that the contract is in effect. For the purpose of this section "prevailing wage" shall be calculated by the Authority using the methodology established pursuant to Chapter 1, of Part 7, of Division 2 of the California Labor Code, commencing with section 1720.

On September 17, 2008, WETA's Board approved a Request for Proposals (RFP) for Emergency Water Transportation Services. Since this RFP has not been released, we request that your Board consider the adoption of the proposed prevailing wage regulation at the earliest opportunity and apply its requirements to the pending RFP.

Thank you for your kind attention. If you have any questions, please don't hesitate to contact us.

Marina V. Secchitano
Regional Director

Sincerely,

Captain Raymond W. Shipway
California Branch Agent

cc: Jon Stanley, Executive Director
John O'Rourke, WETA Board of Director

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MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
John Sindzinski, Manager of Planning & Development

SUBJECT: Summary of Draft Transition Plan Comments and Proposed Revisions

Recommendation

This is an informational item for discussion and general staff direction.

Background

WETA published its draft Transition Plan on April 2, 2009, and held a 45 day public comment period between April 2, 2009, and May 18, 2009. Three public hearings were held during this time period including one in downtown San Francisco on April 15, one in the City of Vallejo on April 15, and one in Alameda on April 16. During the comment period the plan was presented and discussed in several public meeting environments including at the WETA Community Advisory Committee on May 14, a special meeting of the San Mateo Transit Advocates in Redwood City on May 14, the Vallejo City Council on April 28, the Alameda City Council on May 19, the Vallejo Red Team Advisory Committee on April 30 and the Solano Transportation Authority on May 13.

This memorandum provides a summary of the comments received on the draft plan and identifies how staff proposes to revise the final plan to respond to these comments.

Discussion

WETA received a total of 161 comments from 25 sources during the public comment period. Comments received during the public outreach process are summarized, with responses, in the comment matrix provided as **Attachment 1** to this memorandum. A large number of the comments received requested minor corrections or edits to clarify the details and intent in the draft report. Some comments were unrelated to the purpose, intent or specifics of the Transition Plan while a few others were concerned with government in general and why WETA was created. The vast majority of comments came from public agencies, including the Cities of Alameda and Vallejo (in their capacity as existing water transit service providers), the Metropolitan Transportation Commission, and cities that would like the plan to advance the development of new ferry services in their communities.

Based upon the comments received, staff recommends making the following changes to the plan, along with a number of technical and factual corrections noted in the comment matrix.

1. Transition Plan Milestones and Service Transition Timing

The City of Vallejo, City of Alameda and MTC all commented on various aspects of the transition schedule, including the actual activities that need to take place, the time needed to complete these tasks and the delivery dates. Vallejo has suggested that it may be more realistic to plan to transition their services on July 1, 2010, in order to provide sufficient time to finalize all transition details. Staff generally concurs with the comments from these agencies, and will work with them to identify a revised schedule that includes date changes for key activities and pushes the transition date for Vallejo services to July 1, 2010.

Proposed Modifications:

- *Modify the Transition Plan schedule to include revised milestone dates for transition activities, including City and WETA actions required to support an Alameda transition on January 1, 2010 and a Vallejo transition on July 1, 2010.*

2. Vallejo Station Project

The City of Vallejo has asked WETA to include their proposed Vallejo Station Ferry Parking in the Capital Improvement Plan (CIP) component of the Transition Plan. The larger Vallejo Station project envisions a large scale residential development along the City waterfront where the existing ferry parking is located. The Vallejo Station Parking Project will ultimately remove all existing parking for ferry passengers, and replace it with an underground parking facility to enable the City's developer to build the redevelopment project. This project is described in the draft plan, but not included in the CIP as it is a part of a much larger downtown redevelopment project to be implemented by the City and its developer. MTC has indicated a need for WETA to work cooperatively with Vallejo and other partners to identify each agency's role in the station project, with particular focus on parking and access for ferry customers and the integration of ferry service with operations at the bus transfer facility. \$28 million in Regional Measure 2 capital funds have been programmed to support construction of this project.

Staff acknowledges the importance of this project to the City of Vallejo and its redevelopment plans as well as its relevance to the existing ferry system and riders and the potential future riders that could be generated from a successful redevelopment of the downtown area.

Proposed Modifications:

- *Add the Vallejo Station Ferry Parking project to the CIP, clearly identifying that implementation of this project will not be the responsibility of WETA, but that WETA will work with the City to support efforts to complete this project.*

3. System Preservation

The cities, as well as individual ferry patrons, have indicated an interest in ensuring that WETA make preservation of existing ferry services a high priority as it considers expanding services in the future.

The plan, as written, places an emphasis on system preservation as is evidenced by the redirection of Regional Measure 2 operating funds originally slated for system expansion towards preserving existing services over the five-year period and by the significant capital contribution to existing system needs. It should be noted, however, that system preservation should not be expected of WETA at any and all costs. As the plan explains, WETA will look to periodically review service costs, revenues and ridership in

order to ensure that service levels are balanced with customer demand and local support for services.

Proposed Modifications:

- None recommended.

4. Financial Assumptions and Service Sustainability

A number of comments were made by the cities, MTC and other system partners with regard to system revenue, expense and reserve assumptions and system sustainability over the five-year period. Comments by category included:

System Revenues

- City of Alameda request for a WETA commitment to continue to allocate existing regional operating and capital funds at the same percentage rates as historically done by MTC.
- City of Alameda request for plan to acknowledge that the City expects to phase out local Transportation Improvement Funds for ferries over the next five years and that Harbor Bay Business Park Association funds are a private source and that WETA will need to negotiate for the continued commitment of these funds.
- City of Alameda clarification that the Port of Oakland has reduced its annual operating subsidy for the Alameda/Oakland ferry service in FY 2009/10.
- MTC agreement that Vallejo services should not expect to utilize Federal capital funds to support preventative maintenance (operating) needs over the long-run, as has been done in recent years, and that the service will need to secure an alternative operating source for these operating funds over the long term.
- MTC request for additional revenue assumption details associated with the Capital Improvement Plan.
- MTC request, per SB 1093 language, that the final plan include a discussion on the dates that existing Regional Measure 1 and Regional Measure 2 funds currently utilized by the cities would begin flowing to WETA.

System Expenses

- Port of San Francisco request for the plan to acknowledge the potential for ferry landing fees at Port facilities, which haven't been raised in 15 years, to increase in the near future.
- City of Alameda request for financial projection to include the recently-approved FY 2009/10 system operating budget figures.

System Reserves

- MTC comment related to the need to discuss and potentially modify WETA's assumption that the full \$18.3 million in annual RM2 ferry operating revenues will be available to support operating needs and/or to create a WETA reserve.
- City of Vallejo support of WETA in seeking to establish a system reserve utilizing excess program funds in the early years of the plan.
- City of Alameda support of WETA in seeking to establish a system reserve utilizing excess program funds in the early years of the plan, suggesting a limit on these reserves in order to preserve funds to apply towards maintaining services and keeping passenger fares down.

System Sustainability

- MTC encouragement for WETA to examine opportunities for gaining efficiencies by deploying the combined WETA fleet differently in the future.
- MTC request that WETA participate in its regional Transit Sustainability Study to identify ways of making the existing transit system more efficient and cost-effective,

and to examine long term options for improving the stability and magnitude of transit revenue sources.

Staff acknowledges the many comments, view points and up-to-date information provided via these comments and recognizes that many system expense and revenues are regularly in flux and unpredictable, especially in these challenging economic times. While each and every comment is appreciated, it is important for WETA's financial plan to fairly represent the agency's future needs, as seen from the agency perspective. It is also important for WETA to have flexibility to mix and match regional fund sources to best achieve its overall program of maintaining and sustaining existing ferry services, building expansion services and establishing a fiscally responsible operating organization with revenues in reserve to support ongoing operating needs, serve emergency response needs and allow the agency to weather unforeseen increases in future expenses or decreases in system revenues. This will be especially important in the event that existing local or regional funding commitments and system support are pulled back over time as is suggested by several of the comments. All things considered, staff recommends limiting the changes to the financial assumptions in the plan at this time as indicated below.

Proposed Modifications:

- *Modify the base year (FY 2009/10) of the operating financial projections to reflect the cities draft and adopted budgets.*
- *Acknowledge the City of Alameda's intent to reduce local TIF revenues available to the services over the next five years, and the requirement to negotiate with Harbor Bay Business Park Association for continued subsidy.*
- *Modify reserve assumptions to show full access to the \$18.3 million in Regional Measure 2 funds annually beginning in FY 2010/11; the first full year that WETA will assume ferry transit operations. Acknowledge that realizing this assumption will require further exploration and discussion with MTC.*
- *Once the services are transitioned, look to utilize WETA vessels in the most efficient, economical and customer-focused manner.*
- *Include additional revenue detail associated with the CIP assumptions in Appendix B of the final plan*
- *Add reference to MTC's up-coming regional Transit Sustainability Study and acknowledge WETA participation in this effort.*
- *Include a discussion on the dates that allocations of existing RM1 and RM2 funds would begin flowing to WETA.*

5. System Transfers

The City of Vallejo has requested that the draft plan include more specific information regarding potential system asset transfers and lease agreements and associated payments and that the final plan include a list of assets to be transferred. The City has also requested that WETA acknowledge an obligation to accept all existing documented financial liabilities associated with the transferred ferry services. The City has requested these details to ensure that the plan does not prematurely preclude any item from the final transition negotiation and agreement.

The plan, as written, provides a discussion of the system assets, revenues and staff required to provide the ferry services, and describes, in concept, the assets that WETA and the cities have discussed transferring. However, a list of assets, as described in the cities fixed asset inventories can be included as an Appendix to the plan in order to identify, in more specificity, potential assets for system transfer.

WETA is allowed, and not required, by SB 1093 to consider assuming responsibility for any outstanding financial liability incurred by the cities associated with the ferry services. Since Vallejo's letter does not provide reference to specific system liabilities, staff will request this information, along with any bond or loan documentation for discussion as a part of the final system transfer.

Proposed Modification:

- *Add lists of assets for each service and identify those that may potentially be transferred to WETA.*
- *Include language in the plan noting that consideration of transfer of any requested and documented financial liabilities that the cities propose to transfer to WETA would be discussed and documented as a part of the final transfer discussions and agreements.*

6. Future Routes

The cities of Hercules, Richmond and Redwood City provided reminders of their interest in working with WETA to implement new ferry services to their cities. The City of Richmond requested that WETA move their service up for implementation in the 5-year planning period. The cities of Alviso and Benicia expressed an interest in having WETA include them as candidates for new ferry routes in the future. Additionally, The City of San Francisco's Office of Economic and Workforce Development requested that the Plan include future service to Hunter's Point Shipyard along with Mission Bay.

The Transition Plan has set priorities for ferry services for the next five years that are limited both by available funding and project readiness. Based upon reasonable financial assumptions, no new services beyond the South San Francisco to East Bay and Berkeley to San Francisco routes can be assumed for implementation in the 5 year planning horizon.

Proposed Modifications:

- *WETA will mention the stated interest for new services to Alviso, Benicia and Hunter's Point Shipyard in the final plan.*

7. Preserving "Baylink" Brand

The City of Vallejo has suggested that WETA maintain the Baylink brand for its services after the transfer occurs. Staff agrees that the name is consistent with WETA's charge to link the Bay Area with water transportation opportunities.

Proposed Modifications:

- *Remove reference to retiring the Baylink brand and include discussions regarding use of this name as a part of the transition implementation activities.*

Financial Implications

There are no direct financial implications associated with this item.

END

Comment Matrix for the Transition Plan

Organization	Section Number and Name	Comment or Question	Response
1 Individual	n/a	I found it interesting that you did not include anything about the docking facilities at Pier 41, is this because you assume that Blue & Gold will be awarded the contract, and thus the docking rights will be included in the contract?	The Transition Plan describes Vallejo and Alameda systems as including service to Pier 41, as provided for by the current private operator. Blue and Gold, WETA assumes that this private docking right would continue through initial contract assignment, and would not be a part of a public asset transfer discussion.
2 Individual	n/a	It goes without saying that a large portion of the ferry passengers on weekends are those headed toward Fisherman's Wharf, without this service a lot of people from the east bay and Vallejo are going to get in their cars and drive. If Blue & Gold did not win the contract, would this mean that there would be no more Angel Island runs from Alameda/Oakland? Again, why was this not included in the plan?	The Transition Plan is not intended to describe all potential future scenarios. However, the Transition Plan will be amended to note that future service routes cannot be guaranteed as the result of the competitive bid process that WETA will undergo for future system services. Due to the public/private nature of the city-based ferry operations, regardless of WETA's plans, this uncertainty currently exists for the cities as well.
3 Individual	n/a	I do see the landing fee's staying about the same throughout the five years outlined in the plan, but since those numbers are not broken out, it is hard to tell where those fee's are going too.	The Transition Plan assumes that landing fees escalate at 3% per year, consistent with other general expenses
4 Individual	n/a	Why are you building such small vessels for the proposed Alameda/Oakland to SFF and Berkeley to SF routes? It seems like a LOT of money to transport in one morning, using 2 boats with 4 to 5 runs each (just under 2000 people which is probably no where near what it will actually be) to SF, when 2 BART trains could take that same number of people to SF in a much shorter amount of time, for what I bet is a FAR more economical cost.	The boats we are building are sized to meet the ridership projections of these new services. We would note that the Treasure Island boats will be far larger with carrying capacity in excess of 400 to accommodate the daily demand.
5 Individual	n/a	I really like the ferry system, but this seems like a tremendous waste of money. Why not build bigger, more vessels?	See above
6 Individual	n/a	And your wildly optimistic about when you will be able to start ferry service in Berkeley, given that you will probably face 3-4 lawsuits and multiple protests, no matter WHERE in Berkeley you decide to put it.	Comment noted
7 Individual	n/a	Why do you think that it is still feasible to expect the Port of Oakland and the City of Alameda to fund the ferry system? The Port has been grumbling for some time regarding the in kind funding they have been providing, now that the system is no longer in local hand, they have very little reason to still fund the system. Having the ferry landing be at the Port seems like it should be a great thing, but in reality it does not bring a lot of economical advantage to the surrounding businesses (this is partly the fault of the Port and the City of Oakland for not being able to make Jack London Square the destination it should be).	The Transition Plan assumes continuation of existing funding by all parties in order to balance the budget and to help ensure that existing services continue at current levels as requested by the cities. Absent this local commitment, WETA would need to draw on other external funding sources or consider options for reducing expenses to balance the system budgets.
8 Individual	n/a	And the lighting assessment in Alameda? I would REALLY not count on that source of funding in 2010.	See above
9 Individual	n/a	Why in the budget is there only a 200,000 charge for spare boats? Is this based on leasing? I couldn't seem to find where the asterisk that was on that figure was referencing.	The Transition Plan assumes that the added cost to the overall system of the Spare Vessels decreases over time as WETA establishes permanent facilities for mooring and fully integrates these vessels into its overall operating system.
10 Individual	n/a	And lastly, I have to wonder why? Why do we need the WETA? Seems like a boondoggle to me. One mans dream, and he didn't even get to control the final product like he had hoped. Now the rest of us have to watch while state funds are wasted on an expanded agency that we didn't need, that will be buying vessels from cities that really don't want to give them up. At least when the ferries were run by the local municipalities, there was some incentive to keep them running (although I have to question the usefulness of the Harbor Bay line, even if it is being partially funded by local business).	Comment noted
11 Individual	n/a	Once this becomes a state owned affair and you don't get the money you expect from the Port and from Alameda, are you going to stick us with the Enchinal and some 149 person vessel and that will be it? Are you going to upgrade the Enchinal so that it is a commuter boat (more like the Perella) and not the weird party/sight seeing boat it is now (with its wooden outside benches that are falling apart).	The Enchinal is currently the primary vessel available to the City of Alameda to serve the Harbor Bay ferry service. WETA will have the flexibility to utilize our full fleet, including spare vessels, in East Bay services to best serve the ferry ridership.
12 Individual	n/a	Actually I do have one more question. A question that I am certain you probably don't have the answer for, but I will ask anyway. Why is it, if WETA is so vitally important to the Bay area transportation that SB 976 did not include the Golden Gate Ferries? It seems like their 5 very large boats, and two north bay landings would have been very valuable in the case of an emergency.	WETA cannot speak for the State Legislature. However, we are required, and fully intend, to work with the Golden Gate Ferries to coordinate ferry services in the event of an emergency.

Comment Matrix for the Transition Plan

Organization	Section Number and Name	Comment or Question	Response
13 City of Vallejo	Capital Inventory list	<p>Issue: Section 66540 32(D) of the Act requires the Transition Plan to include an inventory of the capital assets, leasehold interests and personnel to be transferred to the WETA.</p> <p>Recommendation: Include an inventory in an appendix to the final Transition Plan which contains sufficient specificity to determine the value of the Baylink capital assets to be transferred.</p>	<p>Chapter I and IV of the draft Transition Plan provide a descriptive inventory of the Vallejo and Alameda ferry system assets, facilities operating costs and system revenues as required by Section 66540 32(D)(D), as well as a general description of the assets to be transferred pursuant to Section 66540 11. WETA will work with the cities to identify a more specific list of potential assets for transfer to be included in the final Transition Plan. However, WETA anticipates development of final asset transfer details and agreements to be developed as a part of the transition implementation to take place over the next several months.</p>
14 City of Vallejo	Page 16 under "Route 200 Bus Service"	<p>Issue: It is Vallejo's intent to retain control of Route 200 supplemental bus service to the Baylink Ferry and to foster continued bus connectivity to the ferry system rather than simply being a contractor for WETA.</p> <p>Recommendation: Modify the first sentence under "Route 200 Bus Service" on page 16 to omit the word "contract" so it reads: "Service transfer will require development of a service agreement between WETA and Vallejo for continued provision of Route 200..."</p>	<p>WETA is of the understanding that the Route 200 bus service is an extension of the ferry system, and was created and is currently operated as a means to supplement ferry service schedules, provide an alternative to expensive midday ferry service, and handle system ridership overflow. This service has historically been considered a part of the ferry system, with system revenues, expenses and ridership all accounted for and assigned to the ferry system. The future assignment of service responsibilities is one of many under discussion with City staff. WETA is committed to structuring this service in the future in such a way that makes business sense for both organizations and provides quality services to the public.</p>
15 City of Vallejo	Page 18 under "Landside Terminal Facilities"	<p>Issue: It is not clear whether the section entitled "Landside Terminal Facilities" on page 18 of the draft Transition Plan includes the existing "Temporary Surface Ferry Parking Lots."</p> <p>Recommendation: The title of this section should be modified to read "Landside Terminal and Parking Facilities." The detailed inventory should give a legal description, together with parcel number, identifying which parcels are to be included in the lease or use agreements to be negotiated with the City of Vallejo. The final Transition Plan should also note that such agreements will be subject to current Disposition and Development Agreements or other existing commitments made by the City of Vallejo and/or the Vallejo Redevelopment Agency.</p>	<p>As discussed in the Transition Plan parking lots are assumed to be landside facilities that WETA would potentially lease (and not transfer, per specific City request) from the cities for use by ferry patrons, and would not be included on a list of potential assets to transfer to WETA. In the case of Vallejo parking, WETA has recognized through the Transition Plan document, public hearings and meetings and discussions with City staff that Vallejo's downtown redevelopment plans, and their impact on ferry patron parking presents a challenge for the ferry system now and into the future. It is our understanding that this problem would exist for Vallejo Transit or WETA, regardless of who operates the ferry system. We will incorporate additional language regarding the complexity of this system detail into our final transition plan, noting that final details regarding any future lease or use agreements will be developed at a future time as a part of the final transition implementation.</p>
16 City of Vallejo	Page 25 under "North Bay Operations and Maintenance"	<p>Issue: On page 25 of the draft Transition Plan in the "North Bay Operations and Maintenance" section it states that "to date, approximately \$16 M has been secured to fund the new Mare Island Ferry Maintenance Facility."</p> <p>Recommendation: The final Transition Plan should acknowledge that the City of Vallejo has secured \$11 M in grants for this facility and make it clear that, to the extent that the grants may be transferred to other City transit projects (i.e., Vallejo Station), the use of these discretionary grant funds are subject to negotiation with the City.</p>	<p>City of Vallejo has previously provided WETA project budget information indicating that \$16 million in funding is currently programmed to support the Vallejo Maintenance and Operations Facility. WETA recognizes the City of Vallejo's desire to potentially transfer discretionary STIP funds from this project to fund the Vallejo Station Project, bringing the funded component of the project down to \$11 million, and is committed to working with the City to consider backfill sources and work to secure future funds to construct the long-planned Maintenance Facility upgrade.</p>
17 City of Vallejo	Page 18, under Capital Asset Transfer and Use Agreements	<p>Issue: On page 18 of the draft Transition Plan under "Capital Asset Transfer and Use Agreements" it states "To the extent that local, non-transportation, funds were used to purchase any assets to be transferred, WETA is working with the cities to determine fair compensation for the transfer and use of these system assets." To the extent that any discretionary transportation funds (i.e., transportation funds not solely restricted for ferry facilities) were used to purchase such assets, compensation will be subject to negotiation with the City and therefore should not be disallowed by the Final Transition Plan.</p> <p>Recommendation: The City Requests that the Transition Plan be modified to read as follows: "To the extent that, non-transportation or discretionary transportation, funds were used to purchase..."</p>	<p>Comment noted. The Transition Plan language is not intended to allow or disallow any specific prior expense from discussions regarding compensation for assets. However, the cities should note that any final agreements regarding compensation for assets will require discussion and agreement with WETA, the cities, MTC, as the gate-keeper of public transportation dollars for the region, and other applicable granting agencies involved in the initial funding of system assets.</p>
18 City of Vallejo	Capital Improvement Plan	<p>Issue: The Vallejo Station Ferry Parking Structure is not included in the 5-year CIP contained in the draft Transition Plan. It is noted, however, that the existing surface ferry parking lots are encumbered with a Disposition and Development Agreement and therefore not available for ferry parking on a long term basis. As such the City strongly believes that the long term parking needs at the Vallejo Terminal should be considered by WETA as part of this transfer. Accordingly, it is in the City's and WETA's mutual best interest to work cooperatively together to fully fund this 1200 space parking structure.</p>	<p>We understand the importance of parking to the future viability of the Vallejo ferry service, and are committed to working with the City of Vallejo to support efforts to seek funds for the Vallejo Station project construction. This project is important to the City of Vallejo and will support the larger effort to revitalize and redevelop the downtown area, making it an attractive area to live, work and visit. This is important for the City and the viability of the ferry system.</p>

Comment Matrix for the Transition Plan

Organization	Section Number and Name	Comment or Question	Response
19 City of Vallejo	Capital Improvement Plan	<p>Recommendation: The Vallejo Station Ferry Parking Structure should be included in the 5-year Capital Improvement Plan contained in the final Transition Plan, as has been done for the Mare Island Ferry Maintenance Facility in the draft Transition Plan. Also the discussion on pages 24 and 25 under "Terminal Rehabilitation" related to the City of Vallejo should be reworded as follows:</p> <p>"Other than funding to complete a 1200 space parking structure to replace existing temporary surface lots, the city of Vallejo has not identified any immediate needs associated with rehabilitation of these existing surface ferry parking lots."</p>	<p>WETA will add the Vallejo Station parking to the final Transition Plan Capital Improvement Plan, recognizing that this facility is not WETA's project to implement, but that it is an integral part of the ferry system, and will include the rewording as requested.</p>
20 City of Vallejo	n/a	<p>Issue: Section 66540.11(c)(5) of the Act states that all transfers should include a financial obligation generated from the operations of the water transportation services system, including, but not limited to, bonded indebtedness and subsidies associated with the public transportation ferry system.</p> <p>Recommendation: The final Transition Plan should acknowledge WETA's obligation for all existing documented financial liabilities associated with the transferred ferry services.</p>	<p>A point of clarification: Section 66540.11(c)(5) provides permissive language indicating that the system transfers may include financial obligations generated from the operations of the water transportation services system. WETA staff will work with the City of Vallejo to secure more specific information regarding any documented financial liabilities of the service including such items as legal agreements, terms of repayment, and efforts by Vallejo Transit to repay any outstanding liabilities to date. This information will be used in developing the final system transfer agreement.</p>
21 City of Vallejo	n/a	<p>Issue: The draft Transition Plan does not identify a specific process and schedule for negotiating a formal transfer agreement with the City of Vallejo nor the method or vehicle for arriving at just compensation, all of which are necessary prior to the transfer currently scheduled for January 1, 2010.</p> <p>Recommendation: A more detailed schedule and process for negotiating actual transfer of assets and of lease or use agreements should be included in the final Transition Plan, so that Vallejo and WETA staff can devote sufficient time and resources to facilitate this process. Per recent discussions between City staff and WETA staff the City would be open to extending this transfer date to July 1, 2010 in order to provide sufficient time for these negotiations.</p>	<p>WETA is committed to work with the City of Vallejo to work through the myriad of details required to complete the planned transition. Considering the task at hand, a July 1, 2010 transition date may be more realistic and practical. WETA will adjust the transition schedule for Vallejo in the final Transition Plan to reflect this timeframe and will develop a revised schedule that identifies key milestone dates and activities for WETA and City of Vallejo to work toward to ensure that this date can be met.</p>
22 City of Vallejo	Page 18	<p>Issue: Baylink Brand (Page 18) Recommendation: Given the 20 year history, excellent reputation and the fact that the Baylink brand appropriately depicts the intent of WETA's charge to link the Bay Area with water transportation opportunities, the City of Vallejo strongly recommends that the Board consider preserving the Baylink brand after the transfer occurs. Accordingly the statement on page 18 that they Baylink brand will be "retired" should be omitted in order to keep this option open for consideration.</p>	<p>The wording will be changed from "as the brand..." to "if the brand is..."</p>
23 City of Vallejo	page 21	<p>Issue: Operating Reserves (Page 21) Recommendation: The City of Vallejo strongly supports WETA's effort to be able to utilize the entire RM2 annual ferry allocation for ferry operations and to build up a reasonable operating reserve. Without this guaranteed annual funding we are concerned that this regional ferry system will not be sustainable in the long-term.</p>	<p>Comment noted and support on this issue is appreciated as it is critical to the existing systems regardless of the responsible operator.</p>
24 City of Vallejo	n/a	<p>Not noted as an official comment. Letter had the following closing statement: "Please be assured that the City of Vallejo is committed to work cooperatively with WETA. Towards this end, and in recognition of your previous organization's (WTA) focus on expansion of ferry service rather than on the operation of existing services, the City of Vallejo would like to have WETA's assurance that the preservation of existing successful ferry services, such as Vallejo's Baylink Service, is a high priority and will be treated equitably as WETA considers future financial commitments towards expanded service."</p>	<p>This priority is embedded in the Transition Plan as it includes continued operation of existing services for the planning horizon along with limited new services.</p>
25 Solano Transportation Authority	n/a	<p>Conveyed STA's support for the transitional issues raised by the City of Vallejo as part of the transition of Baylink Ferry operations from the City of Vallejo to WETA.</p>	<p>See Vallejo comments and responses above</p>
26 Community Advisory Committee meeting, City of Benicia	n/a	<p>Commented on Benicia's interest in weekend ferry service in the City of Benicia.</p>	<p>Comment noted. WETA currently has no plans to develop ferry service in Benicia.</p>
27 Community Advisory Committee meeting, City of Tiburon	n/a	<p>Asked for clarification on the anticipated costs of ferry rides on new routes. He commented that the cost of Tiburon round trip is comparable to the cost of gasoline.</p>	<p>Tiburon itself is not under the purview of this Transition Plan. However, in general, the Transition Plan continues fares on the Vallejo and Alameda services as currently established all other things being equal.</p>
28 Community Advisory Committee meeting, City of Richmond	n/a	<p>Asked about new ferry boats in Richmond and Hercules within the Transition Plan.</p>	<p>The Transition Plan is financially constrained and covers a 5-year planning horizon. Initiation of Richmond and Hercules ferry services is not contemplated during this period due to insufficient capital funding levels and operating funding and timing constraints.</p>

Comment Matrix for the Transition Plan

Organization	Section Number and Name	Comment or Question	Response
4/8/09 Community Advisory Committee meeting, City of San Leandro	n/a	Requested clarification on the status of new ferry service in Alviso area of San Jose.	WETA has no plans to develop new ferry service to Alviso at this time.
30 City of Hercules	Start date of Hercules Ferry Service	<p>Planning for implementation of service expansion in the next five years - the City of Hercules is planning for implementation of the ferry service prior to 2014. While we understand that WETA has multiple ferry services to construct and operate, as well as existing services to manage as discussed in the Plan, the ferry service in Hercules is a key component of the Hercules Intermodal Transit Center (HITC). The HITC will have ferry, Capital Corridor trains, and buses serving the same facility - the first of its kind in California, and possibly the nation. In addition, the Bay Trail has been integrated into the project and will provide approximately one additional mile of trail connecting to Prindle and Rodeo. We are aware of the challenges of implementing the ferry service, but are committed to solving those challenges and moving forward as soon as possible.</p> <p>Additionally, on page 21 of the Final Implementation and Operations Plan (IOP) from July 2003 that is referenced in the Plan, the initial service dates for the Hercules ferry is listed as FY 2013. As you know, the City has committed a portion of the initial operational funding and funds are also available in Contra Costa's Measure J for the Hercules and Richmond ferry services.</p>	<p>The Transition Plan is financially constrained and covers a 5-year planning horizon. Initiation of Hercules ferry services is not contemplated during this period due to insufficient capital funding levels and operating funding and limiting constraints.</p>
31 City of Hercules	Page iii	<p>On page iii in the final bullet, the San Francisco Ferry building Docking Facility Expansion is mentioned. In addition to the Treasure Island developer funding the terminal, vessels, and operating costs, would the developer also be required to fund all or a portion of the terminal construction costs? Also is the developer funding for operators in perpetuity?</p>	<p>It is WETA's understanding that the developer for Treasure Island is obligated as a mitigation measure to build the terminal on the island, the vessels and to fund this service.</p>
32 City of Hercules	Page 12	<p>Notes that the Hercules Intermodal Transit Center has all of the three objectives that the WTA IOP identified - these are access via good connections to walking, bicycling, and transit; appropriate parking; and water transit oriented development.</p>	<p>Comment noted.</p>
33 City of Hercules	Page 12	<p>Local financing in the plan should mention Measure J, Contra Costa's transportation sales tax that was renewed in 2004 and contains funding for the Hercules and Richmond ferry terminals.</p>	<p>Comment noted, the Transition Plan will be revised to make mention of these funds.</p>
34 City of Hercules	Page 22	<p>The Plan discusses the Capital Improvement Plan and the need for WETA's role as an emergency responder. Noted that the city of Hercules is actively planning for this role and that they would like to continue to work with the WETA on this topic.</p>	<p>Comment noted.</p>
35 San Francisco Office of Economic and Workforce Development	Executive Summary page iii	<p>Change the title from the Mayor's office of Economic and Workforce Development to "the San Francisco Office of Economic and Workforce Development."</p>	<p>Comment noted, the final Transition Plan will include this correction.</p>
36 San Francisco Office of Economic and Workforce Development	Executive Summary page iii	<p>The reference to the Treasure Island Capital funding should replace this sentence: "While WETA would operate the ferry service, the Treasure Island developer would fund the terminal and vessels and the services' operating costs." Please change to: "The project plans for the Treasure Island redevelopment acknowledge that the WETA will operate the future ferry service. SB 981 authorizes the establishment of a Treasure Island Transportation Management Agency and designates the ability to generate revenues from parking, transit passes, and congestion pricing that may be provided to transit operators serving Treasure Island. The Treasure Island Development Authority and City of San Francisco are developing, with a private development partner, plans for a new ferry terminal on Treasure Island. Project funding is anticipated to leverage state and federal monies to fund the ferry terminal construction and procurement of vessels required for the service."</p>	<p>The Transition Plan assumes that the cost of the terminal on Treasure Island, the vessels and the ongoing subsidy needs of the service are the responsibility of the developer and/or City. It does not include use of other funding sources, but does not preclude them, so long as the use of these funds does not compromise the overall financial plan shown in the Transition Plan.</p>
37 San Francisco Office of Economic and Workforce Development	Planning for Future Expansion Projects page 13	<p>Page 13. In Treasure Island paragraph, replace last sentence with this: "The project plans for the Treasure Island redevelopment acknowledge that the WETA will operate the future ferry service. SB 981 authorizes the establishment of a Treasure Island Transportation Management Agency and designates the ability to generate revenues from parking, transit passes, and congestion pricing that may be provided to transit operators serving Treasure Island. The Treasure Island Development Authority and City of San Francisco are developing, with a private development partner, plans for a new ferry terminal on Treasure Island. Project funding is anticipated to leverage state and federal monies to fund the ferry terminal construction and procurement of vessels required for the service."</p>	<p>The Transition Plan assumes that the cost of the terminal on Treasure Island, the vessels and the ongoing subsidy needs of the service are the responsibility of the developer and/or City. It does not include use of other funding sources, but does not preclude them, so long as the use of these funds does not compromise the overall financial plan shown in the Transition Plan.</p>
38 San Francisco Office of Economic and Workforce Development	Executive Summary page iv	<p>Add the following reference to Hunter's Point Shipyard: "Additional notable future and ongoing waterfront development projects that could support terminals and service are the Alameda Point redevelopment project at the Alameda Navy Station, which would support the Alameda Main St Terminal once constructed, "Oak to 9th", a residential project along the Embarcadero in Oakland, Mission Bay, the San Francisco home to the new UCSF Campus, the Hunters Point Shipyard in San Francisco, and Port Sonoma Developments in the North Bay. WETA will continue to monitor these developments and provide support as needed."</p>	<p>Comment noted, the final Transition Plan will include this addition.</p>

Comment Matrix for the Transition Plan

Organization	Section Number and Name	Comment or Question	Response
39 San Francisco Office of Economic and Workforce Development	Page 15	Top paragraph of second column. Please include Hunter's Shipyard in the listing of possible waterfront developments that may be a possibility for ferry service.	Comment noted, the final Transition Plan will include this addition.
40 San Francisco Office of Economic and Workforce Development	Page 15	After Mission Bay project description add the following description for Hunter's Point Shipyard: "Hunter's Point Shipyard" Service to this redevelopment of a former naval base will provide transit options for the 10,500 new homes, entertainment venues, retail, parks, and over 2.5 million square feet of commercial space planned for this site in southeast San Francisco. The new ferry terminal will be adjacent to a transit center served by rapid and local bus, new high-density residential neighborhoods, and arts center and a research and development campus.	Comment noted, project will be included in the "out years" past the 5 year planning horizon.
41 San Francisco Office of Economic and Workforce Development	Pg 15, figure 3.3	The map Figure 3.3 on page 15 showing potential new communities served (Antioch, Martinez, Redwood city) should add the additional potential destination of Hunter's Point, Mission Bay, Oak to 9th and Port Sonoma. The legend could differentiate these as "Potential Future Expansion - Waterfront Developments."	Comment noted, this change will be made in the final Transition Plan.
42 San Francisco Office of Economic and Workforce Development	Pg 19, service transition plan	Insert comment after the Berkeley bullet point as last sentence under regional service expansion. "The City of San Francisco, the Treasure Island Development Authority, the San Francisco Redevelopment Agency and their development partners are interested in working with the WETA to identify regional, state and/or federal funding for the new facilities at Treasure Island and Hunters Point Shipyard."	Comment noted, this language will be added to the final Transition Plan. These are the sort of partnerships that are critical to the implementation of the services outlined in the Transition Plan both in the 5 year planning horizon and beyond.
43 West Contra Costa Transportation Advisory Committee	General comments re: funding and Hercules/Richmond ferry service	<p>Since the adoption of the IOP, beyond committing \$45 million in Measure J funding, West Contra Costa County has taken the following steps to enable Hercules and Richmond Ferry Services and illustrate the sub-region's commitment to ferry service:</p> <ol style="list-style-type: none"> 1) Dedicating additional developer impact fees in the amount of \$12.65 million. 2) Designating priority development areas in and around the Hercules and Richmond Area 3) Enhancing access to the proposed Richmond Ferry Terminal by committing funding to the Marina Bay grade separation project. 4) Supporting improvements to accommodate future ferry service in the plans for the I-80 Integrated Corridor Mobility project. 5) Developing employer shuttle service between Marina Bay and the Richmond intermodal station. 	Comment noted, WCCTAC and the cities of Richmond and Hercules have shown a keen interest and a strong commitment to developing new ferry services in Western Contra Costa County.
44 International Organization of Master's Mates and Pilots (MMP)	Service Routes Page 19	MMP requests that you change the reference to a 3% growth rate for labor expenses. This figure doesn't reflect existing market conditions of rising health and welfare costs. We suggest the transition plan to not specify an amount for future increases. This will provide maximum flexibility for both an employer and our unions to agree on a wage and benefit terms.	Comment noted, reference to this amount will be removed from the text. However, please note that these are general planning assumptions and not budgetary dictates that bind the employer or unions.
45 Inlandboatman's Union of the Pacific (IBU)	General comment re: Prevailing Wages	We note the absence of reference to WETA's intention to require operators to pay the prevailing wage. We request the inclusion of language in both plans (the Transition Plan and the Emergency Response Plan) that addresses this void and documents your agency's desire to adopt a prevailing wage policy as a regulation.	The WETA Board of Directors has taken no action at this time to adopt a prevailing wage policy or ordinance, therefore, the statement requested for inclusion would be inappropriate. However, staff acknowledges MMP and IBU's request for the WETA Board to consider such a policy, and will bring this matter forward to the Board for discussion in June 2009.
46 City of Richmond	5 year CJP	Would like WETA to include the Richmond - SF route and associated terminal facilities (Richmond Project) on the list of priority expansion projects for implementation within the 5 year time horizon.	The development of services beyond Berkeley and SSF cannot be supported financially in this 5 year planning horizon absent new revenue (capital and operating) sources. Furthermore the development of additional services before 2014 is likely infeasible due to long lead times for pre construction activities.
47 City of Richmond	Section 3 (Public Ferry Service Expansion)	The City of Richmond notes that this section discusses the process of determining/developing ferry routes discussed in the IOP (cost effectiveness environmental impacts, safety, connectivity with other transit systems, ridership potential, ability to increase emergency response capability and local support).	The development of services beyond Berkeley and SSF cannot be supported financially in this 5 year planning horizon absent new revenue (capital and operating) sources. Furthermore the development of additional services before 2014 is likely infeasible due to long lead times for pre construction activities.

Comment Matrix for the Transition Plan

Organization	Section Number and Name	Comment or Question	Response
48 City of Richmond	Section 3 (Public Ferry Service Expansion)	<p>This section also states that South San Francisco, Berkeley/Albany, Treasure Island and Alameda Point projects are included within the 5 yr transition plan time frame because they are the farthest along in the planning process and have committed capital and operating subsidies.</p> <p>Richmond noted the ways in which the Richmond Project satisfies all of the factors identified in the IOP (cost effectiveness, environmental impacts, safety, connectivity with other transit systems, ridership potential, ability to increase emergency response capability and local support). Within the description for local support Richmond states "City leaders reprogrammed \$11.2 million in Measure J transportation sales tax funds from the Richmond Parkway to Ferry-associated landside improvements." The Richmond project has significant committed funding: Measure J's \$45 million for Hercules and Richmond ferry services; the Richmond Redevelopment Agency's FY 09/10 budget includes \$8.3 million for ferry-associated improvements; \$39 million in state and local funding for grade separation.</p>	<p>Comment noted.</p>
49 City of Alameda	page 21	<p>Supports the establishment of an operating reserve. Would like to have the reserve be established at a percentage range - the City recommends 30-35% of current operating costs. The city is concerned that the operating reserves currently in the plan are too conservative (almost 60% of operating costs) - it should be lowered. Furthermore, it should be stated clearly that the reserves will be used for non-recurring or extraordinary operating expenses. The City is concerned that setting the operating reserves at too great [a level] may result in service level reductions and/or fare increases.</p>	<p>To clarify, the reserves included in the plan represent the excess RM2 operating funds in a given year that are assigned to support WETA fares in the RM2 program, but are not anticipated to be required. Currently, the way in which these funds are managed by MTC does not allow WETA to carry-over or reserve these funds from year-to-year, so they are lost to the ferry system forever if not utilized in total each year. The concept behind creating the reserve is to preserve these funds for ferries regardless of the year in which they are spent similar to the way in which RM 1, TDA or other transit operating dollars are managed by MTC.</p>
50 City of Alameda	AOF's Ridership figures page iii, pg 6, pg 11.	<p>The plan states "AOF's experienced a 15% decline in ridership in the first half of FY 2008/09, likely due to the economic recession." Comment: Ticket sales for the July '08 through December '08 period were 232,186 compared to 253,689 sold during the same period in 2007. This is an 8.5% decline.</p>	<p>Comment noted. Clarifying language to be included in final Transition Plan. "AOF's experienced a 15% decline in commuter based ridership and an 8% decline in ridership overall during the first half of FY 2008/09, likely due to the economic recession."</p>
51 City of Alameda	Executive Summary, page iv	<p>Under "Service Transition Plan" the 8th bullet states: Ongoing city participation as a system partner, providing landside planning and management support and advocating for local funds to support system." Comment: The city has not committed to providing "landside planning and management support."</p>	<p>Comment noted. WETA believes that continued local interest and participation will be a key component to making this transition work for the customers and local businesses and residents.</p>
52 City of Alameda	Page 3 under "Main S/DAlameda Gateway"	<p>Modify 4th sentence to read: "New homes have been built near the terminal, including 485 constructed adjacent to Ralph Appenzato Memorial Parkway."</p>	<p>Comment noted, addition to be made in final Transition Plan.</p>
53 City of Alameda	Page 4 Level of Service	<p>Need to include the "short hop" travel between Alameda and Oakland in the list of runs available to passengers.</p>	<p>Comment noted, clarification to be made in final Transition Plan</p>
54 City of Alameda	Page 5	<p>First paragraph, 4th sentence reads " All weekend trips operate from Alameda and Oakland to both the Ferry Building and Pier 41." This is not true, the Fall and Spring weekend schedule include 535/5:45 PM and 7:00/7:10 PM east bay departures that bypass the Ferry Building. The summer weekend schedule has 3 east bay departures that bypass either the Ferry Building or Pier 41. The Plan should include as exhibits the weekday and seasonal weekend schedules.</p>	<p>Comment noted. Final Transition Plan to state the following: "Both the Fall/Spring and Summer weekend schedules have select trips which bypass either the San Francisco Ferry Building or Pier 41."</p>
55 City of Alameda	Page 5	<p>Table 2.2 AOF's One-Way Fares - need footnotes stating the fares for the A/T&T park and Angel Island State Park differ from these standard fares. Also include the "short hop" fares between Pier 41 and the Ferry Building, and between Alameda and Oakland.</p>	<p>The final Transition Plan will include the additions noted.</p>
56 City of Alameda	Page 6	<p>Under "Harbor Bay Ferry Terminal" the Plan should state that the City does [not] have fee title to the ferry terminal property but has an easement to the property.</p>	<p>The following change will be included in the final Transition Plan: "This service has a functional terminal on the west side of Harbor Bay, the City of Alameda does not have fee title to the ferry terminal property but has an easement to the property. The terminal consists of a 250-space parking lot, glass shelter, and accessible gangway and floating dock."</p>
57 City of Alameda	Page 8	<p>Under "Ridership Trends" 3rd sentence, the 2004/05 decline was due to a 3.5 month closure. Table 2.6 should have a footnote for fiscal year 2004/05 explaining that the 82,532 was due to a 3.5 month period when service was suspended due to storm damage at the Harbor Bay Terminal.</p>	<p>Comment noted and clarifying information to be added to the final Transition Plan.</p>
58 City of Alameda	Page 16	<p>Under "Transfer Agreements" - the first 2 bullets should read "bus-to-ferry" and "ferry-to-bus"</p>	<p>Noted correction will be made in final Transition Plan.</p>

Comment Matrix for the Transition Plan

Organization	Section Number and Name	Comment or Question	Response
City of Alameda	Page 19	Under "Alameda/Oakland" The City expects that the number of weekend trips will be at least the same as is currently provided. The Transition Plan should specify the number of weekend trips by season. As it stands, "with additional weekend service" is too vague.	Changes to be made in final Transition Plan.
City of Alameda	Page 19	The 5-Year expansion plan looks aggressive as it has SSF in January 2011 and Berkeley in 2012. If the launch of these services is delayed, the Plan should clearly state that revenues scheduled to support those services would be allocated to existing services prior to reducing service and/or increasing fares.	Comment noted. WETA will review system projects, revenues and expenses on an annual basis and adjust plans and system finances to meet the many operating needs and performance mandates required by the various fund sources.
City of Alameda	Page 19	Little is said about WETA's plans to manage/reduce operating expenses such as fuel, labor, and administrative costs. Suggestions would be the establishment of a diesel fuel purchasing consortium and the negotiating with the union for a 4 or 5- hour crew call	Thank you for the helpful thoughts and ideas. WETA expects to realize "economies of scale" by combining 3 disparate services into one using mechanisms such as bulk fuel purchases. In some cases these improvements will require additional capital projects, such as the development of new maintenance facilities with adequate fuel storage capacities to see the benefits expected.
City of Alameda	Page 19	Under Existing Services - the Plan states that services levels will remain unchanged so long as ridership levels warrant and revenue and expenses remain within projection. " However, if WETA proposed service and/or fare increases for the AOFIS and or Harbor Bay WETA should hold a public hearing in Alameda where Alameda citizens can propose alternatives to the service reductions and/or fare increase and suggest ways to reduce operating expenses. WETA should make all relevant financial information available to the public prior to the public hearing.	WETA expects to develop a fare policies that both conforms with applicable transit laws and is sensitive to the needs of its patrons and the larger constituent population of its service area.
City of Alameda	Page 20	Under "Regional Measure 1-5% Program" - add a sentence reading "WETA will continue to allocate to AOFIS and AHBF operations the same percentage of southern bridge group RM1-5% revenue as has historically been allocated by MTC to those services.	WETA is committed to maintaining and expanding current operating revenues available to support City of Alameda ferry services. However, WETA will work to retain as much programming flexibility as possible for each source of operating funds so that it can maximize the use and benefit of the combined revenues available to support ferry services.
City of Alameda	Page 20	Under "Regional Measure 1-2% Program" - add a sentence reading "WETA will continue to allocate to AOFIS and AHBF operations the same percentage of southern bridge group RM1-2% revenue as has historically been allocated by MTC to those services.	WETA is committed to maintaining and expanding current capital revenues available to support City of Alameda ferry services. However, WETA will work to retain as much programming flexibility as possible for each source of capital funds so that it can maximize the use and benefit of the combined revenues available to support ferry services.
City of Alameda	Page 21	Under "Alameda Measure B" - Insert a sentence reading "WETA will use Alameda Measure B revenue for the AOFIS and the AHBF only."	Comment noted and language added.
City of Alameda	Page 21	Under "Local Alameda Funds" Modify to read "The City of Alameda has historically utilized local transportation improvement funds. . . ." The Plan should note that the City expects these funds to be phased out over the 5-years covered by the Plan.	Comment noted.
City of Alameda	Page 21	Under "Harbor Bay Business Park Association" - The Plan should note that this is a private subsidy. Insert sentence reading " WETA will need to negotiate with the HBBPA for the continued commitment of these funds. "	Comment noted and suggested language added to final Transition Plan.
City of Alameda	Page 21	Under "Port of Oakland," 3rd sentence "The Port's FY2009/10 payment for ferry services is \$70,649 not \$83,000. Also "cash contribution" is slightly misleading as the \$70,649 is a payment for ferry service provided by the City through its service contract with BSGF.	Noted correction will be made in final Transition Plan

Comment Matrix for the Transition Plan

Organization	Section Number and Name	Comment or Question	Response
City of Alameda	Page 24	Second paragraph beginning "The Alameda vessel, the Bay Breeze, ..." This paragraph gives the impression that the City is going to fund/replacement of the main engines but that is not a commitment we have made. We are prepared to fund main engine rebuilding only.	Noted, sentence to be revised to say "may fund"
City of Alameda	Page 24	"Harbor Bay Channel" - Should state that the City expects to dredge the HB channel during FY 2009/10	Noted, correction to be made in final Transition Plan
City of Alameda	Page 24	"The Harbor Bay float requires approximately \$500,000 in facility upgrades including emergency response and passenger enhancements." - This project is scheduled for 2009/10 not 2011/12	The project noted is a follow-up to the City's planned work in FY 2009/10.
City of Alameda	Page 26	"Vessel Mooring Equipment" The Transition plan [should] mention the Pier 48 barge for the 199-passenger WETA boat that will go into AHBF service replacing the Piceses.	Noted any change is pending subject to ongoing discussions with the City of Alameda
City of Alameda	Page 26	"Program Revenues" under "Regional Measure 1-2% Program" - insert sentence reading "WETA will continue to allocate to AOF's and AHBF capital and maintenance projects the same percentage of southern bridge group RM1-2% revenue as has historically been allocated by MTC to those services."	WETA is committed to maintaining and expanding current operating and capital revenues available to support City of Alameda ferry services. However, WETA will work to retain as much programming flexibility as possible for each source of funds so that it can maximize the use and benefit of the combined revenues available to support ferry services.
City of Alameda	Page 26	Revise to reflect that these dates are tentative. Based on the current status of negotiations, the July 1, 2009 date for agreement to Transfer of Assets, a schedule of Transition, agreement to Terminal lease & use Principles and "Term Sheets" is too aggressive.	Comment noted and revised date will be included in final plan.
City of Alameda	Page 29	The city is extending the B&GF and HBM operating contracts through June 30, 2010. It will be WETA's responsibility to extend these operating contracts month to month through December 2010.	Noted, correction to be made in final Transition Plan
City of Alameda	Page 29	The plan states that "WETA will assist Vallejo, Alameda and HBM in supervision and oversight of operating contracts." HBM should not be included as HBM is a contractor. Revise to "WETA will work with the Cities over the 6 month period to ensure a smooth transition to WETA operations."	Operating projections will be updated in the final Transition Plan based upon recently completed FY 2009/10 service budgets
City of Alameda	Pages 32-37	Revise based on City provided FY 2009/10 operating budgets.	Operating projections will be updated in the final Transition Plan based upon recently completed FY 2009/10 service budgets
City of Alameda	page 34	Harbor Bay Ferry Fuel expense, the AHBF uses approximately 120,000 gallons of diesel per year. This means that WETA is budgeting fuel at \$4.99 per gallon which is high. The City's FY 2009/10 budget assumes \$3.25 per gallon for HB. Recently, HBM has paid \$2.11 per gallon.	Operating projections will be updated in the final Transition Plan based upon recently completed FY 2009/10 service budgets
City of Alameda	page 34	AOF's expense - the AOF's uses approximately 300,000 gallons of diesel per year. This means that WETA is budgeting fuel at \$4.73 per gallon which is high. This City's FY 2009/10 budget assumes \$3.00 per gallon for AOF's. Recently B&GF paid \$1.66 per gallon.	Operating projections will be updated in the final Transition Plan based upon recently completed FY 2009/10 service budgets
City of Alameda	page 48	Item #14 It is WETA's responsibility to extend the B&GF operating contract from July 1, 2010 through December 30, 2010.	Comment Noted. This will be included in the list of milestones in the Final Transition Plan.
City of Alameda	page 48	Item 15 It is WETA's responsibility to extend the HBM operating contact from July 1, 2010 through December 30, 2010.	Comment Noted. This will be included in the list of milestones in the Final Transition Plan.
Transit Advocates of San Mateo County Meeting San Mateo County Harbor Commission	n/a	Provided an update on the lease agreement with WETA/South San Francisco, and the Harbor Commission.	Updates of this sort are provided in newsletters and to the Water Transit Advocates of San Mateo County.
Transit Advocates of San Mateo County Meeting Redwood City-San Mateo County Chamber of Commerce	n/a	Commenter advised the audience to continue to advocate for Redwood City ferry service.	Comment noted.
Transit Advocates of San Mateo County Meeting DMB Salworks	n/a	Comment about the timing for completing the environmental document for Redwood City, who would complete the ridership studies and when the ridership studies will be completed.	Environmental studies typically take up to 15 months and include public hearings on the draft and final reports. The environmental studies will include ridership studies, prepared by WETA consultants.

Comment Matrix for the Transition Plan

Organization	Section Number and Name	Comment or Question	Response
84 Transit Advocates of San Mateo County Meeting Saltworks Volunteer 5/1/4/09	n/a	Asked about the impacts on the Saltworks project if the Redwood City Ferry project moves forward.	Work to bring ferry service in Redwood City was planned before the Saltworks project, but that ferry service would be complimentary to any development.
85 Transit Advocates of San Mateo County Meeting Citizens Advisory Committee 5/1/4/09	n/a	Requested confirmation on the location of the Redwood City ferry terminal and queried as to whether light rail will be available to provide access to the Redwood City terminal.	The current location that is being studied in the EIR/S is at the foot of Seaport Blvd, which was identified in a planning study completed by the Port of Redwood City. The existing rail spur near Seaport Blvd, is being studied as part of the General Plan for the City of Redwood City.
86 Transit Advocates of San Mateo County Meeting Resident, City of Redwood City 5/1/4/09	n/a	Questioned where the riders for Redwood City will travel from and commented that housing would strengthen the demand for ferry service.	Comment noted. These issues would be addressed in the EIR/S for Redwood City ferry service.
87 Transit Advocates of San Mateo County Meeting Port of Redwood City 5/1/4/09	n/a	Commented on the benefits and advantages of using ferry service, including convenient, stress free mode of transit travel.	Comment noted.
88 City of East Palo Alto Transportation Commissioner (SF public hearing)	n/a	Curious about WETA's plan for the south-of-Dunbarton-Bridge area. Would like some input, guidance, assistance and consideration in the South Bay from WETA.	The Transition Plan includes those existing and new services the agency can reasonably expect to provide within very constrained financial resources over the next 5 years.
89 Adventure Cat Sailing Charters (Vallejo Public Hearing 4/15/09)	n/a	Thank you to WETA for the cleanest commercial passenger ferries in the world, which exceed EPA's Tier 4 standards for 2014 diesel emission standards. As the number of ferry vessels increases in the SF Bay Area, this is a perfect opportunity for WETA to take the next step in clean ferry design. Wind-assist has the potential for a 40% fuel savings. The opportunity to incorporate wind-assist into ferry design and reduce fuel consumption should be brought into the discussion for the next generation of vessels. The SF Bay is a perfect location to bring this innovation forward. All three new routes have the potential to utilize the wind resource. Adventure Cat looks forward to continuing the discussion with WETA.	Comment noted.
90 Harbor Bay Maritime (Vallejo Public hearing 4/15/09)	n/a	We just got your vessel, Pisces. Do you have people who know the vessels and can train others regarding the vessels that you just delivered? Who are they?	Yes we do and we have worked closely with the Harbor Bay operations manager to provide someone to train the crews.
91 Resident Taxpayer (Vallejo Public Hearing 4/15/09)	n/a	Ferry boats are great, but the key is punctuality. Ferries need to be on time and account for events that go on in the region - concerts, earthquakes. They need to be convenient or people are not going to take them. The schedule need to be made well and take into account connectivity. Fare is also very important. Trips need to be cost effective. Transportation costs from people commuting from Napa and beyond, but fares are a big part of their budget. Could use incentives like frequent flier miles to increase ridership. Maybe even chartering boats. We could run a spare boat and have fuel lined up for all the vessels to keep the costs down. It's pretty important to figure out a way to store fuel or buy it to avoid the fuel price fluctuations.	Ferry services that operate on SF Bay are historically on time over 99% of the time. The Transition Plan assumes existing fare structures will basically continue and that ferry fares will be comparable to other modes of transit for similar trip types and distances.
92 Vallejo Resident (Vallejo public hearing 4/15/09)	n/a	Besides the obvious gain in emergency services that are going to be provided to residents in the area from this endeavor, what benefits if any is going to occur on the service level to make it better than it is now? In what specific ways? Being that the land based facilities will be leased to WETA, how would this affect the City's ability to earn revenue if they ever decide to change for parking at the ferry terminal? Who is going to get that money or how would that happen? How would that be divided up? What if they decide to change for parking there? Is the City going to be allowed to keep these revenues or is it going to WETA?	The service plan outlined in the Transition Plan proposes that we would maintain the services as they look today. To do this, we would utilize some of the RM2 money that is under our purview and originally slated for expansion services. Instead to help continue to maintain both Vallejo and Alameda services over the next five years. A key piece of what we are doing in partnering with the City is to look to bring additional revenues to build a maintenance facility that the City staff has been working hard to develop over the last ten years. And we are looking to partner with the City of Vallejo in seeing that the service continues into the future. Regarding parking - that is a very complex question and I don't have all the answers today. We certainly honor the City's development plans for the downtown area and will be looking to work with the City to ensure there continues to be parking for ferry customers into the future. The parking facilities and land would remain with the City.

Comment Matrix for the Transition Plan

Organization	Section Number and Name	Comment or Question	Response
93 Vallejo Resident (Vallejo public hearing 4/15/09)	n/a	Are there any plans for green aspects of the whole proposal? Wind-enhanced is a great idea, but I've also seen solar powered and bio-diesel ferries. How green are you looking got make this whole plan and is that even considered under the proposals?	The focus of the Transition Plan is not to contemplate how we green ferries. We have completed construction of two 149 passenger ferries that are 85% cleaner than emission standards for EPA Tier II marine engines and that is a very important aspect of what we do here. We anticipate carrying our clean ferry program through into the future with any rehabilitation and replacement programs for the vessels that we would implement, as well as our terminals. We have had some discussion about how we can make our terminals green through solar panels and wind power.
94 MTC Elderly and Disabled Advisory Committee and Emergency Preparedness Subcommittee (Vallejo Public Hearing 4/15/09)	n/a	Possible expansion into such locations as Redwood City, Berkeley and Richmond, not feasible due to global warming and water levels rising that USGS and other agencies say will inundate those potential cities in the Bay Area.	Comment noted.
95 Alameda Public Hearing Alameda Transportation Commission	page 18	Regional Measure 2 was passed by voters of Alameda with language that specifically had money for ferry services for Alameda. It was given to WETA, but it was specifically \$12 million for new ferry service for the Alameda/Oakland and Harbor Bay ferry service. When SB 976 was passed the state legislature removed the words "Alameda," "Oakland," and "Harbor Bay." The fact that the State language does not require the money to go to the Alameda-Oakland and Harbor Bay does not preclude WETA from still upholding the will of the voters. There should at least be some language in the Transition Plan acknowledging this, even if it just explains how the money will be used and how that will benefit the overall system. On Page 18 of the Transition Plan it highlights supporting the use and passage of local sales measures to support ongoing operating expense. You need to at least explain how this meets the goals of what the voters voted for and passed. It is problematic to have no acknowledgment that language has been changed.	The Financial Plan projects an anticipated approximately \$50 million in operating and capital expenses for the Alameda/Oakland and Harbor Bay ferry services over the next five years. The revenues anticipated to be used to support these needs include RM1 and local funds utilized by the system today, and over \$15 million in new funds from such sources as RM2, Proposition 1B and Federal 5307/3309. In addition, this plan assumes that new WETA vessels will be used to complement existing service vessels. This represents a substantial financial commitment on the part of WETA towards maintaining and sustaining the current Alameda ferry services.
96 Alameda Public Hearing Alameda Transportation Commission	page 18	On Page 18 you discuss the central bay facility. I'd like to ask that you find a location within Alameda to cut down on deadheading time.	Comment noted.
97 Alameda Public Hearing Alameda Transportation Commission	n/a	There should be some language in the Transition Plan that protects the fact that Alameda service will be maintained and that money that should go to Alameda service is not going to be siphoned off in order to continue to run the Vallejo service, which seems to be having ridership issues.	If you examine the financial project included as a part of the Transition Plan, you will see that this shows an increased contribution of new revenues to support the Alameda/Oakland, Harbor Bay and Vallejo ferry services over the five year period. The final Transition Plan will be amended to make this point more clear.
98 Alameda Public Hearing Alameda Transportation Commission	n/a	Existing services should not be allowed to not succeed in favor of new routes in new cities. Riders and taxpayers of Alameda and Vallejo do deserve some sort of acknowledgement in the Transition Plan that that is a goal - maintaining existing service.	This priority is embedded in the Transition Plan as it includes continued operation of existing services for the planning horizon along with limited new services.
99 Alameda Public Hearing oral comment	n/a	The Transition Plan is written on a very high level. Doesn't discuss terms of the transition deal. What would be good is to have it include what the transition process is and what the public input process is, so Alameda ferry riders know when and where they can comment.	The fine details of the transition will be worked out as a part of the implementation of the plan over the next several months. Any final asset transfer and lease agreements will be subject to WETA and City Board discussion and actions.
100 Alameda Public Hearing Alameda Resident	n/a	WETA ignored our traditions. You named two ferries after astrological signs, which is not the tradition of the Alameda-Oakland or the Vallejo ferries. Astrological signs are a religion (see attached letter and petition) and that is unconstitutional. If you can't consult about little things like names, what are you going to do about consulting with riders about fare changes, schedule changes? How can we help you if you aren't going to consult with us?	Comment noted. The naming of WETA vessels was the subject of discussion at numerous meetings of the (WETA) Board of Directors.
101 Alameda Public Hearing oral comment	n/a	There will be no access from here (Alameda) for people to get from Alameda to Oyster Point?	The current plan is to have direct service from Jack London Square to Oyster Point and back. In the initial planning we looked into stopping in or just starting from Alameda. What we found is that the time made for less ridership in total. Having said all that, we haven't started that. Now looking to start service in 2011. We are committed to working with the employers to talk to riders. We are open to revisiting this.

Comment Matrix for the Transition Plan

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102 Alameda Public Hearing Comment 4/16/09	n/a	I'm curious about the South San Francisco route. I was hoping that eventually I'd be able to take the ferry from Alameda to Oyster Point, but it looks like it's not going to be stopping in Alameda. It is just going to start in Oakland and end in Oyster Point; is that correct?	The current plan is to have direct service from Jack London Square to Oyster Point and back. In the initial planning we looked into stopping in or just starting from Alameda. What we found is that the time made for less ridership in total. Having said all that, we haven't started that. Now looking to start service in 2011. We are committed to working with the employers to talk to riders. We are open to revisiting this.
103 4/16/2009 Alameda Public Hearing Alameda Transportation Commission	n/a	There has been lots of discussion and interest in knowing what the future of the services to Alameda. Are we going to preserve our level of service, preserve our fares? We would hate to see our service jeopardized in favor of another service. We got used to our level of service that the City subsidized and supported. I think the plan is good, but it is a five year plan - an eye blink. I'm interested in preserving our service in the long term.	The Transition Plan shows continued operation of existing ferry services for the next 5 years assuming revenues, ridership and costs are within the range used for the plan.
104 4/16/09 Alameda public hearing Alameda Transportation Commission	n/a	We were hoping that a position for Alameda on the WETA Board of Directors would be permanent.	Comment noted. The composition of the WETA Board was determined by the State Legislature in SB 976.
105 4/16/2009 Alameda Public Hearing Alameda Transportation Commission	Chapter IV	The financial section of the Plan takes a prudent approach, not assuming state funding. I'd like to see the Plan explicitly mention that we are one of many operators facing a crisis - our future, like theirs, depends on a clear and dependable source of funds. I wish we would say that clearly in the plan.	Comment noted, additional language to be added to Chapter IV.
106 4/16/09 Alameda public hearing Alameda Transportation Commission	n/a	It is exciting to have an organization working on transit. It doesn't need "emergency" to justify its work.	WETA's change is both exciting and challenging. Given the scarcity of financial resources, we believe that the best way to deliver the emergency response and coordination element of our mission is to develop a strong network of ferry facilities, vessels and services to ensure that we can move people in the event of disaster that compromises our land-based transportation network.
107 4/16/2009 Alameda Public Hearing oral comment	n/a	Significant issue for them is the transportation link between Alameda and San Francisco. It is great for weekend activities and keeping people out of their cars.	Comment noted.
108 Individual - City of Berkeley	General	Concerned that implementation of the proposed Berkeley ferry service will almost certainly result in the city of Berkeley becoming financially liable for a significant portion of future operating costs, including inflationary increases to those costs.	The Transition Plan does not assume any funding from the City of Berkeley for this ferry service.
109 Individual - City of Berkeley	Pg 19.	Table 4.1 indicates 22 weekday trips with 5,390 weekday riders. This table is confusing because these figures would mean that there would be 270 riders per boat trip - not the 1700 riders by 2025 that WETA staff has said would be the case. It is critical to have accurate figures	Comment noted. There was a typographical error in the draft plan that will be corrected in the final Transition Plan
110 Individual - City of Berkeley	Capital Improvement Plan	Capital costs for the terminal are estimated to be \$31 million and the ferries are estimated to cost \$9 million each. Thus the service will have an initial capital cost of \$49 million rising to \$69 million if the recently proposed parking garage is built in the Lordships parking area. In the unlikely event that ridership actually equals capacity that projection would result in a total of 442,000 riders per year. At a modest discount rate of 3.5%, that represents an opportunity cost of capital of \$2.61 million over 30 years, or the equivalent of \$5.9 per rider, without considering operating costs. If a garage is built that opportunity cost rises to \$8.3 per rider, increasing further if realistic ridership levels are used. In any case consistent and unambiguous figures must be used, with all assumptions clearly noted and the potential impact of those corrections on the financial plan for this service revealed in advance of public decision making.	Berkeley capital and operating costs are preliminary at this early stage of the environmental planning process, and will be refined as the project is further developed and WETA works through the decision making process.
111 Individual - City of Berkeley	General	The WETA - Transition Plan indicates that the majority of public funds available for this project are "fixed and do not escalate over time" thus fare increase and/or project subsidization through tax increases are expected to offset the projected 2.5% annual operating cost inflation assumption, in spite of the fact that these sources are not currently the primary source of financial support for this project.	Comment noted.

Comment Matrix for the Transition Plan

Organization	Section Number and Name	Comment or Question	Response
112 Individual - City of Berkeley	General	<p>The Transition Plan states that "options for cutting expense for increasing revenues" will be required to remain budget neutral by 2013. The WETA Transition Plan also states that "...cities become a vital partner in future development around water transit services. City responsibilities could include: Support for use and passage of local sales tax measure, or other local funds to support ongoing operating expenses."</p> <p>The projected deficits lack inflation cost support, and expectation that local sales tax increases may be required all must be more clearly addressed prior to any decision by city government authorities. It would be a great disservice to our community to impose this project on the City of Berkeley without clarifying the potential financial liabilities involved.</p> <p>In conclusion it appears clear that the expected environment and societal impact of this program do not justify this use of increasingly scarce public resources, particularly when the entire projected WETA ferry ridership could easily be accommodated by adding the service of only one additional BART roundtrip per day and at lower cost per rider.</p>	<p>WETA recognizes that most funding at its disposal is not increasing along with inflationary costs and that this will pose a serious challenge in the future years. Having said this, the Transition Plan indicates that the 3 existing and 2 new expansion services can be operated with the funding available over the 5 year planning horizon.</p>
113 Metropolitan Transportation Commission	Operating plan	<p>RM2 operating funds - the 5yr plan includes \$18.3 million in RM2 funds each year, representing the full amount of RM2 funds that could be available to support WETA ferry operations. Further discussion among the involved agencies are needed in order to determine the actual amount that will be programmed to WETA during this time. Some of these issues still under discussion include the eligibility of the RM2 funds to be used as agency reserves, the availability of bridge toll funds given other demands on the program in the next few years and declining toll revenue in general, and a clearer understanding of the nature of the estimate \$2.5 million in transition-related expenses projected for FY 10. Until these issues are resolved, it is premature for WETA to suppose that the full \$18.3 million will be programmed every year.</p>	<p>Comment noted. WETA looks forward to discussions with MTC staff to determine options for ensuring that RM2 funds approved by the voters to support WETA ferry services can be allocated to the fullest extent possible to enable WETA to deliver its programs and State mandate as defined by RM2, SB 976 and SB 1093.</p>
114 Metropolitan Transportation Commission	Operating plan	<p>FTA 5307 funds: the Plan recognizes that the ongoing use of Federal Transit Administration 5307 Preventative Maintenance funds to support the Vallejo ferry operations is a cause for concern. MTC supports WETA's suggestion that an alternative source of operating funds can be identified over the long term.</p>	<p>WETA will work with MTC, City of Vallejo, Solano Transportation Authority and other appropriate agencies to discuss options for backfilling these capital funds utilized by Vallejo Transit to support system operations in recent years.</p>
115 Metropolitan Transportation Commission	Operating plan	<p>Planning & Development Costs: In appendix A there is a line item for annual planning & development costs, held constant at \$3million per year. It is not clear how this figure can remain constant when transit costs generally are increasing, and WETA intends to add staff and continue with their several service expansion projects during the next 5 years. Please clarify.</p>	<p>The financial plan anticipates that there are some planning and development activities that would appropriately shift to service operating expenses (WETA operations manager, for instance), and that this shift would allow some ability for WETA to maintain planning and development costs at the \$3 million level. It is assumed that this shift would supplant expenses currently incurred by the cities and charged to the ongoing service operations.</p> <p>Additionally, these costs are required to be held constant due to the fact that WETA planning and development funds do not escalate over time (there is no choice at this time). This presents a challenge for WETA in continuing in its current planning/development capacity and taking on new responsibilities in the areas of system operations and emergency response planning and coordination. These new roles were assigned without any new operating dollars.</p>
116 Metropolitan Transportation Commission	Capital Improvement Plan	<p>Revenue Detail: A further breakdown of revenues shown in appendix B should be added to the Final Plan, more specifically in identifying which federal, state, and local funds are expected.</p>	<p>Comment noted, and a further breakdown of anticipated capital revenues will be included in final Transition Plan, Appendix B.</p>
117 Metropolitan Transportation Commission	Capital Improvement Plan	<p>AB 864 Fund Eligibility: WETA lists AB 864 bridge tolls as a source of local funds for capital projects, however, neither WETA nor Alameda-Oakland Ferry services are currently recipients of those funds. Vallejo Transit is, and uses the funds for bus as well as ferry projects. MTC and WETA will need to initiate discussions with the Partnership about adding WETA as a new operator for this program. Those discussions need to commence if WETA is planning to utilize AB 864 funds in the short or long term.</p>	<p>Thank you for clarifying the need to initiate discussions with the Partnership regarding adding WETA as a new operator to the AB 864 program. WETA staff will work with MTC staff to initiate this process as a part of the Transition implementation activities to take place over the next several months.</p>
118 Metropolitan Transportation Commission	Capital Improvement Plan	<p>Vessel Fleet Capacity/Service planning: MTC would like to encourage WETA to examine either in this section or elsewhere in the Plan - the relationship between the capacity of the vessel fleet and the peak service demands, perhaps there are opportunities for gaining efficiencies by deploying the vessels differently in the future.</p>	<p>Comment noted. Once the services are transitioned, WETA will look to utilize its fleet of vessels in the most efficient, economical and customer-focused manner.</p>
119 Metropolitan Transportation Commission	Transition Plan Implementation Activities (Appendix)	<p>The list of tasks and subtasks anticipated to transition the existing services is both useful and ambitious. MTC recommends that tasks be added for negotiations on the transfer of ferry-related funding from the existing operators to the WETA. Identify key decision points and timeline for working with Vallejo and Alameda on programming new funds and arrangements for use of existing ones. MTC can help if needed.</p>	<p>Comment noted and MTC involvement and assistance is appreciated.</p>

Comment Matrix for the Transition Plan

Organization	Section Number and Name	Comment or Question	Response
120 Metropolitan Transportation Commission	Finance Plan	SB 1093 requires that the Transition Plan identify dates that allocations of existing funds would begin flowing to WETA. a discussion of such dates should be added to the final document. For instance the regional policy for programming the 5% State funds for ferry operators and the 2% bridge toll funds for ferry capital specify that WETA may authorize Alameda and Vallejo to apply for these funds on behalf if so specified in the Transition Plan, however the Transition Plan is silent on this issue.	Comment noted. The Transition Plan will be amended to include a discussion regarding roles and responsibilities related to ferry funding during the transition period consistent with MTC's fund programming policies and SB 1093 language.
121 Metropolitan Transportation Commission	general	We recommend adding a discussion of funding flows during the period between when the transition plan is adopted and when the service actually transitions to WETA. It may be good for WETA to act as a pass through for some of the funds.	Comment noted. The Transition Plan will be amended to include a discussion regarding roles and responsibilities related to ferry funding during the transition period consistent with MTC's fund programming policies and SB 1093 language.
122 Metropolitan Transportation Commission	Finance Plan	WETA needs to work out a timeline for working with Vallejo, Alameda, and MTC to develop transfer or other agreements related to existing and new FTA 5307/5309 funds including flexible set aside funds. This process will be lengthy - better to start now.	Comment noted. WETA recognizes that this will be a lengthy and detailed task and has begun this discussion with the cities and MTC. These project/funding agreements and transfers will be developed as a part of the actual transition implementation.
123 Metropolitan Transportation Commission	Capital Improvement Plan	Vallejo Station Development: The City of Vallejo is undertaking a major development project in the downtown area, creating a parking garage..... This project includes \$28 million in RM2 bridge tolls and MTC has been actively working with the City of Vallejo on the funding plan. The project is not discussed in this plan at all. MTC recommends that the transition plan identifies a commitment by WETA to work cooperatively with Vallejo and other partners to identify each agency's role in the station project, with particular focus on parking and access for ferry customers and the integration of ferry service with the operations at the bus transfer facility.	Note that this project is discussed on pages 8 and 9 of the draft Transition Plan. WETA recognizes that this is an important project to the City of Vallejo's redevelopment plans and has the potential to significantly impact ferry services and costs. WETA will work cooperatively with Vallejo and other partners to support the City of Vallejo's implementation of this project. WETA will add the Vallejo Station parking to the final Transition Plan CIP, recognizing that this facility is not WETA's project to implement, but that it is an integral part of the ferry system.
124 Metropolitan Transportation Commission	General	Regional Transit Sustainability Study: In cooperation with the transit operators, MTC is embarking on a transit sustainability study to identify ways of making the existing transit system more efficient and cost effective, and the long term options for improving the stability and magnitude of transit revenue sources. Ferras could be a part of the study. We hope that WETA will lend their expertise and ideas and will partner with us in advancing this project.	WETA looks forward to participating in the development and implementation of this important effort.
125 Port of San Francisco	Page iii, 3rd column, bottom	CHANGE THIS: "San Francisco Ferry Building Docking Facility Expansion: WETA is working closely with the Port of San Francisco to prepare environmental and design documents related to the development of three new ferry-docking facilities at the downtown San Francisco terminal." TO: San Francisco Ferry Building Docking Facility Expansion: WETA is working closely with the Port of San Francisco to prepare environmental and design documents related to the development of three new ferry-docking facilities, expanding from two to a total of five, at the downtown San Francisco terminal, adding to the existing two facilities for the Vallejo and Oakland-Alameda services."	Change to be included in final Transition Plan
126 Port of San Francisco	Page iv, bottom of 1st column	CHANGE THIS: Capital asset transfer, use and compensation agreements to be finalized between cities and WETA, with vessels, waterside terminals and related spare parts transferring to WETA and landside terminal and maintenance facilities being made available through lease agreements:	Change to be included in final Transition Plan.
127 Port of San Francisco	Page iv, 2nd column, 2nd full paragraph	CHANGE THIS: The budget is expected to support five services--Alameda-Oakland, Harbor Bay, Vallejo Baylink and Berkeley to San Francisco routes..... TO: The budget is expected to support five services--Alameda-Oakland, Harbor Bay, Vallejo Baylink and Berkeley to Port of San Francisco Ferry Terminals routes.....	Comment noted.
128 Port of San Francisco	Page iv, 2nd column, 1st bullet point	CHANGE: Current local funding subsidies provided by the City of Alameda and Port of Oakland, which are under discussion and may be phased out over time. TO: Current local funding subsidies provided by the City of Alameda and Port of Oakland, which are under discussion and may be phased out over time. Potential increases in the landing fee rates and lease costs for support facilities located at the Port of San Francisco.	Change to be included in final Transition Plan.
129 Port of San Francisco	Page iv, 2nd column, 4th bullet point	CHANGE: Development of final asset transfer and lease agreements with the cities. TO: Development of final asset transfer and lease agreements with the cities and Port Commissions.	Change to be included in final Transition Plan.

Comment Matrix for the Transition Plan

Organization	Section Number and Name	Comment or Question	Response
130	Port of San Francisco Page IV, 3rd column, 1st bullet point	CHANGE: Developing asset transfer and use agreements with cities, funding agencies and regulators; TO: Developing asset transfer and use agreements with Port Commissions, cities, funding agencies and regulators.	Change to be included in final Transition Plan.
131	Port of San Francisco Pg 3, 3rd column, 2nd heading	CHANGE: The Port of San Francisco owns this terminal and charges a landing fee each time a ferry docks at the terminal. TO: The Port of San Francisco owns, maintains and operates this terminal. To support the management and maintenance costs ferry landing fees are charged for each vessel landings.	Change to be included in final Transition Plan.
132	Port of San Francisco Page 3, 3rd column, 5th heading	CHANGE: As a part of their service contract, Blue & Gold Fleet provides a vessel operations and maintenance facility for ADFS services at their facilities in San Francisco. TO: As a part of their service contract, Blue & Gold Fleet provides a vessel operations and maintenance facility for ADFS services.	Change to be included in final Transition Plan.
133	Port of San Francisco Page 4, 2nd column, 1st heading	CHANGE: San Francisco Ferry Building Terminal, San Francisco. TO: San Francisco Ferry Building Terminal, The Port of San Francisco.	Change to be included in final Transition Plan.
134	Port of San Francisco Pg 4, 2nd column, 3rd heading	CHANGE: AT&T Ballpark Terminal. Service to this terminal is only available during select weekday night and weekend day home games, making it primarily a destination terminal. It is accessible by MUNI Metro T & N lines and four different MUNI bus lines. TO: Port of San Francisco's China Basin Ferry Terminal at the Giants Ballpark. Service to this terminal is currently available during select weekday night and weekend day home games due limited number of vessels available when games start during regular commute hours. This terminal is designated as an emergency alternative landing site in the event that the Ferry Building Terminals are taken out of service. It is accessible by MUNI Metro T & N lines and four different MUNI bus lines.	Change to be included in final Transition Plan.
135	Port of San Francisco Page 7, 1st column, 2nd heading	CHANGE: As a part of the operating contract, Harbor Bay Maritime provides for vessel maintenance at a leased facility at Pier 48 in San Francisco. TO: As a part of the operating contract, Harbor Bay Maritime provides for vessel maintenance at a facility leased by the Port of San Francisco at Pier 48.	Change to be included in final Transition Plan.
136	Port of San Francisco Page 9, 1st column, 1st heading	CHANGE: San Francisco Ferry Building, San Francisco. Baylink uses one of the terminals at the San Francisco Ferry Building. The Port of San Francisco owns this terminal and charges a monthly landing fee for both ferry dock usage and bus curb side space. TO: San Francisco Ferry Building, The Port of San Francisco. Baylink uses one of the terminals at the San Francisco Ferry Building. The Port of San Francisco owns this terminal and charges a landing fee each time a ferry docks at the terminal. The Port also charges a monthly license fee for bus curb side space.	Change to be included in final Transition Plan.
137	Port of San Francisco Page 9, 1st column, 3rd heading	CHANGE: AT&T Ballpark Terminal, San Francisco. When the SF Giants are playing weekend/holiday home games and select weekday night games, Baylink also services the AT&T Ballpark terminal. TO: Port of San Francisco, China Basin Ferry Terminal at the Giants Ballpark. When the SF Giants are playing weekend/holiday home games and select weekday night games, Baylink also services the AT&T Giants Ballpark terminal.	Change to be included in final Transition Plan.
138	Port of San Francisco Page 9, 2nd column, 5th paragraph	CHANGE: AT&T Ballpark Terminal, San Francisco. TO: The Port of San Francisco, China Basin Ferry Terminal at the Giants Ballpark.	Change to be included in final Transition Plan.
139	Port of San Francisco Page 11, 1st column, 1st sentence	CHANGE: The Alameda/Oakland, Alameda Harbor Bay and Vallejo ferry services all face the increasing challenge of operating in an environment of limited revenues, which largely do not keep pace with inflation, and growing operating costs. TO: The Alameda/Oakland, Alameda Harbor Bay and Vallejo ferry services and the San Francisco Ferry Terminal all face the increasing challenge of operating in an environment of limited revenues, which largely do not keep pace with inflation, and growing operating costs.	Comment noted

Comment Matrix for the Transition Plan

Organization	Section Number and Name	Comment or Question	Response
140	Port of San Francisco FY 2008/09 Service Status Page 11, 1st column, 1st paragraph, after last sentence	INSERT: The Port of San Francisco has not increased landing fees for 15 years while facing increased operating expenses.	Change to be included in final Transition Plan.
141	Port of San Francisco FY 2008/09 Service Status Page 11, 2nd column, 1st paragraph, before last sentence	INSERT: The San Francisco ferry terminals will require \$5.5 million for dry docking and refurbishment costs as identified in its 10 year capital plan.	Information to be inserted in final Transition Plan.
142	Port of San Francisco Public Ferry Service Expansion Page 12, 3rd column, last paragraph, 2nd sentence	CHANGE: This program provided local toll bridge funds for regional ferry system expansion, including \$94 million capital funds to construct six new vessels, expand berthing at the San Francisco Ferry Terminal. TO: This program provided local toll bridge funds for regional ferry system expansion, including \$94 million capital funds to construct six new vessels, expand berthing at the Port of San Francisco Ferry Terminal	Change to be included in final Transition Plan.
143	Port of San Francisco Public Ferry Service Expansion Page 13, 3rd column, 2nd bullet point	CHANGE: WETA is working closely with the Port of San Francisco to prepare an environmental and design documents related to the development of three new ferry docking facilities at the downtown San Francisco terminal. TO: WETA is working closely with the Port of San Francisco to prepare an environmental and design documents related to the development of three new ferry docking facilities at the downtown San Francisco terminal expanding the existing two ferry landings to a total of five.	Change to be included in final Transition Plan.
144	Port of San Francisco Public Ferry Service Expansion Page 14, 1st column, 1st sentence	CHANGE: Figure 3.2 is a conceptual rendering of San Francisco Ferry Terminal Expansion project. TO: Figure 3.2 is a conceptual rendering of Port of San Francisco Ferry Terminal Expansion project.	Change to be included in final Transition Plan.
145	Port of San Francisco Public Ferry Service Expansion Page 15, 2nd column, 2nd bullet point	CHANGE: An expanding mixed-use neighborhood in San Francisco, the redevelopment area hosts several projects generating significant traffic, such as the new UCSF campus and hospitals and the Port of San Francisco's development plans for Seawall Lot 337. TO: An expanding mixed-use neighborhood in San Francisco, the redevelopment area hosts several projects generating significant traffic, such as the new UCSF campus and hospitals and the Port of San Francisco's development plans for Seawall Lot 337 and Pier 48	Change to be included in final Transition Plan.
146	Port of San Francisco IV Service Transition Plan Page 16, 1st column, 1st bullet point	CHANGE: Management, operation and maintenance of the vessels. TO: Management, operation and maintenance of the vessels and landing docks. Provide for mooring space to lay up ferry vessels.	Comment noted. Clarifying language to be included in final Transition Plan.
147	Port of San Francisco IV Service Transition Page 17, 3rd column, 1st sentence	CHANGE: While the contractor will be responsible for all the day-to-day preventive and corrective maintenance (with oversight provided by WETA service management staff or consultants) WETA will need to provide adequate maintenance protocols and, ideally, maintenance facilities for use by the contractor. TO: "... WETA will need to lease adequate maintenance protocols and, ideally, maintenance facilities for use by the contractor.	Comment noted.
148	Port of San Francisco IV Service Transition Page 18, 2nd column, 3rd bullet point	CHANGE: Landside Terminal Facilities – WETA would expect that all landside terminal facilities associated with the ferry system would be made available to WETA for use as they are today under a long-term lease agreement with the cities. Honoring the cities preferences, and, in some cases legal restrictions, these facilities would remain under each city's jurisdiction and control. TO: "... WETA for use as they are today under a long-term lease agreement with the Port and cities. Honoring the cities preferences, and, in some cases legal restrictions, these facilities would remain under each Port and city's jurisdiction and control.	Change to be included in final Transition Plan.
149	Port of San Francisco IV Service Transition Page 18, 2nd column, 3rd bullet point, last sentence in column	CHANGE: "In the event that either city requires new fees for the use of facilities required to serve ferry customers..." TO: "In the event that either Port or city requires new fees for the use of facilities required to serve ferry customers..."	Change to be included in final Transition Plan.
150	Port of San Francisco IV Service Transition Page 18, 3rd column, 1st bullet point, last sentence	CHANGE: "... WETA to help secure a long-term lease for city-owned property..." TO: "... WETA to help secure a long-term lease for Port or city-owned property..."	Change to be included in final Transition Plan.

Comment Matrix for the Transition Plan

Organization	Section Number and Name	Comment or Question	Response
151	Port of San Francisco IV Service Transition Page 18, 3rd column	CHANGE HEADING: Continuing Partnerships and City Participation TO: Continuing Partnerships and Port and City Participation	Change to be included in final Transition Plan.
152	Port of San Francisco IV Service Transition Page 18, 3rd column, last sentence of paragraph under last heading	CHANGE: City responsibilities could include: TO: Port and City responsibilities could include:	Change to be included in final Transition Plan.
153	Port of San Francisco IV Service Transition Page 18, 3rd column, 3rd bullet point	CHANGE: Ownership, management, supervision and maintenance of the city and Port owned ferry terminals, with support from the WETA ferry program. TO: Ownership, management, supervision and maintenance of the city and Port owned ferry terminals, with support from the WETA ferry program.	Change to be included in final Transition Plan.
154	Port of San Francisco Page 21, 2nd column, insert before 2nd bullet point.	Port of San Francisco manages, secures and maintains the Downtown Ferry Terminals Gates B & E at the Ferry Building as well as the China Basin Ferry terminal at AT&T Park. The Port estimates annual maintenance and operating costs for these three facilities to be \$250,000.00 with annual revenue earned through landing fees to be approximately \$107,000. The Port's 10 year capital plan includes an additional \$1 million for deferred maintenance on these ferry floats. The port also is responsible for security as detailed in the Maritime Transportation Security Act. In FY 2006/07 the Port handled 1,469,079 passengers (on/off) and 13,312 ferry boat landings at Gates B & E. At China Basin Ferry Terminal in 06/07 121,750 passengers were accommodated on 181 ferry landings.	Change to be included in final Transition Plan.
155	Port of San Francisco Page 23, 3rd column, 2nd bullet point	CHANGE: Vallejo Baylink – work includes haul-outs and hull and machinery overhauls for the ferry vessels Intintoli, Mare Island, Solano and Vallejo. TO: Vallejo Baylink – work includes haul-outs and hull and machinery overhauls for the ferry vessels Intintoli, Mare Island, Solano and Vallejo. Port of San Francisco Ferry Terminal docks planned 10 year dry docking and refurbishment	Comment noted.
156	Port of San Francisco Page 24, 3rd column, under Pier 9 SF Heading	CHANGE HEADING: Pier 9, San Francisco TO: Pier 9, Port of San Francisco	Change to be included in final Transition Plan.
157	Port of San Francisco Page 25, 1st column, 1st partial sentence	CHANGE: "... this plan is based upon City-identified projects required over the next five years." TO: "... this plan is based upon Port and City-identified projects required over the next five years."	Change to be included in final Transition Plan.
158	Port of San Francisco Page 25, 3rd column, 3rd heading	CHANGE: WETA is working closely with the Port of San Francisco to prepare an environmental and design documents related to the development of three new ferry-docking facilities at the downtown San Francisco terminal. TO: WETA is working closely with the Port of San Francisco to prepare an environmental and design documents related to the development of three new ferry-docking facilities expanding the existing two ferry landings to a total of five at the downtown San Francisco terminal.	Change to be included in final Transition Plan.
159	Port of San Francisco Page 25, 3rd column, 1st bullet point, 2nd sentence	CHANGE: For AOF's, Blue & Gold Fleet currently provides maintenance and operations support out of its Francisco-based facilities at Pier 39 and 9, AHBf, Harbor Bay Maritime currently provides operations & maintenance activities at 48 in San Francisco. TO: For AOF's, Blue & Gold Fleet currently provides maintenance and operations support out of its Port of San Francisco-based facilities at Pier 39 and 9, AHBf, Harbor Bay Maritime currently provides operations & maintenance activities at their leased facility on Pier 48 in the Port of San Francisco.	Change to be included in final Transition Plan.
160	Port of San Francisco Page 28, Next Steps, 1st column, 1st bullet point	CHANGE: Re-assignment and acceptance of existing service operating and support contracts to in January 2010, and eventual re-bid and award of these services under one contract operator in 2011, and TO: Re-assignment and acceptance of existing service operating landing agreements and support contracts to in January 2010, and eventual re-bid and award of these services under one contract operator in 2011. Collaborate with Blue and Gold Fleet, Harbor Bay Maritime and the Port of San Francisco to establish leases for support facilities at Pier 9 and 48, and	Change to be included in an alternative location in final Transition Plan (Page 28, 2nd Column, after first bullet point).
161	Port of San Francisco Next Steps, 1st column, 2nd bullet point	INSERT after last sentence in bullet point: Establish landing rights and operating agreements with the Port of San Francisco for the downtown and China Basin ferry terminals.	Change to be included in an alternative location in final Transition Plan (Page 28, 2nd Column, after first bullet point).

MEMORANDUM

TO: Board Members

FROM: Nina Rannells, Executive Director
Keith Stahnke, Manager, of Operations

SUBJECT: Summary of Draft Emergency Water Transportation System Management Plan (EWTSMP) Comments and Proposed Revisions

Recommendation

Review public comments and provide guidance to staff on proposed responses.

Background

WETA published its draft Emergency Water Transportation System Management Plan (EWTSMP) on April 2, 2009, and held a 45 day public comment period between April 2, 2009, and May 18, 2009. Three public hearings were held during this time period including one in downtown San Francisco on April 15, a second in the City of Vallejo on April 15, and a third in Alameda on April 16. During the public comment period, the plan was presented and discussed at several public meetings including the WETA Community Advisory Committee on May 14, a special meeting of the San Mateo Transit Advocates in Redwood City on May 14, the Vallejo City Council on April 28, the Alameda City Council on May 19, and the Vallejo Red Team Advisory Committee on April 30.

This memorandum provides a summary of the comments received on the draft plan and identifies how staff proposes to revise the final plan to respond to these comments.

Discussion

Due to the large number of stakeholders associated with emergency response, WETA established two stakeholder groups consisting of emergency response and transportation agencies early on in the plan development process, and invited these stakeholders to participate in early discussions and meetings to assist in the development of the draft EWTSMP. The comments and input from these stakeholders, as well as the comments received during the public outreach process are summarized, with responses, in the comment matrix provided as **Attachment 1** to this memorandum.

Stakeholder Group Outreach and Comments

The first two stakeholder meetings were held on February 11, 2009, to discuss the outline for the ETWSMP. The following summarizes the feedback from the stakeholders on the plan outline:

- Define processes for identifying, prioritizing and transporting First Responders.
- Define processes for evacuating non-residents from San Francisco and First Responders back to San Francisco

- WETA will depend on other agencies to conduct safety assessments of terminals before resuming service.
- Develop common messaging among Public Information Officers.
- Conduct a tabletop exercise on communication among all parties during an emergency.
- Investigate means for coordinating non-passenger maritime logistics.
- Clarify when WETA deals with a single Operational Area (County), and when with Regional Emergency Operations Center (REOC).
- Define responsibility for coordinating ferry response with commercial passenger vessels and convergent assets (fishing boats and volunteers with boats).
- Articulate the reimbursement process for WETA emergency response.
- Develop processes for coordinating with land side emergency transport.
- Maintain a current list of vessel capabilities.
- Define a process for activating WETA Emergency Operations Center.

On March 18, 2009, two additional stakeholder meetings were held to discuss the draft EWTSMP prior to release to the public. A total of 45 stakeholder comments were received during this outreach. The majority of comments (39 comments) were addressed in the draft Plan; such as WETA being responsible for safety assessments at WETA controlled passenger facilities or WETA establishing priorities for First Responders. The rest of the comments were informational. Information-only comments included some implementation-focused comments such as requesting that WETA develop a brochure to educate the public regarding priority boarding's of First Responders and Disaster Service Workers and identifying the need to initiate exercises with the U. S. Coast Guard, WETA, ferry operators, REOC, MTC and others to facilitate developing an understanding of how to work together.

Public Comment Period Comments and Responses

A total of 50 comments were received from the public outreach meetings and written communications from various cities, including the Port of Redwood City, City of Alameda, City of Vallejo and City of Hercules and interested parties during the public outreach and comment period. Many of the comments were on items already addressed in the plan, such as including a quick resumption of service to life-line communities, participation in exercises with the U.S. Coast Guard, services expected of jurisdictions with WETA-utilized facilities, emergency services having a priority over basic services, and the use of the City of Vallejo as a Northern Regional Emergency Evacuation location. Many other comments were information or geared towards follow-up activities such as comments on the length of the FEMA reimbursement process or conducting exercises with the City and Port of Redwood City.

Key comments and a discussion of the proposed response are as follows:

1. Responsibility for Cargo Movement

The Bay Area Council commented during the plan development and as a part of the public comment period that WETA should carry cargo until an entity is identified that will be responsible for cargo movement during an emergency.

Staff acknowledges that the acquisition, coordination and management of maritime resources needed for the response phase such as movement of emergency supplies

and movement of cargo is an important issue, but believes that this is one that needs to be addressed by state and regional policy makers. The legislation that created WETA (Title 7.10, Chapter 3, Government Code, Section 66540-66540.2) defined water transportation service as related to the transportation of passengers, their incidental baggage, including wheelchairs and bicycles, and small packages by water-borne vessels, and the loading, unloading, and ancillary activities related thereto. This definition realistically fits what WETA can deliver today in terms of emergency response services given its structure and access to ferry passenger vessels and its operating revenues, which are all currently tied to the provision of passenger ferry services. Water transportation service does not include the continuous transportation of goods in interstate or international commerce and WETA's authorizing legislation does not specifically mandate providing a coordination or response role beyond the waterborne transport of passengers. Operationally, the configuration and size of ferryboats and landside facilities impact the ability to transport large packages or cargo. For these reasons, WETA is not in a position to assume responsibility for the movement of goods and supplies at this time. As a result, this Plan focuses exclusively on the transport of passengers in the emergency response and recovery phases.

Proposed Modifications:

- No changes to the plan our recommended. However, staff would like to note that, in response to an earlier comment on the outline of the EWTSMP, WETA worked with California Emergency Management Agency to establish a link with the Marine Exchange for the movement of marine resources during an emergency. This could also include the movement of cargo during an emergency.

2. Working with Local Governments

Comments from the Cities of Alameda, Hercules and Vallejo stated that WETA should work directly with local governments in planning and emergency response activities.

Staff acknowledges the importance of coordination with local governments and will partner with cities that have ferry service or potential for ferry service. WETA will also work closely with the California Emergency Management Agency's Coastal Region Emergency Operation Center (REOC) to prioritize response efforts.

Proposed Modifications:

- The following plan sections have been revised, Section 5 Roles and Responsibilities of WETA, Section 7.2.1.4 Mitigation Phase, Section 8.1 Completed Pre-Emergency Planning, 9.1 Communication to further acknowledge this local partnership.

3. Addressing Life-line Communities

Several comments from the City of Alameda and the public stated that WETA should recognize "life-line communities" dependent on transportation routes (bridges and tunnels) with a water barrier and to prioritize response efforts to these communities if transportation routes are disrupted.

Staff acknowledges life-line communities may require special consideration if primary land transportation routes are disrupted. WETA will work with the REOC to establish regional priorities and with life-line communities to provide emergency water transportation services.

Proposed Modifications:

- The following plan sections have been revised, Section 1.3 Primary Responsibilities of WETA, Section 2 Acronyms/Definitions, Section 3.2 Objectives of the Plan, Section 6.2 Emergency Management Goals and Priorities, Section 10.1 Response Objectives to further recognize the special needs of life-line communities.

Financial Implications

There is no financial impact associated with this report.

END

Comment Matrix for the Emergency Water Transportation System Management Plan (EWTSM or Plan)

Organization	Section Number and Name	Comment or Question	Resolution
Stakeholder Group Outreach and Comments			
1 Federal Transit Administration	1.1 Background, last paragraph. Due to limited funding..	Excellent definition of what in my opinion WETA should strive to accomplish in a phased approach over time. Unfortunately following paragraphs define WETA as essentially just another water based transit agency or even water taxi with no strong differentiating functional areas defined.	Acknowledged, No Change: Text in the Plan states that it will be updated to reflect WETA's evolving emergency response capabilities. Enabling legislation clearly delimits State Legislature's expectations for WETA.
2 Federal Transit Administration	1.2 Where is jurisdiction defined?	Napa, Solano, and Sonoma counties are water connected to the SF Bay by rivers.	Acknowledged, No Change: Jurisdiction is defined in Section 1.2 Jurisdiction of WETA as nine-county Bay Area: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, Sonoma.
3 Federal Transit Administration	1.5 "WETA's will not coordinate"	This seems to directly conflict with your role of central coordination. Recommend you rethink and reword this paragraph to include all public transit waterfront coordination with the U.S. Coast Guard.	Acknowledged, No Change: As stated in the Plan, the U.S. Coast Guard is responsible for managing spontaneous volunteers.
4 Federal Transit Administration	1.5 3rd paragraph, "Specifically the legislation that created WETA"	Please identify the limiting wording in current legislation. Also recommend your vision statement and mission statements grow from the initial legislation to include phased growth of emergency management and preparedness. Otherwise WETA remains just another water based transit agency or even water taxi with no strong differentiating functional areas defined.	Change: Enabling legislation definition of water transportation service has been incorporated in its entirety in Section 1.5 WETA Emergency Operations. In addition, text in the Plan states that the configuration and size of ferries and landside facilities impacts WETA's ability to transport large packages or cargo. The intent is for people to carry on their own emergency supplies if necessary.
5 Federal Transit Administration	1.5 3rd paragraph, "Specifically the legislation that created WETA"	I agree that most current shore facilities cannot accommodate large packages. WETA vessels will be able to load and offload palletized supplies fairly easily from several of the current shore facilities. Again a phased approach to both shore and vessel design needs to be identified to allow for future growth of both supplies and people. Transporting 50 people across the water in a 200 people vessel, with no supplies at the same time is unacceptable.	Change: Enabling legislation definition of water transportation service has been incorporated in its entirety in Section 1.5 WETA Emergency Operations. In addition, text in the Plan states that the configuration and size of ferries and landside facilities impacts WETA's ability to transport large packages or cargo. The intent is for people to carry on their own emergency supplies if necessary.
6 Federal Transit Administration	2nd para, Water Transportation Service	4th bullet does not contradict my recommendations. All supplies and personnel would be transported within the San Francisco Bay area per your defined areas on page 2.	Change: Enabling legislation definition of water transportation service has been incorporated in its entirety in Section 1.5 WETA Emergency Operations. In addition, text in the Plan states that the configuration and size of ferries and landside facilities impacts WETA's ability to transport large packages or cargo. The intent is for people to carry on their own emergency supplies if necessary.
7 Federal Transit Administration	6.3 Regional Emergency Management	No discussion regarding communications to the public during different emergency scenarios both on shore and on boat.	Acknowledged, No Change: Communication with public regarding an emergency is covered in several sections such as Section 9.1, 1.1 Level I, Section 9.1, 1.2 Level II and Level III and Section 9.4.3 Water Transportation Service Communication.
8 CAL-EMA - Director of REOC	n/a	What kind of entity is WETA? Does the governor has any authority over WETA?	Acknowledged - For Information Only: The type of governmental unit WETA is will impact reimbursement capabilities of WETA.
9 CAL-EMA - Director of REOC	n/a	CalEMA reimbursement question for WETA as a local government agency. How would WETA's emergency functions get reimbursed?	Acknowledged - For Information Only: Reimbursement language will be incorporated into the Emergency Operations Plan.
10 City of Alameda	Section 9.5 - Operational Issues	WETA will be responsible for their own terminals. The city will not have enough resources to conduct safety assessments. For example: Harbor Bay and Jack London - WETA will have these under its control and will be responsible for safety assessments.	Acknowledged, No Change: As stated in the Plan, WETA will be responsible for safety assessments of their own facilities and will rely upon owners for assessments of WETA-Adherant facilities or other docking facilities.

Comment Matrix for the Emergency Water Transportation System Management Plan (EWTSMP or Plan)

Organization	Section Number and Name	Comment or Question	Resolution
San Mateo County OES	Not tied to specific section	Golden Gate Transit and private ferry operators need to be included in the Plan to ensure coordination.	Acknowledged. No Change: Referenced throughout the document are GGBHTD and private ferry operators.
CAL-EMA	Section 4.2 - Planning Assumptions	There needs to be a continual dialogue between U. S. Coast Guard and WETA on how to work out MARESEC level emergencies, suspension of service etc.	Acknowledged. No Change: Discussions with U.S. Coast Guard are ongoing regarding water transportation services and emergency response.
City of Alameda	Section 9 - Response	Chart on Emergency Levels - during Level II the basic service will be suspended. Facilities need to be inspected for security. But during Loma Prieta the service continued. The language on what does it mean to suspend basic service should be identified.	Acknowledged. No Change: After basic service is suspended, emergency water transportation services are implemented as requested and coordinated via the REOC. At these times, citizens may be transported under emergency conditions and as identified in Section 9.4.2 Water Transportation Services by Routes and Priority.
City of Alameda	Section 9.5 - Operational Issues	How would WETA handle the delay for terminal inspections and prioritizing First Responders?	Acknowledged. No Change: WETA will need to ensure facilities are safe before water transportation services is resumed as stated in Section 9.5.1 Safety Assessments. In addition, after basic service is suspended, emergency water transportation service is implemented and at these times, First Responders and Disaster Service Workers will have priority boarding and citizens may be transported under emergency conditions and as identified in Section 9.4.2 Water Transportation Services by Routes and Priority.
Marin County OES	Section 7.1.2 - Local Government	SEMS does not automatically trigger a WETA EOC activation because WETA is not a state agency. But there might be practical implications in activating the EOC. There are some state created entities not covered by SEMS guidelines, such as MTC. If activated, WETA EOC will follow SEMS guidelines.	Acknowledged - For Information Only
Unknown	Not tied to specific section	Are ferry riders defined separately from general public in terms of communications?	Acknowledged. No Change: The general public will be defined to include regular ferry riders and others.
City of Alameda	Section 9.1 - Communication	Will WETA use existing communication systems for contacting ferry riders directly?	Acknowledged. No Change: WETA will utilize a variety of communication systems as identified in Section 9.1.1.2 Level II and III.
City of Alameda	Section 9.5 - Operational Issues	Who would provide security/crowd control at the docks?	Acknowledged. No Change: Security provisions for emergency water transit services will be coordinated with the requesting entity and with the owner(s) of the facilities from which WETA will operate as identified in Section 9.5.4 Passenger Ferry Docks.
City of Alameda	Section 9.1.1.2 - Level II and III	There is a need for communicating priority boarding (i.e.: First Responders) as a preventative measure for crowd control.	Acknowledged. No Change: The Plan acknowledges the priority boarding of First Responders and Disaster Service Workers. WETA may develop a brochure in the future for passengers regarding priority boarding.
Marin County OES	Section 9.5 - Operational Issues	There is a need to develop agreements to provide land side security for crowd control to enable First Responder boarding.	Acknowledged. No Change: Security provisions for emergency water transit services will be coordinated with the requesting entity and with the owner(s) of the facilities from which WETA will operate as identified in Section 9.5.4 Passenger Ferry Docks.
Marin County OES	Not tied to specific section	Security at the docks - how much would it cost for WETA to provide security?	Acknowledged. No Change: Security provisions for emergency water transit services will be coordinated with the requesting entity and with the owner(s) of the facilities from which WETA will operate as identified in Section 9.5.4 Passenger Ferry Docks.
City of Alameda	Education/Outreach/PR	Suggest providing information on priority boardings during an emergency to the crowd (example: having a brochure available on board).	Acknowledged. No Change: The Plan acknowledges the priority boarding of First Responders and Disaster Service Workers. WETA may develop a brochure in the future for passengers regarding priority boarding.

Comment Matrix for the Emergency Water Transportation System Management Plan (EWTSMP or Plan)

	Organization	Section Number and Name	Comment or Question	Resolution
23	SF Fire Department	Section 13.1 - Guidelines	Educate ferry workers to identify First Responders.	Acknowledged. No Change: The guidelines in the Plan have self-identification of First Responders and Disaster Service Workers and the most senior person among First Responders and Disaster Service Workers at the facility to organize and prioritize.
24	United States Coast Guard	Not tied to specific section	The Area Maritime Security Plan is under development and re-write is due this year. The Plan will include a port salvage plan and a port recovery plan. These are coordination plans that identify where the resources are and who is responsible for what.	Acknowledged - For Information Only
25	United States Coast Guard	Not tied to specific section	Tabletop exercise needs to be set up with WETA to work out how to work together (through a Memorandum of Understanding).	Acknowledged - For Information Only: WETA will be undertaking exercises in the future, which may include a communication exercise.
26	Port of San Francisco	Not tied to specific section	Does transit mutual aid agreement address reimbursement?	Acknowledged - For Information Only
27	United States Coast Guard	Section 7.3 - Emergency Declarations	There is a need to coordinate/respond between the emergency levels and the SEMS and NIMS levels.	Change: A table cross-referencing the federal type of incident and the acknowledged San Francisco Bay Area transportation agency level of emergency will be included in the Plan.
28	United States Coast Guard	Not tied to specific section	The Coast Guard has a waterway management function rather than logistical role in responding to emergencies. A Memorandum of Understanding between WETA, Marine Exchange and Coast Guard will need to be developed.	Acknowledged. No Change: There will be discussions with U.S. Coast Guard and Marine Exchange regarding maritime logistics response at a future date.
29	United States Coast Guard	Not tied to specific section	For MARSEC Level III a Memorandum of Understanding is needed between U.S. Coast Guard and WETA.	Acknowledged. No Change: There will be discussions with U.S. Coast Guard regarding MARSEC Level III requirements as they relate to ferry services at a future date.
30	Federal Transit Administration	Not tied to specific section	Where is WETA's EOC going to be located? Can there be a backup (or a floating) EOC?	Acknowledged. No Change: The primary and alternate Emergency Operations Centers will be addressed in Emergency Operations Plan. WETA may engage MARAD in the future regarding an alternate Emergency Operations Center.
31	United States Coast Guard	Not tied to specific section	MARAD could be a potential resource for supplying fuel, floating EOC, floating hospital, etc.	Acknowledged. No Change: The primary and alternate Emergency Operations Centers will be addressed in Emergency Operations Plan. WETA may engage MARAD in the future regarding fueling, etc.
32	Federal Transit Administration	Section 7.1.1 - Field Level	Transit industry has been very proactive to move first responders to staging areas. First person on site becomes the incident commander until relieved from duty. The boat captain might be the incident commander, instead of WETA.	Acknowledged. No Change: The first person on the scene may serve as acting Incident Commander as identified in Section 7.1.1 Field Level. In addition, as part of the SF VMAP, there is an understanding of roles and responsibilities of vessels.
33	Federal Transit Administration	Not tied to specific section	Will WETA have spare vessels to respond to Level I emergencies?	Acknowledged. No Change: The Transition Plan has information on spare ferry vessels. Level I emergencies by definition are incidents that may disrupt service, the types of incidents that transit agencies deal with frequently.
34	Federal Transit Administration	Section 9.1 - Communication	How would communication of the availability of spare vessels during a Level I emergency be handled?	Acknowledged. No Change: Communication regarding Level I emergency is covered in Section 9.1.1 Level I.
35	Port of San Francisco	Section 14 - Annex	No location for Fisherman's wharf on the map, either the Oakland or Alameda ferry operates to that location.	Change: This will be corrected in the Plan.
36	Federal Transit Administration	Section 9.5 - Operational Issues	Will temporary emergency facilities be set up?	Acknowledged. No Change: Use of other docking facilities is identified in Section 9.5.4 Passenger Ferry Docks.
37	Federal Transit Administration	Section 9.5 - Operational Issues	The issue of land side transportation connectivity and if there are contracts set up to handle this.	Acknowledged. No Change: As identified in Section 9.5.4 Passenger Ferry Docks, transit connectivity is the responsibility of local governments and/or local transit operators during an emergency. WETA provides the water transportation and local governments and/or local transit operators will provide the landside transit connectors, with coordination of REOC.

Comment Matrix for the Emergency Water Transportation System Management Plan (EWTSMP or Plan)

Organization	Section Number and Name	Comment or Question	Resolution
38 FEMA	Section 9.5 - Operational Issues	Special routes will be created during emergencies.	Acknowledged - For Information Only
39 United States Coast Guard	Not tied to specific section	The WETA Plan is not changed with dealing with economic recovery of the region. The Port Recovery Plan from U.S. Coast Guard discusses restoration of navigability for commercial maritime traffic.	Acknowledged - For Information Only
40 Bay Area Council	Not tied to specific section	The Plan seems to rely on 5-1-1 to let people know where to access ferries. It is likely that 5-1-1 will be overwhelmed, so implementing another system to handle the walk up crowd (i.e. large electronic board readers) could make a big difference. The ferry building in particular, will not be able to accommodate the crowds, so making additional ferries available at AT&T Park or other terminals would be an important feature. It would also be beneficial to add some clarification in The Plan on how to inform people and transport them if they arrive at the ferry building.	Acknowledged, No Change: The Plan does allow for other means of communication to the general public during emergencies such as "the media, 511, flyers at WETA facilities and other transportation agency facilities, Nextbus signs at WETA controlled/terminalized terminals, the WETA website, email and phone alerts, portable microphones/bullhorns at facilities, portable message signs acquired through mutual aid, variable message signs utilized by Caltrans, and/or other variable message systems available to WETA." Specifically informing the general public as to transportation facilities to use during an emergency is on a case by case basis, since each facility will need to undergo a safety assessment and may not survive the emergency. Therefore, providing real time information using systems identified above would be beneficial to the general public. Lastly as to informing the public regarding transportation during an emergency, there is a guideline regarding the Transportation of Citizens Under Emergency Conditions. This guideline provides information to the general public regarding transportation under emergency conditions.
41 Bay Area Council	Not tied to specific section	The Plan does address first responders, however allowance for a mix of first responders and passengers should probably be added. Without this allowance, there could be serious problems and the necessity to operate at or near capacity. Of course, first responders must board and exit quickly, and likely by having reserved deck space.	Acknowledged, No Change: Transportation of First Responders and Disaster Service Workers is on a priority basis as stated in the Plan. But also as stated in the Plan "The Priority is only for inbound transportation to the First Responders and Disaster Service Workers place of duty." Therefore, there is the possibility of the transportation of citizens for a return trip and as acknowledged in the Plan "WETA will attempt to accommodate the transportation citizens during an emergency such as evacuees and citizens needing to leave from the city/community to the best of WETA's ability and within the bounds of serving First Responder and Disaster Service Worker transportation requirements." Depending on the emergency, the timeframe of the emergency, the intent is to provide separate transportation for First Responders, Disaster Service Workers and citizens.
42 Bay Area Council	Not tied to specific section	Docking facilities not under WETA control. It seems important for WETA to have a pre-delegated and independent arrangement to assess emergency docks, rather than relying on local governments to certify safety. Without this independent arrangement, the wait would undoubtedly prove too long as local governments would not make this a priority.	Acknowledged, No Change: Safety assessments can be provided by a number of arrangements and the Plan acknowledges who can provide safety assessments. As WETA moves forward with operations, determining the arrangements for a specific location will be determined and may include hiring qualified contractors or arranging for city staff to provide the safety assessments.
43 Bay Area Council	Not tied to specific section	Coordination of goods and cargo should probably be of WETA interest until a new entity emerges. Cargo transport will be critical, and therefore should be under WETA purview.	Acknowledged, No Change: Cargo transportation can be important during an emergency, however as stated in the Plan "Specifically the legislation that created WETA Title 7.10, Chapter 3, Government Code, Section 66540.66540.2) defined water transportation service as "(1) "Water transportation services" means the transportation of passengers, their incidental baggage, including wheelchairs and bicycles, and small packages by water-borne vessels, and the loading, unloading, and ancillary activities related thereto. Water transportation services does not include the continuous transportation of goods in interstate or international commerce. Therefore, WETA's authorizing legislation did not specifically mandate it from providing a coordinating or response role beyond the waterborne transport of passengers. Given the scarcity of operating funds for WETA's emergency response functions, WETA is not in a position to assume these responsibilities for the movement of goods and supplies. Additionally, the configuration and size of ferryboats and landing facilities impacts ability to transport large packages or cargo. Therefore, this Plan focuses exclusively on the transport of passengers in the

Comment Matrix for the Emergency Water Transportation System Management Plan (EWTSM or Plan)

Organization	Section Number and Name	Comment or Question	Resolution
44 Bay Area Council	Not tied to specific section	It would be helpful if The Plan determined who at the REOC will order mission tasks to WETA. Additionally, WETA can identify REOC gaps that are potentially mission critical.	Revision and Acknowledged: Mission taking by REOC (Transportation Branch) has been added to the Plan. WETA will inform REOC if they can accomplish the mission task as part of their assignment in the Transportation Branch of the REOC. As for identifying REOC gaps, all members of the Transportation Branch would assist in the identification of any REOC gaps to the best of their ability.
45 Bay Area Council	Not tied to specific section	Coordination of Landside connections (buses) with WETA emergency ferry schedules is another suggested change. The Plan currently doesn't seem to address the challenges of this multi-agency coordination.	Acknowledged, No Change: WETA is looking towards the Local Government/Local Transit Operator or Local Government/Owner (depending on the type of facility) to provide that connection. In the Emergency Operations Plan, a checklist is being developed to identify that the transit connection has been established along with the other factors identified in Figure 6 (the Plan) before service is provided to a passenger facility.
Public Comment Period Comments and Responses			
1 City of San Francisco (4.15.2009)	Not tied to specific section	What is WETA's goal for Dumbarton Bridge area, East Palo Alto specifically?	Acknowledged, For Information Only: Service in the area is addressed in the Transition Plan
2 City of San Francisco (4.15.2009)	Not tied to specific section	From Port of Redwood City Executive Director: The EWTSM lays out a well-organized framework that defines the roles and responsibilities, not only for WETA, but for other agencies - ports and transit operators. Redwood City is the only deepwater port in the South Bay and is strategically located between two heavily traveled bridges. The Port has allocated significant resources to plan for disaster operations. Port of Redwood City believes there would be much benefit in coordinating joint exercises and training events based on the EWTSM and would like to work with WETA to expand South Bay regional water transit planning and establish specific procedures in the event that WETA requires utilization of the Port of Redwood City facilities for emergency response and recovery efforts.	Acknowledged, For Information Only: WETA will consider this request when conducting exercises.
3 City of Vallejo (4.15.2009)	Not tied to specific section	Could you give us a scenario of how you would see WETA respond to an event like the recent event in New York with an airliner landing in the bay? Is WETA in charge of such a response?	Response at the meeting: Two or three years ago the ferry-boat operators in the Bay Area participated in a mutual aid assistance simulation an aircraft down in the Bay. This was a full-scale exercise that tested a ferry boat responding to a downed airline. Tomorrow there is a planning meeting for another drill - this is an annual exercise. Once again it was brought to our attention that this is a good scenario to plan for. The U.S. Coast Guard would be the lead on search and rescue missions, not WETA.
4 City of Vallejo (4.15.2009)	Not tied to specific section	Concerns about the organizational tree in terms of coordination and communications with MTC as well as the response phase during the first 72 hour time period. No information on handling the vulnerable populations on ferry boats and facilities.	Acknowledged, No Change: The intent of WETA is to work with REOC and MTC during the response and recovery phase of an emergency. Communication with both entities will be undertaken. Handling of the vulnerable populations is an operational issue and should be covered in other documents.
5 City of Vallejo (4.15.2009)	Not tied to specific section	Emergency preparedness should include not only working with the U.S. Coast Guard, but also with California Maritime Academy and their cadet training in the area of security and rescue operations. Problems with certain aspects of both the logistics and the finding that would make actual implementation difficult at best. In "catastrophic" emergencies" actual follow through may be difficult for logistics and interagency cooperation.	Acknowledged, No Change: As part of the U.S. Coast Guard SF V-Map program, WETA will participate in exercises with ferry operators.

Comment Matrix for the Emergency Water Transportation System Management Plan (EWTSM or Plan)

	Organization	Section Number and Name	Comment or Question	Resolution
6	City of Alameda (4.16.2009)	Not tied to specific section	Am I correct in assuming that emergency water transportation service is something that is life or death, or getting first responders from one area to another? Or is that possibly helping commuters who are stuck on one side of the Bay over to the other? On Page 47 of the EWTSM, it says that once the emergency is over we are going to have lifeline communities for which we're going to restore transportation. What needs to be acknowledged in these same two communities that are highlighted here - Alameda and Treasure Island - is that in an emergency Alameda has four bridges and some tubes that connect the island. It is possible that during the emergency we may be cut off from the mainland in a way that none of the other mainland cities will be cut off. The Plan should acknowledge that emergency water planning takes into account that there are communities that will be isolated and the need to make sure that people from Alameda have a way to get back home - during the emergency (not just after, as it is currently written).	Acknowledge, No Change: In the Plan (Section 4.1 Planning Assumptions for WETA), it is mentioned "WETA and/or REOC will prioritize emergency water transportation services, including the transportation of First Responders, Disaster Service Workers and life-line services over basic water transportation passenger services." In addition in Section 10.2 Basic Water Passenger Emergency Transportation Service Restoration "It is the intent of WETA to restore basic water transportation service as soon as possible after an emergency. The following are pre-established priorities for restoring this service to and from San Francisco. Priorities are based on the need to provide life-line service. Life-line service is for those locations that would be inaccessible by land based transportation service, such as automobile, transit, truck or rail....Alameda."
7	City of Alameda (4.16.2009)	Not tied to specific section	Page 8 - the planning assumptions for WETA. The quick resumption of services to cities with existing services should be the priority and highlighted here as well. Should prioritize using infrastructure that is already in place in the location you are currently providing service.	Acknowledge, No Change: Cargo transportation can be important during an emergency, however as stated in the Plan "Specifically the legislation that created WETA Title 7.10, Chapter 3, Government Code, Section 86540-66540.2) defined water transportation service as "(1) "Water transportation services" means the transportation of passengers, their incidental baggage, including wheelchairs and bicycles, and small packages by water-borne vessels, and the loading, unloading, and ancillary activities related thereto. Water transportation services does not include the continuous transportation of goods in interstate or international commerce. Therefore, WETA's authorizing legislation did not specifically mandate it from providing a coordinating or response role beyond the waterborne transport of passengers. Given the scarcity of operating funds for WETA's emergency response functions, WETA is not in a position to assume these responsibilities for the movement of goods and supplies.
8	City of Alameda (4.16.2009)	Not tied to specific section	WETA should consider moving freight and emergency supplies during an emergency. Plans may be deficient if not taking into account need for movement of emergency supplies and freight and may be overlooking a way to possibly lower net costs. The boats could be used to move freight when they are not being used to transport passengers.	Additionally, the configuration and size of ferryboats and landside facilities impacts ability to transport large packages or cargo. Therefore, this Plan focuses exclusively on the transport of passengers in the emergency response and recovery phases. The acquisition, coordination and management of maritime resources needed for the response phase such as movement of emergency supplies and movement of cargo will be performed by another entity to be identified at a future date by policy makers."
9		Not tied to specific section	Continuation of response to comment to City of Alameda (4.16.2009)	
10	City of Alameda (4.16.2009)	Not tied to specific section	Why are Larkspur, Sausalito and Tiburon excluded from this plan? If there is a real emergency, what's going to happen? Why were they not included in this plan?	Acknowledged, No Change: The Plan is intended for WETA operations and does not include the Golden Gate Bridge, Highway and Transportation District service.
11	Meeting with Vallejo City Council	Not tied to specific section	Transportation mis-spelled on cover.	Change

Comment Matrix for the Emergency Water Transportation System Management Plan (EWTSMMP or Plan)

Organization	Section Number and Name	Comment or Question	Resolution
Meeting with Vallejo City Council	Not tied to specific section	How will viscous dogs be handled during transportation of citizens?	Acknowledged. No Change: The Plan has a guideline (Section 13.1.4) for the transportation of animals during an emergency and animals are to be in a pet carrier or muzzled and/or leashed. Ultimately "The Master of the vessel maintains full and final authority to deny boarding animals and to eject them if they present a potential danger to other passengers."
Water Transit Advocates for San Mateo	Not tied to specific section	How will WETA locale qualified crew outside the area?	Acknowledged. Change: Section 9.5.2 will be revised to reflect that WETA Transit Operations and the local unions will work together to locate qualified crews.
Water Transit Advocates for San Mateo	Not tied to specific section	Reimbursement through FEMA will take some time.	Acknowledged. For Information Only
City of Vallejo - Office of the City Manager (05.14.2009 letter)	Not tied to specific section	<p>More emphasis needs to be placed on the critical water/land coordination and communication. Specific recommendations include for WETA's waterborne emergency preparedness plans to be coordinated with local transit agencies, the Cities and Counties emergency plans. Include and address WETA-organized "one on one" water/land drills with the jurisdictions in the plan to practice localized emergency responses with those local transportation agencies, police and fire in the addition to the Regional or Coast Guard drills.</p> <p>Recognize that both the WETA and Vallejo are participants in the Bay Area's Mutual Aid Agreement with the MTC and other transit operators, reimbursement for City of Vallejo and local ferry operator expenditures in the event of a WETA/operator declared emergency costs related to operational emergency response should be borne by the WETA and not local agencies or the cities.</p>	<p>Acknowledged. Change: The Plan will acknowledge that "WETA will work with local governments to ensure that local government emergency plans are incorporated into ferry terminal operations." In addition, in Section 11.1 Exercises, Drills and Training, local governments have been added to the text regarding participating agencies WETA will drill or exercise with.</p>
City of Vallejo - Office of the City Manager (05.14.2009 letter)	Not tied to specific section	<p>The City of Vallejo is geographically in an ideal location to establish a triage and/or staging area for the Northern Bay Area during emergencies. Specific recommendations include identifying the City of Vallejo as the Northern Region Emergency Evacuation location for waterborne emergencies, emphasizing direct lines of communication between the WETA and the local ferry terminal operators during emergencies to prevent stranded crowds at terminals. As identified in the Mutual Aid agreement and local Emergency Operation Plans, emphasize the goal for ferry/bus/rail connectivity-all transportation modes as it relates to moving people and equipments beyond the ferry terminals during emergencies.</p>	<p>Acknowledged. No Change: City of Vallejo as the Northern Region Emergency Evacuation location. Acknowledged. No Change: In Section 9.1 - Communication, there is an acknowledgment to communicate with others as appropriate, which includes local ferry terminal operators. The Plan is an all hazards plan and to list all of the entities that WETA would or could communicate with could prove to be extensive. In addition, for a specific emergency, many of the entities may not be contacted, therefore, leaving it open as "with others as appropriate" appears to be a reasonable solution. Acknowledged. No Change: Movement of people beyond the ferry terminal is the responsibility of local governmental/local transit operator as identified in Figure 6, Responsible Party for Passenger Facility. However, WETA will have representation in the Transportation Branch of REOC, along with MTC and could communicate to MTC the need to transport beyond ferry terminals.</p>
City of Vallejo - Office of the City Manager (05.14.2009 letter)	Not tied to specific section	<p>The City of Vallejo's Vallejo Station project includes a parking structure that will be utilized by the Vallejo/Baylink ferry riders and commuters traveling to/from San Francisco. The Vallejo Station parking structure will make an ideal location during emergencies. Specific recommendation is to identify the City of Vallejo's transit-oriented development (ferry terminal, Vallejo Station passio and parking structure, Mare Island and surrounding areas, as possible) as staging areas during emergencies.</p>	<p>Acknowledged. No Change: City of Vallejo's Vallejo Station parking structure as an emergency staging area.</p>

Comment Matrix for the Emergency Water Transportation System Management Plan (EWTSM or Plan)

	Organization	Section Number and Name	Comment or Question	Resolution
18	City of Vallejo - Office of the City Manager (05.14.2009 letter)	Not tied to specific section	Ensure the City of Vallejo's staff/ferry contractors and local vendors have opportunity to provide comments and input in the subsequent (internal and external) emergency operations plan. Security concerns noted - Operating staff should provide document review. Also include private operator participation in emergency preparedness drills.	Acknowledged, No Change: Traditionally Emergency Operations Plans are not distributed to the general public and while the City of Vallejo's comment to provide input is acknowledged, the WETA Emergency Operations Plan is not available to the general public for review.
19	Port of Redwood City (04.24.2009 letter)	Not tied to specific section	<p>From Port of Redwood City Executive Director (2 comments):</p> <p>(1) In the event of a man-made or a natural disaster the entire San Francisco Bay Region has to rely on a multi-modal transportation system for recovery. The EWTSM lays out pretty well the roles and responsibilities of WETA as an emergency responder. The Plan does assume earthshakes as a primary disaster.</p> <p>(2) Redwood City Port located strategically between 2 key bridges in the SF Bay Area. Port of Redwood City finds that there would be a great benefit in coordinating exercises with WETA. Redwood City and the Redwood City Port would like to work with WETA in this regard.</p>	Acknowledged, For Information Only: WETA will consider this request when conducting exercises.
20	City of Hercules (05.13.2009)	Not tied to specific section	<p>In general, the Plan does not refer to partnerships at the City/local jurisdictional level when discussing emergency preparedness, response, or follow up. For examples, on page ii, under <i>Roles and Responsibilities</i>, the Plan discusses the provision and coordination with a number of agencies, but local cities, and cities with WETA ferry service, are missing. Additionally, on page 30, under Section 9.1, <i>Communication</i>, the second paragraph states: "When WETA is operating as an Emergency Management Organization, external agencies such as REOC and MTC will need to be notified that the WETA Emergency Operations Center is activated." Local jurisdictions where WETA ferry service is operating should be notified at the same time, and before notification of the media and the public (which are mentioned in the next paragraph).</p>	Acknowledge, Change: Partnership - Section 5 will be changed to reflect that WETA will partner with cities with water transportation services. Communication - Section 5 will also be revised to reflect that when WETA communicates with REOC, REOC in turn will be communicating with Operational Areas, who in turn will communicate with local communities.
21	City of Hercules (05.13.2009)	Not tied to specific section	<p>In general, while the City understands WETA's role as a service provider for people during an emergency, it would be beneficial and relevant for WETA, especially as WETA expands its service area, staff, and role, to evaluate its role as a provider of goods and services should a major natural or man-made disaster take place in the San Francisco Bay Area. The City is planning its waterfront area to meet these types of needs in a major emergency/disaster. The development of Hercules Point includes not only recreational users, but emergency response facilities and access to the water and to the land.</p>	Acknowledged, For Information Only
22	87	Page IV, <i>Pre-emergency Planning</i>	<p>The word "or" should be inserted between the words "identification" and "public" in the first sentence. Instead of listing the South San Francisco, EIR, perhaps it would be better to be more general, since other EIRs are underway, and state: "completion of environmental documents for new terminal locations" instead of "completion of environmental impact report for new South San Francisco terminal..."</p>	Acknowledge, Change: The additional environmental reviews are listed in Section 8.2 and this information will be included in the Executive Summary.
23	City of Hercules (05.13.2009)	Page 1, <i>Background</i>	<p>In the second paragraph, the word "and" should be replaced with the word "as" after the word "vessels."</p>	Acknowledged, No Change: The suggested change does not add additional clarity.

Comment Matrix for the Emergency Water Transportation System Management Plan (EWTSMP or Plan)

Organization	Section Number and Name	Comment or Question	Resolution
24 City of Hercules (05.13.2009)	Page 9, <i>Water Transportation Service</i>	Second bullet - even though the Plan states that "no commercial cargo is anticipated to be transported on WETA ferriboats," what about small boxes of medical supplies, food, or water?	Acknowledged, No Change: The Plan already addresses this. "WETA services will be for the provision of water transportation services, and those goods or possessions passenger can carry themselves."
25 City of Hercules (05.13.2009)	Page 9, <i>Reimbursement</i>	It doesn't seem likely that fares would be able to be paid in a Level II or III emergency.	Acknowledged, No Change: In order to recover lost revenue during or after an emergency, WETA needs this language in the Plan.
26 City of Hercules (05.13.2009)	Page 22	Since local law enforcement and/or fire departments are listed as field level responders, shouldn't they be identified in Figure 4 on the same page?	Acknowledged, Change: Figure 4 is describing the WETA organization and not necessarily the local community law and fire departments.
27 City of Hercules (05.13.2009)	Page 27, <i>Mitigation Phase</i>	Please add a bullet: "Coordinating with regional and local agencies and jurisdictions on emergency preparedness and response."	Acknowledged, Change: Coordination with local agencies will be added to the mitigation phase listing.
28 City of Hercules (05.13.2009)	Page 27, <i>Completed Pre-Emergency Planning</i>	Tenth bullet: Change the word "recognize" to "recognition."	Acknowledged, Change: Change will be made.
29 City of Hercules (05.13.2009)	Page 30, <i>Communication</i>	In the second paragraph, please note that local ferry terminal site staff will need to be notified when WETA is operating as an Emergency Management Organization.	Acknowledged, Change: Section 5 will also be revised to reflect that when WETA communicated with REOC, REOC in turn will be communicating with Operational Areas who in turn will communicate with local communities.
30 City of Hercules (05.13.2009)	Page 32	Third paragraph: Cities with WETA ferry terminals should be notified before the general public. Also, in the bullets at the bottom of the page, "Local cities with ferry terminals" should be listed between "511" and "General public" for communication notification.	Acknowledge, Change: Section 5 will also be revised to reflect that when WETA communicated with REOC, REOC in turn will be communicating with Operational Areas, who in turn will communicate with local communities.
31 City of Hercules (05.13.2009)	Page 41, <i>WETA Utilized Facilities</i>	How will joint land-aside facilities such as the Hercules Intermodal Transit Center be addressed, since the same pedestrian overcrossing will lead to the center-boarding train platform and the ferry pier?	Acknowledged, No Change: If the facility is a WETA utilized facility, it would follow the responsible party for passenger facilities identified in Figure 6 for such things as safety assessments, parking, security, etc.
32 City of Hercules (05.13.2009)	Page 46, <i>Recovery Objectives</i>	Add the word "with" between the words "itself" and "following", and the word "be" between the words "could" and "as."	Acknowledged, Change: Text has been revised for clarity.
33 City of Hercules (05.13.2009)	Page 48, <i>Business Recovery Team</i>	In addition to the other many responsibilities of WETA's staff in the event of an emergency, it seems that the Business Recovery Team should be folded into one of the other teams.	Acknowledged, No Change: The Plan is written to acknowledge that WETA may consider this team as WETA expands and develops as a transit operator. The Plan is written to allow for transit operations now and in the future.
34 City of Alameda (05.15.2009)	Executive Summary, Page ii	Second bullet from top: Last sentence should be changed to read "The agency will restore regular passenger service to life-line communities of Alameda and Vallejo - and then to the region in general - as soon as possible."	Acknowledged, No Change: There may be times when in the context of a regional emergency, basis water transportation services would need to be restored in foundation with life line service. Therefore the original text is retained.
35 City of Alameda (05.15.2009)	Executive Summary, Page ii, <i>Roles and Responsibilities</i>	Second paragraph beginning "Constant vigilance". Sentence should conclude as follows: "such as carrying First Responders and evacuations, and providing water transportation service to lifeline communities of Alameda and Vallejo."	Acknowledged, Change: Emergency transportation has been redefined to include service to life line communities.

Comment Matrix for the Emergency Water Transportation System Management Plan (EWTSM or Plan)

Organization	Section Number and Name	Comment or Question	Resolution
36 City of Alameda (05.15.2009)	Executive Summary, Page v, Recovery Phase	The plan needs to clearly distinguish between "Emergency phase passenger service to life-line communities" and "Recovery phase restoration of basic water transportation services." The Plan should make it clear that Emergency phase passenger service to life-line communities of Alameda and Vallejo will be implemented as soon as possible after the event. After that has been accomplished, WETA will begin to restore basic water transportation services." The Plan sometimes takes this position, as on page 9, first bullet from top of page.	Acknowledged, Change: Additional language has been provided to the response phase to identify the priorities of WETA, including providing emergency water transportation service.
37 City of Alameda (05.15.2009)	Section 1.3, Page 2	Modify #3 to read: "Provide service to life-line communities, and then restore basic water transportation services, as soon as feasible."	Acknowledged, No Change: There may be times when in the context of a regional emergency, basic water transportation services would need to be restored in foundation with life line service. Therefore the original text is retained, however emergency transportation has been redefined to include service to life line communities.
38 City of Alameda (05.15.2009)	Page 4	3rd paragraph, beginning "Lastly, during Emergency Operations". Modify sentence to read: "Lastly, during Emergency Operations, WETA will strive to support requests for emergency water transportation to the maximum extent possible and will strive to restore/maintain basic water transportation services to the maximum extent possible after service to life-line communities has been provided."	Acknowledged, No Change: There may be times when in the context of a regional emergency, basic water transportation services would need to be restored in foundation with life line service. Therefore the original text is retained, however emergency transportation has been redefined to include service to life line communities.
39 City of Alameda (05.15.2009)	Page 5	Definition of "Life-Line Communities": Modify to read "includes island or peninsula communities (such as Alameda and Vallejo), with vulnerable land-based transportation routes."	Acknowledged, Change: Change will be made.
40 City of Alameda (05.15.2009)	Page 8	3rd bullet from top beginning "restore service to". Modify to read "restore service to life-line communities, and then restore basic water transportation services as quickly and completely as possible."	Acknowledged, No Change: There may be times when in the context of a regional emergency, basic water transportation services would need to be restored in foundation with life line service. Therefore the original text is retained, however emergency transportation has been redefined to include service to life line communities.
41 City of Alameda (05.15.2009)	Page 9, Water Transportation Serv	4th bullet: Modify the second sentence to recognize that it is not just "transportation of non-residents in San Francisco back to their resident communities," but that the need is for transportation in both directions.	Acknowledged, No Change: Under emergency planning scenarios developed for the region, it is acknowledged that the likeliest scenario is to move non-residents of San Francisco out. This is the intent of this assumption.
42 City of Alameda (05.15.2009)	Page 11	6th bullet from top: Modify to read "Receive and coordinate responses to requests for emergency water transportation services such as water transportation of First Responders and Disaster Service Workers, citizens under evacuation orders, or life-line communities, when received from the REOC or Operational Areas (depending on type of emergency)."	Acknowledged, Change: Emergency transportation has been redefined to include service to life line communities.
43 City of Alameda (05.15.2009)	Section 6.1, Page 11	Paragraph beginning "Emergency water transportation service is the". Modify second sentence to read, "It also included supporting the transportation to/from life-line communities, or citizens under emergency conditions such as being stranded by the loss of primary transportation systems."	Acknowledged, Change: Emergency transportation has been redefined to include service to life line communities.

Comment Matrix for the Emergency Water Transportation System Management Plan (EWTSMMP or Plan)

Organization	Section Number and Name	Comment or Question	Resolution
44 City of Alameda (05.15.2009)	Section 6.6.1.2, Page 20	2nd paragraph: Modify first sentence to read "Functions that are managed in this section include all operations directly applicable to the primary function of WETA, which is the provision of emergency water transportation services during the response phase, including life-line community services, and then the restoration of basic water transportation services."	Acknowledged, No Change: There may be times when in the context of a regional emergency, basic water transportation services would need to be restored in foundation with life line service. Therefore the original text is retained, however emergency transportation has been redefined to include service to life line communities.
45 City of Alameda (05.15.2009)	Section 7.2.1.2, Page 26	2nd paragraph: Modify first sentence to read "During this phase, WETA is focused on minimizing personal injury - property damage, and providing emergency water transportation services, including service to life-line communities."	Acknowledged, Change: Emergency transportation has been redefined to include service to life line communities.
46 City of Alameda (05.15.2009)	Section 9.3, Page 34	Modify sentence to read "During a Level II or Level III emergency, WETA will strive to support requests for emergency water transportation services, including service to life-line communities, to the maximum extent possible and will suspend basic water transportation service."	Acknowledged, Change: Emergency transportation has been redefined to include service to life line communities.
47 City of Alameda (05.15.2009)	Section 9.3.2, Page 36	7th bullet: Modify to read "continue to respond to requests for prioritized emergency water transportation services, including life-line service."	Acknowledged, Change: Emergency transportation has been redefined to include service to life line communities.
48 City of Alameda (05.15.2009)	Section 9.5.5, Page 44	The Plan should make a commitment to upgrade Alameda terminals (Main Street, Harbor Bay) to "essential structure" status as soon as possible.	Acknowledged: Please refer to the Capital Improvement Program in the WETA's Transition Plan.
49 City of Alameda (05.15.2009)	Section 13.1.1, Page 56, Procedures for Responding to Level II and III Emergency Water Transportation Services Requests #1	#1: Modify to read "WETA Transit Operations too suspend basic water transportation services and to provide service to life-line communities."	Acknowledged, Change: Emergency transportation has been redefined to include service to life line communities.
50 City of Alameda (05.15.2009)	Section 13.1.3, #5, Page 60, Procedures for Transportation of Citizens	This should not be a requirement	Acknowledged, No Change: One of the reasons for the creation of WETA was to be a resource for emergency transportation services throughout the region, especially the transportation of First Responders and Disaster Service Workers. This premise of found throughout this Plan and needs to be maintained in the guidelines.